

**TOWN OF SAND LAKE**  
**Town Board Meeting**  
**August 9, 2023**

A Town Board Workshop of the Town of Sand Lake was held on August 9, 2023 at the Sand Lake Town Hall. After the Pledge of Allegiance, the following answered roll call:

**PRESENT:** Supervisor Gallerie - Absent  
Deputy Supervisor Clemens  
Councilman Nippes  
Councilman Glasser  
Town Attorney Danaher  
Town Clerk Barbara Hansen

A Motion was made by Deputy Supervisor Clemens to approve the Minutes of July 26, 2023 Town Board Workshop. It was seconded by Councilman Glasser and all were in favor. Motion carried.

**Town Clerk's Report:** Last weeks Rensselaer County Household Hazardous Waste Collection was successful. They will be holding another on September 16<sup>th</sup> in Brunswick open to Sand Lake residents. Complete information and sign up is on our website. If you have trouble signing up call my office and we will help you.

**Deputy Supervisor Clemens Report:** Thanks to Co Legislature Wayne Gendron for installing Free Library at SCLA. Town Beach will be closing Sunday, August 27. If we can get enough staffing we may extend the season through Labor Day. The first phase of the street light project is coming to a close with a few loose ends to tie up. The second phase of replacing interior lights in town buildings will begin after that. Library is holding a children's event, "All Together Now", this Saturday. Nopiates Committee have a couple of events coming up. Check their website for details.

**Councilman Nippes Report:** Animal Control had 14 calls last month. Planning Board and Building Department issued 22 permits and have been busy with violation notices and court appearances. Music in the Park continues on Thursdays at 6:30. Local Band 10:01 will be performing tomorrow. Kiwanis Food truck will be there also. Additions to Butler Park have been ongoing. The parking lot has been paved and rocks to accent the perimeter of the lot will be placed instead of a post and rail wood fence. He thanked Sally Perry and Judy Bryan for their work on the Park Committee. The boulders have been donated by Troy Sand & Gravel.

**Councilman Glassers Report:** Emergency Services: Calls this month: Taborton 2, Averill Park 17 and West Sand Lake 45. There will be an annual TriAthalon, swim, bike and run, in Averill Park around Crystal Lake August 18<sup>th</sup>, so please watch out for the runners on the road. SLCA has a new play this month "Family Reunion to Die For". Information to obtain tickets can be found on their website.

**Department of Public Works:** Commissioner Rifenburgh reported they have been busy ditching sides of the roads and doing a lot of pipe work and cross culverts. Some of these involve trout streams which requires DEC involvement. Since major paving is complete they will be doing shim work around town to get ready for winter.

Before opening the Public Comment portion of the meeting Deputy Supervisor Clemens introduced Resolution #2023-08-122.

**RESOLUTION #2023-08-122**

**Appointing Jack Krokos to Fill the Position on the Town Board Vacated by Wayne Gendron**

**Moved by: Deputy Supervisor Clemens**

**Seconded by: Councilman Glasser**

**WHEREAS**, there exists a vacancy on the Town Board of the Town of Sand Lake due to the resignation of Councilman Wayne Gendron to accept an appointment as a Rensselaer County Legislator; and

**WHEREAS**, the Town Board has considered several candidate's resumes and expressions of interest to fill the vacancy; and

**WHEREAS**, it has been determined that Jack Krokos is the most qualified candidate for this position based on education and work experience; now therefore be it

**RESOLVED**, that the Town Board of the Town of Sand Lake hereby appoints Jack Krokos as a Town Board Member effective August 9<sup>th</sup>, 2023 for a term ending December 31, 2023.

**AYES 4 – NAYS 0 – 1 ABSENT MOTION CARRIED**

Councilman Nippes explained Councilman Krokos was picked to fill Councilman Gendron's seat after an extensive search. He lives in Town and is working on his Master's Degree in Finance which will be a great asset, especially during upcoming budget time. He is young and energetic and the Board believes our future is in our young people.

Deputy Supervisor Clemens echoed Councilman Nippes comments. We believe Councilman Krokos will bring a different perspective to issues and help the Town adapt to everchanging technology.

The Oath of Office was administered by Town Clerk, Barbara Hansen, and Councilman Krokos was officially sworn in as Councilman.

**PUBLIC COMMENTS;**

John Sniezyk, 15 year veteran election inspector, addressed the Board regarding election day procedures. He went into great detail on the checks and balances involved on election day.

Kevin Goggins, Patty Pierce and Anna Brouker, Alexandra Bontempo, Kevin Rose and Stephanie Roberts spoke as advocates of the NY Citizens Audit who are calling for an audit of the 2020 election.

Bill Glasser, Veterans of Sand Lake representative, said there is a meeting tomorrow at the Legion Post and all Veterans are welcome. There will be a chicken BBQ next Saturday. Check out their Facebook page.

Rob Dressner re-addressed the Board regarding earlier alternative language for the NYCA tabled Resolution. But in any event to not go forward with it.

Garrett DeGraff, Sand Lake Democratic Chair, believes election inspectors have processes on election day, as explained previously tonight by John Sniezyk, to insure election integrity and credibility. He also believes the Board should decline to proceed on the NYCA Resolution.

County Legislator Wayne Gendron said he would support an audit of the election. He reminded everyone this Saturday is Rensselaer County Day at Bruno Stadium. Kiwanis will be holding an event for children on October 7<sup>th</sup> at Westfall Village entitled "Touch a Truck". The Fire Departments, Troy Sand & Gravel and Town Trucks will be there for the children to explore. This year Kiwanis is celebrating its 75th anniversary at Burden Lake Country Club at 6:00 pm on December 2<sup>nd</sup>.

Rob Dressner re-addressed the Board suggesting alternative language for the NYCA tabled Resolution, and to not go forward with it.

#### **BUSINESS:**

#### **RESOLUTION #2023-08-123**

**Authorizing the Implementation, and Funding in the First Instance 100% of the Federal-Aid and State "Marchiselli" Program-Aid Eligible Costs, of a Transportation Federal-Aid Project, and Appropriating Funds Therefore**

**WHEREAS;** a Project for the TAP-Town of Sand Lake Beach Sidewalk Connector, P.I.N. 1762.57 (the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

**WHEREAS;** the Town of Sand Lake desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of Preliminary Design and Detailed Design.

**NOW, THEREFORE,** the Town Board of the Town of Sand Lake, duly convened does hereby

**RESOLVE,** that the Town Board of the Town of Sand Lake hereby approves the above-subject project; and it is hereby further

**RESOLVED;** that the Town Board hereby authorizes the Town Supervisor to pay in the first instance 100% of the federal and non-federal share of the cost of Design work for the Project or portions thereof; and it is further

**RESOLVED;** that the sum of \$134,000.00 is hereby appropriated from the General Fund Balance and made available to cover the cost of participation in the above phase of the Project; and it is further

**RESOLVED;** that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Town Board shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and it is further

**RESOLVED;** that the Supervisor of the Town of Sand Lake be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the Town of Sand Lake with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

**RESOLVED;** that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project. and it is further

**RESOLVED;** this Resolution shall take effect immediately

**AYES 4 – NAYS 0 – 1 ABSENT     Motion Carried**

Deputy Supervisor Clemens explained the Town is working on a sidewalk connector project to connect the sidewalks in West Sand Lake to the Town Beach. It's in the very early stages and we have to appropriate funds for the initial design and there will be Federal and State aid to help the Town defray costs.

**RESOLUTION #2023-08-124**

**Accepting a Proposal from CT Male for 2023 Monitoring and Reporting Services for the Town of Sand Lake Landfill**

**Moved by:     Councilman Glasser**

**Seconded by: Deputy Supervisor Clemens**

**WHEREAS,** Per the Town of Sand Lake's Landfill Closure Monitoring Plan, the New York State Department of Environmental Conservation (NYS DEC) requires landfill monitoring and reporting on an annual basis for five of our monitoring wells, and one surface water sampling area; and

**WHEREAS,** the Town of Sand Lake has previously retained C.T. Male Associates to conduct annual monitoring and reporting of the former Landfill since its' closure Landfill; and

**WHEREAS,** Professional Services such as Engineering are not subject to competitive bidding requirements per Section 103 of New York State General Municipal Law; and

**WHEREAS,** CT Male has submitted a proposal for professional services to perform the annual monitoring and testing to maintain compliance with the Town's Landfill Closure Monitoring Plan as approved by the NYS DEC; now therefore be it

**RESOLVED;** that the Town Board hereby authorizes the Town Supervisor to accept the proposal from C.T. Male Associates, attached, and to approve Technical Services Change Order #1 subject to approval as to form by the Town Attorney.

**AYES 4 – NAYS 0 – 1 ABSENT      Motion Carried**

**RESOLUTION #2023-08-125**

**Welcoming Sand Lake Merchant to the Community**

**Moved by:    Deputy Supervisor Clemens**

**Seconded by: Councilman Glasser**

**WHEREAS,** the Town Board of the Town of Sand Lake wishes to recognize the contributions of business members in our community; and

**WHEREAS,** the Town of Sand Lake enjoys the distinction of having the best selection and highest quality of food service establishments of any Town in Rensselaer County; and

**WHEREAS,** the Sand Lake Merchant is a welcome addition to the Town of Sand Lake; now therefore be it

**RESOLVED,** that the Town Board of the Town of Sand Lake welcomes Amanda Goyer and Sand Lake Merchant to the Town of Sand Lake and looks forward to a long and productive business relationship with them; and be it further

**RESOLVED,** that the Town Clerk is hereby authorized and directed to issue a copy of this resolution suitably embossed for presentation to Sand Lake Merchant

**AYES 4 – NAYS 0 – 1 Absent      Motion Carried**

**RESOLUTION #2023-08-126**

**Authorizing the Procurement and Installation of Boulders at Butler Park**

**Moved by:    Deputy Supervisor Clemens**

**Seconded by: Councilman Nippes**

**WHEREAS,** the Parks Committee has specified that a perimeter around the parking lot at Butler Park is needed to replace the old wooden logs that were located there previously; and

**WHEREAS,** quotes were obtained for the purchase and delivery of boulders to border the parking lot, as well as quotes to place them with an excavator; and

**WHEREAS,** Troy Sand and Gravel has provided the lowest responsible quote for trucking with a donation of the boulders themselves, and Perry Construction LLC providing the lowest responsible quote for an excavator with operator for final placement of the boulders; now therefore be it

**RESOLVED,** that the Town Board of the Town of Sand Lake authorizes the procurement of up

to 115 boulders with trucking from Troy Sand and Gravel in an amount not to exceed \$10,875.00; and be it further

**RESOLVED**, that the Town Board of the Town of Sand Lake authorizes a one week rental of a Cat 318 excavator with operator at the rates indicated on the attached quote from Perry Construction LLC in an amount not to exceed \$6,915.00 contingent upon the contractor providing the Town of Sand Lake with required insurance certificates.

**AYES 4 – NAYS 0 – 1 Absent      Motion Carried**

**RESOLUTION #2023-08-127**

**Supporting Efforts to Preserve the 1873 West Sand Lake Firehouse**

**Moved by: Deputy Supervisor Clemens**

**Seconded by: Councilman Nippes**

**WHEREAS**, the West Sand Lake Volunteer Fire Company #1, organized in 1872, was the 3<sup>rd</sup> rural volunteer fire company in Rensselaer County, the 1<sup>st</sup> volunteer fire company in the Town of Sand Lake; and

**WHEREAS**, the original firehouse constructed in 1873 remains today as one of the Town's historic buildings; and

**WHEREAS**, in accordance with the Town of Sand Lake 2019 Comprehensive Plan, ensuring that many of the Town's aging and historic buildings can be preserved and re-purposed has been identified as a key issue in the Town's efforts for long-term economic development, growth, and community character preservation, and incorporating these historic assets into an economic development strategy could prove beneficial; now therefore be it

**RESOLVED**, that the Town Board of the Town of Sand Lake recognizes the historical significance of the 1873 West Sand Lake Firehouse, and supports ongoing efforts by the Town Historian, the Sand Lake Historical Society, and members of the community to collaborate with the West Sand Lake Fire Company and District to explore options in which the original firehouse might be preserved and reused in a way that will contribute toward community preservation and economic growth of the Town.

**AYES 4 – NAYS 0 – 1 ABSENT      MOTION CARRIED**

**RESOLUTION #2023-08-128**

**Authorizing the Publication of a Request for Proposal for Engineering Services for the Thais Road Bridge Replacement Project**

**Moved by: Deputy Supervisor Clemens**

**Seconded by: Councilman Glasser**

**WHEREAS**, The New York State Department of Transportation has notified the Town of Sand Lake that the request for funding the replacement of the superstructure of the Thais Road Bridge under the Bridge-NY program has been approved; and

**WHEREAS**, Engineering services will be required for the purposes of preliminary design, final design, construction support, and construction inspection on this project; now therefore be it

**RESOLVED**, that the Town Board of the Town of Sand Lake authorizes the Town Supervisor to publish a Request for Proposal for the above engineering services in support of this Bridge-NY project.

**AYES 4 – NAYS 0 – 1 Absent      Motion Carried**

**RESOLUTION #2023-08-129**

**Retaining Daniel G. Vincelette, PC as Special Counsel to the Town of Sand Lake**

**Moved by:      Deputy Supervisor Clemens**

**Seconded by: Councilman Glasser**

**WHEREAS**, The Town of Sand Lake requires Special Counsel legal services in the area of Assessment Proceedings and Litigation relating thereto; and

**WHEREAS**, Daniel G. Vincelette, PC specializes in the area of law listed above and has worked with the Town in the past; now, therefore, be it

**RESOLVED**, that the Town Board retains Daniel G. Vincelette, PC as Special Counsel to provide the services listed above pursuant to the attached Retainer Agreement.

**AYES 4 – NAYS 0 – 1 Absent      Motion Carried**

Attorney Danaher explained this is a Utility Company challenging its assessment under Article 7 and we're retaining Special Counsel to represent the Town.

Before adjourning the meeting Councilman Nippes wanted to make it clear that tabling the Resolution regarding the NY Citizens Audit calling for a re-count was not taking a side one way or the other. He thanked John Sniezyk for his thorough explanation of details incumbent upon election inspectors on Election Day.

There being no further business to come before the Board Councilman Nippes made a motion to adjourn the meeting. It was seconded by Councilman Glasser and all were in favor. Motion carried.