

**TOWN OF SAND LAKE  
TOWN BOARD MEETING  
December 14, 2022**

A Meeting of the Sand Lake Town Board was held on December 14, 2022 at the Sand Lake Town Hall. After the Pledge of Allegiance, the following answered roll call:

**PRESENT:** Supervisor Gallerie  
Deputy Supervisor Gendron  
Councilman Nippes  
Councilman Clemens  
Councilman Glasser  
Town Attorney Danaher

**RECORDING SECRETARY:** Barbara Hansen, Town Clerk

**OTHERS PRESENT:** Bill Glasser, Karol & Mike O’Sullivan, Carl, Ricci, Tim Murdick, Brian Hunt, Tom Cetrino, Chuck & Robin Kimberling, Bruce Perry, John Slyer, Lori Buno-taylor, Joe Biggins, Robert Maluk, Edward Ashler, Carolyn Wojotowicz, Stefani Neubert, Christina Carton, et al.

**PUBLIC HEARING: To hear comments for or against adopting Local Law #5 of 2022.**

A Local Law to amend the Zoning Map expanding the Hamlet Mixed Use Zone.

S/Gallerie opened the Public Hearing at 7:00 asking three times each if anyone wished to speak either in favor or against the adoption of Local Law #5. No one spoke in opposition. John Slyer, President of Board of Directors of Skyhigh thanked the Board for moving forward with the Zoning change, explaining it was necessary to allow the Center to apply for grants that could not be applied for if the property was in a residential district.

Pamela Ryan, whose property adjoins Skyhigh, said she was not opposed to the Community Center but asked if they would please plant some trees to provide a wooded buffer area.

Several other residents: Tim Murdick, Edward Ashley, Joe Biggins, Bruce Perry, Carl Ricci, also spoke in favor of the Zoning change for the benefit of Skyhigh.

Since there was no further public comment on the matter S/Gallerie asked for a motion to Close the Public Hearing at 7:17pm. A motion was made by C/Nippes and seconded by Deputy Supervisor Gendron. All in favor.

S/Gallerie opened the regular meeting of the Town Board

**Barbara Hansen, Town Clerk’s Report:**

Total Revenue for November		\$8,853.30
NYS Ag & Mkts	\$	50.00
NYS DOH Marriage	\$	67.50
DEC Hunting & Fishing	\$	2,256.07
Balance to Town	\$	6,479.93

Parade: Before I steal his thunder I want to thank Councilman Glasser for the hard work he and his wife, Barbara, put in to make the Holiday Parade a huge success. I'm sure he will have a full report. I think we had the biggest crowd I've ever seen and thanks to everyone who donated toys and participated in the parade. The floats and lights and decorations were spectacular. Thank you to all lining the parade route who cheered us on. A special thank you to our new Dunkin and Hannaford Market for their generous donations of hot chocolate, munchkins, juice boxes, cookies and water. Lastly, a thank you to Keith Hammond and Tiffany Buker for their work at Butler Park distributing all the goodies and taking good care of Santa and Mrs. Claus.

DEC – Hunting season is winding down, rifle season is over but Muzzleloading was opened on Dec 12 and runs till Dec 20, shuts down for the holiday and re-opens Dec 26 – Jan 1. In our southern zone here during this season, you can take either a buck or doe, with a bow crossbow or muzzleloader. I've had a few calls about this so thought I'd clear it up.

Unfortunately, internet and phone scams have become part of everyday life. We had a call today regarding one of our seniors who was preyed upon. Please everyone be cautious and keep your radar up. If anyone calls you on the phone or contacts you in a message or on the internet do not give them any information especially SS#, bank information, or any other personal information. If they pressure you just hang up. No legitimate bank, attorney or financial institution will contact you in this manner. The most recent scam plays out where they call you on the phone and say you have a long lost relative who died and left you money and they need your personal information to get your inheritance to you. As I said just hang up!

Lastly, I wish you all a wonderful, happy and healthy Holiday Season.

**Deputy Supervisor Gendron's Report:** Thank you to DPW for removing a tree I called them about that was blocking the road. The Roof on the Sewer Department is now complete. The SL Historical Society and the Town Historian collections are on display at the SL Center for the Arts through the month of December and may be viewed from 12-3:00 on Saturdays. Nopiates held an "Escape the Vape" program outlining the dangers of vaping. It was well attended. Kiwanis 4<sup>th</sup> Annual Ice Fishing Contest will take place on Burden Lake February 11, 5:00 am to 2:00 pm. We encourage everyone to come out and participate.

**Councilman Nippes Report:** He also thanked everyone who worked to make the Holiday Parade such a great success. Butler Park: we are looking for members for the Park Committee. If anyone is interested contact me by email: [snippes@sand-lake.us](mailto:snippes@sand-lake.us) or on my cell: 518-858-6534. Music in the Park: We are starting to work on next summer's concert series. It will probably start the 1<sup>st</sup> Thursday in July. More to come. Stop 13 Bridge: was dedicated as the "Joel Hunt Memorial Bridge" a few days ago and I publicly apologize to Nancy Perry for not inviting her. Ex-Supervisor Perry started that project and along with Joel, and the Board was remiss in forgetting to invite her to the dedication. We greatly appreciate all the work she did during her tenure. Animal Control: There were 18 calls last month and 2 dogs were seized at large and sent to Mohawk Hudson Humane Society. Please keep dogs on your property or on a leash.

**Councilman Clemens:** Again thank you to C/Glasser and Barbara for the Parade and thank you to DPW for the great job they do keeping our roads plowed and passable. It looks like another snowstorm is heading our way this weekend.

Library: Residents will be getting a survey in the mail from the Library asking for input as to what they can do to improve their services.

Street Lights: The days are getting shorter, please report any lights that are out. We want a list of all street lights out so that we can get a truck to all high density areas ahead of the street light upgrade program that will be kicking off early next year.

**Councilman Glasser's report:** Barbara and I appreciate all the recognition for our efforts put in to making the Holiday Parade a success. It was really due to the spirit of the Town that made it successful. We ended up with a record 50 floats. The Parade has grown tremendously since its first year. Thank you to all the organizations, businesses, town highway, AP and WSL Fire Departments who made it such a success. Closing down the Village roads is no small task.

Convenience Facility: We no longer can take tires on rims. The company we pay to take the tires will not accept them any longer. We looking for an alternative at present.

**Kevin Rifenburg, Commissioner DPW:** The Sewer Roof replacement is almost complete. Blacktop plants will be closing tomorrow. 2<sup>nd</sup> Dyke Culvert is moving along nicely. The contractor said there have been residents in the work zone. The public is not allowed on the work site; it's a safety hazard so please stay out of the work zone. We easily handled the last snowstorm and commend our new drivers who did a great job. C/Rifenburg said residents can help DPW during a snowstorm by keeping trash cans & basketball hoops off the road and please don't push snow onto the road after it's been plowed. NYS Highway Law Section 319, states it's illegal to plow or blow snow onto the road.

S/Gallerie now opened they floor to **Public Comments.**

Several residents spoke regarding the Application the Town Board sent to Planning Board for a PDD to allow expansion of the Hoffay Mine and Gardner property by Rifenburgh Construction. Tom Cetrino sent memos to all Board members outlining his reasons for opposition to the proposed project. He also sent a petition signed by 280 people also in opposition. Other residents who spoke in opposition are: Robert Malek, Crystal Heritage and Jaret Lange. They all expressed concerns about the health, environmental, property value and quality of life issues they believe would be negatively impacted if this mining expansion was approved. There being no other residents wishing to speak S/Gallerie took the floor.

**S/Gallerie's Comments:** He stated residents are always welcome to come in to TB workshop meetings to voice concerns on any issue. My door is always open. I've been in this business for 46 years and understand everyone's concerns and believe communication is the key. At this point we are only considering the application for the PDD. The mining application would only come after the PDD is approved. The environmental, health and safety issues and quality of life issues would become center stage in the 2<sup>nd</sup> phase. My goal now is to be sure we are

procedurally correct since we are anticipating a legal action in any event. The Board wants to be sure we are treating all parties in accordance with correct procedures. He wants the Town to maintain control over the entire process. DEC will walk through their SEQR process and all the issues brought up tonight will be addressed and mitigated to their satisfaction. This is a long process and we want to be sure we consider all issues but, also, that we document them as well. Right now we are keeping an open mind and will make a decision when the time comes. DPW did a great job with last weeks storm and there is another one on the way. Veterans: The Veterans Holiday Party was held last week at Arlington House and a good time was had be all. If you are a Veteran and are interested in being involved with any of the groups in town please Bill Glasser or myself.

**BUSINESS:**

**RESOLUTION #2022-12-188**

**Approving a 60 Month Lease for a Pitney Bowes Mailing System**

**Moved by: Supervisor Gallerie**

**Seconded by: Councilman Clemens**

**WHEREAS**, Resolution 2018-12-121 approved the lease of the Pitney Bowes Mailing System for a 48 month period at \$77 per month; and

**WHEREAS**, the current lease period is coming to an end on December 31, 2022; and

**WHEREAS**, Pitney Bowes has quoted a price of \$71.50 per month for a 60 month lease on a Send Pro C Semi-Automatic mailing system; now therefore be it

**RESOLVED**, that the Town Board authorizes a 60 month lease agreement with Pitney Bowes for the continued lease of the referenced mailing system for an average monthly cost of \$71.50, subject to approval as to form by the Town Attorney.

**AYES 5 – NAYS 0 UNANIMOUS**

**RESOLUTION #2022-12-189**

**Appointing Daniel V. Hogle to the Zoning Board of Appeals**

**Moved by: Deputy Supervisor Gendron**

**Seconded by: Councilman Nippes**

**WHEREAS**, the Zoning Board of Appeals has a vacancy to be filled due to the resignation of Mr. Scott Bendett; and

**WHEREAS**, the Town Board has considered several candidates resumes and expressions of interest; now therefore be it

**RESOLVED**, that the Town Board of the Town of Sand Lake hereby appoints Daniel V. Hogle to the Zoning Board of Appeals for a term ending December 31, 2025; and be it further

**RESOLVED**, the appointee shall complete the required training in Harassment and

Discrimination, Work Place Violence, and four credit hours related to planning and/or zoning.

**AYES 5 – NAYS 0 UNANIMOUS**

The Board thanked Scott Bendett for his years of service on the Zoning Board and wish him well in his new position at the State Assembly.

**RESOLUTION #2022-12-190**

**Authorizing Attendees at the New York State Association of Towns Annual Business Meeting**

**Moved by: Councilman Glasser**

**Seconded by: Councilman Nippes**

**WHEREAS**, the Town of Sand Lake is a member of the Association of Towns of the State of New York; and

**WHEREAS**, the Annual Business Meeting of the Association of Towns will be held on February 19 thru 22, 2023; and

**WHEREAS**, Councilman Stephen Clemens and Councilman Paul Glasser will attend the Association of Towns Annual Meeting, now therefore be it

**RESOLVED**, that Councilman Clemens will be duly designated as the Town of Sand Lake Delegate, and Councilman Glasser will be designated as alternate in the absence of Councilman Clemens; and be it further

**RESOLVED**, that the attendees shall be entitled to reimbursement of reasonable, documented, necessary and ordinary expenses up to the amount of \$1000 as authorized by Town Law Article VIII §116(10).

**AYES 5 – NAYS 0 UNANIMOUS**

**RESOLUTION #2022-12-191**

**Authorizing Installation of a Little Free Library by Kiwanis at Butler Park**

**Moved by: Deputy Supervisor Gendron**

**Seconded by: Councilman Nippes**

**WHEREAS**, Kiwanis International and Little Free Library have partnered to expand book access to many communities around the country; and

**WHEREAS**, the Kiwanis Club of Sand Lake has requested authorization to install a Little Free Library at Butler Park, a Town owned park; now therefore be it

**RESOLVED**, that the Town Board of the Town of Sand Lake authorizes the Kiwanis Club of Sand Lake to install a Little Free Library in Butler Park in an appropriate location agreed upon by the Commissioner of Public Works; and be it further

**RESOLVED**, the Kiwanis Club of Sand Lake is required to submit proof of liability insurance to the Office of the Town Clerk prior to the installation of the library.

**AYES 5 – NAYS 0 UNANIMOUS**

Deputy Supervisor Gendron said this Little Free Library is being installed in the hopes that it will expand literacy. It will be located next to the playground to give kids access to free books.

**RESOLUTION #2022-12-192**

**Authorizing the Purchase of a Heavy Duty Pickup Truck for the Department of Public Works**

**Moved by: Supervisor Gallerie**

**Seconded by: Councilman Clemens**

**WHEREAS**, the Commissioner of Public Works requires the replacement of Truck #5 in the Highway Department as it has become uneconomically repairable; and

**WHEREAS**, The Commissioner of Public Works has determined that this truck should be replaced with a heavy-duty pickup truck to maximize it's useful life to the Public Works Department; and

**WHEREAS**, Resolution 2022-11-178 authorized the solicitation of pricing for a new truck to replace Truck #5; and

**WHEREAS**, Westchester County NY has awarded bids to DeNooyer Chevrolet for Chevrolet 3500 HD Pickup Trucks and the terms of the bid specify that it shall be available to other municipalities pursuant to Section 103, subparagraph 16 of New York State General Municipal Law; and

**WHEREAS**, Denooyer Chevrolet has a truck in stock that meet the specifications as set forth by the Commissioner: and

**WHEREAS**, the Town of Sand Lake Purchasing Policy requires that purchases of \$20,000 or more must be approved by the Town Board, and

**WHEREAS**, the financial impact of this resolution is \$51,077.50 from 2023 Highway Machinery Equipment Budget Line DA 5130.2; now, therefore, be it

**RESOLVED**, that the Town Board authorizes the Commissioner of Public Works to purchase a 2023 Chevrolet Silverado 3500HD Regular Cab Work Truck from DeNooyer Chevrolet Inc. in an amount not to exceed \$51,077.50 not earlier than January 3, 2023.

**AYES 5 – NAYS 0 UNANIMOUS**

Deputy Supervisor Gendron said he believes \$51,077 is a fantastic price for that truck and thinks it is a good idea to take advantage of the price now. Supervisor Gallerie said looking at the entire fleet of trucks at DPW the plan is to stagger purchases so that the Town doesn't have to replace too many vehicles in the same year.

**RESOLUTION #2022-12-193****Adopting a SEQR Negative Declaration and Approving Local Law #5 of the Year 2022 – A Local Law to Amend the Zoning Map Expanding the Hamlet Mixed Use Zone****Moved by: Supervisor Gallerie****Seconded by: Councilman Nippes**

**WHEREAS**, the Sand Lake Town Board met on November 29<sup>th</sup>, 2022 to introduce proposed Local Law #5 of 2022 and set a Public Hearing for 7:00 pm on Wednesday, December 14<sup>th</sup>, 2022; and

**WHEREAS**, the Town Board of the Town of Sand Lake has reviewed the attached proposed Local Law No. 5 of 2022 Amending the Zoning Map by Expanding the Hamlet Mixed Use Zone of the Town of Sand Lake, and believes same is appropriate as to form and substance, and a Public Hearing having been conducted herein so as to get input from members of the Sand Lake Community, and good cause appearing therefore; and

**WHEREAS**, based on its consideration of the proposed Project, its review of the Environmental Assessment Form and all other supporting information submitted in connection with the proposed Project, and the criteria set forth in 6 NYCRR § 617.7, the Town of Sand Lake Town Board, as lead agency, has identified and analyzed the relevant areas of environmental concern to determine whether the proposed action may have a significant adverse impact on the environment; and now, therefore, be it

**RESOLVED**, that the Town Board hereby finds and determines that the proposed Project will not have any significant adverse impacts on the environment and therefore issues a Negative Declaration of Environmental Significance pursuant to SEQRA for the reasons set forth in the attached Determination of Significance and Parts 2 and 3 of the EAF, all of which is incorporated herein by reference and the reading all of which are waived; and be it further

**RESOLVED**, that proposed Local Law No. 5 of the year 2022 is hereby approved and adopted; and be it further

**RESOLVED**, that the Town Clerk is hereby authorized and directed to file a certified copy of Local Law No. 5 of 2022 with the Office of the New York State Secretary of State

**AYES 5 – NAYS 0 UNANIMOUS**

The Board thanked John Slyer for all he's doing at Skyhigh and hopes that this will help him secure State grants and funding for much needed expensive repairs to the building.

**RESOLUTION #2022-12-194**

**Scheduling a Public Hearing to Consider a Resolution Endorsing the NYS Restore NY Communities Initiative Application for Rehabilitation of the Building located at 27 Lake Avenue**

**Moved by: Supervisor Gallerie**  
**Seconded by: Councilman Clemens**

**WHEREAS**, the Town Board of the Town of Sand Lake has reviewed the attached proposed Resolution seeking to endorse the NYS Restore NY Communities Initiative Application for Rehabilitation of the Building located at 27 Lake Avenue, and believes that a Public Hearing should be held to receive input from members of the Sand Lake Community, and good cause appearing therefore; now therefore be it

**RESOLVED**, that proposed resolution seeking to endorse the NYS Restore NY Communities Initiative Application for Rehabilitation of the Building located at 27 Lake Avenue is hereby approved as to form; and be it further

**RESOLVED**, that a Public Hearing will be held at 7:00 pm on December 28, 2022, at the Town Hall of the Town of Sand Lake located at 8428 NY Route 66, Sand Lake, New York, so as to the allow the Town Board to hear Public Comment on the proposed resolution; and be it further

**RESOLVED**, that the Town Clerk is hereby authorized and directed to issue appropriate Public Notice of the Public Hearing scheduled herein.

**AYES 5 – NAYS 0 UNANIMOUS**

**RESOLUTION # 2022-12-195**

**Budget Transfers/Amendments**

At the Town Board meeting of the Town of Sand Lake, New York held in the Town Hall on the 14<sup>th</sup> day of December, 2022 the following resolution was:

Moved by: Supervisor Gallerie

Seconded by: Councilman Nippes

**Be It Resolved** the following transfers are made to the 2022 Budget:

<b>From</b>	<b>To</b>	
<b>Amount</b>		
A 1490.1000 Public Works Personal	A 1490.4000 Public Works Contractual	\$ 300.00
A 1990.4000 Contingency Contractual	A 1650.4000 Central Communications Contractual	\$ 200.00
A 1990.4000 Contingency Contractual	A 7150.4000 Special Recreational Fac. Contractual	\$ 300.00
A 1990.4000 Contingency Contractual	A 1910.4300 Unallocated Insurance	\$ 216.00
A 1990.4000 Contingency Contractual	A 1680.4000 Central Data Processing Contractual	\$ 3,000.00
A 1990.4000 Contingency Contractual	A 3620.4000 Building Inspector Contractual	\$ 1,000.00



A 3620.2000	A 3620.4000	\$ 200.00
Building Inspector Equipment	Building Inspector Contractual	
SS2 8120.4000	SS2 8120.2000	\$ 1,246.00
Sewer Collections Contractual Dist. 2	Sewer Collections Equipment Dist. 2	

**Budget Amendments**

None at this time.

**AYES 5 – NAYS 0 UNANIMOUS**

**RESOLUTION #2022-12-196**

**Retaining FCM Engineering PLLC to Prepare a Funding Application for the Loon Creek Lane Culvert**

**Moved by: Supervisor Gallerie**

**Seconded by: Councilman Nippes**

**WHEREAS**, Resolution 2022-11-180 authorized the Town Supervisor to solicit Expressions of Interest (EOI) to assist in preparing a funding application for the Replacement of the Loon Creek Lane Culvert under the next round of the Bridge NY Program; and

**WHEREAS**, a request for Expressions of Interest was published and was responded to by FCM Engineering PLLC; and

**WHEREAS**, FCM Engineering has responded to the EOI with a highly qualified and experienced team demonstrating a familiarity with the Bridge NY Program and detailed knowledge of the Loon Creek Lane Culvert Project; now, therefore, be it

**RESOLVED**, that the Town Board authorizes the Town Supervisor to award the project of preparing and submitting the Bridge NY Funding Application on behalf of the Town of Sand Lake to FCM Engineering PLLC.

**AYES 5 – NAYS 0 UNANIMOUS**

Brian Hunt asked to speak and noted Ex-Supervisor Nancy Perry spearheaded the replacement of Stop 13 Bridge and worked alongside DPW to bring it to fruition.

S/Gallerie wished everyone a safe and happy holiday. Deputy Supervisor Gendron made a motion to adjourn the meeting at 8:16 pm. It was seconded by Councilman Nippes. All in favor.

