

**TOWN OF SAND LAKE
TOWN BOARD MEETING
December 28, 2022**

A Meeting of the Sand Lake Town Board was held on December 28, 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 – Absent
Town Attorney Danaher

RECORDING SECRETARY: Barbara Hansen, Town Clerk

OTHERS PRESENT: Kevin Rifenburg, Bill Glasser, John Slyer, Paul Koniowka, Tom Cetrino, Monica Ryan, Garrett DeGraff, Tim Murdick, Carolyn Wojtowicz, Stefanie Neubert, Brian Hunt, Lee Smith, Roy Jacobson, Mike & Karol O’Sullivan, et al

A Public Hearing was scheduled and duly published in the official newspaper. Supervisor Gallerie called the Hearing to order.

PUBLIC HEARING: To Endorse NYS Restore NY Communities Initiative Funding Application for Rehabilitation of former St. Henry’s School Building located at 27 Lake Avenue, Averill Park, NY

Supervisor Gallerie asked three times for anyone in opposition to speak. No one came forward. John Slyer, President of the Board of Directors of SHAC spoke in support and explained his vision and the scope of programs he hopes the Center will make available. He emphasized this Funding is crucial to rehabilitate the building and to make necessary repairs. Mr. Slyer read into the record several letters from residents, Edward Ashley, Erin Berical, Scott Bendett, Rachel Strickland, Pastor Lori Buno-Taylor, William J. Boland III and Allison Swiatowicz and Tim Murdick supporting this Application and emphasizing the positive effects a Community Center like SHAC will have in Sand Lake. (Copies of these letters are on record in the Town Clerk’s file). Several more residents spoke in support.

There being no further comments Councilman Nippes made a motion to close the Public Hearing at 7:25 pm. Seconded by Deputy Supervisor Gendron. All in favor.

Supervisor Gallerie moved on to the Workshop Meeting. A motion was made by C/Nippes and seconded by Deputy S/Gendron to approve the Minutes of the November 9th and November 30 Town Board Meeting and Workshop. All in favor.

Supervisor Gallerie’s Report: Stop 13 Bridge: The Bridge is complete and we are working on final tabulation.

2nd Dyke culvert was reset at the new elevation and we are still waiting on delivery of guard rails. Commissioner Rifenburg is working with our town engineer, Wayne Bonesteel and contractor CWG Excavating to allow re-opening of the road as soon as possible.

Veterans: Thank you to Mr. Kaedy and his military history students for hosting a breakfast for military veterans last week. It was well attended.

Deputy S/Gendron: Thanked the Board for all they've accomplished this year from C/Clemens work on the streetlight project, the roof repairs at the courthouse and sewer department, beach improvement project, with the help of Monica Ryan, and having a Supervisor who really understands what DPW needs to keep our roads in good repair and clear during winter storms. Kiwanis helped over 60 families this Christmas. He reiterated what a great community we have. Upcoming community events will be the Ice Skating day and the 4th Annual Ice Fishing contest.

Councilman Nippes Report: Ditteod everything Dep C/Gendron said and he also thanked his fellow Board members for all they've accomplished.

C/Clemens: He also thanked everyone and is looking forward to the year ahead

Supervisor Gallerie recognized the prior administration and thanked them. He noted that several of the projects that came to fruition this year were initiated a long time ago. Councilman Nippes thanked Councilman Glasser for stepping up in his short tenure on the Board.

Commissioner Rifenburgh: We have two new drivers who handled the last two storms really well. The Sewer roof is almost complete. I'm working on getting some temporary barriers so we can open 2nd Dyke Road since the guard rails are delayed. I've ordered new lights for the Transfer Station which should be in soon. We are replacing the lights with LEDs. Let us know if there are pot holes on your roads and we'll make every effort to repair them.

Public Comments: None

BUSINESS:

RESOLUTION #2022-12-197

Scheduling the 2023 Organizational Meeting

Moved by: Councilman Clemens

Seconded by: Councilman Nippes

WHEREAS, the Town Board of the Town of Sand Lake is required to schedule an Organizational Meeting for 2023; now, therefore, be it

RESOLVED, that the Town Board shall conduct the Organizational Meeting for 2023 at 6:30 pm on January 11th, 2023; and be it further

RESOLVED, that the Town Clerk will give such notice of the Organizational Meeting.

AYES 4 – NAYS 0 1 ABSENT

RESOLUTION #2022-12-198

Endorsing a 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 NYS Restore NY Communities Initiative provides funding for the renovation of existing vacant or underutilized buildings; and

WHEREAS, the Town of Sand Lake held a public hearing on December 28th, 2022 at 7:00 pm to obtain public comment regarding the Town’s endorsement of a Restore NY Communities Initiative Application for Rehabilitation of the current Sky High Adventure Center located at 27 Lake Avenue in Averill Park; and

WHEREAS, the Town of Sand Lake supports the adaptive reuse of the former “St Henry’s School” building which has been vacant or underutilized for decades and represents one of the largest buildings for adaptive reuse in the Town; and

WHEREAS, the building’s long vacancy has led to disinvestment and building conditions that require address in order for it to be occupied and utilized efficiently;

WHEREAS, the property has been purchased by Sky High Adventure Center, Inc. and initial investments have been made to stabilize the building, with plans to fully renovate the building for a variety of potential end uses; and

WHEREAS, the proposed reinvestments into the vacant property by Sky High directly supports Goal 2 of the Town Comprehensive Plan of 2019 regarding the implementation of “...economic development processes and infrastructure investments to support future compatible growth” and specifically Strategy 2.4 which encourages and supports the reuse of existing structures and infill development in the hamlets by such means as sponsoring funding applications to provide financial assistance to properties for commercial building rehabilitation and business development projects; and

WHEREAS, the property is located on and adequately served by the existing town sewer system and would be a potential user for the new municipal water system currently being studied; and

WHEREAS, once renovated, the envisioned diverse mix of spaces to be available will enhance opportunities for businesses and service providers, community programming, and employment for all ages, incomes and abilities to live, work and play in the hamlet of Averill Park that are greatly needed for community revitalization and growth; and

WHEREAS, Sky High has committed to providing the required 10% match for the project if funded through the Restore NY initiative; and now therefore be it

RESOLVED, that the Town of Sand Lake does approve and endorse the application to New York State Empire State Development Restore NY Communities Initiative for funding in support of the rehabilitation of the 27 Lake Avenue building.

AYES 4 – NAYS 0 1 Absent

RESOLUTION #2022-12-199

Retaining Philip H. Dixon, Esq. as Special Counsel to the Town of Sand Lake

Moved by: Supervisor Gallerie

Seconded by: Deputy Supervisor Gendron

WHEREAS, The Town of Sand Lake requires Special Counsel legal services in the areas of Land Use and Planning Law advice and direction concerning upcoming possible applications before the Town Planning and Zoning Boards, as well as possibly the Town Board itself, with the applicable Applicant to reimburse the Town for all Special Counsel fees incurred in relation to such services; and

WHEREAS, Philip H. Dixon, Esq., has demonstrated exceptional skills in the areas listed above, as well as being familiar with the laws and regulations of the state of New York and the Town of Sand Lake as they pertain to Planning, Zoning and Land Use laws involving municipalities; now, therefore be it

RESOLVED, that the Town Board retains Philip H. Dixon, Esq. as Special Counsel to provide the services listed above pursuant to a Retainer Agreement approved by the Town Attorney as to form, at Mr. Dixon's customary rates for legal services.

AYES 4 – NAYS 0 1 ABSENT

RESOLUTION #2022-12-200

Appointing Christian Luther to the Position of Motorized Equipment Operator Light in the Department of Public Works

Moved by: Deputy Supervisor Gendron

Seconded by: Councilman Nippes

WHEREAS, the Department of Public Works has a newly budgeted position for a Motorized Equipment Operator Light (MEOL) in the Department of Public Works, for which funding will be allocated 50% to Highway, and 50% to Parks; and

WHEREAS, the Commissioner of Public Works solicited applications for the position; and

WHEREAS, applications were received and reviewed, and an interview conducted by the Commissioner of Public Works, and Deputy Commissioner of Highways; and

WHEREAS, Christian Luther was selected as the most qualified candidate for the position based on his experience and background; and

BE IT RESOLVED, that the Town Board of the Town of Sand Lake confirms the appointment of Christian Luther to the position of Motorized Equipment Operator Light (MEOL) in the Department of Public Works, Highway Department and Parks Department at the rate of \$19.00 per hour as specified in the United Public Service Employees Union Collective Bargaining Agreement. This appointment will be effective January 9th, 2023 with the conditions as stipulated in the offer letter from the Commissioner of Public Works.

AYES 4 – NAYS 0 1 ABSENT

Supervisor Gallerie stated this is a newly created position. Many improvements have been made in Town over several years that need general maintenance and this position is necessary to address the work required to maintain them properly.

RESOLUTION # 2022-12-201

Budget Transfers/Amendments

Moved by: Supervisor Gallerie

Seconded by: Councilman Nippes

At the Town Board Workshop meeting of the Town of Sand Lake, New York held in the Town Hall on the 28th day of December, 2022 the following resolution was:

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

From	To	
Amount		
A 1990.4000 Contingency Contractual	A 1440.4000 Engineering Contractual	\$ 1,669
A 1010.4000 Town Board Contractual	A 1440.4000 Engineering Contractual	\$ 500
A 1010.4000 Town Board Contractual	A 1420.4000 Attorney Contractual	\$ 500
A 1010.4000 Town Board Contractual	A 8160.4000 Refuse & Garbage Contractual	\$ 3,000
A 1220.4000 Supervisor Contractual	A 8160.4000 Refuse & Garbage Contractual	\$ 1,000
A 1220.4000 Supervisor Contractual	A 1680.4000 Central Data Processing Contractual	\$ 500
A 1355.4000 Assessor Contractual	A 1620.4000 Buildings Contractual	\$ 1,000
DA 9010.8000 State Retirement Employee Benefits	DA 5142.4000 Snow Removal Contractual	\$3,940
DA 9040.8000 \$11,316 Workers Comp. Employee Benefits	DA 5142.4000 Snow Removal Contractual	

Budget Amendments

Increase Appropriation A 522.9901.9000 Interfund Transfer in the amount of \$11,080 by increasing Revenue

A 980.4089.9999 Federal Aid-Other in the amount of \$11,080 due to funding received through the Coronavirus State and Local Fiscal Recovery Funds. Funds are then transferred from the General Fund to the Highway Fund by

increasing Revenue DA 980.5031.9999 Interfund Transfer In in the amount of \$11,080 and increasing Appropriation DA 522.5112.4000 Improvements Contractual in the amount of \$11,080 for Paving as per Resolution #2022-08-136.

AYES 4 – NAYS 0 1 ABSENT

Brian Hunt, former Commissioner of Public Works asked to speak about a problem with the utility lines near the Town Garage that very often result in loss of power to over 118 homes. He believes

there is a problem with the line as the power was out for over 30 hours recently. It affects the Pond Hollow and Bradley Park developments as well as homes on Springer Road near the Town Garage. He believes an upgrade to 3 phase would correct the problem. He is asking the Town Board to contact NYSEG to help, as individual residents' complaints have fallen on deaf ears. It is a recurring problem every time there is a storm. Supervisor Gallerie offered to reach out to the government representative at NYSEG to see if there might be a solution. Councilman Clemens offer to help as he has contacts at NYSEG in his business. Resident Tom Cetrino supported everything Brian Hunt said and thanked him for bringing it up.

Deputy Supervisor Gendron then made a motion to adjourn and it was seconded by Councilman Nippes. The meeting was adjourned at 7:48pm. All in favor.