

TOWN OF SAND LAKE
Town Board Workshop Meeting
July 26, 2023

A Town Board Workshop of the Town of Sand Lake was held on July 26, 2023 at the Sand Lake Town Hall. After the Pledge of Allegiance, the following answered roll call:

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

Approval of Minutes: Motion made by Councilman Nippes to approve Minutes from the June 28, 2023 Town Board Workshop Meeting and the July 12, 2023 Town Board Meeting Minutes. Seconded by Deputy Supervisor Clemens all were in favor. Motion carried.

Town Clerk's Report – July 26, 2023 TB Workshop

Total Revenue June, 2023	\$ 9,146.75
NYS Ag & Mkts Dog Licenses	\$ 51.00
NYS DEC	\$ 392.08
NYS DOH – Marriage	\$ 45.00
Paid to TOSL	\$ 8,658.67

1. Sand Lake together with Rensselaer County is holding a Household Hazardous Waste disposal this Saturday. TOSL had to limit the number to 40 this year due to budget constraints. We have 27 residents signed up and registration for Saturday's event is closed now. We will have a 2nd collection in Brunswick September 16th and there are only 13 slots left. Sign up will be through a link on the Town's website. I will announce when registration opens up again.
2. DEC will open up Hunting Licenses and DMP (doe permits) August 1st. We are set to go and have received the new guides. We are open Mon – Fri 9-4:00. If you can't make it in during those hours call me and I will make arrangements to get your license to you. We have been assured by DEC there is no advantage to buying your license and applying for DMPs early. Customers have the same chance of being selected for a DMP throughout the entire DMP application period which is (8/1/23 – 10/01/23).
If you are a landowner with 50 or more contiguous acres of land within the WMU Unit please be sure you bring your SWIS Code and tax map number with you. These can be found on your tax bill.
3. Town Beach on Reichards Lake is open, busy and free for SL residents. Poestenkill residents are invited to use the facility for a \$50.00 annual charge. Both SL and Poestenkill residents need to get a Beach Pass from my office. Proof of residency is required.

4. We are planning to do another Shredding Day, probably in October. We hope to join forces with some adjacent towns to defray the cost. More to come on this later.

Supervisor Gallerie's Report: Update on Taborton Road Bridge project. I've spoken with County Highway Superintendent. Projected start date will be in August as they are working out easement issues. Bridge New York Grant Request, as I reported at the last meeting, was approved for \$2.6 million. DOT has reached out to set up a kickoff meeting sometime the week of August 14th for both projects. We will then publish requests for proposals for the Thais Road Bridge project. Loon Creek Lane culvert project has a preliminary design in place by FCM Engineering but I don't think this project will start until 2025 as I believe it will take some time to get it through DEC.

We had new gutters installed at Town Hall to eliminate issues with heavy rains leaking into the side of the building.

Veterans: Paul Glasser took the lead to submit a grant application to update the interior of the Veterans Hall to bring it in compliance with ADA guidelines. We hope to get some financial help with this.

Upcoming meetings: VFW, 8/3; American Legion 8/7 and Sand Lake Vets 8/10, all starting at 7:00 pm. Veterans of Sand Lake will be holding their Chicken BBQ Saturday, 8/16.

Deputy Supervisor Clemens' Report: Things have been going very well at the Beach and we are half way through the season. Closing date is August 27th since most of the beach staff have to return to college. Street Light project is well underway. All lights in Town will have been replaced when the project is completed.

Library is doing story time every afternoon where different readers come in to entertain the children. This program will continue until 8/15.

Councilman Nippes: Building and Code Enforcement: Took in 14 permits and 1 renewal totaling \$128,650 and fees totaling \$1,462; 11 violations were issued and several court appearances for violations.

Animal Control had 18 calls this month with nothing outstanding.

Butler Park: The chip sealing of the parking lot is complete. Once it is sealed we will have it striped for parking spots. Thursday night Music in the Park will continue with the band A-Blast and Emmet's Eats Food truck this Thursday. In anticipation of inclement weather check the Town's website and Discover Sand Lake Facebook page for updates.

Councilman Glasser had no reports this week.

There is no report from DPW as Commissioner Rifenburgh is on vacation.

PUBLIC COMMENTS:

Resolution - NY Citizens Audit: Daryl Bart, Averill Park resident, addressed the Board to say she had 3 general concerns about supporting and adopting proposed Resolution #2023-07-119 on tonight's agenda as it is written. The Resolution calls for an audit of the New York State 2022 General Election. 1) She questioned why the Board would entertain a Resolution advocated by "a fringe political group" that believes "the certification of the 2020 election is provably fraudulent and illegal." If the Town Board believes an election policy Resolution is necessary, and in the best interests of the citizens of Sand Lake, she feels they should take the time to articulate their own collaborative Resolution. She doesn't understand why the Town of Sand Lake would align itself with a group that wants to use our Town as a reference for their own advocacy.

2) The Resolution, as written, was a template provided to this Board by New York Citizens Audit and calls for the Town Board to support a complete end to end audit of New York State's 2022 General Election for both paper and electronic records, including ballots, by a mutually agreed upon third party bonded auditing firm. There is no indication of the cost to taxpayers for this, nor does it include any specific evidence of widespread voter fraud specific to our district or Town that would necessitate such a statewide audit.

3) Ms. Bart believes the passage of this Resolution is premature since it was just proposed on July 12th and finds the wording in the template Resolution provided by NY Citizens Audit concerning. She encouraged the Board to table the Resolution, as written, and meet with concerned residents to see if another Resolution with less divisive wording could be agreed upon. She ended by stating it is everyone's goal to have an honest and fair election system.

WSL FD: Robert Moore, Town Historian: Mr. Moore addressed the issue of the West Sand Lake Fire Districts proposed \$10.5 million dollar expansion project. The project includes the demolition of the historic 1873 Fire Hall. His office, the SL Historical Society and concerned citizens have been meeting with the fire company regarding the cost and final visual appeal of the project when completed. A major objective is to preserve, restore and reuse the old fire hall which is a unique, historic community resource that represents our town. We are here tonight hoping to get the support of the Town Board in realizing the importance of preserving this structure. He went on to say heritage tourism is growing and the old firehouse could be the start of a museum to attract visitors to our community.

WSL FD: Jim Snack, resident and Chair of the Arts, Cultural and Historic Resources sub-committee of the Town's Planning Oversight Committee. He explained he was speaking tonight as a concerned citizen and wanted to be clear that the POC was not taking a stand on this issue. He has been advising Bob Moore and the SLHS about what is in the Town's Comprehensive Plan regarding historic resources. The Comprehensive Plan's vision reads "the Town of Sand Lake is committed to preserving its historic heritage". He urged the Board to recognize the 1873 Fire House as having tremendous historic significance.

Resolution NY Citizens Audit: Rob Dressner addressed the Board about the proposed Resolution supporting the NY Citizens Audit Group mentioned earlier that is calling for an audit of the 2022 election. He urged the Board to table the Resolution tonight and re-draft it more objectively along the lines that election integrity is vital and should be looked at by our elected officials. He submitted a draft resolving "that the Sand Lake Town Board encourages and endorses efforts by State and local officials to keep voter rolls and information up-to-date, complete and safeguarded from data breaches."

Attorney Danaher advised the Board they could approve, vote down or table the Resolution in question and unless there is a rush, tabling it would be most prudent.

Resolution – NY Citizens Audit: Mary Beth Pettit, long time resident, shares concerns about the NY Citizens Audit Resolution. She believes it implies a lack of faith and wonders about the long term implications of conducting an audit of this magnitude. She believes the wording in the proposed Resolution is divisive and agrees that we can find better language to show that we support election integrity without implying our whole system is hopelessly broken.

WSL FD: Also, she informed the Board that she is a retired urban planner and knows the Town's Comprehensive Plan came about after many community meetings. She stated it was the work of many people who came together and preserving our heritage and architecture was always at the forefront for

all concerned. These are the kind of things that make our Town unique and encouraged the Board's support to preserve the 1873 Fire Hall building in some way.

Resolution NY Citizens Audit: Justin Hillman stated he believes there are many audits of elections done and another end to end audit is not necessary. He sees no reason for the Board to move on the Resolution.

Brian Hunt, former Commissioner of Public Works for Sand Lake: Electronics have changed the way votes are cast and counted. He believes the new voting machines raise questions about voting accuracy.

There being no other Public Comments the Board moved on to Business.

RESOLUTION #2023-07-118

**Accepting the Award of a Trails Planning Grant from the Hudson River Valley Greenway
Moved by: Supervisor Gallerie
Seconded by: Deputy Supervisor Clemens**

WHEREAS, Resolution 2023-04-67 authorized the submission of an application for a trails planning grant from the Town of Sand Lake to the Hudson River Valley Greenway (HRVG); and

WHEREAS, the Town of Sand Lake was notified that the application for the matching grant that was submitted was approved in the amount of \$15,000.00; and

WHEREAS, the HRVG requires approval of the Memorandum of Understanding as attached; now therefore be it

RESOLVED, that the Town Board hereby authorizes the Town Supervisor to approve the attached Memorandum of Understanding and submit it to the HRVG with approval as to form by the Town Attorney.

AYES 4 – NAYS 0 Unanimous

Councilman Nippes noted this is a matching grant to do the engineering study of the feasibility of the walking trails. He mentioned Garrett DeGraff has been working diligently on this for quite a while. Supervisor Gallerie said Garrett and the trails committee are at a point where a professional engineer's services are needed and this grant will help pay for those services which include not only the hard design and engineering, but also, the concerns of residents adjacent to the proposed trails.

Before Resolution #2023-07-119 was read a motion to table was made by Councilman Nippes and Seconded by Councilman Glasser. A vote was taken resulting in:

AYES 4 – NAYS 0. The motion was unanimously carried.

RESOLUTION #2023-07-119

A Resolution for an Audit of The New York State 2022 General Election - Office Of The Supervisor

Moved by:

Seconded by:

WHEREAS, It is a recognized civil right in the United States for every citizen to have free and fair elections. "And the right of suffrage can be denied by debasement or dilution of the weight of a citizen's vote just as effectively as by wholly prohibiting the free exercise of the franchise." (Reynolds v. Sims, 377 U.S. 533 (1964); and

WHEREAS, It is the affirmative duty of our election officials to comply with all Federal and State laws governing administration and procedure of our elections, thereby guaranteeing our elections are accurate and free of distortion or manipulation; and

WHEREAS, Our constitutional system of representative government only works when the worth of honest ballots is not diluted by invalid ballots procured by corruption, and assuring accuracy can only be achieved through the operational integrity of our elections, as defined by those laws governing the following five processes:

1. Rigorous Verification of Voter Identity.
2. Proven Ballot Security and Intact Chain of Custody.
3. Voting Systems Certified to be Secure from Operational, Physical and Cyber Threats.
4. Meets All FISMA and State Operational and Risk Assessment Requirements.
5. Meets Auditability and Traceability Requirements and Operational Policy.

WHEREAS, The accuracy requirements of voting systems for a Federal Election, shall achieve a target error rate of no more than one in 10,000,000 ballot positions. For a voting system, accuracy is defined as the ability of the system to capture, record, store, consolidate and report the specific selections and absence of selections, made by the voter for each ballot position without error.

WHEREAS, It must be known factually, and provably, that the intent of the voters is accurately represented by election results before certification can be lawfully conducted. Certification of an election that varies from the law is an abridgement of the civil rights of the citizens, a Fraud ab Initio (United States v. Throckmorton, 98 U.S. 61 (1878)); and

WHEREAS, There prevails a spirit of extreme contention and zero trust between people of differing political ideologies across New York, which is destructive to our families, our way of life, and the fabric of these United States; now

THEREFORE, We call upon our Representatives including Town Board Members, County Legislators, State Legislators, Federal Legislators, Law Enforcement, Federal and State Prosecutors, and Judges to provide relief to the people, and the assurance of domestic tranquility, through the fulfillment of each of the following firm requests:

1. A complete end-to-end audit of the New York State 2022 General Election, for both paper and electronic records, including ballots, by a mutually agreed upon external, third-party bonded auditing firm, possessed of adequate insurance and indemnification for the handling and protection of the personal identifying information of millions of New York citizens, in order to determine the true error rate. This audit will provide a comprehensive report and analysis of all lapses and errors with explanation of cause where it can be determined.
2. The enactment of legislation defining a mutually agreed upon process by which an end-to-end audit would be triggered in any future elections.
3. The enactment of legislation defining a mutually agreed upon accuracy rate for the NYS voter and County voter roll databases.
4. The enactment of legislation allowing for anonymous vote verification and tracking by the voter (open-source, royalty-free patent pending), including automatic mechanisms to report and remedy errors during the canvass period following an election, regardless of ballot entry source.
5. Criminalize election misconduct explicitly with regard to State election law, and increase penalties to reflect the societal and generational harms inflicted by these crimes.

NOW, BE IT RESOLVED, That the Town Board of Sand Lake, NY stands in support with the concerns and remedies presented herein. We request the Rensselaer County Legislature, NYS Legislature, Federal Legislators, Law Enforcement, Federal and State Prosecutors, Judges, and both State and County Boards of Elections to cooperate and fulfill these firm requests of the people.

RESOLUTION TABLED

RESOLUTION #2023-07-120

A Resolution to Rent Heavy Equipment Without Operator from Rensselaer County Contract

Moved by: Deputy Supervisor Clemens

Seconded by: Councilman Nippes

WHEREAS, the Commissioner of Public Works reports that the Town's Gradall and the Roadside Mowing Tractor are both inoperable and at their respective dealers for repairs for an indeterminate amount of time; and

WHEREAS, both of these pieces of equipment are required to perform maintenance of highways and drainage systems; and

WHEREAS, Rensselaer County Bid # 22-28 awarded a rental contract to Yacano Gradall Service for rental of Gradalls, and to Abele Tractor for rental of Roadside Mowing Tractor; and

WHEREAS, the Town of Sand Lake Purchasing Policy requires purchases of over \$5,000 be approved by the Town Board; now therefore be it

RESOLVED, That the Town Board of Sand Lake, NY authorizes the following monthly rentals from Rensselaer County Contract in the amounts indicated until our equipment is repaired or the rental is no longer required:

Gradall 3100 from Yacano Gradall Service in the amount of \$5,500.00 monthly

John Deere Flailhead Mower from Yacano Gradall Service in the amount of \$5,500.00 monthly.

AYES 4 - NAYS 0 Unanimous

Supervisor Gallerie said since the Town's equipment is in need of repair and it was necessary to rent these as they are vitally necessary this time of year.

RESOLUTION #2023-07-121

Authorizing the Lease of a Label Printer for the Postage Machine to Process Passport Applications – Office of the Town Clerk

Moved by: Councilman Glasser

Seconded by: Deputy Supervisor Clemens

WHEREAS, the Town Clerk's office has requested an add on label printer for their existing postage machine; and

WHEREAS, the postmaster at the Sand Lake Post Office has recommended the use of this label printer when mailing passports as it would save over \$2.00 per transaction which would provide a net monthly savings to the Town; and

WHEREAS, the label printer is available for lease on the Sourcewell contract which the Town of Sand Lake is an authorized user of; now therefore be it

RESOLVED, That the Town Board authorizes a 48 month lease of the SP100 Label Printer at \$15.82 per month from Pitney Bowes from the Sourcewell Contract.

AYES 4 – NAYS 0 Unanimous

There being no other business to come before the Board Councilman Nippes made a motion to adjourn the meeting at 7:45. It was seconded by Deputy Supervisor Clemens and all were in favor. Motion carried.

