



**Town Board Meeting
July 14, 2021 - 7:00 pm
Sand Lake Town Hall**

AGENDA

**CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL**

_____ **Councilman Bulmer**
_____ **Deputy Supervisor Erickson**
_____ **Councilman Film**
_____ **Councilman Nippes**
_____ **Supervisor Nancy Perry**
_____ **Town Attorney Ely**
_____ **Town Clerk Barbara Hansen**

**Town Clerk's Report
Supervisor's Report
Board Member Reports
Committee Reports**

Business

- _____ 1. Authorization to Dispense Alcoholic Beverages at SummerFest (*Resolution #2021-07-44*)
_____ 2. Approval of Grant Application for 2021 Water Quality Improvement Program (WQIP) (*Resolution #2021-07-45*)
_____ 3. Supplemental Bond Resolution (*Resolution #2021-07-46*)
_____ 4. Donation by Thomas Cetrino to Purchase Land for the Town of Sand Lake (*Resolution #2021-07-47*)
_____ 5. Amendment to Town of Sand Lake Safety Plan, Reichards Lake Beach (*Resolution #2021-07-48*)
_____ 5. Budget Transfers & Amendments (*Resolution #2021-07-49*)

Presentation

John Slyer, Sky High Adventure Center, Inc.

Executive Session

A session to discuss matters involving the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person.

Adjournment

SAND LAKE TOWN BOARD MEETING
July 14, 2021

RESOLUTION #2021-07-44

Authorization to Dispense Alcoholic Beverages at SummerFest

Moved By: _____

Seconded By: _____

Bulmer:	Y	N	A
Erickson:	Y	N	A
Film:	Y	N	A
Nippes:	Y	N	A
Perry:	Y	N	A

Be it Resolved, that CrossRoads American Grille, 43 Mall, Routes 43 and 150, West Sand Lake, New York, 12196, is permitted to dispense alcoholic beverages for the Kiwanis Summer Fest from August 26-29, 2021 in accordance with the Code of the Town of Sand Lake, Chapter 73, Section 73-7 and upon the condition that the appropriate permits are obtained from the New York State Liquor Authority and insurance coverage is provided satisfactory to the Town Attorney.

SAND LAKE TOWN BOARD MEETING
July 14, 2021

RESOLUTION #2021-07-45

Approval of Grant Application for 2021 Water Quality Improvement Project (WQIP) Program

Moved By: _____	Bulmer:	Y	N	A
Seconded By: _____	Erickson:	Y	N	A
	Film:	Y	N	A
	Nippes:	Y	N	A
	Perry:	Y	N	A

Whereas, the Town Board, after due consideration, has determined that it is desirable and in the public interest to undertake the necessary activities for the submittal of a grant application under the NYS Department of Environmental Conservation (NYSDEC) 2021 Water Quality Improvement Project (WQIP) Program for improvements to the DPW Garage Fueling Island System; and

Whereas, the WQIP program is a competitive, statewide reimbursement grant program open to local governments to implement projects that directly address documented water quality impairments, improve aquatic habitat, or protect a drinking water source; and

Whereas, the WQIP Program Grant will be applied for to cover costs associated with improvements to the DPW Garage Fueling Island Station for a total program cost of \$300,000.00 which will require a 25% match from the Town; and

Whereas the Town Board is committed to using municipal funds to provide a local match of 25% of the total project costs to replace the Fueling Island System due to age and condition of the existing fueling system for a total program cost of \$300,000.00, with a maximum Town match of \$75,000.00; now therefore

Be it resolved, that the Town Board authorizes Supervisor Perry to submit an application for the DPW Garage Fueling Island System under the WQIP Program, is authorized to execute all other documents necessary for the implementation of the grant application submission, and is authorized to execute all financial and/or administrative processes related to the grant program; and

Be it Further Resolved, that the Town Board authorizes Supervisor Nancy Perry to execute and administer an addendum to the On-call Engineering Services Agreement with Colliers Engineering and Design (formerly Maser Consulting) for services relative to applying for the WQIP Program Grant for a fee of \$2,000.00.

SAND LAKE TOWN BOARD MEETING
July 14, 2021

RESOLUTION #2021-07-46
Supplemental Bond Resolution

Moved By: _____	Bulmer:	Y	N	A
Seconded By: _____	Erickson:	Y	N	A
	Film:	Y	N	A
	Nippes:	Y	N	A
	Perry:	Y	N	A

SUPPLEMENTAL BOND RESOLUTION DATED JULY 14, 2021 OF THE TOWN BOARD OF THE TOWN OF SAND LAKE AUTHORIZING AN ADDITIONAL NOT TO EXCEED \$91,507 AGGREGATE PRINCIPAL AMOUNT OF SERIAL GENERAL OBLIGATION BONDS TO FINANCE A SIDEWALK IMPROVEMENTS PROJECT, AT AN ESTIMATED AGGREGATE MAXIMUM COST OF \$1,251,507, LEVY OF TAX IN ANNUAL INSTALLMENTS IN PAYMENT THEREOF, THE EXPENDITURE OF SUCH SUM FOR SUCH PURPOSE, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, prior to the adoption of this resolution all action required pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the “SEQR Act”), and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York, being 6NYCRR Part 617, as amended (the “Regulations”, and collectively with the SEQR Act, “SEQRA”) have been taken; and

WHEREAS, on May 26, 2021, the Town Board of the Town of Sand Lake (the “Town”) duly adopted a bond resolution, authorizing the construction of improvements on State Route 43 and State Route 66, including construction and installation of sidewalks and multi-use paths,

pedestrian facilities, existing sidewalk panels, curb ramps and other improvements in connection therewith, all as part of the Sidewalk Improvements Project, as more particularly described in Section 3 hereof (the “Purpose”), at a maximum cost of \$1,160,000, and the issuance of its serial general obligation bonds (the “Bonds”) in the aggregate principal amount of not to exceed \$1,160,000; and

WHEREAS, the Town Board has determined that the cost of the Purpose has increased to \$1,251,507; and

WHEREAS, the Town Board desires to approve the increase in the maximum cost of the Purpose and authorize the issuance of an additional not to exceed \$91,507 of bonds and notes to finance the costs of the Purpose;

NOW THEREFOR BE IT RESOLVED, by the Town Board of the Town as follows:

Section 1. The Town is hereby authorized to construct improvements on State Route 43 and State Route 66, including constructing and installing sidewalks and multi-use paths, pedestrian facilities, existing sidewalk panels, curb ramps and other improvements in connection therewith, all as part of the Sidewalk Improvements Project known as the “Sand Lake Hamlets Sidewalk Enhancement Project”, including preliminary costs thereof and costs incidental thereto, as more particularly described in Section 3 hereof.

Section 2. The Town is hereby authorized to issue its serial general obligation bonds (the “Bonds”) in the additional principal amount of not to exceed \$91,507 pursuant to the Local Finance Law of New York, in order to finance the class of objects or purposes described herein. The proposed maturity of the Bonds will be in excess of five (5) years.

Section 3. The class of objects or purposes to be financed pursuant to this Resolution (the “Purpose”) is the construction of improvements on State Route 43 and State Route 66, including

construction and installation of sidewalks and multi-use paths, pedestrian facilities, existing sidewalk panels, curb ramps and other improvements in connection therewith, all as part of the Sidewalk Improvements Project known as the “Sand Lake Hamlets Sidewalk Enhancement Project”, including preliminary costs thereof and costs incidental thereto.

Section 4. It is hereby determined and declared that (a) the aggregate maximum cost of the Purpose, as estimated by the Town Board, is \$1,251,507, (b) \$1,160,000 has heretofore been authorized to be applied to the payment of the cost of the Purpose, and (c) the Town plans to finance the cost of the Purpose from funds raised by the issuance of the Bonds and bond anticipation notes hereinafter referred to and available funding from the State of New York. The Town expects to receive reimbursement for the costs associated with said Purpose through a New York State Department of Transportation (the “State DOT”) grant under a Federal-Aid Highway and Marchiselli-Aid Local Project Agreement entered into by and between the Town and the State DOT.

Section 5. It is hereby determined that the Purpose is one of the class of objects or purposes described in Subdivisions 24 of Paragraph a of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of the Purpose is ten (10) years.

Section 6. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the sale of the Bonds, including renewals of such notes, is hereby delegated to the Supervisor of the Town, the chief fiscal officer.

Section 7. The power to further authorize the issuance of the Bonds and bond anticipation notes and to prescribe the terms, form and contents of the Bonds and bond anticipation notes, including the consolidation with other issues and determining whether to issue the Bonds with substantially level or declining annual debt service, subject to the provisions of this Resolution and

the Local Finance Law, and to sell and deliver the Bonds and bond anticipation notes, is hereby delegated to the Supervisor of the Town. The Supervisor of the Town is hereby authorized to sign and the Town Clerk is hereby authorized to attest any Bonds and bond anticipation notes issued pursuant to this Resolution, and the Town Clerk is hereby authorized to affix to such Bonds and bond anticipation notes the corporate seal of the Town.

Section 8. The faith and credit of the Town of Sand Lake, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such Bonds and bond anticipation notes as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall be levied annually on all taxable real property of the Town, a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 9. Pending the sale of bonds herein authorized, the temporary use of funds from the Town's general fund, pursuant to the provisions of Section 165.10 of the New York Local Finance Law, is hereby authorized. The Town reasonably expects to reimburse itself from the proceeds of bonds or notes herein authorized for expenditures made for the purpose to be financed by this resolution prior to the issuance of such bonds or notes, and this resolution is intended to constitute a declaration of "official intent" to reimburse for the purposes of U.S. Treasury § 1.150-2.

Section 10. This Resolution is adopted subject to a permissive referendum pursuant to Section 35.00 of the Local Finance Law and Section 90.00 of the Town Law. The Town Clerk is hereby authorized and directed within ten (10) days after the adoption of this Resolution, to cause to be published a notice which sets forth the date of this Resolution's adoption and contains an abstract of this Resolution concisely stating its purpose and effect.

Section 11. When effective, this Resolution, or a summary thereof, shall be published by the Town Clerk together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law, and such publication shall be in each official newspaper of the Town. The validity of the Bonds or of any bond anticipation notes issued in anticipation of the sale of the Bonds may be contested only if such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or the provisions of law which should be complied with at the date of publication of this Resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution.

Section 12. The firm Barclay Damon LLP is hereby appointed to serve as Bond Counsel to the Town in connection with the Bonds and notes herein authorized.

Section 13. This Resolution is adopted subject to permissive referendum.

SAND LAKE TOWN BOARD MEETING
July 14, 2021

RESOLUTION #2021-07-47

Donation by Thomas Cetrino to Purchase Land for the Town of Sand Lake

Moved By: _____	Bulmer:	Y	N	A
Seconded By: _____	Erickson:	Y	N	A
	Film:	Y	N	A
	Nippes:	Y	N	A
	Perry:	Y	N	A

Whereas, Sand Lake Resident Thomas Cetrino has offered to donate \$19,000.00 to the Town of Sand Lake for the specific purpose of purchasing a 13-acre unimproved parcel located on Thais Road which is subject to an conservation easement, tax map # 158.2-1.129; and

Whereas, the Town is interested in acquiring said parcel, through this donation, in order to expand to its residents open space and recreational opportunities; now therefore

Be it Resolved, that the Town of Sand Lake is authorized to accept Mr. Cetrino's generous donation to the Town in the amount of \$19,000.00 which is to be placed in a restricted fund for the specific purpose of purchasing the 13-acre unimproved parcel located on Thais Road, tax map # 158.2-1.129; and

Be it Further Resolved, that the Town is authorized to enter into a Real Estate Purchase contract with the parcel's current owner in the amount of \$19,000.00 utilizing Mr. Cetrino's donation for such purpose; and

Be it Further Resolved, that Town Supervisor, Nancy Perry is further authorized to execute any and all documents necessary to effectuate this conveyance and expend additional monies from the general fund in order to pay for the Town's closing costs related to this transaction; and

Be it Further Resolved, that the Town hereby acknowledges and appreciates the generosity and commitment to the improvement of the Town of Sand Lake that Thomas Cetrino has exhibited not only through this donation, but also through his active participation in various matters affecting the Town of Sand Lake for the purpose of improving the quality of lives of each and every resident of this Town; and

Be it Further Resolved, that Thomas Cetrino is applauded for his civic commitment to the Town of Sand Lake and serves as an example of what we as residents of this Town can aspire to be as a whole to make our community an even more attractive place to work and live; and

Be it Further Resolved, that the Town of Sand Lake is profoundly grateful for Tom's generous donation and will continue to work with him, in conjunction with the Town's Open Space Committee, to maximize the potential open space and recreational uses that this newly acquired parcel has to offer.

SAND LAKE TOWN BOARD MEETING
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RESOLUTION #2021-07-48

Amendment to Town of Sand Lake Safety Plan, Reichards Lake Beach

Moved By: _____

Seconded By: _____

Bulmer: Y N A

Erickson: Y N A

Film: Y N A

Nippes: Y N A

Perry: Y N A

Whereas, the Town of Sand Lake Safety Plan for Reichards Lake Beach now states under C 5 that “Children under 12 must be accompanied by an adult,” and

Whereas, the Reichards Lake Lifeguards believe this age is too low and have examples this summer of parents dropping off their children with no parental or guardian supervision; now therefore

Be it Resolved, the Town Board of the Town of Sand Lake amends the Safety Plan for Reichards Lake Beach to now read under C. 5. “Children under 15 years of age must be accompanied by an adult.”

SAND LAKE TOWN BOARD MEETING
July 14, 2021

RESOLUTION #2021-07-49
Budget Transfers & Amendments

Moved By: _____	Bulmer:	Y	N	A
Seconded By: _____	Erickson:	Y	N	A
	Film:	Y	N	A
	Nippes:	Y	N	A
	Perry:	Y	N	A

Be It Resolved the following transfers are made to the 2021 Budget:

From	To	Amount
A 1990.4000 Contingency Contractual	A 1315.4101 Comptroller Contractual	\$35.00
A 1990.4000 Contingency Contractual	A 8510.4000 Community Beautification Contractual	\$300.00

Budget Amendments

Increase appropriation A 1420.4000 Attorney Contractual in the amount of \$2,160.00 by appropriating the Board Designated Professional Services account A 888 in the amount of \$2,160.00 for legal services in connection with the ZBA Jankovic Jurisdictional Matter.

Increase appropriation SS 8120.4650 Sewer District 1 Contractual in the amount of \$62,000 by appropriating the Sewer District 1 Fund Balance SS 599 in the amount of \$62,000 for the replacement of 11 Grinder Pumps.