

**TOWN OF SAND LAKE**  
**Town Board Workshop**  
**June 29, 2022**

Supervisor Gallerie opened the meeting at 7:00 pm with the salute to the flag followed by the Pledge of Allegiance. It was recited at 6:45 pm prior to the Public Hearing that preceded the Workshop. The Town Assessor will give an overview presentation regarding a reassessment update.

**PRESENT:**

- Councilman Nippes
- Councilman Gendron
- Councilman Clemens
- Supervisor Gallerie
- Town Attorney Danaher
- Deputy Town Clerk Christina Burns

**OTHERS IN ATTENDANCE:** Brian Hunt, Commissioner of Public Works, Commission of Public Works Brian Hunt, Kevin Rifenburg, DPW, David Post, Bill Glasser, Dolores Meissner, Adam Muhs, Garrett DeGraff, Doug Worden, Paul Kolakowski

Supervisor Gallerie updated everyone regarding several projects currently in the works.

**Stop 13 Road Bridge Replacement:** Construction to begin on August 1, 2022. Reviewed resolution for tonight's meeting.

**Water District project:** Spoke to the planner, Ron Laberge who is continuing to work on the mapping for the district. Poestenkill has been approved for a grant to improve their water district making a shared hookup for WSL more feasible.

**Sidewalk Project:** Met with the DOT and project engineer regarding the WSL phase of project. Estimate for funding due to last years flooding leaves us with no additional money to pay for the project so it may need to go to bid again. We are hoping to continue with guard rails and traffic control devices. Governor's office awarded \$713,526.00 for sidewalk installation near Reichards Lake Beach to begin late 2023 or 2024. Thank you to Supervisor Perry for starting that grant.

**2<sup>nd</sup> Dyke Road Culvert Project:** Town engineer Wayne Bonesteel has completed the specs for fabrication of culvert, request for bids will go out July 1<sup>st</sup> with submission date of July 14<sup>th</sup> at 10am. Culvert dimensions have not changed they are 7x9x60 as agreed upon.

**Gettle Road Culvert Replacement:** CWG excavation has provided a quote for the replacement of 2 culverts and that will be included in tonight's agenda. Tentative date of July 11, 2022 for replacement to begin trying to minimize interruption of the Music in the Park concert schedules.

## BOARD MEMBER REPORTS

**Deputy Supervisor Film:** The Convenience Facilities paint recycling program is doing well.

**Councilman Nippes:** Sand Lake seniors are having a picnic at the VFW in Poestenkill on August 18, 2022 from noon to 4pm. Thursday July 7<sup>th</sup> is our first Music in the Park, Whiskey Highway starting at 6:30pm with food vendors and as always dogs should be leashed and waste should be picked up.

**Councilman Gendron:** Town Beach: Opened this past weekend, thank you to Jon Slyer for hosting a CPR class to recertify our lifeguards and to our head lifeguard Samantha Germano for her assistance with the schedule. Kiwanis will be at the Music in the Park and will be serving hot dogs and refreshments.

**Councilman Clemens:** Town beach opened and is busy with residents enjoying it. Library book sale was successful.

**Assessor Roberta Stone Overview of Town Reassessment Project:** Informed residents of importance of a revaluation and explained equalization rates. Town was at 91% and is down to 82%, discussed the importance of being at 100% that it is better so the town can receive grants and because we are in a multi school district it would be better for school taxes. Deputy Supervisor Film shared this opinion and that a fair market value is calculated correctly when the equalization rate is 100%. Hoping to do the reevaluation by 2024 giving the town time to budget for it. The Assessor will be searching for a possible grant from the state to save money on the reevaluation.

**Public Comments:** Presentation by the Sand Lake Rails to Trails Task Force – an overview by Adam Muhs was given outlining the history of the task force and their vision of a trail system connecting the hamlets within Sand Lake. The members are Garrett DeGraff; Chairperson, George Falco, David Gaskell, Ron Greenberg, Chuck Hacker, Michelle LeClair; Co-Chairperson, Adam Muhs; presenter, Daniel Peeters, Jackie Tremont and Doug Worden. Hoping to change the name to Sand Lake Community Task Force and a possible email of [trailsforsandlake@sand-lake.us](mailto:trailsforsandlake@sand-lake.us) A letter from Jon Slyer of Sky High Adventure read in support of the proposed trail.

Supervisor Gallerie noted that a grant was received for Eastern Union Tpke part of the proposal.

The floor was open to public comments:

Paul Kolakowski spoke in favor of the trail system.

Delores Meissner was opposed to the current proposed trail as it goes over her property and suggested asking the mining properties to perhaps donate land.

Garrett DeGraff spoke stating that the task force is not interested in eminent domain to create the trail system and is in favor of the trail system.

Supervisor Gallerie stated that he agrees to that approach based on his experience of the Albany-Hudson Electric Trail.

Adam Muhs spoke in favor of the trail system.

**Commissioner of Public Works:** Partial order of Culvert Pipe is complete. The replacement on Roaser Rd is complete. Glass lake Rd and Barnes have been paved, Gettle is in progress.

**Business:**

**RESOLUTION #2022-06-111**

**Accepting the Resignation of Brian Hunt as Commissioner of Public Works**

Moved by: Supervisor Gallerie

Seconded by: Councilman Nippes

WHEREAS, Brian Hunt was appointed to the Sand Lake Public Works Department as Commissioner of Public Works on May 9, 2012; and

WHEREAS, Brian Hunt has submitted a letter of resignation to the Town Board expressing a desire to resign effective June 29th, 2022 in preparation for his upcoming retirement; and

WHEREAS, the Collective Bargaining Agreement with the United Public Service Employees Union, stipulates that, a Commissioner of Public Works who was appointed to that position from within the union, is entitled upon subsequent termination from such office, to resume his former position in the Highway Department; now, therefore, be it RESOLVED, that the Town Board of the Town of Sand Lake reluctantly accepts the resignation of Brian Hunt and wishes him the best as he prepares for his retirement, and be it further

RESOLVED, that Brian Hunt is appointed to the position of Motorized Equipment Operator Heavy (MEOH) in the Highway Department effective June 29th, 2022 at a salary of \$36.80 per hour, and be it further

RESOLVED, that the Town Board thanks Commissioner Hunt for his outstanding record as Commissioner of Public Works

**AYES 5 – NAYS 0**

**UNANIMOUS**

**RESOLUTION #2022-06-112**

**Appointing Kevin Rifenburg as Commissioner of Public Works**

Moved by: Supervisor Gallerie

Seconded by: Councilman Nippes

WHEREAS, Brian Hunt has submitted a letter of resignation to the Town Board expressing a desire to resign effective June 29<sup>th</sup>, 2022 in preparation for his upcoming retirement; and WHEREAS, the Town Board has considered the qualifications of several candidates for the pending vacancy of Commissioner of Public Works; and

WHEREAS, Kevin Rifenburg has demonstrated competency in positions of increasing responsibility within the Department of Public Works for nearly twenty years; and WHEREAS, Kevin Rifenburg has also demonstrated that he has the leadership skills, professional demeanor, and technical competence to assume the responsibilities of the position of Commissioner of Public Works; now, therefore, be it RESOLVED, that the Town Board of the Town of Sand Lake, having great confidence in Kevin Rifenburg's demonstrated abilities and qualifications, hereby appoints him to the position of Commissioner of Public Works for the Town of Sand Lake effective June 29<sup>th</sup>, 2022 at a salary of \$72,500.00 annually; and be it further RESOLVED, that, as a working member of the Highway Department in addition to his administrative and supervisory duties as Commissioner of Public Works/Superintendent of Highways, he shall be entitled to the same leave and uniform/clothing and boot allowance as the union members receive under Article 14-Leaves and Article 19-Work Clothing Allowance as stated in the Collective Bargaining Agreement.

**Open Discussion:**

Councilman Nippes regarding the appointment of Kevin Rifenburg, that he has been an asset to the town and a hard worker.

**AYES 5 – NAYS 0                      UNANIMOUS**

**RESOLUTION #2022-06-113**

**Appointing Additional Lifeguards and Beach Aides for the 2022 Beach Season**

Moved by: Councilman Gendron

Seconded by: Deputy Supervisor Film

WHEREAS, Lifeguards and Beach Aides are appointed annually by the Town Board in accordance with New York State Parks, Recreation, and Historic Preservation Guidelines; and

WHEREAS, Councilman Gendron solicited applications to fill these positions; and WHEREAS, applications were received and reviewed, and interviews conducted by Councilman Gendron, and the Samantha Germano; now therefore be it

RESOLVED, that the Town Board of the Town of Sand Lake appoints the following Lifeguards and Beach Aides for the 2022 Beach Season subject to receipt of their Lifeguard and CPR Certification as applicable:

NAME	POSITION	HOURLY RATE
Brodie Smith	Lifeguard	\$15.00
Ethan Jamison	Lifeguard	\$15.00
Brenna Sambrook	Lifeguard	\$15.00
Michael Sullivan	Lifeguard	\$15.00
Tucker Whitbeck	Beach Aide	\$13.50
Lillian Vrsalovic	Beach Aide	\$13.50

**AYES 5 – NAYS 0                      UNANIMOUS**

**RESOLUTION #2022-06-114****Waiving the Fees for Kiwanis Club of Sand Lake's Use of Butler Park for Summerfest 2022**

Moved by: Councilman Gendron

Seconded by: Councilman Nippes

WHEREAS, the Kiwanis Club of Sand Lake is an integral part of the fabric of the Town of Sand Lake; and

WHEREAS, the group has requested the use of Butler Park for the annual Sand Lake Summerfest on August 26<sup>th</sup> thru August 28<sup>th</sup>, 2022; and

WHEREAS, the Kiwanis Club of Sand Lake has requested that the Town waive the fees associated with the use of Butler Park for Summerfest; now therefore be it

RESOLVED, The Sand Lake Town Board hereby waives the fees for the Kiwanis Club of Sand Lake's use of Butler Park for the 2022 Summerfest; and be it further

RESOLVED, that, prior to the start of usage, the Kiwanis Club of Sand Lake is required to submit proof of liability insurance to the Office of the Town Clerk.

**AYES 5 – NAYS 0**

**UNANIMOUS**

**RESOLUTION #2022-06-115****Approval of Local Law #3 of the Year 2022 Entitled "A Local Law to enact a Solar Energy Pilot Law for the Town of Sand Lake"**

Motion to table the discussion proposed: Councilman Clemens

Seconded by: Councilman Genderon

WHEREAS, the Sand Lake Town Board met on May 11<sup>th</sup>, 2022 to introduce proposed Local Law #3 of 2022 and set a Public Hearing for May 25<sup>th</sup>, 2022; and

WHEREAS, the Public Hearing was held at the Sand Lake Town Hall at 6:45 pm on May 25<sup>th</sup>, now, therefore, be it

RESOLVED, that the Town Board of the Town of Sand Lake, hereby approves Local Law #3 of 2022 entitled "A Local Law to enact a Solar Energy Pilot Law for the Town of Sand Lake".

**Attorney Danaher called the vote: All in favor**

**Open Discussion:** Deputy Supervisor commented that a better price should be negotiated for the megawatt fee.

Attorney Danaher clarified the areas to be reviewed and discussed by Councilman Clemens.

**LOCAL LAW FILING**

**NEW YORK STATE DEPARTMENT OF STATE  
41 State Street, Albany, NY 12231**

**TOWN OF SAND LAKE**

**LOCAL LAW NO. 3 OF THE YEAR 2022.**

**A Local Law to enact a Solar Energy System Pilot Law for the Town of Sand Lake**

**Be it enacted by the Town Board of the Town of Sand Lake as follows:**

## **Solar Energy System PILOT Law**

### **§1. Title**

This Local Law may be cited as the “Solar Energy System PILOT Law of the Town of Sand Lake, New York.”

### **§2. Purpose**

This Local Law is adopted to ensure that the benefits of the community’s solar energy resource are available to the entire community, by promoting the installation of solar energy generating equipment through a payment-in-lieu-taxes (PILOT), granting reduced costs to system developers and energy consumers, and providing a revenue stream to the entire community.

### **§3. Authority**

This Local Law is adopted under the authority granted by

1. Article IX of the New York State Constitution, §2(c)(8),
2. New York Statute of Local Governments, § 10 (5),
3. New York Municipal Home Rule Law, § 10 (1)(i) and (ii) and §10 (1)(a)(8), and
4. New York Real Property Tax Law § 487(9).

### **§4. Definitions**

1. “Annual Payment” means the payment due under a PILOT Agreement entered into pursuant to Real Property Tax Law § 487(9).
2. “Annual Payment Date” means January 1<sup>st</sup> of each year.
3. “Capacity” means the manufacturer’s nameplate capacity of the Solar Energy System as measured in kilowatts (kW) or megawatts (MW) AC.
4. “Owner” means the owner of the property on which a Solar Energy System is located or installed, or their lessee, licensee or other person authorized to install and operate a Solar Energy System on the property.
5. “Residential Solar Energy Systems” means a Solar Energy System with a nameplate generating capacity less than 50 kW AC in size, installed on the roof or the property of a residential dwelling (including multi-family dwellings), and designed to serve that dwelling.
6. “Solar Energy Equipment” means collectors, controls, energy storage devices, heat pumps and pumps, heat exchangers, windmills, and other materials, hardware or equipment necessary to the process by which solar radiation is (i) collected, (ii) converted into another form of energy such as thermal, electrical, mechanical or chemical, (iii) stored, (iv) protected from unnecessary dissipation and (v) distributed. It does not include pipes, controls, insulation or other equipment which are part of the normal heating, cooling, or insulation system of a building. It does include insulated glazing or insulation to the extent that such materials exceed the energy efficiency standards required by New York law.
7. “Solar Energy System” means an arrangement or combination of Solar Energy Equipment designed to provide heating, cooling, hot water, or mechanical, chemical, or electrical energy by the collection of solar energy and its conversion, storage, protection and distribution.

## **§5. PILOT Required**

1. The owner of a property on which a Solar Energy System is located or installed (including any improvement, reconstruction, or replacement thereof), shall enter into a PILOT Agreement with the Town of Sand Lake consistent with the terms of this Local Law, except for

a) Residential Solar Energy Systems

b) Solar Energy Systems that do not seek or qualify for an exemption from real property taxes pursuant to Real Property Tax Law § 487(4).

2. The Lessee or licensee of any owner of a property required to enter into a PILOT Agreement by this section, which owns or controls the Solar Energy System, may enter into the PILOT Agreement on behalf of the owner of the property.

**3. Pursuant to Real Property Tax Law § 487(9)(b), “NOTICE IS HEREBY GIVEN” that it is the ongoing intent of the Town of Sand Lake to require a contract for payments in lieu of taxes for solar energy systems, and that this Local Law constitutes notification to owners or other persons of the mandatory requirement for a PILOT Agreement pursuant to the terms of this Local Law.**

4. Nothing in this Local Law shall exempt any requirement for compliance with state and local codes for the installation of any solar energy equipment or a solar energy system, or authorize the installation of any solar energy equipment or a solar energy system. All solar energy systems must file a Real Property Tax Exemption application pursuant to Real Property Tax Law § 487 to receive a tax exemption.

## **§6. Contents of PILOT Agreements**

1. Each PILOT Agreement entered into shall include

a) Name and contact information of the Owner or other party authorized to act upon behalf of the Owner of the Solar Energy System.

b) The SBL number for each parcel or portion of a parcel on which the Solar Energy System will be located.

c) A requirement for fifteen successive annual payments, to be paid commencing on the first Annual Payment Date after the effective date of the Real Property Tax Exemption granted pursuant to Real Property Tax Law § 487.

d) The Capacity of the Solar Energy System, and that if the Capacity is increased or increased as a result of a system upgrade, replacement, partial removal or retirement of Solar Energy Equipment, the annual payments shall be increased or decreased on a pro rata basis for the remaining years of the Agreement.

e) That the parties agree that under the authority of Real Property Tax Law § 487 the Solar Energy System shall be considered exempt from real property taxes for the fifteen-year life of the PILOT Agreement.

f) That the PILOT Agreement may not be assigned without the prior written consent of the Town of Sand Lake, which consent may not be unreasonably withheld if the Assignee has agreed in writing to accept all obligations of the Owner, except that the Owner may, with advance written notice to the Town, but without prior consent, assign its payment obligations under the PILOT Agreement to an affiliate of the Owner or to any party who has provided or is providing financing to the Owner for or related to the Solar Energy System, and has agreed in writing to accept all payment obligations of the Owner.

g) That a Notice of this Agreement may be recorded by the Owner at its expense, and that the Town shall cooperate in the execution of any Notices or Assignments with the Owner and its successors.

h) That the Annual Payment shall be

- i) For a Solar Energy System that is roof-mounted or canopy that is placed exclusively over Impervious Surfaces, \$4,500.00 per MW of Capacity multiplied by the corresponding Town percentage of applicable taxes.
- ii) For all other Solar Energy Systems not included in (h)(i), \$9,000.00 per MW of Capacity multiplied by the corresponding Town percentage of applicable taxes.

i) That the Annual Payment shall escalate two percent (2%) per year, starting with the second Annual Payment.

j. That if the Annual Payment is not paid when due, that upon failure to cure within thirty days, the Town may cancel the PILOT Agreement without notice to the Owner, and the Solar Energy System shall thereafter be subject to taxation at its full assessed value.

#### **§7. Severability**

Should any provision of this Local Law be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of this Local Law as a whole or any part thereof other than the part so decided to be unconstitutional or invalid.

#### **§8. Effective Date**

This Local Law shall be effective upon its filing with the Secretary of State in accordance with the Municipal Home Rule Law, and shall apply to all solar energy systems constructed.

##### **1. (Final adoption by local legislative body only.)**



I hereby certify that the local law annexed hereto, designated as Local Law No. 3 of 2022 of the Town of Sand Lake was duly passed by the Town Board on June 29 2022, in accordance with the applicable provisions of law.

**2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by Elective Chief Executive Officer\*.)**

I hereby certify that the local law annexed hereto, designated as Local Law No. of 202 of the \_\_\_\_\_ was duly passed by the I on \_\_\_\_\_, 202 , and was (approved)(not approved) (repassed after disapproval) by the Elective Chief Executive Officer\*, and was deemed duly adopted on \_\_\_\_\_, 202 .

**3. (Final adoption by referendum.)**

I hereby certify that the local law annexed hereto, designated as Local Law No. \_\_\_\_\_ of 202\_\_\_\_ of the \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_, 200\_\_\_\_, and was (approved)(not approved)(repassed after disapproval) by the Elective Chief Executive Officer\*, \_\_\_\_\_ on \_\_\_\_\_, 200\_\_\_\_. Such Local Law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_, 200\_\_\_\_, in accordance with the applicable provisions of law.

**4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)**

I hereby certify that the local law annexed hereto, designated as Local Law No. of 202\_ of the \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_, 202\_, and was (approved)(not approved)(repassed after disapproval) by the Elective Chief Officer\*, on \_\_\_\_\_, 202\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_, 202\_0, in accordance with the applicable provisions of law.

**5. (City local law concerning Charter revision proposed by petition.)**

I hereby certify that the local law annexed hereto, designated as Local Law No. \_\_\_\_\_ of 200\_\_\_\_ of the \_\_\_\_\_ of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_, 200\_\_\_\_, became operative.

\_\_\_\_\_

**\* Elective Chief Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.**

**6. (County local law concerning adoption of Charter.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 200\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_, 200\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

**(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)**

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1, above.

Town or Village  
legislative body  
*(Seal)*

\_\_\_\_\_  
Clerk of the County Legislative Body, City,  
Clerk or officer designated by local  
**TOWN CLERK**  
Date: \_\_\_\_\_

**(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)**

State of New York  
County of Rensselaer

I, the undersigned, hereby certify that the foregoing Local Law contains the correct text and that all proper proceedings have been had or taken for the enactment of the Local Law annexed hereto.

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**Town Attorney**

\_\_\_\_\_

**Title**

**TOWN OF: SAND LAKE**

\_\_\_\_\_

**Date:**

\_\_\_\_\_

**RESOLUTION #2022-06-116**

**Approving the Replacement of Culverts on Gettle Road**

Moved by: Supervisor Gallerie

Seconded by: Deputy Supervisor Film

**WHEREAS**, resolution 2021-11-72 obligated \$35,000 of the Town's 2021 Coronavirus State and Local Fiscal Recovery Funds to fund the replacement of two culvert pipes on Gettle Road; and

**WHEREAS**, a Request for Bid was published soliciting bids for this project by May 23, 2022 to which no responses were received; and

**WHEREAS**, the Commissioner of Public Works solicited a price from CWG Excavation and Timbering LLC who is on Rensselaer County Bid No. 121-28 for Heavy Equipment Rental with Operator; and

**WHEREAS**, CWG Excavation and Timbering LLC provided a quote in the amount not to exceed \$54,800 to provide trench safety, excavate and remove the old culverts, reinstall the new culverts and backfill the trenches utilizing proper compaction techniques; now therefore be it

**RESOLVED**, that the Town Board of the Town of Sand Lake authorizes the Commissioner of Public Works to contract this project to CWG Excavation and Timbering LLC in an amount not to exceed \$54,800 chargeable to Budget Code DB 5110.4, and be it further

**RESOLVED**, that the Town Board hereby approves the distribution of Coronavirus State and Local Fiscal Recovery Funds from the Town of Sand Lake's 2022 Allocation not to exceed \$19,800 to cover the project cost increase since 2021 initial estimate.

**Open Discussion:**

Supervisor Gallerie commented that the plan was put together last year and the cost obviously has gone up considerably since then.

Councilman Nippes followed with comparison to Oak Hill Culvert.

**AYES 5 – NAYS 0**

**UNANIMOUS**

**RESOLUTION #2022-06-117**

**Renaming the Sand Lake Rails to Trails Task Force as the Sand Lake Community Trails Task Force and Appointing Members**

Moved by: Supervisor Gallerie

Seconded by: Councilman Clemens

**WHEREAS**, in October 2021, the Town Board, acting at the request of the Planning Oversight Committee, authorized the formation of a Town Rails to Trails Task Force to “pursue the construction of trail networks to connect the hamlets and other key destinations, including the Empire State Trail, and to provide access to the Wynantskill Creek” in line with the 2019 Comprehensive Plan; and

**WHEREAS**, the Town Board believes that the development of a network of multi-purpose trails through Town would provide safer routes for pedestrians and bicyclists of all ages to move through town, provide healthy outdoor recreational opportunities for Town residents, and enhance the Town as an attractive place to live and work; now therefore be it

**RESOLVED**, that the Town Board of the Town of Sand Lake, hereby renames the Rails to Trails Task Force as the Sand Lake Community Trails Task Force, and, be it further

**RESOLVED**, that Town Board approves as members the following volunteers: Garrett DeGraff, George Falco, David Gaskell, Ron Greenberg, Chuck Hacker, Michelle LeClair, Adam Muhs, Daniel Peeters, Jackie Tremont, and Doug Worden and, be it further

**RESOLVED**, that the Town Board authorizes the Sand Lake Community Trails Task Force to develop a plan for the proposed location of the trail system, communicate with landowners regarding possible development of a community trail adjacent to their properties, and communicate with applicable agencies such as New York State Department of Parks, Recreation and Historical Preservation to research available funding and determine requirements for planning and construction.

**Open Discussion:**

Councilman Gendron is opposed regarding the private landowners being possibly forced to donate to the trail system and against groups of hikers being behind private landowners property and who will maintain the trail system?

Councilman Nippes remarked that it was the beginning of a plan and that all landowners need to be on board for him to support it.

Supervisor Gallerie commented that he appreciates everyone’s input and that there is much planning to be done.

**AYES 4 – NAYS 1**

**RESOLUTION #2022-06-118**

**Authorizing Not To Exceed \$1,200,000 Aggregate Principal Amount Of Serial General Obligation Bonds To Finance The Replacement Of The Stop 13 Road Bridge Over Wynants Kill Creek, At An Estimated Maximum Cost Of \$1,200,000, Levy Of Tax In Annual Installments In Payment Thereof, The Expenditure Of Such Sum For Such Purpose, And Determining Other Matters In Connection Therewith.**

Moved by: Supervisor Gallerie

Seconded by: Councilman Nippes

Comment by Supervisor Gallerie: due to the length of the resolution he will summarize actual copy of the resolution will be online or may be viewed through the town clerks office.

**WHEREAS**, 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 (the "Regulations") adopted pursuant thereto by the Department of Environmental Conservation of the State of New York (collectively with the SEQR Act, "SEQRA"), the Town Board of the Town of Sand Lake (the "Town") has determined that: (A) pursuant to Section 617.5(c)(23) of the Regulations, the reconstruction of the Stop 13 Road Bridge over Wynants Kill Creek (the "Purpose") is a "Type II action" (as said quoted term is defined in the Regulations); and (B) therefore, no environmental impact statement or any other determination or procedure is required under the Regulations; and

**WHEREAS**, the sum of \$1,499,726 (the "Appropriation") has previously been appropriated pursuant to Resolution #2019-08-79 "Approval to Create Capital Project — Stop 13 Bridge Replacement" in August 2019, Resolution #2020-08-70 "Approval to Appropriate Additional Funds — Stop 13 Bridge Replacement" in August 2020, and Resolution #2021-12-80 "Authorizing the implementation and funding in the first instance of 100% of the costs of a transportation project, which may be eligible for federal-aid and/or state-aid, or reimbursement from Bridge NY funds" in December 2021, and made available to cover the cost of participation in the above phase(s) of the Project; and

**WHEREAS**, the Town has determined that the total amount of the Appropriation will not be needed to pay for the cost of the Purpose;

**NOW THEREFOR BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF SAND LAKE AS FOLLOWS:**

Section 1. The Town of Sand Lake (the "Town") is hereby authorized to (a) replace the current bridge carrying Stop 13 Road over the Wynants Kill Creek, and (b) issue its serial general obligation bonds (the "Bonds") in the aggregate principal amount of not to exceed \$1,200,000 pursuant to the Local Finance Law of New York, in order to finance the class of objects or purposes described herein.

Section 2. The class of objects or purposes to be financed pursuant to this Resolution is the replacement of the current bridge carrying Stop 13 Road over the Wynants Kill Creek, including but not limited to demolition of the existing road and sub-base, existing culverts

and concrete headwalls, and excavating down to the natural creek bed, construction and installation of a new bridge, including preliminary costs thereof and costs incidental thereto, and issuance costs of the Bonds and bonds anticipation notes hereinafter referred to (collectively, the "Purpose").

Section 3. It is hereby determined and declared that (a) the maximum cost of the Purpose, as estimated by the Board, is \$1,200,000, (b) \$1,499,726 has heretofore been authorized to be applied to the payment of the cost of the Purpose but only an amount of not to exceed \$1,200,00 will be expended, 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 the expenditure of funds received from a federal aid, New York State aid and a Bridges New York grant.

Section 4. It is hereby determined that said Purpose is an object or purpose described in Subdivision 10 of Paragraph a of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is 20 years. The proposed maturity of the Bonds authorized herein will be in excess of five (5) years.

Section 5. 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 6. 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 the use of substantially level 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 to affix to such Bonds and bond anticipation notes the corporate seal of the Town.

Section 7. 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, to the extent the necessary funds are not provided from other sources. There shall be levied annually on all taxable real property in the Town, a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable, to the extent the necessary funds are not provided from other sources.

Section 8. This Resolution shall constitute the Town's "official intent", within the meaning of Section 1.150-2 of the Treasury Regulations, to finance the cost of the Purpose with the Bonds and notes herein authorized. The Town shall not reimburse itself from the proceeds of the Bonds or notes for any expenditures paid more than sixty days prior to the date hereof, unless specifically authorized by Section 1.150-2 of the Treasury Regulations.

Section 9. 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 said resolution, to cause to be published a notice which sets forth the date of this Resolution's adoption and contains an abstract of the resolution concisely stating its purpose and effect.

Section 10. This Resolution (or a summary thereof), when effective, shall be published in full 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 11. 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 12. This Resolution shall take effect upon the earlier of (a) expiration of the time for filing a petition requesting that the issuance of the Bonds be submitted to referendum or (b) a positive vote upon the referendum authorizing the issuance of the Bonds.

**Open Discussion:**

Councilman Nippes asked for clarification that it is a bond.

**AYES 5 – NAYS 0                      UNANIMOUS**

**RESOLUTION #2022-06-119**

**Appointing Town of Sand Lake Summer Camp Staff**

Moved by: Councilman Clemens

Seconded by: Councilman Nippes

**BE IT RESOLVED**, that the Town Board of the Town of Sand Lake appoints the following staff for the 2022 Summer Camp Session:

<b>NAME</b>	<b>POSITION</b>	<b>HOURLY RATE</b>
Marlee Cooke	Camp Counselor	\$13.25
Violet Dupuis	Camp Counselor	\$13.25
Luke Ferguson	Camp Counselor	\$13.50
Syd Ferguson	Camp Counselor	\$13.20
Abigail Garrison	Camp Counselor	\$13.20
Ellie Garrison	Camp Counselor	\$13.20
Avery Kittleson	Camp Counselor	\$13.20
Grace LaLiberte	Camp Counselor	\$13.20
Jared Lee	Camp Counselor	\$13.50
Delaney Long	Camp Counselor	\$13.50

Merrick Nalewjka	Camp Counselor	\$13.20
Zack Ryan	Camp Counselor	\$13.50
Tyler Spink	Camp Counselor	\$13.20
Wyatt Thorsen	Camp Counselor	\$13.50
Adeline Weatherwax	Camp Counselor	\$13.20

**Open Discussion:**

Councilman Nippes commented that it is a great program that we share with the Town of Poestenkill and that his organization Doors of Hope made a sizeable donation which will allow for 10 children to attend the camp.

Councilman Gendron noted that there will be 5 days that the camp will be at our town beach rather than busing the children out of town to Grafton as done in the past.

**AYES 5 – NAYS 0 UNANIMOUS**

**RESOLUTION #2022-04-120****A Resolution Authorizing the Solicitation of Bids for the Repair of Upper Parking Lot Lighting at the Town Hall**

Moved by: Councilman Clemens

Seconded by: Councilman Gendron

**WHEREAS**, the lighting on the upper parking lot at the Town Hall has become inoperable; and

**WHEREAS**, David Nolette, a licensed Master Electrician has evaluated the lighting and has determined that the underground wiring has been damaged by ground movement, and has recommended that the wiring be replaced to all of the light posts; now therefore be it

**RESOLVED**, that the Town Board authorizes the Town Supervisor to solicit quotes for the replacement of the wiring for the upper parking lot lighting fixtures.

**AYES 5 – NAYS 0 UNANIMOUS**

**Further Public Comments:**

Adam Muhs further commented in favor of the proposed trail system.

David Post further commented in favor of the proposed trail system.

There being no further business to come before the Board Supervisor Gallerie made a motion to adjourn the June 29, 2022 Town Board Workshop at 8:23 pm. It was seconded by Deputy Supervisor Film. All were in favor.



