

**TOWN OF SAND LAKE
TOWN BOARD WORKSHOP MEETING
May 26, 2021**

A Meeting of the Sand Lake Town Board was held on May 26, 2021 at the Sand Lake Town Hall. After the Pledge of Allegiance, the following answered roll call:

PRESENT: Councilman Bulmer
Deputy Supervisor Erickson
Councilman Film
Councilman Nippes
Supervisor Perry
Town Attorney Ely

RECORDING SECRETARY: Barbara Hansen, Town Clerk

CALL TO ORDER: Supervisor Perry opened the meeting at 7:00 P.M.

OTHERS PRESENT: Joel and Judy Hunt, Brian and Diane Hunt, Tara Dinotio, William Rohl, several other members of the Sand Lake Highway Department, Bill Glasser, Garrett DeGraff.

PRESENTATION OF NYS STRETCH ENERGY PROGRAM

Supervisor Perry explained the NYS Stretch Program is a more stringent Energy Code than the State's current standard energy code. The Stretch Program has been adopted by several municipalities across the State. Adopting such a program shows leadership by protecting the environment and creating more efficient buildings with lower operating costs. The New York State Research and Development Authority developed a model Stretch Energy Code that is effective, flexible and enforceable. Tara Dinotio, Coordinator for this Program for the Capital District Planning Commission, presented an overview of the NYS Stretch Energy Code. Adoption of this new plan is something that the Town Board should consider in the near future. The full Power Point presentation is available for viewing on the Town's website.

Discussion of Beach Access for Poestenkill residents: Beach use is free for Sand Lake Residents. Councilman Bulmer said the Beach has an occupancy limit of 75 persons. He feels the number of passes offered to Poestenkill needs to be limited solely due to the size of the facility. He has filled all Life Guard positions and feels they will be able to handle an increase in visitors. Supervisor Perry stated that, in general, the trend is moving toward shared services between Towns. Sand Lake Day Camp this year will be held in Poestenkill since the camp director has agreed to allow Sand Lake residents to participate, and feels Sand Lake would be a "good neighbor" by allowing Poestenkill residents access to the Sand Lake Beach. Councilman Nippes suggested a seasonal fee of \$50 for Poestenkill residents, and that the passes be awarded via a lottery system. Everyone agreed was a good idea. Councilman Film said we should start with offering 25 passes and see how much interest is out there.

BUSINESS

RESOLUTION #2021-05-30

Appointment to the Communication & Marketing Committee

Moved by Supervisor Perry

Seconded by Deputy Supervisor Erickson

Be it Resolved, the Town Board appoints Melinda Fowler to the Communication & Marketing Committee, effective immediately.

Unanimously carried

RESOLUTION #2021-05-31

Approval of Town of Sand Lake Summer Concert Series

Moved by Supervisor Perry

Seconded by Councilman Nippes

Be it Resolved, the Town Board approves the expenditure of a not-to-exceed amount of \$5,100 to hold eight summer concerts in 2021.

Unanimously carried

RESOLUTION #2021-05-32

Approval of Internet Access Service at Butler Park and the Town Beach

Moved by Supervisor Perry

Seconded by Councilman Nippes

Be it Resolved, the Town Board approves providing internet service at Butler Park and the Town Beach from Spectrum Enterprise in the amount of \$122.97 per month, per location with an installation fee of \$99 each for both locations.

Unanimously carried

RESOLUTION #2021-05-33

Classifying the Issuance of Serial General Obligation Bonds in an Aggregate Principal Amount Not to Exceed \$1,160,000 in Furtherance of Certain Sidewalk and Other Improvements as an Unlisted Action Pursuant to the State Environmental Quality Review Act and Determining that the Issuance of Such Bonds Will Not Have a Significant Adverse Environmental Impact

Moved by Supervisor Perry

Seconded by Deputy Supervisor Erickson

Whereas, the Town Board of the Town of Sand Lake, Rensselaer County, New York (the "Town") hereby wishes to undertake 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; and

Whereas, the Town hereby determines that it is in the public interest of the Town to authorize the financing of the Project through the issuance of serial general obligation bonds in an aggregate amount not to exceed \$1,160,000, including costs of issuance (together with the aforementioned improvements, the "Project"); and

Whereas, pursuant to the State Environmental Quality Review Act ("SEQRA"), the Town is required to make a determination with respect to the environmental impact of any "action" (as defined by SEQRA) to be taken by the Town, and the Project constitutes such an action; and

Whereas, the Town has examined and reviewed related Project documents prepared in furtherance of the Project, including the environmental assessment form, to classify the Project and make a determination as to the potential significance of the Project pursuant to SEQRA; now therefore

Be it Resolved, by the Town Board of the Town of Sand Lake, Rensselaer County, New York (the "Town") as follows:

(1) Based upon an examination of the Project, related documents, plans and specifications prepared in furtherance of the Project, the criteria contained in 6 NYCRR §617.7(c), and based further upon the Town's knowledge of the Project areas, and such further investigation of the Project and its environmental effects as the Town has deemed appropriate, the Town Board makes the following findings and determinations with respect to the Project pursuant to SEQRA:

(a) The Project as described in the first *whereas* clause constitutes an "Unlisted Action" under SEQRA (as said quoted term is defined in SEQRA);

(b) The Town Board declares itself "Lead Agency" (as said quoted term is defined in SEQRA) with respect to an uncoordinated review pursuant to SEQRA;

(c) The action will not have a significant effect on the environment, and the Town Board hereby issues a negative declaration pursuant to SEQRA, which shall be filed in the office of the Town Clerk in a file that is readily accessible to the public.

(2) A copy of this Resolution shall be placed on file in the office of the Town Clerk where the same shall be available for public inspection during business hours.

(3) This Resolution shall take effect immediately.
Unanimously carried

RESOLUTION #2021-05-34

**Authorizing Not to Exceed \$1,160,000 Aggregate Principal Amount of Serial General Obligation Bonds to Finance a Sidewalk Improvements Project, at an Estimated Maximum Cost of \$1,160,000 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 Perry
Seconded by Deputy Supervisor Erickson**

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; now therefore

Be it Resolved, by the Town Board of the Town of Sand Lake, Rensselaer County, New York (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 aggregate principal amount of not to exceed \$1,160,000 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 maximum cost of the Purpose, as estimated by the Town Board, is \$1,160,000, (b) no money 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. 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 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.
Unanimously carried

RESOLUTION #2021-05-35

Approval to Contract with Fiscal Advisors & Marketing, Inc. for Financial Advisory Services Associated with the Sand Lake Hamlets Sidewalk Enhancements Project

Moved by: Supervisor Perry

Seconded by: Councilman Bulmer

Be it Resolved, the Sand Lake Town Board authorizes Supervisor Nancy Perry to sign a contract with Fiscal Advisors & Marketing, Inc., for services associated with the Sand Lake Hamlets Sidewalk Enhancements Project, upon review by Counsel.

Unanimously carried

RESOLUTION #2021-05-36

Approval to Contract for Legal Services for the Planning Board and Zoning Board of Appeals

Moved by: Supervisor Perry

Seconded by: Deputy Supervisor Erickson

Be it Resolved, due to a conflict of interest, the Town Board approves hiring Christopher Langlois of Girvin & Ferlazzo, P.C. to handle legal services associated with the Jankovic application for the Planning Board and Zoning Board of Appeals at a total cost not-to-exceed \$10,000.

Unanimously carried

RESOLUTION #2021-05-37

Reconveyance of Paper Street Located Within Bradley Park

Moved by Supervisor Perry

Seconded by Councilman Film

Whereas, certain real property was conveyed to the Town of Sand Lake by Donald and Catherine Bradley as part of the proposed development of Bradley Park which consisted of certain strips of land originally contemplated to be developed into Town roads; and

Whereas, some of these roads remain as "paper streets" that were never dedicated as Town roads; and

Whereas, Catherine Bradley is in the process of selling a portion of her property which includes one of the paper streets originally conveyed to the Town and now wishes the Town to re-convey this

unused, unimproved paper street back to her in order to clear title upon the property she now wishes to sell; now therefore

Be it Resolved, that the Town of Sand Lake is hereby authorized to re-convey certain real property as shown as an unused and unimproved paper street known as part of Autumn Lane back to Catherine Bradley to be combined with adjoining lands of Catherine Bradley; and

Be it Further Resolved, that Town Supervisor Nancy Perry is authorized to execute a deed and supporting documents necessary to effectuate the foregoing real estate conveyance.

Unanimously carried

RESOLUTION #2021-05-38

Honoring Joel Hunt on His Retirement from the Town of Sand Lake Department of Public Works

Whereas, Joel Hunt was hired by the Town of Sand Lake on November 30, 1974 and subsequently provided over 47 years of public service and;

Whereas, Joel has been a loyal, hard-working, faithful, dedicated, wise, and insightful employee, always concerned with furthering the interests of our great town; and

Whereas, no one in the world knows more about the highways, bridges, dams, and infrastructure in the town than Joel; now therefore

Be it Resolved, the Town of Sand Lake honors and thanks Joel Hunt for his service to our town and wishes him and his family happiness in his well-deserved retirement; and

Be it Further Resolved, that in recognition of his many decades of public service, the Town of Sand Lake wishes to further honor Joel; and

Be it Further Resolved, that from this day forward, the Stop 13 Road Bridge over the Wynants Kill, BIN #2201960, currently underway for construction due in large part to the input, advice, and guidance from Joel will be hereinafter officially named the "JOEL HUNT BRIDGE" with signage affixed to the bridge upon construction completion; and

Be it Further Resolved, all of us will miss you. Enjoy your retirement. You will always be a treasured son of the Town of Sand Lake.

_____ Nancy W. Perry, Ph.D.

_____ Virginia Erickson

_____ William Film

_____ Stuart Nippes

_____ Andrew Bulmer

MOVED BY SUPERVISOR AND SECONDED BY ALL BOARD MEMBERS UNANIMOUSLY ADOPTED

Joel spoke at length about his 47 year career in the Highway Department and the different administrations during his tenure. He detailed how things have changed over the years as the Town grew and development took place. He complimented the Highway crew, most of whom were present tonight. He also thanked his wife Judy for her patience and understanding over the years.

Supervisor Perry made a motion to adjourn the May 26, 2021 Town Board Workshop Meeting at 8:02 PM. It was seconded by Councilman Film.

Unanimously carried