

**TOWN OF SAND LAKE
TOWN BOARD MEETING
November 30, 2022**

A Meeting of the Sand Lake Town Board was held on November 30, 2022 at the Sand Lake Town Hall. After the Pledge of Allegiance, the following answered roll call:

PRESENT: Supervisor Gallerie
Deputy Supervisor Gendron
Councilman Nippes
Councilman Clemens
Councilman Glasser
Town Attorney Danaher

RECORDING SECRETARY: Barbara Hansen, Town Clerk

OTHERS PRESENT: Bill Glasser, Kevin Rifenburg DPW, Tim Murdick, Dolores Meissner, Carl Ricci, Brian Hunt, Garrett DeGraff

CALL TO ORDER: Supervisor Gallerie opened the meeting at 7:00 pm

Supervisor Gallerie said a Public Hearing was scheduled to discuss Local Law #5 amending the Zoning Map expanding the Hamlet Mixed Use Zone. Since it was not published, it will be re-scheduled. He also noted that he added another Resolution to the Agenda tonight to re-schedule that to December 14, 2022.

Approval of Minutes: Supervisor Gallerie made a motion to approve the minutes of the October 12, 2022 and October 26, 2022 Town Board Minutes. It was seconded by Councilman Nippes and all were in favor.

Supervisor Gallerie's Report: Our Cable Channel 1303 has been offline for quite a while, about 4 months now. I've been in contact with Spectrum who wrote back to me explaining that our broadcasting equipment is now obsolete. I don't have any information what equipment would be needed and the cost thereof. Our meetings are still being live streamed on our website: townofsandlake.us. Depending on the cost we may or may not upgrade the equipment and will continue to do live streaming as several surrounding towns have done using their websites or facebook. Call if you need assistance to access the live stream.

2nd Dyke Road Culvert: The Contractor installed the culvert exactly as shown on the Engineer's plans, but work has stopped. Members of the Burden Lake Association (BLA) believe the plans have incorrect elevations which would reduce the head room for boating in the culvert. Our Engineer is working with the contractor and BLA to reconcile the discrepancy. This may cause a delay, but is necessary.

Regarding the Rifenburg Sketch Plan for the Gardner property: The issue was addressed by the Planning Board at its last meeting and there was much discussion. As discussed at the last TB meeting Rifenburg wants to apply for a PDD on the Gardner property along Springer Road. Zoning code requires the Town Board review the sketch plan and reported to the Planning Board who has 60 days to issue an Advisory Report to the Board. Upon receipt the Town Board has 45 days to approve or disapprove the proposed PDD. If approved a formal application must be submitted which will include a full environmental assessment required by the State. He clearly stated that this Town Board understands, and takes seriously, its role in protecting our Town and residents from negative effects that may result from

mining or any commercial operation. The Board must follow the law when considering these applications. I want to make clear that the Town of Sand Lake is not a co-applicant in this matter as was erroneously reported in a letter regarding the Rifenburg Sketch Plan.

Animal Control: Mohawk Hudson Humane Society (MHHS): We and several other towns have received Notification that MHHS will not be extending their contract in 2023 with the Town to board dogs who cannot be placed back with their owners. We're reaching out to other towns and exploring alternatives. We're in discussion with Keith Hammond, Supervisor in Poestenkill, who has put forth a proposal which we are working on.

Veterans: The Christmas Tree at the Memorial Park was put up and lighted by a great group of volunteers supervised by Bill Hoffay and Bill Glasser. Thank you Steve Wagner of Wagner Farms for his donation of the tree at the Veterans Park and outside Town Hall.

Deputy Supervisor Gendron: Kiwanis helped over 70 families with food donations for the Thanksgiving Holiday. We will continue doing this at Christmas and expect to deliver food to over 100 families. Kiwanis is doing great things in Town. Also, thank you to Councilman Glasser who is organizing the Christmas Parade this Friday.

Councilman Nippes Report: Thanked Councilman Glasser's wife, Barbara, who is also doing a lot of the organizing work for the parade.

Councilman Clemens Report: Please report any streetlights that are out and I will try to get NYSEG over to repair them.

Broadband: I've been advised that some residents are having cell phone issues. Please touch base with me. FCC has a form on their website to submit a complaint.

Library: A local photographer has an exhibit in the Library and I encourage everyone to check it out.

Councilman Glasser's Report: The Parade is growing and we have over 40 floats at this time. Please reach out to me or the Town Clerk if you haven't received your line up time. We expect a large turnout so get out and get your viewing spot early. Take note the roads of the parade route will be closed for approximately ½ hour. The Parade ends at Butler Park with refreshments and visits with Santa and Mrs. Claus.

Town Clerk, Barbara Hansen, reported Dunkin is giving us 15 gallons of hot chocolate, 300 munchkins, and Hannaford has graciously offered juice boxes, bottled water and cookies for the refreshments which will be handled by Keith Hammond and Tiffany Buker at Butler Park. Councilman Glasser stated he was happy to see so many of the local businesses participating in the parade along with fire departments and municipal services.

Kevin Rifenburgh, DPW: We are ready for winter. All vehicles have been serviced. All Veteran Banners have been taken down for the winter and will go back up in the spring. We've started screening sand for the winter and have a good stockpile. The new hydrant on Crystal Lake has been installed. The blacktop plants plan to close somewhere around December 16th. Councilman Glasser thanked the highway department for their help in installing the new hydrant at Crystal Lake. This makes 3 hydrant locations on the Lake which will help the fire department during an emergency.

There being no Public comment Supervisor Gallerie moved on to Business.

BUSINESS:**RESOLUTION #2022-11-178****Purchase of a Heavy Duty Pickup Truck for the Highway Department****Moved by: Supervisor Gallerie****Seconded by: Councilman Nippes**

WHEREAS, the Commissioner of Public Works requires the replacement of Truck #1 in the Highway Department as it has become uneconomically repairable; and

WHEREAS, The Commissioner of Public Works has determined that this truck should be replaced with a heavy-duty pickup truck to maximize it's useful life to the Public Works Department; and

WHEREAS, Westchester County NY has awarded bids to DeNooyer Chevrolet for Chevrolet 3500 HD Pickup Trucks and the terms of the bid specify that it shall be available to other municipalities pursuant to Section 103, subparagraph 16 of New York State General Municipal Law; and

WHEREAS, Denooyer Chevrolet has a trucks in stock that meet the specifications as set forth by the Commissioner: and

WHEREAS, the Town of Sand Lake Purchasing Policy requires that purchases of \$20,000 or more must be approved by the Town Board, and

WHEREAS, the financial impact of this resolution is \$51,380.00 from Highway Machinery Equipment Budget Line DA 5130.2; now, therefore, be it

RESOLVED, that the Town Board authorizes the Commissioner of Public Works to purchase a 2023 Chevrolet Silverado 3500HD Crew Cab Work Truck from DeNooyer Chevrolet Inc. in an amount not to exceed \$51,380.00.

AYES 5 – NAYS 0 UNANIMOUS

Supervisor Gallerie explained that they are trying to stagger purchases of new equipment so that an up to date fleet can be maintained and to not have to replace several expensive vehicles all in the same year.

RESOLUTION #2022-11-179**Authorizing the Solicitation of Bids for the Replacement of a Heavy Duty Pickup Truck for the Department of Public Works****Moved by: Supervisor Gallerie****Seconded by: Councilman Clemens**

WHEREAS, the Commissioner of Public Works requires the replacement of Truck #5 in the Highway Department as it has become uneconomically repairable; and

WHEREAS, The Commissioner of Public Works has determined that this truck should be replaced with a heavy-duty pickup truck to maximize its' useful life to the Public Works Department; and

WHEREAS, the anticipated cost of replacing the Pickup Truck will exceed the \$35,000 threshold established by New York State General Municipal Law, requiring public bidding; now therefore be it

RESOLVED, that the Town Board authorizes the Commissioner of Public Works to solicit bids for the replacement of Truck #5 in the Department of Public Works.

AYES 5 – NAYS 0

RESOLUTION #2022-11-180

A Resolution Authorizing the Solicitation of Expressions of Interest to Apply for Bridge NY Funding for the Replacement of the Culvert on Loon Creek Lane

Moved by: Supervisor Gallerie

Seconded by: Deputy Supervisor Gendron

WHEREAS, the preliminary design for the replacement of the culvert has been completed by FCM Engineering per resolution 2022-07-123; and

WHEREAS, the preliminary engineers estimate for the construction of this project is estimated to be in excess of \$300,000.00; and

WHEREAS, New York State Department of Transportation has announced that applications for the Bridge NY program for 2023 will be solicited with an application deadline of January 31, 2023; and

WHEREAS, the Loon Creek Lane culvert appears to meet the qualifications for funding under the Bridge NY Program; and

WHEREAS, the services of an engineering firm are required to prepare the application for funding and all of the backup documentation for the Bridge NY program; now therefore be it

RESOLVED, that the Town Board authorizes the Town Supervisor to solicit expressions of interest to retain an engineering firm/team to assist in preparing a funding application for the replacement of Loon Creek Lane Culvert under the next round of the Bridge NY Program.

AYES 5 – NAYS 0 UNANIMOUS

Supervisor Gallerie explained the estimates we had for this project are obsolete since prices have escalated. The Bridge NY program will be 100% reimbursed.

RESOLUTION #2022-11-181

A Resolution Appointing Monica Ryan as a Part Time Grant Administrator

Moved by: Supervisor Gallerie

Seconded by: Councilman Nippes

WHEREAS, Monica Ryan has been employed on a part time basis as the Planning Coordinator for the Town of Sand Lake; and

WHEREAS, Monica Ryan was hired by New York State Department of State on a full time basis on November 10, 2022; and

WHEREAS, the Town of Sand Lake has several ongoing grants which Ms. Ryan initiated and has been instrumental in administering; and

WHEREAS, the New York State Department of State has authorized Ms. Ryan to work on a part time basis as a grant administrator; now therefore be it

RESOLVED, that the Town Board appoints Monica Ryan as the part time Grant Administrator effective December 1, 2022 at a salary of \$36.68 per hour for an average of 6 hours per week.

AYES 5 – NAYS 0 UNANIMOUS

RESOLUTION #2022-11-182

Authorizing the Purchase of Department of Public Works Vehicles and Fuel System, in an Aggregate Principal Amount of \$700,000.00, and Authorizing the Issuance of Bonds of said Town to Pay the Cost Thereof

Moved by: Supervisor Gallerie

Seconded by: Deputy Supervisor Gendron

WHEREAS, the following described project is in the best interests of the Town:

Replacement of two (2) Medium Duty Plow Trucks and one (1) Heavy Duty Plow Truck and replacement of a 2,000 gallon capacity fuel system with a 3,000 gallon capacity fuel system; and

WHEREAS, the capital project hereinabove and hereinafter described, as proposed, has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which regulations state that Type II Actions will not have a significant effect on the environment; and

WHEREAS, it is now desired to authorize the financing of such capital project; now, therefore be it

RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Town Board of the Town of Sand Lake, New York, as follows:

Section 1. The specific purpose (hereinafter referred to as “purpose”) to be financed pursuant to this resolution is the purchase of snow plow trucks and related snow plow equipment, and the replacement of the current fuel system with a properly sized fuel system as described in the schedule of equipment to be replaced as described by the Commissioner of Public Works spreadsheet, enclosed, is hereby authorized at a maximum estimated cost of \$700,000.00.

Section 2. It is hereby determined that the plan for the financing of the aforesaid maximum estimated cost is by the issuance of not exceeding \$700,000.00 of serial bonds of the Town

hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law; provided, however, that to the extent that any Federal or State grants-in-aid are received for such specific object or purpose, the ultimate amount of bonds to be issued pursuant to this resolution shall be reduced dollar for dollar.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is fifteen years, pursuant to subdivision 62(2nd) of paragraph (a) of Section 11.00 of the Local Finance Law. Such specific object or purpose constitutes new expenses of the planned Capital Project relating to new elements not heretofore authorized.

Section 4. The faith and credit of said Town of Sand Lake, New York, are hereby irrevocable pledged for the payment of the principal of and interest on such bonds 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 bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

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 issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Town Supervisor, as the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Town Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Town Supervisor, as the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Commissioner of Finance shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) 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 days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. This resolution, which takes effect immediately, shall be published in summary form in the official newspaper(s) of such Town, together with a notice of the Clerk of the Town of Sand Lake in substantially the form provided in Section 81.00 of the Local Finance Law, and moves its adoption.

AYES 5 – NAYS 0 UNANIMOUS

RESOLUTION #2022-11-183

Appointing Connor Blais to the Position of Motorized Equipment Operator Light in the Department of Public Works

**Moved by: Deputy Supervisor Gendron
Seconded by: Councilman Nippes**

WHEREAS, The Department of Public Works has an existing vacancy for the position of Motorized Equipment Operator Light (MEOL) in the Highway Department; and

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

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

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

BE IT RESOLVED, that the Town Board of the Town of Sand Lake confirms the appointment of Connor Blais to the position of Motorized Equipment Operator Light (MEOL) in the Department of Public Works, Highway Department at the rate of \$19.00 per hour as specified in the United Public Service Employees Union Collective Bargaining Agreement This appointment will be effective December 5, 2022 with the conditions as stipulated in the offer letter from the Commissioner of Public Works.

AYES 5 – NAYS 0 UNANIMOUS

Supervisor Gallerie made a motion, seconded by Councilman Nippes to table Resolution #2022-11-184

Adopting a SEQR Negative Declaration and Approving Local Law #5 of the Year 2022 – A Local Law to Amend the Zoning Map Expanding the Hamlet Mixed Use Zone.

This is going to be addressed later in tonight's agenda and we will re-set the date for a Public Hearing. **Motion carried – all in favor.**

RESOLUTION #2022-11-185**Authorizing Budget Transfers and Amendments****Moved by: Supervisor Gallerie****Seconded by: Councilman Clemens****BE IT RESOLVED** the following transfers are made to the 2022 Budget:

From	To	Amount
A 9010.8000 State Retirement	A 3620.4000 Building Inspector Contractual	\$800.00
A 9010.8000 State Retirement	A 1620.4000 Buildings Contractual	\$12,200.00
DA 9010.8000 State Retirement	DA 5130.2000 Machinery Equipment	\$1,095.00
DA 9010.8000 State Retirement	DA 5010.4000 Street Maintenance Admin	\$500.00
DA 9010.8000 State Retirement	DA 9060.8000 Hosp. & Medical Insurance	\$6,700.00
DA 9010.8000 State Retirement	DA 5142.4000 Snow Removal Contractual	\$10,000

Budget Amendments

Increase Appropriation A 522.9901.9000 Interfund Transfer in the amount of \$63,579 by increasing Revenue A 980.4089.9999 Federal Aid-Other in the amount of \$63,579 due to funding received through the Coronavirus State and Local Fiscal Recovery Funds. Funds are then transferred from the General Fund to the Highway Fund by increasing Revenue DA 980.5031.9999 Interfund Transfer In in the amount of \$63,579 and increasing Appropriation DA 522.5112.4000 Improvements Contractual in the amount of \$63,579 for Paving as per Resolution #2022-08-136.

AYES 5 – NAYS 0 UNANIMOUS**RESOLUTION #2022-11-186****Authorizing Repayment of Interfund Loans, - Sewer District #2****Moved by: Supervisor Gallerie****Seconded by: Deputy Supervisor Gendron**

WHEREAS, the Town Board authorized interfund loans between the General Fund to Sewer District 2 and the Highway Fund to Sewer District 2 during the creation of the Sewer District 2; and

WHEREAS, Sewer District 2 now has sufficient Fund Balance to repay the interfund loans; now therefore be it

RESOLVED, the Town Board authorizes the Town Comptroller to repay the General Fund to Sewer District 2 interfund loan in the amount of \$5,998.60 plus \$674.84 interest and the Highway Fund to Sewer District 2 interfund loan in the amount of \$13,788.78 plus \$1,551.24 interest; and be it further

RESOLVED, that the following amendment be made to the 2022 Town of Sand Lake Budget:
Increase Appropriation SS2 522.9795.7000 Sewer District 2- Interfund Loans in the amount of \$2,226.08 by Appropriating SS2 599 Sewer District 2- Fund Balance in the amount of \$2,226.08 for interest due.

AYES 5 - NAYS 0 UNANIMOUS

RESOLUTION #2022-11-187

A Resolution to Schedule a Public Hearing to Consider Local Law #5 Of 2022, Amending the Zoning Map Expanding the Hamlet Mixed Use Zone

Moved by: Supervisor Gallerie

Seconded by: Councilman Nippes

WHEREAS, the Town Board of the Town of Sand Lake has reviewed the attached proposed Local Law No. 5 of 2022 Amending the Zoning Map Expanding the Hamlet Mixed Use Zone, and believes same is appropriate as to form, and further believes that a Public Hearing should be had thereon to get input from members of the Sand Lake Community, and good cause appearing therefore; now therefore be it

RESOLVED, that proposed Local Law No. 5 of the year 2022 is hereby approved as to form; and be it further

RESOLVED, that a Public Hearing will be held at 7:00 pm on December 14, 2022, at the Town Hall of the Town of Sand Lake located at 8428 NY Route 66, Sand Lake, New York, so as to allow the Town Board to hear Public Comment on proposed Local Law No. 5 of 2022; and be it further

RESOLVED, that the Town Clerk is hereby authorized and directed to issue appropriate Public Notice of the Public Hearing scheduled herein.

Supervisor Gallerie explained this was re-scheduled because the Notice of Public Hearing for tonight was inadvertently not published in the official newspaper.

AYES 5 – NAYS 0 UNANIMOUS

There being no other business to come before the Board Deputy Supervisor Gendron made a motion to adjourn the meeting at 8:37 pm. It was seconded by Councilman Glasser and all were in favor.

