

**TOWN OF SAND LAKE  
TOWN BOARD MEETING  
October 26, 2022**

A Meeting of the Sand Lake Town Board was held on October 26, 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, Theresa Flynn, Tom Flynn, Monica Ryan, Maegan Wait

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

**Public Hearing:** The Public Hearing on the 2023 Preliminary Budget was opened at 7:04. It was published October 20, 2022 in the Town's official newspaper giving notice of tonight's Public Hearing and that all may be heard in favor of or against any items in said Budget. Pursuant to Section 108 of Town Law the proposed annual salaries of elected Town Officials are as follows:

|                            |          |
|----------------------------|----------|
| Supervisor                 | \$25,000 |
| Councilpersons (4@\$8,646) | \$34,584 |
| Town Clerk                 | \$44,547 |
| Town Justices (2@\$15,000) | \$30,000 |
| Receiver of Taxes          | \$10,333 |

Supervisor Gallerie moved into the Public Hearing and asked three times if anyone was in opposition to or in support of any items in the Budget. There being no public comment a motion to adjourn the Public Hearing was made by Councilman Glasser and seconded by Deputy Supervisor Gendron. All in favor – Motion carried.

Supervisor Gallerie requested a motion to approve the Town Board and Workshop minutes of the September 14, 2022, September 28, 2022 and October 5, 2022 meeting. Motion was made by Councilman Nippes and seconded by Councilman Clemens. All in favor – Motion carried.

**Supervisor Report:** Supervisor Gallerie thanked Town Historian, Bob Moore, for painting and decorating the west entrance to the Town Hall. Bob has decorated the entryway with photos and other information highlighting the history of our Town. He urged residents to come to Town Hall and have a look.

**2<sup>nd</sup> Dyke Culvert Replacement:** Materials have been delivered and excavation should begin tomorrow. We hope to have the road open, if not completed, in the next couple of weeks.

**WSL Sidewalk Project:** Is moving along in spite of the recent rain and should be substantially complete by the first week in November.

Stop 13 Road Bridge: The deck was poured last Friday, paving will begin this Friday and we're still confident it will be completed by the end of November.

Sand Lake Veterans Day Ceremony: Will be held November 11 at 11:00 am at Veterans Memorial Park. Retired Col. Heather Kness, a 1988 APHS graduate, will be the guest speaker.

Deputy Supervisor Gendron's Report: Beach upgrades: The preliminary sketch is back and some revisions are to be made.

Disaster Plan: October 19<sup>th</sup> we had a meeting to update the Disaster Plan. It was a very positive meeting with a lot of good input, and we hope to have the updated contact information so that we can handle everything more efficiently.

SLHS: Kathy Jimino is heading up a Pandemic Remembrance Project and is looking for anyone who has a story to share as to how the epidemic impacted you whether you were a business owner or a high school student.

Councilman Nippes: Didn't have anything to report.

Councilman Clemens: Met with Library last week. As I've mentioned they've submitted a grant to New York State and the Upper Hudson Library Association for funds to do some much needed updates. So far they haven't heard back. It is a 3 phase application and will be a long process. The LED upgrade design has been approved. If you have a streetlight out let us know. If it's in a high traffic area we will do our best to repair it. There may be delays due to the impending turnover of the lights from NYSEG. The lights at the upper parking area at Town Hall near the Library and Trooper station have been repaired. Thank you to the highway department for their help.

Councilman Glasser: Holiday Parade December 2<sup>nd</sup> 7:00pm: I and my wife, Barbara, will be running it this year. We ran it for several years and now we're back. Information is on Town's website, Discover Sand Lake Facebook Page, and will be advertised in the paper. We hope to have a large turnout.

Kevin Rifenburg, Commissioner of Public Works: Milling has been completed on Cardinal and Oriole Avenue and it should be paved this Friday. We are completing some other projects and hope to help the crew at 2<sup>nd</sup> Dyke Culvert project to move it along more quickly. Materials have been delivered for the roof replacement on the sewer department and we are waiting on the contractor to finish some other jobs before they can start ours. We're also doing some repairs on our equipment getting ready for winter. As Councilman Clemens reported we hope to complete the upper parking lot at Town Hall this week.

Public Comments: Members of the Burden Lake Association are here tonight to discuss the possibility of forming a special taxing district for control of aquatic plant growth. Theresa Flynn, President of the Burden Lake Association (which serves Burden Lake #1 and #2) explained that each year they fund the project that helps to control invasive aquatic growth. If left untreated she believes the unchecked growth would leave the lake unusable for swimming and boating and de-value lakefront properties. DEC has Burden Lake listed on its website as having public access. Association dues and fundraising efforts do not meet the cost of lake treatment. We are here tonight to explore the procedure of establishing a waterfront tax district, what properties should be included in the district and how disbursements of funds would be made

once it's operational. There was much discussion about the chemicals used to treat the and DEC guidelines. Resident Mary Jo Valentine explained the treatment procedures and the safety of the chemicals used. Councilman Clemens asked if the BL Preservation Corporation contributes to the cost of lake treatment. She explained they were a not-for-profit that simply owns the bottom of the lake and that there are misconceptions as to what their role is. Both Councilman Clemens and Mary Jo feel it would be a good idea if the BL Preservation Corp. and BL Association banded together. There was discussion about the fact that some of the 3<sup>rd</sup> BL was in the Town of Nassau. SGallerie asked Town Attorney Danaher if such a district could include properties in 2 towns. Attorney Danaher explained it would be very complicated to try to form a lake tax district in different towns. He spoke of Loon and Friends Lakes in the Adirondacks which have formed such a lake district and suggested they contact officials there to see if they could give any guidance.

Public Comment: SGallerie opened the floor for public comment and since there was none he moved into Business.

**RESOLUTION #2022-10-163**

**Approval of Local Law #4 of the Year 2022 Entitled "A Local Law to Amend the Code of the Town of Sand Lake"**

**Moved by: Deputy Supervisor Gendron**

**Seconded by: Councilman Nippes**

**WHEREAS**, the Sand Lake Town Board met on September 14<sup>th</sup>, 2022 to introduce proposed Local Law #4 of 2022 and set a Public Hearing for 7:00 pm on Wednesday, October 12<sup>th</sup>, 2022; and

**WHEREAS**, the Public Hearing was held at the Sand Lake Town Hall at 7:00 pm on October 12<sup>th</sup>, 2022; now therefore, be it

**RESOLVED**, that the Town Board of the Town of Sand Lake, hereby approves Local Law #4 of 2022 entitled "A Local Law to Amend the Code of the Town of Sand Lake".

**AYES 5 – NAYS 0 UNANIMOUS**

**RESOLUTION #2022-10-164**

**Approving Proposed Local Law No. 5 of 2022 as to Form and Referring Same to the Town Planning Board and Rensselaer County**

**Moved by: Supervisor Gallerie**

**Seconded by: Councilman Clemens**

**WHEREAS**, The Town of Sand Lake is desirous of amending Chapter 250 of the Town Code of the Town of Sand Lake, New York, more specifically, Article III, Section 250-11 of the Sand Lake Town Code and the Zoning District Map relating thereto, so as to effectuate the inclusion of 27 Lake Avenue and 39 Lake Avenue in the Hamlet Mixed Use Zoning District, by the adoption of proposed Local Law No. 5 of 2022, a copy of which is attached hereto; and

**WHEREAS**, the Town Board has reviewed proposed Local Law No. 5 of the year 2022; and **WHEREAS**, such Local Law appears appropriate as to form and it appearing appropriate for referral of such Local Law to the Town Planning Board pursuant to Town Code Section 250-163 and Rensselaer County Office of Planning and Economic Development pursuant to General Municipal Law Section 239-m for review and recommendation; **now therefore be it**

**RESOLVED**, that proposed Local Law No. 5 of the year 2022 is hereby approved as to form, and is referred to the Town Planning Board and Rensselaer County Office of Economic Development and Planning for the purposes set forth above.

**AYES 5 – NAYS 0 UNANIMOUS**

Per Attorney Danaher’s instruction: Note for the record, the correct address for property in question is 39 Old Route 66. He and Supervisor Gallerie thanked Planning and Zoning Coordinator, Monica Ryan, for her hard work on this issue.

**RESOLUTION #2022-10-164**

**Approving Proposed Local Law No. 5 of 2022 as to Form and Referring Same to the Town Planning Board and Rensselaer County**

**Moved by: Supervisor Gallerie**

**Seconded by: Councilman Clemens**

**WHEREAS**, The Town of Sand Lake is desirous of amending Chapter 250 of the Town Code of the Town of Sand Lake, New York, more specifically, Article III, Section 250-11 of the Sand Lake Town Code and the Zoning District Map relating thereto, so as to effectuate the inclusion of 27 Lake Avenue and 39 Lake Avenue in the Hamlet Mixed Use Zoning District, by the adoption of proposed Local Law No. 5 of 2022, a copy of which is attached hereto; and

**WHEREAS**, the Town Board has reviewed proposed Local Law No. 5 of the year 2022; and **WHEREAS**, such Local Law appears appropriate as to form and it appearing appropriate for referral of such Local Law to the Town Planning Board pursuant to Town Code Section 250-163 and Rensselaer County Office of Planning and Economic Development pursuant to General Municipal Law Section 239-m for review and recommendation; **now therefore be it**

**RESOLVED**, that proposed Local Law No. 5 of the year 2022 is hereby approved as to form, and is referred to the Town Planning Board and Rensselaer County Office of Economic Development and Planning for the purposes set forth above.

**AYES 5 – NAYS 0 UNANIMOUS**

Per Attorney Danaher’s instruction: Note for the record, the correct address for property in question is 39 Old Route 66. He and Supervisor Gallerie thanked Planning and Zoning Coordinator, Monica Ryan, for her hard work on this issue.

**RESOLUTION #2022-10-165**

**Classifying the Proposed Town of Sand Lake Local Law No. 5 Of 2022 As an Unlisted Action Under State Environmental Quality Review (SEQR) and to Propose that the Town of Sand Lake Town Board Serve as the Lead Agency to Conduct an Uncoordinated Review Under SEQR**

**Moved by: Supervisor Gallerie**

**Seconded by: Deputy Supervisor Gendron**

**WHEREAS**, The Town of Sand Lake is desirous of amending Chapter 250 of the Town Code of the Town of Sand Lake, New York, more specifically, Article III, Section 250-11 of the Sand Lake Town Code and the Zoning District Map relating thereto, so as to effectuate the inclusion of 27 Lake Avenue and 39 Lake Avenue in the Hamlet Mixed Use Zoning District, by the adoption of proposed Local Law No. 5 of 2022, a copy of which is attached hereto; and

**WHEREAS**, the Town Board has reviewed proposed Local Law No. 5 of the year 2022; and

**WHEREAS**, 6 NYCRR Part 617 of the State Environmental Quality Review Act (SEQRA), requires that a Lead Agency be established for conducting environmental review of projects in accordance with local and state environmental law; and

**WHEREAS**, New York State Law specifies that for actions governed by local environmental review, the Lead Agency shall be that local agency which has primary responsibility for approving and carrying out the action; and

**WHEREAS**, this is an Unlisted Action under the State Environmental Quality Review Act; and

**WHEREAS**, the Town Board is the local agency with sole responsibility for approving the action; now therefore be it

**RESOLVED**, that no other involved agencies have been identified and therefore, the Town will undertake an uncoordinated review of the action; and be it further

**RESOLVED**, that the Town Board of the Town of Sand Lake hereby declares itself Lead Agency for the environmental review of Local Law No. 5 of 2022.

**AYES 5 – NAYS 0 UNANIMOUS**

#### **RESOLUTION #2022-10-166**

#### **Authorizing Town and County Bridge and Rail to Install Guiderails on the 2<sup>nd</sup> Dyke Road Culvert Project**

**Moved by: Supervisor Gallerie**

**Seconded by: Councilman Nippes**

**WHEREAS**, Resolution #2022-06-107 authorized funding of the 2<sup>nd</sup> Dyke Road Culvert Project; and

**WHEREAS**, the bid specifications for the project stated that the Town of Sand Lake will contract to have the bridge rail and posts installed by our own contractor; and

**WHEREAS**, Columbia County, New York awarded a contract for installation of bridge rail and posts to Town and County Bridge and Rail and said contract provides that bid prices received by the County shall be available to local governments of New York State; and

**WHEREAS**, Town and County Bridge and Rail provided a quote for supplying and installing the bridge rail and posts per the plans piggybacking from the Columbia County Contract; now therefore be it

**RESOLVED**, that the Town Board hereby awards the contract to install bridge rail and posts on the 2<sup>nd</sup> Dyke Road Culvert to Town and County Bridge and Rail in an amount not to exceed \$45,746.00; 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 \$45,746 to finance this phase of the project.

**AYES 5 – NAYS 0 UNANIMOUS**

**RESOLUTION #2022-10-167**

**Authorizing a Budget Amendment to the 2022 Budget**

**Moved by: Councilman Clemens**

**Seconded by: Deputy Supervisor Gendron**

**Be It Resolved** the following transfers are made to the 2022 Budget:

| From               | To | Amount |
|--------------------|----|--------|
| None at this time. |    |        |

**Budget Amendments**

Increase appropriations A 522.7989.4910, Other Culture & Recreation Contractual in the amount of \$15,000 by increasing Revenue A 980.4089.9999 Federal Aid- Other in the amount of \$15,000 due to funding received through the Coronavirus State and Local Fiscal Recovery Funds for Disbursement of monies to Non-Profit Organizations as per resolution #2022-10-161.

**AYES 5 – NAYS 0 UNANIMOUS**

Since there was no public comment on the proposed budget Supervisor Gallerie dispensed with the Public Hearing at the next Town Board meeting and said the next scheduled action would be the adoption of the Budget at November 9ths meeting.

Councilman Nippes made a motion to adjourn the October 26, 2022 Town Board meeting at 8:01 pm, and it was seconded by Councilman Glasser. All in favor – Motion Carried