



**Town Board Meeting  
August 14, 2019 - 7:00 pm  
Sand Lake Town Hall**

**AGENDA**

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

\_\_\_\_\_ **Councilman Turner**  
\_\_\_\_\_ **Councilman Beebie**  
\_\_\_\_\_ **Councilman Bulmer**  
\_\_\_\_\_ **Councilwoman Erickson**  
\_\_\_\_\_ **Supervisor Nancy Perry**  
\_\_\_\_\_ **Town Attorney Ely**  
\_\_\_\_\_ **Town Clerk Barbara Biittig**

**Approval of Minutes: July 10, 2019 and July 31, 2019**  
**Town Clerk's Report**  
**Supervisor's Report**  
**Board Member Reports**  
**Committee Reports**

**Comments from Residents**

**Public Hearing**

\_\_\_\_\_ 1. Proposed Zoning Change from Residential ( R ) to Hamlet Mixed Use (HMU) of four properties located on Eastern Union Turnpike between Holcomb Road and Huntley Road. The total approximate acreage is 15.92 acres. The properties include Town of Sand Lake Parcel #159.-1-34, NYSEG Parcels #159.-1-32/159.-1-33, and Main Care (formerly Ackner Fuels) Parcel #159.-1-31.

**Referral to Planning Board and Establishment of September 11, 2019 Public Hearing**

Proposed amendment to Zoning Law, Chapter 250 of the Code of the Town of Sand Lake, Article III. Zoning Districts and Map, Section 250-10 Establishment of districts and purposes by adding a new letter:

K. HDO – Historic District Overlay. The purpose of this district is to promote the preservation and enhancement of historic properties located within the Town of Sand Lake. Such designated properties shall be afforded all benefits available pursuant to Article 5-K of the New York State

General Municipal Law. The potential properties (at least over 100 years old) to be included in the Historic District Overlay are identified as:

- On Route 43, from the Sand Lake Center for the Arts and 2883 NY 43 to the intersection with Route 66 at Taborton Road.
- Taborton Road from Routes 43/66 to Oak Hill Road.
- Routes 43/66 from Taborton Road to 2669 Routes 43 and 66.
- Sand Lake Union Cemetery
- The entirety of Schumann Road.
- Glass Lake Road from Routes 43/66 to Pillars Lane.
- Lower Teal Road (17 and 19 Teal Road).

### **Business**

\_\_\_\_ 1. State Environmental Quality Review Act (SEQRA) Review of Proposed Zoning Change Affecting Four Properties Located on Eastern Union Turnpike between Holcomb and Huntley Roads (*Resolution #2019-08-71*)

\_\_\_\_ 2. Adjustment of Town of Sand Lake Permit Fee Schedule (*Resolution #2019-08-72*)

\_\_\_\_ 3. Reappointment of Town Assessor (*Resolution #2019-08-73*)

\_\_\_\_ 4. Contract Approval for Maser Consulting, P.A. to serve as Architectural/Engineering Consultant for Stop 13 Road Bridge Project (*Resolution #2019-08-74*)

\_\_\_\_ 5. Health Insurance Premium Clarification (*Resolution #2019-08-75*)

\_\_\_\_ 6. Authorization to Contract with Allstate Power Systems, L.L.C. (*Resolution #2019-08-76*)

\_\_\_\_ 7. Authorization to Retain Code Enforcement Counsel (*Resolution #2019-08-77*)

\_\_\_\_ 8. Authorization for Code Enforcement Action (*Resolution #2019-08-78*)

\_\_\_\_ 9. Approval to Create a Capital Project – Stop 13 Bridge Replacement (*Resolution #2019-08-79*)

\_\_\_\_ 10. Authorization to Implement and Fund 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 (*Resolution #2019-08-80*)

### **Comments from Residents**

### **Adjournment**

SAND LAKE TOWN BOARD MEETING  
AUGUST 14, 2019

**RESOLUTION #2019-08-71**

**State Environmental Quality Review Act (SEQRA) Review of Proposed Zoning Change Affecting Four Properties Located on Eastern Union Turnpike between Holcomb and Huntley Roads**

Moved By: _____	Turner:	Y	N	A
Seconded By: _____	Beebie:	Y	N	A
	Bulmer:	Y	N	A
	Erickson:	Y	N	A
	Perry:	Y	N	A

***Be it Resolved,*** that the Town Board declares the proposed zoning change from Residential to Hamlet Mixed Use for four properties (Town of Sand Lake Parcel #159.-1.34, NYSEG Parcels #159.-1-32/159.-1-33 and Main Care (formerly Ackner Fuels) Parcel #159.-1-31 an unlisted action under the State Quality Review Act (SEQRA) declaring the Sand Lake Town Board as Lead Agency; and

***Be it Further Resolved,*** the Town Board gives this proposed zoning change a negative declaration under SEQRA. The Town Board has determined from the information presented and subsequent discussion that the proposed activity will not present a significant adverse effect on the environment. A determination of non-significance will be recorded and a Draft Environmental Impact Statement need not be prepared.

SAND LAKE TOWN BOARD MEETING  
AUGUST 14, 2019

**RESOLUTION #2019-08-72**  
**Adjustment of Town of Sand Lake Permit Fee Schedule**

Moved By: _____	Turner:	Y	N	A
Seconded By: _____	Beebie:	Y	N	A
	Bulmer:	Y	N	A
	Erickson:	Y	N	A
	Perry:	Y	N	A

***Be it Resolved,*** effectively immediately, the information below will replace the “RENEWALS” section on the Town of Sand Lake, Permit Fee Schedule, January 1, 2019 to read:

RENEWALS: First Renewal shall be the original cost of the permit and either 10% or \$50 (whichever is less), Second Renewal shall be the original cost of the permit plus 25%, Third Renewal shall be the original cost of the permit plus 50%; Fourth Renewal shall be the original cost of the permit plus 75%; and Fifth Renewal shall be the original cost of the permit plus 100%. The cost of the renewals will be capped and not exceed 100% for all subsequent renewals.

SAND LAKE TOWN BOARD MEETING  
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**RESOLUTION #2019-08-73**  
**Reappointment of Town Assessor**

Moved By: \_\_\_\_\_

Seconded By: \_\_\_\_\_

Turner:	Y	N	A
Beebie:	Y	N	A
Bulmer:	Y	N	A
Erickson:	Y	N	A
Perry:	Y	N	A

**Whereas**, the New York State Department of Taxation and Finance, Office of Real Property Tax Services has notified all towns that appointed assessor terms expire September 30, 2019 and the next term begins October 1, 2019 and ends September 30, 2025; and

**Whereas**, the current Sand Lake Assessor has done an exemplar job and is a vital asset to our town; now therefore

**Be it Resolved**, that the Town Board reappoints Michael McGuire as Town Assessor for a term expiring on September 30, 2025.

SAND LAKE TOWN BOARD MEETING  
AUGUST 14, 2019

**RESOLUTION #2019-08-74**

**Contract Approval for Maser Consulting, P.A. to serve as Architectural/Engineering Consultant for Stop 13 Road Bridge Project**

Moved By: _____	Turner:	Y	N	A
Seconded By: _____	Beebie:	Y	N	A
	Bulmer:	Y	N	A
	Erickson:	Y	N	A
	Perry:	Y	N	A

***Be it Resolved,*** that the Town Board authorizes Town Supervisor Nancy Perry, upon review of Counsel, to execute a contract with Maser Consulting, P.A. for Architectural/Engineering Consultant Services for PIN 1761.24 Stop 13 Road Bridge Project for a total cost not-to-exceed \$225,000.

SAND LAKE TOWN BOARD MEETING  
AUGUST 14, 2019

**RESOLUTION #2019-08-75**  
**Health Insurance Premium Clarification**

Moved By: \_\_\_\_\_

Seconded By: \_\_\_\_\_

<b>Turner:</b>	<b>Y</b>	<b>N</b>	<b>A</b>
<b>Beebie:</b>	<b>Y</b>	<b>N</b>	<b>A</b>
<b>Bulmer:</b>	<b>Y</b>	<b>N</b>	<b>A</b>
<b>Erickson:</b>	<b>Y</b>	<b>N</b>	<b>A</b>
<b>Perry:</b>	<b>Y</b>	<b>N</b>	<b>A</b>

**Whereas,** Town of Sand Lake unionized employees are afforded under Article 15 Medical Insurance, Section 3 of their Collective Bargaining Agreement (January 1, 2019-December 31, 2022) that for employees hired before January 1, 2017 that the Town will cover 95% of the applicable premium and employees the remaining 5% and for employees hired after January 1, 2017, the Town will cover 85% of the applicable premium and employees pay the remaining 15%;

**Be it Resolved,** effective immediately, non-unionized Town of Sand Lake employees will be subject to the same percentages and conditions contained in Article 15 Medical Insurance, Section 3 and described above.

SAND LAKE TOWN BOARD MEETING  
AUGUST 14, 2019

**RESOLUTION #2019-08-76**

**Authorization to Contract with Allstate Power Systems, L.L.C**

Moved By: \_\_\_\_\_

Seconded By: \_\_\_\_\_

<b>Turner:</b>	<b>Y</b>	<b>N</b>	<b>A</b>
<b>Beebie:</b>	<b>Y</b>	<b>N</b>	<b>A</b>
<b>Bulmer:</b>	<b>Y</b>	<b>N</b>	<b>A</b>
<b>Erickson:</b>	<b>Y</b>	<b>N</b>	<b>A</b>
<b>Perry:</b>	<b>Y</b>	<b>N</b>	<b>A</b>

***Be it Resolved,*** that the Town Board hereby authorizes Supervisor Nancy Perry to enter into two agreements, upon review of Counsel, with Allstate Power Systems, L.L.C., for preventative maintenance on generators. One contract is for \$1,250 and covers the generator at Town Hall. The other contract is for \$2,000 and covers generators associated with the Sewer Department.



SAND LAKE TOWN BOARD MEETING  
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**RESOLUTION #2019-08-77**

**Authorization to Retain Code Enforcement Counsel**

Moved By: \_\_\_\_\_

Seconded By: \_\_\_\_\_

<b>Turner:</b>	<b>Y</b>	<b>N</b>	<b>A</b>
<b>Beebie:</b>	<b>Y</b>	<b>N</b>	<b>A</b>
<b>Bulmer:</b>	<b>Y</b>	<b>N</b>	<b>A</b>
<b>Erickson:</b>	<b>Y</b>	<b>N</b>	<b>A</b>
<b>Perry:</b>	<b>Y</b>	<b>N</b>	<b>A</b>

***Be it Resolved,*** that the Town Board hereby authorizes Supervisor Nancy Perry to enter into a contract, upon review of Counsel, retaining Girvin & Ferlazzo, P.C., as counsel for the purposes of filing and prosecuting a code enforcement action in the Supreme Court, Rensselaer County, on behalf of the Town of Sand Lake based on a fee schedule of \$225 per hour as contained in the Letter of Engagement and Retainer dated August 9, 2019, provided that such authorized fees shall not exceed \$7,500 without further approval by the Board.

SAND LAKE TOWN BOARD MEETING  
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**RESOLUTION #2019-08-78**  
**Authorization for Code Enforcement Action**

Moved By: \_\_\_\_\_

Seconded By: \_\_\_\_\_

<b>Turner:</b>	<b>Y</b>	<b>N</b>	<b>A</b>
<b>Beebie:</b>	<b>Y</b>	<b>N</b>	<b>A</b>
<b>Bulmer:</b>	<b>Y</b>	<b>N</b>	<b>A</b>
<b>Erickson:</b>	<b>Y</b>	<b>N</b>	<b>A</b>
<b>Perry:</b>	<b>Y</b>	<b>N</b>	<b>A</b>

***Be it Resolved,*** that the Town Board hereby authorizes and directs Girvin & Ferlazzo, P.C., to file and prosecute a code enforcement action on behalf of the Town of Sand Lake in the Supreme Court, Rensselaer County, with respect to certain property designated as Tax Map No. 170.1-2-7.

SAND LAKE TOWN BOARD MEETING  
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**RESOLUTION #2019-08-79**

**Approval to Create a Capital Project – Stop 13 Bridge Replacement**

<b>Moved By:</b> _____	<b>Turner:</b>	<b>Y</b>	<b>N</b>	<b>A</b>
<b>Seconded By:</b> _____	<b>Beebie:</b>	<b>Y</b>	<b>N</b>	<b>A</b>
	<b>Bulmer:</b>	<b>Y</b>	<b>N</b>	<b>A</b>
	<b>Erickson:</b>	<b>Y</b>	<b>N</b>	<b>A</b>
	<b>Perry:</b>	<b>Y</b>	<b>N</b>	<b>A</b>

**Whereas**, the Town of Sand Lake will be receiving Federal and State grant monies from the Bridge NY 2018 grant program for the replacement of the Stop 13 Bridge; and

**Whereas**, the Town of Sand Lake must pay 100% of the Design and Right of Way incidentals associated with the project which may be eligible for reimbursement from Bridge NY funds in the sum of \$224,999.00; now therefore

**Be it Resolved**, that Capital Project (H005) Stop 13 Bridge Replacement be established to record the costs incurred to date and for the remainder of the term of the grant; and

**Be it Further Resolved**, the following amendment be made to the 2019 Town of Sand Lake Budget:

- Increase A522 9950.9999 General Fund Transfer to Capital in the amount of \$224,999 by appropriating the General Fund – Fund Balance A599 in the amount of \$224,999
- Increase H005 522 5120.4130 Stop 13 Bridge Replacement – Engineering in the amount of \$224, 999
- Increase H005 980 5031.9999 Stop 13 Bridge Replacement – Interfund Transfer

SAND LAKE TOWN BOARD MEETING  
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**RESOLUTION #2019-08-80**

**Authorization to Implement and Fund 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**

Moved By: _____	Turner:	Y	N	A
Seconded By: _____	Beebie:	Y	N	A
	Bulmer:	Y	N	A
	Erickson:	Y	N	A
	Perry:	Y	N	A

**Whereas**, a project for the Bridge NY, BIN 22011960, Stop 13 Road over the Wynantskill Creek, Town of Sand Lake, PIN 1761.24 (the Project) is eligible for funding under Title 23 U.S. Code, as amended, that call for the apportionment of the costs of such program to be borne at the ratio of 95% Federal funds and 5% non-Federal funds; and

**Whereas**, the Town of Sand Lake will design, let, and construct the Project; and

**Whereas**, the Town of Sand Lake desires to advance the Project by making a commitment of 100% of the costs of the work for the Project or portions thereof; now therefore

**Be it Resolved**, the Town Board of the Town of Sand Lake hereby approves the above-subject project; and

**Be it Further Resolved**, that the Town Board hereby authorizes the Town of Sand Lake to pay 100% of the cost of Design and Right of Way incidentals work for the Project or portions thereof, with the understanding that qualified costs may be eligible for federal aid, state aid, or reimbursement from Bridge NY funds; and

**Be it Further Resolved**, that the sum of \$224,999.00 is hereby appropriated from the 2019 Town of Sand Lake Budget, Capital Project (H005) Stop 13 Bridge Replacement and made available to cover the cost of participation in the above phase(s) of the Project; and

**Be it Further Resolved**, that the Town Board hereby agrees that the Town of Sand Lake shall be responsible for all costs of the Project which exceed the amount of federal aid, state aid, or Bridge NY funding awarded to the Town of Sand Lake; and

**Be it Further Resolved**, that in the event the Project costs not covered by federal aid, state aid, or Bridge NY funding exceed the amount appropriated above, the Town Board of the Town of Sand Lake shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof; and

***Be it Further Resolved,*** that the Town of Sand Lake hereby agrees that construction of the Project shall begin no later than twenty-four (24) months after award and the construction phase of the Project shall be completed within thirty (30) months; and

***Be it Further Resolved,*** that the Supervisor of the Town of Sand Lake be and is hereby authorized to execute on behalf of the Town of Sand Lake all necessary agreements, certifications, or reimbursement requests for federal aid and/or state aid with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the Town of Sand Lake's funding of Project costs and permanent funding of the local share of federal aid and state aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and

***Be it Further Resolved,*** that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and

***Be it Further Resolved,*** this Resolution shall take effect immediately.