

**Town of Sand Lake Town Board Meeting
August 8, 2012**

A meeting of the Sand Lake Town Board was held on August 8, 2012 at 7:30 P.M. at the Sand Lake Town Hall. After the Pledge of Allegiance, the following answered roll call:

PRESENT: Councilman Turner
Councilman Splain
Councilman Cioffi
Councilwoman Kronau
Supervisor Fasoldt
Town Attorney Russell Bennett

RECORDING SECRETARY: Barbara A. Biittig, Town Clerk

OTHERS PRESENT: Clyde Heffner, Michael Dimin Bernie Mardon
Tom Lilly, Michael Sheehan, Fred Erickson, Justin Schultz, Ralph Timber, Jeanne
Carpentier, Tom Hatcher, Brian Hunt Bill Glasser, Rob Dressner, and others.

PUBLIC HEARING – Amendment to Local Parking Ordinance – Along 2nd Dyke Road

NOTICE OF PUBLIC HEARING

SAND LAKE TOWN BOARD

Please take notice that the Sand Lake Town Board will hold the following Public Hearing at the Sand Lake Town Hall, located at 8428 Miller Hill Road (NY 66), Sand Lake, New York, where all interested parties will be heard at 7:30 PM August 8, 2012 regarding adoption of amendment to the Parking Ordinance – Along 2nd Dyke Road.

By Order of the Sand Lake Town Board

Barbara A. Biittig

Town Clerk

July 16, 2012

Parking Ordinance - Second Dyke Road

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Whereas, parking on the north side of Second Dyke Road has increased and has created dangerous conflicts between pedestrians and motorists, and

Whereas, such parking would impede passage of emergency vehicles, now therefore,

Be it Resolved that a public hearing be held at 7:30 p.m. August 8, 2012, regarding adoption of the following amendment to the Sand Lake Parking Ordinance, and be it further

Resolved, that the Town Clerk publish notice of such hearing in the Troy Record no later than ten days prior to such hearing:

Section A.6 of the Town of Sand Lake Parking Ordinance, as adopted as adopted December 9, 1987 and amended December 29, 2010 and as from time to time amended, is hereby amended to read as follows:

6) There shall be no parking or standing on the south side of Second Dyke Road from its intersection with Calkins Farm Road east to its intersection with North Nassau Road (County Road 47), a distance of .70 miles, or on the north side of Second Dyke Road from its intersection with Zack Lane 356 feet east to a point in the northerly line of Second Dyke Road and such areas are designated a tow away zone.

Supervisor Fasoldt opened the Public Hearing at 7:34 PM.

Public Comments:

- Michael Dimin, 42 Glen Royal Drive – the ordinance needs to be enforced.
- Tom Lilly – Owner of Kay’s – Gave out a picture of 2nd Dyke Road in the 1930’s. He talked about the history of Kay’s. He is the 3rd family to run and own Kay’s. Pays a large amount of taxes and employs many residents of the town. He understands the safety issue. Questioned if this was the solution or just a short term fix and wonders if this is the best solution. Parking is an issue and this ordinance needs to be properly enforced.
- Ralph Timber, 16 Cardinal Ave. – The importance of the small business owner and that safety is the primary concern. It is important that Kay’s have parking.
- Councilman Splain stated that if posting no parking on the one side has not been enforced then how is no parking on both sides going to be enforced?
- Supervisor Fasoldt stated that we need to post and enforce.

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- Councilman Cioffi said that if posted signs were properly posted then the State Police/Sheriffs Dept. can enforce. Safety is important.

Supervisor Fasoldt moved to close the Public Hearing at 7:50 PM.

MOTION CARRIED = UNANIMOUS

APPROVAL OF MINUTES –

Supervisor Fasoldt moved to approve the minutes of July 11, 2012. This was seconded by Councilwoman Kronau.

MOTION CARRIED = UNANIMOUS

Supervisor Fasoldt moved to approve the minutes of July 25, 2012. This was seconded by Councilman Cioffi.

MOTION CARRIED (Supervisor Fasoldt abstained absent for July 25 workshop)

MONTHLY REPORTS: TOWN CLERK- Barbara A. Biittig

- Total fees paid to the Supervisor for the month of July 2012 - \$12,107.22
 - Money Given to NYS Ag. & Markets for spay/neuter program - \$88.00
 - Money Given to NYS Environmental Conservation - \$431.78
 - Money Given to NYS Health Dept. for Marriage Licenses – \$157.50
- My Deputies and I took part in a 4 hour web based training that is now required by the Department of Environmental Conservation each year. This was to prepare us for the upcoming hunting season which starts on Monday, August 13. We are up and all ready for the season. That first day is always a very busy day.

The Sand Lake Business Association has been approved for a Games of Chance license from the Sate of New York Racing and Wagering Board. This is a permit to have a 50/50.

This is a reminder to residents that all Dogs in the Town must be licensed each year. Reminders were sent out for delinquent dog licenses. Please contact my office if you no longer harbor this dog. Also, the Town of Sand Lake does have a Leash Law.

I have been busy with putting information on Digital Towpath. Please check out the town's website for its new look. We continue to add to this daily.

For any questions please do not hesitate to contact my office at 518-674-2026 ext 22 or my home at 518-674-5721.

SUPERVISOR'S REPORT:

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- Meeting with Public Workers UPSU – Highway Bargaining.
- Councilman Cioffi and Supervisor Fasoldt met with Kiwanis with regard to next years Summerfest.
- Continue to review the new proposed Zoning Code – moving forward.
- Rensselaer County Plateau Alliance – User Guide
- Town received printers and scanners at no cost to the Town
- Budget worksheet has changed. She will be working along with help from the Comptroller to find cost savings in every department.

COMMITTEE REPORTS:

YOUTH – Lindsay Marshall – Youth Director – Report read by Councilwoman Kronau. Summer Camp still has openings for the last week. Camp has gone by very fast. Thanked Dennis Tremont and others for all their help with the camp.

BICENTENNIAL- Fred Erickson- Co-Chair of the Bicentennial Celebration – Seventeen days from today on August 25 and August 26 at Westfall Village will be the big day. It will long be remembered as “Spirit of Community Service.”

PLANNING OVERSIGHT COMMITTEE- Fred Erickson – Thanked the 11 loyal members. Next meeting is September 6, 2012.

BUILDING/ZONING – Lawrence Howard – None at this time

PLANNING BOARD – Justin Schultz – Planning Board Chairman – Report read by Councilman Splain. Report on file in the Town Clerk’s Office.

ENGINEER -Lindsay Kestner – Report on file in the Town Clerk’s Office

BOARD MEMBER REPORTS:

PUBLIC WORKS - On file in the Town Clerk’s Office.

HIGHWAY - On file in the Town Clerk’s Office.

CONVENIENCE FACILITY – Paul Splain - On file in the Town Clerk’s Office.

INSURANCE – Paul Splain – None at this time.

CABLE - Paul Splain – None at this time

ANIMAL CONTROL – Ray Turner - On file in the Town Clerk’s Office

LIBRARY – Ray Turner - On file in the Town Clerk’s Office.

PHYSICAL FACILITIES – Mark Cioffi - On file in the Town Clerk’s Office.

INTERNAL CONTROL – Mark Cioffi - On file in the Town Clerk’s Office.

BEACH – Mark Cioffi –On August 16- hours will change. Please call for hours. The Beach will close on Sept 3, 2012. On file in the Town Clerk’s Office.

STREET LIGHTS – None at this time

PARKS AND RECREATION - On file in the Town Clerk’s Office.

YOUTH – Christine Kronau - On file in the Town Clerk’s Office.

SENIORS/SENIOR VAN – Christine Kronau - On file in the Town Clerk’s Office.

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AMBULANCE/PUBLIC SAFETY – Christine Kronau - On file in the Town Clerk's

VETERANS – Christine Kronau – On file in the Town Clerk's Office.

PLANNING OVERSIGHT/LINKAGE STUDY – On file in the Town Clerk's Office.

COMMENTS FROM RESIDENTS:

- Fred Erickson applauded and congratulated the Comptroller and Supervisor Fasoldt on the budget process. It is important to know why we are spending and on what.

RESOLUTION #2012-08-105

Amendment – Guidelines for the Community Van

Supervisor Fasoldt moved and Councilwoman Kronau seconded the following resolution:

Be it Resolved, that the Community Van Guidelines adopted on July 11, 2012 be amended to include the following:

- . Each passenger will complete an Intake Form prior to using the community van service.

ADOPTED = AYES 5 NAYS 0

RESOLUTION #2012-08-106

Approval – Annual Town Comptroller Audit – Town Justices

Supervisor Fasoldt moved and Councilman Cioffi seconded the following resolution:

Whereas, the Town Comptroller must complete an audit in accordance with section 2019-A of the Uniform Justice Court Act of all Town Justices; and

Whereas, the Town Comptroller has adopted an audit procedure based on the Local Management Guide, Fiscal Oversight Responsibilities published by the State of New York Office of the State Comptroller (January, 2010) to be applied to the records of each Town Justice; and

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Whereas, the Town Comptroller has conducted the audit; and

Whereas, the Town Comptroller has completed the audit on June 4, 2012 with no issues or matters to be reported for corrective action and has submitted to the Town Board the results of the audit at the Town Board Workshop on July 25, 2012; now therefore,

Be it Resolved, that the Town Board hereby accepts the 2011 Town Comptroller Audit of Town Justices and directs the Town Comptroller to file a copy with the Town Clerk.

ADOPTED = AYES 5 NAYS 0

RESOLUTION #2012-08-107

Approval – Annual Town Comptroller Audit – Town Clerk, Tax Receiver, Town Library

Supervisor Fasoldt moved and Councilwoman Kronau seconded the following resolution:

Whereas, the Town Comptroller must complete an audit in accordance with section 34 of Town Law, of all Town Officials that handle cash; and,

Whereas, the Town Comptroller has adopted an audit procedure based on the Local Management Guide, Fiscal Oversight Responsibilities published by the State of New York Office of the State Comptroller (January, 2010) to be applied to the records of each Town Official; and

Whereas, the Town Comptroller has conducted the audit; and

Whereas, the Town Comptroller has completed the audit on June 4, 2012 with no issues or matters to be reported for corrective action and has submitted to the Town Board the results of the audit at the Town Board Workshop on July 25, 2012; now therefore,

Be it Resolved, that the Town Board hereby accepts the 2011 Town Comptroller Audit of Town Officials – Town Clerk, Tax Receiver, Town Library, with the completed checklists, Comptroller’s comments, suggestions and conclusions and directs the Town Comptroller to file a copy of the audit with the Town Clerk.

ADOPTED = AYES 5 NAYS 0

RESOLUTION #2012-08-108

Authorization to Attend Seminar – NYS Assessors’ Association

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Supervisor Fasoldt moved and Councilwoman Kronau seconded the following:

Be it Resolved, that the Sand Lake Town Assessor, Judith Goodyer, is hereby authorized to attend a New York State Assessors' Association - Seminar on Assessment Administration being held on September 30, 2012 – October 3, 2012 in Lake Placid, New York and shall be advanced or compensated for the registration fee, transportation expenses, lodging and meal expenses based upon the State allowance as budgeted for in the 2012 Town Budget; and

Be it Further Resolved, that the Sand Lake Town Assessor will take the necessary steps to ensure New York State reimbursement for required training.

ADOPTED = AYES 5 NAYS 0

RESOLUTION #2012-08-109

Approval – Expend Funds – Culture and Recreation Fund – Sand Lake Center for the Arts

Supervisor Fasoldt moved and Councilman Cioffi seconded the following resolution:

Whereas, the Town of Sand Lake is committed to providing art and cultural activities to the residents of our community; and

Whereas, the Town has allocated funding in the 2012 Town Budget to sponsor such activities and events; now therefore,

Be it Resolved, that the Town Board will sponsor the Squire Jacob Concert Series in the amount of \$1,000 the Sundays at the Center in the amount of \$1,000 and the Summer Youth Programs in the amount of \$500; and

Be if Further Resolved, that the Town Board authorizes the Town Supervisor to expend from the Culture and Recreation Fund (A7110.4) the sum of \$2,500.00 for the Sand Lake Center for the Arts.

ADOPTED = AYES 5 NAYS 0

RESOLUTION #2012-08-110

Approval – Extension of Contract – NYS Department of State – Community Van

Supervisor Fasoldt moved and Councilman Cioffi seconded the following resolution:

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Whereas, the Town of Sand Lake Community Van Project member item – Appropriation Contract #M041114 has a balance remaining in the amount of \$7,965.21; and

Whereas, on June 14, 2012 a request to receive the balance if these funds to help offset the cost of the upgrade to a wheelchair accessible van to meet federal Americans with Disabilities (ADA) requirements was sent to the NYS Department of State; and

Whereas, the balance of these funds will greatly benefit the residents of the Town of Sand Lake; now therefore,

Be it Resolved, that the Town Board hereby authorizes the Supervisor to execute and file the necessary paperwork to request an extension for the “Community Van” grant; and that this extension is through the New York State Department of State Community Project Agreement and to extend the purchase made for the van until July 31, 2013.

ADOPTED = AYES 5 NAYS 0

RESOLUTION # 2012-08-111

Adoption – Rensselaer County Multi-Jurisdictional Natural Hazard Mitigation Plan

Supervisor Fasoldt moved and Councilman Cioffi seconded the following resolution:

WHEREAS, the Town of Sand Lake with the assistance from URS, has gathered information and prepared the Rensselaer County Multi-Jurisdictional Natural Hazard Mitigation Plan; and

WHEREAS, the County Multi-Jurisdictional Natural Hazard Mitigation Plan has been prepared in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS, the Town of Sand Lake is a local unit of government that has afforded the citizens an opportunity to comment and provide input in the Plan and the actions in the Plan; and

WHEREAS, the Town of Sand Lake has reviewed the Plan and affirms that the Plan will be updated no less than every five years;

WHEREAS, Rensselaer County has determined that there is no significant negative environmental impact so stated in the Rensselaer County Legislature’s resolution G/305/12 due to the following reasons:

- a) the Rensselaer County Multi-Jurisdictional Natural Hazard Mitigation Plan provides a framework for Rensselaer County and its local municipalities to plan and prepare for

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- natural disasters to reduce the impacts, damage and destruction from these disasters;
and
- b) the Rensselaer County Multi-Jurisdictional Natural Hazard Mitigation Plan will reduce the risk of toxic releases during a natural disaster, reduce hazards exacerbated by man-made actions, and lessen the amounts of man-made debris from natural hazards; and
 - c) the Rensselaer County Multi-Jurisdictional Natural Hazard Mitigation Plan will improve community and cultural resources by providing guidance for the retrofit of existing facilities and buildings, proper siting and design of future buildings;

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Sand Lake hereby adopts the Rensselaer County Multi-Jurisdictional Natural Hazard Mitigation Plan as this jurisdiction's Natural Hazard Mitigation Plan.

ADOPTED this 8th day of August, 2012 at the meeting of the Sand Lake Town Board.

ADOPTED = AYES 5 NAYS 0

RESOLUTION #2012-08-112

Authorization – Agreement for Services Interactive Procurement Technologies by BidNet

Supervisor Fasoldt moved and Councilman Cioffi seconded the following resolution:

Whereas, the Town of Sand Lake would benefit from a web-based solicitation and bidding service; and

Whereas, Interactive Procurement Technologies (IPT) Capital Region Purchasing Group has been a leading provider to e-Procurement solutions for local government agencies; and

Whereas, the Town of Sand Lake Purchasing Director has completed an instructional webinar related to its function and use; and

Whereas, the Town of Sand Lake can save time and money by streamlining the bidding process and moving it online with no application or service costs to the town; and

Whereas, a web-based solicitation and bidding process service will help to promote shared resources, improve process efficiencies and automation, increase competition to lower prices, promote transparency and fairness in the bidding as well as provide the town with free access to bid documents for suppliers; now therefore,

Be it Resolved, that the Town Board hereby directs the Town Supervisor, upon review of Counsel, to enter into a service agreement with Interactive Procurement Technologies by BidNet – Capital Region Purchasing Group.

ADOPTED = AYES 5 NAYS 0

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RESOLUTION #2012-08-113

Authorization – Renew Service Contract – Generator Maintenance

Supervisor Fasoldt moved and Councilwoman Kronau seconded the following resolution:

Whereas, since 2007, the Town of Sand Lake has had a service contract for preventive maintenance with Allstate Power Systems, LLC for the backup generators located at the Town Hall and the Public Works Facility; now therefore,

Be It Resolved, that the Town Board hereby authorizes the Supervisor, upon review of Counsel, to enter into a preventive maintenance contract for a period of one year with Allstate Power Systems, LLC for a total contract price not to exceed \$1,190.00.

ADOPTED = AYES 5 NAYS 0

RESOLUTION #2012-08-114

Budget Transfers and Amendments

Supervisor Fasoldt moved and Councilwoman Kronau seconded the following resolution:

Be it Resolved, the following transfers and amendments are made to the 2012 Budget:

<u>From</u>	<u>To</u>	<u>Amount</u>
A 1950.4 Taxes on Municipal Property	A 7140.1 Playground & Recreation Personnel	197.18
A 8160.4 Convenience Facility Contractual	A 7150.4 Special Recreation Facility Contractual – Beach	1000.00
A 8160.4 Convenience Facility Contractual	A 5680.2 Transportation Equip.	400.00
A 8160.4 Convenience Facility Contractual	A 7989.4 Other Culture & Recreation Contractual (Bicentennial)	1000.00

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Budget Amendment

None at this time

ADOPTED = AYES 4 NAYS 1 (Councilman Splain voted no. Feels that if the convenience facility has extra money then, it should go to reduce the fees at the facility for the Town Residents.)

COMMENTS FROM RESIDENTS:

- Fred Erickson – Wheelchair/disabled need respect and attention. Thank you for a successful project.

Supervisor Fasoldt moved to go into executive session to discuss GLPC vs. Town of Sand Lake at 9:15 PM.

Supervisor Fasoldt reopened the meeting at 10:12 PM. No action taken.

Supervisor Fasoldt moved to adjourn the meeting at 10:13 PM.

MOTION CARRIED = UNANIMOUS

A complete accounting of all discussions on agenda is available for review on audio tape in the Town Clerk's Office.

Respectfully submitted,

Barbara A. Biittig
Town Clerk