

**TOWN OF SAND LAKE TOWN BOARD MEETING  
DECEMBER 12, 2012**

A meeting of the Sand Lake Town Board was held on December 12, 2012 at 7:30P.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:** Justin Schultz, Lindsay Marshall, Bill Glasser, Brian Hunt, Fred Erickson, Bryan Oliver, Steve Oliver and others

**CALL TO ORDER**

Supervisor Fasoldt opened the Town Board meeting at 7:30 pm.

**APPROVAL OF MINUTES –**

Supervisor Fasoldt moved to approve the minutes of November 14, 2012. This was seconded by Councilman Cioffi.

**MOTION CARRIED = UNANIMOUS**

Supervisor Fasoldt moved to approve the minutes of November 28, 2012. This was seconded by Councilwoman Kronau.

**MOTION CARRIED = UNANIMOUS**

**MONTHLY REPORTS: TOWN CLERK-** Barbara A. Biittig

- Money paid to Supervisor for the month of November 2012 - \$7,645.69
- Money paid to NYS Ag & Markets for spay/neuter program \$84.00
- Money paid to State Health Dept. for Marriage Licenses \$45.00
- Money paid to the Dept of Environmental Conservation (Fishing /Hunting) \$2,218.56

On the agenda tonight there is a resolution to hire a new Deputy Stephanie Kehn. Stephanie worked in my office for under a month and fortunately for her he has been offered a job in the state. This is a wonderful thing for Stephanie. Especially when my office jobs are part time and she had taken a test a long time ago. Full time jobs are so hard to come by these days. We wish Stephanie the very best in her new job. She is such a wonderful person they are very lucky to have her.

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Also, on the agenda tonight is a resolution to hire Shirley Neiss as my First Deputy. She started today. I am very pleased to have Shirley and she will be a definite asset to my office.

I received a notice from the North Greenbush Police that they have started a drug collection box for unused medications (no liquids). Please bring them to 188 Bloomingrove Drive, Troy, NY between the hours of 7 am and 11 pm. For more information call 518-283-5323.

Reminder to residents that a new permit sticker for the convenience facility is needed for your vehicle for 2013. The cost is the same \$25 if you are under 60. \$15 for over 60 and \$5 for extra vehicles. I have them on sale already.

Residents have received dog renewals. We will be referring delinquent dog licenses to the Animal Control Officer. Who in turn, will be sending court appearance tickets. Please remember all dogs in the town need to be licensed. The cost is \$8 for spayed and neutered dogs. \$11 for unspayed or unneutered.

The Sand Lake Town Office's will be closed on Tuesday, December 25 and Tuesday January 1 in observance of the Holiday Season.

On behalf of all the employees I would like to wish everyone a happy holiday season.

Please feel free to contact my office at 518-674-2026 ext 22 or my home at 518-674-5721 if you have any questions or concerns.

**SUPERVISOR'S REPORT:**

- Received \$7,965.21 from Department of State for Grant Funds for Van.
- NIMS Training session on December 17, 2012 from 6-9 PM
- Gary Charlton leaving Planning Board after 14 years. Resume's being accepted.
- Mary French left Historian Office/ Pat Robelotto to fill in.
- Thanked Girl Scouts for decorating the Tree at Town Hall.
- Met with School officials with regard to the Parking Agreement with the Averill Park School District.
- The paint disposal service is very popular.

**COMMITTEE REPORTS:**

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**YOUTH** – Lindsay Marshall – Youth Director – The tree lightening at Butler Park was very successful. Thanked Keith Hammond for all of his help.

**PLANNING BOARD** – Justin Schultz - Planning Board member – On file in the Town Clerk’s Office.

**BUILDING/ZONING** – On file in the Town Clerk’s Office.

Fred Erickson – Planning oversite committee - Thanked the 22 individual who make up the committee.

Lindsay Kestner – Engineering - On file in the Town Clerk’s Office

**BOARD MEMBERS REPORTS:**

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

**HIGHWAY** – On file in the Town Clerk’s Office.

**VETERANS** – On file in the Town Clerk’s Office

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

**CONVENIENCE FACILITY** – Paul Splain – On File in the Town Clerk’s Office

**INSURANCE** – Paul Splain – On File in the Town Clerk’s Office

**CABLE** – Paul Splain – 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

**CULTURE AND ARTS** - Christine Kronau - On file in the Town Clerk’s Office.

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

**YOUTH** – On file in the Town Clerk’s Office

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

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

**STREET LIGHTS** – None at this time.

**BEACH** –None at this time.

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

**AMBULANCE/PUBLIC SAFETY** – Christine Kronau - On file in the Town Clerk’s Office.

**ZONING UPDATE** – On file in the Town Clerk’s Office.

**COMMENTS FROM RESIDENTS:** None at this time.

**RESOLUTION # 2012-12-159**

**Closing Proclamation - Bicentennial**

Supervisor Fasoldt moved and Councilman Cioffi seconded the following resolution:

**Proclamation**

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**Commemorating the 2012 Town of Sand Lake  
Bicentennial Finale**

***Whereas**, the year Two Thousand Twelve marked Sand Lake's recognition and celebration of its 200<sup>th</sup> anniversary; and,*

***Whereas**, in the year Two Thousand Twelve the people of the Town of Sand Lake proudly celebrated the rich history of the community with activities and festivities commemorating the bicentennial of the Town; and,*

***Whereas**, those memorable events included a Town Supervisor's Proclamation, the Girl Scout Troop 1243 "Memories of Sand Lake" presentations, a children's workshop entitled "Hands on History", a lecture on the story "Freeing Charles – The Struggle to Free a Slave on the Eve of the Civil War" at the Sand Lake Center for the Arts, a play "The Legacy of Human Property", a Bicentennial Valentine Ball at the Crooked Lake House, a concert "Music and the Underground Railroad", an Arbor Day tree planting, a special Sand Lake edition of the "Legislative Gazette", an essay contest for Averill Park School District students, historic self-guided house tours, a limited edition postal cancellation stamp, an 1812-2012 Children's Activity Coloring Book, an art exhibit featuring decorated Adirondack chairs, and a Sand Lake Historical Society dinner; and*

***Whereas**, on August 25<sup>th</sup> a town-wide parade led the community to the Town of Sand Lake Bicentennial Main Event at Westfall Village on Averill Avenue, which featured trolley rides, a military encampment, numerous local vendors, a car cruise, and live musical entertainment; and,*

***Whereas**, on November 11, 2012 many town residents gathered at the Veteran's Memorial Park to honor our military heroes and witness the placing of a bicentennial time capsule to be opened in the year Two Thousand One Hundred Twelve, filled with treasures reminiscent of Sand Lake's past, reflecting on our Town's 200<sup>th</sup> Anniversary, and predicting where Sand Lake will be in another century; and,*

***Whereas**, the Town Board of the Town of Sand Lake has recognized the dedication and innumerable contributions of individuals, including but not limited to, the Bicentennial Planning Committee, Sand Lake Historical Society, local businesses, religious leaders, organizations, emergency service groups, local artisans, and government officials; now therefore,*

***Be it Resolved**, that it is the intent of the Town Board of the Town of Sand Lake to join together in the spirit of the community for memorializing the closing of the Town's bicentennial year and to appreciate the unique significance which history plays in the progression of our Town's advancement; and be it,*

***Further Resolved**, that we pause in our deliberations to observe the closing of 2012, Town of Sand Lake Bicentennial Year.*

**ADOPTED = AYES 5 NAYS 0**

**RESOLUTION # 2012-12-160**

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**Set Meeting Date for 2012 Year End Financials**

Supervisor Fasoldt moved and Councilwoman Kronau seconded the following resolution:

**Be it Resolved**, that the Town Board of the Town of Sand Lake will conduct, in addition to their regularly scheduled workshop meeting, a Special Town Board Meeting to consider any necessary year end budgetary transfers and amendments on Wednesday, December 26, 2012 at 7:30 pm at the Sand Lake Town Hall.

**ADOPTED = AYES 5 NAYS 0**

**RESOLUTION #2012-12-161**

**Appointment – First Deputy Town Clerk**

Supervisor Fasoldt moved and Councilwoman Kronau seconded the following resolution:

**Be it resolved**, that Stephanie Kehn is hereby appointed as First Deputy Town Clerk on a temporary basis at a rate of \$14.93 per hour for up to 18 hours per week, and

**Be it Further Resolved**, that this appointment is retroactive to November 16, 2012.

**ADOPTED = AYES 5 NAYS 0**

**RESOLUTION #2012-12-162**

**Appointment of Registrar of Vital Statistics**

Supervisor Fasoldt moved and Councilman Cioffi seconded the following resolution:

**Be it resolved**, that Shirley Neiss is hereby appointed as Deputy Registrar of Vital Statistics.

**ADOPTED = AYES 5 NAYS 0**

**RESOLUTION # 2012-12-163**

**Approval – Standard Work Day for Retirement**

Supervisor Fasoldt moved and Councilwoman Kronau seconded the following resolution:

**Whereas**, the New York State Office of the Comptroller requires that municipalities establish a standard work day and reporting requirement by resolution, and

**Whereas**, the Town Board has received and reviewed all required time sheets and records to adopt the attached “standard work day and reporting resolution” in compliance therewith; now therefore,

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**Be it Resolved**, that the Sand Lake Town Board hereby adopts the attached “standard work day and reporting resolution” for Flora Fasoldt and Scott Ely; and

**Be it Further Resolved**, that the Town Board hereby authorizes the Town Clerk to sign said resolution and present the same along with a certified copy of this resolution to the New York State Office of the Comptroller.

**ADOPTED = AYES 5 NAYS 0**

**RESOLUTION #2012-12-164**

**Authorization – Lease Purchase Agreement – John Deere 624K Wheel Loader**

Supervisor Fasoldt moved and Councilman Cioffi seconded the following resolution:

**Whereas**, the Commissioner of Public Works/Highway Superintendent has compared prices of local dealers and has determined that a 2012 John Deere 624K Wheel Loader is available on New York State contract through Nortrax (John Deere) in the amount of \$153,408 which includes filing fees; and

**Whereas**, such Loader meets the needs of the Highway Department; and

**Whereas**, the Town of Sand Lake accepts the trade in allowance from Nortrax of \$43,000 for the 2002 John Deere 544H Wheel Loader, and

**Whereas**, the 2012 John Deere 624K Wheel Loader can be purchased with a three year lease which includes an option to buy at an annual amount of \$38,021.62. This amount will include principal and interest; now therefore,

**Be it Resolved**, that the Sand Lake Town Board authorizes the Supervisor, upon review of Counsel, to enter into a lease/purchase agreement with Nortrax, 14 The Crossing Boulevard, P.O. Box 433, Clifton Park, NY 12065, for a 2012 John Deere Wheel Loader and that a principal payment be made from the 2012 budget in the amount of \$38,061.62; and,

**Be it further resolved**, that the following amendment be made to the 2012 Budget:

**Decrease DA 5142.1 (Snow Removal Personnel) in the amount of \$38,061.62**

**Increase DA 9785.6 (Installment Purchase Principal) in the amount of \$38,061.62**

**ADOPTED = AYES 5 NAYS 0**

**RESOLUTION # 2012-12-165**

**Designation of Inland Waterway - Wynantskill**

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Supervisor Fasoldt moved and Councilwoman Kronau seconded the following resolution:

**Whereas**, communities in New York State which are adjacent to bodies of water designated as “inland waterways” are eligible to participate in New York State’s Coastal and Inland Waterways Programs; and

**Whereas**, New York State offers a grant program funded through the Environmental Protection Fund, which assists communities in developing and implementing local waterfront revitalization programs, and

**Whereas**, these initiatives can be invaluable in enhancing and revitalizing the area and in fostering the beneficial use of the waterfront, and

**Whereas**, in recent years, several waterways have been added to the definition, reflecting the interest in, and benefits of, this program; and

**Whereas**, an amendment to Subdivision 4 of Section 911 of the New York State Executive Law to designate the Wynantskill Creek, located in Rensselaer County, as an “inland waterway” would benefit several communities; and,

**Whereas**, the Wynantskill Creek is of great historical significance, with a picturesque 14-mile course from its headwaters at Crooked Lake, passing through the Towns of Sand Lake, Poestenkill, and North Greenbush, descending over several waterfalls to the Hudson River in the City of Troy,

**Whereas**, funding for waterfront revitalization would provide numerous opportunities for partnerships with neighboring municipalities and with community development organizations to enhance and restore the shoreline of the Wynantskill; now therefore,

**Be it Resolved**, that the Town Board of the Town of Sand Lake hereby authorizes the Town Supervisor to take the necessary steps to seek designation of the Wynantskill Creek as an “inland waterway” through the passage of New York State legislation.

**ADOPTED = AYES 5 NAYS 0**

**RESOLUTION #2012-12-166**

**Authorization – Agreement – Shared Parking Agreement – Town of Sand Lake, Sand Lake Center for the Arts, and the Averill Park Central School District**

Supervisor Fasoldt moved and Councilman Cioffi seconded the following resolution:

**Whereas**, the Town of Sand Lake owns property on Route 43 which was formerly its Town Hall, and

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**Whereas**, the Sand Lake Center for the Arts is the lessee of such Town property, on which it operates an arts and performance center, and

**Whereas**, the Averill Park School District owns property on Route 66, on which the Miller-Hill Elementary School is located, and

**Whereas**, the two properties have adjoining parking lots, which are not currently connected, and

**Whereas**, the Sand Lake Center for the Arts requires parking primarily on weekends and evenings for performances, rehearsals, exhibits and classes, and

**Whereas**, the School operates primarily on weekdays, occasionally needing weekday evening parking for special events, and

**Whereas**, each would benefit from additional parking during their respective primary hours of operation and during special events, now therefore

**Be it Resolved**, that the Town Board hereby authorizes the Supervisor, upon review Counsel, to enter into the attached Shared Parking Agreement, pursuant to which the Town will establish a connecting path and the School and Sand Lake Center for the Arts will share parking.

**ADOPTED = AYES 5 NAYS 0**

**RESOLUTION # 2012-12-167**

**Authorization – Agreement – Sand Lake Ambulance**

Supervisor Fasoldt moved and Councilwoman Kronau seconded the following resolution:

**WHEREAS**, Sand Lake Ambulance, Inc. provides dedicated emergency and advanced life support services to the Town of Sand Lake, and

**WHEREAS**, the Town wishes to continue to provide these needed services for town residents; and

**WHEREAS**, the Town has appropriated \$264,750.00 in the 2013 Budget for such services; and

**WHEREAS** the Town and Sand Lake Ambulance, Inc. have reached substantial agreement on all issues,

**NOW, THEREFORE BE IT RESOLVED**, that Supervisor Flora Fasoldt is hereby authorized to execute a contract for ambulance services with the Sand Lake Ambulance, Inc. for the period ending December 31, 2013 upon completion, review and approval of the Town Attorney of a final agreement.

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**ADOPTED = AYES 5 NAYS 0**

**RESOLUTION #2012-12-168**

**Approval – Hart Alarm Agreement – Sewer District**

Supervisor Fasoldt moved and Councilman Cioffi seconded the following resolution:

**Be it Resolved**, that the Town Board hereby authorizes the Town Supervisor, upon review of Counsel, to execute a contract with Hart Alarm Systems, Inc., 514 Fourth Street, Watervliet, New York 12189 to provide central station monitoring and notification services at Sewer Pump Station #5 at a monthly rate of \$20.00 per station.

**ADOPTED = AYES 5 NAYS 0**

**RESOLUTION # 2012-12-169**

**Set Organizational Meeting- January 1, 2013**

Supervisor Fasoldt moved and Councilwoman Kronau seconded the following resolution:

**Be it Resolved**, that the Town Board of the Town of Sand Lake will hold a Special Town Board Meeting on January 1, 2013 at 12 noon at the Sand Lake Town Hall, 8428 New York State Route 66, Sand Lake, New York for the purpose of conducting an annual organizational meeting.

**ADOPTED = AYES 5 NAYS 0**

**RESOLUTION # 2012-12-170**

**Award Service Credit to Town Employee – Joshua Bucci**

Supervisor Fasoldt moved and Councilwoman Kronau seconded the following resolution:

**Whereas**, pursuant to Article 9, Section 2 of the current Collective Bargaining Agreement with the Highway Department, service in Town departments other than Highway or Sewer is not counted in calculating longevity payments of Highway Department employees, and

**Whereas**, Josh Bucci was employed by the Town for over seven years prior to his employment with the Sand Lake Highway Department, and

**Whereas**, during that period of time Josh Bucci was frequently assigned to substantial duties in the Highway Department, and

**Whereas**, in light of such actual service to the Highway Department, it would be inequitable to deny Josh Bucci credit toward longevity, now therefore,

**Be it Resolved**, that the Town Board agrees to accept the previous work credit of Joshua Bucci as a Town Employee with the Town of Sand Lake and apply those years of service to his current Highway Department employment; and

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**Be it further resolved**, that Joshua Bucci should be credited his previous time employed and should be entitled to receive the five year step for longevity payment in accordance with the Collective Bargaining Agreement, and

**Be it further Resolved**, that the Supervisor, upon review of Counsel, will enter into a memorandum of agreement modifying the existing Collective Bargaining Agreement to permit such payment.

**ADOPTED = AYES 5 NAYS 0**

**RESOLUTION # 2012-12-171  
Budget Transfers/Amendments**

Supervisor Fasoldt moved and Councilman Cioffi seconded the following resolution:

**Be It Resolved** the following transfers and amendments are made to the 2012 Budget:

<b>From</b>	<b>To</b>	<b>Amount</b>
A 1330.2 Tax Collection Equipment	A 1330.4 Tax Collection Contractual	\$400.00
A 1355.4 Assessor Contractual	A 1355.2 Assessor Equipment	\$ 249.00
A 1620.1 Buildings Personal Svc.	A 1490.1 Public Works Personal Svc.	\$2665.00
A 1650.2 Central Communication Equipment	A 1490.1 Public Works Personal Svc.	\$3000.00
A 1660.4 Central Storeroom Contractual	A 7140.4 Parks Recreation Contractual	\$500.00

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A 1660.4	A 1010.4	\$141.00
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Central Storeroom Contractual	Town Board Contractual	
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A 1660.4	A 1430.1	\$89.00
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Central Storeroom	Personnel Personal Svc.	
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DA 5142.1	DA 9060.8	\$1000.00
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Snow Removal Personnel	Hospital Insurance	
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SS2 8120.4	SS2 8120.1	\$250.00
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Sewer Collection Contractual	Sewer Collection Personal Svc.	
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SS2 8120.4	SS2 9030.8	\$50.00
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Sewer Collection Contractual	Social Security	
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**ADOPTED = AYES 5 NAYS 0**

**RESOLUTION #2012-12-172**

**Appointment – First Deputy Town Clerk**

Supervisor Fasoldt moved and Councilwoman Kronau seconded the following resolution:

**Be it resolved**, that Shirley Neiss is hereby appointed as First Deputy Town Clerk on a temporary basis at a rate of \$15.29 per hour for up to 18 hours per week.

**ADOPTED = AYES 5 NAYS 0**

**COMMENTS FROM RESIDENTS:**

- Fred Erickson spoke with regard to Resolution #7 Designation of Inland Waterway - Wynantskill – He thanked Supervisor Fasoldt, Town Attorney Bennett and the Town Board for

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being the “launching Pad”. Town Attorney Bennett said that we were not there yet; legislation still has to be passed.

Supervisor Fasoldt moved to go into Executive Session at 8:47 PM to discuss Glass Lake vs. Town of Land Lake and Collective Bargaining Agreement. This was seconded by Councilman Cioffi.

**MOTION CARRIED = UNANIMOUS**

Supervisor Fasoldt reopened the meeting at 9:46 PM. She announced that no action was taken.

Supervisor Fasoldt moved to adjourn the meeting at 9:47 PM. This was seconded by Councilwoman Kronau.

**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