

TOWN OF SAND LAKE TOWN BOARD MEETING
SEPTEMBER 12, 2012

A meeting of the Sand Lake Town Board was held on September 12, 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: Justin Schultz, Bill Glasser, Bernie Mardon, Ralph Timber, Billy Rohl, Brian Hunt, Joel Hunt, Barbara Martinage, Tom Hatcher. Laura Barber, Stephen Barber, Nancy Davis, Nancy Dunn, Mary French, Ross French, Judy Rowe, Donna Cole Paul, Rob Dressner, Beth Cioffi, and others.

APPROVAL OF MINUTES –

Supervisor Fasoldt moved to approve the minutes of August 8, 2012, August 21, 2012 (Paul Splain and Ray Turner abstained absent) and August 29, 2012.

MONTHLY REPORTS: TOWN CLERK- Barbara A. Biittig

- Total fees paid to the Supervisor for the month of August 2012 - \$12,302.57
- Money given to NYS Ag. & Markets for spay/neuter program - \$70.00
- Money given to NYS Environmental Conservation - \$3,255.29
- Money Given to NYS Health Dept. for Marriage Licenses - \$135.00

This has been a very busy month in the Tow Clerk's office with hunting and fishing licenses. In the month of August we were able to serve 533 residents and that did not include the 78 hunters or fishermen that came into our office. The Town Clerk's office took in in March \$15,762.86 of revenue for the town. The Town Clerk's hours are 9 AM – 4PM Mon. - Fri., Wed. until 6 PM and Sat. 9 AM – 12 Noon.

My deputies and I attended a meeting of the Rensselaer Co. Town Clerk's Association on Tue., Sept. 11. At this meeting representatives from BAS were present to inform each town of the new services that they will be able to provide to Town's. I am very interested in their program that would deal with retention of records both current and the ability to allow us to retrieve the old records. This is much the same as the ability of our old Minute Manager.

My office continues to turn out large amounts of passports. People have been coming from Mass., Vt., etc. We are scheduling a visit from the US Department of State to review our

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procedures that we have in place, as we have to do this on a yearly basis. With the help of Councilman Cioffi we are going to use part of the records room, a place to issue passports more confidential that will meet all of the new requirements necessary. It is my goal to have 3 passport agents working out of my office. We will all also be attending an upcoming mandatory yearly class given by the State Dept.

Clerk read letter from Town of Schodack with regard to a Proposed Local Law #3-2012.

I would like to announce that I have received a letter of resignation from Donna Cole Paul who was a deputy on my office. She has resigned due to a part time position with the Rensselaer County Attorney's Office as a Special Family Court Counsel and feels that she can no longer commit to the 20 hours a week that is very much needed in my office. I wish her the very best in her new endeavor.

Tomorrow: Reminder of the Primary Election. You are to vote at your regular polling places. All sites will be open: Averill Park Fire House, West Sand Lake Fire House, and Sand Lake Town Hall. Polls will be open from 12 Noon til 9 PM.

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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:

- Continued work on the preparation of the 2013 Budget with the Budget Officer.
- August 16 held meeting with department heads related to 2013 – talked about working cooperatively to find cost savings.
- Continued to meet with UPSEU (United Public Service Employees Union) to work on a contract settlement for 2013 – Public Works Department – going smoothly.
- Zoning code – moving forward with information that has been gathered.
- Attended Taste of Sand Lake at Crooked Lake House.
- Working with Kiwanis with regard to next years Summerfest.
- Met with new Superintendent of Schools – Dr. James Hoffman. With regard to several issues that are important to our community: water rights, sharing of parking lots between Sand Lake Center for the Arts & Miller Hill – discussed the sale of the Sand Lake School and signage for our elementary schools.
- Attended Planning Over Sight Committee and Open Space, Recreation and Environmental Committee meetings.
- Received survey of the Town owned property in Averill Park – behind hamlet of Averill Park.
- She was invited to speak at the Veteran's Memorial Park to welcome Tech Sgt Joe Wilkinson and his family who will have a Smart home built here in Sand Lake.

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RESOLUTION #2012-09-116

Commending the Town of Sand Lake Bicentennial

Supervisor Fasoldt moved and Councilwoman Kronau seconded the following resolution:

Whereas, the year Two Thousand Twelve marks the historic occasion of the 200th anniversary of the creation of the Town of Sand Lake, and

Whereas, the Town of Sand Lake is rich with the history of two hundred years and richer still with the talent, energy and commitment of its extraordinary citizens, and

Whereas, on April 9, 2008, the Town Board of the Town of Sand Lake appointed a dedicated, talented and exceptional group of persons as Founding Members of the Town of Sand Lake Bicentennial Committee, and

Whereas, these Founding Members -- **Nancy Davis, Nancy Dunn, Frederick Erickson and Mary French** -- have worked tirelessly, with enthusiasm and dedication over more than four years to plan and organize the Town's Celebration of this momentous occasion, and

Whereas, countless other individuals, organizations, businesses and clergy have given selflessly of their time and resources in support of our Town's festivities in myriad small and large ways, and

Whereas, the efforts of these wonderful people have produced a Celebration that stands as a resounding and unprecedented success, one that will propel our Town into its third century with optimism and a renewed appreciation of our past; now, therefore,

BE IT RESOLVED, that the Town Board of the Town of Sand Lake hereby acknowledges and commends the Founding Members and all those other persons who contributed so generously to our Celebration, and

BE IT FURTHER RESOLVED, that the Town Board offers these wonderful people a much deserved and heartfelt 'Thank You'!

ADOPTED = AYES 5 NAYS 0

.MOTION CARRIED = UNANIMOUS

COMMITTEE REPORTS:

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Judy Goodyer, Assessor spoke with regard to the revaluation procedure.

YOUTH – Lindsay Marshall – Youth Director – Report read by Councilwoman Kronau. Letters will be going home with regard to a Fall Festival on Sat. Oct 27, 2012..

BICENTENNIAL- Fred Erickson- Co-Chair of the Bicentennial Celebration – Thanks to all the individuals who made the Bicentennial such a wonderful event. Special thank you to the Town Highway Department – for help with parking – could not have done this without them!. “Amazing Town”

PLANNING OVERSIGHT COMMITTEE- Fred Erickson – Ongoing meetings. The public is welcome. Meeting is Oct 4.

BUILDING/ZONING – Lawrence Howard – None at this time

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

CABLE - Paul Splain – On file in the Town Clerk’s Office

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 –None at this time.

STREET LIGHTS – Mark Cioffi - 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.

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:

- Donna Cole Paul – Thanked the Board and Clerk Biittig for her time employed as a Deputy Town Clerk. She very much enjoyed her time serving the residents.

Supervisor Fasoldt moved to waive procedural rules and add 3 resolutions to the Agenda:

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- Set Meeting Dates - 2013 Budget Presentation and Workshops
- Confirmation of Employee Status
- Appoint 1st Deputy Town Clerk

MOTION CARRIED = UNANIMOUS

RESOLUTION # 2012-09-117

Amendment to Local Parking Ordinance – Second Dyke Road

Supervisor Fasoldt moved and Councilman Cioffi seconded the following resolution:

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, and

Whereas, on August 8, 2012, the Town Board conducted a public hearing regarding the adoption of the following amendment to the Sand Lake Parking Ordinance, and

Whereas, the Town Clerk published notice of such hearing in the Troy Record no later than 10 days prior to the hearing, now therefore

Be it Resolved, that Section A.6 of the Town of Sand Lake Parking Ordinance, 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.**

ADOPTED = AYES 5 NAYS 0

RESOLUTION # 2012-09-118

Appointment – Zoning Board of Appeals (ZBA) – Scott H. Bendette

Supervisor Fasoldt moved and Councilman Cioffi seconded the following resolution:

Whereas, on August 15, 2012, the Town Clerk received a written notice of resignation from Zoning Board of Appeals member, Robert Pabst (Resolution - #3-11) , and

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Whereas, a vacancy on the Zoning Board of Appeals will exist subsequent to the September meeting of the Zoning Board of Appeals, now therefore,

Be it Resolved, that Alternate Zoning Board of Appeals Member, Scott H. Bendette, be appointed as a Member of the Zoning Board of Appeals to fill the vacancy created by the resignation of Robert Pabst for a term ending December 31, 2015 with compensation as provided in the 2011 salary schedule.

ADOPTED = AYES 5 NAYS 0

RESOLUTION # 2012-09-119

Proclamation – National Constitution Week – Daughters of the American Revolution

Supervisor Fasoldt moved and Councilman Cioffi seconded the following resolution:

Whereas, it is the privilege and duty of the American people to commemorate the anniversary of the drafting of the Constitution of the United States of America with appropriate ceremonies and activities, and

Whereas, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17th – 23rd as “Constitution Week”, now therefore,

Be it Resolved, that the Town Board hereby authorizes Flora Fasoldt, as Town Supervisor of the Town of Sand Lake, to proclaim the week of September 17th – 23rd as “Constitution Week” and urge all citizens to study the Constitution and reflect on the privilege of being an American with all the rights and responsibilities which that privilege involves; and

Be it Further Resolved, that the Town Board of the Town of Sand Lake support the efforts of the Fort Crailo Chapter of the National Society Daughters of the American Revolution to educate the youth and public on matters that focus on historical preservation and patriotism.

ADOPTED = AYES 5 NAYS

RESOLUTION #2012-09-120

Appointment – Beach Aide

Supervisor Fasoldt moved and Councilwoman Kronau seconded

Be it Resolved, that McKenzie Nitz, worked as a Beach Aide at the Town Beach during the Labor Day holiday weekend and shall be compensated as provided for in the 2011 salary schedule.

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ADOPTED = AYES 5 NAYS 0

RESOLUTION # 2012-09-121

Authorization – Preventive Maintenance Contract - Sewer

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 Allstate Power Systems, LLC to provide preventive maintenance for the generators located at Sewer Pump Stations #1, #2 and #3 for a total contract price not to exceed \$900.00.

ADOPTED = AYES 5 NAYS 0

RESOLUTION # 2012-09-122

Authorization – Alarm Monitoring Contract – Sewer – Hart Alarm Systems, Inc.

Supervisor Fasoldt moved and Councilwoman Kronau 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 Stations #1, #2, #3 and #4 at a monthly rate of \$20.00 per station/\$80.00 per month.

ADOPTED = AYES 5 NAYS 0

RESOLUTION

Authorization – New York State Electric & Gas – Energy Efficiency Program –

REMOVED FROM AGENDA

RESOLUTION # 2012-09-123

Authorization – Justice Court Assistance Program

Supervisor Fasoldt moved and Councilman Cioffi seconded the following resolution:

Be it Resolved, that the Town Supervisor, in conjunction with the Town Justices, of the Town of Sand Lake are hereby authorized and directed to file an application for funds from the

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State of New York Unified Court System Office of Court Administration under its Justice Court Assistance Program, in an amount not to exceed \$30,000, and upon approval of said request to enter into and execute a program agreement with the State for such financial assistance to the Town of Sand Lake for upgrades and improvements related to Town Court facilities.

ADOPTED = AYES 5 NAYS 0

RESOLUTION # 2012-09-124

Past Sewer connections Outside of Sewer Districts

Supervisor Fasoldt moved and Councilman Cioffi seconded the following resolution:

WHEREAS, it has come to the attention of the Town of Sand Lake that certain of its residents were permitted pursuant to §205-8 of the Sand Lake Code to connect to the Town and County sewer lines despite residing outside of one of the two sewer districts (“Districts”); and

WHEREAS, while these residents likely received Town approval for such connections and have been incurring the same costs associated with its use as those residents who live within the Districts, these connections were never formally approved by the County of Rensselaer; and

WHEREAS, the Town has referred to the Map Plan and Report, dated 8/30/2011, prepared by Mark L. Kestner PE, Consulting Engineer PLLC in order to verify that such connections have not negatively affected the ability of properties located within the Districts, but which are not yet connected, from making such connection in the future due to lack of the capacity of the system; and

WHEREAS, in order to ensure that these residents are in compliance with County law, it is the intention of the Town of Sand Lake to formally approve these connections retroactively and request the County of Rensselaer to do the same; and

WHEREAS, a list of those residents affected are on the attached Schedule “A”; and

WHEREAS, this action will not result in any additional financial expenditures by the Districts or by residents with existing connections living either within or outside the Districts; and

WHEREAS, such connections constitute Type II Actions pursuant to the New York State Environmental Quality Review Act.

NOW, THEREFORE IT IS HEREBY:

RESOLVED, that the residents listed on Schedule “A” whose connections to the Town and County sewers have not been formally authorized by the County of Rensselaer, are hereby approved; it is further

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RESOLVED, that in furtherance of said approval, the Town Board, pursuant to 205-8 (B)(2) has determined that such connection has not negatively affected the ability of the properties located within the Districts but which are not yet connected from making such connection in the future due to lack of capacity of the system; it is further

RESOLVED, that the Town of Sand Lake requests the County of Rensselaer to take whatever action is necessary to authorize these sewer connections retroactively so that they will be in compliance with County law; it is further

RESOLVED, that the Town Attorney is hereby authorized to deliver this Resolution to the appropriate County officials and to take what further action is necessary to further implement the intentions of this Resolution.

SCHEDULE A

Past Sewer Connections Outside of Sewer Districts

<u>Resident District</u>	<u>Address</u>	<u>Tax Map No.</u>	
Town of Sand Lake	25 Springer Rd.	147.-3-16.1	Dist. #1
Donald Doin	2221 Garner Rd.	158.-2-39	Dist. #1
Mark Haines	215 Garner Rd.	158.-2-2.26	Dist. #1
Eric S. Powell	210 Garner Rd	158.-2-42.11	Dist. #1
Eric S. Powell	212 Garner Rd.	158.-2-42.2	Dist. #1
David Hastings Sr.	P.O. Box 1060	159.-1-13.41	Dist. #1
David Hasting Jr.	133 Eastern Tpk	159.-1-13.42	Dist. #1
John Corrigan	182 Garner Rd.	158.-2-43	Dist. #1
Jeffrey Lawrence	4079 NY 150	159.-1-13.52	Dist. #1
Peter J. Libertucci	2525 NY 43	159.4-2-19.1	Dist. #1
William Shane	26 Holser Rd.	159.-1-23.122	Dist. #2
Michael G. Irish	P.O. Box 359	147.-3-18	Dist. #1
Frank Fallanca	189 Eastern Union Tpk	159.4-1-9	Dist. #2

ADOPTED = AYES 5 NAYS 0

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RESOLUTION # 2012-09-125

Sewer Expansion – Proposed Sewer Connection Outside District

Councilman Cioffi moved and Supervisor Fasoldt seconded the following resolution:

WHEREAS, it has come to the attention of the Town of Sand Lake that certain residents living in close proximity to Town and County sewer lines but outside the established sewer districts (“Districts”) desire to connect their properties to those existing sewer lines; and

WHEREAS, it is the Town’s desire to help accommodate these residents by providing them with the opportunity to connect to said lines pursuant to its authority under §205-8 of the Sand Lake Code; and

WHEREAS, the Town has referred to the Map Plan and Report, dated 8/30/2011, prepared by Mark L. Kestner PE, Consulting Engineer PLLC in order to verify that such connections will not negatively affect the ability of properties located within the Districts, but which are not yet connected, from making such connection in the future due to lack of the capacity of the system; and

WHEREAS, a list of residents living outside the sewer Districts who may have the opportunity to connect to the Town and County’s sewer line is set forth on Schedule “A”; and

WHEREAS, the Town wishes to permit these residents with an opportunity to connect to the Districts’ sewer systems in order to avoid incurring the costs of expanding said Districts; and

WHEREAS, this action will not result in any additional financial expenditures by the Districts or by residents who live within the Districts and who are currently connected to the sewer system; and

WHEREAS, such connections constitute Type II Actions pursuant to the New York State Environmental Quality Review Act

NOW, THEREFORE IT IS HEREBY:

RESOLVED, subject to County approval, the residents listed on Schedule “A” who live outside of the Town and County sewer Districts are hereby permitted to connect to the existing sewer lines in accordance with the Town of Sand Lake Sewer Use Ordinance, and

RESOLVED, that in furtherance of said approval, the Town Board, pursuant to 205-8 (B)(2) has determined that such connection will not negatively affected the ability of the properties located within the Districts, but which are not yet connected, from making such connection in the future due to lack of capacity of the system; it is further

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RESOLVED, that the Town of Sand Lake requests the County of Rensselaer to take whatever action is necessary to authorize these sewer connections so that they will be in compliance with County law; it is further resolved.

SCHEDULE A

Proposed Sewer Connections Outside of Sewer Districts

<u>Resident</u>	<u>Address</u>	<u>Tax Map No.</u>	<u>District</u>
Robert Hensterman	2 nd Dyke Rd	170-1-2.12	Dist. #1
Brookview/Ryan LLC	2 nd Dyke Rd	170.-1-29.21	Dist. #1
Robert Haswell	175 2 nd Dyke Rd.	170.-1-2.112	Dist. #1
Roberta Harvey	185 2 nd Dyke Rd.	170.-1-2.111	Dist. #1
Andrew Spiers	447 N. Nassau Rd.	170.-1-2.13	Dist. #1
John Tufano	424 N. Nassau Rd.	170.-1-28.11	Dist. #1
Paul Budesheim	N. Nassau Rd.	170.-1-24.11	Dist. #1
John Bently	360 N. Nassau Rd.	170.-1-26	Dist. #1
Deborah Holden	336 N. Nassau Rd.	170.-1-25	Dist. #1
Cassandra Tomlinson	N. Nassau Rd.	170.-1-24.12	Dist. #1
Brookview Court Inc.	159 2 nd Dyke Rd.	170.-1-29.22	Dist. #1
Averill Ave., Inc.	252-282 Springer	Lots 4, 5 and 6	Dist. #1

ADOPTED = AYES 5 NAYS 0

RESOLUTION # 2012-09-126

Authorization – Award Bid for HVAC – Tri-County Refrigeration Inc.

Supervisor Fasoldt moved and Councilman Cioffi seconded the following resolution:

Whereas, on May 25, 2012 a single bid for the heating, ventilation and air conditioning (HVAC) contract for the Sand Lake Town Hall was opened, read and recorded, and

Whereas, it was recommended by the Buildings and Facilities Committee that the single bid received be rejected due to the significant cost, and

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Whereas, on June 13, 2012, the Town Board authorized the re-bidding of the HVAC contract for Town Hall and directed the Town Clerk to properly notice and advertise for bids, and

Whereas, on August 29, 2012 two bids were received, opened, read and recorded, and

Whereas, upon review by the Buildings and Facilities Committee it has been recommended that Tri-County Refrigeration Inc. is the lowest responsible bidder; now therefore,

Be it Resolved, that the Town Board hereby authorizes the Supervisor, upon review of Counsel, to execute a contract with Tri-County Refrigeration Inc., 126 West Beecher Hill Road, Owego, New York 13827, to conduct HVAC work in the Sand Lake Town Hall at a cost not to exceed \$13, 223.00.

DISCUSSION: Councilman Splain wished to table this resolution and recommends to rebid due to the large amount of difference between the high and low bid. Councilman Cioffi stated that he has spent a great deal of time on this project. He has studied this bid and met with representatives from both the high and low bidder and the reason for the difference is due to the high bidder using sub-contractors. The current system will not function and needs to be put in place before winter so as to test.

ADOPTED = AYES 4 NAYS 1 (Councilman Splain voted no)

RESOLUTION #2012-09-127

Appointment to Public Works Department

Supervisor Fasoldt moved and Councilwoman Kronau seconded the following resolution:

Whereas, pursuant to Highway Law Section 140 (4) the Commissioner of Public Works/Superintendent of Highways has employed Donald Coreilus as temporary Motor Equipment Operator Light (MEOL), now therefore,

Be it Resolved, that the Town Board hereby approves the temporary appointment of Donald Coreilus as a Motor Equipment Operator Light (MEOL) at a rate of \$18.50 per hour; and

Be it Further Resolved, that the pay increments of an additional \$.50 per hour after six months and another \$.50 per hour after one year, as set forth in the collective bargaining agreement be made.

ADOPTED = AYES 5 NAYS

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RESOLUTION # 2012-09-128

Authorization – Agreement with Heritage-Crystal Clean, LLC

Supervisor Fasoldt moved to amend this resolution. See underlined change. This was seconded by Councilman Cioffi.

MOTION CARRIED = UNANIMOUS

Supervisor Fasoldt moved and Councilwoman Kronau seconded the following resolution:

Whereas, many residents of the Town of Sand Lake have requested assistance with the proper and responsible disposal and handling of paint, and

Whereas, the Department of Public Works recommends arranging the management of paint waste in drums located at the Town’s Garage on 25 Springer Road; now therefore

Be it Resolved, that the Town Board authorizes the Supervisor, upon review of Counsel, to execute an agreement with Heritage-Crystal Clean, LLC for the purpose of the proper disposal and removal of Latex/Water-Based Paint and Oil/Solvent Based Paint for a sum not to exceed \$272.00 for a 55 gallon drum for Latex/Water-Based Paint and \$222.00 for a 55 gallon drum for Oil/Solvent Based Paint; at no charge to residents and

Be it Further Resolved, that the Town Board will review the agreement and management of disposal with Heritage-Crystal Clean following a three-month and six-month period of use.

ADOPTED = AYES 5 NAYS 0

INTRODUCTION #2012-09-15 –TABLED - UNTIL AFTER EXECUTIVE SESSION

Authorization – Agreement with Featherstonhaugh, Wiley & Clyne

MOTION CARRIED = UNANIMOUS

RESOLUTION # 2012-09-129

Budget Transfers and Amendment

Supervisor Fasoldt moved and Councilman Cioffi seconded the following resolution:

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

From	To	Amount
A 1620.1 Buildings Personnel	A 7140.1 Playground & Recreation	2000.00

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Personnel		
A 1620.1 Buildings Personnel	A 7150.1 Special Recreation Facility Contractual – Beach Personnel	1000.00
A 1650.2 Central Communications Equipment	A 1650.4 Central Communications Contractual	1000.00
A 1990.4 Contingency	A 7989.4 Other Culture & Recreation Contractual (Bicentennial)	2000.00
A 3510.4 Control of Dogs Contractual	A 3510.2 Control of Dogs Equipment	113.00

Budget Amendment

WHEREAS, the Town Board has approved a contract with Tri County Refrigeration for the HVAC improvement project to the Town Hall in the amount of \$13,223; and

WHEREAS, the Town has an existing capital project H009 Town Hall Renovation; and

WHEREAS, the Town has a capital reserve for buildings (A885) which can be utilized to fund said project; now therefore

BE IT RESOLVED, the following transfer be made to fund the necessary repairs to the Town Hall:

Increase appropriations A 9950.9 Transfers to Capital by appropriating A 885 Capital Reserve for Buildings in the amount of \$13,223

Increase revenue H009 5031 Transfers In and increase appropriations H009 1620.2 Town Hall Renovation Capital Project in the amount of \$13,223.

ADOPTED = AYES 4 NAYS 1 (Councilman Splain voted No)

RESOLUTION #2012-09-130

Set Meeting Dates – 2013 Budget Presentation and Workshops

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Supervisor Fasoldt moved and Councilman Cioffi seconded the following resolution:

Be it Resolved, that the Town Clerk will present the 2013 Tentative Budget to the Town Board at a Special Town Board Meeting on Wednesday, October 3, 2012 at 7:30 PM at the Sand Lake Town Hall; and

Be it Further Resolved, that on Wednesday, October 17, 2012 and on Wednesday, October 24, 2013 the Town Board will hold Special Town Board Meetings at 7:30 PM at the Sand Lake Town Hall for the purpose of reviewing the Tentative Budget and making any changes it deems necessary, consistent with law.

ADOPTED = AYES 5 NAYS 0

RESOLUTION#2012-09-131

Confirmation of Employee Status

Supervisor Fasoldt moved and Councilwoman Kronau seconded the following resolution:

Whereas , Rob Dressner is Confidential Secretary to Supervisor Flora Fasoldt, and

Whereas, Rob Dressner is an attorney duly admitted to the practice of law, and

Whereas, from the date of his appointment in January 1, 2012, Rob Dressner's duties have involved legal matters and the provision of assistance to the Town Attorney, and

Whereas, Rob Dressner, for reasons of public service, has acted without compensation in an "of counsel" capacity and as agent of the Town Attorney as set forth in the attached letter from the Town Attorney, dated March 28, 2012, and

Whereas, such legal involvement is beneficial to the Town, indispensable to the Town Attorney and affords significant savings to the Town and taxpayers, and

Whereas, it is advantageous to the Town to continue and to further formalize such arrangement, now, therefore,

Be it Resolved that the Town Board hereby recognizes and confirms Mr. Dressner's status, retroactive to January 1, 2012, as an uncompensated employee in relation to the Town legal work he performs.

ADOPTED = AYES 5 NAYS 0

RSEOLUTION #2012-09-132

Appoint First Deputy Town Clerk

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Supervisor Fasoldt moved and Councilman Splain seconded the following resolution:

Whereas, Town Clerk Barbara Biittig has appointed Laura Barber as First Deputy Town Clerk to replace Donna Cole-Paul; now therefore

Be it Resolved, that based on the recommendation of the Town Clerk Barbara Biittig the First Deputy Town Clerk will serve a probationary period of six months and receive a salary of \$14.64 per hour for up to 20 hours per week.

ADOPTED = AYES 5 NAYS 0 (Town Clerk Biittig thanked the Board for their support)

COMMENTS FROM RESIDENTS:

- Fred Erickson wished to thank the Board for their acknowledgement of Rob Dressner.

Supervisor Fasoldt moved to go into Executive session at 9:20 PM to discuss Glass Lake vs. Town of Sand Lake and Professional Legal Services – GLPC Litigation

MOTION CARRIED = UNANIMOUS

Supervisor Fasoldt reopened the meeting at 10:11PM.

RESOLUTION #2012-09-133

Authorization – Agreement with Featherstonhaugh, Wiley & Clyne

Supervisor Fasoldt moved and Councilman Cioffi seconded the following resolution:

Whereas, the Town's current litigation in the case of Glass Lake Preservation Corp. v. Town of Sand Lake is requiring extraordinary commitments of time and legal resources, and

Whereas, the Town's legal department may need to respond on short notice to motions and applications for relief that require document assembly and production that exceeds the capacity to respond to using Town Hall resources, and

Whereas, the Town is currently realizing considerable savings using in-house legal resources and may continue to do so if it retains the services of an outside firm providing litigation backup and support services; now, therefore

Be it Resolved, that the Town Board authorizes the Supervisor to sign the attached retainer agreement for the services of Scott Ely of the firm of Featherstonhaugh, Wiley and Clyne at the rate of \$200 per hour for legal services, an hourly rate ranging from \$75 to \$100 for paralegal and clerk services and charges at cost for all other expenses.

ADOPTED = AYES 5 NAYS 0

TOWN OF SAND LAKE TOWN BOARD MEETING
SEPTEMBER 12, 2012

Supervisor Fasoldt moved to adjourn the meeting at 10:14 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

TOWN OF SAND LAKE TOWN BOARD MEETING
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