

**TOWN OF SAND LAKE TOWN BOARD MEETING
FEBRUARY 8, 2012**

A meeting of the Sand Lake Town Board was held on February 8, 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: Lindsay Marshall, Val Balga, Bill Kelly, Bill Glasser, Art Herman, Paul Glasser, Fred Schreyer, Tom Hatcher, Ed Patanian, Laura Wells, Scott Paul, John Glasser, Steve Robelotto, Donna Cole-Paul, and others.

CALL TO ORDER

PLEDGE OF ALLEGIANCE – Fred Erickson – Co-chair Bicentennial Celebration

APPROVAL OF MINUTES –

Supervisor Fasoldt moved to approve the January 11, 2012 minutes and this was seconded by Councilman Cioffi.

MOTION CARRIED = UNANIMOUS

Supervisor Fasoldt moved to approve the January 25, 2012 minutes and this was seconded by Councilwoman Kronau.

MOTION CARRIED = UNANIMOUS

MONTHLY REPORTS: TOWN CLERK- Barbara A. Biittig

- Total fees paid to the Supervisor for the month of January 2012 - \$9,776.23
- Money Given to NYS Ag. & Markets for spay/neuter program - \$129.00
- Money Given to NYS Environmental Conservation - \$166.29
- Money Given to NYS Health Dept. for Marriage Licenses - \$45.00

Reminder to Town Residents that a NEW sticker is needed for the year 2012 in order to use the Convenience facility. This permit is good for the year 2012 only. The price is still the same \$15.00 for 60 years and up and under 60 is \$25.00. You must be a town resident to use

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the Convenience Facility. You can obtain your 2012 sticker by coming in to the Town Clerk's office with proof that you are a resident.

It has been one year since the Town started to do the total dog licensing. This past year went very smooth with very little problems. Most of the Dogs in our Town have been issued new tags with the Town of Sand Lake on them. Reminder to Dog owners that the Town does have a leash law and for further information on the law please go to the Town's website at townofsandlake.us.

My office will be taking part in the THIRD NATIONAL PASSPORT DAY IN THE USA on Saturday, March 10, 2012 from 9 am to 3 pm. Photos are done on site at 8428, Miller Hill Road, Sand Lake.

We also do Passports every day from 9-3:30 and for your convenience on Wednesday, 9-5:30 and Saturday 9-11:30. A new requirement on the birth certificates is that parents names must be listed, date filed and the certificate must be a certified copy with seal from vital records.

Any questions, please do not hesitate to call my office at 518-674-2026 ext. 22.

SUPERVISOR'S REPORT

- Held meetings with town residents, business owners, Bicentennial Committee, Representative of Rensselaer Plateau, Town Library, SL Ambulance regarding contract, Kestner Engineering and the Planning Oversight Committee.
- Attended Installation Banquet for West Sand Lake Fire Department on Saturday, January 21, 2012. Raymond Lape (Jugger) honored for 65 years of service and Robert Carpenter for 50 years of service.
- Encouraged residents to stop by with any concerns.

COMMITTEE REPORTS:

YOUTH – Lindsay Marshall – Youth Director – February is Healthy Heart Month! Celebrate on February 25 from 10-12 at the Sand Lake Town Hall for grades 1-5 in healthy heart activities to promote wellness and fun choices.

PLANNING BOARD – Art Herman- Planning Board member - On file in the Town Clerk's Office.

BUILDING/ZONING – Fred Schreyer- On file in the Town Clerk's Office

Fred Erickson – Co-Chair of the Bicentennial Celebration – Reminded residents about the Valentine Dance, February 18, 2012 from 7-11 Crooked Lake House.

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

Fred Erickson – Planning Oversight Committee – Annual Report for year ending 2011 – Highlights and Recommendations – On file in the Town Clerk's Office

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BOARD MEMBERS REPORTS:

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

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

VETERANS – None at this time

PARKS AND RECREATION – None at this time.

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.

PRESENTATION – Val Balga – President of the Sand Lake Business Association

COMMENTS FROM RESIDENTS:

Fred Erickson wanted residents to know that for tickets to the Valentine’s Dance they can call 518-674-5143, 518-674-3172 or 518-674-5560.

- John Glasser questioned the temporary appointments to the Highway and the up to 25 hours part time appointment to Town Hall and if the person would be getting benefits. Supervisor Fasoldt said that he would not be taking benefits. Mr. Glasser questioned the resolution on the agenda regarding the Ethics Board. Supervisor Fasoldt said she had received a letter from the Attorney General. The letter stated that an Ethics Code is required and asked if an Ethics Board had been established. The Supervisor stated that we already have an Ethics **Code** and that she was not seeking a vote on the establishment of a Board at this meeting but was putting it out for discussion.

BUSINESS:

Supervisor Fasoldt introduced the Zoning Code & Building Amendment – Residents can check it out on the Town Website.

RESOLUTION #2012-02-35

Resolution for Temporary Re-Assignment to the Highway Department

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Supervisor Fasoldt moved and Councilman Cioffi seconded the following resolution:

BE IT RESOLVED, that Josh Bucci is hereby temporarily re-assigned to the Highway Department to the position of Motor Equipment Operator Light (MEOL) at his current rate of pay;

BE IT FURTHER RESOLVED, that this temporary re- assignment shall take place within 10 working days of this resolution to ensure a reasonable transition period for Building Maintenance personnel at Town Hall.

Discussion: Councilman Turner asked how long Josh would be down at the Highway. Supervisor Fasoldt said this was due to a recommendation from the Commissioner of Public Works to have a temporary appointment and would have to see how this works out. Supervisor Fasoldt stated that she believed that this was what Councilman Turner had wanted in December 2011.

ADOPTED = AYES 5 NAYS 0

RESOLUTION #2012-02-36

Resolution for Temporary Appointment to Building Maintenance

Supervisor Fasoldt moved and Councilman Cioffi seconded the following resolution:

BE IT RESOLVED, that Keith Hammond is temporarily appointed to the position of Building Maintenance at an hourly rate of \$16.33 for up to 25 hours per week.

Discussion: Councilman Splain asked how old Keith Hammond was. Councilman Turner asked if the job had been posted. Supervisor Fasoldt said that it had not been. Mr. Turner said that Mr Hammond already had two jobs and that there were several people in the town that had no jobs. Supervisor Fasoldt said that this was a considerable savings to the Town, in salary \$12,737, benefits \$5,640, a total savings of \$18,377. Councilman Cioffi stated that he would be doing the job around his regular jobs.

ADOPTED = AYES 5 NAYS 0

RESOLUTION#2012-02-37

Renewal of Town's Mining Permit – Springer Road

Supervisor Fasoldt moved and Councilwoman Kronau seconded the following resolution:

WHEREAS, the Town of Sand Lake maintains a sand and gravel bank at the location of the Public Works Department on Springer Road; and

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WHEREAS, the Town of Sand Lake is required under New York State Law to submit a renewal application at least 30 days prior to the expiration date of its current permit; and

WHEREAS, the Town of Sand Lake's current permit expires on April 25, 2012; and

WHEREAS, George L. Marshall, LLC, Engineering Geologists, of 36 Overlook Drive, Averill Park, has submitted a proposal to prepare the Town's Mining Permit Renewal, has prepared the Town's permits in the past and is well qualified to provide such professional services ; now therefore,

BE IT RESOLVED, that the Town Board hereby authorizes the Town Supervisor, upon review of counsel, to retain the services of George L. Marshall for a fee not to exceed \$1,500.

ADOPTED = AYES 5 NAYS 0

RESOLUTION #2012-02-38

Appointment of Zoning Board of Appeals – Alternate Member

Supervisor Fasoldt moved and Councilman Cioffi seconded the following resolution:

BE IT RESOLVED, that Scott H. Bendett is hereby appointed as an Alternate Member of the Zoning Board of Appeals for a term ending December 31, 2012.

ADOPTED = AYES 5 NAYS 0

Introduction #2012-02-39

MS-4 Contract and Agreement for Annual Report

Supervisor Fasoldt moved and Councilwoman Kronau seconded the following resolution:

WHEREAS, the Town must comply the reporting requirements of the Municipal Separate Stormwater Sewer System (MS4) Program; and

WHEREAS, Mark L. Kestner, PE, Consulting Engineer, PLLC, of Kestner Engineering , has submitted a proposal for services in connection with preparation the Town's 2012 MS4 Annual Report to the NYS Department of Environmental Conservation; and

WHEREAS, the Town Board has found that such proposal for professional services is acceptable, now therefore,

BE IT RESOLVED, that the Town Board hereby authorizes the Town Supervisor, upon review of counsel, to retain the services of Kestner Engineering for a fee not to exceed \$1,950.00.

ADOPTED = AYES 5 NAYS 0

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**Introduction #2012-02- DISCUSSION/REVIEW-NO VOTE
Establishment – Ethics Board**

WHEREAS, the Town of Sand Lake has a Code of Ethics setting forth standards of conduct expected of its municipal officers and employees; and

WHEREAS, General Municipal Law Section 808 authorizes the local governing body of a town to establish a Board of Ethics; and

WHEREAS, such a Board can assist the Town by providing advisory opinions to town officers and employees in ethical matters, and

WHEREAS, the Town of Sand Lake has recently received a request from the New York State Office of the Attorney General to advise whether Sand Lake has an established Ethics Board;

WHEREAS, such a Board must include one town officer or employee, and

WHEREAS, a majority of such Board may not be town officers or employees, now therefore,

BE IT RESOLVED, that the Town Board hereby establishes a three member Board of Ethics to render advisory opinions regarding the local Code of Ethics; and

BE IT FURTHER RESOLVED, that _____,
_____, and _____ are hereby appointed to serve as members of the Sand Lake Board of Ethics for a two-year term expiring December 31, 2013.

**Introduction #2012-02-40
Recycling at the Convenience Facility**

Supervisor Fasoldt moved and Councilman Splain seconded the following resolution:

WHEREAS, JGS Recycling & Hauling is currently collecting, acquiring, recycling and transporting certain materials from the Town's Convenience Facility; and

WHEREAS, the Town of Sand Lake has received an updated fee schedule from JGS Recycling & Hauling which provides for the recycling and hauling of various items, and

WHEREAS, the Town Board has reviewed such fee schedule and finds it satisfactory, and

WHEREAS, JGS Recycling & Hauling has included electronic waste at no charge to town residents; now therefore,

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BE IT RESOLVED, that the Town of Sand Lake request the services of JGS Recycling and Hauling.

ADOPTED = AYES 5 NAYS 0

**Introduction #2012-02-41
Set Public Hearing for Zoning Code**

Supervisor Fasoldt moved and Councilman Cioffi seconded the following resolution:

RESOLUTION SCHEDULING PUBLIC HEARINGS ON PROPOSED LOCAL LAW

WHEREAS a proposed Local Law of 2012, a copy of which is attached hereto, which would enact a revised Zoning Code for the Town of Sand Lake, was introduced by Town Board member Supervisor Fasoldt and

WHEREAS the Town Board desires to hold public hearings with respect to the adoption of said Local Law, NOW, THEREFORE, **BE IT RESOLVED** that public hearings be held by this Town Board with respect to the adoption of the aforesaid Local Law at 7:30 p.m. on March 14, 2012 and at 7:30 p.m. on April 11, 2012 at Town Hall, 8428 NY Route 66, Sand Lake, New York, and it is further **RESOLVED** that the Town Clerk is hereby authorized and directed to cause all required public notices of said hearing to be given as provided by law.

ADOPTED = AYES 5 NAYS 0

**RESOLUTION #2012-02-42
Set Public Hearing for Building Code**

Supervisor Fasoldt moved and Councilwoman Kronau seconded the following resolution:

RESOLUTION SCHEDULING PUBLIC HEARING ON PROPOSED LOCAL LAW

WHEREAS a proposed Local Law, a copy of which is attached hereto, which would enact an amendment to Sections 88-2 and 88-3 of the Sand Lake Code in relation to certificates of occupancy and compliance, was introduced by Town Board member Supervisor Fasoldt and

WHEREAS the Town Board desires to hold a public hearing with respect to the adoption of said Local Law, NOW, THEREFORE, **BE IT RESOLVED** that a public hearing be held by this Town Board with respect to the adoption of the aforesaid Local Law at 7:30 p.m. on March 14, 2012 at Town Hall, 8428 NY Route 66, Sand Lake, New York, and it is further **RESOLVED**

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that the Town Clerk is hereby authorized and directed to cause all required public notices of said hearing to be given as provided by law.

Discussion: Councilman Splain is concerned if this is legal or not. Town Attorney Russ Bennett said that he would research the matter.

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

**RESOLUTION #2012-02-43
Bicentennial Celebration - Contract**

Supervisor Fasoldt moved and Councilwoman Kronau seconded the following resolution:

WHEREAS, the Town of Sand Lake Bicentennial Committee has planned a Town of Sand Lake Bicentennial Parade on Saturday, August 25, 2012 at 10 am; and

WHEREAS, the Town of Sand Lake Bicentennial Committee has requested that the Town enter into an agreement with the Scotia Glenville Pipe Band to perform in the Bicentennial Parade; no therefore,

BE IT RESOLVED, that the Town Board hereby authorizes the Town Supervisor, upon review of Counsel, to retain the services of the Scotia Glenville Pipe Band for a fee not to exceed \$1100.00.

ADOPTED = AYES 5 NAYS 0

**RESOLUTION #2012-02-44
Building Department Fee Schedule Amendment**

Supervisor Fasoldt moved and Councilman Cioffi seconded the following resolution:

WHEREAS the Town of Sand Lake has a 2011 Building Permit Fee Schedule and

WHEREAS such schedule should be updated for 2012, now therefore,

Be it **RESOLVED** that the Town of Sand Lake 2012 Building Permit Fee Schedule is readopted to become the 2012 Town of Sand Lake Building Permit Fee Schedule, with the following change:

Delete:

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Renewals: 1st Renewal will be the same as the original fee plus a \$35 service fee. Second and subsequent renewals will increase by a cumulative amount of 10% of the 1st renewal and service fee.

Add:

Renewals: 1st Renewal shall be \$50, second and subsequent renewals will increase by 10% per year.

Discussion: Councilman Splain thought that this is a huge loss in revenue and thought that this could be accomplished with a variance procedure or special exemption. He wondered if this was done for one person or a group of residents. He felt that most residents have their homes built within the one year time frame. Councilman Turner also felt that this was a loss of revenue. Supervisor Fasoldt and Councilman Cioffi stated that these are difficult economic times and we need to ease the burden on residents.

ADOPTED = AYES 3 NAYS 2 (Councilman Turner and Councilman Splain voted No)

**RESOLUTION #2012-02-45
Budget Transfer/Amendments**

Supervisor Fasoldt moved and Councilwoman Kronau seconded the following resolution:

Be it **RESOLVED** that the following transfers are made in the 2012 Budget:

From	To	Amount	Reason
A 1990.4 and Contingency	A 9050.8 Unemployment	\$4100.00	Unemployment claims for C. Foster A. Wendell
A 9060.8 Health Insurance	A 1410.1 Town Clerk Pers.	\$1000.00	Insurance buyout
DA 9060.8 Health Insurance	DA 5110.1 General Repairs	\$3000.00	Insurance buyout

ADOPTED = AYES 5 NAYS 0

COMMENTS FROM RESIDENTS:

Tom Hatcher – Wanted to encourage volunteers to join these committees and that no one needs to engage in public speaking or politics this would be just the donation of their time.

Steve Robelotto stated that the temporary appointments that were made tonight in the Town Hall and the Highway Department would have saved the town over \$95,000

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if this had not been done this way. People in town are out of work, losing their homes. Also, any cuts in the fees in the Building Department does effect monies to the town.

Donna Cole-Paul - Fred Schreyer – regarding changes in the Zoning Code.

Scott Paul questioned Supervisor Fasoldt on what she meant when she stated that the Budget was challenging in her article in the Advertiser. Supervisor Fasoldt said she was dealing with large attorney fees and several issues. Mr. Paul said that the New York State Comptroller's office states that most municipalities do not use their contingency. Supervisor Fasoldt said that the prior year board had requested this. Scott Paul said that changing the building fees would definitely have a financial impact on the budget. Supervisor Fasoldt said that her objective is to cut government spending. Supervisor Fasoldt asked Mr. Paul to stop by and share his ideas. Mr. Paul also stated that he supported the government Digital Towpath system and questioned if the back up would be in a fire proof space. Councilman Cioffi said that all this is being worked on. Councilwoman Kronau said that on more than one occasion residents had had to renew their building permits.

Supervisor Fasoldt motioned to go into Executive Session at 9:25 P.M. to discuss on going Litigation of the Van. This was seconded by Councilwoman Kronau.

MOTION CARRIED = UNANIMOUS

Supervisor Fasoldt called the meeting back to order at 10:10 P.M. She reported that no action was taken on the Litigation of the Van.

Supervisor Fasoldt motioned to adjourn the meeting at 10:11 P.M. 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

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