

**TOWN OF SAND LAKE TOWN BOARD MEETING
JUNE 10, 2015**

A meeting of the Sand Lake Town Board was held on June 10, 2015 at 7:30 P.M. at the Sand Lake Town Hall. After the Pledge of Allegiance, the following answered roll call:

PRESENT: Councilwoman Glasser
Councilman Turner
Councilman Cioffi
Councilwoman Kronau
Supervisor Fasoldt
Town Attorney Ely

RECORDING SECRETARY: Barbara A. Biittig, Town Clerk

OTHERS PRESENT: Fred Erickson, Brian Hunt, David Hass, Jim Gumaer, Karen Mason, Scott Blair, Rob Brenner, George Wright, Tom Hatcher 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 May 13, 2015 Town Board Meeting. This was seconded by Councilwoman Kronau.

MOTION CARRIED = UNANIMOUS

Supervisor Fasoldt moved to approve the minutes of May 27, 2015 Town Board Workshop Meeting. This was seconded by Councilman Turner..

MOTION CARRIED = UNANIMOUS

MONTHLY REPORTS: TOWN CLERK- Barbara A. Biittig

- Money paid to Supervisor for May 2015, \$20,180.49
- Money paid to NYS Ag & Markets for spay/neuter program \$72.00
- Money paid to NYS Conservation \$743.56
- Money paid to NY State Health Department \$67.50

- All dogs that live in the Town of Sand Lake are required by law to be licensed. To license a dog you must supply a copy of a current rabies certificate. The town does have a leash law. If you have a therapy dog, you do not have to pay for the license each year. You do have to provide me with a therapy dog certificate and notify me of current rabies information.
- Reminder that to use the Convenience facility you must be a town resident, have a permit and no money can be taken at the facility only in the Town Clerk's office.
- Fishing licenses through DEC may be purchased on line with a credit card. DEC has a very user friendly system in place for you to do it from your own home 24 hours a day.

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- With nice weather a lot of organizations are wishing to use Butler Park and just showing up at the Park. Organizations have already scheduled there groups and paid to use these facilities. Any organization that is planning using Butler Park for sporting events must fill out a form, provide insurance coverage and pay a non-refundable maintenance fee. No sports teams can use the Park without permission. Please contact me so that I can schedule the fields. Also, if a resident wishes to use the park for a family picnic etc they must contact me for more information.
- My office continues this year to be open for the summer months of June, July and August on Saturdays from 9-12Noon.
- If you have any questions, concerns please feel free to contact me at 518-674-2026 ext 22 or my home at 518-674-5721.

SUPERVISOR'S REPORT:

- Spoke with DOT with regard to highway conditions on 150 West Sand Lake is not on the schedule. Highway repair on Burden Lake Road will happen this year.
- Mortgage tax has increased.
- Undergoing a change in some policies that State Comptroller has asked the town to look at.
- Looking into the noise ordinance.

COMMITTEE REPORTS:

YOUTH – Given by Councilwoman Kronau.

PLANNING BOARD - -On file in the Town Clerk's Office.

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

Fred Erickson – Planning oversite committee – On file in the Town Clerk's Office.

ENGINEER - Lindsay Kestner – 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.

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

CABLE – –On file in the Town Clerk's Office.

PLANNING & ECONOMIC DEVELOPMENT – Mark Cioffi – 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.

PARKS AND RECREATION –Mark Cioffi - None at this time.

BEACH – Mark Cioffi – On file in the Town Clerk's Office.

CULTURE AND ARTS - Christine Kronau – None at this time.

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

SENIORS/SENIOR VAN – Christine Kronau – None at this time.

ART, HISTORY & CULTURE- Christine Kronau – None at this time.

VETERANS – Christine Kronau. None at this time.

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AMBULANCE/PUBLIC SAFETY – Christine Kronau – None at this time.

DISASTER PREPAREDNESS/EMERGENCY SERVICES- Barbara Glasser – On file in the Town Clerk’s Office.

COMMUNITY SUBSTANCE ABUSE AWARENESS – Barbara Glasser – On file in the Town Clerk’s Office.

ANIMAL CONTROL – Barbara Glasser - On file in the Town Clerk’s Office.

STREET LIGHTS –Ray Turner – On file in the Town Clerk’s Office

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

CONVENIENCE FACILITY – Ray Turner– On file in the Town Clerk’s Office.

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

COMMENTS FROM RESIDENTS:

- Dave Hass
- Rob Bailey
- Rob Brenner
- Scott Blair
- Steve Valenti

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

BUSINESS:

RESOLUTION#2015-06-41

Initial Resolution Regarding the Adoption of a Revised Zoning Code

Supervisor Fasoldt moved and Councilman Cioffi seconded the following resolution:

WHEREAS, a revised Local Zoning Law (proposed Chapter 250, Local Law # 1 of 2015) was duly introduced by a Member of the Town Board; and

WHEREAS, the Town Board desires to begin the process of reviewing and adopting the proposed Local Zoning Law, and

WHEREAS, the Town Board needs to make a declaration of lead agency under SEQRA; and

WHEREAS, the Town Board needs to refer the revised Zoning the Rensselaer County Department of Economic Development and Planning; and

WHEREAS, the Town Board needs to refer the revised Local Zoning Law the Town of Sand Lake Planning Board; and

WHEREAS, the Town Board needs to set a Public Hearing on the revised Local Zoning Law; and

WHEREAS, the Town Board needs to provide notice of the time and place for the Public Hearing to the public and to neighboring municipalities.

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NOW THEREFORE, be it resolved that:

1. The Town of Sand Lake Town Board declares itself to be the lead agency under SEQRA and it has determined that the adoption of the revised Local Zoning Law (proposed Chapter 250, Local Law # 1 of 2015) is a Type I Action.
2. The Town of Sand Lake Town Board hereby refers the revised Local Zoning Law (proposed Chapter 250, Local Law # 1 of 2015) to the Rensselaer County Department of Economic Development and Planning in accordance with Section 239 of the General Municipal Law.
3. The Town of Sand Lake Town Board hereby refers the revised Local Zoning Law (proposed Chapter 250, Local Law # 1 of 2015) to the Sand Lake Planning Board for a report and recommendation thereon.
4. A public hearing is to be held by this Town Board with respect to the adoption of the revised Local Zoning Law at 7:30 p.m. on July 8, 2015 at Town Hall, 8428 NY Route 66, Sand Lake, New York.
5. The Town Board, has determined that notice in writing to each property owner is not feasible and that the notice of hearing shall be published in the official paper once a week for three successive weeks and shall be posted in public places in the Town.
6. The Town Clerk is hereby authorized and directed to cause all required public notices of said hearing to be given as provided by law including notification to the clerk of each town, lies within 500 feet of borders of the Town of Sand Lake and notification to the State Park Commission governing any state park within, 500 feet of the municipality.

ADOPTED = AYES 5 NAYS 0

RESOLUTION#2015-06-42

Authorize Agreement - Averill Park School District Transportation

Supervisor Fasoldt moved and Councilwoman Kronau seconded the following resolution:

Whereas, the Town of Sand Lake will host a Summer Day Camp at the West Sand Lake Elementary School from July 6, 2014 through August 14, 2015; and

Whereas, the Town of Sand Lake Summer Day Camp, has in the past, and plans to utilize transportation from the Averill Park School District for fieldtrips during the 2015 season; now therefore,

Be it Resolved, that the Town Board authorizes the Town Supervisor, upon review of counsel, to enter into the attached agreement with the Averill Park School District for the purpose of transporting Summer Day Camp children and staff at the driver's contractual hourly rate including FICA and the sum of \$1.00/mile.

ADOPTED = AYES 5 NAYS 0

RESOLUTION#2015-06-43

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Accept Proposal – Hamlet Signage – Ed Vigeant

Supervisor Fasoldt moved and Councilwoman Kronau seconded the following resolution:

Be it Resolved, that the Town Board hereby authorizes the Supervisor, upon review of Counsel, to accept the proposal from Ed Vigeant, P.O. Box 206, Sand Lake, New York 12153 for hamlet signage for West Sand Lake, Averill Park and Sand Lake for a cost not to exceed \$3,485 per sign to be furnished and installed.

ADOPTED = AYES 5 NAYS 0

RESOLUTION#2015-06-44

Appointments – Summer Day Camp

Supervisor Fasoldt moved and Councilwoman Kronau seconded the following resolution:

Be it Resolved, that the Town Board hereby appoints the following staff for the 2015 Summer Day Camp session:

<u>Name</u>	<u>Position</u>	<u>Hourly Rate</u>
. Lindsay Marshall	Director	
. Brooke Wagner	Health Director	12.00
. Patricia Marshall	Assistant Director	13.00
. Matthew Giddings	Sports Coordinator	9.25
. Jacqueline St. Pierre	Arts & Crafts Coordinator	9.25
. Lynn-Marie Beckwith-Grieco	Senior Counselor	8.75
. Patrick Mancino	Senior Counselor	8.75
. Rebecca Lenseth	Counselor 3	8.75
. Matthew Reasor	Counselor 3	8.75
. Megan Regan	Counselor 3	8.75
. Molly Biittig	Counselor 2	8.75

ADOPTED = AYES 5 NAYS 0

RESOLUTION#2015-06-45

Appointments - Life Guards and Beach Aides

Supervisor Fasoldt moved and Councilman Cioffi seconded the following resolution:

Be it Resolved , that the Town Board appoints the following Life Guards and Beach Aides for the 2015 summer season at Reichards Lake Town Beach:

<u>Beach Employees</u>	<u>Position</u>	<u>Hourly Rate</u>
Bridgit Hrubecky	Head Lifeguard	\$13.00
Frank (Todd) Scaturro	Lifeguard	\$10.50
Elizabeth Karam	Lifeguard (Substitute)	\$10.50

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Thomas Culnan	Lifeguard	\$10.50
Jarred Austin	Lifeguard	\$10.50
Ann O'Brien	Beach Aide	\$8.75
Nick Kalinowski	Beach Aide	\$8.75
Cade Pytell	Beach Aide	\$8.75

ADOPTED = AYES 5 NAYS 0

RESOLUTION#2015-06-46

**Supporting Neighboring Towns in Opposition to the
Kinder Morgan Natural Gas Pipeline Proposed to be Routed through Rensselaer County**

Supervisor Fasoldt moved and Councilman Cioffi seconded the following resolution:

Whereas, a large natural gas pipeline called the Northeast Energy Direct (NED) pipeline project, has been proposed by Kinder Morgan and its subsidiary Tennessee Gas Pipeline, LLC, to be routed through Rensselaer County, including the neighboring Towns of Schodack, Nassau and Stephentown; and

Whereas, the proposed NED pipeline would operate at much higher pressures, than currently operating natural gas pipelines in Rensselaer County; and

Whereas, the pipeline proposed for routing through neighboring towns will be approximately 36 inches in diameter, and routed on existing rights of way, along with nearby private properties and include a large gas compressor station or stations that will encompass extensive acreage and possibly located near residential areas; and,

Whereas, the proposed NED pipeline would transport natural gas from other parts of the country for intended export out of New York State and possibly overseas, with no natural gas benefits to the residents of Rensselaer County; and

Whereas, neighboring Towns directly impacted by the proposed NED pipeline have endeavored to be fully informed of this project and have documented and reported the potential detrimental impacts of this project, to include, but are not limited to:

1. As proposed, this pipeline will run across private property, directly adjacent to homes and through waterways; and,
2. As proposed, this project will impact residential wells, natural groundwater recharge areas and aquifers; and,
3. This proposal is expected to blast through the Rensselaer Plateau which is one of New York's largest intact forested areas that has brought economic opportunity through tourism and responsible business to many areas of Rensselaer County; and,
4. This proposal would impact designated areas of archeological sensitivity across communities; and,

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5. As currently proposed, this pipeline has significant potential impact in the areas of public health and safety, home values, businesses, sensitive habitat fragmentation and the further stalling of economic development; and,
6. The project applicant, Kinder Morgan, is seeking federal eminent domain status to allow for property to be secured for the routing of the pipeline which will not benefit the residents of our neighboring communities and give the company and its affiliates an unfair advantage over property owners in these communities; and
7. The proposed NED pipeline would closely follow the high voltage right-of-way raising reasonable concern for the detrimental interaction between the pipeline and the electromagnetic fields established by the high voltage wires; and
8. The thickness/strength of the proposed NED pipeline, the depth at which it would be buried in the ground and the inspection methods for the necessary welds are proposed to be significantly less for rural areas than those required by urban areas; and
9. The proposed NED pipeline carries an inherent risk of leaks, ruptures, fires, explosions, and accidents, which may cause disruption and undue burden for emergency services and would significantly increase the potential for catastrophic damage to lives, property, roadways, streams, wells, aquifers and wetlands in our neighboring rural communities; and
10. Neighboring towns believe the level of compensation and mitigation would not outweigh the long term fiscal, health, safety, business, environmental and quality of life impacts to those neighboring towns; and
11. The proposed pipeline is contrary to the rural residential character of these communities and fails to follow the already existing pipeline corridor; and,
12. The proposed use of land for an industrial compressor station necessary to operate this pipeline, would have dramatic and long term, environmental, social and economic impacts on the rural residential character of our neighboring towns; and
13. The proposed use of land for this project is in direct contradiction to town law as well as the comprehensive plans of these communities; now therefore,

Be it Resolved, that due to the widespread serious concerns and questions raised by residents and the potentially significant negative impacts of the proposed project, the Town of Sand Lake stands in solidarity with the neighboring Towns of Rensselaer County in opposition to the construction of the proposed NED pipeline; and,

Be it Further Resolved, that the Town Clerk of the Town of Sand Lake is hereby directed to transmit certified copies of this resolution to United States Senator Charles Schumer, United States Senator Kirsten Gillibrand, Congressman Chis Gibson, Congressman Paul Tonko, Governor Andrew Cuomo, New York State Senator Marchione, State Assemblyman Steve McLaughlin and Rensselaer County Executive Kathy Jimino.

ADOPTED = AYES 5 NAYS 0

RESOLUTION#2015-06-47

Authorization – Capital Project for Town Hall Repairs

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Supervisor Fasoldt moved and Councilman Cioffi seconded the following resolution:

WHEREAS, the Town wishes to create a capital project for the sole purpose of expending monies for the exterior and maintenance repairs to the Town Hall building; and

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

BE IT RESOLVED, that the Town Comptroller is hereby authorized to create said capital project fund, Town Hall Renovation (H009), for the purpose of funding necessary repairs in an amount not to exceed \$44,000 and the amendment to the 2015 budget will be as follows:

Increase Appropriation A 9950.9 – Transfer to Capital Project	\$44,000
Decrease Capital Reserve A 885	\$44,000

Increase Revenue H009 5031- Interfund Transfer	\$44,000
Increase Appropriation H009 1620.2 Buildings Capital Outlay	\$44,000

ADOPTED = AYES 5 NAYS 0

RESOLUTION#2015-06-48

Award Bid – Gundrum Point Sewer Project

Supervisor Fasoldt moved and Councilwoman Kronau seconded the following resolution:

Whereas, on May 21, 2015, a bid for the Gundrum Point Sewer Project was properly noticed; and

Whereas, on June 9, 2015, 2 sealed bids were opened, read and recorded; and

Whereas, upon review by the Town Sewer and Infrastructure Committee and Kestner Engineer, LLC it has been recommended that the bid be awarded to Gallo Construction Corporation, 50 Lincoln Avenue, Watervliet, NY 12189, the lowest responsible bidder at \$233,578.20; now therefore,

Be it Resolved, that the Town Board authorizes the Supervisor, upon review of Counsel, to execute a contract with Gallo Construction Corporation to complete the Gundrum Point Sewer Project; and be it,

Further Resolved, that the Supervisor is authorized to execute all necessary documents for completion of the project.

ADOPTED = AYES 5 NAYS 0

RESOLUTION#2015-06-49

Award Bid – Reichards Lake Sewer Project

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Supervisor Fasoldt moved and Councilwoman Kronau seconded the following resolution:

Whereas, on May 21, 2015 a bid for the Reichards Lake Sewer Project was properly noticed; and

Whereas, on June 9, 2015, 3 sealed bids were opened, read and recorded; and

Whereas, upon review by the Town Sewer and Infrastructure Committee and Kestner Engineer, LLC it has been recommended that the bid be awarded to Casale Construction Services, Inc. at 551 Main Avenue, Wynantskill, New York 12198 the lowest responsible bidder at \$489,475; now therefore,

Be it Resolved, that the Town Board authorizes the Supervisor, upon review of Counsel, to execute a contract with Casale Construction Services, Inc. to complete the Reichards Lake Sewer Project; and be it,

Further Resolved, that the Supervisor is authorized to execute all necessary documents for completion of the project.

ADOPTED = AYES 5 NAYS 0

RESOLUTION#2015-06-50

Authorization - Legal Counsel – Ely Law Firm, LLC

Supervisor Fasoldt moved and Councilman Cioffi seconded the following resolution:

Be it Resolved, that the Town Board authorizes payment to Ely Law Firm, PLLC in the amount of \$3,216.00 for legal services rendered in the matter of an Article 78 Proceeding – Index No. 249771.

ADOPTED = AYES 5 NAYS 0

RESOLUTION#2015-06-51

Budget Transfers/Amendments

Supervisor Fasoldt moved and Councilwoman Kronau seconded the following resolution:

Be It Resolved the following transfers are made to the 2015 Budget:

<u>From</u>	<u>To</u>	<u>Amount</u>
A 1355.4000	A1355.1000	\$363.00
Assessor Contractual	Assessor Personnel	
SS2 8120.1000	SS2 8120.1100	\$1,000.00
Sewer Collection Personnel	Sewer Collection Overtime	

Budget Amendments

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ADOPTED = AYES 5 NAYS 0

COMMENTS FROM RESIDENT:

- Fred Erickson
- George Wright
- Joel Hunt
- Brian Hunt

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Supervisor Fasoldt moved to go into Executive Session at 9:14PM to discuss potential Real Estate purchase.

MOTION CARRIED = UNANIMOUS

Supervisor Fasoldt reopened the meeting at 10:06PM and no further action was taken.

RESOLUTION#2015-06-52

Amend Contract with Ganem Contracting Corporation

Supervisor Fasoldt moved and Councilman Cioffi seconded the following resolution:

Be It Resolved, the Town Board hereby authorizes the Supervisor to amend the contract with Ganem Contracting Corporation for additional repairs to the Town Hall Building caused by infiltration of moisture for a cost not to exceed \$30,000.

ADOPTED = AYES 5 NAYS 0

Supervisor Fasoldt moved to adjourn the meeting at 10:08PM. This was seconded by Councilwoman Kronau.

MOTION CARRIED = UNANIMOUS

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Respectfully submitted,

Barbara A. Biittig
Town Clerk

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