

**TOWN OF SAND LAKE TOWN BOARD MEETING  
NOVEMBER 14, 2012**

A meeting of the Sand Lake Town Board was held on November 14, 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, Rob Dressner, Justin Schultz, Bill Glasser, Ralph Timber, Tom Hatcher, Fred Erickson, Brian Hunt, Billy Rohl 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 October 10, 2012, October 17, 2012, and November 1, 2012.

**MOTION CARRIED = UNANIMOUS**

Supervisor Fasoldt moved to amend the minutes of October 24, 2012 to add: Under the comments from Resident – Add a third Bullet – *Supervisor Fasoldt responded that the proposed 2013 Town Budget significantly reduces the Town’s reliance on savings to balance the town’s budget and that the revenues are a more accurate projection of what the Town receives.*

**MOTION CARRIED = UNANIMOUS**

Town Clerk’s Report October 2012

- Total fees paid to the Supervisor for the month of October - \$6,147.02
- Money Given to NYS Ag. & Markets for spay/neuter program - \$64.00
- Money Given to NYS Environmental Conservation - \$4,228.73
- Paid to NYS Health Department for Marriage Licenses - \$67.50

My Deputies and I will be preparing for 2013 Passport Training by taking an on line yearly required test. Each year we receive several new requirements. For 2013 we have to insure the state that as a passport agent we make any changes necessary so as to be able to maintain our

**TOWN OF SAND LAKE TOWN BOARD MEETING  
NOVEMBER 14, 2012**

ability to continue doing passports from my office. When every new item is implemented we then are required to have visits from the National Passport Center. Some are scheduled and some can be whenever they choose. Locally, there are only two Town Clerks' that are allowed to do passports anymore and no other Town Clerk will ever be allowed to do this service. It is very important that we continue to pass all tests that are required by the state in order to insure that this valuable service can continue. I would like to thank Keith Hammond and Councilman Cioffi for their help in helping with our new and conforming office space.

The 2013 sticker for the convenience facility is now on sale. The cost is the same: \$25 for under 60 years, \$15 for \$60 years and up and \$5 for a second vehicle. Must be a town resident.

If you have any questions or concerns please do not hesitate to contact me at 518-674-2026 ext. 22 or at home 518-674-5721.

**SUPERVISOR'S REPORT:**

- Budget meetings – established Preliminary Budget – 2% Tax cap
- Supervisor Fasoldt along with Councilman Cioffi met with the Superintendent of Schools
- Met with UPSEU – regarding Contract – Highway
- Thanked all the Emergency Services, the Highway Department for help during Hurricane Sandy – thankful that we had no serious damage.
- Reminder about the Drive sponsored by the Sand Lake Ambulance for victims of Hurricane Sandy.
- Thanked Dave Fleming, Supervisor Nassau and Robbie MacCue for all of their help with the storm.
- Started a Facebook page for the Town of Sand Lake

**COMMITTEE REPORTS:**

**YOUTH** – Lindsay Marshall – Youth Director – The Fall Harvest Festival was a huge success and thanked Mr. Hoffay for his generosity. A Christmas tree lighting will be held at Butler Park on Dec. 7<sup>th</sup> and will include a visit from Santa. Notes will go home from each school.

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

**PLANNING OVERSIGHT**- Fred Erickson – On file in the Town Clerk's Office.

**ENGINEERING** -Lindsay Kestner - On file in the Town Clerk's Office

**BOARD MEMBERS REPORTS:**

**TOWN OF SAND LAKE TOWN BOARD MEETING  
NOVEMBER 14, 2012**

**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** – None at this time.

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

**RESOLUTION #2012-11-147**  
**Commendation of Mary E. French**

Supervisor Fasoldt moved and Councilwoman Kronau seconded the following resolution:

***Town of Sand Lake***  
***Special Commendation***  
***Mary and Ross French***

**Whereas**, it is fitting that the Town Board of the Town of Sand Lake should honor persons who, through their dedicated efforts, distinguish themselves as remarkable residents of the community, and

**Whereas**, Mary and Ross French are such noteworthy persons, having contributed countless hours over many decades to protect and preserve the Town of Sand Lake’s historical treasures, and

**TOWN OF SAND LAKE TOWN BOARD MEETING  
NOVEMBER 14, 2012**

**Whereas**, Mary French has honorably served as a Town Historian and both Mary and Ross have been active members of the Sand Lake Historical Society, providing leadership, education and advocacy for our Town's irreplaceable artifacts and diverse historical places; and

**Whereas**, Mary French is an accomplished researcher and author of a history of the Town of Sand Lake, receiving wide recognition and high praise for her work - *Images of America Sand Lake* and *Images of America Sand Lake Revisited*, in addition to her writing, publishing and editing countless articles used for "Historical Highlights" - the Sand Lake Historical Society's faithful newsletter; and

**Whereas**, Mary French, continues to serve as a highly respected advisor for the Town of Sand Lake and myriad residents for her expertise and knowledge of our local history; and

**Whereas**, both Mary and Ross French have been active and supportive residents of Sand Lake and will always be cherished friends of our community, remembered as scholars, colleagues, mentors and neighbors; now therefore,

**Be it Resolved**, that the Town of Sand Lake honor and commend Mary and Ross French upon their departure from the Town of Sand Lake and express our sincere gratitude for their exceptional devotion and commitment to the Town and;

**Be it Further Resolved**, that on behalf of the Town of Sand Lake we extend our very best wishes to both Mary and Ross French and their family for much deserved future happiness and contentment, and please know that they will be sorely missed here in the Town of Sand Lake while the Town of Hyde Park will gain extraordinary citizens.

***Town Supervisor Flora Fasoldt  
Councilwoman Chris Kronau  
Councilman Mark Cioffi  
Councilman Paul Splain  
Councilman Ray Turner***

***ADOPTED = AYES 5 NAYS 0***

**RESOLUTION #2012-11-148  
Amendments – 2013 Preliminary Budget**

Supervisor Fasoldt moved and Councilwoman Kronau seconded the following resolution:

**Be it Resolved**, that the following changes be made to the 2013 Preliminary Budget:

<b>Budget Code</b>	<b>Preliminary</b>	<b>Revised</b>
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**TOWN OF SAND LAKE TOWN BOARD MEETING  
NOVEMBER 14, 2012**

**Appropriations**

**General Fund**

A 1410.1	Town Clerk	81,316.00	80,316.00
A 4020.1	Vital Statistics	-0-	1,000.00

**ADOPTED = AYES 5 NAYS 0**

**RESOLUTION #2012-11-149**

**Adoption of 2013 Town of Sand Lake Budget**

Supervisor Fasoldt moved and Councilman Cioffi seconded the following resolution:

**Whereas**, the Town Board of the Town of Sand Lake adopted its Preliminary Budget on October 24, 2012; and

**Whereas**, the Town Board held a Public Hearing on the 2013 Preliminary Budget on November 1, 2012; and

**Whereas**, the Budget Officer of the Town of Sand Lake completed and filed the required online Property Tax Cap Form with the New York State Comptroller's Office on November 7, 2012 indicating that the Town of Sand Lake's 2013 Preliminary Budget does not override the cap; now therefore,

**Be it Resolved**, that the Town Board of the Town of Sand Lake hereby adopts the 2013 Preliminary Budget with subsequent amendments as the Town of Sand Lake 2013 Final Budget; and,

**Be it Further Resolved**, that the Town Clerk is hereby directed to prepare two certified copies of the budget with certified copies of the fire districts' budget annexed to each and within five (5) days deliver the copies of the budget to the Town Supervisor, who must then present them to the county legislative body within ten (10) days of receipt.

**ADOPTED = AYES 5 NAYS 0**

**RESOLUTION #2012-11-150**

**Appointment – Motor Equipment Operator Light (MEOL)**

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 William R. French as Motor Equipment Operator Light (MEOL); now therefore,

**TOWN OF SAND LAKE TOWN BOARD MEETING  
NOVEMBER 14, 2012**

**Be it Resolved**, that the Town Board of the Town of Sand Lake approves the appointment of William R. French as a Motor Equipment Operator Light (MEOL); and,

**Be it Further Resolved**, that William R. French will receive an hourly rate of \$16.33 per hour with an hourly increase of \$.50 per hour after six months of employment and another increase of \$.50 per hour at the completion of one year upon securing a Commercial Driver's License (CDL) within one year from date of hire.

**ADOPTED = AYES 5 NAYS 0**

**RESOLUTION #2012-11-151**

**Appointment – Board of Assessment Review**

Supervisor Fasoldt moved and Councilwoman Kronau seconded the following resolution:

**Be it Resolved**, that the Town Board of the Town of Sand Lake, hereby re-appoints Barbara J. Cesta to the Board of Assessment Review for a term ending September 30, 2016; and

**Be it Further Resolved**, that upon certification of said resolution, the Town Clerk's Office is hereby directed to update the Board of Assessment Review member list to reflect this appointment.

**ADOPTED = AYES 5 NAYS 0**

**RESOLUTION #2012-11-152**

**Create Capital Project for Salt Shed**

Supervisor Fasoldt moved and Councilman Cioffi seconded the following resolution:

**WHEREAS**, the roof of the salt shed which is located at the Department of Public Works is in dire need of repair; and

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

**BE IT RESOLVED**, that the Comptroller is hereby authorized to create a capital project fund, for the purpose of funding the necessary repairs, Salt Shed Capital Project (H006), and

**BE IT FURTHER RESOLVED**, that the Comptroller is authorized to transfer from the Capital Reserve Fund for Buildings (A885) in an amount not to exceed \$16,200 to create the Salt Shed Capital Project (H006) to be used to finance the cost of the repairs, and

**BE IT FURTHER RESOLVED**, that the following transfers be made:

**TOWN OF SAND LAKE TOWN BOARD MEETING  
NOVEMBER 14, 2012**

Increase Appropriations A9950.9 Transfer to Capital in the amount of \$16,200, by appropriating A 885 Capital Reserve for Buildings in the amount of \$16,200

Increase Revenue H006 5031 Transfers In in the amount of \$16,200 and increase appropriation H006 1620.2 Salt Shed Capital Project in the amount of \$16,200.

**ADOPTED = AYES 5 NAYS 0**

**RESOLUTION #2012-11-153**

**Authorization – Contract for Salt shed at Public Works Department**

Supervisor Fasoldt moved and Councilman Cioffi seconded the following resolution:

**WHEREAS**, the roof of the Town's salt shed, located at the Department of Public Works on Springer Road, is in dire need of repair; and

**WHEREAS**, the Town has created a capital project fund for the purpose of funding the necessary repairs – Salt Shed Capital Project (H006) in the amount of \$16,200; and

**WHEREAS**, the Town's Purchasing Director solicited quotes for labor from four local (4) contractors as well as quotes for materials and has provided the Town Board with a summary of said quotes and an opportunity to review proposals , and

**WHEREAS**, the Chair of the Buildings & Facilities Committee and the Commissioner of Public Works reviewed said quotes, and

**WHEREAS**, the Chair of the Buildings & Facilities Committee and the Commissioner of Public Works have recommended to the Town Board that the quote received from EJPatanian, Inc. is the lowest responsible quote in the amount of \$9,190; now therefore,

**BE IT RESOLVED**, that the Town Board hereby authorizes the Supervisor to enter into an agreement with EJPatanian, Inc. for the purpose of replacing the salt shed roof at the Public Works Facility on Springer Road in an amount not to exceed \$9,190.00.

**ADOPTED = AYES 5 NAYS 0**

**RESOLUTION #2012-11-154**

**Declare Surplus Equipment**

Supervisor Fasoldt moved and Councilman Cioffi seconded the following resolution:

**Be it Resolved**, that pursuant to Section 142.5 of Highway Law, the Commissioner of Public Works/Highway Superintendent is hereby authorized to declare the following equipment surplus and sell or exchange such equipment:

**TOWN OF SAND LAKE TOWN BOARD MEETING  
NOVEMBER 14, 2012**

- . 2002 John Deere Loader – Model 544H/ID#DW544ZHX584207
- . 1992 Dodge Caravan ID#1B4GH44R5NX284289;

and,

**Be it Further Resolved**, that the Commissioner of Public Works/Highway Superintendent is authorized to apply any proceeds from the sale of surplus equipment toward the purchase of machinery, tools and/or other highway equipment.

**ADOPTED = AYES 5 NAYS 0**

**RESOLUTION #2012-11-155**

**Rezoning Request – Referral to Planning Board**

Supervisor Fasoldt moved and Councilwoman Kronau seconded the following resolution:

**Whereas**, at the September 26, 2012 Sand Lake Town Board Workshop Meeting and the October 10, 2012 Sand Lake Town Board Meeting, representatives from MJSR Tech Valley Development, LLC presented a sketch plan and general information related to a proposed development project referred to as “The Gables at Sand Lake”; and

**Whereas**, “The Gables at Sand Lake” is an 11 acre parcel located between Fisher Road, Tollgate Road and Route 351; and,

**Whereas**, on November 7, 2012, MJSR Tech Valley Development, LLC filed an application to designate such parcel a Planned Development District (PDD) and provided an Environmental Assessment Form (Long), Soil Map, Wetland Map and list of homeowners within one hundred (100 ) feet of the proposed project; and

**Whereas**, the parcel is currently zoned Rural-1 (R-1) zoning district; and

**Whereas**, the applicant has petitioned the Town Board to rezone the parcel PDD, and

**Whereas**, the applicant has applied for construction of a building project on such parcel, and

**Whereas**, the Town Board of the Town of Sand Lake, in its legislative capacity, has reviewed and accepted the sketch plan for consideration; now therefore,

**Be It Resolved**, that the Town Board of the Town of Sand Lake hereby refers “The Gables at Sand Lake” Project application for designation as a PDD and the accompanying application for construction of a building project to the Town Planning Board for review and approval, approval with modifications or disapproval; and

**TOWN OF SAND LAKE TOWN BOARD MEETING  
NOVEMBER 14, 2012**

**Be It further Resolved**, that the Planning Board shall report its findings to the Town Board.

**ADOPTED= AYES 5 NAYS 0**

**RESOLUTION #2012-11-156**

**Speed Limit Reduction – Old Best Road**

Supervisor Fasoldt moved and Councilwoman Kronau seconded the following resolution:

**Whereas**, the Town of Sand Lake has received a written request to have the speed limit on Town's portion of Old Best Road reduced to 30 miles per hour (mph), and

**Whereas**, currently, the Town of East Greenbush has posted a 30 mph speed limit on its portion of Old Best Road; and,

**Whereas**, the public health, safety and welfare would be served by a reduction of the current 45 mph speed limit on the Town of Sand Lake portion of Old Best Road; now therefore,

**Be It Resolved**, that the Town of Sand Lake, pursuant to Vehicle and Traffic Law Section 1622.1, hereby requests the New York State Department of Transportation and the Rensselaer County Superintendent of Highways to reduce the speed limit on the portion of Old Best Road located in the Town of Sand Lake to 30 mph; and,

**Be it Further Resolved**, that the Town Board hereby directs the Town Supervisor and Commissioner of Public Works to take whatever steps are reasonably necessary to carry out this resolution and directs the Town Clerk to send a certified copy of this resolution along with required forms to both New York State Department of Transportation and the Rensselaer County Superintendent of Highways.

Discussion: Councilman Splain stated that he did not think that reducing the speed limit on this road was going to cure the problem. There needs to be enforcement. Councilwoman Kronau stated that even though we have tried to reduce the limit before that at least we can try to help this resident. Councilman Cioffi said that by reducing the speed limit it gives the troopers more authority over this issue. Supervisor Fasoldt said that she would send along to the State Police the email that she had received from the Town Resident. Supervisor Fasoldt said that we do not have the ability to control speed limits on town roads. Town Attorney Bennett said that first class towns are not allowed to set speed limits only on bridges. Enforcement is the answer.

**ADOPTED = AYES 4 NAYS 1 (Councilman Splain voted Nay)**

**RESOLUTION #2012-11-157**

**Designate Town Paid Holidays**

**TOWN OF SAND LAKE TOWN BOARD MEETING  
NOVEMBER 14, 2012**

Supervisor Fasoldt moved and Councilwoman Kronau seconded the following resolution:

**Be it Resolved**, that Good Friday and the Friday after Thanksgiving are hereby designated as Town Paid Holidays for all entitled employees and/or officials of the Town of Sand Lake; and

**Be it Further Resolved**, that the Town Board hereby authorizes the Supervisor to take steps necessary to amend the Town of Sand Lake Employee Handbook to reflect this change.

**ADOPTED = AYES 5 NAYS 0**

**RESOLUTION #2012-11-158  
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 3620.2	A 3620.4	\$257.51
Code Enforcement	Code Enforcement	
Equipment	Contractual	
A 1990.4	A 3620.4	\$1,000.00
Contingency	Code Enforcement	
	Contractual	
A 1990.4	A 5680.4	\$500.00
Contingency	Transportation Contractual	
	(Community Van)	
SS2 9060.8	SS2 8120.1	\$1,450.00
Hosp & Med Insurance	Sewer Collection Personnel	

**TOWN OF SAND LAKE TOWN BOARD MEETING  
NOVEMBER 14, 2012**

SS2 9060.8	SS2 9030.8	\$100.00
Hosp & Med Insurance	Social Security	
SS2 9060.8	SS2 8120.4	\$ 1,050.00
Hosp & Med Insurance	Sewer Collection Contractual	

**Budget Amendment -**

Increase appropriation A 1620.2 Buildings Equipment in the amount of \$4,400 due to unanticipated revenue From NYSERDA Grant

Increase revenue A3090 State Aid –NYSERDA Grant in the amount of \$4,400.00

**ADOPTED = AYES 5 NAYS 0**

**COMMENTS FROM RESIDENTS:**

- Fred Erickson – With regard to speed limit – phone calls do help – speed bumps work wonders – sometimes you need to go higher than the troopers. Thanked the Board and Supervisor Fasoldt for a nice smooth Budget process.
- Brian Hunt thanked all that had applied for the job at the Highway. Questioned when the new loader could be purchased.

Supervisor Fasoldt moved to adjourn the meeting at 8:51 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

**TOWN OF SAND LAKE TOWN BOARD MEETING  
NOVEMBER 14, 2012**

**TOWN OF SAND LAKE TOWN BOARD MEETING  
NOVEMBER 14, 2012**