

**REGULAR MEETING – NOVEMBER 14, 2013 – DAY TOWN BOARD
UNAPPROVED MINUTES
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A SPECIAL MEETING of the Town Board of the Town of Day, County of Saratoga, State of New York, was held in the Day Town Hall, 1650 North Shore Road, Hadley, NY, 12835 on November 14, 2013.

The meeting was called to order by Supervisor Mary Ann Johnson at 7:00 PM with the following answering roll call: Councilman Preston Allen, Councilman Charlie Dreyer, Councilman Jeff Gray, Highway Superintendent Scott York, Attorney David Avigdor, Planning Board Chairman David Cox and BAR member (Town Board member elect) April Schmick
Absent: Councilwoman Suzanne Denn

Motion, made by Councilman Charlie Dreyer, seconded by Councilman Preston Allen, to **approve the minutes** from the October 16th Regular Meeting and Special Meeting, the October 28th Special Meeting and the November 07th Public Hearing.

Ayes: Supervisor Mary Ann Johnson, Councilman Preston Allen, Councilman Charlie Dreyer, Councilman Jeff Gray.

Carried 4 – 0

Motion, made by Councilman Jeff Gray, seconded by Councilman Charlie Dreyer to **approve the audited abstracts** as follows:

#1138, #1139 & #1141	Pre-Audit General Fund	\$3,103.79
#1165 - #1178	General Fund	\$8,279.51
#1140 & #1142	Pre-Audit Highway Fund	\$6,664.80
#1154 - #1164	Highway Fund	\$14,055.78

Ayes: Supervisor Mary Ann Johnson, Councilman Preston Allen, Councilman Charlie Dreyer, Councilman Jeff Gray.

Carried 4 – 0

Motion, made by Councilman Preston Allen, seconded by Councilman Jeff Gray, to **approve the monthly reports** for Justice Johnsen, CEO, Town Clerk, Tax Collector, Assessor, Mortgage Tax, Sales Tax, Operating Statement.

Ayes: Supervisor Mary Ann Johnson, Councilman Preston Allen, Councilman Charlie Dreyer, Councilman Jeff Gray.

Carried 4 – 0

COMMITTEE REPORTS –

Highway Superintendent Scott York reports that he and his crew are getting the Town of Day Highway trucks ready for winter.

Planning Board Chairman David Cox, who is also the Town of Day liaison with the

Hudson River – Black River Regulating District, the HR-BR Reg. District continues to look at a warning system for flooding.

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Town Board Committee – No reports.

OLD BUSINESS –

Supervisor Mary Ann Johnson explained that the Town Board at the October meeting decided not to pursue changes to the Walter Maxfield Road intersection at this time due to budget constraints for 2014. The engineering fee is not feasible in 2014 budget. Attorney David Avigdor pointed out that the projects can be rejected for cost, but also need to address safety.

Supervisor Mary Ann Johnson informed those present that Zoning Board of Appeals Chairman Dave Davidson will be helping with the website project.

NEW BUSINESS –

Town Clerk Carol Vaillancourt obtained a copy of the proposed local law for the Town of Corinth from Town of Corinth Town Clerk Rose Farr and distributed copies of it to the Day Town Board members, Highway Superintendent Scott York and Attorney David Avigdor. Attorney David Avigdor did have some changes to what the Town of Corinth was proposing in their version of the local law. The purpose of the law in part was to assess liability to the land owner if a beaver dam on their property causes damage to Town property due to the beaver dam breaking etc. Attorney David Avigdor pointed out that the court will made decision on who pays legal fees, usually the decision is each party pays own fees. If the property owner does not pay a lien would be placed on property. Supervisor Mary Ann Johnson stated that she has some questions for Town of Corinth Supervisor Dick Lucia.

The Public Hearing on the Town of Days Certificate of Need will be held on November 22, 2013 at REMO headquarters in Albany.

In regards to time off for volunteer firefighters during their regular work hours, Supervisor Mary Ann Johnson pointed out that Edinburg does not pay their volunteers if they leave work to respond to an emergency. Supervisor Mary Ann Johnson, Councilman Preston Allen, Councilman Charlie Dreyer and Councilman Jeff Gray agree that if Edinburg does not pay their people, neither should the Town of Day. Supervisor Mary Ann Johnson feels there should be a policy on when the workers can respond to an emergency call and when they can't. Highway Superintendent Scott York stated that he could not let them go during paving or snow removal. Supervisor Mary Ann Johnson said she would look in the personnel manual to see if there is anything regarding this matter in there. If not Supervisor Mary Ann Johnson will meet with Highway Superintendent Scott York to discuss this and see to it that something is

written up and placed in the Town of Day Employee Personnel Manual.

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Supervisor Mary Ann Johnson explained that there are a number of vacancies which will be occurring on the Planning Board, Board of Assessment Review and on the Town Board which will need to be addressed. The Planning board and Town Board will each have one vacancy and the Board of Assessment review will have three vacancies.

Supervisor Mary Ann Johnson explained that she has been talking to a property owner in the Town of Day regarding the possibility of having a farmers market in 2014. Supervisor Mary Ann Johnson was thinking perhaps every other week in summer based on enough participation. Attorney David Avigdor pointed out that the State of New York Agriculture and Markets division might have regulations regarding this and that baked goods, canned products etc. would fall under the Board of Health. Attorney David Avigdor explained that the Town would be responsible for checking to make sure that the vendor had the proper license.

PUBLIC INPUT ON RESOLUTIONS –

None

Motion, made by Councilman Jeff Gray, seconded by Councilman Preston Allen, to **Approve** the following resolutions:

Resolution #2013-21 Re-Appointment of Dick Traeger to the Planning Board

Resolution #2013-22 Re-Appointment of June Dixon to the Zoning Board of Appeals

Resolution #2013-23 Resignation of David Cox from the Planning Board

Resolution #2013-24 Appoint Planning Board member Ted Mirczak Chairman of Planning Board

Resolution #3013-25 Adopt 2014 Preliminary Budget as 2014 Final Budget

Resolution #2013-26 Authorization to allow Supervisor to transfer funds from one account to another as necessary

Ayes: Supervisor Mary Ann Johnson, Councilman Preston Allen, Councilman Charlie Dreyer, Councilman Jeff Gray.

Carried 4 – 0

CORRESPONDENCE -

Supervisor Mary Ann Johnson has received a letter from the Hadley – Luzerne Lions

Club regarding their Christmas list. They are requesting names if anyone has someone.

Mr. George Hanstein – Horse Hill Road, has sent a very complimentary letter to the Supervisor and Town Board members regarding the Town of Day Highway crew.

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Supervisor Mary Ann Johnson has correspondence from Time Warner cable regarding some stations that are changing or being removed.

Supervisor Mary Ann Johnson and Councilman Preston Allen discussed the bookkeeping position and the changes that will occur in 2014 regarding wages, hours and duties for that position. Supervisor Mary Ann Johnson suggested the title for the job should probably be changed to Accounting Clerk.

Motion, made by Councilman Charlie Dreyer, seconded by Councilman Jeff Gray, to **adjourn** this Regular Meeting of the Day Town Board was made at 7:37PM.

Ayes: Supervisor Mary Ann Johnson, Councilman Preston Allen, Councilman Charlie Dreyer, Councilman Jeff Gray.

Carried 4 – 0

Carol Vaillancourt
Town Clerk