

REGULAR MEETING - October 11, 2007 - DAY TOWN BOARD

A REGULAR MEETING of the Town Board of the Town of Day, New York was held in the Town Hall on October 11, 2007.

The meeting was called to order by Supervisor Mary Ann Johnson at 7:00 PM and the following answered roll call - Town Council: Neil Allen, Percy Allen, Suzanne Denn, Preston Allen, Town Clerk Carol Vaillancourt, Highway Superintendent Scott York, Planning Board Chairman David Cox, Planning Board member Charlie Dreyer, Justice Charlie Krom. Attorney David Avigdor was absent from this meeting.

SPECIAL PRESENTATIONS -

Regina York - EXCEL project for H-L School -

Regina York and Kate Dubois spoke regarding the EXCEL project, relating to the proposed renovation project at the Hadley-Luzerne Central School's main building.

Kate Dubois explained the proposed changes to a parking lot, lobby etc. could be paid for using an EXCEL grant and building aid, which would pay for 100% of the improvements. No tax dollars would be expended, therefore there would be no increase in taxes.

Mr. Robert Penna from RMPC, Mr. Rich Reuther and Mr. Randy Tubbs from the Corinth Emergency Squad were not present at this time, so Supervisor Johnson started the regular part of the meeting.

Motion made by Percy Allen, seconded by Suzanne Denn, to **approve the audited claims** as follows:

#236 - #237	General Fund	\$1039.53
#238 - #257	General Fund	\$35,312.44
#116 - #127	Highway Fund	\$18,856.58

Ayes: Neil Allen, Percy Allen, Suzanne Denn, Preston Allen, Supervisor Johnson

Carried 5 - 0

Motion made by Suzanne Denn, seconded by Neil Allen, to **approve the minutes** from the September 10, 2007 Regular Meeting and the minutes from the October 09th Special Meeting.

Ayes: Neil Allen, Percy Allen, Suzanne Denn, Preston Allen, Supervisor Johnson

Carried 5 - 0

Motion made by Preston Allen, seconded by Neil Allen, to **approve the September reports** from the Town Justice, Town Clerk, Zoning Enforcement, CEO, Assessor and Supervisor.

Ayes: Neil Allen, Percy Allen, Suzanne Denn, Preston Allen, Supervisor Johnson.

Carried 5 - 0

COMMITTEE REPORTS -

Assessor - Supervisor Johnson explained to the audience that the new assessor, Duane Nealon, was not required to attend the monthly meetings. If the Board feels that the Assessor needed to be at a particular meeting they would request that he attend. He will provide a monthly written report.

Highway Superintendent - Highway Superintendent Scott York stated that he and his crew have finished the emergency repair on the Min Allen Road bridge. His crews are now getting ready for winter.

OLD BUSINESS -

Adult Entertainment Proposed Law - Mr. Robert Pena from RMCP has written up a proposal that has been distributed to each Board member. Mr. Pena sent the proposal to Supervisor Johnson prior to tonight's meeting and is scheduled to speak regarding this proposal at this meeting.

Supervisor Johnson and Planning Board Chairman David Cox both spoke to Mr. Richard Lamb, of SUNY Plattsburgh, regarding the update of the Town's Comprehensive Plan and zoning laws. Mr. Lamb said that he could file an application through Adirondack Park Community Smart Growth program for funds to be used for this project.

Action report from OES on Fire Dept/EMS coverage which was received to the September meeting - Having received the OES reports from both Paul Lent and Mike McAvoy regarding this, the Town Board has decided to take no further action on this issue at this point.

Motion made by Suzanne Denn, seconded by Preston Allen, to **table** the Fire/EMS study issue.

Ayes: Neil Allen, Percy Allen, Suzanne Denn, Preston Allen, Supervisor Johnson.

Carried 5 - 0

Update on noise problem on lake from boats - Supervisor Johnson stated that she checked with the Town Court regarding the number of tickets issued in 2007 for boat speeding infractions and none were issued. Sheriff's department said that the speed limit will be enforced since they have purchased meters and will be on the lake from 10:00 AM - 6:00 PM seven days a week June - September.

Letters to Fire Dept's, Emergency Squads, Sheriff on response times for E911 calls in Town of Day -

Supervisor Johnson stated that although she sent out requests for this information three weeks ago, she had only received a response from the Sheriff's Dept. Supervisor Johnson stated also that some information is not available to the public and the Sheriff's Dept. Will not provide this information per NYS County Law 308 (4).

NEW BUSINESS -

Bids received on H/W Supt. Office addition - Supervisor Johnson requested the Board not take any action on the bids received at this time as they were much higher than expected and she wanted to discuss it with Highway Superintendent Scott York and Engineer

Garry Robinson The bids were as follows:

Stephen Miller General Contractors Inc.	\$65,569.00
V & H Construction Inc.	\$59,900.00
Kevin Hanna - Quality Builders	\$53,200.00

Advertise for positions open on Zoning Board of Appeals, Planning Board, and the Board of Assessment Review - Supervisor Johnson reminded the other Board members of a resolution that was passed last year regarding advertising for positions that were about to expire on each of these Boards. The Board instructed the Town Clerk to place an advertisement for the positions.

Set date for Public Hearing on Preliminary Budget - The Hearing date for the Preliminary Budget was set by the Town Board for 6:00 PM on November 08th, 2007.

2007 Adirondack Park Commission Smart Growth Program - Supervisor Johnson

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stated that there is information available regarding this program in the correspondence folder. Planning Board Chairman David Cox stated that he will get in touch with Mr. Richard Lamb in regards to file the application for a grant through this program.

Adirondack Park Regional Assessment Project - Supervisor Johnson stated that there is a study being done on the Adirondack Park and explained what was being done. Supervisor Johnson then asked the other Board members whether the Town of Day would like to contribute. The amount is \$400.00 (\$150.00 in 2007 and \$250.00 in 2008). The Board members agreed to the Town contributing towards this project.

Motion made by Suzanne Denn, seconded by Neil Allen, to **contribute** \$400.00 towards the Adirondack Park Regional Assessment Project.

Ayes: Neil Allen, Percy Allen, Suzanne Denn, Preston Allen, Supervisor Johnson
Carried 5 - 0

CORRESPONDENCE - (Additional information available in the correspondence folder)

From: Adirondack Park Agency in Ray Brook NY
Re: Workshop on CDBG grant program to be held in Ray Brook on Oct. 22nd

From: Town of Northampton
Re: Joint Youth Commission

From: United States Senate
Re: 2008 Teaching American History Grant Program

From: Edinburg Volunteer Fire Co., Inc.
Re: Thank you letter for participating in the 50th Anniversary celebration

From: Rebuilding Together - Saratoga County
Re: Non-profit organization that helps low-income, elderly or disabled homeowners their home repairs.

From: National Grid
Re: Has transferred all Outdoor Lighting inventory and order processes to the same computer system that they currently use to generate their bills.

From: Senate - State of New York
Re: Shared municipal interests

From: Laberge Group
Re: Applications for grants for the 2007-2008 round of the Shared Municipal Services Incentive Grant Program (SMSI)

From: Gazette
Re: Article regarding rule changes proposed by the HR-BR Regulating District.

SPECIAL PRESENTATIONS -

Mr. Robert Penna from RMPC gave a presentation on his proposal to help the Town write a law on Adult Entertainment. Mr. Penna outlined his experience in this field and how he could help the Town in this area. He has worked in a number of towns who

have implemented this law. He has appeared in court for various towns who have had this law challenged in some manner, so Mr. Penna also has experience in this area. Mr. Penna stated that he could make recommendations on what area of the Town would be best suited to be designated for this use, what area would need approval by the APA etc. Mr. Penna stated that he could probably have this finished within 60 days for the Town. Supervisor Johnson stated that the Town might want to have adjoining towns join us in attaining adult entertainment laws for their own towns. Supervisor Johnson stated that there is proposal expected from another company that the Board will need to look at.

INPUT FROM PUBLIC -

Laney Quodomine asked the Town Board if anything was going to be done about the allegation she has made about a business being operated on the South Shore with sailboats. Supervisor Johnson stated that there has been no evidence brought forward that there is in fact a business being operated from that location. Supervisor Johnson reminded Mrs. Quodomine that at the September 10th Regular Meeting, when litigation concerning this situation and the Town's handling of it was mentioned, Town Attorney David Avigdor put a stop to any further discussion on this matter stating that since litigation against Mr. Metzler, a Town Employee, had been mentioned by Mrs. Quodomine, so further discussion could be carried out by the Town Board except in Executive Session.

Motion made by Percy Allen, seconded by Suzanne Denn, to **adjourn** this Regular Meeting of the Day Town Board was made at 8:31 PM.

Ayes: Neil Allen, Percy Allen, Suzanne Denn, Preston Allen, Supervisor Johnson
Carried 5 - 0

Carol Vaillancourt
Town Clerk

