

REGULAR MEETING - March 13, 2006 - DAY TOWN BOARD

A REGULAR MEETING of the Town Board of the Town of Day, New York was held in the Town Hall on March 13, 2006.

The meeting was called to order by Supervisor Mary Ann Johnson at 7:00 P.M. and the following answered roll call - Town Council: Neil Allen, Percy Allen, Preston Allen, Highway Superintendent Scott York, Assessor George Madison, Justice Dwyer, Justice Krom, Attorney David Avigdor, Planning Board Member Jack Vaillancourt. Also in attendance were three students, Rochelle, Kayla and Lyndsey, who were auditing the meeting for a class assignment. Absent from the meeting was Councilman Suzanne Denn.

Motion made by Percy Allen, seconded by Pres Allen, to **approve audited claims** as follows:

#64 - #85 General Fund \$11,621.40

#13 - #21 Highway Fund \$23,066.39

#68 Trust & Agency Claim \$280.90

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

Carried 4-0

Motion made by Pres Allen, seconded by Neil Allen, to **accept the minutes** of the February 13, 2006 Regular Meeting.

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

Carried 4-0

Motion made by Neil Allen, seconded by Percy Allen, to **accept February Monthly Reports** from the Town Clerk, Justice Krom, Justice Dwyer, Assessor, Zoning Enforcement Officer and CEO.

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

Carried 4-0

COMMITTEE REPORTS - None

OLD BUSINESS

Review of Adult Entertainment Policy - A report was given by Councilman Preston Allen stating that he is still looking into the situation and that he will be arranging a meeting with CEO Ken Metzler to look at various zones that could be used for this purpose.

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Status on Purchase of Senior Van - A New 2006 Ford Eight Passenger Van has been ordered. Total cost \$17,625.00. The portion taken care of by the County will amount to \$13,219.00 and the Town will provide \$4406.00. The Van should be delivered by late June.

Status on Highway Garage Plans - Had meeting with Garry Robinson, P.E. about moving sand pit to make way for new garage - not enough room. Talking with Benny Allen regarding the purchase of his property to make enough room for the new garage to be placed on the combined site if purchase is completed. Attorney Avigdor suggested executive session to discuss the issue of purchasing the property from Mr. Allen.

Status of MWRRP Pre-Application - Received an e-mail from Duane Nealon on status of pre-application. The Towns application is #742 the number at the top of the list is #655. Maybe funded in 2008 but probably not in 2007.

Status of Phone System - The hard drive was lost during a storm. Currently there is no voice mail - no ringing, only blinking lights. The new parts should arrive this week. Not sure of the exact cost - should be between \$600.00 and \$700.00 to fix. It has been very frustrating for both the townspeople and for the people working in the building. Need to address getting a new system. Money was not put into the budget to replace it this year. Will try to put it in for next year.

Status on Gazebo - Supervisor Johnson did not receive Councilman Denn's report on this yet.

NEW BUSINESS

Motion made by Neil Allen, seconded by Pres Allen, to **allow** the Greater Sacandaga Lake Association to hold a Boater Safety Course at the Town Hall on July 08, 2006.

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

Carried 4-0

Resolution #2006-16 made by Percy Allen, seconded by Neil Allen, to **sign a contract** with Saratoga County Office Of Aging for purchase of Senior Van.

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

Carried 4-0

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Resolution #2006-17 made by Pres Allen, seconded by Percy Allen, to **allow** a Saratoga County Resident, rather than just a Town of Day Resident to be a Deputy Town Clerk.

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

Carried 4-0

Resolution #2006-18 made by Neil Allen, seconded by Pres Allen, to **appoint** Diane Byrne as Deputy Town Clerk.

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

Carried 4-0

Confidential Information Disclosure - Town Attorney David Avigdor stated at tonight's meeting that the Town must adopt a policy for notification of individuals if confidential information is disclosed by a security breach.

If New York State Residents information such as social security numbers, drivers license numbers, access codes, passwords, credit card numbers, etc. were mistakenly sent electronically to third parties they must be notified as soon as the error is discovered.

A resolution for notification must be adopted by April 06, 2006 as required by New York State law.

Resolution #2006-19 made by Pres Allen, seconded by Neil Allen, was **made to adopt** a policy for notification of persons having confidential information disclosed by an electronic security breach.

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

Carried 4-0

Discussion regarding FOIL Law - Laws concerning public access to records are already in place with the State but Attorney Avigdor states that each municipality must adopt laws.

This will need a date set in April for a public hearing in May.

The Board cannot set a date at tonight's meeting as it must have 10 days to read the report it received prior to the start of tonight's meeting. After the 10 days have passed a date can be set to discuss this issue.

Revaluation of Property - Supervisor Johnson stated that the next step is to get a contract signed with Appraisal Consultants, a move that Assessor George Madison agrees with. Assessor Madison stated that we can just update the old contract as he has spoken with them and thinks everything has been addressed.

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Resolution #2006-20, made by Neil Allen, seconded by Pres Allen, to **sign a**

contract with Appraisal Consultants after the old contract is updated with correct figures and dates.

Ayes: Neil Allen, Pres Allen, Percy Allen, Supervisor Johnson

Carried 4-0

Review of Future Use of Historical Museum - Supervisor Johnson is going to be meeting with Ruby Marcotte our local Historian and request she get information from the State Historian on how to dispose of items. Supervisor Johnson will also meet with Ken Metzler, the Building Inspector for the Town and Councilwoman Suzanne Denn, Chair of the Buildings Committee, on the cost of doing the necessary renovations to make it handicap accessible and what are the code requirements for this project.

Purchase of Back-up Generator - Supervisor Johnson raised the issue of the Town purchasing a back-up generator for the Town Hall. Citing loss of employee productivity during power outages and other issues such as freezing pipes etc. the point was also made that the Town Hall could then be used as a warming station during outages if the situation warranted it.

Student Substance Abuse Meeting - On March 02, 2006 representatives from the Hadley-Luzerne Community That Cares Task Force held a meeting at Town Hall. They left information for Supervisor Johnson that cited various statistics about drug and alcohol abuse among school age children at Hadley-Luzerne School that was very disturbing.

CORRESPONDENCE

HEAP - Is still available through April 14th.

Speed Limit Buoys - George Gregory of New York State DEC - Navigation Unit, has brought it to the Supervisors attention that six of the 45mph and 15mph speed limit buoys on the lake need to be replaced. They have been repaired many times and can no longer be fixed. The Town will pay for the buoys at a cost of \$822.00 and the DEC will install them and maintain them.

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PUBLIC COMMENT

Judge Krom reminded Supervisor Johnson about the Justice Court Assistance Program which he has the grant papers for. Supervisor Johnson Stated that she

reviewed the grant papers but it doesn't cover renovations.

Motion made by Percy Allen, seconded by Neil Allen, to **go to executive session** at 7:34 P.M. for a discussion on the proposed acquisition of real property.

Motion made by Neil Allen, seconded by Pres Allen, to **end executive session** was made at 7:46 P.M.

Motion made by Percy Allen, seconded by Pres Allen to **adjourn meeting** was made at 7:51 P.M.

Carol A. Vaillancourt
Town Clerk