

## **REGULAR MEETING - February 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 February 13, 2006.

The meeting was called to order by Supervisor Mary Ann Johnson at 7:12 P.M. and the following answered roll call - Town Council: Suzanne Denn, Neil Allen, Percy Allen, Preston Allen, Highway Superintendent Scott York, Assessor George Madison, Justice Dwyer, Justice Krom, Planning Board Member David Cox. Also in attendance was former Assessor Charles Dreyer.

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

#22 - #28 General Fund \$7,437.60

#1A Highway Fund \$10,293.00 T & A \$280.90

#1 -12 Highway Fund \$25,259.10

#29 - #60 General Fund \$53,307.08 T & A \$280.90

#355 -#357 General Fund 2005 \$518.39

#358 Highway Fund 2005 \$5,000.00

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

**Carried 5-0**

**Motion** made by Percy Allen, seconded by Neil Allen, to **accept the minutes** of the January 09, 2006 Regular Meeting.

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

**Carried 5-0**

**Motion** made by Suzanne Denn, seconded by Pres Allen, to **accept January Monthly Reports** from the Town Clerk, Justice Krom, Justice Dwyer, Assessor, Zoning Enforcement Officer and CEO.

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

**Carried 5-0**

**COMMITTEE REPORTS** - None

### **OLD BUSINESS**

**Review of Adult Entertainment Policy** - A report was given by Councilman Preston Allen stating that he reviewed the Malta and Wilton policies and zoning on this matter. Will set up a meeting with Supervisor Johnson and Ken Metzler to look at various zones and to review policies.

**Status of Senior Van** - Ken Metzler has not been able to get anything on state contracts from local dealership. Ken is working on an update so he can get prices

to Supervisor Johnson.

**Status of RFP for Highway Garage** - Supervisor Johnson, Councilman Suzanne Denn, Building Inspector Ken Metzler and Highway Superintendent Scott York had a planning session with Garry Robinson - Project Engineer to discuss designs for the new highway garage prior to the Town Board Meeting. The Board received plans based on that discussion of how the new garage should be laid out just before the meeting.

The original proposal was to tear down the old town garage building and build the new garage on that site. The new proposal by Highway Superintendent York is to move the sand pit to a new location and place the new building on that site instead. This would give the highway department use of the old building until the new one is completed then the old building can be torn down. New site would need to be checked to see if it meets set backs.

Project not going to materialize this year. Quotes and bids etc. which need to be gathered won't be in place in time.

\*Soil Samples For Project - Need four (4) tests for boring and loading capacity. Three (3) tests @ 15' and one (1) test @ 50'. Cost for this set of tests is \$4,000.00.

\*Topographical Survey - Survey cost is \$2,000.00.

The Town Board must authorize the above two expenses.

The two items above have to be paid for out of the General Fund.

Project may be funded in whole or in part by a Bond.

**Motion** made by Pres Allen, seconded by Neil Allen, to **meet** with Garry Robinson - Project Engineer before authorizing tests to discuss changing location of building site.  
Ayes: Suzanne Denn, Neil Allen, Percy Allen, Pres Allen, Supervisor Johnson.

**Carried 5-0**

**Motion** made by Pres Allen, seconded by Neil Allen, to **approve** the estimates for tests and topography survey whenever final decision is made on location of new building.

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

**Carried 5-0**

**Resolution #2006-15** - made by Pres Allen, seconded by Suzanne Denn, to **direct that the ceiling for veterans exemptions be raised** based on assessed valuation of property changing from \$120,000.00 to \$240,000.00 maximum amount which follows the same action taken by Saratoga County. Supervisor Johnson noted that the county went with the maximum amount but the Town can do whatever amount it likes.

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

**Carried 5-0**

**Gazebo** - Councilman Denn, who is heading the Gazebo Regulations Committee, stated that she checked with both Luzerne and Hadley regarding the policies for

gazebo use those towns. They both have a garbage in - garbage out policy but other that neither has a specific policy, just regular regulations concerning noise etc. Issues that were addressed concerning the use of the gazebo during the meeting were:

Concerts - Should there be a fee to use gazebo if it is not something set up by town officials?

Deposits - Requiring a large deposit for clean-up if a band not contracted by the town comes in and wants to use the gazebo for a concert.

Fees - The Board feels that there should not be any fees for the use of the gazebo unless it becomes necessary.

Hours - That there should be hours set up for the use of the gazebo.

Registration - Councilman Neil Allen feels that people wanting to use the gazebo should register with the Town Clerk.

Supervisor Johnson feels that there should be no deposit if possible as people will feel that there tax money paid for the gazebo. Also, that the Town should institute a clean-up deposit if the gazebo and grounds are mis-used.

Councilman Suzanne Denn stated that she will try to write up the rules and regulations for use.

## **NEW BUSINESS -**

**Pre-application for MWRRP grant** - Pre-application has been filed for the recycling grant. Duane Nealon of Carrowmore Associates didn't give exact date - should be within 60 days.

**Agreement for Scrap Metal** - Supervisor Johnson stated that the Town received two calls from companies who want our metal. One company is Johnson Auto Crushers, who gave a price of \$15.00 per ton and the other company is Northern Car Crushers, who gave a price of \$22.00 per ton.

Have contract that states materials would be picked-up within 30 days after being contacted by Highway Superintendent York.

**Motion** made by Suzanne Denn, seconded by Pres Allen, to **approve contract** with Northern Car Crushers based on approval from the Town Attorney David Avigdor.

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

**Carried 5-0**

**Revaluation of Property** - At the meeting a discussion with Former Assessor Charles Dreyer and Current Assessor George Madison regarding revaluation and the use of Appraisal Consultants who were used for the last revaluation took place.

Assessor Madison asked if the Board wanted to use the same company again or go out to bid. Appraisal Consultants usage for the last revaluation was a positive experience and also was the lowest bidder. Mr. Dreyer and Mr. Madison both have experience with this company.

Assessor Madison stated that he will need a resolution to be passed by the Board to do a revaluation for all properties in the Town of Day for the 2007 Tax Roll.

**Resolution 2006-#11** - by Neil Allen, seconded by Suzanne Denn, to **direct that a complete revaluation** of all properties in the Town of Day be completed for the 2007 Tax Roll.

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

**Carried 5-0**

Supervisor Johnson stated that we need to find out what Appraisal Consultants would charge to do the new revaluation. Assessor Madison said he will find out the price from Appraisal Consultants and stated that if it is too high the job will go out to bid. The Town paid Appraisal Consultants \$39,000.00 the last time.

Assessor Madison stated, and former Assessor Charles Dreyer agreed, that the Assessors office will need a new computer. They stated that the laptop that is currently being used has pictures and other information missing. A lot of in-house work needs to be done so they feel that there is a need for a new permanent office computer and that the laptop could still be used for field work.

Supervisor Johnson stated that she will need specs on the new computer.

Also mentioned at the meeting was that Assessor Madison would get a price from Appraisal Consultants to do pictures and make sure inventory is correct. Assessor Madison will get two quotes - one with them doing pictures - one without pictures. Assessor Madison said that the Office of Real Property Services is coming out with a new program in a couple of weeks.

Also, that the Office of Real Property Services has to schedule the Town for a revaluation.

**Approval for Expenditure of Highway Moneys** - Highway Superintendent York has given a report stating the need for \$85,000.00 for repaving the top of Yates Hill Road to Military Road at a distance of 2.3 miles. Also, \$127,125.12 for general repairs of town highways which includes salaries and expenses. Board is signing approval.

The Town Board interviewed three people this evening for the position of Assessor's Clerk.

**Resolution #2006-12** - made by Pres Allen, seconded by Suzanne Denn, to **hire Jean Knobloch** for the Part-Time Assessor's Clerk position at a rate of \$10.50 per hour.

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

**Carried 5-0**

The Town Board interviewed three people this evening to fill the Zoning Board of Appeals opening.

**Resolution #2006-13** - made by Neil Allen, seconded by Suzanne Denn, to **appoint**

**Hank Lang** to fill the un-expired term of former Zoning Board of Appeals member Kathy Prud'Homme. This appointment will expire on December 31, 2010.

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

**Carried 5-0**

## **CORRESPONDENCE**

Niagara-Mohawk Power Corporation filed an inventory refund of \$296.00 with the Town of Day due to a lighting change at highway garage.

The American Red Cross is planning a special ceremony to recognize people who helped with Hurricane Katrina. Need a list of local people who went to work on Hurricane Katrina.

## **INPUT FROM PUBLIC - None**

**Resolution #2006-14** - made by Neil Allen, seconded by Suzanne Denn, to **hold Grievance Day 2006** on the 4<sup>th</sup> Wednesday in May making it May 24, 2006. This is in agreement with Assessor George Madison.

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

**Carried 5-0**

**Supervisor Johnson**, Planning Board Members David Cox & Ted Mirczak, Building Inspector Ken Metzler, Zoning Officer Herb Sjolund, Larry Phillips - APA, Brian Grisi - APA (Local Planning), Mike Gersten - International Paper Comp., Stephen Satterfield - Finch, Pruyn & Comp., Rich McDermott - NYS DEC all attended a meeting at the Day Town Hall to discuss the logging part of the Towns Zoning. Will have some recommendations which Chairman Cox will be sending to the committee for review - then he will bring them before the Town Board.

**Judge Krom** informed the Board that the trial for the Town Ordinance Infraction concerning property maintenance is set for March 1<sup>st</sup>. Town Attorney David Avigdor has been notified.

**Motion** by Percy Allen, seconded by Preston Allen, to adjourn meeting at 7:49 P.M.

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

**Carried 5-0**

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Carol A. Vaillancourt, Town Clerk