

## REGULAR MEETING - July 10, 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 July 10, 2006.

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, Preston Allen, Suzanne Denn, Highway Superintendent Scott York, Assessor George Madison and Planning Board member David Cox.

Absent: Attorney David Avigdor

**Motion** made by Percy Allen, seconded by Suzanne Denn, to **approve transfer of funds** in the amount of \$36,009.77 from Highway Unreserved Fund Balance to Acct. 51122 for blacktopping overrun of Yates Hill Project.

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

**Carried 5-0**

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

General Fund Claims:

#173	\$ 310.00
#174 - #198	\$ 16,044.81

Highway:

#50 - #57	\$132,820.27
T & A	\$ 272.00

**Motion** made by Neil Allen, seconded by Percy Allen, to **approve the minutes** of the June 12, 2006 Regular Meeting.

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

**Carried 5-0**

**Motion** made by Pres Allen, seconded by Neil Allen, to **approve the June monthly reports** from the Assessor, Town Justices, Town Clerk, Zoning Enforcement Officer, Code Enforcement Officer and Planning & Zoning 2<sup>nd</sup> Qtr. Report.

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

### **COMMITTEE REPORTS**

**Day Community Projects Committee** report was given by Supervisor Johnson regarding the upcoming "Day" In The Park event to be held July 15, 2006. The DJ, Food by Stony Creek Inn and the Pie & Strawberry Shortcake Sale are all arranged. Also, the fireworks were scheduled to be set of at dusk by Alonso Fireworks Display again this year.

### **OLD BUSINESS**

**NYSERDA** energy audit was completed but the Town has not received the results yet. Supervisor Johnson stated that she will call and check on this.

**2000 Van Status** - The Town Board was going to retain the van to be used during the re-val this year, but as there is not going to be a re-val the need to keep the van is questionable. Councilman Percy Allen stated that if we have a need for it we should keep it and Councilman Pres Allen agrees. It was decided to keep a log for 30 days to track the use of the van and revisit the issue at the next Board meeting on August 14, 2006.

**Town Owned Land Parcels** - As was discussed at a previous meeting of the Board - "Bushy Park" cannot be sold. The property on North Shore Road that used to have the Town Garage building on it can be sold. This is next to Dr. Bell's residence at 2924 N. Shore Road and can be sold for fair market value. This property was appraised in 2003 and valued at \$3,000.00. The

assessed value on the 2006 Tax Roll is \$41,000.00. Assessor George Madison pointed out to the Board that the Town could hire an appraiser to have it appraised again and Supervisor Johnson asked the Board how they felt about having it re-appraised.

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Councilman Pres Allen did not think previously about selling as he did not think it was worth that much.

Councilwoman Suzanne Denn stated that the Town should sell if its worth that much.

Councilman Percy Allen said the Town should sell and get the property back on the tax roll.

Councilman Neil Allen stated that the Town should sell if we can get a decent price for it.

All agreed that it should be sold as soon as possible after the appraisal was completed.

Assessor Madison stated that with the last appraisal the appraiser compared the land to three parcels that were not near the lake. The Appraiser has to be the one to assign Fair Market Value.

Assessor Madison suggested using an appraiser from Appraisal Consultants, but Supervisor Johnson was concerned with conflict of interest as we want to use them next year for the revaluation.

She suggested advertising and receiving quotes from 3-5 appraisal services.

**Discussion on Property Revaluation Project** - The Town requested from

HRBR Regulating District the names and addresses of permit holders on lake. They would grant the request on the condition that the Town gives a sworn statement that the information would not be used for solicitation. This would be a list of both front and back lot holders.

Assessor Madison stated that the holding of a permit does reflect on the value of the property.

Supervisor Johnson will be meeting with Appraisal Consultants next week or the week after to discuss this issue.

**NEW BUSINESS**

**Animal control** - Dog Control Officer Connie Eno will be out for knee surgery starting on July 18, 2006 for an indefinite time. Connie has contacted Hadley Dog Control Office Jim Jenkins to help out and also the County, who will take calls and refer them if Mr. Jenkins is not available.

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**Status of four wheelers on Town Road** - Some complaints have been received concerning the speeding, noise & mis-use of property by four wheelers. The Town would need a Town Law to keep them off Town Roads, but we will check with Town Attorney David Avigdor regarding current laws and the possibility of placing an ad.

**Use of H-F trash plant** - Highway Superintendent Scott York checked on the price per ton at the Hudson Falls plant. It is only \$56.00 per ton there as opposed to the \$62.00 per ton the Town is now paying with Hiram Hollow, plus Hiram Hollow also charges a fuel surcharge which Hudson Fall does not. Supervisor Johnson may be requesting a resolution from the Board to change companies once she has spoken with Hudson Falls and confirmed the amount per ton and other details.

**Request to change collection point** - The owners of the corner lot at Van Patten and Rosebloom have requested that the collection point for garbage and recyclables be moved from its current position as they now own the property and the residents leaving bags there are making a considerable mess. Highway Superintendent Scott York has suggested bringing the dumpster down to the end of the pavement where the dirt road starts. The Town would have to notify the property owners in that area of the change. Highway Superintendent Scott York & Supervisor Johnson will visit the area prior to the next Town Board meeting

**Preview of the Proposed Tree Cutting Law** - Planning Board member Ted Mirczak has added the APA comments to this proposal and the revised pages were passed out at this meeting for the Board members to review. This revised edition was also e-mailed to Attorney David Avigdor for his perusal and to make any necessary changes before a

Special Meeting is called so that the Board can set a date for a Public Hearing.

Planning Board Member David Cox did question the Board as to whether or not they thought they could support this proposal and if the Board feels it can go ahead with the proposed law.

The DEC, IP, etc. were at the second meeting and they all seemed

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agreeable that this proposal would be acceptable. It doesn't prevent logging only clear cutting. Only about 22% of the Town that is in the viewshed area and lake view property are affected by this proposal. Councilman Neil Allen stated that the Town needs to enforce existing laws.

Also that papers should be filed with the CEO in each case so that the Town knows what is going on.

Councilman Pres Allen said that he feels better knowing that IP and Finch Pruyn had input on this matter.

Councilwoman Suzanne Denn agrees with Councilman Pres Allen.

Councilman Percy Allen agrees also.

The Board agrees to go forward and support this proposal.

**Set date for Public hearing** - The Board will wait until the Town has heard from Attorney Avigdor and they have read the proposal with any changes that may have been made by the Town's Attorney. After it has been in the Board's hands for 10 days a Special Meeting will be called to set the date for the Public Hearing.

**Update on Historical Museum** - The Museum will open on July 26<sup>th</sup>, from 10AM -3PM and be open every Wednesday thereafter.

An ad for volunteers will be placed looking for people to sit at the Museum any other days of the week that the Town can get them for.

Ruby Marcotte will be resigning as Town Historian at the end of the year. There will be an ad placed for this position also - the Supervisor has had someone ask her about this position already.

The offices of the Assessor and the Tax Collector/Zoning Enforcement Officer will be switched as the TC/ZEO office is larger and there are two

people using the Assessors office at the same time. This is not the case with the TC/ZEO as they do not use the office at the same time, nor do they need as many filing cabinets, desks etc.

The Judges will select furniture for their office from the furniture being stored in the garage. The rest of the furniture will have to be disposed of by the Judges before winter.

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### **CORRESPONDENCE**

E & A meeting - County, Town or School Exemption is available for parents who have been provided with a place to live within the home owned by their children. The request for a County Exemption did not get approved at County Level. Supervisor Johnson stated that the Town does not allow this type of housing.

Town of Corinth - Letter thanking us for use of equipment on Wilton Mountain Project.

### **INPUT FROM PUBLIC**

Councilman Neil Allen mentioned the computer problem with the Assessors office. Assessor Madison stated that he has an idea what happened to the pictures. Supervisor Johnson pointed out that all the computers in the Town Hall ,except the tax collectors, have a back-up system now, so that problem does not happen again. The tax collectors office will have one prior to the start of the 2007 tax collections.

**Motion** made by Percy Allen, seconded by Suzanne Denn, to **adjourn meeting** was made at 7:47PM.

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

**Carried 5-0**

Carol Vaillancourt  
Town Clerk