

REGULAR MEETING - May 08, 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 May 08, 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, Attorney David Avigdor and Justice Krom.

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

#115 - 137 General Fund \$10,943.92

\$1,202.99 T & A

#30 38 Highway Fund Claims \$14,558.44

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

Carried 5-0

Motion made by Pres Allen, seconded by Neil Allen, to **accept the minutes** of the April 10, 2006 Regular Meeting.

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

Carried 5-0

Motion made by Suzanne Denn, seconded by Percy Allen, to **approve the April monthly reports** from the Town Clerk, Justice Krom, Justice Dwyer, Assessor, Zoning Enforcement Officer and the Code Enforcement Officer.

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

Carried 5-0

COMMITTEE REPORTS

Highway Superintendent Scott York reported that the Highway Dept. had switched in April to a four (4) day a week - ten (10) hour a day schedule.

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Regarding paving - 2.1 miles on Yates Hill Road - Mr. York stated that he wants to use Palette Stone as the source for the actual paving product as they have the state contract.

The paving crew, paver and trucks will need to go out to bid. A bid request will be placed in the Post-Star as soon as possible so that the sealed bids can be obtained and then opened at the June 12, 2006 Regular Town Board Meeting. There is an anticipated price increase due to the increasing price in petroleum based products and therefore Mr. York would like to get the job done as soon as possible. Prices for these types of products have risen sharply and will continue to do so.

The Highway Department budget for 2006 will only cover \$85,000.00 to get this job done. Mr. York has asked the Town Board to consider taking whatever the difference might be out of the Highway Unreserved Fund balance as he anticipates that the job will cost 100% more than what is in his budget.

The Board will consider this once the bids have been opened and there is a specific amount for consideration. They cannot make any decision on this until that information is obtained.

Motion made by Suzanne Denn, seconded by Neil Allen, to **authorize a bid request** be placed in the Post-Star Legal Section for a paving crew, paver and trucks.

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

Carried 5-0

New Election Voting Machines - Councilman Suzanne Denn saw the new machines at the Civic Center in Glens Falls. They were set up for demonstrations so that representatives from the towns could see how different machines would work. Councilman Denn stated that #6 seemed to be the easiest to use with a full face touch screen that printed out a slip of paper that you could review for errors and that would then drop into a locked box. Also, it was handicap accessible. She brought in literature regarding the machine that could be reviewed by the other board members. Any machine that is chosen will not be in service this year as there is not enough time left before elections.

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OLD BUSINESS

Purchase of Property - Supervisor Johnson stated that she can not see spending money on an appraisal without a firm commitment from the people who own the property adjacent to the Highway Garage to sell the parcel. Verbal agreement by the Board.

NYSERDA Energy Audit - No feedback yet. Supervisor Johnson will call and check on this as it has been 30 days since we submitted the request for the audit and have not received a response from them yet.

NEW BUSINESS

Status of old van - The new van has arrived. The Board discussed what would be done with the old van, whether it would be put out to bid, sold outright or put up for auction. The cost of the new van is \$17,626.00. The county will pay \$16,000.00 of that, the Town of Day will pay the balance of \$1,626.00.

Discussion also on whether to take the insurance and plates off the old van or leave on until next month. No decision made.

The old van can be sold privately but however the sale is accomplished the Board must determine if the Town is getting the fair market value for it.

The fair market value price can be determined by checking in the Kelly Blue Book which can be done on the internet. Councilman Denn said she would take care of this once she obtains some information such as milage etc. on the old van.

Can do a sealed bid with a minimum amount required. Send in writing to Town Hall - will be sealed until next Board Meeting. A deposit of 10% of the bid entered should be sent with bid. The checks from the bids not accepted would then be returned to the sender.

All issues on the van tabled until next months meeting.

Request for funding - Adult Recreation League - HL School

Received an insurance quote from TD Banknorth regarding use of school for activities. The towns involved must provide their own insurance which can be done as group. The four towns would be Hadley, Luzerne, Day

and

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Stony Creek. For 12 months of coverage each town would contribute approx. \$300.00 towards the insurance.

Some of the questions that were asked were - How do we know Town of Day residents would participate? Do we want to pay for one year than re-evaluate the situation?

Adult recreation services will be provided without prejudice. The Town would need a contract to provide services. Attorney David Avigdor said we can't give money without there being an entity and that we need to learn more about group - if there is an organization running program. Mary L. Fisher District Clerk at the Hadley - Luzerne School should have more information on this.

Hiram Hollow Recycling - Supervisor Johnson informed those present that on May 1st there was a price increase for recycling from \$59.00 per ton to \$62.00 per ton. Highway Superintendent York said he will check on prices through Supervisor Jean Raymond from Edinburg, on the possibility of taking our recycling to Fulton County.

Town owned land parcels - There have been two enquiries to sell Town owned parcels of land. One is Bushy Park and the other is the old Town Highway Garage property. Attorney Avigdor stated that Bushy Park is not actually a park and that towns cannot sell their parks. It was also mentioned that it is believed that the Bushy Park property had a resolution passed making it forever wild. The Town Clerk will look into this.

Regarding the Town Highway Garage property - Councilman Pres Allen noted that people park their cars on this property if they are going to use the church's beach. Councilman Neil Allen noted that after ten years of maintaining property the people maintaining it would then own it.

Supervisor Johnson noted that the Town, in holding onto land that it is not using, is not getting any tax revenue for it. Assessor Madison checked on the appraised value and the parcel across from the church which formerly held the Town Garage is listed at \$41,667.00. Councilman Percy Allen

stated that he thinks it should be sold and put back on the tax roll. The Town would need to get fair market value for the property. Attorney Avigdor stated that it could be offered privately to Dr. Bell as he was

interested in purchasing the property previously, but he would need to pay

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at least fair market value for the property. No decision made.

Request for use of Town Hall Meeting Room - Terry Weinstein has put in a request for the Town of Day Taxpayers Association to be able to use the Town Hall for two meetings this summer. The dates requested are the third Saturday in June, which is the 17th and the third Saturday in August, which is the 19th.

Motion, made by Suzanne Denn, and seconded by Pres Allen, to **approve the request** the Town of Day Taxpayers Association has been made. Ayes: Neil Allen, Percy Allen, Preston Allen, Suzanne Denn, Supervisor Johnson

Carried 5-0

Request by Dave Meager, Town Insurance Agent - Mr. Meager has requested a meeting with the Town Board. Tentative time and date set is 5:00 - 5:30 PM June 12th before the next Regular Board Meeting. Supervisor Johnson will check with Mr. Meager on this and let the rest of the Board know if this is okay with Mr. Meager.

Town wide clean-up day - Highway Superintendent York said it would be possible to have one the week before Labor Day. It takes about four days to complete and that residents could put out things like appliances etc. but no leaves or brush. Also, no tires as the Town does not have a grant this year to help pay for disposal of this item. Dates set for this clean-up are August 28th through the 31st.

Resolution #2006-22 - made by Neil Allen, seconded by Pres Allen, to **adopt a local law** relating to public access to records.

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

Carried 5-0

CORRESPONDENCE

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Received a notice from Empire Blue Cross stating that they were adding a same sex rider to group plans.

Received an e-mail from Jaime L. O'Neill, Planner - regarding the General Municipal Law Section 239-nn Amendment which Supervisor Johnson read to the Board.

Will be getting a increase in chips funding.

The Vietnam Memorial Moving Wall will be open to the public from 6:00 PM June 8th through 11:00 AM June 12th.

There will be a Child Safety Course on May 20th from 10:00 AM through 1:00 PM at the Round Lake Fire Dept. on seat belts.

There is a Green Infrastructure Meeting at the Edinburg Town Hall on May 24th from 6:30 PM - 8:30 PM.

Received a letter from DEC stating new data regarding an advisory on the consumption of small mouth bass and walleye from the Great Sacandaga Lake. They suggest a limit of 1 meal a month due to elevated mercury levels.

Input from Public

A gentleman from Sand Lake Road spoke regarding his two children not being allowed to take part in the Youth Program at Northville School because the Town of Day choose not to contribute. The Board did not feel that there were any children living in the Town who would participate in the athletic activities provided when this issue was first addressed in January.

He stated that there are 21 children who live in Day that would be eligible

to participate if the Town contributed to the funding. Molly Whitaker accompanied him to the meeting and spoke regarding this program on how the amount needed from each participating town was calculated based on

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how many children used the program last year. She noted that both Benson and Edinburg are participating in the program although the Town of Hope is not. She stated that the children from our Town going to School in Edinburg do not understand why they can't participate in the activities while other children they are going to school with can.

Supervisor Raymond from Edinburg has spoken to Supervisor Johnson and has stated that it is an excellent program. At least 4 children from the Town of Day would like to participate and the number may increase if it is known that the Town has agreed to fund their participation. The cost to the Town for the year would be \$571.76 and that would include as many children as would like to participate that live in the Town of Day and go to the Edinburg school.

Motion, made by Suzanne Denn, seconded by Pres Allen, to **contribute \$571.76 to this program** was accepted.

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

Carried 5-0

Judge Krom informed the Board that the Judges grant for funding was submitted on April 28, 2006 in excess of \$9,500.00.

Also, that Judge Krom and Court Clerk Jerry Tobia went to Warren County

Court and secured \$5,000.00 to \$6,000.00 worth of office furniture for free

as the County Court is in the process of refurbishing.

Motion by Percy Allen, seconded by Neil Allen, to **adjourn** meeting at 8:12 PM.

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

Carried 5-0

Carol Vaillancourt

Town Clerk