

REGULAR MEETING - April 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 March 13, 2006.

The meeting was called to order by Supervisor Mary Ann Johnson, at 7:01P.M. 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, Justice Dwyer, Justice Krom, Code Enforcement Officer Ken Metzler, Planning Board Member David Cox.

Also present were former Assessor Charles Dreyer, Day Community Project Committee member Sally Allen and Patricia Krom & Marjorie Rauth who were in attendance to speak regarding the new Senior Citizens groups use of the Town Hall Meeting Room.

OPENING OF BIDS - Two Bids were opened regarding the purchase of a new pick-up truck for the Town Highway Department. One was from Whiteman Chevrolet and the other was from Nemer Ford. The Town Board will hold the bids open until the price is checked on pick-up trucks meeting the specifications through state bids.

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

#87 - #114 General Fund \$16,213.57

#86 \$74.55, \$2.85 General Fund - \$21.90 Highway - \$49.80 T & A

#22 - 29 Highway Fund Claims \$8,781.31 \$280.90 T & A

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

Carried 5-0

Motion made by Pres Allen, seconded by Percy Allen, to accept the minutes of the March 13, 2006 Regular Meeting.

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

Carried 5-0

Motion made by Neil Allen, seconded by Suzanne Denn, to **accept the March Monthly Reports** from the Town Clerk, Justice Krom, Justice Dwyer, Assessor, Zoning Enforcement Officer, the Code Enforcement Officer and the Quarterly Report from the Planning and Zoning Secretary -contingent upon the correction of the CEO's hours which contained an error.

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

Carried 5-0

It was noted by Supervisor Johnson that the End Of Year Financial Reports were not yet in, but were not due until the end of April, and would be presented at the next Board Meeting.

COMMITTEE REPORTS -

Day Community Projects Committee member Sally Allen gave a report on the status of different projects being worked on by the DCPC for this year. Revamping this years projects with a new event and making some changes to the ones that are held every year.

There will be no Easter Egg Hunt this year due to poor attendance in the past.

The Day in the Park event will be held on July 15th. There will be some changes to the food that is served such as having pies to sell by the slice instead of just having strawberry shortcake for dessert. And they are contacting Scott Price regarding the music.

A Harvest Fair will be held in the fall with different activities such as dunking for apples, face painting and painting on pumpkins, a raffle of carved pumpkins, and a craft boutique among other things. Also, there will be food, apples, gourds, pumpkins etc. for sale.

The Holiday Family Celebration set for December 10th will be a combination of two events which had been held separately in previous years. The pot-luck dinner, tree lighting ceremony, children's Christmas Party and pictures with Santa will all be combined into one event. Santa will be on hand to have pictures taken with the children, hopefully with weather permitting, out in the Gazebo, also, possibly some children's crafts to keep them busy while waiting for the Tree lighting and pot-luck dinner to begin.

The Committee is hoping these changes and additions will help increase attendance at Town functions.

LOGGING UPDATE - Planning Board Member David Cox gave an update regarding the status on this situation. He stated that Ted Mirczak will be back soon and they will have some recommendations for review and will be setting up another meeting with the APA, NYS DEC, International Paper, Finch, Pruyn & Comp. and others to discuss these ideas before bringing them before the board.

OLD BUSINESS-

Review Of Adult Entertainment Policy - A report was given by Councilman Preston Allen that he had been working with Ken Metzler, our Town Code Enforcement Officer, on this issue and that Mr. Metzler would continue the report as follows: Mr. Metzler stated that he has obtained a boiler plate law on this matter where the town essentially would just need to fill in the blanks to personalize it to fit the Town of Day. There needs to be a site plan review, reasons why we are doing this, areas that cannot be used such as near schools, churches etc. , must designate what types of uses - such as what would or would not be allowed in designated area - examples such as would alcohol be allowed, massages, etc. Civic groups need to be interviewed and a public hearing would be held. What is to be done conceptually. Town Attorney David Avigdor will look everything over. He has drafted something of this nature for Corinth and will be e-mailing this draft to Supervisor Johnson.

Highway Garage - Superintendent Scott York stated that he has spoken to Benny Allen and Mr. Allen is interested in selling his property and is in the process of looking for a place to move to. Mr. Allen is having an appraiser come to do an appraisal of his property. The Town cannot make an offer on the property until we find out what the full market value of the property is. If there is a definite commitment from Mr. Allen to sell the property to the Town we could also have it appraised. Will wait to hear from Mr. Allen regarding his appraisal.

Motion made by Neil Allen, seconded by Press Allen, to **approve the amendment** written up by Councilman Suzanne Denn to the Building and Grounds Policy to include use of the Gazebo. The policy will be revised

as of April 10, 2006 and will be posted on the bulletin board for reference by residents interested in using the Gazebo.

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

Carried 5-0

NEW BUSINESS

Motion made by Suzanne Denn, seconded by Pres Allen, to **use the Historical Society Certificate of Deposit** that is maturing on May 10, 2006 to purchase a quilt case for display of a quilt from the museum. The Historical Society is defunct and therefore could not use this certificate. The money will be deposited in an account for the purchase of the quilt holder.

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

Carried 5-0

Motion made by Suzanne Denn, seconded by Pres Allen, to **set a date for the public hearing** regarding Local Law for Public Access to Records has been set for May 08th, 2006 at 6:30 PM. It will take place before the Regular Monthly Meeting and notices will be placed in the Post-Star and on Channel 71.

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

Carried 5-0

Motion made by Percy Allen, seconded by Neil Allen, to **allow the North Country Senior Citizen to meet** on the third Thursday of each month from 1:00 PM - 3:30 PM in the Meeting room of the Town Hall.

Marjorie Rauth and Pat Krom spoke about the need for a senior group in the Town of Day but did state that this group will be open not only to Day residents but any person fifty or older in Saratoga County who wishes to join. They stated that the group would be electing officers, discussing various trips (both day-trips and longer), having guest speakers, helping with the plants, they would be willing to help the DCPC if that group needed it, they might be able to supply additional drivers for the Meals - On Wheels Program, etc. They stated that any way that the group could help the community would be considered. Also, that people can belong to more than one senior group at a time if they wish to do so. The dues they

are considering are \$5.00 per year per person and it will be a non-profit organization. They feel that they have a least twenty people who are interested in joining at the moment and as people return to the area from their winter homes the number will grow quickly.

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

Carried 5-0

Volunteers needed for moving wall - Volunteers are needed June 08 - 12, 2006 for the Vietnam Veterans Memorial Moving Wall. Located in Malta - they are in going to need at least 300 volunteers to staff tables, read names of the wall, help people find names on the wall etc.

Motion made by Suzanne Denn, seconded by Neil Allen, to **have a NYSEDA Engery Audit done** which would include the Town Hall, Museum building and the Town Highway Garage. They will come in and check everything to find ways money can be saved on heating, electric, etc. It would cost \$100.00 to have done and if any of their recommendations costs more than \$100.00 to implement the Town would get the \$100.00 they paid back. Form will be filed telling them name of Town, what buildings we want done, size of buildings, names of utilities, etc.

Resolution #2006-21 - made by Pres Allen, seconded by Suzanne Denn, to **allow Judges to apply** for a grant for funding for items they may need if a move is made to turn the Museum into the Court House. The grant must be submitted by May 1st to be considered by the Committee.

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

Carried 5-0

CORRESPONDENCE

Kathleen McFarland sent a letter regarding an informational meeting on April 13, 2006 to establish a Teen Center for the Hadley-Luzerne School District students. It will take place at the Lake Luzerne Town Hall at 7:00 PM.

Great Sacandaga Lake Security Threat Action was received by the Supervisor. Town Attorney David Avigdor advised Supervisor Johnson that she just needs to sign it and send it back - no other action is necessary.

INPUT FROM PUBLIC

Code Enforcement Officer Ken Metzler pointed out that the Town Zoning Laws have not been compiled into one complete manual. He asked if Diane Byrne had been working on putting the parts together but Councilman Denn didn't think so. Also, suggested that once it is compiled it might be placed on the Town Website so that people could just download it instead of having it printed and mailed to them.

Motion made by Pres Allen, seconded by Suzanne Denn, to **go to executive session** at 7:43 PM for a discussion of the financial situation of certain personnel.

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

Carried 5-0

Motion made by Suzanne Denn, seconded by Pres Allen, to **end executive session** was made at 7:51 PM. The Petty Cash will be brought back up to the amount of \$100.00 by a transfer of funds by Supervisor Johnson from an appropriate account.

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

Carried 4-0

Motion made by Percy Allen, seconded by Pres Allen, to **adjourn meeting** was made at 7:53PM

Carol A. Vaillancourt
Town Clerk