

REGULAR MEETING - OCTOBER 12, 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 October 12, 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, Suzanne Denn, Preston Allen, Highway Superintendent Scott York, Assessor George Madison, Attorney David Avigdor, Judge Krom & Planning Board Chairman David Cox.

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

General Fund Claims:

#250 - #279 \$12,671.79

Highway Fund Claims:

#74 - #82 \$11,372.08

T & A #257 \$ 272.00

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

Carried 5-0

Motion made by Percy Allen, seconded by Neil Allen, to **approve the minutes** from the September 11th Regular Meeting.

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

Carried 5-0

Motion made by Suzanne Denn, seconded by Neil Allen, to **approve the September monthly reports** from the Town Justices, Town Clerk, Zoning Enforcement Officer, Code Enforcement Officer, Assessor, Supervisor and the Quarterly Planning & Zoning Report.

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

Carried 5-0

COMMITTEE REPORTS:

Status of Tree Cutting Project - Planning Board Chairman reports that the tree cutting revisions are being reviewed by Attorney David Avigdor. Upon his review and approval they will be sent to the Town Board members. The Adirondack Park Agency has asked for a copy and Finch Pruyn Management is interested in obtaining a copy also. The committee met with three local loggers. They had no objections as they log according to the state regulations and this law will not change anything they already do.

Attorney David Avigdor said that the proposal needs to be sent to Saratoga County Planning again as there have been changes made in the wording but a public hearing can be held before approval is received from the APA and the County. Board members must have the revised proposal 10 days before a public hearing date can be set.

OLD BUSINESS:

Proposed sale of 2000 Seniors Van - Will use NADA Guide prices to set minimum bid for van. Need to find specs on van to write legal notice.

Town owned land appraisal - Supervisor Johnson stated that the appraisal was done on the property located on North Shore Road.

Adult Entertainment Proposal - Supervisor Johnson suggested using a sample or "Boiler Plate" law. Attorney David Avigdor received the adult specific requests from the

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committee the reviewed the Adult Entertainment and was asked to work these into the same law that he wrote for the Village of Corinth. Councilperson Suzanne Denn stated that a business in Schuylerville has to apply for a permit every year at the cost of \$1,000.00. Attorney Avigdor also pointed out that if a business applies for a permit the first year and agrees to abide by all the terms in the law there would be no reason to deny it, but if by the second year the town can prove that they did not abide by the terms that they agreed to we would then have grounds to deny the permit.

One question that was asked was - who will issue the permits - the Planning Board or the Town Board. Planning Board has a longer term and are appointed not elected, so are farther removed from the political aspect.

Corinth does not have a permit requirement at this point but they are considering it.

Ad for use of 4-wheelers on Town Roads - Supervisor Johnson said she has not had a chance to speak with anyone at the DEC yet.

NEW BUSINESS:

Resolution for Proclamation honoring William Frasier as Town of Day deceased veteran on 10-16-06.

Resolution #2006-34 made by Suzanne Denn, seconded by Percy Allen, to **proclaim William Frasier** Town of Day deceased veteran at the ceremonies in Ballston Spa on Tuesday, October 17, 2006. Ayes: Neil Allen, Percy Allen, Suzanne Denn, Pres Allen, Supervisor Johnson.

Carried 5-0

Kloss property turn around - Attorney Avigdor said that he doesn't know exactly what Kloss is proposing. Property was deeded to the Town but the trucks kept running into the ledges. Kloss made a request 8 or 10 years ago to have the issue resolved. At that time the Town agreed to split the cost of a survey with him but the survey was never done. Attorney Avigdor does not think survey is necessary. Need specifics written down from Kloss on exactly what he wants, including survey maps (at his cost).

Attorney Avigdor stated that the Town needs professionally drawn survey map with accurate description of the property lines. Mr. Kloss is a seasonal resident who lives in Corinth. The Town needs to know what notes are on it, if any. Need more and enlarged copies of survey map.

turn around there. The old lease which was drawn up a number of years ago was found in a file by the Town Clerk and is due to expire in November. Superintendent York will look into it.

Justice Grant - The total of the Justice grant is \$7,557.97 and was written with the idea that they would be moving into the museum. The metal detector has been received. Supervisor Johnson asked Judge Krom if it can be put up and taken down on court nights and also who will run it? Judge Krom said it does have an on/off switch and does need to be re-calibrated from time to time. Supervisor Johnson suggested that perhaps a separate door could be built into the Justices new office for people to pass through the metal detector in their office and then enter the courtroom.

CORRESPONDENCE:

Supervisor Johnson did receive a letter of resignation from Planning Board member Nancy Morris, effective immediately. An ad will be placed to fill the position on the Planning Board.

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Resolution #2006-35, made by Neil Allen, seconded by Pres Allen, to **allow the Supervisor to make the necessary budget transfers** for the rest of the year. Ayes: Neil Allen, Percy Allen, Suzanne Denn, Pres Allen, Supervisor Johnson.
Carried 5-0

Resolution #2006-36, made by Suzanne Denn, seconded by Percy Allen, to **support the updating and improving** of the Saratoga County Emergency Communications Network with a copy being sent to the APA. Ayes: Neil Allen, Percy Allen, Suzanne Denn, Pres Allen, Supervisor Johnson.
Carried 5-0

Resolution #2006-37, made by Pres Allen, seconded by Suzanne Denn, to **approve a cash distribution** the Town's share of the 2006 Sales Tax Revenues. Ayes: Neil Allen, Percy Allen, Suzanne Denn, Pres Allen, Supervisor Johnson.
Carried 5-0

CORRESPONDENCE:

Chesterfield Town Hall - Training on Tuesday for Planning and Zoning Enforcement.

INPUT FROM PUBLIC:

Assessor George Madison spoke regarding the Green Acres Road issue. Neither he nor the Town Clerk can find any evidence that there was an official name change done from Steve Kathan Road to Green Acres Road by the Town. Supervisor Johnson suggested speaking to former Board members.

to officially change the name of the road.

Motion made by Percy Allen, seconded by Pres Allen, to **adjourn the Town Board meeting** was made at 7:45 PM.

Carol Vaillancourt
Town Clerk