

REGULAR MEETING - APRIL 14, 2008 - DAY TOWN BOARD

A REGULAR MEETING of the Town Board of the Town of Day, New York was held in the Town Hall on April 14, 2008.

The meeting was called to order by Supervisor Mary Ann Johnson at 7:02 PM and the following answered roll call: Town Council - Preston Allen, Suzanne Denn, Charlie Dreyer, Neil Allen, Highway Superintendent Scott York, Attorney David Avigdor, Code Enforcement Officer Ken Metzler, Planning Board Chairman David Cox & Judge Krom. Also in attendance was Hadley-Luzerne Central School student Cassey Wendell who was auditing the meeting.

Motion made by Charlie Dreyer, seconded by Preston Allen, to **approve the minutes** from the March 10, 2008 Regular Meeting.

Ayes: Neil Allen, Charlie Dreyer, Suzanne Denn, Preston Allen, Supervisor Mary Ann Johnson.

Carried 5 - 0

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

#87 - #89	General Fund	\$	1,368.96	
#90 - #115	General Fund	\$	20,855.03	
T & A		\$		136.98
#22 - #37	Highway Fund	\$	29,024.35	
T & A	(General Fund)	\$		2.85
T & A	(Highway Fund)	\$		20.70

Ayes: Neil Allen, Charlie Dreyer, Suzanne Denn, Preston Allen, Supervisor Mary Ann Johnson.

Carried 5 - 0

Motion made by Preston Allen, seconded by Charlie Dreyer, to **approve monthly reports** for Assessor, Justice Krom, Justice Johnsen, CEO, Town Clerk, Supervisor.

Ayes: Neil Allen, Charlie Dreyer, Suzanne Denn, Preston Allen, Supervisor Mary Ann Johnson.

Carried 5 - 0

COMMITTEE REPORTS:

Councilwoman Suzanne Denn reported on Youth Week meeting which she attended. There will be regular activities for youths at the Saratoga County Fair, July 15th - 21st. Councilwoman Denn reported that she has been working on making additions to a flyer with pertinent Town information, such as when school and town & county taxes are collected and by whom, annual events, emergency numbers etc. Also, Councilwoman Denn informed those at the meeting that there will be a free concert at the Gazebo at Town Hall on June 19th from 7 - 9 PM.

Councilman Preston Allen reported that after Supervisor Johnson made his committee aware that the Luzerne - Hadley EMS has announced it's intention to split from the Luzerne - Hadley Fire Department, Councilman Preston Allen made some inquiries into the matter. Councilman Allen reports that there is some possibility of the Luzerne - Hadley EMS joining with Corinth EMS. Councilman Preston Allen will keep the Board informed with further updates as he obtains more information.

OLD BUSINESS:

Review of Medical Insurance Policy - Motion to table until September 08th.

Motion made by Preston Allen, seconded by Charlie Dreyer, to **table this item** until such time as the review is completed.

Ayes: Preston Allen, Suzanne Denn, Charlie Dreyer, Neil Allen, Supervisor Mary Ann Johnson

Carried 5 - 0

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Klaus turn-around - Attorney David Avigdor has e-mailed the surveyor that had been contacted previously about the survey job on this project. Attorney Avigdor asked about the status on this job. Attorney Avigdor received an e-mail back saying that the survey would be done as soon as the snow melted.

Smart Growth Grant - Update - Supervisor Johnson reported that the Town did not receive any grant money from this program.

NEW BUSINESS:

Request for donation to HLSD Little League - Supervisor Johnson reported that she has received a letter asking for a donation from the Town of Day for the HLSD Little League. Attorney David Avigdor explained that the Town cannot donate public funds to private organizations, but that the Town can contract with organizations to provide services. The Board did not act on this matter.

Motion to request Planning Board review gift lot procedures in Sub-Division Law. - Supervisor Johnson asked Planning Board Chairman David Cox if the Planning Board would review this. Supervisor Johnson is concerned about the possibility of creating sub-standard lots in the Town of Day.

Motion made by Preston Allen, seconded by Suzanne Denn, to **request Planning Board review gift lot procedures** in Sub-Division Law.

Ayes: Preston Allen, Suzanne Denn, Charlie Dreyer, Neil Allen, Supervisor Mary Ann Johnson.

Carried 5 - 0

Request from CEO to Town Board to pass Local Law Providing for the Administration and Enforcement of the New York State Uniform Fire Prevention and Building Code. Code Enforcement Officer Ken Metzler has asked the Board to pass this Local Law as required by the State of New York. Town Clerk Carol Vaillancourt will provide the law to Town Board members for review at least 10 days prior to May 12th Town Board meeting so that a Public Hearing date may be set at that meeting.

Reverse 911 Update by Ken Metzler - Code Enforcement Officer Ken Metzler reports that a test was done of the Reverse 911 system. Mr. Metzler scheduled test calls to be placed to various town officials with a request to contact him on whether or not the calls were received. Mr. Metzler can activate calls in case of an emergency to include all or part of the Town of Day depending on the situation. These calls can also be activated by Saratoga County. Mr. Metzler can activate the calls from any place with internet access. The database will be updated twice a year.

Discussion on private driveways and garbage collection - Supervisor Johnson does not think the Town should be going up private driveways to collect garbage and the Board agrees with this. This decision comes after an alleged incident with the Town pick-up truck that is used to collect garbage. Attorney Avigdor informed the Board that they can change this practice with or without a motion, it was up to them. The Town Board has also stated that it will send letters to the two residents affected by this.

Resolution #2008 - 13 made by Preston Allen, seconded by Charlie Dreyer, to **change the procedure on garbage & recyclable collection** to no longer go up private driveways to collect garbage and to send letter to residents involved.

Ayes: Preston Allen, Suzanne Denn, Charlie Dreyer, Neil Allen, Supervisor Mary Ann Johnson

Carried 5 - 0

Resolution supporting Adirondack Community Housing Trust Program - This resolution is to encourage County Participation to Further the Development of Long

Term Affordable Housing, Planning and Community Development. Supervisor Mary Ann Johnson is in favor of supporting this.

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Amend Resolution #2008 -12 for Post-Closure Monitoring of Landfill Wells - Supervisor Johnson explained that Phoenix Labs is still the lowest bidder but the amount that was offered for the resolution at the previous meeting was incorrect. The correct amount that was bid by Phoenix Labs is \$5240.00

Resolution #2008 - 15 made by Suzanne Denn, seconded by Charlie Dreyer, to **re-appoint Sam Johnson** to BAR a for 5 year term.

Ayes: Preston Allen, Suzanne Denn, Charlie Dreyer, Neil Allen, Supervisor Mary Ann Johnson

Carried 5 - 0

Resolution #2008 - 16 made by Charlie Dreyer, seconded by Neil Allen, to **re-appoint Jack Vaillancourt** to the Planning Board for a 5 year term.

Ayes: Preston Allen, Suzanne Denn, Charlie Dreyer, Neil Allen, Supervisor May Ann Johnson

Carried 5 - 0

Resolution #2008 - 17 made by Preston Allen, seconded by Suzanne Denn, to **re-appoint Judy Traeger** to Zoning Board of Appeals for a 5 year term.

Ayes: Preston Allen, Suzanne Denn, Charlie Dreyer, Neil Allen, Supervisor Mary Ann Johnson.

Carried 5 - 0

Resolution to sign MOU with Prof. Lamb SUNY Plattsburg for doing Comprehensive Plan and Land Use Regulations update at a cost of \$18,000.00. Supervisor Johnson stated that it will take approx. two years to complete this project, and that funding for it will be spread out over two years. Planning Board Chairman David Cox said this project is long overdue as it has been approx. 20 years since this was done last. Supervisor Johnson said that if another grant comes out with funding that would help with this project the Town would apply for it.

Motion, made by Suzanne Denn, seconded by Neil Allen to **adopt the following resolutions:**

Resolution #2008 - 14 Supporting Adirondack Community Housing Trust Program

Resolution #2008 - 18 Amend Resolution #2008-12

Resolution #2008 - 19 Signing MOU with Prof. Lamb for doing Comprehensive Plan and Land Use Regulations

Update

Ayes: Preston Allen, Suzanne Denn, Charlie Dreyer, Neil Allen, Supervisor Mary Ann Johnson.

Carried 5 - 0

CORRESPONDENCE:

County Fire Advisory Board - Supervisor Johnson stated that the County Board of Supervisor makes appointments to this Board. There are no restrictions on how many a Town can have on the Board, just an overall limit.

Response from L-H Fire Dept. On call dated 11/10/07 - Supervisor Johnson reported that response time on this call was 21 minutes.

From: State of New York Dept. Of Health

RE: Obtaining updated info on existing summer recreation programs

From: Saratoga County Soil & Water Conservation District

RE: Assistance for municipalities on a park project

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INPUT FROM PUBLIC:

Mr. Metzler - Horse Hill Road, asked about the dates for the concerts to be held at the Gazebo at Town Hall. Councilwoman Suzanne Denn stated that the first concert will be held on June 19th from 7 - 9 PM with Prolonged Exposure and that the second concert will be on August 21st from 7 - 9 PM with Bobby Dick and the Sundowners. Both concerts are free.

Mr. Jim Johnston - North Shore Road, asked about the 21 minute response time, the issue regarding the EMS situation in Luzerne, insurance issues with residents, and the Town and County tax bills.

Judge Krom informed the Board that the Court is now recording all court proceedings with equipment purchased with grant money that was obtained by the court.

Motion made by Preston Allen, seconded by Suzanne Denn, to adjourn this Regular Town Board Meeting was made at 8:05 PM.

Ayes: Preston Allen, Suzanne Denn, Charlie Dreyer, Neil Allen, Supervisor Mary Ann Johnson

Carried 5 - 0

Carol Vaillancourt
Town Clerk