

## **REGULAR MEETING - AUGUST 11, 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 August 11, 2008.

The meeting was called to order by Supervisor Mary Ann Johnson at 7:00 PM and the following answered roll call: Town Council - Preston Allen, Suzanne Denn, Charlie Dreyer & Neil Allen, Attorney David Avigdor, Highway Superintendent Scott York & Planning Board Chairman David Cox.

**Motion** made by Suzanne Denn, seconded by Charlie Dreyer, to **approve the minutes** from the July 14<sup>th</sup> Regular Meeting and July 14<sup>th</sup> Public Hearing.

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

**Carried 5 - 0**

**Motion** made by Charlie Dreyer, seconded by Neil Allen, to **approve the audited vouchers** as follows:

T & A	\$	136.98	
#189-#218	\$17,560.95		General Fund
#70-#80	\$41,014.05		Highway Fund

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

**Carried 5 - 0**

**Motion** made by Neil Allen, seconded by Preston Allen, to **approve the July monthly reports** from the Assessor, Town Justice's Krom & Johnsen, CEO, Town Clerk & Supervisor.

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

**Carried 5 - 0**

### **COMMITTEE REPORTS -**

DCPC - Councilwoman Suzanne Denn who is also a member of the DCPC, reported that the Day In The Park was a big success. Had a very good turnout.

Highway Superintendent Scott York stated that the paving and mowing are done for the year. Highway Superintendent York also reported that there have been a few washouts due to some rather heavy rainstorms that his crew has needed to repair.

### **OLD BUSINESS -**

NONE

### **NEW BUSINESS -**

**Motion** made by Charlie Dreyer, seconded by Neil Allen, to **set date for Town-Wide Trash Pickup** for the week of August 25<sup>th</sup> - 28<sup>th</sup>.

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

**Carried 5 - 0**

**Motion** made by Suzanne Denn, seconded by Preston Allen, to **set date for a Town Board Workshop** concerning the recycling grant & medical insurance. The date for the workshop will be Monday August 25<sup>th</sup> at 4:30 PM.

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

**Carried 5 - 0**

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Resolution needed on Audit of Town Justice books completed on February 11, 2008. A letter was received by Supervisor Mary Ann Johnson from the Justice Court asking for a resolution and other material regarding this issue, to be sent to them as proof that an audit of the books was conducted. This will be a yearly procedure.

Resolution needed to re-appoint William O'Hara to the Board of Assessment Review. Mr. O'Hara's term will expire on September 30, 2013.

Resolution needed in support for a Handicap Accessible Fishing Pier adjacent to Saratoga County Park.

The Town of Day has received approval from the Department of Environmental Conservation on the Municipal Waste Reduction & Recycling Program grant in the amount of \$164,346.50. This money will be used to reimburse the Town for the expense of the recycling truck which was recently purchased by the Town, also for the purchase of a wood chipper, pole barn, fencing, pick-up truck etc.

Review of letter from Zoning Board of Appeals Chairman Dave Davidson - ZBA Chairman asked for comment from any Town official who has insight into any experience in providing emergency services on private roads similar to the driveway the Petro-Hoffman family's have on Kathan Road. Chairman Davidson also asks about the intent of the frontage requirement in the Town zoning laws. Attorney David Avigdor stated that the intent in the early 90's, when the zoning laws were written, was to minimize density and to insure good access for emergency vehicles. The ZBA has a Public hearing on Monday, August 18<sup>th</sup> concerning a request for a variance on road frontage. As a matter of public policy the Board is concerned with public safety when the only access to houses on back lots is a driveway that may not be sufficient for emergency vehicles to navigate. Supervisor Johnson will provide the ZBA with a letter stating the Town Boards feelings on this matter.

**Motion** made by Suzanne Denn, seconded by Charlie Dreyer, to **have Supervisor Mary Ann Johnson respond to the letter from ZBA Chairman Davidson** regarding the Boards feeling on the matter stated above.

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

**Carried 5 - 0**

Public Input on the Resolutions being voted on tonight - None

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

**Resolution #2008-36 - Audit of Town Justices Books**

**Resolution #2008-37 - Re-appointment of William O'Hara to the BAR**

**Resolution #2008-38 - Support for Handicap Accessible Fishing Pier**

**Adjacent to Saratoga County Park**

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

**Carried 5 - 0**

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**CORRESPONDENCE -**

A letter has been received from the DEC Commissioner, Senator Farley & Assemblywoman Sayward concerning the changes to the Hudson River - Black River Regulating District permit system and the fact that the Board refuses to meet with the committee to discuss their recommendations with them. There was a meeting this morning at the school in Northville, but it was stated that a decision would not be made at today's meeting.

There is also a letter from Peter O'Connell that was written by him to the HR - BR Regulating District representing the Overlook Beach Club regarding the issue of the rule changes.

Supervisor Johnson also has a letter from Saratoga County regarding trimming on Snow Road which will go back 100 feet and be done by National Grid and also for trimming on Hadley Hill Road, with no mention of how far back the trimming will be done, that will be done by another company.

Letter from Real Property stating that the Town's equalization rate for 2009 is 64.77%.

FROM: John and Grace Dittmar

RE: Thank you card for concert on June 19<sup>th</sup> at the Town Hall by Prolonged Exposure.

FROM: Stephen Fossler Company

RE: Gold stick on anniversary seals about the Towns 190<sup>th</sup> Anniversary in 2009

FROM: ADK Action

RE: Conference in Saranac Lake on August 22<sup>nd</sup>.

FROM: State of New York Public Service Commission

RE: Notice Soliciting Comments on the matter of Verizon New York Inc.'s Network

Review Plan

FROM: State of New York Dept. Of Pubic Service

RE: "Rise to the Energy Challenge"

FROM: State of New York Real Property Service

RE: State Board meeting date change for 2008 Segment Rate request action

FROM: Time Warner Cable

RE: Time Warner Cable Home Phone Service

FROM: Time Warner Cable

RE: Possible changes in programming service for Time Warner Cable's Albany Division

FROM: Great Sacandaga Lake Advisory Council

RE: Great Sacandaga Lake Coliform Monitoring Program - 2008 4<sup>th</sup> Interim Report

FROM: Saratoga County Arts Council

RE: The awarding of grants

FROM: Capital District Transportation Committee

RE: Fred Field Award

FROM: American Red Cross - Adirondack Saratoga Chapter

RE: Disaster Action Team Meeting Minutes - Meeting of July 12, 2008

FROM: Saratoga Center for the Family

RE: Requesting inclusion in the Town's budget for 2009

FROM: United States Senate

RE: America's Historical and Cultural Organization Grants Program

FROM: United States Senate

RE: NEH - We the People program

FROM: Custom Ability

RE: Healthcare Benefits Benchmark 2007 - New York State

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**INPUT FROM PUBLIC -**

Mr. Jim Johnston, North Shore Road - asked Supervisor Johnson whether or not the semi-annual reports from the Luzerne - Hadley Fire District and the Edinburg Fire District had been received yet. Supervisor Johnson replied that she has called both Fire Departments to remind them that the reports are due as they have not been received yet.

Mr. Johnston also mentioned the situation with the Luzerne - Hadley Fire Department and EMS splitting from one another. Mr. Johnston spoke about the possibility of Sheriff's deputies being trained to respond to some types of emergencies. Supervisor Johnson stated that she would check on whether this is possible. Mr. Johnston also asked about a report being available from the Public Safety Committee. Supervisor Johnson stated that report is available from the Town Clerk.

Mrs. Maureen Lieb, North Shore Road - had a petition to present to the Board with signatures collected from property owners concerned with the Fire / EMS issue.

Mrs. Lieb requested a public forum on this issue so that property owners can voice their concerns on this matter. Supervisor Johnson stated that the Fire / EMS issue has been turned over to the Comprehensive Plan Committee who will be looking at many issues regarding the Town of Day and its development over the next 10 - 20 years.

Supervisor Johnson stated that there will be many meetings along with Public Hearings on various topics that the public can attend to voice their opinions. There will also be mailing on various issues sent out to property owners.

Mrs. Sally Allen, Hadley Hunting Club Road - Wanted thank the Town Board and Highway Superintendent Scott York for handling the issue of the handicap sign being placed on Hadley Hunting Club Road right away. Mrs. Allen also spoke about having volunteers from the Town to be first responders to emergency situations until other help from Corinth or Luzerne arrived.

Councilman Neil Allen pointed out that they would have to be trained and accepted by New York State.

**Motion** made by Preston Allen, seconded by Suzanne Denn, to **adjourn this Regular Town Board Meeting** was made at 8:07 PM.

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

**Carried 5 - 0**

Carol Vaillancourt  
Town Clerk