

**REGULAR MEETING - August 8th, 2005 - DAY TOWN BOARD**

**\* \* \* PUBLIC HEARING \* \* \***

A **Regular Meeting** of the Town Board of the Town of Day, New York was held in the Town Hall on August 8th, 2005, at 7:00 P.M.

The meeting was called to order by Supervisor Mary Ann Johnson at 7:00 P.M. and the following answered roll call Town Council: Cheryl Allen, Neil Allen, Percy Allen, Preston Allen, Justice Dwyer, Assessor Charles Dreyer, Highway Superintendent Scott York, Planning Board Chairman David Cox and Attorney David Avigdor.

**Motion** by Preston Allen, seconded by Neil Allen to allow the Supervisor to make the following **Budget Adjustment** - Transfer \$79.10 from 1990.4 to 6772.4.

Ayes: Cheryl Allen, Neil Allen. Percy Allen, Preston Allen, Supervisor Johnson. **Carried 5-0**

**Motion** by Cheryl Allen, seconded by Percy Allen to allow the Supervisor to make the following **Budget Adjustment** - Transfer \$250.00 from 7180.4 to 7310.4

Ayes: Cheryl Allen, Neil Allen. Percy Allen, Preston Allen, Supervisor Johnson. **Carried 5-0**

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

# 208 - # 209 General Fund 2005 - \$ 522.51

# 210 - # 234 General Fund 2005 - \$16,888.91

# 75 - # 88 Highway Fund 2005 - \$52,085.68

Ayes: Cheryl Allen, Neil Allen. Percy Allen, Preston Allen, Supervisor Johnson. **Carried 5-0**

**Motion** made by Cheryl Allen, seconded by Percy Allen to **accept the minutes** of the July 11<sup>th</sup>, 2005 Regular Meeting. Ayes: Cheryl Allen, Neil Allen. Percy Allen, Preston Allen, Supervisor Johnson. **Carried 5-0**

**Motion** made by Preston Allen, seconded by Cheryl Allen to **accept July Monthly Reports** of the Supervisor, Town Clerk, Justice Krom, Justice

Dwyer, Assessor, Zoning Enforcement Officer and CEO . Ayes: Cheryl Allen, Neil Allen. Percy Allen, Preston Allen, Supervisor Johnson.  
**Carried 5-0**

## **COMMITTEE REPORTS**

**DCPC** - Day in the Park was a big success. We don't know how much profit we made until all the bills are returned

**Highway Superintendent** Scott York informed the Town Board that the paving of Kathan Road was complete and the Highway men would be working on the shoulders this week. There is one employee out on sick leave due to an injury

### **\* \* \* OPEN SEALED BIDS ON SIDEWALK REPLACEMENT \* \* \***

Fred Zubal - Mason & Building Contractor	\$ 8,465.00
Kurt rychcik - Sunrise Enterprise	\$14,229.00
Anthony Primiano - Primiano Construction Inc	\$ 8,500.00

## **OLD BUSINESS**

**Zoning - Adult Use** - on Hold

**APA Update** - Town Property - Attorney David Avigdor reported that the Pixley Property has limited uses. An amendment by APA to changes the regulations on this property is necessary to use this property for a Recycling center. The Town Attorney thought that APA would act negatively upon this request. Duane Nealon and Scott York feel that the town should not use this property for the Recycling Center. Councilman Preston said he thought there were 2 lots involved a 14 acre and a 15 acre one

**Fulton County Transfer Station** - Highway Superintendent Scott York informed the Town Board that it took 45 minutes to go to the Fulton County Transfer Station going North Shore Road. It takes 30 minutes to go to Hiram Hollow from North Shore. The Highway Superintendent and Supervisor will review further to see if the additional surcharge from Hiram Hollow is worth changing Vendors

**Unregistered Vehicles** - The Property Maintenance Law and the Zoning Law have a different number of unregistered vehicles allowed on private property. The Zoning Law supercedes the Property Maintenance Law. Boats are not considered unregistered vehicles.

## **NEW BUSINESS**

**Resolution # 2005 - 27** offered by Percy Allen seconded by Cheryl Allen to accept distribution of \$46,000.00 (estimated) from Saratoga County Board of Supervisors as Town of Day's share of the \$5 million Revenue Sharing Plan. Ayes: Cheryl Allen, Neil Allen. Percy Allen, Preston Allen, Supervisor Johnson. **Carried 5-0**

**Resolution # 2005 - 28** offered by Cheryl Allen, seconded by Neil Allen authorizing the Town Board to submit proposed **Local Law #2005-02 Local Land Use Program Amendment** to the Adirondack Park Agency. Ayes: Cheryl Allen, Neil Allen. Percy Allen, Preston Allen, Supervisor Johnson. **Carried 5-0**

**Motion** by Mary Ann Johnson seconded by Preston Allen to appoint representatives from IP, DEC, Finch Pruyne and local loggers to work with the Committee on **Local Law 2005-03 - Pertaining to Logging in the Viewshed Protection Area**. The Town Board will not submit **Local Law 2005-03** to the Adirondack Park Agency for their approval, until such time as these revisions are complete. Ayes: Cheryl Allen, Neil Allen. Percy Allen, Preston Allen, Supervisor Johnson. **Carried 5-0**

**Resolution #2005 - 29** offered by Cheryl Allen, seconded by Preston Allen declaring the Town of Day Town Board as Lead Agency under SEQR. Ayes: Cheryl Allen, Neil Allen. Percy Allen, Preston Allen, Supervisor Johnson. **Carried 5-0**

**Resolution #2005 - 30** offered by Preston Allen, seconded by Cheryl Allen to adopt the Negative Declaration on the Proposed Land Use Program Amendment to the Adirondack Park Agency.. Ayes: Cheryl Allen, Neil Allen. Percy Allen, Preston Allen, Supervisor Johnson. **Carried 5-0**

**Resolution #2005 - 31** offered by Cheryl Allen, seconded by Preston Allen to accept the low bid for Sidewalk Repairs from Fred Zubal - Mason & Building Contractor in the amount of \$ 8,465.00. Ayes: Cheryl Allen, Neil Allen. Percy Allen, Preston Allen, Supervisor Johnson. **Carried 5-0**

Supervisor Johnson recommended to the Town Board that the outer door locks on the building be changed for safety reasons.

Supervisor Johnson complimented Chairman David Cox on his devotion to the volunteer job on the Zoning Review Committee. Dave Cox has filled out the Negative Declaration and EAF Form that the Town would have had to pay an Engineer to do. Supervisor Johnson has asked to Town Board to pay Chairman Dave Cox for his time and expertise in filling out this form. He has refused payment.

**Motion** by Cheryl Allen, seconded by Preston Allen to honor a voucher, if submitted to the Town Board for payment, by Chairman David Cox for his time and expertise on filling out these forms for the Adirondack Park Agency. Ayes: Cheryl Allen, Neil Allen, Percy Allen, Preston Allen, Supervisor Johnson. **Carried 5-0**

### **Correspondence**

- Diane Waite - Thank You for help with Summer Programs
- Saratoga Planning Board - Mike Valentine will be here on August 23, 24 or 25<sup>th</sup> to meet with the Zoning Board of Appeals
- Great Sacandaga Lake Association on Back Lot Permits
- Letter from Senator Betty Little on Travel Trailers having to be moved
- Auction on August 27<sup>th</sup> at Highway Department
- Dates for Town Wide Pickup after Labor Day weekend
- Budget Forms out on September 1st

### **Public Participation**

**Motion** to adjourn Percy Allen, seconded by Cheryl Allen.

**Meeting adjourned 7:55 P.M.**