

REGULAR MEETING - MAY 12, 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 May 12, 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 Charlie Dreyer, seconded by Preston Allen, to **approve the minutes** of the April 14, 2008 Regular Meeting.

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

T & A		\$136.98
#116 - #142	General Fund	\$18,484.15
#38 - #45	Highway Fund	\$16,513.85

Ayes: Neil Allen, Charlie Dreyer, Suzanne Denn, Preston Allen, Supervisor Mary Ann Johnson (Except Voucher #139 - abstained)

Carried 5 - 0

Motion made by Suzanne Denn, seconded by Charlie Dreyer, to **approve the monthly reports** for April from the Assessor, Justice Krom, Justice Johnsen (dates on this report are one day off ie: the 3rd should be the 2nd etc.) CEO, Town Clerk & Supervisor.

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

Carried 5 - 0

COMMITTEE REPORTS -

Citizen Court Monitoring Program Report -

Supervisor Johnson reported that most courts in Saratoga County were monitored. Our court did very well with only one recommendation for improvement.

Receipt of Edinburg Fire Dept. Report -

Supervisor Johnson reported that the Town has received the report regarding the number of fire calls made by Edinburg to the Town of Day. The report covered the period from January 01, 2008 through April 08, 2008.

The Day Community Projects Committee will be meeting on Thursday, May 15 with representatives from the Greater Sacandaga Business Association to discuss their groups participation with Day In The Park on July 19th.

There will be a free concert sponsored by the Town of Day on June 19th. "Prolonged Exposure" Band will be playing in the Gazebo.

Councilman Preston Allen mentioned that there would be a Public Hearing / informational meeting at 7:00 PM on May 21st, at the Hadley - Luzerne High School auditorium. This is being held to discuss the future of ambulance services in the district.

OLD BUSINESS -

Kloss turn-around - Attorney David Avigdor did get a survey map from the surveyor which Attorney Avigdor showed to Highway Superintendent Scott York. Highway Superintendent York will take the map to the Kloss property and compare it to the actual site that had been discussed. Highway Superintendent York will then discuss his findings with the Board at the next meeting. The Board did not take any action on this matter.

Review of Gift Lots by Planning Board - Planning Board Chairman David Cox reported that the Planning Board did discuss this matter at length at their meeting on May 05th. Chairman Cox stated that Attorney Avigdor was very helpful in explaining the difference between the APA's laws and our own Town laws. Attorney Avigdor stated that he has already e-mailed information to Planning Board Secretary Diane Byrne on this matter that she can disperse to the Planning Board members.

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NEW BUSINESS -

Attorney David Avigdor told the Board that he has reviewed the MOU concerning the hiring of Prof. Lamb for his work on re-writing Comprehensive Plan for the Town of Day. Attorney Avigdor said that Prof. Lamb should specify at what stage he will be billing and what percentage of billing at those stages. Prof. Lamb's work will be complete when the Town has finished preparing the Comprehensive Plan.

It is likely the Town will want to amend Planning & Zoning Laws after the Comprehensive Plan is finished. There may be additional expense if Prof. Lamb works on helping the Town revise the laws. Supervisor Johnson will contact Prof. Lamb to make change of payment schedule. The committee will be appointed at the June 09th Regular Board meeting. This project is expected to take between 18 - 24 months.

Resolution to set date for Public Hearing on Proposed Local Law providing for Administration & Enforcement of NYS Uniform Fire Prevention & Building Code - Councilman Charlie Dreyer would like to have a Special Meeting with Code Enforcement Officer Ken Metzler and the other Board members to go over various items in this law.

The Board decided to take no action on setting a date for a Public Hearing at this time.

Resolution to approve signing of Alonzo Fireworks contract -

The Board agrees to have Supervisor Johnson sign the Alonzo Fireworks Contract again this year. This is the company that provides fireworks for the Day In The Park event that takes place each July at the New York State Park and Boat Launch located in the Town of Day.

Resolution to approve signing of Northern Car Crushers agreement -

This contract agrees to pay us \$180.00 per ton, with the contract being for approx. 100 tons of tin. Supervisor Johnson questioned whether this will be a good price in the future as the price of metal is expected to continue to rise significantly. Supervisor Johnson asked Highway Superintendent Scott York to check out the terms of the contract and contact other companies as well. Also contract should say metal not tin. No action was taken on this.

Resolution naming George H. Mason as our Deceased Veteran of Year -

The Board had already discussed having Mr. Mason as our Deceased Veteran at a previous meeting and were in agreement as is Mr. Mason's family.

Highway Committee to study use of private roads by town vehicles -

Supervisor Johnson would like to have the Highway Committee study use of private roads by town vehicles used to pick up garbage and recyclables. The Town Board will be meeting with Insurance Representative Dave Meager at the end of the month to discuss this and other issues. Supervisor Johnson would like the Committee to concentrate on what is or is not a private road.

Mrs. Alma Allen, who feels she is effected by the change, and Mr. Dusty Dunn voiced their opinions on this matter. Highway Superintendent Scott York stated that there were only two houses where we went up private driveways. Insurance Rep. Dave Meager will also let the Town Board know about the effect on the Town's insurance in regards to this matter.

Supervisor Johnson stated that she would like an ad placed in the Pennysaver to advertise the position of Part - time Zoning Enforcement Officer, as that position is now empty following the death of Herb Sjolund. The Board agrees and Town Clerk Carol Vaillancourt will place the ad in the Pennysaver for this coming Friday, May 16th. The position will be for the same amount of hours as previous ZEO worked which was generally one day a week for 4 to 8 hours a day, primarily April - November.

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Discussion on savings from 4-day 36 hour town hall hours -

Supervisor Johnson reported that the Town saved over \$600.00 in fuel costs compared to last year. Councilwoman Suzanne Denn pointed out that the new hours are giving the Town's people one more hour of service per week and saving money.

Supervisor Johnson also pointed out that it may be a safety issue with only one person being at the Town Hall.

The Town Board is in agreement to amend this policy, as adopted at the November 12th, 2007 Regular Meeting, of the Town Hall being open Monday - Thursday from 8:00 AM - 5:00 PM and closed on Fridays until such time as numerous complaints are received and the policy would then be reviewed.

Public input on any of the above resolutions being voted on tonight -

None

Motion to adopt resolutions -

Motion made by Suzanne Denn, seconded by Charlie Dreyer, to **adopt the following Resolutions:**

Resolution #2008-20 - Approving signing of contract with Alonzo Fireworks

Resolution #2008-21 - Naming George H. Mason as our Town's Deceased Veteran For 2008

Resolution #2008-22 - Approving the hours of the Town Hall to be Monday - Thursday, 8:00 AM - 5:00 PM

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

Carried 5 - 0

CORRESPONDENCE -

Notice of closing of Highway from the Commissioner of Public Works - A portion of South Shore Road will be closed due to repairs for approx. 10 days starting this week. Carla Kolbe from the Sacandaga Express, which is a new weekly newspaper in the area, told Supervisor Johnson that the Town can put things in the paper that pertain to the Town such as road closing etc.

May 21st at 10:00 AM there will be a meeting of the Adirondack Park Regional Assessment Project. This meeting concerns state land, various uses of the land etc. Zoning & Planning Board members Dave Davidson & David Cox will attend along with Supervisor Mary Ann Johnson, Councilwoman Suzanne Denn, Code Enforcement Officer Ken Metzler, Assessor Duane Nealon, Highway Superintendent Scott York along with others.

From: The Capital District Regional Planning Commission and Albany County Dept. Of

Economic Development & Planning, Saratoga County Planning Dept. & Schenectady County Planning Dept.

RE: Local Government Planning & Zoning Workshop May 28th, 8:00 AM-3:15 PM

From: Saratoga Chamber of Commerce

RE: Leadership Directory

From: American Red Cross

RE: 23rd Annual Golf Tournament on June 13th at Hiland Park Country Club in Queensbury

From: United States Senate

RE: Accepting applications for Picturing America, a new initiative of the NEH
We The People Program

From: Audubon International

RE: Information about the Community Engagement, Planning and Action Initiative
and the Audubon International Sustainable Communities Program.

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From: Adirondack Architectural Heritage
RE: 2008 AARCH Awards

From: American Red Cross - Adirondack Saratoga Chapter
RE: Disaster Action Team Meeting Minutes - Meeting of April 12, 2008

From; State of New York Division of the Budget
RE: Gov. Paterson announces Wicks Law overhaul

From: State of New York Office of Real Property Services
RE: Acknowledging our town's letter of support of a segment special equalization rate for the purpose of apportioning the 2008-2009 school tax levy

From: State of New York Office of Real Property Tax Services
RE: Copy of Analysis supporting the request for a 2008 segment special equalization rate

From: New York State Office of Parks, Recreation and Historic Preservation
RE: Applications are currently available for 2008 funding under the NYS Environmental Protection Fund and the 2009 Federal Land and Water Conservation

From: Time Warner Cable
RE: Possible changes in programming services or channels

From: New York State Department of Environmental Conservation
RE: Invitation to conference and an "Application for Preliminary Feasibility Study"

From: New York State Dept. Of Environmental Conservation
RE: 2008 Application Brochure

INPUT FROM PUBLIC -
None

Motion made by Charlie Dreyer, seconded by Neil Allen, to **adjourn this Regular Meeting** of the Day Town Board was made at 7:34 PM.
Ayes: Neil Allen, Charlie Dreyer, Suzanne Denn, Preston Allen, Supervisor Mary Ann Johnson
Carried 5 - 0