

REGULAR MEETING - NOVEMBER 8, 2004 - DAY TOWN BOARD

A Regular meeting of the Town Board of the Town of Day, New York was held in the Town Hall on November 8, 2004, at 7:00 P.M.

The meeting was called to order by Supervisor Mary Ann Johnson and the following answered roll call Town Council: Cheryl Allen, Neil Allen, Preston Allen, Percy Allen, Acting Highway Superintendent Frank Allen, Assessor Charles Dreyer, Attorney David Avigdor, Planning Board Chairman David Cox

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

369 - # 372 General Fund \$751.97

313 - # 368 General Fund \$ 11,322.95

411 - # 418 Highway Fund \$11,548.35

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

Motion made by Percy Allen, seconded by Preston Allen to **accept the minutes** of the October 11, Public Hearing Edinburg Fire Department, October 11, Regular Meeting, October 18, Public Hearing - Moratorium CEA, October 18 Special Meeting, October 25 Public Hearing - Edinburg Volunteer Fire Department, October 25 Public Hearing - Preliminary Budget, October 25 Special Meeting. Ayes: Neil Allen, Preston Allen, Percy Allen, Supervisor Johnson. Abstain Cheryl Allen **Carried 5-0**

Motion made by Preston Allen, seconded by Neil Allen to **accept October Monthly Reports** of the Supervisor, Town Clerk, Justice Krom, Justice Dwyer, Assessor and Code Enforcement Officer. Ayes: Cheryl Allen, Neil Allen, Preston Allen, Percy Allen, Supervisor Johnson. **Carried 5-0**

COMMITTEE REPORTS

MWRRP - the committee will meet with Duane Nealon to look over a parcel of land for the Recycling Center to see if it meets our needs.

Zoning Review Committee - David Avigdor has the draft of the non overlay areas 90% complete. After the Zoning Committee reviews the draft, there will be an informal meeting with APA, then the formal process of Public Hearings for acceptance of these changes will begin.

OLD BUSINESS

Tire Recycling - No tire pickup this year. The Town Board will start in September next year to get a date from for tire disposal.

NEW BUSINESS

Resolution # 2004-36 offered by Cheryl Allen, seconded by Percy Allen to adopt the 2005 Preliminary Budget as the 2005 Annual Budget and directs the Town Clerk to deliver two copies to the Supervisor. Ayes: Cheryl Allen, Neil Allen, Preston Allen, Percy Allen, Supervisor Johnson. **Carried 5-0**

Resolution # 2004-37 offered by Preston Allen, seconded by Neil Allen directing the Supervisor to sign an agreement with Niagara Mohawk allowing the use of their poles to display flags in the Town of Day. Ayes: Cheryl Allen, Neil Allen, Preston Allen, Percy Allen, Supervisor Johnson. **Carried 5-0**

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Flu Clinic - memo from Helen Endres, Public Health Director - all flu clinics canceled

SEMO - will reimburse the Town Highway Department \$7,620 for the flooding and replacing culverts.

Highway Superintendent Job - ad in Pennysaver - Town of Day Resident, resumes back by December 10, 5:00 P.M.

Open House - set December 13th, 2004 at 6:00 P.M. for Open House for Danny Allen. Ad will be put in Pennysaver.

Channel 16 - Town Clerk advised the Town Board of the connection problems with Channel 16 after changing to high-speed Internet. Dave Rockwell, from Edinburg, will be asked to put our notices on Channel 16 for a monthly cost of \$20.00

Motion by Cheryl Allen, seconded by Percy Allen to go into **Executive Session** at 7:25 P.M. to discuss a Personnel matter. Ayes: Cheryl Allen, Neil Allen, Preston Allen, Percy Allen, Supervisor Johnson. **Carried 5-0**

Motion by Percy Allen, seconded by Cheryl Allen to return to **Regular Session** at 7:40 P.M.. Ayes: Cheryl Allen, Neil Allen, Preston Allen, Percy Allen, Supervisor Johnson. **Carried 5-0**

Resolution #2004-38 offered by Neil Allen, seconded by Preston Allen to appoint Frank Allen as Acting Highway Superintendent, until such time as a new Highway Superintendent is appointed. Frank Allen's rate of pay will be the difference between his base salary and the Highway Superintendent's base salary. And to appoint Lehman Allen as Acting Deputy Highway Superintendent at an hourly rate of \$15.95. Ayes: Cheryl Allen, Neil Allen, Preston Allen, Percy Allen, Supervisor Johnson. **Carried 5-0**

Vacation Pay - Highway Superintendent Danny Allen has requested nine (9) days pay from his available five (5) weeks of Vacation Pay. Highway Superintendent Danny Allen was an elected official who retired on October 28th, 2004 and Elected Officials are not entitled to Vacation Pay.

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

Meeting Adjourned 7:50 P.M.