

SPECIAL MEETING - SEPTEMBER 18, 2003 - DAY TOWN BOARD

A Special Meeting of the Town Board of the Town of Day, New York was held on September 18, 2003 at 6:00 P.M.

The meeting was called to order by Supervisor Mary Ann Johnson. The following answered roll call: Town Council: Cheryl Allen, Neil Allen, Percy Allen, Preston Allen, Highway Superintendent Danny Allen, Attorney David Avigdor.

Personnel - Refuse Recycling - discussion by the Town Board as to the hiring of a Full time or a Part - time MEO/Laborer for the garbage truck. Highway Superintendent Danny Allen explained how he works the Recycling with 2 trucks and 3 men and the Garbage pickup with 2 trucks and 3 men from 5/1 to 11/2. As of now a Highway MEO is driving the Garbage truck. Refuse/Recycling is not a highway position it is covered by General Fund. Highway Superintendent Danny Allen will not oversee the Refuse/Recycling next year unless he receives monetary compensation. Supervisor Johnson stated that her inquiries found that the Town Board could increase the job duties of any elected or appointed official as long as it did not violate any other law, and she had requested the Town Attorney to research this. Attorney David Avigdor advised the Supervisor that it is lawful and not inconsistent to add duties to any elected or appointed position without compensation. Highway Superintendent Danny Allen advised the Town Board that if he did not get the compensation he asked for or his budget was changed for he would not oversee the Refuse/Recycling or help with any of the equipment. He will continue to oversee the Refuse/Recycling till December 31, 2003. This matter will be addressed at the next meeting when Attorney David Avigdor has had more time to investigate the laws involved.

After discussion by the Town Board a **Motion** was made by Neil Allen, seconded by Preston Allen to **amend the Comp Time portion** of the Personnel Manual to read "by November 1st" instead of "within 30 days" as reflected in Page 30 of the Manual. Ayes: Councilwoman Cheryl Allen, Councilman Neil Allen, Percy Allen, Preston Allen, Supervisor Johnson. Carried 5-0

Motion by Cheryl Allen, seconded by Percy Allen to accept, with regret, the resignation of Justice Ronnie Hotz, due to her moving from the area, effective September 30, 2003. Ayes: Councilwoman Cheryl Allen, Councilman Neil Allen, Percy Allen, Preston Allen, Supervisor Johnson. Carried 5-0

Resolution #2003-25 offered by Cheryl Allen, seconded by Preston Allen to authorize the Supervisor to sign a contract with the **Saratoga County Dog Shelter** for 2003 in the amount of \$270.00. Ayes: Councilwoman Cheryl Allen, Councilman Neil Allen, Percy Allen, Preston Allen, Supervisor Johnson. Carried 5-0

Resolution #2003-26 offered by Percy Allen, seconded by Neil Allen to set rate of pay for a Part- time laborer at the rate of \$9.75 per hour. Larry Perry, was paid as a Temporary Laborer at the rate of \$9.40 from May 15th 2003 to September 12, 2003. He will be paid retroactively at \$.35 hour from 5/15/2003 to 9/12 2003 due to his promotion to Part-time Laborer Position on May 15, 2003. Total retroactive hours for this time period are 388. Ayes: Councilwoman Cheryl Allen, Councilman Neil Allen, Percy Allen, Preston Allen, Supervisor Johnson. Carried 5-0

Councilman Neil Allen asked Supervisor Johnson if the Town's rate for NYS Retirement will increase significantly this year. Yes it will but she does not know the exact amount but estimates it to be about a \$20,000 increase.

Budget Workshop set for October 9, 2003 at 5:00 P.M.

Motion to Adjourn Percy Allen, seconded by Cheryl Allen.

Adjourn 7:30 P.M.