

**REGULAR MEETING – JULY 09, 2012 – DAY TOWN BOARD
UNAPPROVED MINUTES**

Page 1 of 6

A REGULAR MEETING of the Town Board of the Town of Day, County of Saratoga, State of New York was held at the Day Town Hall, 1650 North Shore Road, Hadley NY on July 09, 2012.

The meeting was called to order by Supervisor Mary Ann Johnson and the following answered roll call: Councilman Preston Allen, Councilwoman Suzanne Denn, Councilman Charlie Dreyer, Councilman Jeff Gray, Attorney David Avigdor, Highway Superintendent Scott York and Planning Board Chairman David Cox.

Motion, made by Charlie Dreyer, seconded by Suzanne Denn, to **approve the minutes** of the June 11, 2012 Regular Meeting.

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

Carried 5 – 0

Motion, made by Councilwoman Suzanne Denn, seconded by Councilman Jeff Gray, to **approve the audited vouchers** as follows:

| | | |
|-------------|--------------|------------|
| #312 | General Fund | \$541.30 |
| #319 | General Fund | \$1,464.76 |
| #324 - #328 | General Fund | \$952.85 |
| #320 | Highway Fund | \$4,760.48 |
| #348 - #356 | Highway Fund | \$7,172.64 |

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

Carried 5 – 0

Motion, made by Councilman Preston Allen, seconded by Councilman Charlie Dreyer, to **approve the following reports for the month of June:** Justice Krom, Assessor, Town Clerk, CEO, Quarterly PB/ZBA and Supervisor Financial Reports

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

Carried 5 – 0

Reports:

Supervisor Mary Ann Johnson reports that there will be an over-run in the #12304.1 acct. for Bookkeeping expenses. This is due to the purchase of a security package in the amount of \$334.00 for the Bookkeepers computer. Kathy Gleason, who had in the past prepared an AUD report for the Town of Day, and who had worked with Supervisor Mary Ann Johnson earlier in the year to resolve some issues concerning that particular AUD, did not turn in a voucher until recently. The voucher submitted for

**REGULAR MEETING – JULY 09, 2012 – DAY TOWN BOARD
UNAPPROVED MINUTES**

Page 2 of 6

approval was for \$175.00. Mr. Tom Boden is working with the bookkeeper to help reconcile bank accounts and will be submitting a voucher for his work. Supervisor Mary Ann Johnson has requested approval to transfer \$1,300.00 into the Bookkeeping expense account. This transfer will take place by moving funds from the #4540.4, ambulance acct, which has excess funds, to the #12304.1 bookkeeping expense acct.

Motion, made by Councilwoman Suzanne Denn, seconded by Councilman Jeff Gray, to **approve transfer** of \$1300.00 from Acct. # 4540.4, ambulance acct. to Acct. #12304.1, bookkeeping acct.

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

Carried 5 – 0

Highway Superintendent Scott York reviewed the DEC inspection report with the Town Board, each of them having received a copy of the report. Highway Superintendent Scott York explained the inspection of the storage tanks and the findings, along with what needs to be corrected. Highway Superintendent Scott York explained that the items are being worked on and that he will inform the DEC of the progress that has been made thus far.

Highway Superintendent Scott York informed the Day Town Board that paving on Hadley Hill Road will take place on Tuesday and Wednesday of next week, July 17th & 18th. Highway Superintendent Scott York informed the Day Town Board that the recycling center is not accepting any more brush until the brush that is already at the recycling center can be chipped.

Planning Board Chairman David Cox informed the Day Town Board that the Hudson River – Black River Regulating District monthly meeting is in Mayfield, tomorrow, Tuesday, July 10th. Planning Board Chairman David Cox informs the Day Town Board agenda items for tomorrow's meeting include a review of the revised budget and discussion of the completed assessments regarding the five counties affected by the flood control provided by the Conklingville Dam. Planning Board Chairman David Cox explained that the Local Law Review Committee, of which he is a member, has completed their work and the paperwork is ready to be sent to the APA for their final review. The resolutions, negative declarations and the final versions of the proposed zoning law and proposed subdivision control law will be sent to the APA tomorrow by the Town Clerk.

TOWN COMMITTEES –

Buildings – Supervisor Mary Ann Johnson explained that there will be two new doors ordered and that the side door for the garage does not need to have windows.

**REGULAR MEETING – JULY 09, 2012 – DAY TOWN BOARD
UNAPPROVED MINUTES**

Page 3 of 6

EMS – Councilman Jeff Gray reports that the Jessups Landing EMS was a the recent Property Owners Association meeting. The squad members present did a demonstration of equipment and talked to the people present.

DCPC – There will be a concert at the Day Town Hall on Saturday, July 14th at 6:00 PM. Ony Antonucci will be performing with Matt Brucker and Matt Brucker Jr. This concert is through the SVAN network. These concerts are made possible in part with public funds from the Fulton – Montgomery Arts Grant (F-MAG) part of the Decentralization regrant program of the New York State Council on the Arts (NYSCA) administered by Saratoga Arts.

“Day” in the Park will take place on Saturday, August 04th, the Ladies Auxiliary of the Hadley VFW will have food for sale. The DCPC will have strawberry shortcake for sale. Entertainment will be provided by Betsey and the Byegones from 3-5 and The Boothills Band from 6-8. Fireworks at dusk.

OLD BUSINESS -

An update on the emergency services tower, which is being placed on Horse Hill Road, Was done by Supervisor Mary Ann Johnson. Supervisor Mary Ann Johnson informed those present that construction may start next week once all contracts have been signed. Supervisor Mary Ann Johnson explained that Supervisor Jean Raymond had sent out letters on June 05th to ATT & Verizon in an effort to generate interest by a cell Phone company to use the tower. So far there has been no response.

Some items on the public risk assessment report, which was provided by the Town of Day's insurance company, was reviewed with the Day Town Board by Supervisor Mary Ann Johnson. Supervisor Mary Ann Johnson will be reviewing the grant papers which pertain to the playground equipment to learn what can and cannot be done with it under the terms of the Farley grant which provided partial funding for the equipment. Supervisor Mary Ann Johnson reminded the Board that a decision will have to be made at the next Regular Town Board meeting on August 13th as the report to the Town's insurance company will need to be made shortly after the meeting on the 13th. Items that need to be included in the report concern criminal background checks for new hires, safety meetings, staff training and sidewalks.

Supervisor Mary Ann Johnson informed those present that there is no new information regarding the Walter Maxfield Road issue or the Personnel manual.

NEW BUSINESS –

Supervisor Mary Ann Johnson reviewed two issues concerning the Planning Board And Zoning Board of Appeals. Zoning Board of Appeals member Dave Davidson had suggested the issuance of photo id badges to the Planning Board and Zoning Board of

**REGULAR MEETING – JULY 09, 2012 – DAY TOWN BOARD
UNAPPROVED MINUTES**

Page 4 of 6

Appeal members. These id badges would be used when it is necessary for Planning Board or Zoning Board of Appeals members go to the physical location of the property and inspect the property concerned in a matter which is before them.

The second issue concerns absent/excused time concerning members of the Planning Board and Zoning Board of Appeals. Supervisor Mary Ann Johnson suggested a policy of allowing three absences by members of the Planning Board and Zoning Board of Appeals. Any additional absences beyond three would have to be evaluated by the Day Town Board for approval. The Day Town Board was agreeable to this and Supervisor Mary Ann Johnson stated that she would write a policy reflecting what was discussed.

Supervisor Mary Ann Johnson has only received one quote so far regarding the purchase of trees and the planting of the trees at the recycling center. Two other businesses have been asked for quotes and despite messages left at these two businesses by the Supervisor, no response or additional quotes have been received.

Supervisor Mary Ann Johnson reviewed the replies she has received from various towns in Saratoga County on their sick pay policies and whether or not they belong to the NYSR41-J plan. Supervisor Mary Ann Johnson did not receive replies from all the towns she requested information from but did hear from Malta, Moreau, Clifton Park, Galway, Edinburg, Hadley and Corinth along with a few others.

Some of these towns belong to the NYSR 41-J plan others do not. One town is waiting to adopt the plan after a retirement takes place.

Supervisor Mary Ann Johnson explained that it would cost \$839.00 for the Town of Day to join the NYSR 41-J plan thru 03/31/13, pointing out that the rate would increase each Year. There are a number of issues to consider including the fact that once the Town of Day joins, the Town cannot stop using the NYSR 41-J plan. Councilman Jeff Gray pointed out that the Town Board would have to determine whether or not the NYSR 41-J plan would benefit employees.

A review of the proposal of employment of family members began with Supervisor Mary Ann Johnson pointing out to the Day Town Board members that Saratoga County has a policy seeking to avoid this. The Saratoga County policy states that no department head can have direct family working under them citing conflict of interest and nepotism among other things. Supervisor Mary Ann Johnson read the Saratoga County policy to the Town Board members and asked the Board members if they would like to establish a policy regarding this issue. Councilwoman Suzanne Denn agrees with needing a policy and is in favor of adopting the policy that Saratoga County uses. Councilman Jeff Gray agrees the Town of Day needs a policy as does Councilman Charlie Dreyer. Councilman Preston Allen pointed out that from past experience having family members directly under the supervision of a department head causes problems.

**REGULAR MEETING – JULY 09, 2012 – DAY TOWN BOARD
UNAPPROVED MINUTES**

Page 5 of 6

Attorney David Avigdor pointed out that the Town Board can, by resolution, make it a violation of Town policy for a department head to have a direct family member under their direct supervision.

Councilman Jeff Gray and Councilman Preston Allen explained that they both have had people come to them and question why the Highway Superintendents son is now working for him. They have explained to each that his son is not under his direct supervision but under the supervision of Supervisor Mary Ann Johnson. He is employed under the General Fund not Highway Fund due to the nature of his job with the Town.

Motion, made by Councilwoman Suzanne Denn, seconded by Councilman Jeff Gray, to **pass** the following resolution:

Resolution #2012 – 30 Title: Adoption of policy prohibiting family members being under the direct supervision of a department head

Ayes: Supervisor Mary Ann Johnson, Councilwoman Suzanne Denn, Councilman Charlie Dreyer, Councilman Jeff Gray

Nays: Councilman Preston Allen

Carried 4 - 1

Councilwoman Suzanne Denn reviewed the two proposals received by the Town of Day concerning a new website for the Town. Inquiries were made to more than two companies with the following two being the ones who submitted a final proposal. The Two companies are BAS and North Shore Solutions. Both of these companies submitted proposals detailing web site design, development and maintenance. Both proposals were received, reviewed and discussed by all of the Town of Day Board members. The quote from BAS was \$3200.00 for web site development and \$1200.00 as a yearly maintenance fee. Town of Day Board members agreed that contingent upon Councilwoman Suzanne Denn contacting North Shore Solutions and receiving satisfactory answers to the following questions: How much will it cost to back up the system and is North Shore Solutions still interested in working with the Town of Day once Councilwoman Suzanne Denn explains that making a down payment is not allowed as we are a municipality and if the answer to the later question is yes and the total cost of the project including back up will not exceed \$1900.00 in total, the Day Town Board has authorized this project to move forward with North Shore Solutions as they provided the lower quote.

PUBLIC INPUT ON PROPOSED RESOLUTIONS –

None

**REGULAR MEETING – JULY 09, 2012 – DAY TOWN BOARD
UNAPPROVED MINUTES**

Page 6 of 6

MOTIONS TO PASS PROPOSED RESOLUTIONS –

Motion, made by Councilman Jeff Gray, seconded by Councilman Preston Allen, to **approve** the following resolution:

Resolution #2012 – 31 Authorizing Supervisor Mary Ann Johnson to write a policy regarding absent / excused time from meetings for Planning Board and Zoning Board of Appeals members

Ayes: Supervisor Mary Ann Johnson, Councilman Present Allen, Councilwoman Suzanne Denn, Councilman Charlie Dreyer, Councilman Jeff Gray

Carried 5 – 0

Motion, made by Councilman Charlie Dreyer, seconded by Councilman Preston Allen, to **approve** the following resolution:

Resolution #2012 – 32 Approval by the Day Town Board to hire North Shore Solutions as the Town of Day website provider at a cost not to exceed \$1900.00 (contingent upon satisfactory answers to the two questions listed previously)

Ayes: Supervisor Mary Ann Johnson, Councilman Present Allen, Councilwoman Suzanne Denn, Councilman Charlie Dreyer, Councilman Jeff Gray

Carried 5 – 0

CORRESPONDENCE –

From: Kate Szewczyk 1st VP Bemis Heights Society C.A.R.

Re: Thank you note concerning Flag Week Proclamation

From: Phone Review

Re: Audit of phone bills for possible future savings etc.

From: Town of Wilton

Re: Wilton Community Day

From: American Red Cross

Re: Disaster Services Volunteer Meeting Minutes – Meeting of June 09, 2012

INPUT FROM PUBLIC –

None

Motion, made by Councilman Preston Allen, seconded by Councilwoman Suzanne Denn to **adjourn** this Regular Meeting of the Day Town Board was made at 9:06PM.

Ayes: Supervisor Mary Ann Johnson, Councilman Present Allen, Councilwoman Suzanne Denn, Councilman Charlie Dreyer, Councilman Jeff Gray

Carried 5 – 0

Carol Vaillancourt – Town Clerk

