

**REGULAR MEETING – OCTOBER 12, 2023 – DAY TOWN BOARD  
UNAPPROVED MINUTES  
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**A REGULAR MEETING** of the Town Board of the Town of Day, County of Saratoga, State of New York, was held in the Day Town Hall, 1650 North Shore Road, Hadley New York, on October 12, 2023.

Supervisor Diana Edwards called the meeting to order at 7:00pm with following answering roll call: Councilman Curt Schreiner, Councilwoman Lorraine Newton, Councilman Joe Flacke, Councilman George Lembo, Highway Superintendent Lehman Allen, Jr., Attorney Jeffrey Meyer and Liaison to the Hudson River – Black River Regulating District Dave Cox.

Absent: Councilwoman Lorraine Newton

**Motion**, made by Councilman George Lembo, seconded by Councilman Curt Schreiner, to **approve** the minutes from the September 09, 2023 Regular Town Board meeting.  
Ayes: Supervisor Diana Edwards, Councilman Curt Schreiner, Councilman Joe Flacke and Councilman George Lembo.

**Carried: 4 - 0**

**Motion**, made by Councilman Curt Schreiner, seconded by Councilman George Lembo, to **approve** the audited abstracts from the September 2023 Regular meeting.

Pre-Audit Vouchers

#358 – 361	Highway Fund	\$ 8,980.30
#362-371, 383-389	General Fund	\$ 13,694.00

Regular Vouchers

#370-379, 398,399	Highway Fund	\$202,625.27
#373-382, 391-397	General Fund	\$ 15,487.47

Ayes: Supervisor Diana Edwards, Councilman Curt Schreiner, Councilman Joe Flacke and Councilman George Lembo.

**Carried: 4 – 0**

**Motion**, made by Councilman Curt Schreiner, seconded by Councilman George Lembo, to **approve** the Bank Reconciliations for General, Highway, Payroll, A/P, and Town Clerk/Tax Collector and the **reports** from Town Justice, Town Supervisor, Assessor, Code Enforcer and Town Clerk.

Ayes: Supervisor Diana Edwards, Councilman Curt Schreiner, Councilman Joe Flacke and Councilman George Lembo.

**Carried: 4 – 0**

**REPORTS OF COMMITTEES –**

Hudson River – Black River Regulating District liaison Dave Cox reported that at the September meeting two consultants were hired as required by FERC. Water rose

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approx. 2' and they are letting water out of the Conklingville Dam. The next meeting of the Regulating Districts Board will be on November 07 at the Sacandaga Field office.

Supervisor Edwards informed those present that Saratoga County will be honoring Military Veteran Richard Traeger this month. The ceremony will take place on October 17<sup>th</sup> at 2:00pm.

Building Committee member Councilman Joe Flacke reports that there is a website to look at regarding funding.

Councilman George Lembo gave his reports regarding the Historical Society Committee. Has a list of seven that are interested on being on the Committee. Would like to have the museum open on Saturday mornings for a round table from 9 -11. Would hopefully like to have it every Saturday.

Highway Superintendent Lehman Allen, Jr reports that last Saturday the Town got 5" of rain. The culvert on new construction on Military Road was damaged during the repaving project by a grinder. It hit one of the culverts but the Company replaced the damaged one.

The scanner for the highway trucks has been picked out. It is a FCAR model which will diagnose the large trucks and the pick-ups. Cost is \$4,900.00 (\$1,100.00 extra for upgrade and no expiration date on machine). Has wireless capabilities. Would like permission from the Board to purchase. Would save on time and scan costs and parts as we would be able to do our own diagnostics right at the garage and buy the parts needed. Have had problems with the garbage truck recently. Was under warranty. The Board is okay with the purchase of the scanner.

**CORRESPONDENCE –**

Notice of Public Hearing from Saratoga County Department of Aging & Youth.

**OLD BUSINESS –**

The leaf retention center will open on Wednesday, November 01st and stay open through Sunday, December 03<sup>rd</sup>. Must have a recycling permit which can be purchased either at the recycling center which is open Wednesday's from 8 -2 and Saturday and Sunday's from 8 – 4. They can also be purchased at the Town Clerks office from 9 – 3 Tuesday through Thursday. The cost is \$20.00 cash or check and is good January through December. All leaves **must** be in biodegradable bags (no plastic). Unbagged loads are subject to a \$50.00 fine/charge. No commercial loads and bags must be taken into designated compost area. **NO BRUSH OR COMMERCIAL DUMPING.**

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**Motion**, made by Councilman George Lembo, seconded by Councilman Joe Flacke.  
Ayes: Supervisor Diana Edwards, Councilman Curt Schreiner, Councilman Joe Flacke and Councilman George Lembo.  
**Carried: 4 – 0**

The Day Town Board discussed reimbursement for CDL training for Town Highway employees. As training is now costly for those trying to obtain a CDL license, the Day Town Board has decided to reimburse the cost. Must provide a receipt. Reimbursement will be done quarterly. If they leave the Town's employ, reimbursement will stop.

**Motion**, made by Councilman George Lembo, seconded by Councilman Curt Schreiner, to approve this policy regarding reimbursement.  
Ayes: Supervisor Diana Edwards, Councilman Curt Schreiner, Councilman Joe Flacke and Councilman George Lembo.  
**Carried: 4 – 0**

**NEW BUSINESS –**

Supervisor Diana Edwards that the Solid Waste be left in a receptacle that can be seen from the street. Cages are okay. Can be used either way within their road frontage. No loose garbage bags. Bags must be in containers. Garbage cannot be put out earlier than 24 hours the day prior and removed within 24 hours the day after garbage pick-up. Garbage receptacles must have house number on them.

Will be setting time and date for Public Hearing Regarding the Control of Dogs later in the meeting.

A vehicle for use by Town Employees to drive on official business for the Town was discussed. Various types of vehicles were discussed including an SUV and a pick-up truck. Discussing cost of the vehicle, tires and parts for various size vehicles was done by the Town Board.

**OTHER BUSINESS –**

The Broadband study continues and involves five Towns around the Sacandaga.

The Town Board had previously discussed removing trees on the parking lot side of Day Town Hall. Buddy's Tree Service presented a quote of \$2500.00. The cost will include stump grinding as well as the cutting down and removal of the pine trees.

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**Motion**, made by Councilman George Lembo, seconded by Councilman Curt Schreiner, to **accept** the quote received from Buddy's Tree Service for removal of pine trees at Day Town Hall. Ayes: Supervisor Diana Edwards, Councilman Curt Schreiner and Councilman George Lembo

**Caried 4 - 0**

Councilman George Lembo and Councilman Joe Flacke would like to thank Owen Shevlin for his efforts in picking up trash along the side of the road near where he lives and also thank Tina Seibert for helping with finances of the Town.

**PUBLIC INPUT –**

Resident Cheryl Allen pointed out that a lot of businesses in Town might use their Company trucks to bring leaves to the leaf retention center. Councilman George Lembo stated that it will be at the attendant's discretion on allowing them to use retention center.

Mrs. Allen feels it would be cheaper to pay mileage than purchase a vehicle.

Mrs. Allen also informed the Board that she has received more than one letter regarding placing solar panels on her property. She would like the Board to consider a moratorium on solar panels.

Resident Ann Alexander stated that people have been throwing garbage on her property.

Supervisor Diana Edwards informed those present that the Town does have a littering law.

Councilman George Lembo started that he has the same problem with litter almost every day.

Resident Owen Shevlin stated that he picks up garbage every time he walks in the Kathan Road area.

Mr. Shevlin reported that there is a terrible odor in one area on Rte. 8. Highway Superintendent Lehman Allen Jr. said he would contact the North Garage by Stewarts dam regarding the odor.

Resident and Zoning Board of Appeals member Harry Brennan feels that perhaps people doing community service could help with the litter problem.

Resident Steve Edwards (and Zoning Board of Appeals member) Asked if the Code Scanner would have an extended warranty. State contract warranties are not that good and does not necessarily include electronics.

Mr. Edwards feels that a personal size vehicle should be purchased instead of a pick-up.

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Resident Bob Alexander pointed out that the tire cost on a truck would be twice as much and would also use more fuel. Mr. Alexander stated that the litter issue is year round.

**Resolution #2023-61** to purchase a 2023 Ford Escape for Town Hall employees to use while conducting Town business. Total cost of vehicle - \$34,544.00.

Ayes: Supervisor Diana Edwards

Councilman Curt Schreiner

Councilman Joe Flacke

Nays: Councilman George Lembo

**Carried 3 – 1**

**Resolution #2023-62** to reallocate funds in the amount of \$34,544.00 from the budget line Buildings A1620.4 Contractual Expenses to Buildings A1620.2 Equipment for purchase of the 2023 Ford Escape.

Ayes: Supervisor Diana Edwards, Councilman Curt Schreiner, Councilman Joe Flacke and Councilman George Lembo.

**Carried: 4 – 0**

**Resolution #2023-63** to set a Public Hearing date of November 13, 2023 at 7:00pm in regards to the proposed Local Law relating to the Control of Dogs in the Town of Day.

Ayes: Supervisor Diana Edwards, Councilman Curt Schreiner, Councilman Joe Flacke and Councilman George Lembo.

**Carried: 4 – 0**

**Motion**, made by Councilman Curt Schreiner, seconded by Councilman George Lembo, to move to **Executive Session**, was made at 8:14pm.

Ayes: Supervisor Diana Edwards, Councilman Curt Schreiner, Councilman Joe Flacke and Councilman George Lembo.

**Carried: 4 – 0**

**Motion**, made by Councilman George Lembo, seconded by Councilman Curt Schreiner, to come out of **Executive Session** was made at 8:25pm.

Ayes: Supervisor Diana Edwards, Councilman Curt Schreiner, Councilman Joe Flacke and Councilman George Lembo.

**Carried: 4 – 0**

**Motion**, made by Councilman Curt Schreiner, seconded by Councilman George Lembo to reopen meeting was made at 8:26pm.

Ayes: Supervisor Diana Edwards, Councilman Curt Schreiner, Councilman Joe Flacke and Councilman George Lembo.

**Carried: 4 – 0**

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**Motion**, made by Councilman George Lembo, seconded by Councilman Curt Schreiner to **adjourn** this Regular Town Board meeting was made at 8:26pm.

Ayes: Supervisor Diana Edwards, Councilman Curt Schreiner, Councilman Joe Flacke and Councilman George Lembo.

**Carried 4 – 0**

Carol Vaillancourt Town Clerk