

**REGULAR MEETING – FEBRUARY 10, 2014 – 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 at the Day Town Hall, 1650 North Shore Road, Hadley NY on February 10, 2014.

The meeting was called to order by Supervisor Preston Allen at 7:00PM and the following answered roll call: Councilwoman April Schmick, Councilman Charlie Dreyer, Councilman Jeff Gray, Highway Superintendent Scott York, Attorney David Avigdor and Liaison to the Hudson River – Black River Regulating District David Cox. (Four member Board, one seat vacant)

Motion, made by Councilman Charlie Dreyer, seconded by Councilwoman April Schmick, to **approve the minutes** from the January 13th Regular Town Board meeting and the January 30th Special Town Board Meeting.

Ayes: Supervisor Preston Allen, Councilwoman April Schmick, Councilman Charlie Dreyer and Councilman Jeff Gray

Carried 4 – 0

Motion, made by Councilwoman April Schmick, seconded by Councilman Jeff Gray, to **approve the audited abstracts** for the General Fund as follows:

#1342 - #1359	General Fund	\$18,389.22
#1316	Pre-Audit General Fund	\$600.67

Ayes: Supervisor Preston Allen, Councilwoman April Schmick, Councilman Charlie Dreyer and Councilman Jeff Gray

Carried 4 – 0

Motion, made by Councilman Jeff Gray, seconded by Councilman Charlie Dreyer, to **approve the audited abstracts** for the Highway Fund as follows:

#1320 - #1341	Highway Fund	\$25,226.58
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Ayes: Supervisor Preston Allen, Councilwoman April Schmick, Councilman Charlie Dreyer and Councilman Jeff Gray

Carried 4 – 0

Motion, made by Councilman Jeff Gray, seconded by Councilman Charlie Dreyer, to **approve the January reports** for the following: CEO, Town Clerk, Town Clerk Petty Cash, Tax Collector Petty Cash, Assessor and bank reconciliations for Gen, H/W, Payroll, Accounts Payable, Town Clerk and Tax Collector.

No report received from Town Justice.

Ayes: Supervisor Preston Allen, Councilwoman April Schmick, Councilman Charlie Dreyer and Councilman Jeff Gray

Carried 4 – 0

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COMMITTEE REPORTS –

Highway Superintendent Scott York reports that he is having trouble getting salt for the roads. He had placed an order for 100 tons on January 27th and only received 70 tons of the order, he is hoping to receive the remainder of the order soon. Highway Superintendent Scott York has placed an order for an additional 100 tons and is calling everyday regarding the status of his orders. Highway Superintendent Scott York reports that this is a problem affecting other Towns as well. The local company who supplies the salt is having difficulties getting their supplies of salt.

Mr. David Cox, who is the Town of Day liaison with the Hudson River – Black River Regulating District, reports the HR-BR Reg. Districts Organizational Meeting was held on Tuesday, Jan. 28th, 2014.

Among other things discussed at the meeting was that Mr. Finkle was elected as the new Chairman, Mr. Stover is 1st Vice Chair and Mr. Hayes is 2nd Vice Chair. Also, a spokesperson for a group concerned with the Hawkinsville Dam project spoke about local concerns and it was decided that the next meeting of the HR-BR Reg. District Board will take place in Boonville instead of Utica so people close to the dam could attend more easily.

A report from Mr. David Cox regarding these two items along with additional items discussed at the Jan. 28th meeting was distributed to the Town of Day Board members prior to the meeting.

Councilman Charlie Dreyer had nothing to report concerning his committee which is Buildings.

Councilman Jeff Gray would like to meet with Highway Superintendent Scott York to review highway equipment.

Councilwoman April Schmick had nothing to report concerning her committee which is Public Safety (Emergency Services) although she is waiting for a report on calls made to the Town of Day by EMS.

OLD BUSINESS –

A memo was received from Account Clerk Mary Ann Johnson and Planning Board Chairman Ted Mirczak who have been working to get the new Town of Day website completed. The memo was distributed to the Town Board members prior to the meeting and informs them that they have completed their review of the new website

and the Town will be switching over to the new website on Friday afternoon February 14th, 2014.

Account Clerk Mary Ann Johnson will be sending an e-mail to department heads asking them to review their sections of the website primarily and hopefully the entire site and she will be waiting for any comments or changes. This information will be passed along to Northshore Solutions, who is building the website, so changes can be made if necessary.

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The Certificate of Need (CON) for the Town of Day has been approved by REMO and the Town is waiting for a refund from REMO.

Supervisor Preston Allen informs those present that the update to the personnel manual in regards to emergency volunteers who work for the Town of Day is still being worked on.

NEW BUSINESS –

The Town Board will be making appointments to the Planning Board and Board of Assessment Review later in the meeting.

Motion, made by Councilwoman April Schmick, seconded by Councilman Jeff Gray, to **hold a Public Hearing** on March 10th at 7:00PM on the proposed local law regarding a Beaver Dam Policy for the Town of Day.

Ayes: Supervisor Preston Allen, Councilwoman April Schmick, Councilman Charlie Dreyer and Councilman Jeff Gray

Carried 4 – 0

The bid specs for the purchase of a pre-owned garbage truck have been advertised with two requests received so far for the paperwork. Bids will be accepted until 3:00PM

on Thursday, February 27, 2014 at which time they will be publicly opened and read aloud.

PUBLIC INPUT ON ANY RESOLUTION –

None

Motion, made by Councilman Jeff Gray, seconded by Councilwoman April Schmick, to **approve the following resolutions:**

#2014 – 01 Appointment of Mary Ann Johnson to the Planning Board

#2014 – 02 Appointment of Suzanne Denn to the Board of Assessment Review

Ayes: Supervisor Preston Allen, Councilwoman April Schmick, Councilman Charlie

Dreyer and Councilman Jeff Gray

Carried 4 – 0

Attorney David Avigdor has received correspondence concerning class action cases. In part the correspondence says that Attorney David Avigdor has received notice of these cases as he is the Town's Attorney, and because his organization (Town) has been identified as having been (or may have been) involved in the purchase of municipal derivatives. This settlement includes all state, local and municipal government entities, independent and private entities that purchased municipal

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derivatives any time from Jan. 01, 1992 through August 18, 2011. Attorney David Avigdor informed the Town Board that there are three courses of action: First, the Town of Day can give up its claim. Second, the Town of Day can opt out of the lawsuits already in progress and file our own lawsuit. Third, and what Attorney David Avigdor feels we should do, is let the lawyers already pursuing this matter continue to handle it. They may at some point ask the Town of Day to verify that we hold these securities. It will probably be a long while (possibly six months or more) before any information is needed from the Town of Day. Copies of these documents will be copied and distributed to the Board Members by the Town Clerk.

Other correspondence available for review at the Day Town Hall.

INPUT FROM PUBLIC –

Town of Day resident Mr. Ed Griesemer – Viele Street, explained that he purchased property in the Town of Day in the 70's and has been a permanent resident for the last six years. Mr. Griesemer is requesting cell phone coverage for the Town of Day and would like to encourage Supervisor Preston Allen to pursue this. Mr. Griesemer explained that he has needed emergency services in the past and for one reason or another has not been able to use the land line at his home. Mr. Griesemer has been in contact with the Mr. Paul Lent, Director of Emergency Services for Saratoga County, about his concerns regarding the need for cell phone coverage. Supervisor Preston Allen stated that he has talked to Dan Stec regarding this and has discussed it with Edinburg Supervisor Jean Raymond. Councilman Jeff Gray and Councilwoman April Schmick stated that they each have a box they obtained from their internet service carrier that allows them to have cell service at their homes.

Motion, made by Councilman Jeff Gray, seconded by Councilwoman April Schmick, to **adjourn this Regular Meeting** of the Day Town Board was made at 7:30 PM.

Ayes: Supervisor Preston Allen, Councilwoman April Schmick, Councilman Charlie Dreyer and Councilman Jeff Gray

Carried 4 – 0

Carol Vaillancourt
Town Clerk