

**REGULAR MEETING MINUTES – SEPT. 12, 2022 – DAY TOWN BOARD
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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, NY 12835 on September 12, 2022.

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

Pledge of Allegiance

Motion, made by Councilwoman Lorraine Newton, seconded by Councilman Curt Schreiner, to **approve** the minutes from the August 08, 2022 Regular Town Board meeting.

Ayes: Supervisor Diana Edwards, Councilman Curt Schreiner, Councilwoman Lorraine Newton, Councilman Jeff Gray and Councilman George Lembo.

Carried 5 – 0

Motion, made by Councilman Jeff Gray, seconded by Councilwoman Lorraine Newton, to **approve** the audited abstracts as follows:

#382, 385-394	Highway Fund	\$19,298.50
#348, 350-383	General Fund	\$31,278.63
#349, 384	Trust & Agency Fund	\$ 2,074.55

Ayes: Supervisor Diana Edwards, Councilman Curt Schreiner, Councilwoman Lorraine Newton, Councilman Jeff Gray and Councilman George Lembo.

Carried 5 – 0

Motion, made by Councilman George Lembo, seconded by Councilwoman Lorraine Newton, to **approve** the August reports as follows: Town Justice, Town Clerk, Supervisor, CEO and Assessor.

Bank reconciliations for Genl., H/W, Payroll/A/P and Town Clerk/Tax Col.

Ayes: Supervisor Diana Edwards, Councilman Curt Schreiner, Councilwoman Lorraine Newton, Councilman Jeff Gray and Councilman George Lembo.

Carried 5 – 0

Mr. Dave Cox, who is our liaison to the Hudson River – Black River Regulating District, reports that there was no meeting in August. The next meeting will take place on September 13th at the District Regulating Office in Mayfield. The Regulating Districts Board was represented at the Day Property Owners meeting and at the Hudson River – Black River Regulating District open house at the Sacandaga Field Office on August 20th. The chief legal officer has stated that the district and the Erie Hydro can't come

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to an agreement on the value of 56' of head at Conklingville Dam. FERC may be required to initiate their Dispute Resolution group. If the Erie Hydro viewpoint is upheld, the five county apportionment may have to be reinstated. Regulating District staff reports that 622 tons of rip rap has been placed for erosion control within the Town of Day. The lake level is about two and a half feet below the target set by the Regulating District but is slowly closing the gap. The next meeting will be on October 12th at the Stillwater Reservoir Office, 116 Necessary Dam Road, Lowville.

Highway Superintendent Lehman Allen, Jr. reports that the annual paving project is done. The price of black top did drop \$1.66 per ton from it's previous price. The price is still well above average at \$71.07 per ton. Blacktopped 1.2 miles on Hadley Hill Road on September 07th. The job was finished in one day thanks to help from surrounding Towns Saratoga County DPW, including Councilmember Jeff Gray.

Highway Superintendent Lehman Allen Jr. stated that he will not be able to purchase a new tandem axle dump/plow truck this year. Budgeted \$266,000.00 in machinery highway account for the purchase of this truck in 2022. Was planning on buying the truck this year and a backhoe next year. Because we can't buy the truck this year it complicates things. He would like the Boards approval to purchase a backhoe this year with the money that was budgeted for the truck purchase. The cost of the backhoe will be \$99,970.00 after trade in with state contract price. The backhoe will have a bumper to bumper warranty. It will be at the college in Cobleskill until close to Thanksgiving as it's being used as a training aid for the students. Would like to leave the \$166,000.00 in Highway fund balance for the purchase of a truck, until 2024.

Motion, made by Councilman Jeff Gray, seconded by Councilman Curt Schreiner, to approve the purchase of a backhoe by the Town of Day Highway Department.
Ayes: Supervisor Diana Edwards, Councilman Curt Schreiner, Councilwoman Lorraine Newton, Councilman Jeff Gray and Councilman George Lembo.

Carried 5 – 0

Resolution #2022 – 51: Approval of backhoe purchase.

WHEREAS, Highway Superintendent Lehman Allen, Jr. has explained to the Day Town Board his reasons for wanting to purchase a backhoe for the Highway Department this year instead of a truck, therefore be it

RESOLVED, that the Day Town Board has agreed to the Highway Superintendent request to purchase a backhoe for use at the Town of Day Highway Garage.

Councilman Curt Schreiner will determine a date and time a class at the Day Town Hall for employees to take the mandatory sexual harassment and violence in the workplace training classes. Training can also be taken online. He will have a roster ready for everyone to sign once they have taken the classes.

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Councilman George Lembo informed those present that there is an active shooter video available that is approx. 5 – 6 minutes long.

Edinburg school is designated as a Red Cross Center in case of emergency.

CORRESPONDENCE – Available for review.

Cemetery Chairman Skip Johnsen gave a report concerning the Town of Day cemeteries. Day Meadows is the only active cemetery with 126 plots sold. He proposed making a change to the way the plots are sized and also a price change to make them closer to what other Towns are charging for plots. Prices haven't been raised since 2018.

Matt Fogarty from Corinth EMS gave a talk on what has been going on with the squad. The Town of Corinth has absorbed the Town of Greenfield this year. Mr. Fogarty explained how the squad has been handling calls and that they are going to have a 2nd station in the new firehouse. He mentioned that the Town of Day typically has 90 to 100 calls per year. Staffing has been a struggle due to COVID. There are 40 people on payroll with 32 being part-time. Peak call volume times are 6am-6pm. Corinth has purchased property for an emergency service building across from Agape Farm.

Supervisor Diana Edwards reports that the new Intermunicipal Agreement with the Saratoga County Animal Shelter for 2023 has been received.

The second ARPA payment has been received. Doesn't have to be used until 2024.

OLD BUSINESS –

The NARCAN training went well with 12 people attending.

Supervisor Diana Edwards explained that a proposed environmental study for the land the Town of Day is interested in purchasing would cost approx. \$3500.00 for a Phase one study.

Motion, made by Councilman Curt Schreiner, seconded by Councilman Jeff Gray, to not approve the Phase one study.

Ayes: Supervisor Diana Edwards, Councilman Curt Schreiner and Councilman Jeff Gray.

Recused: Councilwoman Lorriane Newton and Councilman George Lembo

Carried

Garbage issue still under review.

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Motion made by Councilman Curt Schreiner, seconded by Councilman George Lembo to **approve** resolution #52.

Ayes: Supervisor Diana Edwards, Councilman Curt Schreiner, Councilwoman Lorraine Newton, Councilman Jeff Gray and Councilman George Lembo.

Carried 5 – 0

RESOLUTION #2022-52: Authorizing the acceptance of \$43,128.07 in Federal Aid.

WHEREAS, the Day Town Board needs to accept the \$43,128.07 in federal aid under through the ARPA program, therefor be it

RESOLVED, that the Town of Day does accept the amount of \$43,128.07 in federal aid through the American Rescue Plan act of 2021 on behalf of the Town of Day.

Motion made by Councilwoman Lorraine Newton, seconded by Councilman George Lembo to **approve** resolution #53.

Ayes: Supervisor Diana Edwards, Councilman Curt Schreiner, Councilwoman Lorraine Newton, Councilman Jeff Gray and Councilman George Lembo.

Carried 5 – 0

RESOLUTION #2022-53: Authorizing transfer of funds for land use purchase.

WHEREAS, the Town of Day would like to purchase land adjacent to the Town of Day Community Park, and

WHEREAS, the Town Supervisor would like permission from the Town Board to transfer \$26,000.00 from Savings Account to Special Items Purchase of Land (A1940.2) to facilitate this, and

WHEREAS, this would be contingent upon appraisal of no less than \$20,000.00 and monies would be transferred prior to closing date which is still to be determined, and

WHEREAS, this amount takes into consideration fees for the appraiser, surveyor and the costs associated with the closing, therefore be

RESOLVED, that the Day Town Board does approve this transfer of funds for the purposes specified above.

Motion made by Councilman Curt Schreiner, seconded by Councilwoman Loraine Newton to **approve** resolution #54.

Ayes: Supervisor Diana Edwards, Councilman Curt Schreiner, Councilwoman Lorraine Newton, Councilman Jeff Gray and Councilman George Lembo.

Carried 5 – 0

RESOLUTION #2022-54: Authorizing transfer of funds in the amount of \$13,859.50 from Savings Account to Buildings (A1620.4).

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WHEREAS, the need for the transfer is that the amount was disbursed on 06-13-22 from Buildings (1620.4 to pay for Engineering Services for the Sand Lake Road project, therefore be it

RESOLVED, that this amount will be adjusted by the Town's Accountant to show that it is for the FEMA culvert project on Sand Lake Road and fully reimbursed for Engineer services (A1440.4).

Motion made by Councilman Jeff Gray, seconded by Councilman George Lembo to **approve** resolution #55.

Ayes: Supervisor Diana Edwards, Councilman Curt Schreiner, Councilwoman Lorraine Newton, Councilman Jeff Gray and Councilman George Lembo.

Carried 5 – 0

RESOLUTION #2022-55: Authorizing the revision of the rules & regulations governing the Town of Day cemeteries.

WHEREAS, the Town Board of the Town of Day, after with discussion with Cemetery Chairman Skip Johnson, have decided to revisions to some of the rules and fees concerning the Town of Day cemeteries, therefore be

RESOLVED, that the following changes will be made and take effect immediately:

Revise #4, the cost per plot for one full interment or two cremations will now be \$500.00.

Revise "a site consists of 4'x10' room for one (1) interment or two (2) cremations.

Revise "cost for cremation site from \$20.00 to \$50.00 per lot.

Revise #5, transfer of certificates to include no fee if plot is transferred back to the Town of Day.

Revise #6, grave liners to grave liners and opening of grave. Price for cemetery plot does not include digging of grave or grave liners.

Motion made by Councilwoman Lorraine Newton, seconded by Councilman Curt Schreiner to **approve** resolution #56.

Ayes: Supervisor Diana Edwards, Councilman Curt Schreiner, Councilwoman Lorraine Newton, Councilman Jeff Gray and Councilman George Lembo.

Carried 5 – 0

PUBLIC INPUT – None

Motion, made by Councilwoman Lorraine Newton, seconded by Councilman George Lembo, to **adjourn** this Regular Town Board meeting was made at 8:27pm.

Ayes: Supervisor Diana Edwards, Councilman Curt Schreiner, Councilwoman Lorraine Newton, Councilman Jeff Gray and Councilman George Lembo.

Carried 5 – 0

