

**SPECIAL MEETING-JANUARY 26, 2024-DAY TOWN BOARD  
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**A SPECIAL 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 January 26, 2024.

The meeting was called to order by Supervisor Diana Edwards at 2:00pm with the following answering roll call: Councilman George Lembo, Councilwoman Cheryl Allen, Councilman Harry Brennan, Councilman Joseph Flacke and Attorney Matt Fuller.

The special meeting was called to discuss introducing the Local Law changing the date hearing complaints by the Board of Assessment Review and to set the date for a public hearing. Also introducing an amendment to Local Law providing for Partial Real Property Tax Exemption for persons 65 years of age or older and to set the date for a public hearing.

The date for the Grievance Day is currently set for the 4<sup>th</sup> Tuesday in May each year. The board is looking to move the date to the 1<sup>st</sup> Tuesday in June. Councilwoman Cheryl Allen was wondering the reason behind the date change. Supervisor Diana Edwards stated that the Tax Assessor Carrie Schermerhorn works for three other towns and is not able to be at the Day Town Hall for the original set date. Councilwoman was wondering if the new date would stay the same or if it would change. Attorney Matt Fuller explained that if the Local Law is passed, the date would stay as the 1<sup>st</sup> Tuesday in June unless the board appeals the new law.

Attorney Matt Fuller suggested to follow the agenda for resolutions on how and when the board votes on them. So if the resolutions are done at the end of the meeting the agenda should have them listed as well the same way. Councilman George Lembo would like more time for public input and suggested after each resolution the public should be able to speak, or allow the public input at the beginning and end of the meetings. Lembo said he doesn't know of anytime when the public spoke so long that the meeting was a lot longer than expected to be how it would be a problem. Supervisor Diana Edwards liked the idea on moving the resolutions at the end and allowing the public to speak on them if need be, during public input and vote at the end of the meeting. Councilman Joseph Flacke mentioned going through each resolution and then having public input right after. Councilman Flacke said he would be alright if a resolution was pulled for a separate vote that the public would have an opportunity to speak on it first.

Councilwoman Cheryl Allen said per the Association of Town Attorney motions and resolutions should always be done by roll call votes. Attorney Matt Fuller said it's not the law to do it that way, to adopt a motion it can be done by roll call or by voice vote.

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Attorney Matt Fuller said it's the Town Boards call if a roll call vote is to be done on all votes. Supervisor Diana Edwards said she is fine by doing a roll call on each vote.

Councilman Harry Brennan asked if someone from the public wanted to speak on new business if it is allowed. Supervisor Diana Edwards said during the public input the public could bring up any new business or ideas during that time. The new business is for the Town Board to discuss or state anything new at that time. Councilman Harry Brennan said at the first board meeting it was discussed to vote after the public input.

**Public Input:**

Vickie Walencik likes the fact the public can speak on things prior to the Board voting. Vickie was thinking about the part time residents here in town for the Grievance Day for Memorial Day weekend and was thinking the day prior to Memorial Day would be better. Councilwoman Cheryl Allen said the new day for Grievance is what the Tax Assessor wanted so it works with her schedule being she works for other towns as well. Carrie said she would not like it before Memorial Day and the first Tuesday in June works best for her. The board said if that's the day that works best for Carrie they are all okay with it.

Carrie Schermerhorn spoke about the senior partial tax exemption, she checked the levels in the RPS system with the state. The town, school and county each have there own and Carrie noticed for the town its in the system as \$36,399 is the cutoff for the 5% exemption. Carrie was looking into a local law on when this amount was changed. In 2017 the amount was changed \$27,000 and jumped to \$36,399 and was wondering why it was changed. Carrie saw a resolution from 2021 minutes and the senior disabled was changed at that time and the income portion was not changed. No law was filed at that time. Attorney Matt Fuller stated a resolution was adopted and the town did not pass a local law in 2021 and has no idea who drafted that or where it came from, nothing was actually filed. Also, Matt said no law could be found in 2017 that was filed at that time either. Carrie mentioned to keep the exemption at \$36,399 to clear everything up and make everything clean again. Supervisor Diana Edwards said she doesn't want to take anything away from the seniors and to keep it the way it is now. The new law has to be filed by March 1, 2024.

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**Resolution #2024-26** Introducing Proposed Local Law Changing the Date Hearing Complaints By the Board of Assessment Review and to set the date for a public hearing on February 12, 2024 at 7:00pm

**Resolution #2024-27** Introducing amendment to Local Law providing for Partial Real Property Tax Exemption for Persons 65 Years of Age or older and to set date for public hearing on February 12, 2024 at 7:00pm.

**Motion**, made by Councilman Harry Brennan to adopt both resolutions, 2<sup>nd</sup> by Joseph Flacke.

Ayes: Councilman George Lembo, Councilwoman Cheryl Allen, Councilman Harry Brennan, Councilman Joesph Flacke and Supervisor Diana Edwards.

**Carried:** 5-0

A public hearing is scheduled for February 12, 2024 at 7:00pm, Town Board meeting immediately following.

**Other Business:**

Councilwoman Cheryl Allen said she spoke to the comptroller's office, the Ethnic committee and the Association of Towns Lawyers in regards to saying the Supervisors name during a board meeting. They all said Cheryl did nothing wrong by stating the supervisor Diana's name in the previous board meeting. The name mentioned was about pulling a bid and that she didn't have a direct number to contact the Supervisor if she needed to.

**Motion**, made by Councilman George Lembo to adjourn the special meeting, 2<sup>nd</sup> by Councilwoman Cheryl Allen at 2:35pm

**Carried:** 5-0

Tracy Ladd,  
Town Clerk