



# TOWN OF DAY

COUNTY OF SARATOGA

1650 NORTH SHORE ROAD, HADLEY, NY 12835

PHONE: (518) 696-3789

FAX: (518) 696-5391

## **REGULAR TOWN BOARD MEETING June 12, 2023 AGENDA**

**Motion to approve** the Town Board meeting minutes of May 8, 2023.

**Motion to approve abstracts May 2023:**

Highway Fund voucher #205-217 \$17,936.92

General Fund voucher # 218 - 259 \$53,898.97

Bank reconciliations for General, Highway, Payroll, A/P, and Town Clerk/Tax Collector

**Motion to approve** May 2023 reports from Town Clerk, Town Justice, Town Supervisor, Assessor and Code Enforcer

**REPORTS OF COMMITTEES:**

HRBR Regulating District (Dave Cox)

Highway Superintendent (Lehman Allen)

Veterans Committee (Lorraine & Gary Newton)

Building Committee (Joe Flacke, George Lembo)

**CORRESPONDENCE:** None

**OLD BUSINESS:**

- Day in The Park Fireworks scheduled Saturday, August 5, 2023
- Sand Lake Road Project Update

**NEW BUSINESS:**

- Facility Use Request July 29, 2023 – Property Owners Association of Day
- Day Center Cemetery
- Town Garage, Town Hall & Museum roofing projects
- Museum: open house Thursday, July 20, 10am-noon

**OTHER BUSINESS:**

**RESOLUTIONS**

- A. Resolution to adopt Local Law Enacting a Property Tax Exemption for Volunteer Firefighters and Ambulance Works Pursuant to Section 466-a of the Real Property Tax Law.

### PUBLIC INPUT

Please check [www.townofday.com](http://www.townofday.com) for final agenda and updates. Each Regular Meeting of the Town Board will have fifteen (15) minutes set aside for public input, to allow members of the public to address the Board on matters relating to the Town of Day. This timeframe may be extended at the discretion of the Board. Each speaker shall state their name prior to addressing the Board and shall be granted the floor for a single time frame of up to five (5) minutes. All remarks shall be directed to the Town Board as a body and not at a specific individual, staff or member of the public. The Board asks that members of the public respect the opportunity of the speaker at the podium to be heard, and asks that the public refrain from conducting side meetings within the meeting room. The Board thanks everyone in attendance for their understanding and also for their desire to actively participate in the Town decision making process.

**MOTION** to adopt resolutions

### EXECUTIVE SESSION

**The next regular Town Board meeting is** scheduled on Monday, July 10, 2023 at 7:00pm. A quarterly budget review is scheduled at 6:00pm prior to the regular meeting.

**MOTION** to Adjourn

# Day Town Justice Monthly Report

Judge: HOW. K. O. JOHNSON

Date: 06-07-23

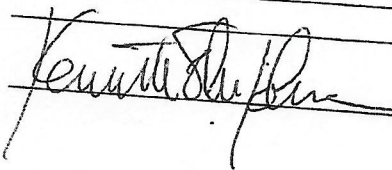
Arraignments Completed 2

V&T	Cases Heard:	Cases Completed:	Cases continued.
Nav.	_____	_____	_____
Ecl.	_____	_____	_____
Criminal	<u>4</u>	<u>4</u>	_____
Civil	_____	_____	_____
Town Ord.	_____	_____	_____

Fines or Civil Fees Collected	\$ _____
Surcharges	\$ _____
Motor Veh.	\$ _____
Nav.	\$ _____
Ecl.	\$ _____
Criminal	\$ _____
Civil	\$ _____
Town Ord.	\$ _____

Weddings Officiated: 1

Notes: 05-03-23 14 CASES COMPLETED, 10 NO SHOWS  
05-04-23 WEDDING  
05-10-23 NO ACTIVITY  
05-17-23 NO ACTIVITY  
05-22-23 - CALL OUT FOR ARRAIGNMENT & WARRANT  
05-24-23 NO COURT  
05-31-23 NO COURT

 Town Justice

# Town of Day Code Enforcement

Month of May report.

Inspections 8 total one on a Sunday.

10 permits issued 8 have paid for so far.

Total monies brought in for May without the other two permits is \$2,732.44.

The office has been getting better and things are getting cleaned up. The permits have been caught up. So, we are just issuing new applications that have come new. I have no old permit applications on the desk.

I have issued two complaint letters this month.

Thank you.



Albert J Brooks  
Town of Day CEO

Date: 5/1/2023

To: Day Town Board

From: Peter L. Dziedzic, Assessor

RE: Monthly Activity Report for the period of 5/1/2023 to 5/31/2023.

The Board of Assessment Review (BAR) met as required on the 23 of May to hear all complaints, correction and stipulations presented. The BAR requested on one complaint to provide additional information about the cost of the house so, they could make a decision on the request. Asking for additional information is a normal process to give the BAR the most accurate knowledge of the construction on the building permit so they are able to make the best decision based on the facts. Should a complaint not provide the information requested by the BAR they can then deny the request based on the lack of information. This lack of compliance can later be used should the complaint file for further court action.

The review of new and incomplete building permits will begin for the 2024 assessment roll. The new Code Officer I'm sure will help to bring people in to get permits once the word is out that enforcement of this issue is known. I will travel the Town with the new Code officer to show him where current outstanding permits are. I will also give him a list of those properties which need to apply for a permit that I know currently exist and don't have one.

Again please pass the word along that any new year round residents who may be eligible for the star exemption need to call 518-457-2036 and not the Assessor's office to be enrolled. They may also apply on line at <http://www.tax.ny/pit/property/exemption/seniorexempt'htm>. All other exemption are processed through the Assessor's office.

**Local Law No. \_\_ of 2023**  
**A Local Law Enacting a Property Tax Exemption**  
**for Volunteer Firefighters and Ambulance Workers**  
**Pursuant to Section 466-a of the Real Property Tax Law**

**Be it enacted by the Town Board of the Town of Day, as follows:**

**§1. Intent and Authority.**

It is the intention of the Town Board to enact a partial exemption from real property taxation for enrolled members of an incorporated volunteer fire company, fire department or incorporated volunteer ambulance service located in the Town of Day for primary residences of such members and workers and the spouses of such members and workers. This local law is enacted in accordance with New York Real Property Tax Law Section 466-a.

**§2. Grant of exemption.**

An exemption of ten percent (10%) of assessed value of property owned by an enrolled member as set forth below, or such enrolled member and their spouse, is hereby granted from taxation with respect to the real property taxes of the Town of Day as long as eligibility requirements are met.

**§3. Eligibility requirements.**

Such exemption shall be granted to an enrolled member of an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service provided that:

- A. The property is owned by the volunteer firefighter or volunteer ambulance worker;
- B. The property is the primary residence of the volunteer firefighter or volunteer ambulance worker;
- C. The property is used exclusively for residential purposes by such volunteer firefighter or volunteer ambulance worker;
- D. The volunteer firefighter or volunteer ambulance member resides in the Town of Day and the Town of Day is served by such incorporated volunteer fire company or fire department or incorporated voluntary ambulance service;
- E. The volunteer firefighter or volunteer ambulance member is certified by the authority having jurisdiction as an enrolled member of such an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service;; and
- F. The volunteer firefighter or volunteer ambulance member meets the minimum service requirement established by the Town of Day which is hereby established as two (2) years.

**§4. Application.**

A volunteer firefighter or volunteer ambulance worker must annually, on or before the applicable taxable status date, file an application for such property tax exemption with the assessor responsible for preparing the assessment roll for the Town of Day, on a form as prescribed by the New York State Commissioner of Taxation and Finance. The Town of Day must maintain written guidelines, available upon request, as to the requirements of an enrolled volunteer member relating to this

exemption.

**§5. Certification.**

The applicable incorporated volunteer fire company, fire department or incorporated voluntary ambulance service of such enrolled member must annually file with the assessor, prior to the applicable taxable status date, a list of the active volunteer members who are certified to meet the minimum service requirement. Such list must provide, as of the applicable taxable status date, the number of years of service served by each such enrolled member and such enrolled member's address of residence, and a certification that such enrolled member remains in good standing and current on all applicable training, membership and appearance criteria of this local law.

**§6. No diminution of benefits.**

An applicant who is receiving any benefit pursuant to Article 4 of the Real Property Tax Laws of the effective date of this article shall not have any of those benefits diminished because of this article.

**§7. Grant of lifetime exemption.**

Any eligible enrolled member who accrues more than 20 years of active volunteer service (as certified by the authority having jurisdiction) shall be granted the 10% exemption as authorized by this article for the remainder of his or her life as long as his or her primary residence is located within the Town of Day.

**§8. Un-remarried spouse of enrolled member killed in the line of duty.**

The un-remarried surviving spouse of a deceased enrolled member killed in the line of duty, as certified by the authority having jurisdiction, is qualified to continue to receive an exemption, as long as the deceased volunteer had been an enrolled member for at least five years and had been receiving the exemption at the time of his or her death.

**§9. Un-remarried spouse of deceased enrolled member.**

The un-remarried surviving spouse of a deceased enrolled member, as certified by the authority having jurisdiction, is qualified to continue to receive an exemption, as long as the deceased volunteer had been an enrolled member for at least 20 years and the deceased volunteer and un-remarried spouse had been receiving the exemption at the time of his or her death.

**§10. Severability.** If any clause, sentence, paragraph, subdivision, section, or part of this Local Law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this Local Law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

**§11. Effective Date.** This Local Law shall take effect immediately upon filing in the office of the Secretary of State in accordance with Municipal Home Rule Law Section 27.





Town Hall \* 1650 North Shore Road \* Hadley, NY 12835 \* (518) 696-3789

FACILITY USE REQUEST

**GENERAL INFORMATION:**

Name of Organization Property Owners Association of Day Today's Date: 6/7/2023

Contact Person: David L. Smail

Address: 1934 N. Shore Rd Town: Day

Phone (home): \_\_\_\_\_ (work) \_\_\_\_\_ (cell) 786 459 3965

Facility Requested: Community Room X Gazebo \_\_\_\_\_ Day Community Park \_\_\_\_\_

SAT July 29, 2023

Day of Week \_\_\_\_\_ Monthly \_\_\_\_\_ Weekly \_\_\_\_\_ Time \_\_\_\_\_ # of participants 50

Type of Use: Educational \_\_\_\_\_ Community X Social \_\_\_\_\_ Exhibit \_\_\_\_\_

Please explain use: Annual Meeting 10AM - NOON

**Town of Day Buildings & Grounds Use Policy**

The primary purpose of the Town Hall is for use by the Town Government. Use of the facility by any other organization is subject to availability. Town of Day organizations within the Town or organizations having members who are residents of the Town will be allowed to use the Town Hall upon Town Board approval. The rules on the use of the building are and must be signed by requesting person.

Application accepted by Town Board on date: \_\_\_\_\_ or denied on date: \_\_\_\_\_

Signed: [Signature]  
Town of Day Supervisor



**Town of Day  
Fireworks Show by  
Santore World Famous Fireworks**

**August 5, 2023 at Dusk**

**Saratoga County Park (next to boat launch)**

**North Shore Road, Day**

**Celebrate Summer at Great Sacandaga Lake!**