

TOWN OF DANUBE NEWSLETTER

NUMBER 3 OCTOBER, 2006

Referendum on Second Town Justice Position

Election Day will be November 7th this year. On the ballot will be a referendum vote on whether or not to establish a second Justice Position in the Town. A second Justice will allow the work to be distributed between two people rather than having all the work done by just one. A yes vote is a vote to establish the position.

Danube has the second busiest town court in Herkimer County. This is due in large part to the Thruway. The revenue from fines and forfeited bail is a significant amount of money each year—usually on the order of \$40,000. At one time there were two justices in the Town. Having a second justice will allow for more access to the court which should then result in more money being brought. The total cost of the court with the second justice position should not be any greater than it has been with one justice and a clerk to the justice. Presently there is no clerk position. The justice is responsible for his or her own “clerking.” The justice is legally responsible for all activities of the court.

The resignation of long-time Justice Loren Horender made it apparent that it would be desirable to have two active justices. That way the court could continue to operate with only minor disruption if a justice were to resign or become temporarily incapacitated.

If the referendum is approved there will be a search for a second justice. The justice must be a town resident and an elector in the town (legally able to vote).

Town Clerk

Mary Lou Herringshaw is the Town Clerk, Registrar of Vital Statistics and Records Management Officer for the Town. The Town Clerk holds office hours on Tuesday mornings from 8:00 a.m. – 9:00 a.m. and by appointment. Mary Lou is a Notary Public for NYS. The Town Clerk is responsible for issuing dog licenses, marriage licenses, birth and death certificates, hunting licenses, fishing licenses and also issues handicap parking permits. As an informational side note the Town Clerk and Court Clerk are separate positions and as the town clerk I can not give out any information about the court. Mary Lou can be reached 315-823-3400 during office hours at home 823-8813.

TOWN OF DANUBE BOARD

<u>Name</u>	<u>Telephone</u>	<u>E-mail</u>
Allan G. Edmunds Councilman	315-823-2921	Agedmunds@oecblue.com
Patricia A. Jodway Councilwoman	315-823-4466	Pjodway@localnet.com
James L. Lasher Councilman	315-823-0859	
Lee Ann Stock Councilwoman	315-823-4710	Leeannstock@hotmail.com
Charles M. Welden Supervisor	315-823-3089	Weldenc@telenet.net

Town Completes Second LGRMIF Grant

During the first seven months of 2006 work was begun and completed on our second LGRMIF Grant. Over that time span minutes and some other records from 1825 to the present were indexed. In all nearly 13,000 entries were made to a Microsoft Access database. This database can be searched by name, keywords, dates, actions, and other information. The data enterers were Barbara LeRoy, Diane Fisher, Kimberly Broderick, and Charles Balderston.

It is expected that someday this database will be accessible via the Town website. That will allow people seeking information to get an idea as to whether the information exists, and if so, where they might ask the Records Management Officer to look for it. The Town government has been around since the Town formed in 1817. Starting with 1825 some things are very well-documented in the Town records. Prior to 1817, the Towns of Danube and Stark were part of Montgomery County. Records for that time are more likely to be available in Fonda than in Herkimer County. From 1817 to 1828 the Town of Stark was part of the Town of Danube. Some governmental records for the Town of Stark are part of the records for the Town of Danube. There are references in the old Danube records to its boundary with the Town of Warren and the Town of German Flatts. While the present Town of Danube does not have a boundary with either, the Town of Stark does.

If you have old pictures of things in the Town, please let us know. We would like to arrange to copy them.

The Town of Danube has 2 openings on its Planning Board. Appointments to this board can be made at any time and will be to fulfill unexpired terms. A full term is five years. The Town presently contracts with Herkimer County for assessment services. If there is a resident who is interested in becoming our assessor, please contact the supervisor or another town board member. There are approximately 5 weeks of training in order to become NY State certified as assessor. Must be certified to be appointed. Town will bear cost of training.

**THE CURRENT PLANNING BOARD MEMBERS
AND THEIR PHONE NUMBERS (all 315)**

Charlie Pueschel	Chairman	823-0412
Kay Lipiec	Member	823-4761
Katharine M. Lyon	Member	823-0262
Open	Member	
Open	Member	

The Planning Board consists of five members and an alternate. Their duties are to study, develop, and recommend laws governing land use in the Town of Danube. The Planning Board also administers the **Site Plan Review Law**.

Building Code Department

One common misunderstanding seems to be the issue of project size and if a permit is needed.

If your project is less than 240 square feet you don't need a permit, unless it is something that you are attaching to your home or another permanent structure. If you are not sure, please call and ask, my phone number is (315) 823-8830, if I am unavailable please leave a message and I will get back to you.

Another issue that seems to come up a lot is lot size and setback requirements. The set back requirement from the road is 50 feet from the right of way, not the road. Please make note of the following.

**MINIMUM LOT SIZES AND SETBACKS IN THE
TOWN OF DANUBE**

Minimum Lot Sizes are as follows: Lot size shall be 43,560 square feet, one acre (1) of land and shall not have less than one-hundred-fifty (150) feet of road frontage. The minimum Set-Back requirements for ALL lots, existing and future shall be no less than fifty (50) feet from a public right-of-way and ten (10) feet from all other property lines. For most locations 50 feet from the a public right of way will be 75 feet from the center of the road. That would be for a 3 rod road (49.5 ft. wide right-of-way). Most, but not all of the town roads are 3 rods wide. For a 4 rod road (66 ft. wide right-of-way) it would be about 83 feet from the center.

The town is having trash days October 27th and 28th. Please take advantage of this great service. There is no charge and there will be town employees at the town garage to assist you. If you are planning any building projects please plan and feel free to contact me with any questions.

Patrick Kelly—Town of Danube Codes Enforcer
(315) 823-8830

E-mail: danubecodes@hotmail.com

THE TOWN HIGHWAY DEPARTMENT

**Leonard Pross,
Highway Superintendent
Full-time Employees:
Darrin Fisher
Bernard Mosher
Mark Warner**



**NEWS FROM
THE HIGHWAY
DEPARTMENT**

2006 has presented the Highway Department with some very unusual and demanding challenges.

Late June and early July heavy rains resulted in the Federal Government's declaration of much of Upstate New York as a disaster area. This declaration included the Town of Danube. Because of the declaration work done to repair damage and mitigate problem areas will be reimbursed. The paperwork has been completed and approved. FEMA/SEMO will reimburse the Town for an amount in excess of \$25,000.

The summer highway agreements approved by the Board are nearing completion. Weather permitting we will be able to complete the projects and move to getting the plows and sanders ready for the winter season.

The Highway Department will again take care of the October 27th and 28th Trash Days.

If you have any problems or questions regarding Trash Days or anything else concerning the Highway Department, please feel free to stop by the Town Barn and see us or call.

Superintendent Leonard Pross
at the Town Barn on Creek Road
315-823-3400
Cell 315-868-2437

Danube Town Highways are all (or parts of):

Canal Lock Road, Cramer Road, Cronkhite Road, Dingman Hill Road, Fincks Basin Road, Florian Road, Foley Hill Road, Bush Road, Frog City Road, Graudon Road, Lovers' Leap Road, Mussmaker Road, North Gardinier Road, Old Herkimer Road, Schall's Hollow Road, South Gardinier Road, The Lane Road, Tibbitts Road, Tisi Road, Ucasz Road, and West Fiery Hill Road. All other roads are Herkimer County Roads, State Highways—Route 5-S and Route 169, or private. The Town plows only the Town and County Highways.

Opinions by the State Attorney General's Office have stated that it is unconstitutional in New York State for a municipality to perform work on private property.

ATTENTION TOWN RESIDENTS **"TRASH DAYS ARE COMING"**

The Town of Danube will be holding a Trash Clean Up for the residents of the Town. The dates are Friday, October 27th from 8 AM to 4 PM and Saturday, October 28th from 9 AM to 2 PM at the Town Garage, 438 Creek Road.

The following items WILL NOT be allowed: Household Garbage, Liquids (gasoline, oil, antifreeze), empty or full Paint Cans, Pesticides, Chemicals and any Hazardous Materials, Batteries, and Propane or other Gas Tanks. Also NO RECYCLABLES.

Tires not on rims will be accepted at the following rates: 13" to 15" @ \$2 per tire, 16" to 19" @\$3 per tire.

This is open to any and all residents of the Town of Danube. You will be asked to sign a registration book.

Please, no trash is to be left after the designated hours as this could result in canceling any future clean-up dates for the Town.

This is the second trash cleanup for this year in the Town of Danube and the fourth in the last two years. So far they have been very successful. Continued participation by residents is essential.

Any questions? Please call Highway Superintendent Leonard Pross at 315-823-3400 or a Board Member.

Dog Control

Kathleen Hysack is the Dog Control Officer for the Town. Her phone number is 315-823-1255. She has an answering machine and will return calls as soon as she can. The Town contracts with the Herkimer County Humane Society to accept dogs taken there by the dog control officer. It costs about \$85 for each dog taken to the HCHS shelter. Neither the Town nor the County offers Animal Control or Cat Control in Danube at the present time. The Town enacted a dog control law in December, 2005. The law will require dogs to be under the control of their owner at all times. The law can be read in its entirety on the Town website in the "Laws" section. www.townofdanube.com



Certificate Given to Bill Sagatis for his work in surveying and mapping the cemeteries.

L-R: Rick Mosher, Sagatis, Sharon Polnak, Len Pross



Appreciation Expressed to Clara Smith for her donation of Valley Forge Elms

L-R: L Pross, Robert E Smith, Clara Smith, Rick Mosher

Town of Danube Cemetery Board Report

By Rick Mosher

October 2006

The town currently has five cemeteries under our control:

Garlock located off Johnnycake Rd

Bellinger located off the Bellinger Rd

Haupt located in Newville

Ostrander located on West Fiery Hill Rd

Gardinier located off Paradise Rd

These parcels are maintained primarily by Fina Balderston with help from volunteers and the town's road department and all are in good condition compared to 10 years ago. Yearly public involvement through our "Cemetery Cleanup Day" has taken place over the past 9 years and brings together many volunteers from the town as well as surrounding communities. Tasks assigned depend largely on the number of volunteers and funds available through donations, please look for the posting of this community event in the Little Falls Evening Times in the spring, all help is appreciated both monetary and physical. Current projects taken on by the cemetery board with the support of the town board include the procurement of the Hess Cemetery located along state Route 5-S on the East side of Fall Hill. This cemetery was set aside as a burial place by Peter Bellinger to Augustus Hess in 1837 with Peter's daughter, Nancy McChisney, being the oldest stone dated Sept 15, 1830. Another project includes the enlargement of the Haupt cemetery established in 1808. This is being accomplished with the donation of additional acreages from neighboring land owners Pete and Carole Casadonte and Ellie Von Wellsheim and family. When finished it will double the size of the currently full cemetery and give the town an established "right of way" for proper access to carry out necessary maintenance. The last project currently under way is the clearing of brush located on town property between the road and the Ostrander Cemetery. Spring cleanup day has focused on completing this work for the last two years making considerable progress, you can actually see the cemetery from the West Fiery Hill road now. The cemetery board holds their yearly meetings at the town barn office in March, again look for advertisements in the Little Falls Evening Times for meeting information, all are welcomed and encouraged to attend. The board's goal is to make all town cemeteries self-supporting and with the enlargement project completed in the Ostrander, plots are available there and at the Garlock Cemeteries. Information concerning the purchase of lots or any questions concerning the cemeteries can be obtained by contacting any of the board members at the following phone numbers:

Sharon Polnak 315-823-0540

Leonard Pross 315-823-4527

Rick Mosher 315-823-4363

Assessment / Revaluation Progress

By now your property has probably been visited by one of the data collectors. These collectors are supposed to gather all the information about your property that can affect the assessment. It will be very important to check out any information that is sent to you concerning the data collected. **If it isn't right, let them know about it.** The phone number of our Assessor Denise Reska is 867-1154. If you encounter problems that don't seem to be resolved, please contact the Supervisor or one of the other Town Board members. It may take us a while to get the problems resolved, but we will. The Town will try to schedule a public meeting with the assessor and the board present. We will try for sometime later this fall. The nature of the meeting will be to describe the process and answer questions. There will be several opportunities for property owners to get their questions answered.

Gas and Oil Exploration

At least two property owners in the Town of Danube have been contacted by a company seeking to do explorations for oil and gas. There is at least one source of no-charge information for property owners. That is the DEC. They have information on their website (www.dec.state.ny.us/website/dmn/tip.htm) that gives some guidelines for property owners. If you have an internet connection, this would be worth checking out. They give considerable information about leases for property owners to use in determining whether or not they wish to participate. NYS laws actually do a reasonable job of protecting property owners' rights - as long as the owner doesn't sign them away. One of their main suggestions is to check with your attorney before you sign a lease. The link given above is now available on the Town's website www.townofdanube.com. Just click on "Links" on the homepage, then click on the Oil & Gas Exploration link.

WINDMILLS

At least one other property owner has been contacted by an energy company about windmills (wind turbines) on his property. This is a topic that is very much in the news from surrounding towns. Stark and Warren have a joint project with which they're dealing. Fairfield and some other towns north of the Mohawk River also have projects proposed in their towns. The big attraction is money for the property owners, towns, schools, and county. Wind turbines are also a renewable energy source. What do you think about these projects?

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