

TOWN OF DANUBE NEWSLETTER

OUR SECOND NEWSLETTER

This newsletter is a continuing attempt to provide more information to the residents of the Town of Danube. Knowing about the many events that go on with the Town Government will assist the town residents in getting more value from the money the town spends.

Additional information is available at the town's website, **www.townofdanube.com**. If you have an internet connection, be sure to check it out. If you have suggestions for future newsletters, please let one of the Town Officials know. Maybe next time it will not be as long between issues.

**Issue #2
October, 2005**

THE TOWN BOARD PHONE NUMBERS & EMAILS

Allan G. Edmunds	Councilman	gedmunds@localnet.com 315-823-2921
Patricia A. Jodway	Councilwoman	315-823-4466 jodway@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

THE TOWN ASSESSOR, Her Name & Phone Number Denise Reska, 315-867-1154

Former Assessor Bruce Keeney retired at the end of 2004 after seven years of dedicated service. In early 2005 the Town of Danube contracted with the Herkimer County Real Property Tax Service for assessor services.

Denise does all of the assessing work that was done by Bruce. She is readily available at the above number. Call her if you have any questions regarding your assessment, exemptions, property sales, locating owners and other items related to real property.

In the past two years particularly the Town of Danube has seen tremendous increases in the selling prices of properties. While the reasons for this are not totally clear, the effect is very clear. When properties sell for much more than their assessed value, it causes the equalization rate to go down. Two years ago the equalization rate was almost 100%. Then it dropped to about 90%. This year it has dropped to just over 80%. Recent sales indicate that it will drop even further in the near future.

Drops in the equalization rate cause rises in the taxes that depend on that rate. Essentially a 10% drop in the equalization rate will result in a 10% increase in the school and county tax rates. The State of New York sets the equalization rates based largely on the comparison of the assessed value and the selling price. An equalization rate of 80% means that the assessed value of your property is only 80% of the likely market value.

Town Receives Second LGRMIF Grant

In 2003 the Town received a records management grant in the amount of \$10,501. The grant was to aid in the inventorying and proper storage of all of the Town's records, both recent and historic. On December 1, 2004, the Town applied for a second records management grant. In late July it was announced that the grant had been approved in the amount of \$9842. This grant will be used to index the Town's minutes. This will allow for easier, more rapid access to the records. There are records dating back to the early 1820's. Last December regional archives state director Kent Stuetz visited the Town and photographed 950+ pages of the old records books. It is anticipated that this will allow controlled access to these records and a better understanding of the history of the Town. The next grant application will be made to transcribe the handwritten books so that they can be accessed by computer.

Court News

Justice Loren Horender continues to hold court on Monday evenings starting at 6 PM. The first Monday of the month (except for holidays) is with a Herkimer County Assistant District Attorney (ADA) present. Local and DEC court night is the second Monday. Small Claims and Civil Cases are the 3rd Monday. Cases must be filed prior to court nights.

Justice Clerk Joan Miller received a scholarship to attend the State Clerks and Magistrates conference in Niagara Falls. Joan was awarded this by a Long Island based software company by the name of "Impact." The software will be used in Justice Courts in New York State. She has been instrumental in troubleshooting their program. The Town of Danube Court has already been using the program for about a year.

The justice clerk is in the office from 9-12 on Mondays and Wednesdays. Appointments are available for the convenience of the public from 9-2 Monday—Friday. Please call the Justice Clerk to make an appointment-315-823-4210.



A view of the
Ostrander Cemetery
on
West Fiery Hill Road

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 will likely enact a dog control law in the near future. The law will require dogs to be under the control of their owner at all times. There will be a public hearing held for the new law before it is enacted.

**THE PLANNING BOARD MEMBERS
THEIR PHONE NUMBERS (all 315) & EMAILS**

Charlie Pueschel	Chairman	823-0412	cpusechel@burline.com
Kay Lipiec	Member	823-4761	none
Katharine M. Lyon	Member	823-0262	none
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**.

Town of Danube Cemetery Report 2005

This year's cleanup date was May 7th. "Cemetery Cleanup Day" has taken place annually for each of the last seven years and has resulted in cemeteries that are very presentable and comparable to cemeteries in many other towns. This year's major projects were 1. Removal of brush and other undergrowth from the Walrath Cemetery on the former McKenney property on Route 5-S. As much maintenance as time permitted was also done at that site. 2. Brush and small trees were cut and piled on the Ostrander Cemetery property. This allowed better visibility from of the cemetery from West Fiery Hill Road. Progress is being made on the acquisition and alteration of the boundaries of Houpt Cemetery

CEMETERIES MAINTAINED BY THE TOWN

Garlock – located on Johnnycake Road

Bellinger – located on Bellinger Road

Houpt – located in Newville

Ostrander – located on West Fiery Hill Road

Gardinier – located on Paradise Road

These cemeteries are maintained throughout the summer months by caretaker Fina Kulla. Yearly community involvement known as "Cemetery Cleanup Day" has taken place annually for each of the last seven years. Lots are presently for sale in the Expanded Ostrander Cemetery at \$200 each for Town residents, and \$600 each for non-residents. Money from lot sales goes into a perpetual care fund. Donations to the Cemetery Fund are accepted at any time. The goal is to make the cemeteries self-sustaining. Anyone intersted in more information can contact any of the Cemetery Board members or any Town Board Member.

Rick Mosher 315-823-4363

Sharon Polnak 315-823-0540

Leonard Pross 315-823-4527

UP FOR ELECTION THIS YEAR

Position	Currently	Length of Term
Supervisor	C. Welden	2 years
Highway Supt.	L. Pross	2 years
Town Clerk	M.L. Herringshaw	2 years
Tax Collector	M. Mosher	2 years
Council	Lee Ann Stock	4 years
Council	Patricia A. Jodway	4 years

THE TOWN HIGHWAY DEPARTMENT

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



HIGHWAY DEPARTMENT NEWS

The summertime work is ending with the widening and ditching of Dingman Hill Road. Other road jobs this summer were a single surface treatment of North Gardinier, Tisi, Schall's Hollow and Old Herkimer Roads. Finck's Basin Road has been crack sealed and will be on our list for resurfacing in 2006.

Two major culvert replacements were done this summer. One was on West Fiery Hill Road and was done as part of the upgrading of that road. The other, on Lovers' Leap Road was of an emergency nature. Erosion had caused a temporary closing of the road. It was decided that the culvert needed be completely replaced.

Mussmaker, Florian, and Frog City Roads all received a significant gravel build-up and grading. West Fiery Hill and Canal Lock Roads also were built up and graded.

Winter equipment is being fine-tuned and will be ready to go on time. Sand has been hauled and piled, ready for use. Prices for the salt to be mixed with the sand have increased about \$5.00 per ton and there has been a fuel surcharge added to the price.

If you have any problems or questions regarding the Highway Department, please feel free to contact Superintendent Leonard Pross at the Town Barn on Creek Road.
315-823-3400.

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.

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.

FACT—The Town Tax Rate for 2005 is \$4.15 per thousand of taxable value. If your taxable assessment is \$50,000, your Town Tax for this year was \$4.50 x 50 = \$207.50. This tax bill is due in January along with the County Tax and fire protection. In 2005 the Fire Protection Tax Rate is \$0.83 per thousand of assessed value.

Town Clerk, Registrar of Vital Statistics,
Records Management Officer

Town Clerk, Mary Lou Herringshaw, continues to hold office hours on Tuesday mornings from 8:00 a.m. until 9:30 a.m., at the Town Garage 438 Creek Rd. Mary Lou will also meet anyone by appointment and can be reached at home 315-823-8813. As Registrar of Vital Statistics the Town Clerk issues birth and death certificates and marriage licenses. She also sells dog licenses and renewals, and all D.E.C. licenses through the office computer on Creek Rd. The Town Clerk is also responsible for researching genealogy inquiries. The Town Clerk for the Town of Danube is also The Registrar of Vital Statistics and The Records Management Officer. As RMO, she is the one to contact for information under the Freedom of Information Law (FOIL). Her contact address is 438 Creek Road, Little Falls, NY 13365. The Town Clerk is also a Notary Public for the State of New York and will notarize items for any town resident free of charge.

ATTENTION TOWN RESIDENTS

The Town of Danube will be holding a second Trash Clean Up for the residents of the Town. The dates are Friday, October 21st from 8 AM to 4 PM and Saturday, October 22nd 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.

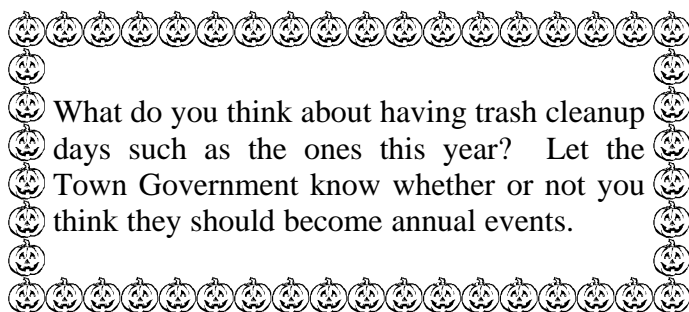
Tires not on rims will be accepted at the following rates: 13" to 15" @ \$2 per tire, 16" to 19" @\$3 per tire.

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 Clean Up for the Town of Danube and we hope to do it again.

Any questions? Please call Highway Superintendent Leonard Pross at 315-823-3400.



What do you think about having trash cleanup days such as the ones this year? Let the Town Government know whether or not you think they should become annual events.

BUILDING CODES

by Stephen LaCoppola

This information is being included to help you to become more familiar with the Code Laws of New York State and how they affect you as a property owner. I will try to answer some of the questions that I hear often when working with residents on their building projects. Also cited are some new state laws that affect property owners in the Town of Danube. Stephen LaCoppola, 315-823-2870, slacoppola@yahoo.com

BUILDING PERMITS

The following section numbers and wordings are copied directly from NYS Uniform Code Law.

1203.3(b) Building permits shall be required for any work which must conform to the Uniform Code. The application for a building permit shall request sufficient information to permit a determination that the intended work accords with the requirements of the Uniform Code. Exceptions to the requirement for building permits may be allowed for:

1203.3(b)(1) necessary repairs which do not materially affect structural features;

1203.3(b)(2) alterations to existing buildings, provided that the alterations:

1203.3(b)(2)(i) cost less than \$10,000;

1203.3(b)(2)(ii) do not materially affect structural features;

1203.3(b)(2)(iii) do not affect fire safety features such as smoke detectors, sprinklers, required fire separations and exits;

1203.3(b)(2)(iv) do not involve the installation or extension of electrical systems;

1203.3(b)(2)(v) do not include the installation of solid fuel-burning heating appliances and associated chimneys and flues; and

1203.3(b)(3) small noncommercial structures not intended for use by one or more persons as quarters for living, sleeping, eating or cooking, for example, a small storage building.

Danube Local Law Requires a Permit for any Structure 240 square feet or larger. If there is any question as to whether or not your project needs a permit you may always call me to find out.

Permits in the Town of Danube are valid for an entire year with the ability to renew the permit for a second year for a small fee. That is why it is important to obtain your permit as soon as possible. Building projects always go much smoother if they are planned in advanced. Permit application must be reviewed before permits can be issued and on larger projects this takes time. When planning a project and filling out an application do it in advance to avoid any problems that may arise before you are ready to begin construction.

PROPERTY MAINTENANCE

The second issue is property maintenance. In the International Code that was adopted by New York State there is one book dedicated to property maintenance. Following are some of the Laws in this section that pertain to Danube Residences.

1. Unlicensed, Unregistered Vehicles the law reads:

§PM302.8 Motor vehicles. Except as provided for in statute or other regulations, two or more inoperative or unlicensed motor vehicles shall not be parked, kept or stored on any premises, and no vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved spray booth. **Cont. P4**

PROPERTY MAINTENANCE (Cont'd.)

EXCEPTION: A vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area designed and approved for such purposes.

1. The following laws apply to exterior property areas.

§PM302.1 Sanitation. All exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property which such occupant occupies or controls in a clean and sanitary condition.

§PM302.7 Accessory structures. All accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair.

§PM305.1 Accumulation of rubbish or garbage. All exterior property and premises, and the interior of every structure, shall be free from any accumulation of rubbish or garbage.

RESIDENTIAL STRUCTURES

For Residential Structures the following laws apply. These laws deal primarily with exits. Exits are one of the most important features of our homes as they are our means of escape during emergencies. Every Residential home requires one exit but where there is more than one they all must comply with the Residential Code.

§RR311.5 Exit facilities. Exterior exit balconies, stairs and similar exit facilities shall be positively anchored to the primary structure to resist both vertical and lateral forces. Such attachment shall not be accomplished by use of toenails or nails subject to withdrawal.

§RR312.1.2 Landings at doors. There shall be a floor or landing on each side of each exterior door.

EXCEPTION: Where a stairway of two or fewer risers is located on the exterior side of a door, other than the required exit door, a landing is not required for the exterior side of the door.

The floor or landing at a door shall not be more than 1-1/2 inches (38 mm) lower than the top of the threshold.

EXCEPTION: Where a stairway of two or fewer risers is located on the exterior side of a door, other than the required exit door, a landing is not required for the exterior side of the door.

The floor or landing at a door shall not be more than 1-1/2 inches (38 mm) lower than the top of the threshold.

§RR313.2 Handrails required. Handrails shall be provided on at least one side of all ramps exceeding a slope of one unit vertical in 12 units horizontal (8.33-percent slope). Handrail height, measured above the finish surface of the ramp slope, shall be not less than 34 inches (864 mm) and not more than 38 inches (965 mm). Handrails on ramps shall comply with

§RR316 GUARDS

§RR316.1 Guards required. Porches, balconies or raised floor surfaces located more than 30 inches (762 mm) above the floor or grade below shall have guards not less than 36 inches (914 mm) in height. Open sides of stairs with a total rise of more than 30 inches (762 mm) above the floor or grade below shall have guards not less than 34 inches (864 mm) in height measured vertically.

§RR316.2 Guard opening limitations. Required guards on open sides of stairways, raised floor areas, balconies and porches shall have intermediate rails or ornamental closures that do not allow passage of a sphere 4 inches (102 mm) or more in diameter.

EXCEPTION: The triangular openings formed by the riser, tread and bottom rail of a guard at the open side of a stairway are permitted to be of such a size that a sphere 6 inches (152 mm) cannot pass through.

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EXCEPTION: The triangular openings formed by the riser, tread and bottom rail of a guard at the open side of a stairway are permitted to be of such a size that a sphere 6 inches (152 mm) cannot pass through.



Town of Danube
438 Creek Road
Little Falls, NY 13365

Garage/Meeting Room
Phone 315-823-3400
FAX 315-823-3518