

BOARD OF FIRE COMMISSIONERS
McKownville Fire District
Town of Guilderland
Albany, N. Y.

January 10, 1967

TO: All Qualified Voters of the McKownville Fire District

FROM: McKownville Board of Fire Commissioners

SUBJECT: Notice of Special Election to be held on Thursday, January 26, 1967,
at the McKownville Fire House from 7:00 p.m. to 10:00 p.m.

A special referendum will be held as indicated above at which qualified voters (must own property) of the McKownville Fire District are requested to authorize:

1. A bond issue to a maximum amount of \$80,000 to supplement the amount of \$175,000 already authorized in the referendum held on June 15, 1965 for the acquisition of a site and construction of a firehouse building thereon.
2. A bond issue of a maximum of \$30,000 to acquire a new modern fire pumper truck to replace the 1951 Dodge now in use which is over age, fast deteriorating, is no longer dependable and no longer meets the pumping tests required.

80
175
30
285

The election will be conducted by a specially designated Board of Elections, the members of which will be:

William Conway, 9 Mercer Street
Hugh W. Prytherch, 14 Glenwood Street
Robert Quackenbush, 44 Highland Drive
Fred Deichman, 10 Williams Court
Joseph Greisler, 8 Mercer Street

It is imperative and essential that the new firehouse be erected without further delay. The delays to date have been costly.

Following the referendum held on June 15, 1965 at which voters approved \$175,000 for land and building:

1. The land was sold on July 1, 1965 (15 days after the referendum) to the "1250 Western Avenue Corporation" for \$67,000, \$2,000 more than the referendum allowed the Board to spend for land. No money changed hands on the deal.
2. In order to fully meet the legal requirements of a condemnation proceeding, additional attempts were made to negotiate but to no avail.
3. ~~The judge did not sign the final condemnation award order until October 28, 1965.~~
4. Three Commissioners of Appraisal were appointed by the Court and they held hearings in December 1965 and January 1966.
5. Testimony was not in final typed form until March 1966.
6. The Commissioners of Appraisal presented their findings to the Court in June 1966, setting the price for the land at \$102,000. (The defendants had asked \$145,000. The Fire District appraisal was for \$50,000. The July 1, 1965 sale price was \$67,000 and the original sale price to Potter Club in 1962 was \$37,500)

7. Bids were taken on the building on August 2, 1966. Delays and the rising cost of construction brought the bids in excess of the original estimate, the lowest bid combination was \$128,000.
8. Judge Cook's decision to uphold the price established by the Commissioners of Appraisal was not received until December 1966.
9. Our Attorney was immediately authorized to file an appeal.

The following conclusions have been drawn:

1. We must appeal to have the \$102,000 judgment reduced. We do not feel the evidence has been fairly considered or that the taxpayers have been given just treatment.
2. We cannot attempt to be released from the property in question at this time as we would be subject to an action for damages and, if the results of the court action to date are any criteria, the taxpayers could become liable for a large sum without getting anything in return for it and we would still not have the firehouse.
3. It is the feeling of this Board of Fire Commissioners that the Attorney General of the State of New York should be advised of the results of this case and a full investigation asked. Any and all methods to have this judgment reduced will be used.

We have scheduled Open House on Wednesday, January 18, 1967 at 8:00 p.m. at the Fire House at which time property owners are invited to attend and the Fire Commissioners will be present to answer questions.

Your approval of the additional sum required for the bond issue will give us the opportunity to start construction to house the equipment suitable as the existing building is becoming more and more unsafe.

The McKownville Improvement Association passed a resolution at its last meeting giving their support to the Board of Fire Commissioners on the referendum, for which we are grateful,

The Bond issue asked for the new truck will cost very little above the present rate as the 1957 American LaFrance truck will be paid for this year. Only increase from this source, therefore, will be those due to higher cost and higher interest rate on bonds.

The members of this Board of Fire Commissioners wish to express appreciation for your loyal support in the past and your understanding on the delays in the difficult days we have encountered in this case and we pledge to make every effort to keep the cost of the project to a minimum.

It is a fact that this is the first time in the history of the State of New York that a Fire District HAS HAD TO CONDEMM property to build a new facility. Many of the questions and problems which have arisen have had no precedents from which suitable solutions might be derived. It is also apparent that the condemnation law offers no protection to taxpayers from outside profiteers of the type with whom we have been forced to deal.

Only your continued support can help us carry this fight to a successful conclusion and continue adequate fire protection for McKownville.

Very truly yours,

McKOWNVILLE BOARD OF FIRE COMMISSIONERS

Frank Casatelli, Chairman
Clifton Oliver
Fred Abele

J. Leo Dugan
Thomas W. King, Sr.