

May 10, 2016

Minutes of the Town Board Meeting held Tuesday, May 10, 2016, at 7:00 PM, at the Keene Town Hall. The following Town Board Members were present: Paul R. Martin, Robert M. Biesemeyer, Michael J. Buysse and Jerry D. Smith, Members of Council. Absent: William B. Ferebee, Supervisor. Also present were: 11 residents, Gary Manley, Highway Superintendent, Debra Whitson, Town Attorney and Ellen Estes, Town Clerk.

Mr. Martin, the Acting Chairman, called the meeting to order at 7:03 PM and invited those present to join in the Pledge of Allegiance.

Mr. Martin explained that Mr. Ferebee would not be present tonight saying he is not feeling well.

Resolution No. 116 – 16

Mr. Biesemeyer offered a resolution and moved its adoption. Be it resolved, that the Town Board accept the Notes from the Truck Bid Opening held Friday, April 8<sup>th</sup> and the Minutes of the Town Board Meeting held Tuesday, April 12<sup>th</sup>, as presented. This resolution was seconded by Mr. Smith.

Roll Call Vote:

Mr. Ferebee:	Absent
Mr. Martin:	Yes
Mr. Biesemeyer:	Yes
Mr. Buysse:	Yes
Mr. Smith:	Yes

Donna Reed Austin was present to submit and review her 2016 End of Year Tax Collection Report to the Town Board.

Resolution No. 117 – 16

Mr. Biesemeyer offered a resolution and moved its adoption. Be it resolved, that the Town Board accept Donna Austin's 2016 End of Year Tax Collection Report. This report has been attached to and made a part of these minutes. This resolution was seconded by Mr. Buysse.

Roll Call Vote:

Mr. Ferebee:	Absent
Mr. Martin:	Yes
Mr. Biesemeyer:	Yes
Mr. Buysse:	Yes
Mr. Smith:	Yes

Mr. Martin said he thought he knew why most of the people were present here tonight. He said he understands there has been some complaints about property tax assessments and said that Mr. Ferebee and the Town Board would be doing some further investigation into the issue saying that the complaints seem to be very broad.

Steve Bowers said that since he bought his current property, the rise in assessment on it has been nonsense, he said it has been raised sometimes 100,000 a year. He asked "What the heck's going on?" and "How do we put an end to it?"

Mr. Biesemeyer responded, saying that voicing these complaints is a good thing. He suggested talking to the Assessor and documenting the meeting as to treatment, satisfaction, etc.

Mr. Bowers said he originally bought the "falling down" structure and property for \$225,000 and said the assessment has gone crazy.

Mr. Biesemeyer and Mr. Martin both said the Town would be investigating these complaints and would be trying to find out what is going on.

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Mr. Bowers spoke about how these assessments would affect the Property and School taxes.

Barbara Strowger said she can't speak for the school, but said that you cannot get new people to move into Town because they can't afford to live here. She said that her own assessment on her 1/3-acre parcel is "obscene".

Alice Boutte said the assessment on their own house was acceptable, but the assessment on their green cottage is the same this year as it was in 2014 and they have subdivided and sold 16 acres of property since then.

Mr. Biesemeyer stated that no one likes to see high assessments, but explained that high budgets are what drives taxes. He explained that the State owns 73% of the land in the Town of Keene and that they set their own values leaving a small tax base to meet the budget. He talked about how taxes are paid in other places and spoke about changes that should be implemented. He said the Constitution says that land is assessed by the Assessor at its highest and best use, which is not done for the Forest Preserve Land. He said if their 73% was figured at a higher rate it would have a big impact on our taxes.

Mr. Martin said that 60% of our property taxes go to the County budget.

Mr. Biesemeyer said that the Town of Keene pays the 4<sup>th</sup> highest share of the County budget for all the Towns in the County.

Martha Lee Owens said she interacts with the Assessor as a Realtor and feels like her concerns are dismissed. She said that she hears from others that there is a concern that people say she doesn't listen well. She said she feels very concerned for the Town having an Assessor that is not willing to educate the taxpayers or to admit to making mistakes.

Mr. Biesemeyer said he thinks part of the problem is that the Assessor works for too many Towns. He said that at the time she was hired, she said she was going to give one Town up if she was hired here. He said that did not happen.

Mrs. Owens pointed out that there was nothing to lose by educating the taxpayers.

Mr. Martin said that only 11% of the school's operating budget are funds that come from the State. He also said that the Town of Keene Taxpayers pay 10% of the County budget.

Carolyn Fish stated that in 2015 there were 34 property sales of which 17 were above the assessed value and 17 were below the assessed value.

Mr. Biesemeyer said this information has no correlation and went on to name various sales that he was aware of.

Mrs. Fish talked about the grieving process and discussed her recent assessing appointment. She said that by the time her appointment began, she was only given 15 minutes because the next appointment was there. She said she left with unanswered questions and is concerned with the lack of time allowed for meeting.

Tony Goodwin, who is Chairman of the Board of Assessment Review, explained the grievance process.

Mrs. Fish again said she was concerned about the time that individuals are allowed for an appointment saying that the day of her appointment the Assessor had a Doctor's appointment and had to leave work at 2:00.

Mr. Biesemeyer again said that the Assessor had intended to drop acting as Lewis's Assessor when she was hired by Keene, but said she is still working for all four Towns.

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Mrs. Fish then spoke about the "Neighborhood Map". She said she was told that the comparables that she used were not in the neighborhood but said that she asked for a neighborhood map 2 years ago and did not get one. She said the one that was recently supplied does not give clear boundaries. She also said the forms for grievance should be available at the Town Hall and said she doesn't know who to turn to about these concerns.

Mrs. Owens asked "If the Assessor is required to review your assessment each year, why is there such a big jump during a re-val year?" She said she feels this kind of jump is unfair.

Mrs. Fish asked if there is a formula, why can't taxpayers be given it, she said there needs to be transparency. She spoke about her own assessment saying that her house was built in 1951 and it is compared with houses built in 1970. She said her meeting with the Assessor had gone well saying that the Assessor had been much more cordial but said she just didn't get the answers she still needed.

Mr. Martin thanked Mrs. Fish and said he thought she was talking for many people that are out there.

Mrs. Owens asked how many Article 7 complaints there are filed.

Ms. Whitson explained that an Article 7 is a pending complaint with the Court.

There was a discussion regarding the new assessment on the Adirondack Mountain Reserve properties. Mr. Biesemeyer said he thought the AuSable Club lawsuit was still fresh in everyone's mind.

Mrs. Fish spoke about the Residential Form 3-11 saying it is not a New York State form though she said the Board of Assessment Review had sanctioned it.

Mr. Goodwin said this form is used to simplify information from the property owner. He also said that the Board of Assessment Review basically serves as volunteers and has no control over the Assessor.

There was a discussion between Mrs. Fish and Mr. Goodwin as to whether form 3-11 has to be notarized. They did not agree, Mrs. Fish said the Assessor required it to be and Mr. Goodwin said the Board waived it. Mrs. Fish stated that the Board of Assessment Review backed up the Assessor last year on this issue. She stated that the information required on this form is irrelevant. She stated that the only two Towns in New York using this form is the Town of Keene and the Town of Jay.

Mr. Biesemeyer asked the Town Attorney if the Town Board could overturn the use of this form.

Ms. Whitson said she was not sure.

Mrs. Owens asked if the Town Board supervises the Assessor.

Mr. Martin answered no.

The next issue discussed was the Neighborhood Map.

When asked where the old map was, Mrs. Estes said it had been at the Assessor's Office when Hurricane Irene flooded that building.

Mr. Goodwin explained that there used to be 4 neighborhoods. He said that Ms. Bramer changed it, dropping it down to two neighborhoods to gain more comparables. He said it has now been raised back up to three.

He also said there used to be a clear comparable sheet based on scales which was easy to understand. He said the schedules used now are very difficult to understand.

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Mr. Goodwin also mentioned that among his 3 properties, the assessment was reduced \$70,000.

Mrs. Owens asked "If there are land and depreciation schedules, why are they no longer available to property owners?"

Mr. Goodwin assured those present that the Board of Assessment Review would insist that all grievances filed before June 4<sup>th</sup> (I believe he meant the 2<sup>nd</sup>) would be heard.

Moving onto new business, Mrs. Fish said that the Food Pantry move to the Community Center is going well. She said they still need the outside sign moved. She also said that Ryan Hall had been a "God Send" in helping with the move and carrying boxes. She thanked the Town Board and said she thought this new space would be warmer.

Mr. Biesemeyer stated that the Town Archives may be moved into the now vacant room at the Library.

Mr. Martin said that there have been a few recommendations made by the Essex County Historical Society that may be necessary before moving into this space.

Resolution No. 118 – 16

The Town Board adopted Resolution No. 118 – 16, a Resolution to Amend the 2016 Budget. This resolution, in its entirety, is attached to and made a part of these minutes.

Gary Manley, Highway Superintendent, asked the Town Board for a Resolution to accept the Town's Agreement to Spend Town Highway Funds (CHiPs). The improvements named are for improvements to Airport Road with the sum to not exceed \$90,992.40.

Resolution No. 119 – 16

Mr. Biesemeyer offered a resolution and moved its adoption. Be it resolved, that the Town Board sign the Agreement to Spend Town Highway Funds (CHiPs), as presented by the Highway Superintendent. A copy of this agreement has been attached to and made a part of these minutes. This resolution was seconded by Mr. Buysse.

Roll Call Vote:

Mr. Ferebee:	Absent
Mr. Martin:	Yes
Mr. Biesemeyer:	Yes
Mr. Buysse:	Yes
Mr. Smith:	Yes

Mr. Martin explained to the Board that Mr. Ferebee had received a quote on refinishing the floors at the Town Hall. He said the quote to have them sanded and have 3 coats of poly applied was for \$2300. He also relayed the information that the Town Hall would have to close for business on the Friday this is done.

Resolution No. 120 – 16

Mr. Biesemeyer offered a resolution and moved its adoption. Be it resolved, that the Town Board authorize having the floors at the Town Hall refinished at the cost of \$2300. This resolution was seconded by Mr. Smith.

Roll Call Vote:

Mr. Ferebee:	Absent
Mr. Martin:	Yes
Mr. Biesemeyer:	Yes
Mr. Buysse:	Yes
Mr. Smith:	Yes

Carolyn Fish said the food pantry would not be open on Thursday, June 2<sup>nd</sup>.

Mr. Smith suggested canceling the Bi-Monthly Meeting for May saying that it is the day after the long weekend. The Board discussed the pros and cons of canceling and decided it may be beneficial to have that meeting for a continuation of the topic discussed earlier in the meeting.

Resolution No. 121 – 16

Mr. Smith offered a resolution and moved its adoption. Be it resolved, that the Town Board accept the following bills for payment, including those that were prepaid. This resolution was seconded by Mr. Biesemeyer.

Roll Call Vote:

Mr. Ferebee:	Absent
Mr. Martin:	Yes
Mr. Biesemeyer:	Yes
Mr. Buysse:	Yes
Mr. Smith:	Yes

Multi-fund vouchers numbered 234 to 286 totaling \$256,741.75 and 1 voucher from the Library's Fund Raising Account in the amount of \$100.00, as follows;

General Fund bills	- \$40,113.45
Highway Fund bills	- 58,710.38
Library Fund bills	- 2,744.77
Water District #1 bills	- 45,931.37
Water District #2 bills	- 109,241.78

and 1 Library Voucher from Fund Raising Account - \$100.00

Resolution No. 122 – 16

Mr. Smith offered a resolution and moved its adoption. Be it resolved, that with all business having been transacted, this meeting be adjourned. This resolution was seconded by Mr. Biesemeyer.

Roll Call Vote:

Mr. Ferebee:	Absent
Mr. Martin:	Yes
Mr. Biesemeyer:	Yes
Mr. Buysse:	Yes
Mr. Smith:	Yes

The meeting was adjourned at 8:34 PM.

Ellen S. Estes, Town Clerk  
May 17, 2016

William B. Ferebee, Supervisor  
Paul R. Martin, Councilman  
Robert M. Biesemeyer, Councilman  
Michael J. Buysse, Councilman  
Jerry D. Smith, Councilman