

**Town of Charlton
Saratoga County
Meeting of the Town Board**

**PUBLIC HEARING
7:00 PM**

The Public Hearing regarding the proposed Local Law to appoint a sole Assessor, Town of Charlton, Saratoga County, New York commenced at 7:00 pm at the Charlton Town Hall. The hearing was opened by Supervisor Grattidge.

The proposed Local Law was printed and made available to all in attendance.

Present: Councilman Grasso, Councilman Heritage, Councilman Hodgkins, Supervisor Grattidge, Town Clerk Brenda Mills, Attorney VanVranken.

Supervisor Grattidge said that the Town Board has a heavy heart as Councilman Gay passed away over the weekend. The Supervisor asked that everyone observe a moment of silence in memory of John.

Supervisor Grattidge introduced the Board and welcomed everyone to the Hearing. At the present time, the Town of Charlton is the last Town in Saratoga County to have a board of elected assessors. Across the State, 94% of municipalities have opted for an appointed Sole Assessor. The Town Board has studied this issue carefully and has seen firsthand why the three person Board does not function well. The Board's goal is to have a highly trained person who will handle the office with consistency and efficiency and will be insulated from the political pressures of having to run for election every term. The current head Assessor, Kim Caron, is a certified Assessor and the Board plans on appointing her to the position according to the State Law. Kim has taken more courses than she has needed to be an elected Assessor. She needs only one course to be a Certified State Assessor.

Town Clerk Brenda Mills read the Legal notice which was published in the official newspaper, The Daily Gazette on May 11, 2017:

**PUBLIC HEARING
Saratoga County
TOWN OF CHARLTON**

PUBLIC NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Charlton will hold a public hearing **regarding changing of the Town of Charlton three member board of elected Assessors to a single appointed assessor, on the 22nd day of May, 2017** at 7:00 p.m. at the Town Hall of the Town of Charlton, 758 Charlton Road, Charlton, New York, at which time and place all persons desiring to be heard thereon will be heard.

Brenda Mills
Town Clerk
5/9/17

The Supervisor asked Town Attorney Van Vranken to read six letters received by mail regarding tonight's hearing.

Attorney Van Vranken read letters from the following people:

Eva Butler, in support of a Sole Appointed Assessor.

Midge Dube, in support of a Sole Appointed Assessor.

Victoria Hayner, former Charlton Assessor, in support of a Sole Appointed Assessor.

Joanne Bosley, Saratoga County Real Property Tax Service, in support of a Sole Appointed Assessor.

Beth Cervenak, NYS Dept of Tax and Finance, in support of a Sole Appointed Assessor.

Gary and Anne VanDerhorst, in support of a Sole Appointed Assessor.

The floor was opened for the public to speak.

Peg Moffett, resident, stated that Charlton is unique, including having 3 Assessors. She is in favor of a sole elected Assessor or 3 elected Assessors. By not having an election, you lose the right to vote, and she does not want to lose her right to vote.

Rich Malaczynski, resident, said he does not know what the structure of the position is, whether full-time or part-time or what the compensation is. He wants to know what the process is to change out an appointed assessor. Will Assessor be available to meet with residents? He said that numerous people in his development found it very difficult to get to see an Assessor when they came in, and they had to make appointments to see an Assessor. He said that availability is the key concern for people. He is concerned with the structure of the Water Department duties and Mrs. Caron having enough time to provide the service needed as Sole Assessor.

Marge Dennis, resident, said she is a former Charlton Assessor, and a Licensed Real Estate Appraiser. She said she agrees with Mr. Malaczynski who found no Assessor available when the office was open, and that was when there was 3 Assessors. An appointed Assessor has a sole responsibility to be there, and they are going to be 100% responsible to the people of the Town. She said that with 3 elected Assessors, there is usually only one person running the show. You need to have consistency and continuity in the Assessor position. The person needs to know all aspects of the job, but someone newly elected does not have that experience. The Town always has a hard time finding someone to run for election. When someone runs for election, you only get one person, so what are we really voting for? She is in favor of having someone experienced, who has continuity and consistency, who will protect our valuation, who is going to get the equity and share results across the Town for everyone. She is in favor of a Sole Appointed Assessor.

Tim Halladay said he is a 25 year resident, a licensed Real Estate broker and a Mortgage Broker. He does not feel that a good reason to change to Sole Assessor is because everybody else is doing it. He said that political pressure is a phenomenal check and balance. He supports an elected Assessor. He noted that he had his house appraised by a VA appraiser a year ago and it came within \$3,000 of his assessed value. The assessed value was very accurate. He feels the citizens should have the right to vote.

Shirley Palmer, resident, said that she is retired from an Assessor's office in a nearby Town. She worked for 2 different appointed Assessors while there. Neither lived in the Town that they worked in. They were both very competent and efficient and well respected. She is in favor of a Sole Appointed Assessor.

Penny Heritage, resident, said that she feels it is beyond time to move to Sole Appointed Assessor. As mentioned, 94% of municipalities have moved to a Sole Appointed Assessor for good reason. It is a professional position requiring specialized progressive training and the property owner/taxpayer deserve to have a qualified, certified, experienced Assessor trained in property appraisal assessment techniques with knowledge of property tax laws. An appointed Assessor must meet experience and education standards prescribed in the rules for Real Property Tax Administration or be previously certified. Elected Assessors must meet age and residency requirements. That is it. They must live in Charlton and be at least 18 years old. No experience or education standards are required. Elected Assessor must be certified within 3 years of taking office at a substantial cost. Appointed Assessors are required to have continuing education each year, but it is optional for elected Assessors. Charlton does not have 3 certified Assessors, and there are

no certified candidates interested in running for election. Kim Caron fits the qualifications and is interested in the role of Sole Appointed Assessor. Penny is in favor of one Appointed Assessor versus one Elected Assessor to proactively address the residency requirement in the future. If a vacancy should occur, this opens up a pool of qualified candidates. The Town Board is not taking away the citizens right to chose. There is no acceptable choice with the current structure. Our elected representatives are wisely serving Charlton residents today and in the future by proposing a much needed change from an antiquated system.

Dom Barone, resident, said that he has lived in Charlton for about 25 years and previously in Glenville for 10 years. Glenville has a Sole Assessor and he would not have voted for him if he were elected. He quoted a sentence from page 2 of the Real Property Taxation and Finance article, and he found the document very subjective in favor of the Sole Assessor. It says authority vested in one person instead of diffused by quorum decision of 3-member elected board. He said this sounds very biased. He has a shed in his yard and he felt that the assessed value was too big of an increase. So he asked for another Assessor to look at it and they got together and were able to reach a pure value of the assessment. That wouldn't have happened with a Sole Assessor. The document also says that the Sole Appointed Assessor has direct responsibility to the Town Board. In his opinion it is not an advantage to the residents, currently they have direct accountability to the people. He noted that there is history of this issue, and he asked why there is no public referendum this time? NYS document says you can file a petition, why are we not told this? He likes Charlton because there is not too much government. He is in favor of a Single Elected Assessor.

Juliane Mayer, resident, said she found it interesting that letters to the Board regarding this issue were read at the Board meeting, where letters regarding the cell tower were not. At the last Board meeting we were told that one Elected Assessor position would be a popularity contest. The final analysis is that we would have incompetent assessors. That is an insult to voters. Another comment was made that if you do not like our decision, vote us out, and she does not find that acceptable. She noted that this issue was fought for in the 1980's and wonders why this is being brought up again. She has had issues with her assessment in the past and wondered if it were because she was a democrat. She would like to have elected assessors, or maybe revamp the structure and have one elected and one appointed.

Shelley Smith, resident, said that she agrees with a lot of the comments made by Penny Heritage. She has served on the Assessment Review Board for about 12 years in Charlton, and she really feels that the time has come to move to a Sole Appointed Assessor based on the education requirements and the fact that is very difficult to get qualified candidates in the position. Over the 12 years that she has served on the Review Board, she has seen many Assessors come and go, and some have gone so quickly that the Review Board has never met them or dealt with them. The time has come that the Town will be better served with a sole appointed assessor.

Susan McBurnie, resident, thanked the town board for the opportunity for all of us to speak. She has a horse farm on Jockey Street and has been a town resident since 1977. She is also the Town of Charlton's elected Tax Collector. She said she wanted to express her support of Kim Carron, and the Town Board, about the changes they propose to the Assessors Office, and say thank you for addressing the need. She said that she is usually very quiet and does not get involved, but the anonymous flyer she received in her mailbox on Friday persuaded her to speak up. She was surprised at the alarmist tone. There is a need to streamline and reorganize the Assessors Office. Former Assessor Vicky Hayner pointed out some of the problems with having three elected Assessors with no recourse or ability to fire an inadequate person. She said, personally, she was elected in 2015 to be the Tax Collector, after trained for 4 years as an appointed deputy in an effort to become the best qualified candidate for the elected office. She is a firm believer of accuracy, ethics and efficiency. She has little forgiveness for indifference. Currently there are 3 elected assessors for a town of roughly 2000 properties. Each considered equal. But they are not a quorum. They are not equal in education or ethics. To compare, Glenville has one assessor, Malta has one assessor, just naming two. We need one strong Head Assessor who can manage the office, and staff it with qualified and efficient team members, and hold those employees accountable for their work. A change is needed. Defining management levels will also be cost saving as well, and ensure accountability. In closing, she encourages her fellow residents of Charlton to support their Board and their efforts to ensure that ethics, efficiency, and accuracy are above question in our Town. As have Saratoga County and NY State, she is confident that the changes that the board has proposed are the correct steps to undertake at this time and she hopes others will support them.

Ed Snyder, resident, said that he was previously an elected Assessor, and they give you 3 years to get the training and he received his training in 9 months. He feels that there is a lot of misinformation going around. He said that they say that there are no qualified people to become assessors. He has multiple engineering degrees. What happens if a sole assessor gets sick or gets in a car wreck, what do you do? At least if you had 2 others they could pick up the slack. What really bugs him is that you could go to one elected assessor, but the Board does not want to do that. Someone said that the Assessor would be there 100% but the Assessors are not going to be there full time. He said that they are taking his vote away. That is not democracy at all. If it continues this way, he feels the only choice is to get rid of the Town Board. He said when he was elected Assessor, the Board at that time came to him and asked him to increase the assessment on a home on Cook Road, but he would not do it. How much pressure can be put on a person who is appointed and whose job is dependent on the Board. He asked the Board if they want to make it a single assessor, to make it sole elected assessor not appointed. He feels that with 3 assessors, at least 2 could make a decision and override the other.

No one else in the audience chose to speak.

COUNCILMAN COMMENTS

Councilman Grasso said that normally, he does not make comments at a Public Hearing, but he wanted to make a couple of comments only because we may not get everybody in the room again on this issue. He just wanted to let people know where he stands. He listed some of the advantages and the disadvantages:

Disadvantages:

- Voters have less control. That is a significant issue for him. He also understands the perception that there is less ability to reach consensus, without 3 assessors.
- It makes Charlton more like the rest of the Towns in the State, and he firmly believes that part of what makes this Town so great is the uniqueness that Charlton has. This is going to make us more like the rest.

Advantages (which he feels are stronger and more important, and will push the Town in the right direction):

- The consistency of the roll, which we don't have with the 3 elected assessors, it avoids the inequalities of the 3.
- With one appointed, the Board is definitely able to focus on finding the most qualified person for that role. He said someone asked how the Board is able to control the appointment, and he feels that the Board would be able to control that appointment at any time, regardless of terms.
- One of the big benefits is if the Town Board needs to find the most qualified person for the position, they are not limited to Town residents, which he understands the limitations of our population and the difficulties of finding qualified persons for the role.
- He understands the difficulty of keeping 3 persons in office. He has been a Town Board member for 3 years, and during that time it has been difficult to keep 3 assessors in office.
- He knows that this issue has come up in Town for many years. When he came on the Board three years ago, he was not ready to make the decision of what was better for the Town. He wanted to take time to learn, meet with people, hear concerns, and he appreciates everyone coming out tonight to share their opinions. He has been the liaison to the Assessors office for the past 3 years, and he can honestly say that there are tremendous weaknesses with the current system. For the reasons that he mentioned, he personally believes that this Town will be better served with the one appointed assessor.

RESOLUTION #109

Motion to close the Public Hearing

Motion by Councilman Hodgkins

Seconded by Councilman Heritage

BE IT RESOLVED that the Public Hearing be closed as all persons wishing to be heard have been heard.

Vote: All Ayes, No Nays. **CARRIED**

Supervisor Grattidge closed the Hearing at 7:52 pm.

Respectfully Submitted,

Brenda Mills
Town Clerk