

MINUTES OF THE TOWN BOARD OF THE TOWN OF FORT EDWARD REGULAR MEETING HELD ON MONDAY, MAY 10, 2021 AT THE FORT EDWARD FIREHOUSE COMMENCING AT 7:00 P.M.

Supervisor Losaw called the meeting to order at 7:00 p.m.

Pledge of Allegiance

PRESENT: Supervisor Losaw
Councilman Middleton
Councilman Fisher
Councilwoman Mullen

ABSENT: Councilman Mercier

OTHERS PRESENT: Cindy Middleton, Elizabeth O’Leary, Linda Miles, Peter Ives, Caitlin Mahoney, Janelle Rose, Amanda Durkee, Steve Davie, Sue Malvuccio, Joe Malvuccio, Dave Cutler, Maggie Torra, Monica Guglielmo, John Guglielmo, Cameron Guglielmo, Kim Collier, Dan Ward, Brian Brockway, Donna Brockway, Nancy Williams, Colleen LaPan, Tom Roche, Chris Miles, John Boucher, Terry Johnson, Mitch Suprenant, Peter Amorosi, Nasser Awadeh, Katie DeGroot, Chris Boucher and Town Clerk Aimee Mahoney.

Supervisor Losaw: I would like to skip the order of business to allow Superintendent Dan Ward to speak because he has to get back to a school board meeting.

Dan Ward: Good evening and thank you for allowing me the privilege of the floor. My name is Dan Ward I am the Superintendent of the Fort Edward Union Free School District. I am here this evening to comment on behalf of the school board and the school district as well as the employees and the school children that it represents. Please know that our focus is on continuing the long and absolutely necessary collaborative relationship between the Town, the Village and the School. None of us can do what we have to do for our constituents without each other and that is my main reason for being here. Growing up my parents taught me a lot of things, some days are better than others, always lend a hand to a neighbor in need and you never kick a person when they are down. I am hopeful we can work beyond our personal frustrations and in some case anger and take a collaborative approach because all parties involved here want what is best for Fort Edward. None of us should be working against one another. That being said, I do have a few concerns I want to bring to the attention of the Board. First, it is concerning to me that the most recent assessment change on the Irving property came at the last minute without any communication that any type of action was being taken by the Assessor that might have such a large impact on the school district and village. In my 5 years here at Fort Edward open communication has made it possible for us to work together collaboratively to solve problems or at the very least not to be blindsided by large challenges that could potentially have a profound effect on the children, employees and members of the Fort Edward School community. I truly wish that the school had been given a heads up that an opinion of the Irving property assessment was being pursued. This heads up would have given me and the Board the opportunity to inform our stake holders of the possible change. Secondly, I would ask the Board to contemplate how

the fact that a PILOT was ending seemed to surprise some specific individuals when I reached out in March to gather information about the assessment for the school budget, the one that will go out in front of the voters next Tuesday from noon to 8pm up in the main lobby of the school. Please come out and vote. As I am sure you are aware, \$22 million of assessed value in a school district that's only worth \$123 million is a huge number that will have a profound impact on what we can provide to the students and school children of this community, a very profound impact. As a matter of fact the next school taxable assessed value is just over \$113 million after the reductions in assessments that have occurred over the last several months. My comments and concerns are large, hoping that they are constructive but I truly believe that where we take the conversation from here is the most important part. What is done is done. Can it be changed? Maybe, maybe not but what we do together moving forward to insure that the situation we find ourselves in today is not repeated is what matters most to me. That's the question I leave you with, and everyone with, what can we do differently so we are not in this position again so that we can all work together to provide for the Fort Edward Town, Village and School betterment of everybody who lives here, certainly for the school children that are attending the building at the top of the hill. Thanks again for the opportunity to address the Board tonight I truly appreciate it and I wish you luck with the most recent challenge and I am willing to help in any way I can.

Supervisor Losaw: Thank you Dan

BUSINESS:

APPROVAL OF MINUTES:

MOTION by Councilman Fisher, Seconded by Councilman Middleton to approve the minutes of the public hearing & regular meeting of April 12, 2021 **ALL AYES**

MOTION by Councilman Middleton, Seconded by Councilman Fisher to approve the minutes of the special meeting of May 7, 2021 **ALL AYES**

APPROVAL OF REPORTS: MOTION by Councilwoman Mullen, Seconded by Councilman Fisher to approve the following reports: Town Clerk Monthly, Town Justice, Building Inspector, Supervisor and Highway as submitted **ALL AYES**

APPROVAL OF BILLS: MOTION by Councilman Fisher, Seconded by Councilman Middleton to approve amended Abstract #5 in the amount of \$37,907.86 **ALL AYES**

ABSTRACT #5

GENERAL A: 9889-9894,9907-9929	\$15,872.74
GENERAL B: 9930	\$ 34.00
HIGHWAY: 9931-9951	\$16,299.78
MUNICIPAL: 9895-9896, 9952-9956	\$ 2,284.12
SPECIAL LIGHTING: 9897-9901	\$ 2,770.50
SPECIAL WATER: 9902-9904, 9957-9958	\$ 376.80
SPECIAL WATER 2: 9905-9906, 9959	\$ 269.92

TOTAL: \$37,907.86

Abstract #5 was amended due to the GAR Appraisals Invoice for \$1,500.00 not being approved by the Board for payment.

Set MS4 Public Hearing

MOTION by Councilman Middleton, Seconded by Councilman Fisher to set a public hearing for June 14, 2021 at 6:55pm for the MS4 Annual Report **ALL AYES**

RESOLUTIONS:

RESOLUTION NUMBER 15 OF 2021

MOTION BY COUNCILMAN FISHER

SECONDED BY COUNCILWOMAN MULLEN

RESOLUTION APPOINTING ROSEANNE LEMERY AS TOWN ASSESSOR

WHEREAS, the current Town/Village Assessor Victoria Hayner has resigned effective immediately, and

WHEREAS, Roseanne Lemery possesses the necessary qualifications to continue as the Town's Assessor and has served satisfactorily as Assessor for the Town/Village of Fort Edward in the past.

NOW, THEREFORE BE IT RESOLVED that the Town Board of the Town of Fort Edward hereby appoints Roseanne Lemery to the position of Sole Assessor of the Town/Village of Fort Edward for the remainder of the unexpired term of Victoria Hayner ending September 30, 2025.

Dated: May 10, 2021

Vote: Councilman Middleton - AYE
Councilman Mercier - ABSENT
Councilwoman Mullen - AYE
Councilman Fisher - AYE
Supervisor Losaw – AYE

I, Aimee Mahoney, Clerk of the Town of Fort Edward hereby certifies that the above resolution was adopted by the Fort Edward Town Board at the Regular Meeting held on May 10, 2021.

Dated: May 10, 2021

Aimee Mahoney, Town Clerk

CORRESPONDENCE:

- **E-waste Collection Event – 5/14-5/15 8:00am-4:00pm, 18 Abeel Ave. Greenwich, NY**
- **Letter from Al Fredette seeking support for an athletic facility on the lands of the former dewatering facility.**

MOTION by Councilman Middleton, Seconded by Councilman Fisher to send a letter of support to Al Fredette for his premier athletic facility project at the former dewatering facility
ALL AYES

Supervisor Losaw: I have asked Terry and Jeanie to get new fence quotes for the fencing around the new Highway Garage.

PUBLIC COMMENT:

Steve Davie: I live on Burgoyne Ave. I strongly support the assignment of Roseanne as the tax Assessor. I worked with her in the past in Argyle & Fort Edward on the Board of Assessment Review and you won't find a better Assessor. I ask that you treat her with respect and kindness because she takes this job on coming out of retirement and kind of anxious. She is a true lifelong citizen of this community and she's very willing and very capable of doing it. Thank you

Amanda Durkee: I live here in the Village of Fort Edward and maybe I am being naïve but I am really curious if there would be discussion as far as what happened to get from point A to point B to point C with regard to the assessment of the Irving plant. I ask the question because I do not fully understand Town Law and Municipal Law and assessment it's not in my wheel house. I work in a school and I understand School Law and how school's work. The reason it was brought to my attention is because I attend every single Board of Education meeting at Fort Edward and like Dan Ward had said the timeline of it stuck out to me. Quite honestly I just said how does this happen? I have heard a lot of gossip and hear say with truth to it because there are a lot of people coming from a lot of different entities and sharing what they know. There are a lot of people here in this room and I think it would be important to share it publicly what happened with that reassessment? On March 5th Dan Ward was informed that it would be \$22 million, March 24th we are down to \$16 million reportedly because she has applied the equalization rate and by April 29th we are down to \$11 million. Our terminology for the budget for our school board had to change completely, we were telling people that their taxes were going down and now they are slightly going up. Question number 1 is how did we get from point A to point B

and question number 2 is I think it's great that a new Assessor has been assigned but what is the resolution to this? People are here in this room because they are concerned.

Supervisor Losaw: I am not really sure what the steps are going forward, I know we are going to be working on that in the next couple of days with Roseanne but that's all we can say. It might not change but we are trying to adjust that if we can. I am not going to address what happened in the past with the previous Assessor.

Councilman Fisher: We just appointed Roseanne so you have to give us a couple of days to work with her and see what we can do. We don't have a lot to share on that end yet.

Chris Boucher: Wait a minute; you aren't going to share what happened with the previous Assessor?

Supervisor Losaw: It doesn't serve any purpose.

Chris Boucher: It doesn't serve any purpose? This is open government; did you have to have that approved?

Supervisor Losaw: What?

Chris Boucher: Did she have to have that approved? Was there a grievance? Was there a question? Why did it come up and who approved the reval of that property?

Supervisor Losaw: The Assessor has the sole authority to assess anything, that's their job.

Chris Boucher: At any time?

Supervisor Losaw: Yes

Chris Boucher: Without a grievance or a complaint? What was the reason for even looking at the Irving property? It was in the PILOT that it came off and it was \$22 million.

Supervisor Losaw: Her understanding was that the \$22 million and then equalized it and brought it down to \$16 million.

Chris Boucher: What was the reason for looking at it any further? Especially with a countywide assessment coming up.

Supervisor Losaw: Actually what she did was get the countywide assessor people involved.

Chris Boucher: Why?

Supervisor Losaw: Because she wanted a little backup on her thoughts.

Chris Boucher: Why?

Supervisor Losaw: Because she just felt a little comfort doing that.

Chris Boucher: Oh she did, what was your input?

Supervisor Losaw: I told her it was okay.

Chris Boucher: You did? You should resign immediately. You know how I feel about you personally but that is the worst decision that has ever been made for this Town.

Supervisor Losaw: Why? To support my employees?

Chris Boucher: How about the Town residents?

Supervisor Losaw: You have got to support your employees or you have got nothing.

Chris Boucher: You should resign.

Nancy Williams: Why are we supporting her changing this when there was an agreement made? Did you ever sit down and say this was the agreement made. There are newspaper articles about this when it was decided on between Irving, the Town and the Village so why do you go to the county? Why does she not go back and ask Mitch who was sitting in those meetings. I don't understand why she is going to people that were not at all involved.

Councilman Fisher: The Town Board never agreed and or approved anything.

Nancy Williams: Lester said he did.

Supervisor Losaw: I approved the second opinion.

Nancy Williams: Why the second opinion, why did she even drop it the first time?

Colleen LaPan: When you got a second opinion that's so drastic that's when I would think you would go get a third opinion to come together somehow. That's a huge difference.

Supervisor Losaw: By the time we knew about the second opinion it was already submitted.

John Guglielmo: I have to agree with everybody, I think the timing of this is horrible. For us to find out at a Board of Education meeting that Dan has just found out that this happened and to then have to back pedal and put out a budget that the Board was not prepared for is ridiculous. Even though she had sole authority to do this there has to be some sort of oversight into this process other than just letting her go with a reduction of that amount. You are relying on one person to make a decision for an entire area that impacts thousands of people, taxpayers, students and entire school district, If the goal is to throw the school district away by reducing these taxes then I don't know what to say about that but there has to be some kind of oversight and if there is no oversight then something is drastically wrong with this system. I am not saying legal

oversight where you can overrule her but there has to be something to say, are you kidding me? Are you really going to reduce it another \$5 million dollars so it can come out to half of what the PILOT came out to be? Are you telling me that the county just bought off on this knowing it was drastically reduced?

Supervisor Losaw: I am not sure what the county has to say about it.

John Guglielmo: Well somebody has to be sure, you are telling me that one person has all of the knowledge and she's not here?

Councilman Fisher: She resigned.

John Guglielmo: So she is going to go away and nobody is going to know what happened?

Supervisor Losaw: I'm sure there are notes and whatever she has in her records.

Councilman Fisher: We know what happened and it was discussed on Friday. She dropped it to \$16 million, she started getting some calls from the taxpayers, and she got nervous and went to Lester and asked for an appraiser. Lester didn't come to the Board because we would have said no, there is a PILOT agreement that we need to consider but it never came to that so she got an appraisal and that appraisal came in at the \$11 million.

John Guglielmo: I have a hard time understanding how this could happen.

Sue Malvuccio: I have a couple of questions; did you approve payment of the GAR process?

Councilman Fisher: No, that is why the abstract was amended; it wasn't approved by the Board.

Sue Malvuccio: As a taxpayer, if I get my assessment and I'm not happy with it I would go to a Grievance Day. When is Grievance Day and please don't tell me that it's passed because that could be a possible resolution to this.

Dave Cutler: Grievance Day is the last Tuesday in May. I would like to give a little context to the timeline that has gone on seeing as I have been involved in it since day 1. I don't think at any time Mr. Ward was told the assessment would be \$22 million. Mr. Ward called down here on March 5th inquiring what it would be and at that time the Assessor told Dan that the PILOT wouldn't affect him this year, she didn't know that the PILOT was running out July 1st. Upon that she called the IDA and they informed her that it was running out July 1st and the assessment would affect the school taxes this coming year. Then on March 24th the Assessor got back to Mr. Ward and told him the assessment would be \$16 million. He sent out an e-mail to the School Board and I happened to be talking to Mr. Donohue and he told me about the e-mail. I left there and went to the Assessor's office and wanted an explanation why after we had a \$22 million agreement signed by Irving Tissue on their PILOT program that word for word says total assessed value of that property is \$22 million. I voiced my concerns with the Assessor about the \$6 million drop in assessed value and after that I went and introduced myself to Supervisor

Losaw and voiced my concerns and asked him to set up a meeting with myself, him and the assessor where we spoke for ½ hour a couple days later and I voiced my concerns. This community has for 10 years lived with the tax abatements given to Irving Tissue; 100% abatement for 5 years, 50% abatement for the following 5 years running out this July 1st. I gave my point of view and she gave hers so we didn't get anywhere. A week later there was another meeting with myself, the Mayor, the Village Attorney, Supervisor Losaw and the Assessor where the same stuff was rehashed. That is the point where we weren't getting anywhere and the Assessor decided to ask the Supervisor if she could get an appraisal done. The appraiser came back with a \$15 million number then they applied the equalization rate to bring it down to around \$11 million. That's where that came from. We had a meeting last Friday morning and things were rehashed and the Assessor decided that she was going to resign. I have information from the County which shows fair market value and assessed value of your property and last year the County has a fair market value of Irving Tissue at \$30,176,000.00 which translated to a \$20 million assessment so tells you that is where that number was negotiated and that's where that number should be coming out of this PILOT agreement. When the new appraisal was done on this back in April, the new appraisal came in at \$15,068,000.00, less than half of what was on the tax roll for 2020 and that equated to around \$11 million assessed value that we are in today. That is how this whole thing has transpired over the last 7 weeks. The \$11 million came after displeasure was voiced about it being dropped \$6 million from \$22 million to \$16 million and after going back and forth that's when it eventually went to \$11 million.

John Guglielmo: Is our Assessor legally bound to accept that appraisal?

Councilman Middleton: No

Colleen LaPan: Is the appraiser she got qualified and certified in industrial appraisal?

Supervisor Losaw: Yes I believe it was.

Colleen LaPan: You do?

Dave Cutler: I think a bigger question is on a property of that size, we were charged \$1,500.00 to do an assessment on a property of that size. I think if you did a proper appraisal on a property of that size would probably cost 10 times that much so as far as it being an accurate appraisal of that property, I don't think that's the case, especially when you are looking at a \$30 million fair market value on our tax roll last year.

Donna Brockway: It costs more than that to have an appraisal done on a residence and I know that because we just had one done when we subdivided our land for our daughter to build on.

John Guglielmo: Who was the appraiser?

Supervisor Losaw: GAR

Dave Cutler: They are the same ones that are going to do a revaluation of our whole community this coming year.

Maggie Torra: Maybe they will value all of our properties that much less.

Dave Cutler: To me that is another travesty in this, our whole community is being reassessed this year so to just go and pick out one property in our community and lower the assessment on it without looking at anything else is just not the right way to do business.

Chris Boucher: Everyone else will have a great grievance.

Sue Malvuccio: Mr. Losaw, I have one strong feeling that when you took it upon yourself to tell her to get an assessment when she asked you and you said yes without your full Board's approval; I think you fell down on your sword and it was a dereliction of duty.

Supervisor Losaw: My feeling is that I have to give my employees tools that they need for their job if it's in their budget to do that. That was my whole sole reason.

Sue Malvuccio: It was supposed to be approved by the Board.

Supervisor Losaw: It did not have to be.

Donna Brockway: But you don't just work for your employees, you work for us, the taxpayers and I am here as a taxpayer and you work for us through the board of directors.

Supervisor Losaw: Yes I do, but we still have employees and need to take care of them too.

Chris Boucher: Not if they are doing something wrong. Can you just say the heck with it and go with what the PILOT contract says and let Irving fight it if they want to?

Mitch Suprenant: I have been involved with this since 2009; I signed the PILOT program along with J.D. Irving of Irving Tissue. It's a signed upon agreement, I don't care if she's a sole Assessor or not she did not have the right to negate an agreement. (Round of Applause from the public) I was the Town Supervisor for 10 years and I sat with Irving Tissue and you can see on the PILOT that the 8th year was \$11 million and was supposed to go up every year since then and \$11 million was 50% assessment and every year it was \$11 million until this year and then it went to 100% which was supposed to be \$22 million. How anybody can change that is beyond me.

Councilman Middleton: Mr. Supervisor I would like to make a comment on that. Mitch you know along with that agreement they had the ability to challenge the assessment if they thought their assessment was going down and that never happened at any time during the PILOT.

Mitch Suprenant: They knew it was going up and our taxpayers in Fort Edward gave them the benefit of the doubt to keep their business and at the end of the PILOT it would go back to full assessment and that's not happening even though that's the way it was set up, meant to be and that's the way it should be.

Nancy Williams: And it's not happening because of Irving it's because of what the Town Assessor did.

Katie DeGroot: Has anyone talked to Irving?

Councilman Fisher: The Town Board did not approach them yet.

Amanda Durkee: It is my understanding and again this is from hearing from a variety of sources, Irving did not as for this, Irving was not aware of this, Irving did not see this coming and Irving was not planning on questioning the \$22 million. I say that having not spoken to anyone directly at Irving.

Mitch Suprenant: I want to add that this number didn't just pop up. We sat down with Irving, Roseanne, myself and Irving people, we wanted so much per square foot and they wanted so little per square foot. We came in between and told them this is your amount of square footage and this is what we are going to appraise it for and that's the number we came up with. It wasn't just that we said we were going to put it out there at \$22 million, it was per square footage of that facility that we agreed upon and that's how we came up with that number.

Sue Malvuccio: So as of this date we don't have any response or any communication with Irving about what has transpired, is that what you are saying?

Councilman Fisher: The Board has not.

Mitch Suprenant: From what I understand and correct me if I'm wrong but it has nothing to do with what Irving has to say, it has everything to do with what the sole Assessor did. She sent that number up to the county and unless somebody finds a way to change it it's there no matter what Irving says or wants to do. Once that sole Assessor sends that number up to the county it's over with.

Colleen LaPan: Were you aware of the amount that it went down before it got sent up?

Supervisor Losaw: I did not know when it got sent up.

Colleen LaPan: Were you aware of the amount?

Supervisor Losaw: I did at one point but I didn't know if it had already been sent or not.

Colleen LaPan: And it didn't dawn on you that it was 50% less? I would like to get 50% off my house too. It didn't dawn on you?

Supervisor Losaw: Yeah it did, it's a difference.

Colleen LaPan: And you didn't say wait a minute we need to pull somebody else in because I am not sure that this appraisal company specializes in industrial properties.

Supervisor Losaw: They are the ones that were approved by the county to do the reval of the 6 towns in the county.

Colleen LaPan: But that doesn't mean they specialize in industrial properties enough to take their word.

Supervisor Losaw: No, like I said that was her decision.

Janelle Rose: Can you share what they compared it to? Was there anything local? Were there any other industrial or commercial properties that were even close to here?

Supervisor Losaw: I don't think there was anything local.

Janelle Rose: Nothing local so not SCA or Finch Pruyn, just Syracuse and Berkshire County?

Councilman Middleton: Lee, Massachusetts

John Guglielmo: Really? Don't you think there is something really disconnected here? Somebody did something that was unethical in my opinion and somebody needs to be held accountable. Normally that would be the Supervisor, you didn't go to your Board and ethically you should have went to them and say this is what's happening, this is where we are at, this is what I would like to do, what do you feel? That's an ethical decision, not a legal one, an ethical one. Somebody is responsible and somebody needs to be held responsible. If you want the position and you want the authority then you take the responsibility. So what's the next step? You have an entire Village and School District that are hanging in the balance and that balance has been shifted by unethical behavior, unprofessional behavior and a clear lack of oversight. So where are we going? Let's just cut right down to the quick and you tell us what you're going to do.

Supervisor Losaw: We will be meeting with the Assessor probably tomorrow.

John Guglielmo: So you are going to wait for that woman who is jumping into a crap storm to tell you what to do? Is that what you are telling me?

Supervisor Losaw: She is providing some options, yes.

John Guglielmo: How about a lawyer?

Nasser Awadeh: If there was an agreement that was signed then why can't it be enforced?

Supervisor Losaw: As far as I know it can be enforced the way it is now, there are other options possibly.

John Guglielmo: The feeling I get sir is that you really don't know what your options are.

Supervisor Losaw: No I don't.

John Guglielmo: The feeling I get is you should have already consulted with your lawyer.

Supervisor Losaw: We did before the meeting.

John Guglielmo: Yet you still have no answers? This is a serious matter, this is a small town it's not a huge city where this can be swept under the rug. This is a small town where everybody knows everybody, everybody's kids are in this school and everyone is relying on ethical behavior in our government. If you cannot be ethical then you do not need to be where you are.

Amanda Durkee: Who is the Town's Attorney?

Supervisor Losaw: Mark Schachner from Mill, Mannix, Schachner & Hafner.

Amanda Durkee: And he has been consulted with at this point?

Supervisor Losaw: Yes, earlier before the meeting tonight.

Katie DeGroot: Is there a way to have open meetings about this or will we not know what these options are until you make up your mind? Is there a way to let the community know what the options are going forward?

Supervisor Losaw: I don't think options are ever best brought out to the public because that takes anything away that you are going to do.

Chris Boucher: The way I look at it is you have this number on the PILOT so it's dropped to \$11 million; it's not going below \$11 million. It's worst case scenario right now so send the \$22 million back to the Assessor at the county and say this is the PILOT number and if Irving wants to fight it in court it's not going below \$11 million so right now what do you have to lose?

Councilman Middleton: We can't legally do that.

Chris Boucher: Why not?

Councilman Middleton: From what we are told once the assessed value reaches the person, the assessing entity can't change it.

Chris Boucher: That's what court is for. Let them take it to court and figure out if the law stands up. That is what challenging things in court is for. They are not going to get below \$11 million. Every lawyer in the world is always going to tell you to take the safe route but is the safe route going to save the Town? Is Irving Tissue even going to fight it? If they do are they going to get exactly what they have now? I understand that the lawyer is going to tell you that you can't so it based on this or that but case law is made every day. This is a different case, a different situation, coming off a PILOT that had a contract. I say you roll the dice with the contract that you have and then the ball is in Irving's court but you aren't going to be worse than you are today.

Linda Miles: I think the important thing to remember is what Dave Cutler was saying that the county had them at full market value of \$30 million. They have been being taxed for the past few years on their special districts at \$22 million which was the 73% equalization rate. That's where they should be. They should never have been lowered to \$16 million because they were already at 73%.

Steve Davie: Roseanne has been running numbers and she is going to be reporting back to the Board as far as what can be done with that. I don't know if the number can be changed or not. There is process in there and that is what's critical at this point.

Sue Malvuccio: I think one of the important things to remember here is that there is a timeline and grievance day is the last Tuesday in May and it is now May 10th. I believe that whatever comes out of your Board meetings needs to be made public. I feel like everything right now is done unethically. I'm calling for your resignation Lester.

Cameron Guglielmo: I am here as a State taxpayer, I do not live in this Village or Town. I live in Warren County. I want to ask you Supervisor a hard question and I want honesty. As a State taxpayer, did you have conversations with the Assessor prior to her resigning?

Supervisor Losaw: I have had several conversations with her.

Cameron Guglielmo: Did you have conversations with her about the topic of resignation before the day that she resigned?

Supervisor Losaw: No

Cameron Guglielmo: Did you give her advice to resign?

Supervisor Losaw: No

Cameron Guglielmo: Do you know why she resigned?

Supervisor Losaw: I don't know.

Cameron Guglielmo: Well what did the letter say?

Councilman Middleton: The letter said she didn't have the Board's support.

Cameron Guglielmo: Ok, do you know the definition of ethics?

Supervisor Losaw: Of ethics?

Cameron Guglielmo: Of ethics yes.

Supervisor Losaw: Probably not the dictionary definition.

Cameron Guglielmo: There is no dictionary definition but can you tell me what yours is?

Supervisor Losaw: To do what you believe is the right thing.

Cameron Guglielmo: There are different branches of ethics and one stands that you should put yourself in the shoes of the people that you serve as a leader. We are the shareholders of this organization am I correct? We pay taxes; I pay taxes and give you money as a State taxpayer. Did you put yourself in the shoes of the people that live in this Village and Town and say are my decisions the right course of action for this Village and Town?

Supervisor Losaw: The only decision that I made was I gave her the option of getting a second opinion.

Cameron Guglielmo: Right so now let me branch off that in not consulting the Board. Did you think that we thought that was going to be okay? Did you even think about it?

Supervisor Losaw: No I didn't even think about that.

Cameron Guglielmo: So now I challenge you the next time you make a decision without consulting the Board on an ethical issue ethically to maybe put yourself in the shoes of me, a taxpayer who is directly involved with people who live in the Village to do that because I think that was a fault of your ethical mindset.

Supervisor Losaw: Yes, maybe it is.

Cameron Guglielmo: Now let me ask you one more question. In your opinion do you think you acted dishonestly?

Supervisor Losaw: No, I did not act dishonestly no.

Cameron Guglielmo: Okay but what about ethics? Your moral compass, I want to know did you act unethically.

Supervisor Losaw: I don't believe so but I'll tell you that I will consult with the Board before I do that again.

Amanda Durkee: Is there another meeting date set for a public Town Board meeting at this point?

Supervisor Losaw: No

Chris Boucher: Is it not a town rule that you have to grieve your assessment or challenge your assessments on grievance day?

Supervisor Losaw: No, there are 3 or 4 dates that she sits with the roll and you can talk to them about it.

Chris Boucher: Was it one of those days when she decided to change the assessment?

Supervisor Losaw: No

Chris Boucher: Why was the 70% applied to the \$22 million?

Supervisor Losaw: The equalization rate.

Chris Boucher: But 70% wasn't the equalization rate and why was it applied twice?

Supervisor Losaw: I can't answer that.

Chris Boucher: Lester you are the Town Supervisor, you supervise the Assessor and there are rules on selective assessment. They can't just go and assess anything anytime they want there are rules against that. Selective assessment is not okay. You come here today and say it's more important to worry about this employee's feelings then it is about the whole Town. This is disturbing. A lot of us have been really worried, we don't want to send our kids 2 hours on a bus to South Glens Falls every day and half the kids won't be able to play sports because South Glens Falls doesn't provide transportation. Town affects school and it also affects Village because you are the taxing entity. Everybody depends on this, you cannot mess up. If you take this job then you have to do it right. Personally Lester I like you a lot but this is a mistake that you can't make, you wouldn't keep any job in the world with this mistake.

OTHER BUSINESS:

Brian Brockway: The water tower is due for an inspection and Pittsburgh Tank did it the last time and they have given me a quote of \$1,500.00 for an inside/outside inspection. It's due every 7 years and we are beyond our 7 year period right now according to DOH. We need to get that taken care of. I also met with DISH Network this morning up there. He took pictures and will be doing a sketch, I offered the building that was up there from when the last cell tower people moved out and it's way too big for what they need; they only need a 5x7. He said they could tuck it over in the corner behind that building so it's not visible. He believes that right now he can use the bracket tree that was on there that was left by the last provider that moved off so they won't have to weld and if they don't do that then we won't have to have a diver robot put inside the tank to inspect it.

Councilman Middleton: Are we even close to signing a contract with them Lester?

Supervisor Losaw: No

Councilman Middleton: Did they give you a timeline? I would hate to pay to have it inspected and then go have them weld on the tank a month after we got it inspected.

Brian Brockway: It is going to be in their contract that they re-inspect it if that happens. Either way if we have it inspected to make DOH happy they will have to re-inspect it if needed.

Supervisor Losaw: Probably have to let DOH know that they are doing that.

Brian Brockway: We have never had to let DOH know about any of the antennas in the past.

Blacktopping for this year:

- **Blackhouse Rd.** – only 18’ wide now and we have had a lot of complaints about it, we will widen it back out to 20’.
- **County Rte. 46 to Lamos Ln.** - \$112,332.00
- **Fitzpatrick Dr.** – Terrible shape \$60,014.00
- **Section of Duer Rd.** - \$63,717.00

We have roll over money from CHIPS from last year when the Governor took 20% of the CHIPS money and that amounts to \$32,221.00. Using last year’s figures we would have \$115,000.00 in CHIPS and again that is supposed to increase by 20%. That still doesn’t cover all of the bills but Terry in his last year as Supervisor increased the blacktop budget another \$25,000.00. I think that will cover everything but I have to put the numbers together but if not we would cut a little bit on Duer Rd.

Councilman Middleton: Brian did you see what the cost would be to go from 1 end of Blackhouse Rd. to the other?

Brian Brockway: I didn’t, it was \$112,000.00 to do what we are looking at and that was only like .06/mile. And I think Blackhouse Rd. is nearly 2 miles long.

Councilman Middleton: The problem is the hill so if we could at least get to the bottom of the hill.

Supervisor Losaw: We have the potential of some stimulus money so that could be used on roads I think.

Linda Miles: Would it be possible to have a meeting shortly after meeting with the Assessor?

Supervisor Losaw: We can try

Sue Malvuccio: Are you going to set something up?

Supervisor Losaw: We will wait until we talk with everybody and see what their thoughts are.

Sue Malvuccio: What does that mean?

Supervisor Losaw: We have to talk to the Assessor and whatever our options are.

Amanda Durkee: I would just like to express a tremendous amount of gratitude to Roseanne Lemery. I do not know her at all but the fact that she is stepping up to the plate right now is

commendable so I am asking the Board to take back some gratitude to her. That position is not easy to fill and it's vacant so we appreciate it.

ADJOURNMENT:

MOTION by Councilman Middleton, Seconded by Councilman Fisher to adjourn the meeting at 8:03pm **ALL AYES**

DATED: May 12, 2021

Aimee Mahoney, Town Clerk