

MINUTES OF THE TOWN OF FORT EDWARD TOWN BOARD MEETING HELD ON MONDAY, AUGUST 14, 2024 AT TOWN HALL COMMENCING AT 7:00 P.M.

Supervisor Fisher called the meeting to order at 7:04pm

Pledge of Allegiance

PRESENT: Supervisor Fisher
Councilman Middleton
Councilwoman Mullen

ABSENT: Councilman Suprenant
Councilwoman Collier

OTHERS PRESENT: Elizabeth O’Leary, Frank Burkhardt, Brian Brockway, Roseanne Lemery, Steve Davie, Katie DeGroot, Melanie Dickinson, Mike Dickinson, Nasrene Haj, Therese Gillis, Town Attorney Bill Nikas and Town Clerk Aimee Mahoney

APPROVAL OF MINUTES: MOTION by Councilman Middleton, Seconded by Councilwoman Mullen to approve the minutes of the meeting held July 10, 2023 **ALL AYES**

APPROVAL OF REPORTS: MOTION by Councilwoman Mullen, Seconded by Councilman Middleton to approve the reports of the Town Clerk, Town Justice, Assessor, Dog Control, Building Inspector, Highway & Supervisor’s Report as submitted **ALL AYES**

APPROVAL OF BILLS: MOTION by Councilman Middleton, Seconded by Councilwoman Mullen to approve Abstract #8 in the amount of \$51,536.45 **ALL AYES**

ABSTRACT #8

GENERAL A – 11802-11812,11821-11861	\$20,760.64
GENERAL B – 11862	\$ 68.00
HIGHWAY – 11863-11877	\$24,570.24
MUNICIPAL – 11813-11814,11878-11883	\$ 2,488.49
SPECIAL LIGHTING – 11815-11816	\$ 2,439.18
SPECIAL WATER – 11817-11819,11884-11888	\$ 1,085.50
SPECIAL WATER 2 – 11820,11889-11890	\$ 124.40

TOTAL: \$51,536.45

BUSINESS:

Supervisor Fisher: We have had 504 residents sign up for the pool this season and the Department of Health was there and performed an inspection and said it was the nicest the pool has looked in years and the only comment they had was that we need to look into replacement of the pump next year. James is working on getting 2 quotes and we will get a third for that project. The benches were painted by the owner of Adirondack Unique Arts and we will be sending him a letter of appreciation for the nice work he did.

CORRESPONDENCE:

Supervisor Fisher: I received an email from the owner of 13 Sullivan Parkway in the Industrial Park inquiring about the parcel next to our water tower on Park Ave. They are questioning whether or not that is Town owned or privately owned as they would like to purchase it. We thought it was ours but the tax map shows it belonging to Lark Properties, LLC.

- **The Assessor will look into who owns that parcel**

OTHER BUSINESS:

Brian Brockway:

- The new garbage truck will not be here until late spring or early summer now; it will be a 2025 but the price will stay the same.
- The new pickup truck will be ready late October or early November.

Roseanne Lemery: Town/Village Assessor Roseanne Lemery gave the following presentation regarding the equalization rate for 2023.

8/10/2023

Review of the Final Equalization Rate as Determined by
ORPTS and supported by the State Board of Equalization.

Good morning Supervisor, Town Board Members and Town Clerk,

Starting with last year's 2022 Assessment Roll:

ORPTS declared the residential assessment ratio (RAR) at 100%; the other Major Class Groups B, C and D at 100%; the overall level of assessment (LOA) and the Tentative and Final equalization rates at 100%. As we know, the culmination of the 6 Town Assessment Equity Project was what ORPTS used to determine the percentages for the 2022 assessment roll. I had my doubts about that roll being uniformly at 100% for 2022, reviewed the assessment individually and made changes on the parcels that I found to be out of sync with the other similar properties. We did receive some reimbursement from the State for the 2022 assessment roll reflecting a 100% Equalization Rate per ORPTS.

Moving on to 2023 Assessment Roll:

I had many discussions with the Office of Real Property Tax Services beginning at the end of 2022 and continuing on into late March 2023 regarding what should be the finalized Equalization Rate for 2023. There is a process called the PreDetermination Collaboration Process (PDC) which takes place between the Assessor and the ORPTS each year in order to "share" information. After ORPTS makes the first effort and identifies what they believe to be the "tentative rate" and reflects their results of the various studies, the property class groups are segregated and the "trends" that ORPTS have developed for each group are identified. For the 2023 ORPTS has determined that in order for the roll to reflect 100% of full market value for 2023, the Residential properties (Class A) would need to be trended upward 12%; the Commercial (Class B) would need to be trended upward 6%; the Vacant Land (Class C) would need to be trended upward 11% and the Industrial (Class D) would need an upward of 8%.

Because I was not fully committed to the values established in 2022, and because I felt that an error had been made (especially in the Class A-Residential suggested trend) I entered into collaboration with John Stack from ORPTS. Apparently, the "collaboration" portion of this process evaded Mr. Stack. He stated in his March 6, 2023 email NONE of the 8 towns in Washington County listed in his email met the 100% ratio, and if we were finished or close to finishing our file maintenance he would review and approve 100% or discuss and remedy the situation. The last email I shared with John Stack he informed me that he did not agree with any of the information I had provided and saw no reason to change his determinations.

I did provide ORPTS and the State Board with my Sales Analysis, however because I did not agree with ORPTS trend for the residential class of 12%, and did not adjust the sales prices to reflect this trend, neither ORPTS nor the State Board accepted my sales ratio analysis.

I provided the history of "trends", as established by ORPTS, in order to reach Fair Market Value for the assessment years 2019 through 2023. These trends were specific for Fort Edward, as being part of "Group 193" as determined by ORPTS. (Argyle, Fort Edward, Hartford & Hebron).

ORPTS Suggested residential trends over the past 5 years were:

Sales from 07/17 to 06/18 for the 2019 FMV an upward trend of 7% was indicated.

Sales from 07/18 to 06/19 for the 2020 FMV an upward trend of 3% trend was indicated.

Sales from 07/19 to 6/20 for the 2021 FMV an upward trend of 2% trend was indicated.

Revaluation year; Sales from 07/18 to 06/21 (3 years) for the 2022 FMV Indicated a percentage change in FMV of 15.07%.

Sales from 07/21 to 06/22 for the 2023 FMV an upward trend of 12% was indicated.

If applied to Fort Edward's roll, that would have been an overall increase in assessed values indicating a FMV increase of over 27% in a 2 year period.

In my last correspondence with John Stack from ORPTS I told him I could support an upward trend of 3% claiming a LOA of 97%. This was not accepted by ORPTS.

The response that ORPS supplied to the State Board, regarding the PDC process that was undertaken by myself and John Stack has several misleading statements and information. I have noted some of the discrepancies in the back up documentation attached to this letter. The Town's complaint was directed to the State Board and ORPTS forwarded their response directly to the State Board for their review and final recommendations. ORPTS did get a chance to review my complaint, however, I did not get to see their response until the date that the Board completed their review and made their final decision.

In regard to Market Group 193:

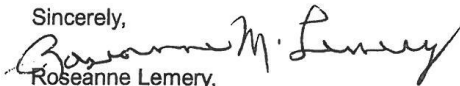
15 years ago, I felt that Fort Edward should not be included in Market Group 193. Fort Edward has always had enough sales to produce reliable results in the sales studies and in no way reflects the property class make up of the other three towns in this group. I did ask my CRM at the time to consider changing this designation and no change was made at that time.

I will be asking (again) that we become a "stand alone" town and that the information used in future studies only reflects activity from our town.

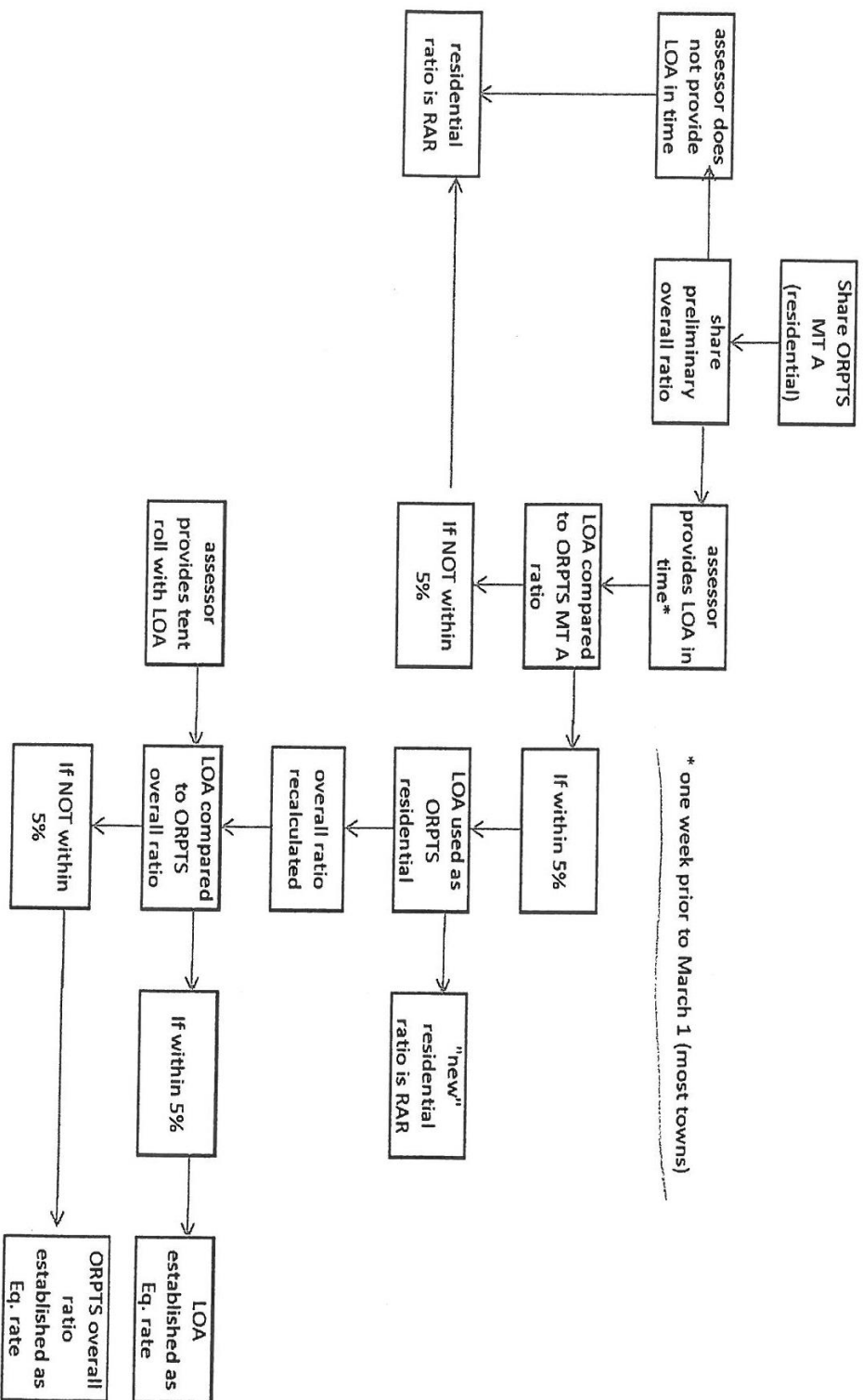
Ultimately, the State Board agreed with the information provided to them from ORPTS, and the final rate determination is set at 91.55% for the 2023 Equalization Rate.

If you have any questions, please feel free to contact me.

Sincerely,



Roseanne Lemery,
Fort Edward, Town Assessor



Attorney Nikas: I reviewed the Flatley Read contract; it is a not to exceed \$33,000.00 or \$85.00/hr. contract. The Board can approve if you are happy with the price and you will need to assign a client contact.

MOTION by Councilwoman Mullen, Seconded by Councilman Middleton to approve the Flatley Read contract at a price not to exceed \$33,000.00 **ALL AYES**

PUBLIC COMMENT:

Mike Dickinson: We are taking over the Chamber of Commerce and we are looking for funds for Fort Fest. We are looking into our not for profit status due to the Chamber being inactive for a period of time.

Nasrene Haj: NY Forward is happening again. Flatley Read doesn't think we have time to apply for this round since the application is due in September but I wanted to get the Board's opinion.

Councilman Middleton: I would go with Flatley Read's opinion.

Councilman Middleton: When are they paving Burgoyne Ave.?

Brian Brockway: Next Year.

Councilman Middleton: When will they be striping East Rd.?

Supervisor Fisher: I spoke with Deb Donohue at the County and they will do it and bill us; I will see her on Friday and get a better timeframe.

Therese Gillis: Have you heard anything about Canalside Energy Park?

Councilman Middleton: They did the tests for the sewer lines and they have had some interest from a Hemp farming operation.

Nasrene Haj: I would just like to thank everyone that has come out for Tuesday's on the Hudson. The businesses have said that Tuesday's have been their busiest night.

ADJOURNMENT:

MOTION by Councilman Middleton, Seconded by Councilwoman Mullen to adjourn the meeting at 7:47pm **ALL AYES**

Dated: August 21, 2023

Aimee Mahoney, Town Clerk

