

**MINUTES**  
**SPECIAL VIRTUAL MEETING**  
**THE GORHAM TOWN BOARD**  
**May 20, 2020 7:00pm**

The Gorham Town Board held a Special Meeting on May 20, 2020 at 7:00 pm.

Present via Video/and or Phone Conference were; Town Supervisor Fred Lightfoote, Councilmembers; William Glitch, Brian S. Case, Richard Malcolm and Jake Chard and Town Clerk Darby Perrotte.

Other Guests in attendance by Phone or Video Conference; Lynn Klotz, Sally Napolitano, Susan Carpenter, Greg Talomie, Nick Mendola, Ed Pelta, Jack Lightbody and Richard Calabrese.

1. Call to Order/Pledge to the Flag. Supervisor Lightfoote called the meeting to order and led the Pledge of Allegiance.
2. Privilege of the Floor –
3. Supervisor Lightfoote said “Last week, at our regular monthly meeting, things kind of fell apart on us. I apologize for that. It was quite a unique meeting. I was unfamiliar enough with this process that I couldn’t make things work right. I believe things are a lot better now, hopefully you can all hear me. Because of so much confusion last week I asked that we meet again tonight. I wanted to make sure that everyone is aware of these steps. This will include what to do going forward from this point to those that want to challenge their assessment and appear before the BAR.”

Supervisor Lightfoote read a statement regarding the reassessment process.

Supervisor Lightfoote said “The Board did approve support for a reassessment. The normal steps were taken to complete the reassessment that occurred this year. It was all done as per Real Property Guidelines. Impact notices were sent out and information was provided identifying how to schedule an informal meeting with the assessor. The meeting with the assessor, at the informal meeting, was to have a conversation regarding your properties inventory to make sure everything was identified correctly at that point. If a resident wants to dispute the assessed value of their property the resident must file a formal grievance. In order to do that you need to contact the assessor’s office, whether it’s Enza or Sue, they will give you details about filing deadlines. Time is of the essence on this. After you do that, someone will contact you with an appointed date and time for your hearing with the BAR. The Board will notify you at a later time of their decision. They will do that by mail. This is where we are in the process. I know there were questions that were asked. They have no bearing on the reassessment or their change in assessment at this point and time.”

Supervisor Lightfoote opened the meeting for questions and reminded residents to please keep their questions to what he just identified.

Supervisor Lightfoote said "This isn't the place and time for us to look at your property in particular. That's what the BAR is for. That's beyond our realm of responsibility, the Town Board's."

Assessor Mineo said "The RP524 must be submitted to the Assessor's Office by May 28th at 8pm in the office. Once we have that application then we can go ahead and make your appointment with the Board of Assessment Review. The Board of Assessment Review will be conducted by phone hearings. I will set up a Zoom meeting that up to five hundred people can listen in on the meeting so that they are available to the public. Once I have all those details ironed out I will publish them on the Town of Gorham website. Because they will be hearing all the cases over the phone, they will be deliberating after the fact, at their convenience, at their own time."

Supervisor Lightfoote asked if the form is available on the Town's website.

Assessor Mineo said the application should be available on the New York State website at [www.tax.ny.gov](http://www.tax.ny.gov), it's called a grievance form also known as an RP524, or you can pick one up at the Assessor's office at the Town Hall.

Nick Mendola, 4612 Lake Drive, asked how to get the form back to the assessor.

Assessor Mineo said "I'd like the original copy. You can overnight it, you can drop it off, you can put it in the mail. You can drop it off from 9am – 1pm. There is also a drop box at the Town Hall."

Edward Pelta, 5154 County Road 11, said he talked to Sue Yarger and she said it was ok to submit it electronically.

Assessor Mineo said "It's ok but it also needs to be accompanied by an original copy."

Mr. Pelta said "If you have not had an informal meeting, between now and grievance day, would there be stipulations or is it unlikely there would be stipulations before the twenty-eighth?"

Assessor Mineo said "It depends. You send your application in and if you have enough evidence or you've given evidence or anything that I can look at that would review or support a reduction, certainly, I will call you and see if we can reconcile the value or come to your value, yes there certainly is time for that. As I get the applications I review the application that's submitted. In chance that there is a stipulation you may be contacted by myself to get to an agreed value or by Sue to schedule you an appointment with the Board of Assessment Review."

Mr. Pelta said "Regardless of the evidence you're not going to review my form until you get the original? I thought with Covid and everything going on that sending it electronically was sufficient."

Assessor Mineo said "I will review everything but I will need to have it accompanied by an original copy. You have until May twenty-eighth. Just to point out, this was all in the impact notice, this has all been published before so this is not the first time that everyone is hearing about the grievance day."

Mr. Pelta said "No, I knew the date, I wasn't challenging the date, it's the first time I'm hearing you had to have the original form."

Susan Carpenter, 5050 County Road 11, said "We have thirty days from the time the final roll is filed to file a small claims a SCAR petition. People should be aware of that. If you want a claim, if it's your primary residence, you can file a SCAR petition, it'll cost you thirty bucks and you'll get a hearing with an actual appraiser who will take evidence and look at it independently."

Assessor Mineo said the Board does the same thing.

Mrs. Carpenter said "No, they don't."

Assessor Mineo said "Again, I'd like to state that opinions are not what's going to be presented here, we're going to talk facts. Please keep your opinions to a minimum."

Mrs. Carpenter said "You're expressing your opinion."

Supervisor Lightfoote said "OK we're not going to have any arguments like we had last week. This is what Enza said, this is how the Board operates and please, as you ask a question, ask it of me, don't ask it directly of Enza, or at least identify yourself so that we know who you are."

Assessor Mineo said "I want to point out one more thing, if you do not file a grievance form you will not be able to file a small claims. Once you get your result from the grievance hearing it will also tell you about the SCAR hearing."

Nick Mendola asked "Is the SCAR only for year round residence or can it be for secondary homes?"

Assessor Mineo said "It is for year round residents. The Small Claims Assessment Review is so the homeowner does not have the burden of filing a full lawsuit. It is for one, two and three family homes that are owner occupied. It can't be anything you rent out or an Air B & B, it has to just be your summer home."

Jack Lightbody "I have no problem getting the form 524 in, my question is whether or not supporting evidence can be in the form of a spreadsheet, which is not easy to deliver by paper, it's an excel sheet."

Assessor Mineo said "Do the best you can, I don't know how big the spreadsheet is but you should be able to get it on something that's legible. You can email the spreadsheet to me. Whatever you give to me has to be printed and scanned so that I can give it to the Board members."

Kathy Wegman said "All the paperwork has to be in by the twenty-eighth and then after that you schedule a phone hearing?"

Assessor Mineo said "Before you get a hearing you must submit an application."

Mrs. Wegman asked what the time frame is after the application is submitted. If it is in by 8:00 pm on the twenty-eighth.

Assessor Mineo said "All appointments are done on the actual grievance day. Usually the applications are in prior to that day. If we don't get all the hearings in on that day then we find out what is most convenient for the Board and do another hearing to hear the rest of them."

Supervisor Lightfoote said it would be better if the applications are in before Grievance Day.

Lynn Klotz, 4554 Lake Drive, asked how much time each homeowner should expect to have with the Board of Review.

Assessor Mineo said "ten to twelve minutes."

Greg Talomie, 4246 State Route 364, said "I think this whole process is a travesty. In light of what's going on economically, there's still time to do the right thing and roll back these assessments. There's a lot of anxiety and your seeing this anxiety come out in people trying to get there assessments reviewed. It's not a good time to be telling people on the lake, we already have anxiety from extended families and all the other things, that you're going to get an increase on your assessment."

Supervisor Lightfoote said "Ok, we're not going to get into a discussion about it but your point is well taken."

Sally Napolitano asked if she understood correctly, that it is not too late to get inventory corrected.

Assessor Mineo said "Yes, there is time it's called a 523 form I present that to the Board, it's called a correction to the Tentative Roll. Call Sue, let us know what it is and we'll get it corrected for you."

Sally Napolitano said to Supervisor Lightfoote "I understand you did not want to answer the questions that were submitted prior to this meeting."

Supervisor Lightfoote said "Well, we had no time to even look at them. The intent for this meeting was to make sure that people understood the process, especially from this point and time forward, to make sure that no one missed out on their opportunity to contest their assessment simply because they missed a deadline or didn't fill out a form properly. What you submitted to me previously, the Town Board and I can have these discussions in the future. Right now my biggest concern is allowing the people the time they need to make sure they follow through with what they want to do."

Assessor Mineo said "To Mrs. Napolitano, ninety-nine percent of what you are looking for is available either on the assessment roll itself, it's available on line, also all that information is also available on the website. It tells you how to look at CAMA, there are plenty of assessor's manuals and assessment administration that you can look all that up and do your research and see how that is all accomplished. I follow everything I do for Real Property Tax Law, and I know that you checked, I have followed everything to the letter of the law. mI continue to do so and I have given everyone in the Town everything that they need to successfully grieve their assessment. No one likes their assessment to go up but my job is to come up with a market value for your home. Real Property Tax Law has said that that's the fairest way to get people to pay taxes, is on their market value."

Kathy Postma "I appreciate that but we are in unprecedented times we're not a big town. I don't feel that there's any sense of empathy or consideration for the residents who are trying to continue to make this 'The Chosen Spot' but I have to say that right now it doesn't feel like The Chosen Spot. There are many, many townships, including our government, who have extended all kinds of deadlines so that people are able to complete things that they need to do. I had hoped that there would be that kind of consideration from our Town as well."

Supervisor Lightfoote said "Thank you for your comment. As far as following through with the process, people a lot of people, should have had more time than they would have had under normal circumstances to follow through with this. The Board has discussed it and the Board has decided to follow through with what was put in motion two years ago."

Mrs. Postma said "You have to understand we are occupied with many things that we are not normally occupied with."

Supervisor Lightfoote said "The last word on it is going to be, I understand fully with that. The Board itself we all are impacted just the same as you are by these things. We have our own personal experience to be able to weigh that out and the Board had done that. Thank you very much, everyone, for participating tonight. I know many of you probably didn't like what you heard or wanted to hear more. My hope is that you've taken the information that you need to follow through and actually follow through with the process that you need to do to satisfy yourselves as far the fact that you have been adequately listened to regarding your properties. Thank you very much everyone and have a nice evening."

#### 4. Privilege of the Floor – none requested

5. Adjournment - with no further business, on the motion by Councilmember Chard, seconded by Councilmember Malcolm, the meeting was adjourned at 7:46 pm. Motion carried unanimously. (5-0)

**043-2020**

Respectfully Submitted,

Darby L. Perrotte  
Town Clerk