

April 9, 2018

**BY EMAIL**

**URGENT**

Hon. Daniel Hochvert, Mayor  
Carl Finger, Trustee  
Jane Veron, Trustee  
Matthew Callaghan, Trustee  
Seth Ross, Trustee  
Justin Arest, Trustee  
Lena Crandall, Trustee  
Village Hall  
1001 Post Road  
Scarsdale, New York 10583

**Re: Town of Scarsdale Board of Assessment Review Appointments**

Dear Mayor Hochvert and Village of Scarsdale Trustees:

As the three continuing members of the Town of Scarsdale Board of Assessment Review ("BAR"), Thomas Giordano, Patrick Wynne, and Robert Berg, we are writing to express our great surprise and disappointment that our colleague, Jane Curley, whose term expired on September 30, 2017, was not re-appointed for a full five year term.

Jane joined the BAR in July 2016 at a tumultuous time, just after Scarsdale property owners had filed a record 1,100 plus property tax grievances in the immediate aftermath of the Ryan town wide revaluation. Jane filled a vacancy created by the sudden recusal and subsequent resignation of Dorothy Finger. Jane replaced Ms. Finger knowing full well the enormity of the task before her and the huge time commitment involved over the entirety of the summer of 2016.

Jane's qualifications for the position are unmatched. Jane, who has lived in Scarsdale for years and has raised her two sons here, has been a NYS licensed real estate salesperson and a NYS licensed real estate appraiser. During the two years she sat on the BAR, determining about 1,800 cases, Jane has demonstrated an in-depth knowledge of the current Scarsdale real estate market, trends in market values, and the valuation of new construction and renovation.

Despite the extreme workload we faced in 2016 and the still heavy workload in 2017, Jane approached our job with an outstanding attitude, diligence, and above all, a desire to achieve the fair and just result for all our residents based on the evidence presented. We all greatly enjoyed working with Jane, and we fully expected to do so again this year because

we understood from Jane that she wanted to continue on the BAR with a new five-year term.

That's why we were puzzled and dismayed to learn -- only by reading the attachments to the agenda for the April 10, 2018 Board of Trustees meeting -- that only Tom Giordano was being re-appointed for a new term on the BAR and Jane was not. Indeed, Tom has told us that Seth Ross had contacted him in the fall 2017 to see if Tom wanted to continue on the BAR, and Tom said that he did. Earlier this year, Seth again asked Tom if he wanted to be re-appointed. Tom said that he did, and he also told Seth that he presumed the Trustees would be contacting Jane so that she could speak for herself about continuing on the BAR.

Apparently, we understand that no one ever contacted Jane about her desire to be re-appointed; or that she was ever told that she was not going to be re-appointed. We are not sure that Jane was ever thanked for her service. As Jane's colleagues, who understand her tremendous contributions to our work and the Village over the past two years, we find this treatment of Jane to be unprofessional and upsetting. We simply don't understand what happened and why.

Moreover, we are very concerned about how this new situation will affect the operation of the BAR this coming grievance season. The BAR is unlike most of the other Boards and Councils appointed by the Village Board of Trustees. (Actually, the BAR is appointed by the Trustees sitting as the Town Board.) The BAR is an independent Town Board created pursuant to the Real Property Tax Law (RPTL) Section 523. Section 523 requires that BAR members "shall have a knowledge of property values in the local government or village" as a prerequisite for service. This qualification is typically met by a person who has years of experience in the locality as a real estate agent or salesperson, a real estate appraiser, a former assessor, a mortgage banker or broker, a property insurance agent or broker, a builder, a contractor, a tradesperson, an architect, a real estate lawyer, or a person who formerly represented property owners in tax grievance proceedings. Jane, naturally, is exceptionally well qualified to continue in her role on the BAR.

However, we have reviewed the agenda materials which contain the backgrounds for the two new appointees to the BAR, Richard Pinto and Anna Karpman. Both are new residents of Scarsdale, having lived here for only two years. Neither has any apparent background in real estate. Their resumes show absolutely nothing to demonstrate that they "have a knowledge of property values in the local government or village." The RPTL 523 qualification prerequisite is plain and simple -- it does not provide for "learning on the job." To be qualified to sit on the Scarsdale Town BAR, a resident must already know the property values in Scarsdale. The BAR member must immediately know how prices vary between neighborhoods, among different styles of houses, between new and old construction, by proximity to schools, major roads, noise, the train station, and the like. The BAR member must know how to analyze a uniform appraisal report and how to interpret adjustments. While each new BAR member must undergo four hours of State-mandated training, that training does not teach anything about valuing property in general and especially not in any particular locality, such as Scarsdale.

We are concerned about the qualifications of Mr. Pinto and Ms. Karpman to serve on the BAR because there is no evidence demonstrating that they each "have a knowledge of

property values in [Scarsdale]" as required by RPTL Section 523. By no means do we cast any aspersions on Mr. Pinto or Ms. Karpman who we expect are exceptionally civic-minded and undoubtedly well qualified for many other Boards and Councils in Scarsdale. But the BAR requires specific qualifications which they simply do not possess at this time.

We respectfully request that Jane Curley be re-appointed to the BAR effective immediately, and that a qualified replacement BAR member for Paul Sved, who has retired from the BAR, be sought and appointed as expeditiously as possible. Thank you very much for your prompt attention to this matter.

Very truly yours,

Thomas Giordano  
Patrick Wynne  
Robert Berg

cc: Wayne Esannason, Esq.  
Stephen Pappalardo  
Donna Conkling