

For Immediate Release

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Green Candidates in the Town of Jay Call for More Open, Transparent and Proactive Local Government

Townpeople Are Urged to Vote “NO” in the Special Election, Wed., Oct. 16th to Preserve the 2 Town Justice Positions

TOWN OF JAY, ESSEX COUNTY, NY—Green Party candidates running for Town Council and Town Justice, respectively, are highlighting the need for a more open, transparent and proactive local government as they campaign in advance of two elections being held in the Town of Jay this fall.

In addition to the general election on Nov. 5th, Town of Jay residents have the opportunity to decide whether to retain a second Town Justice position in a special election being held on Wed., Oct. 16th, from 12 noon to 8 pm at their regular polling place. Both Fred Balzac, who is running for 1 of 2 Town Council seats, and Rosamond Lincoln-Day, who is a candidate for the Town Justice position that is up for consideration on Oct. 16th, strongly support keeping the second Justice position and are urging Town of Jay residents to show up for the special election and vote “No.”

In a flyer the two candidates are distributing as they go campaigning door-to-door (see attached), Balzac and Lincoln-Day are encouraging voters to send the Town Board a message that the people “want more open, transparent local government that seeks the input of more than just a handful of townspeople.” The reasons they cite for voting down

the Town Board's resolution to eliminate the Justice position include: overcoming conflict of interest when one judge is faced with a case involving relatives or others he or she knows well; lack of significant financial savings; unpredictable caseloads; and reducing the opportunity for corruption.

“Two judges double your chances of coming before a Justice who will hear your case fairly and with less delay,” the flyer states. “It doubles the opportunity for town residents to participate in the judicial system, increasing the odds of a more open, transparent, and diverse approach to justice. The Town of Jay had 1 judge years ago, and previous Town Board members fought to give us 2. Why would we want to go backward?”

Seeking Justice—and Tax Fairness—for All

For Balzac, the attempt to eliminate the second Town Justice position is indicative a wider problem the Town Board currently has with being open and transparent. After he first learned, in early August, of the board's July 11th resolution, he went to the regular monthly meeting on August 8th and asked the board to put the issue on the November ballot for the entire town to vote on it. The Town Board declined, causing Balzac, with the help of Lincoln-Day and another Town of Jay Green, to circulate a petition to get the issue on the ballot.

“The Town Board could have saved the taxpayers a significant amount of money by placing the question on the November ballot,” he said. “Even Town Attorney Dan Manning advised the board it was an option when he presented a proposed draft of the

referendum language at a special board meeting at the end of August. But I think board members decided it was likely fewer people would vote in a special election, and they had better odds of controlling the outcome. It's disturbing when local officeholders put politics ahead of the public interest."

At that same special board meeting in August, another vote took place that Balzac found alarming: the Town Board voted to renew the contract of the town's Sole Assessor, Donna Bramer—an action that Balzac spoke up against once he realized what the Town Board was about to do. "This past spring, a lot of town residents came forward and expressed real dissatisfaction both with their property re-evaluation and the manner by which Ms. Bramer conducted herself," the Town Council candidate said.

"Her contract was not up until October. Yet, the Town Board could not see fit to give the public any real advance notice that they would be discussing the renewal, and except for my comment they did so without any public input. The process was virtually a repeat of the way they handled the Town Justice issue, and there seems to be a pattern here."

In his current quest for a seat on the Town Board—this is Balzac's third consecutive try since 2009 for the Councilperson position—the candidate cites being a voice and advocate for townspeople as his Number One goal. In his campaign materials, he stresses his experience as a volunteer and community organizer, including working with former and current town officials on such projects as launching the first town website; initiating, and coauthoring a successful grant for, the town's first community garden; and serving on and briefly chairing the Essex County Occupancy Tax Advisory Committee.

Balzac is probably still best known for his voluntary efforts in helping organize area residents to advocate for preserving the Jay Covered Bridge and protecting the Jay rapids and swimming hole just upstream of the bridge—work that resulted in multimillion Federal and state funding for restoration of the historic structure as a pedestrian and bicycle crossing and enhancement of the adjacent recreation area. He includes among his goals for serving on the Town Board focusing on smart economic growth through such means as a “Buy Local” campaign; helping the town “go Green” via renewable energy; advocating for more funding for the town’s 2 libraries and promoting the area’s diverse cultural scene to strengthen the local economy; and working “to ensure that all residents are treated fairly and courteously in future property re-evaluations.”

In fact, Balzac felt so strongly about the assessment issue that he named the independent line he is running on the “Tax Fairness Party”—a line that he is joined on by Lincoln-Day. The higher line on the ballot that voters can find him on, however, is the Green Party line. Balzac switched his registration to Green in October 2011 after he discovered he had a strong affinity with the party’s position on issue after issue and its approach to government and politics.

“When I first read the state Green Party platform, it reminded me of what the Democratic Party stood for in the 1970s, when I was coming of age: protecting the environment; pursuing peace, not militarism and imperialism; economic fairness, not corporate power; social justice, civil right, human rights, and equality for all,” Balzac said. “And of all the parties on the ballot in New York State, the Green Party is the only

one that does not accept contributions from corporations or for-profit businesses AND that refuses to support candidates who also run on the line of any parties that do accept such contributions.”

Implementing Restorative Justice—If the Justice Position Can Be Saved

For her part, Lincoln-Day is emphasizing her experience in the mental health profession—including teaching, owning and operating her own private counseling practice, and focusing on family and chemical-depending issues—as a strong foundation for serving as Town Justice, a position that requires victorious candidates to undergo training but not necessarily to have a law degree. She earned a PhD from the University of Pittsburgh and has taught social work or sociology at such academic institutions as Marywood College in Scranton, PA, and SUNY Plattsburgh.

“Since moving to Upper Jay in 1989,” Lincoln-Day writes in her campaign flyer, “I have witnessed changes affecting three generations of townspeople—floods, fires, ice storms, an earthquake and deaths; the recovery from such struggles; and the amazing spirit of community that characterizes and defines our town.”

Among the goals she cites for serving as Town Justice is the pursuit of what she terms “restorative justice,” a relatively new concept in criminal justice that “emphasizes victims and holding convicted individuals accountable for their actions, with the aim of reducing repeat offenses.”

A registered Green as well, Lincoln-Day initially filed a party designating petition.

Her Green petition and that of Balzac's were challenged by a member of the Town of Jay Republican Committee, who cited a minor technical error for both. Balzac's petition survived the challenge by having one valid signature, whereas Lincoln-Day's was annulled in its entirety. The firsthand experience of political gamesmanship by a major party made her all the more determined to stay in the race and collect three times more than the required number of signatures on her Tax Fairness Party petition.

Interestingly, Lincoln-Day filed her Green Party petition on July 10th—the day before the Town of Jay Town Board voted to eliminate the position. “Although the Town Board claims that my filing had no bearing on their decision, the timing is definitely interesting,” Lincoln-Day observed. “It’s one more reason why we wanted the People of Jay to have a say, and now they will have it on October 16th.”

Lincoln-Day will remain on the ballot on November 5th regardless of the outcome in the special election; however, votes for her on Election Day will count only if the “No’s” outweigh the “Yes’s” on October 16th. Win or lose on either day, Lincoln-Day and Balzac believe they’ve already had a positive impact by highlighting these issues for their town, and they look forward to continue working for more open, transparent and proactive local government for the benefit of all the people in the Town of Jay.

To learn more about these candidates and their campaigns, voters are encouraged to contact Fred Balzac at (518) 946-7861, by e-mail at fredbalzac@aol.com, or via his website at www.fredbalzac.com and Rosamond Lincoln-Day at 946-2126 or at rosamindlincoln@gmail.com.

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Attachment: Flyer on Town Justice Special Election, 10/16/13

Please note: The League of Women Voters of the Plattsburgh Area is sponsoring a Meet the Candidates’ Forum in the Town of Jay, Tues., October 29th, beginning at 6 pm, at the Town Community Center on School Street (off Route 9N, across from Holy Name Church) in Au Sable Forks. All Town of Jay candidates on the ballot Nov. 5th, including the three Town Justice candidates, have been invited.

Two Judges Are Better Than One—Vote “NO” on Oct. 16th!

Dear Town of Jay Voter:

On July 11th the Town Board voted to eliminate 1 of our 2 Town Justice positions, the one currently held by Judge Robert Minogue—an issue that, to our knowledge, had not been previously discussed publicly at any recent board meetings. The board members did so with virtually no advance notice, little-to-no public input during the 7/11 meeting, and minimal notice following the meeting—including with regard to the public's right to circulate a petition to put the question on the ballot.

Because of our efforts and that of fellow Town of Jay Green Party member Ray Losso, you and your neighbors can have a say on whether eliminating this important public office is a good idea or not. You can also send the Town Board a message that you want more open, transparent local government that seeks the input of more than just a handful of townspeople. The way you can send that message is to:

Vote “NO” on Oct. 16th (from 12-8 pm at your regular polling place) Preserve Your Rights: Keep Our 2nd Town Justice Position

In voting to eliminate the position, the Town Board cited three factors: saving money; lack of sufficient caseload for 2 judges; and the fact that Judge Minogue has been spending several winter months in Florida. On the face of it, these appear to be valid reasons. However, upon careful consideration, we believe there is a strong case for keeping the second Town Justice position, including:

- **The savings won't amount to much.** The judges are currently each paid about \$9500 and have their own clerk. But some of the savings from cutting 2 of those salaries will be eaten up by paying the remaining judge, Dan Deyoe, more money. The Town Board has floated the figure of \$12,000. But Judge Deyoe will be asked to do the job of two judges, so a raise of only \$2500 seems too low. What is the likelihood it won't be increased come budget time in November or that, after the first year of this new arrangement, Judge Deyoe won't come back to the board and ask for more?

Another consideration is that, if our 1 judge is away, becomes ill, or is unable to hold court for any reason, the town may have to turn to another town's judge—who will have to be paid and, if traveling to Jay to hold court, reimbursed for mileage and meals. Will those costs be estimated and accounted for in the following year's budget?

- **Caseloads are unpredictable.** There's no way of knowing how many cases our Town Justice(s) will have to hear. One retired Town Justice spoken to recently said the required paperwork alone is reason to have 2 judges. He also pointed to a time when 19 criminal cases came in one evening, along with civil cases and traffic violations that were already on the docket. That may be a record that won't be broken soon, but given that can anyone safely predict next year's caseload?

- **Don't throw the baby out with the bathwater.** Judge Minogue's decision to spend winters in Florida is disturbing. But it's an administrative problem that the Town Board should've handled differently. Why, for example, didn't they fully inform the public about this? If they had, we might have demanded his resignation. Certainly others may have stepped up to run against him months ago. As it happens, there are 2 people—**Rod Dockum & Rosamond Lincoln-Day**—seeking the position, along with Judge Minogue, who is running again. Of course, none of this matters if the 10/16 referendum passes and the job is eliminated.

- **Overcomes conflicts of interest.** There are often reasons why a given judge should not take a case, especially in a small town where many people are related or interact closely. In fact, not so long ago, a Town of Jay Justice, the late Ramona Thwaits, was reprimanded for holding court, as we recall, on 1 or more cases involving her own relatives. With 2 judges, there's a colleague right there to take a case that the other judge should recuse him- or herself from.

- **Reduces the opportunity for corruption.** A one-judge town concentrates too much power in one person's hands and leaves the door open more widely for graft or ethical lapses. With 2 judges, there's someone there to keep an eye on the other. There's also a colleague to go to with questions or for help and advice. Two heads are better than one.

- **Preserves better your right to a fair hearing.** Two judges double your chances of coming before a Justice who will hear your case fairly and with less delay. It doubles the opportunity for town residents to participate in the judicial system, increasing the odds of a more open, transparent, and diverse approach to justice. The Town of Jay had 1 judge years ago, and previous Town Board members fought to give us 2. Why would we want to go backward? Let's move forward!

To learn more or for a ride to the polls, try FredBalzac@aol.com/946-7861 or Ros. Lincoln-Day at 946-2126.

VOTE “NO” ON OCT. 16TH * * * The Justice You Save May Be Your Own!