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POSTAL REGULATORY
COMMISSION
OFFICE OF THE SECRETARY

To the Postal Regulatory Commissioner:

This document is a PETITION TO APPEAL the so-called "Final Determination to Close the Old Chatham NY Post Office and Continue to Provide Service by Rural Route Service."

DOCKET Number 137600 – 12136

Below are some of the reasons that we (and all of our Old Chatham neighbors) contest the determination to close our Old Chatham Post Office:

- I) Missing Information gives a false impression of Old Chatham Post Office use.
- II) Secret, Suspicious, Behind-the-Scenes dealings have taken place with the sale and leasing of the East Chatham Building, which we are now being asked to use.
- III) Misleading Survey Tools supposedly designed to "solicit our opinions" were used against us.
- IV) Our Legitimate Problems and Concerns were Dismissed or Ignored.
- V) Closing Old Chatham will not save money: Old Chatham's yearly is lease: \$9,600
East Chatham's yearly lease: \$60,000 Closing East Chatham would save \$50,000 + a year!

DETAILS:

I) Missing Information: The "Determination to Close" offers details about retail sales and counter use at the Old Chatham Post Office. But it does not give equivalent details about the East Chatham Post Office. The Old Chatham Post Office is, by all empirical observation, used much more than the East Chatham Post Office which never has anyone at its counter, and never has a car in its parking lot. Why are the details of retail sales and counter use for East Chatham left out of the Docket?

The "Determination to Close" omits time our Postmaster spends servicing box holders (whose rentals generate income). Those services include sorting and filling boxes with first class mail, and later with 3rd & 4th class mail; locating and handing out larger mailers and packages which don't fit in our boxes, as well as certified and registered items requiring our signatures. She is also responsible for stocking, and distributing priority, express, and other mailing materials (many of them revenue-generating). And she takes care of snowy floors: a lot of unmentioned work in her 6 hr., 15 min. day.

II) Secret, Suspicious, Behind-the-Scenes dealings. A few years ago, the East Chatham Post Office stopped operating in its long-time, modest, low-rent building. The owners of the building (which is still standing and rented to other tenants) began erecting on the huge, undeveloped scrub lots next door, a huge, imposing building, with a cathedral ceiling, enormous windows, on all sides, empty corridor-like interior spaces, and dozens of parking spaces. It was baffling to everyone why the US Postal Service would lease that new building from its owner—since East Chatham isn't a busy, pedestrian hamlet as Old Chatham is, and East Chatham's Post Office had little use.

But we have learned that the huge, imposing building which the Postal Service leases in East Chatham was, upon construction, sold to a group of investors for \$600,000 in 2000 And, again in 2009 to a powerful investor and real estate agent in Missouri for \$800,000.

(This was after the recession had begun and real estate values had plummeted.)

>> It strikes us all as unbelievable that this Missouri agent, investor, trust administrator (and sole trustee) of various financial entities, James K. Maddox, who “heads” a construction company and similarly named enterprises (Maco Construction, Maco Development, Maco Investments), and represents close to a hundred housing developments and senior housing complexes in Missouri and Georgia (receiving federal tax credits), and owns controlling shares of a Missouri Bank, would have a sudden interest in buying a building leased to the Postal Service in a tiny, depressed, drive-through hamlet in rural upstate New York for \$800,000. (In this vicinity, \$800,000 can buy you a mansion with ten acres, tennis courts, and a swimming pool.)

PLEASE NOTE: Company Description:

Maddox Investments Llc

Foreign Limited Liability Company

Entity Status: Active

Type of Entity: Foreign Limited Liability Company

Entity Creation Date: Jun 03, 2009

PLEASE ALSO NOTE: MR. MADDOX PURCHASED THE EAST CHATHAM BUILDING 7/8/2009 – 1 MONTH AFTER CREATING HIS COMPANY

- **WHY DID MR. MADDOX BUY THE BUILDING IN EAST CHATHAM FOR \$800,000?**
- **WHY DID THE US POSTAL SERVICE LEASE THE BUILDING FOR \$5,000 A MONTH? --WHEN MORE TYPICAL LEASES ARE \$800 A MONTH – AS IN OLD CHATHAM.**
- **WHY DID THE US POSTAL SERVICE SIGN A 20-YEAR LEASE WITH MR. MADDOX?**

- **HOW DID MR. MADDOX EVEN HEAR ABOUT THIS BUILDING?**

Who are the companies and individuals who sold the building to Mr. Maddox: especially Clavin's Holdings LLC, East Greenbush, NY [Kenneth J. Baer, Douglas J. Baer] and Michael P. Kellogg, East Greenbush, NY; who acquired this property in 2000, along with the building site owner, Pierre Joseph [who later conveyed his interest in the property to: Michael P. Joseph, San Juan, Puerto Rico; David M. Joseph, Pittsfield, MA; Michelle P. Looney, Dalton, MA; Patricia M. Saupe, Richmond, MA.

- **WHAT PROMISES WERE MADE TO MR. MADDOX – AND BY WHOM?**

We believe we are being sacrificed for this big-money deal.

III) **Misleading Survey Tools.** To begin the “process” of closing our Old Chatham Post Office, the (anonymous, unresponsive) Postal Optimization Department sent Questionnaires to the residents of our hamlet. However, those surveys were *not* designed to elicit input, opinions, questions, concerns, problems or hardships relative to the closing; rather they were designed to “trap the residents into digging their own graves” as some residents have put it. For example, one question asked the residents if they shopped outside the hamlet. If the resident said, yes, they shop in Chatham Village, that was then used to tell the residents they could drive to Chatham Village via East Chatham (a route we don't use since it is dangerous. See Below.)

Most of the survey questions had to do with things like: “How many times do you buy money orders?” (Obviously they were designed to make a case for closing.) The Surveys did not include questions about our problems or concerns with the closing. Yet the Postal Service now tells us that the surveys indicated: 9 people favor the closing; 49 were against it, and 121 had no opinion. Yet all the residents we have spoken with (in our door-to-door petition campaign) say they are opposed to the closing. They told us the surveys didn't include a place to express an opinion. So only those of us who attached our own separate notes or letters against the closing were considered to be opposed. The rest were considered to have no opinion about closing. UNFAIR.

Many of us took care to return our questionnaires well before the so-called information meeting at Chatham Town Hall. Yet when we asked the Eric Teiman, Manager of Operations in Albany, who came to speak to us, how many of our questionnaires he had seen, he told us none. Already we got the idea that the closing was a done deal—and the questionnaires were merely window dressing.

IV) Our Legitimate Problems, Concerns were Dismissed or Ignored.

- The Docket notes that 344 of us signed petitions against the closing. But a great number of people also wrote individual letters opposing the closing which were delivered to the Postal Service too. Yet none of those is mentioned in the Determination to Close—which focuses on those misleading survey questionnaires.
- The Postal Service responded to any concerns we expressed with dismissive, canned responses. No matter what we said, we received the same pre-fabricated answers telling us we had no problem.

Here is an example from the Closure Document Itself (Page 2):

[We raised concerns about a dangerous bridge. And, as you'll see, the Postal Service ignores our concerns about the bridge and replies with a dissertation about stamp purchasing and zip codes.]

2. **Concern:** Customer concerned with condition of bridge leading to East Chatham.
- Response:** Stamp purchases represent more than 85 percent of the Postal Service's retail sales. Today there are nearly 70,000 banks, ATMs, grocery stores, pharmacies and retail stores selling postal products and services located nationwide. That's more than double the number of Post Offices. In fact, nearly 35 percent of the Postal Service's revenue comes from locations other than Post Offices. Our online locator service — found at the Locate A Post Office tab at www.usps.com — can help individuals select the location of post offices that best suit their regular routines or to find alternate locations to purchase stamps, when provision of stamps at a post office for by a letter carrier en route are not sufficient to meet a customer's need. Each day, approximately 1.1 million Americans will use the usps.com website for services such as how to locate a post office. The top online requests include ZIP code look up and tracking packages. We believe placing the most requested postal product — stamps — in nearly 100,000 locations nationwide, partnered with the uninterrupted delivery of your mail and expanded online services, constitutes regular and effective access for postal customers.

We raised concerns about that bridge since it's a very narrow old trestle over active train tracks, and is in poor condition. (Some people say it is condemned.) But worse than the bridge itself is the fact that anyone turning off it to get to the East Chatham Post Office from Old Chatham, is immediately thrust down a sharp incline into interstate traffic coming around a curve on Rt. 295— with very limited vision of motorists coming off or going onto the bridge. IT IS DANGEROUS.

We also expressed concerns about the dangerous road from Old Chatham to East Chatham (which isn't mentioned at all in the Closure Docket). Let us explain: The historic road which connected the hamlets of Old Chatham and East Chatham was appropriated for building I- 90, the interstate highway which runs from Seattle to Boston. When our historic valley road was taken over for the highway bed, the Thruway authority constructed a new road to connect the hamlets. It ascends up the side of a steep hill (the beginning of the western foothills of the Berkshires); it contains three unusually steep hills, and is known for accidents. IT IS DANGEROUS.

And the danger increases in winter weather (November to April). Once traveling westbound during a light, early winter snowfall, we could not get up the first hill from East Chatham, and had to abandon our car on the roadside. A neighbor traveling eastbound in his pick-up skidded off the road while descending the second hill. Another neighbor traveling westbound was prevented by police from even entering the road because its condition was so bad. (Most of us avoid this unnatural, hilly road and travel to Chatham Village via Rt. 13 and Rt. 66—avoiding East Chatham and the road.)

For those of us with Post Office boxes, making the daily trip (6 miles per day on the dangerous road, and over the dangerous bridge) presents a major hardship.

Add to that the fact that most of us are over 65, and some of us have problems with driving, vision and mobility, the idea that we must drive to East Chatham for our postal needs is reckless.

MANY OF US RAISED THESE ISSUES, BUT THE POSTAL SERVICE LEFT THEM OUT OF THE DETERMINATION DOCUMENT. WHY WERE THESE VERY REAL DANGERS IGNORED?

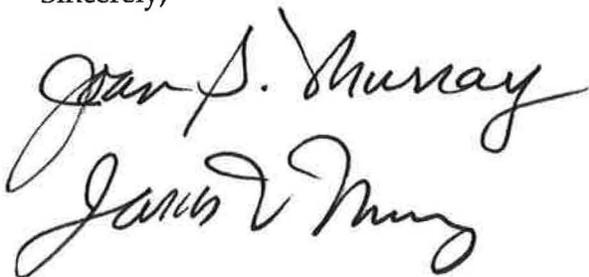
V) Closing Old Chatham will NOT save money. We're told the reason to close the Old Chatham Post Office is to save money. However, the Old Chatham post office is an inexpensive operation. The East Chatham post office, which you want to keep open, is a very expensive operation.

Old Chatham's yearly lease is \$9,600. East Chatham's yearly lease is \$60,000

Closing East Chatham, instead of Old Chatham, would save US Taxpayers \$50,000 + a year.

For all the reasons given above, we appeal to you not to close the Old Chatham Post Office.

Sincerely,



James S. Murray