

Missing Man's Mess Leaves Fence Amiss

Jim Messmer went missing. He disappeared, vanished into the ether.

Where was Jim Messmer? What had happened to him?

Those were questions asked by Michael and Kim Cerone, a couple from Niskayuna who knew Messmer as the amiable man who had put up their vinyl backyard fence. But when the fence started to list and lean just a month after it went up last July, suddenly the friendly contractor was nowhere to be found.

For months, he didn't answer his phone or return messages. It wasn't until March, eight months after the \$6,400 installation, that they reached the contractor. He said he'd come look at the fence.

But Messmer never showed. And in the months since, he has again failed to respond to their calls and messages.

The Cerones were willing to be forgiving, despite a gate they can't open and a fence that careens around their back yard like a drunken frat brother. They were willing to help Messmer pay for additional materials if he would just fix his shoddy work. They were willing to accept a legitimate reason for his disappearance. "All he had to do was call us and tell us about it," said Michael Cerone, a retired Colonie police officer.

But Messmer remained a missing man.

Last week, I tried

to track him down, but it was no easy task. In fact, I couldn't find a local listing or address under his name.

There's a reason for that: Messmer, I have since learned, isn't Messmer. He appears to be James Messmore

, identified in public records as a 50-year-old who lives in Carlisle, Schoharie County.

Messmore is the owner of Affordable Fence, a company that generated seven complaints to the Better Business Bureau since 2009 and more than its share of liens and court judgments, according to public records.

But when Messmer — I mean Messmore — worked for the Cerones, he not only had a new surname, but his company had been dubbed American Fence. So Messmore's history of poor workmanship didn't turn up when the couple searched online for complaints.

You won't be surprised to learn that Messmore didn't return my phone calls. So on Friday, I drove over to the Affordable Fence mailing address in Schenectady. When I pulled up to the house, I was stunned to see a man, yes, putting up a fence. Whoa! Had I found Messmore?! "I know him, but I'm not him," said the man, who identified himself as Don Anderson, owner of Four Season Fence.

Anderson said he used to work for Affordable Fence, and said the house at 23 Livingston Ave. belongs to one of Messmore's relatives.

So wait. Messmore is in the fence business, but doesn't install them at relatives' homes? "It's too small a job," Anderson said. "That's why he threw it to me."

Or maybe he doesn't want to inflict loved ones with a fence that would fall over. I asked Anderson several times if he was Messmore, and he insisted that he wasn't. I also told him a little about the Ceron's complaint, and about how Messmore had apparently used a different name before sticking the couple with subpar work.

"That's not nice," Anderson said, sounding not a bit surprised.

No, not nice at all.

I left Anderson and drove to 34 Lark St. in Scotia — the business address Messmore had used with the Ceron's. Unfortunately, I looked in vain. It appears to be a phony address.

The Ceron's say Messmore, identified only as "Jim" on his business cards, said all the right things. He didn't ask for money up front. He didn't pressure them. He seemed legit and experienced.

But when he put up the 208 feet of fencing, he failed to install concrete footings that would keep the fence's posts from shifting as the ground moves. Contractors tell the Ceron's it will take about \$2,500 to fix the problem.

The couple may take Messmore/Messmer to court, but the contractor's use of a fake name might make legal action more difficult.

"The biggest thing is going to be trying to serve him, and making sure they're serving who they think they're serving," said Michael Macomber, an attorney at Tully Rinckey in Colonie.

Even if the Ceron's win in court, there's no guarantee Messmore would actually pay. They could end up throwing good money after bad, Macomber said.

And in the meantime, the couple's leaning fence will likely get worse.

Messmore or Messmer? Either way, he's created a mess.