

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: **REAL PROPERTY TAX SERVICES**

DATE: FEBRUARY 26, 2007

Committee Members Present:

Supervisors Belden
Monroe
Champagne
Haskell
Bentley
F. Thomas
Geraghty

Others Present:

Teri Ross, Deputy Director, Real Property Tax
Services
William H. Thomas, Chairman
Joan Parsons, Commissioner of Administrative &
Fiscal Services
Paul Dusek, County Attorney
Joan Sady, Clerk of the Board
Hal Payne, Administrator, Westmount Health Facility
Debra L. Schreiber, Legislative Office Specialist

Mr. Belden called the meeting to order at 11:00 a.m.

Motion was made by Mr. Geraghty, seconded by Mr. F. Thomas, and carried unanimously to approve the minutes of the February 1, 2007 Committee meeting, subject to correction by the Clerk.

Privilege of the floor was extended to Teri Ross, Deputy Director, Real Property Tax Services, who distributed copies of her Agenda to the Committee members, and a copy of same is on file with the minutes.

Ms. Ross informed the Committee that Michael Swan, Director, Real Property Tax Services, recently had an accident and they anticipated releasing him from the hospital on February 27, 2007.

Ms. Ross explained the first item on the agenda were the 2007 Chargeback of Taxes received from the Treasurer's Office.

Motion was made by Mr. Monroe and seconded by Mr. Champagne approving the 2007 Chargeback of Taxes.

Mr. Belden asked if the last page reflected refunds to be disbursed by the County but charged to the various townships and Ms. Ross responded affirmatively. In response to an inquiry by Mr. Champagne relative to the assessment to Adirondack Hospitality Corp., Ms. Ross apprised the building was not identified on the correct parcel.

After discussion, Mr. Belden called the question and the motion was carried unanimously as outlined above; and the necessary resolution was authorized for the March 16, 2007 Board Meeting.

Mr. Monroe commented when the Town of Chester held their assessment challenges, the school and town appeared; however, he said, he was unclear why the County did not appear and share in the settlement. He suggested inquiring of Paul Dusek, County Attorney, relative to the involvement by the County on assessment challenges.

With respect to Item 2 of the agenda, Ms. Ross indicated Schoharie County forwarded a copy of a resolution passed by their legislators relative to how the equalization rates were calculated.

Motion was made by Mr. Haskell, seconded by Mr. Geraghty and carried unanimously referring the above matter to the Legislative Committee for consideration.

Continuing on with Item 3, Ms. Ross requested the County file a quit claim deed relative to Queensbury parcel #301.8-2-69 so the current owner, Thomas Hall, had clear title to sell the property.

Motion was made by Mr. Geraghty, seconded by Mr. Bentley and carried unanimously approving the request as outlined above; and the necessary resolution was authorized for the March 16, 2007 Board Meeting. A copy of the resolution request form is on file with the minutes.

Ms. Ross indicated the remaining resolution requests were to delete outstanding taxes from the tax rolls.

Motion was made by Mr. Bentley and seconded by Mr. Geraghty approving the requests as outlined above.

The first request was to delete outstanding taxes on Queensbury parcel #309.10-1-86 in the amount of \$5,500, as this was now part of the Northway, Ms. Ross reported.

Regarding Horicon parcel #50.1-1, Ms. Ross noted the parcel was mapped incorrectly and was part of another parcel and subsequently consolidated with parcel #70.-2-321. The amount to be deleted was \$5,031.85, Ms. Ross explained.

Ms. Ross apprised that Queensbury parcel No. 302.17-1-24 was split and consolidated but overlooked by the assessor; therefore, she said, the amount of outstanding taxes to be deleted was \$45.54.

With respect to the next two Queensbury parcels (No. 297.17-1-6 and No. 295.19-3-70), Ms. Ross stated the property was owned by the State of New York and, therefore, exempt from special district taxes. She said the total amount of outstanding taxes to be deleted was \$2,770.70. Continuing on with Warrensburg parcel No. 153.1-1-33, Ms. Ross advised the assessor failed to remove this property from the assessment roll upon the Town of Warrensburg obtaining possession and the amount to be deleted for outstanding taxes was \$207.98.

After discussion, Mr. Belden called the question and the motion was carried unanimously to approve the requests as outlined above. The necessary resolutions were authorized for the March 16, 2007 Board Meeting. Copies of the resolution request forms are on file with the minutes.

Regarding Item 5 of the agenda, Ms. Ross related this was a parcel in the Town of Queensbury that Mr. Swan inspected in 1997 and he questioned whether the property was contaminated. She indicated the current owners had not paid their property taxes since 1995 and owed approximately \$108,000. She said Mr. Swan suggested having someone from the Department of Public Works (DPW) or a private company be hired to inspect the property for contamination. She said he estimated the property value to be \$250,000 but thought if the County issued notices, the property owner would pay the delinquent taxes. While Mr. Champagne acknowledged that he was familiar with the property, he did not understand why Mr. Swan would not act upon his assumption.

Motion was made by Mr. Haskell to request that William Lamy, Superintendent of Department of Public Works, inspect the property to determine whether the services of an outside entity were needed to inspect the property for possible contamination. There was no second to the motion and further discussion options continued.

Mr. Geraghty asked whether this was private property. Mr. W. Thomas said it was his understanding the County would be required to take the process through foreclosure.

Mr. Dusek entered the meeting at 11:25 a.m.

After a general discussion, Mr. Dusek stated upon the commencement of a foreclosure action, he recommended the County apply for a grant through the New York State Department of Environmental Conservation (DEC) for the purpose of gaining access to inspect the property. He said this would protect the County from liability and if they found the property to be contaminated, the County could walk away. Mr. Champagne suggested contacting the property owner requesting permission to inspect the property. Mr. Dusek said the County would not incur any liability by commencing the foreclosure action. Mr. Monroe asked the Real Property Tax Services Department to compile a list of properties with similar circumstances and Mr. Dusek replied there were six to eight properties in the County that were not being foreclosed upon due to contamination.

Motion was made Mr. Monroe, seconded by Mr. Champagne and carried unanimously authorizing the County Attorney to commence a foreclosure action on Parcel No. 302.8-1-2 in the Town of Queensbury; and authorize the necessary resolution for the March 16, 2007 Board Meeting.

Continuing on with Item 6 of the agenda, Ms. Ross indicated at the request of this Committee, Mr. Swan mailed notices to the remaining property owners on the foreclosure list. She said three people responded but thought the deadline to pay was

August and since the Committee granted a property owner in Lake Luzerne until March 31, 2007 to pay, Mr. Swan offered these three people the same deadline. Ms. Ross advised that a property owner in the Town of Chester had extenuating circumstances and Mr. Swan gave her a deadline of July.

Motion was made by Mr. Monroe and seconded by Mr. Haskell approving the requests to extend the foreclosure deadlines as outlined above.

Mr. Dusek stated there were currently two foreclosure actions. He apprised the County would have taken judgement last year but due to computer difficulties, the actions were not commenced. He said the County was now able to take judgment; however, the regular process granted judgment in June or July. Mr. Dusek asked the Committee to be consistent with the payment deadlines.

After discussion, Mr. Monroe amended his previous motion extending the deadline for the payment of delinquent taxes to all property owners until August. The motion was seconded by Mr. Haskell and carried unanimously approving the motion as amended.

Relative to Item 7 of the agenda, Ms. Ross indicated their office was in receipt of a letter from James Nash from the Glens Falls Tennis and Swim Club requesting permission to erect a sign on County-owned property on Quaker Road. According to Mr. Swan, she said this request was not commonly granted and suggested referring the matter to the County Attorney. In discussions with William Lamy, Superintendent, Department of Public Works (DPW), Mr. Dusek said it was his understanding the DPW never had a set of rules and regulations relative to permissible signage.

Joan Parsons and Hal Payne entered the meeting at 11:40 a.m.

Mr. Champagne suggested referring Mr. Nash to the County Planning Board, as well as the Queensbury Planning Board for their determination. Mr. Haskell recommended the Department of Public Works adopt a set of guidelines prior to referring it to another committee. Mr. Dusek concurred with Mr. Haskell.

Motion was made by Mr. Haskell, seconded by Mr. Bentley and carried unanimously referring this matter to DPW for their review.

Continuing on with the last item on the agenda, Ms. Ross requested permission to fill the vacant position of Tax Map Technician, base salary \$32,248, due to termination. She apprised the funds were in the 2007 budget.

Motion was made by Mr. Haskell, seconded by Mr. Bentley approving the request as outlined above.

Mrs. Parsons stated that according to Mr. Swan, their department was behind in submitting information to the assessors; therefore, she said, she would recommend filling the position.

After discussion, Mr. Belden called the question and the motion was carried unanimously approving the request to Fill the Vacation Position of Tax Map Technician, base salary of \$32,248, and refer same to the Personnel Committee. A copy of the Notice of Intent to Fill Vacant Position is on file with the minutes.

In a recent DPW Committee meeting, Mr. Bentley stated there was a discussion about a couple who paid property taxes on a parcel of land they thought they owned in the Town of Horicon but discovered it was actually owned by the County. He said these people were now trying to sell this parcel. Mr. Dusek stated he would research the matter.

There being no further business to come before the Committee, on motion by Mr. Bentley and seconded by Mr. F. Thomas, Mr. Belden adjourned the meeting at 11:46 a.m.

Respectfully submitted,

Debra L. Schreiber, Legislative Office Specialist