

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: REAL PROPERTY TAX SERVICES

DATE: MAY 23, 2013

COMMITTEE MEMBERS PRESENT:

SUPERVISORS MONROE
BENTLEY
LOEB
DICKINSON
MCDEVITT

OTHERS PRESENT:

LEXIE DELUREY, DIRECTOR OF REAL PROPERTY TAX SERVICES
KEVIN B. GERAGHTY, CHAIRMAN OF THE BOARD
PAUL DUSEK, COUNTY ADMINISTRATOR
MARTIN AUFFREDOU, COUNTY ATTORNEY
JOAN SADY, CLERK OF THE BOARD
FRANK E. THOMAS, BUDGET OFFICER
SUPERVISORS FRASIER
GIRARD
KENNY
MASON
SOKOL
STRAINER
TAYLOR
WOOD
JEFFERY TENNYSON, SUPERINTENDENT OF THE DEPARTMENT OF PUBLIC WORKS
JOHN STROUGH, QUEENSBURY TOWN COUNCILMAN, 3RD WARD
DON LEHMAN, *THE POST STAR*
CHARLENE DIRESTA, SR. LEGISLATIVE OFFICE SPECIALIST

Mr. Monroe called the meeting of the Real Property Tax Services Committee to order at 10:03 a.m.

Motion was made by Mr. McDevitt, seconded by Mr. Loeb and carried unanimously to approve the minutes of the previous Committee meeting, subject to correction by the Clerk of the Board.

Privilege of the floor was extended to Lexie Delurey, Director of Real Property Tax Services, who distributed copies of the agenda to the Committee members; *a copy of the agenda is on file with the minutes.*

Commencing the agenda review, Mr. Monroe pointed out the only item on the agenda was for discussion on Tax Map Parcel No. 198.-1-15 in the Town of Warrensburg. Ms. Delurey stated the property was currently owned by Mark Brown and Janice Fallen. A map of the parcel was displayed for the Committee members and Ms. Delurey said that .634 acres of the parcel would become a "buffer zone" and would be merged into Tax Map Parcel No. 198.-1-14 directly to the south which was owned by Warren County. She explained that the .634 acre buffer zone would be purchased by the Town of Warrensburg due to the existence of wells on the County owned property.

Martin Auffredou, County Attorney, reiterated the parcel in question was .634 acres currently owned by Mr. Brown and Ms. Fallen and was part of their larger holdings of 80 acres. He said the Town of Warrensburg required the .634 acre parcel for the purpose of a buffer zone for the wells and for some necessary infrastructure for the Municipal Water System. He added a small Water Treatment Facility would be erected, as well as a generator, propane tank and necessary pipes.

Mr. Auffredou commented that the Town of Warrensburg had begun the process with an inquiry to the APA (Adirondack Park Agency) who had explained the parcel in question would be a sub-division which would require APA approval. He advised the Town of Warrensburg had approached the APA

with a proposal to have the .634 acre parcel merged into the existing parcel owned by Warren County as a boundary line adjustment and not a sub-division. Mr. Auffredou said the APA had agreed with the proposal and had sent a letter indicating that if the Town acquired the parcel from Mr. Brown and Ms. Fallen and conveyed it to the County to be merged with the County owned parcel, then the parcel would be considered a boundary line adjustment and not a sub-division. He continued by saying the parcel would be subject to APA restrictions, such as no building rights other than for the use of Municipal Water System purposes. He stated the Town of Warrensburg had a long standing easement agreement with Warren County which had recently been amended with respect to the wells on Warren County property.

Mr. Auffredou advised if the Committee was in favor of the proposal, the .634 acre parcel would become Warren County property subject to the APA restrictions and he would recommend the requirement of insurance and indemnification from the Town of Warrensburg. He said he was in possession of a title report from the Town of Warrensburg which seemed to be in order. He suggested that title insurance be required and noted the Town of Warrensburg had indicated their willingness to purchase same. Mr. Auffredou stated that if the Town of Warrensburg ever found they no longer required the parcel, they would be responsible for seeking the removal of the APA restrictions.

Mr. Auffredou informed there was a 24 foot by 34 foot water house structure to be constructed on the parcel and he suggested the County require the Town of Warrensburg to work with Jeffery Tennyson, Superintendent of the Department of Public Works (DPW), on the construction plans and that Mr. Tennyson's approval of the plans be required prior to construction.

Mr. Auffredou inquired about the time frame for the construction and Chairman Geraghty replied the Town of Warrensburg was attempting to get the well in place before the end of the summer. Mr. Dickinson asked about the Town's right to maintain the only access road to the property and Mr. Auffredou replied the County would grant the Town the right to maintain the road. Mr. McDevitt asked if there would be any money involved in the agreement and Mr. Auffredou replied in the negative and added the agreement was merely an accommodation to the Town of Warrensburg. Mr. Monroe asked the size of the existing County owned parcel and Mr. Auffredou replied approximately 66 acres. Mr. Monroe questioned the restriction of building rights given that a structure would be constructed and Mr. Auffredou clarified there were no building rights other than the construction for a Municipal Water System previously approved by the APA. Mr. Monroe asked the APA classification of the parcel and Mr. Auffredou replied it was low intensity use.

Motion was made by Mr. Bentley, seconded by Mr. Dickinson and carried unanimously to authorize the merger of Tax Map Parcel No. 198.-1-15 (.634 acres) with the County owned Tax Map Parcel No. 198.-1-14 with the requirements of insurance, indemnification and title insurance from the Town of Warrensburg and with the understanding that if the Town of Warrensburg no longer required use of the parcel they would request that the Adirondack Park Agency remove any restrictions placed upon it. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the June 21, 2013 Board meeting.*

As there was no further business to come before the Real Property Tax Services Committee, on motion made by Mr. Bentley and seconded by Mr. Dickinson, Mr. Monroe adjourned the meeting at 10:12 a.m.

Respectfully submitted,
Charlene DiResta, Sr. Legislative Office Specialist