

# Warren County Board of Supervisors

## RESOLUTION NO. 531 OF 2025

**RESOLUTION INTRODUCED BY SUPERVISORS THOMAS, GERACI, STROUGH, MADAY, DRISCOLL, CROCITTO AND MERLINO**

**INTRODUCING PROPOSED LOCAL LAW NO. 3 OF 2026, ENTITLED “A LOCAL LAW AMENDING LOCAL LAW NO. 3 OF 1997, ‘A LOCAL LAW FURTHER AMENDING LOCAL LAW NO. 8 OF 1996 RELATIVE TO THE DELINQUENT TAX INSTALLMENT PAYMENT PLAN,’” AND AUTHORIZING A PUBLIC HEARING THEREON**

RESOLVED, that proposed Local Law No. 3 of 2026 entitled “A Local Law Amending Local Law No. 3 of 1997, ‘A Local Law Further Amending Local Law No. 8 of 1996 Relative to the Delinquent Tax Installment Payment Plan,’” attached hereto and made a part hereof, be, and the same hereby is, introduced before the Warren County Board of Supervisors, and in order to give interested members of the public the opportunity to be heard thereon, the Board of Supervisors shall hold a public hearing in the Supervisors’ Rooms in the Warren County Municipal Center on the 16<sup>th</sup> day of January, 2026, at 10:00 a.m., on the matter of the adoption of said proposed Local Law No. 3 of 2026, and be it further

RESOLVED, that the Clerk of the Board of Supervisors be, and hereby is, authorized and directed to give notice of such public hearing in the manner provided by law.

**COUNTY OF WARREN  
PROPOSED LOCAL LAW NO. 3 OF 2026**

**A LOCAL LAW AMENDING LOCAL LAW NO. 3 OF 1997, ‘A LOCAL LAW FURTHER  
AMENDING LOCAL LAW NO. 8 OF 1996 RELATIVE TO THE DELINQUENT TAX  
INSTALLMENT PAYMENT PLAN’”**

**BE IT ENACTED**, by the Board of Supervisors of the County of Warren, New York as follows:

**SECTION 1. PURPOSE.** Real Property Tax Law Section 1184 authorizes the enactment of a local law providing for the payment of eligible delinquent taxes through an installment payment agreement. The purpose of this Local Law is to continue authorizing installment payment agreements in Warren County.

**SECTION 2. DEFINITIONS.**

- A. “Eligible Delinquent Taxes” means delinquent taxes, including interest, penalties and other charges, which have accrued against a parcel as of the first calendar day of the month during which an Installment Agreement becomes effective.
- B. “Eligible Owner” means any titled owner of a real property parcel who is eligible to or has entered into an installment agreement.
- C. “Installment Agreement” means a written agreement between an Eligible Owner and the Warren County Treasurer providing for the payment of eligible delinquent taxes in installments pursuant to the provisions of Real Property Law Section 1184 and this Local Law.
- D. “Monthly Payment Amount” means the amount to be paid each month while an Installment Agreement is in effect.

**SECTION 3. INSTALLMENT AGREEMENTS AUTHORIZED.** As provided by the provisions of this Local Law, Eligible Owners owing Eligible Delinquent Taxes on parcels of real property located in Warren County may execute an agreement with the Warren County Treasurer, in a form approved by the Warren County Attorney, whereby Eligible Delinquent Taxes, plus additional interest accruing upon the delinquent taxes during the term of the Installment Agreement shall be paid in installments as set forth by this Local Law and while an Installment Agreement is in effect and not in default, the Warren County Treasurer shall suspend collection procedures to recover the Eligible Delinquent Taxes.

**SECTION 4. TERMS AND CONDITIONS OF AGREEMENT.** Any installment agreement entered into by the Warren County Treasurer shall contain the following minimum terms and conditions:

- A. Term. The maximum term for an Installment Agreement shall be twenty-four (24) consecutive calendar months from the last business day of the month immediately following the month in which the Installment Agreement is executed and the Down Payment is tendered.

- B. Down Payment. A down payment shall be tendered contemporaneously by any Eligible Owner submitting a signed Installment Agreement to the Warren County Treasurer and no Installment Agreement shall be effective without payment of the Down Payment. The Down Payment shall be equal to the total amount of all accrued and unpaid interest, penalties, and other charges levied against a parcel due to delinquent taxes but shall not exceed twenty-five percent (25%) of the Eligible Delinquent Taxes.
- C. Monthly Payment Amount. An Installment Agreement shall require equal monthly payments during the term which shall be calculated as follows: Eligible Delinquent Taxes, minus the Down Payment, amortized with interest accruing during the term, as provided herein.
- D. Payment Schedule. The Monthly Payment Amount shall be due on the last business day of the month in which it is to be paid. The first Monthly Payment Amount shall be due and owing on the last business day of the month following the effective date of the Installment Agreement.
- E. Assessing Interest. Interest on the total amount of Eligible Delinquent Taxes, less the amount of the Down Payment shall be calculated pursuant to Real Property Tax Law Section 924-a, or such other law as may be applicable. The rate of interest in effect on the effective date for the Installment Agreement shall remain constant during the term. If a Monthly Payment Amount is not paid on or before the date it is due, additional per diem interest shall accrue to the unpaid Monthly Payment Amount until paid.
- F. Late Fee Penalties. If a Monthly Payment Amount is not paid by the end of the fifteenth calendar day after the payment due date, a late charge of five percent (5%) of the overdue payment shall be added to the unpaid Monthly Payment Amount and shall be immediately due and payable with the past due Monthly Payment Amount.
- G. Prepayment. There shall be no penalty for the prepayment of the entire outstanding balance due under an Installment Agreement and any payment for interest which did not accrue shall be deducted from the total balance then due to Warren County.
- H. Default.
  - a. Events of Default. Any of the following events of default shall constitute default under an Installment Agreement by an Eligible Owner:
    - i. Non-payment of any Monthly Payment Amount, plus per diem interest and late fees within thirty (30) days following the date when payment was due; or
    - ii. Non-payment of any tax, special ad valorem levy or special assessment when due without penalty or interest, which is levied against any parcel subject to an Installment Agreement, during the term of an Installment Agreement; or
    - iii. The transfer of any Eligible Owner's right, title and interest in a parcel which

is subject to an Installment Agreement to any third-party, or upon the death of the Eligible Owner when no other Eligible Owner assumes the duties and obligations required under an Installment Agreement; or

- iv. Any event of default by any Eligible Owner under any other Installment Agreement executed pursuant to this Local Law.
- b. Acceleration of All Amounts Due. Upon the occurrence of any event of default, the Warren County Treasurer may accelerate payment of the entire amount remaining due and owing under an Installment Agreement and demand immediate payment in full of all amounts due and owing for unpaid delinquent tax amounts, all accrued and unpaid interest, penalties, and other charges levied against a parcel.
- c. Enforcement of Tax Lien. Following an event of default, the Warren County Treasurer may enforce the collection of a delinquent tax lien which was subject to an Installment Agreement pursuant to the applicable sections of law. Acceleration of the tax lien debt due shall not be a precondition to the Warren County Treasurer enforcing the collection of the delinquent tax lien.
- d. No Waiver. Where an Eligible Owner commits and event of default and the Warren County Treasurer does not accelerate the entire amount due from an Eligible Owner or elect to institute tax foreclosure proceedings, the County shall not be deemed to have waived the right to do the same.
- I. Tax Lien. This Local Law shall not affect the tax lien against the property except that the lien shall be reduced by the amount of each Monthly Payment Amount made under an Installment Agreement and no tax lien shall be foreclosed during the term of an Installment Agreement which is not in default.
- J. Tolling. That any applicable statute of limitation to any action by the Warren County Treasurer to collect a delinquent tax lien debt shall be tolled during the entire term of an Installment Agreement.

SECTION 5. ELIGIBILITY OF PARCELS. Delinquent taxes on all types and classifications of real property parcels in Warren County shall be eligible for repayment pursuant to an installment agreement.

SECTION 6. ELIGIBILITY OF OWNERS. A person shall not be deemed an Eligible Owner and shall not be eligible to enter into an installment agreement when:

- A. There is delinquent tax lien on the same property for which the application is made or on another property owned by the person applying as an Eligible Owner and such delinquent tax lien is not eligible to be made part of the Installment Agreement;
- B. The person is the titled owner of another parcel within Warren County on which there is a delinquent tax lien, unless such delinquent tax lien is eligible to be made part of the same Installment Agreement, pursuant to this Local Law and is made a part of the same

Installment Agreement;

- C. The person was the prior titled owner of a parcel of real property on which there existed a delinquent tax lien and which lien was foreclosed within three (3) years of the date on which application is made to execute an Installment Agreement pursuant to this Local Law; or
- D. The person defaulted on any Installment Agreement with the Warren County Treasurer and the event of default occurred within three (3) years of the date on which the property owner applied for a new Installment Agreement pursuant to this Local Law.

SECTION 7. PERIOD FOR AGREEMENT. An Eligible Owner shall be eligible to enter into an Installment Agreement pursuant to this Local Law no earlier than thirty (30) days after the town tax collectors make their returns to the Warren County Treasurer.

SECTION 8. NOTICE.

- A. Within forty-five (45) days after receiving the return of unpaid taxes from the town tax collectors, or as soon thereafter as is practicable, the Warren County Treasurer shall notify, by first class mail, all potential eligible owners of record of their possible eligibility to make installment payments on such tax delinquencies by way of an Installment Agreement pursuant to this Local Law. The County Treasurer shall add One Dollar and 00/100 Cents (\$1.00) to the amount of the tax lien following each such mailing.
- B. The failure to mail any such notice, or the failure of the addressee to receive the same, shall not in any way affect the validity of any taxes or interest prescribed by law with respect thereto.
- C. The Warren County Treasurer shall not be required to notify an Eligible Owner when any Monthly Payment Amount is due or past due.
- D. The Warren County Treasurer may notify the eligible owner when any event of default has occurred and may permit the cure of any default in the exercise their sole discretion.
- E. The Warren County Treasurer shall notify, in writing, by first class mail, the eligible owner of a parcel subject to an Installment Agreement upon acceleration of the entire debt due under an Installment Agreement.

SECTION 9. EFFECTIVE DATE. This local law shall take effect immediately upon filing with the Secretary of State.