

**WARREN COUNTY BOARD OF SUPERVISORS**

**COMMITTEE: REAL PROPERTY TAX SERVICES**

**DATE: MARCH 2, 2009**

**COMMITTEE MEMBERS PRESENT:**

SUPERVISORS GOODSPEED  
BENTLEY  
THOMAS  
MERLINO  
STRAINER  
GIRARD

**COMMITTEE MEMBER ABSENT:**

SUPERVISOR TESSIER

**OTHERS PRESENT:**

MICHAEL SWAN, DIRECTOR, REAL PROPERTY TAX SERVICES  
FREDERICK MONROE, CHAIRMAN  
PATRICIA NENNINGER, SECOND ASSISTANT COUNTY ATTORNEY  
HAL PAYNE, COMMISSIONER OF ADMINISTRATIVE & FISCAL SERVICES  
JOAN SADY, CLERK OF THE BOARD  
SUPERVISORS BELDEN  
GERAGHTY  
KENNY  
PITKIN  
SOKOL  
TAYLOR  
JONATHAN ALEXANDER, *THE ADIRONDACK JOURNAL*  
SKIP STRANAHAN, WARREN COUNTY RESIDENT  
SARAH MCLENITHAN, LEGISLATIVE OFFICE SPECIALIST

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Mr. Goodspeed called the meeting of the Real Property Tax Services Committee to order at 9:31 a.m.

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

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

Mr. Swan advised that Agenda Item 1 consisted of a list of corrections to the tax rolls from the County Treasurer's Office, which would require a Board resolution. He explained that the majority of the corrections had been due to computer program errors. He said that the corrections listed for the Town of Johnsbury and the Town of Lake Luzerne were due to unpaid bills assigned to the wrong tax map parcel numbers which would be eradicated by returning the unpaid bills to the correct tax map parcel number. He said that the refunds were due to an incorrect determination of sewer units for the Caldwell Sewer located in the Town of Lake George.

Motion was made by Mr. Thomas, seconded by Mr. Merlino and carried by majority vote to authorize the corrections to the tax rolls from the County Treasurer's Office as outlined above, with

Mr. Goodspeed abstaining; and the necessary resolution was authorized for the March 20, 2009 Board meeting. *A copy of the resolution request form is on file with the minutes.*

Mr. Swan informed the Committee that Agenda Item 2 pertained to the sale of County surplus land and that Patricia Nenninger, Second Assistant County Attorney, was in attendance to provide an update on this item. Mrs. Nenninger explained that all of the parcels of property that were listed as part of the Airport had been obtained through the foreclosure process with the exception of one property, which had been purchased in 1973 for Airport improvements. She advised that she had been informed by Donald DeGraw, Airport Manager, that he would like to retain these particular properties for wetland mitigation. Mr. Goodspeed stated that more of an explanation was required and Mrs. Nenninger advised that she would request that Mr. DeGraw attend the next Committee meeting to explain why he felt it was necessary for the properties to remain part of the Airport.

Mr. Goodspeed suggested that they table the issue until the next Committee meeting and request that Mr. DeGraw attend to explain why he felt it was necessary for these properties to remain part of the Airport.

It was the consensus of the Committee to table the discussion on the Airport properties until the next Committee meeting.

Moving along to Tax Map Parcel No. 53.-3-10 located in the Town of Horicon, Mr. Swan suggested that they proceed with a motion to include the property in the County Land Auction. He explained that the property had been obtained by the County in the 1930's for the use of highway construction. Mrs. Nenninger advised that it was necessary to determine whether the County utilized the property prior to the property being sold. She noted that it would be necessary to sell the property by utilizing the eminent domain procedure unless certain circumstances existed, such as selling the property to the adjoining property owners.

Motion was made by Mr. Bentley, seconded by Mr. Girard and carried unanimously authorizing the County Attorney's Office to proceed with researching the appropriate process to sell Tax Map Parcel No. 53.-3-10.

The next County-owned parcel of property, Mr. Swan explained, was located at the intersection of Route 9 and Bloody Pond Road and did not have a Tax Map No. as it was considered a portion of the highway. He mentioned that Mr. Tessier had suggested that the property be sold or deeded to the individuals that owned the Wild West Ranch Property. He stated that there was conflicting information from various sources on this particular parcel and he suggested that the Town of Lake George and Warren County abandon the parcel back to the Wild West Ranch property due to it originating from that particular parcel.

Mrs. Nenninger advised that further review by the County Attorney's Office was required prior to a recommendation on whether a quick claim deed could be issued on the property. Mr. Strainer

questioned whether an easement existed for the driveway that dissected the property and Mr. Swan responded in the negative. Mr. Swan apprised that if a determination was made on what the property consisted of, an abandonment or quick claim deed back to the original owners was the only option, as he did not feel that the property had a monetary value. Mrs. Nenninger stated that if it was determined what the property consisted of, it could be sold utilizing a procedure other than eminent domain.

Skip Stranahan, Warren County resident, commented that he had an issue with giving the property to the individuals who owned the Wild West Ranch property. He advised that he owned 50 acres of land at the far side of the property and he did not want to be landlocked due to the County not performing the proper research before making a decision. Mrs. Nenninger stated that the County Attorney's Office was recommending that further research be performed on the parcel prior to a decision being made. Mr. Goodspeed asked Mrs. Nenninger to include in the research whether property owners utilized the parcel for access to their properties. Mr. Stranahan advised that he had accessed his property via the Wild West Ranch property for many years.

Motion was made by Mr. Strainer, seconded by Mr. Merlino and carried unanimously to table any action on the parcel of property located at the intersection of Route 9 and Bloody Pond Road until further information was available.

Mr. Swan advised that the next parcel of property was Tax Map Parcel No. 288.-1-44, which was a vacant piece of property located on Gurney Lane in the Town of Queensbury. He stated that this particular parcel was located in the rear of the property that had been acquired by the Town of Queensbury for the Gurney Lane Project. He apprised that he was unsure whether the property was necessary for the County; however, he stated, due to it being left over there was no actual deed description of the property. He said that prior to the property being sold, a survey was necessary. He added that he was unsure whether the County would be able to recoup the cost of the survey if the property was sold.

Mrs. Nenninger advised that the County Attorney's Office could not make a recommendation on whether to sell the property until a survey was performed.

Motion was made by Mr. Bentley and seconded by Mr. Strainer to authorize that a survey be obtained on Tax Map Parcel No. 288.-1-44.

Mr. Swan questioned where the funds were going to come from to pay for the survey, as the funds were not available in the Real Property Tax Services budget. Mr. Strainer suggested that the funds be reimbursed when the property was sold. Mr. Thomas queried whether the County had an employee that was certified to perform surveys and Mrs. Nenninger replied that the County had a contract for surveying services; however, she said she was unsure of whether any County employees were certified to perform surveys.

Mr. Pitkin questioned whether funds should be expended to perform a survey on the property with

the market being so volatile. Mrs. Nenninger advised that she would research whether any Warren County employees were certified to perform surveys. Mr. Goodspeed questioned why the property could not be sold without a description utilizing a quick claim deed and Mrs. Nenninger responded that the property could be sold utilizing this method; however, she added, the County Attorney's Office was not recommending using this method to sell the property.

Mr. Bentley withdrew his motion and Mr. Strainer withdrew his second to the motion.

Motion was made by Mr. Merlino, seconded by Mr. Strainer and carried unanimously authorizing the County Attorney to research whether an in-house employee was available to perform a survey on Tax Map Parcel No. 288.-1-44 or if a less expensive option existed such as selling the property to the Town of Queensbury.

Mr. Swan suggested that Tax Map Parcel No. 289.8-1-44 located on Moon Hill Road in the Town of Queensbury be offered for sale to the homeowner whose driveway ran through the parcel. Mr. Strainer questioned whether the homeowner had an easement and Mr. Swan responded in the negative. Mr. Swan explained that he did not think it was necessary to have an easement for the homeowner, as the driveway ran parallel through the County property to access the road. Mrs. Nenninger explained that a provision may exist to offer the property for sale to the adjacent property owners rather than utilizing the eminent domain procedure.

Motion was made by Mr. Strainer, seconded by Mr. Thomas and carried unanimously authorizing Mr. Swan to contact the adjacent property owner to determine whether they would be interested in purchasing Tax Map Parcel No. 289.8-1-44.

Concerning Tax Map Parcel No. 198.-1-9 located on Schroon River Road in the Town of Warrensburg, Mr. Swan advised it was located adjacent to the County Fair Grounds and contained a dilapidated Department of Public Works (DPW) shed. He explained that there was no deed description pertaining to the property and a survey would be required or the property could be sold as is with no description. Mrs. Nenninger stated that the County Attorney's Office recommended researching the original deed and whether an in-house employee was available to perform a survey on the property and she would return to the Committee with a determination at the next Committee meeting.

Motion was made by Mr. Strainer, seconded by Mr. Thomas and carried unanimously to table any action on Tax Map Parcel No. 198.-1-9 until the County Attorney supplied an update on whether an in-house employee was available to survey the property and whether any deed restrictions existed on this particular parcel.

The final parcel of property, Mr. Swan stated, was Tax Map Parcel No. 210.2-1-5, which was located on Main Street in the Town of Warrensburg. He said that this particular property had been seized due to back taxes a few years ago and at that time the DPW had expressed interest in utilizing the property. He advised that he had been informed by the DPW that they no longer had any use for the property and that an individual that owned the hardware store adjacent to the property had expressed

an interest in purchasing the property. He suggested splitting the property back out and recreating the parcel to sell in the County Land Auction.

Motion was made by Strainer, seconded by Mr. Merlino and carried by majority vote to authorize that Tax Map Parcel No. 210.2-1-5 be included in the County Land Auction as outlined above with Mr. Goodspeed abstaining, and the necessary resolution was authorized for the March 20, 2009 Board meeting.

Moving along to Agenda Item 2, Mr. Swan advised that the Information Technology (IT) Department had informed him that they could not foresee any problems with putting the in-house parcel data on the County website. He stated that it had been determined that unless the County could accept credit cards to access the information, there would be no way to generate revenue by charging to access the information. He suggested that the Committee consent to allowing the IT Department to develop the technology necessary to allow the public to access this information on the County website.

It was the consensus of the Committee that the IT Department proceed with developing the necessary technology to allow the general public to access the in-house parcel information on the County website.

Agenda Item 4, Mr. Swan stated, referred to Tax Map Parcel No. 296.6-1-7 located in the Town of Queensbury. He explained that in 1985 the parcel had been sold and the deed listed the owner as Mark Eich; however, he stated, this was incorrect and the owners were actually Evelyn Markowitz and Walter Eichler. He advised that these individuals no longer utilized the property and were requesting that the County issue them a quick claim deed so they could sell the property. Mrs. Nenninger apprised that Paul Dusek, County Attorney, had been working with the individuals Attorney to expedite the issue.

Motion was made by Mr. Bentley, seconded by Mr. Girard and carried unanimously to authorize a quick claim deed to Evelyn Markowitz and Walter Eichler on Tax Map Parcel No. 296.6-1-7 pending County Attorney review as outlined above and the necessary resolution was authorized for the March 20, 2009 Board meeting. *A copy of the resolution request form is on file with the minutes.*

Mr. Swan advised that Agenda Item 5 referred to the posting of the assessment rolls on the County website and some Town websites. He stated that he had received a request from Thurman Town Clerk that their assessment rolls be included on the County website; however, he added, the Town of Thurman Assessors had requested that this information be excluded from the website. Mr. Pitkin requested that no determination be made until the issue could be further discussed.

Mr. Pitkin commented that the Town of Thurman Assessors were concerned that if the exemptions were listed on the website, individuals, such as telemarketers, could use the information to target more vulnerable individuals, such as the elderly. He mentioned that he had spoken with Sheriff York about these concerns and he had advised that if the information was posted on the website, individuals would be more susceptible to such things as telemarketers or scam artists.

Mr. Pitkin suggested utilizing the same system as the Town of Queensbury, which had software in place that deleted the exemptions. Mr. Swan advised that he was working with the Town of Queensbury to install the software system at the County to prevent the exemption information from being posted.

It was the consensus of the Committee that Mr. Swan continue to work with the Town of Queensbury to install the necessary software to post the assessment roll without having access to exemptions.

Concluding the Agenda review, Mr. Swan requested that the Committee review pending items from prior Committee meetings. Pending Item 1, Mr. Swan stated, could be deleted because scheduling a meeting with Senator Elizabeth O'C Little and Assemblywoman Sandy Galef to discuss countywide assessing was no longer necessary. Item 4, he stated referred to contacting Fulton County to determine their source of funding for demolition of dilapidated properties. He apprised that he had contacted Fulton County and they said that they had established a code in their budget to pay for the demolition costs.

Pending Item 5, Mr Swan advised, referred to scheduling a meeting with Deanne Rehm of the Adirondack Community Housing Trust (ACHT) to discuss establishing a process to share information for the purpose of conveying the program opportunity to homeowners who were delinquent on their property taxes. He noted that he had scheduled the meeting for the week of March 23, 2009, which coincided with when the actions were sent out from the County.

Mr. Swan apprised that Pending Item 7 referred to the sale of County surplus properties via an on-line auction and the use of a realtor, pending County Attorney review. He stated that there was an insufficient number of properties to pursue an on-line auction; however, he said, the County could consider using on-line services for the October County Land Auction. He added that Pending Item 9 should be removed as it had been discussed earlier in the meeting.

Chairman Monroe questioned where Mr. Swan was with Pending Item 12, researching whether a cost impact could be calculated relative to the Adirondack Park Agency (APA) modifications for shoreline improvements utilizing assessments as a point of statistical analysis to determine whether the impact could be calculated. Mr. Swan estimated that he would have a response by the next Committee meeting.

As there was no further business to come before the Real Property Tax Services Committee, on motion made by Mr. Strainer and seconded by Mr. Merlino , Mr. Goodspeed adjourned the meeting at 10:20 a.m.

Respectfully submitted,

Sarah McLenithan, Legislative Office Specialist