

**WARREN COUNTY BOARD OF SUPERVISORS**

**COMMITTEE: REAL PROPERTY TAX SERVICES**

**DATE: MAY 28, 2009**

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<b>COMMITTEE MEMBERS PRESENT:</b>	<b>OTHERS PRESENT:</b>
SUPERVISORS GOODSPEED	MICHAEL SWAN, DIRECTOR, REAL PROPERTY TAX SERVICES
BENTLEY	
THOMAS	HAL PAYNE, COMMISSIONER OF ADMINISTRATIVE & FISCAL SERVICES
MERLINO	
STRAINER	JOANN MCKINSTRY, DEPUTY COMMISSIONER OF ADMINISTRATIVE AND FISCAL SERVICES
GIRARD	
<b>COMMITTEE MEMBER ABSENT:</b>	JOAN SADY, CLERK OF THE BOARD
SUPERVISOR TESSIER	KEVIN GERAGHTY, BUDGET OFFICER
	SUPERVISORS PITKIN
	SOKOL
	CHAMPAGNE
	VANNESS
	SARAH MCLENITHAN, LEGISLATIVE OFFICE SPECIALIST

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

Motion was made by Mr. Bentley, seconded by Mr. Strainer 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 was in reference to the fact that there were no corrections to the tax rolls from the County Treasurer's Office this month.

Agenda item 2, Mr. Swan stated, referred to an update on the 2009 County Land Auction, which was scheduled for October 17, 2009. He apprised that an Auctioneer was in place and a 5% buyers premium was agreed to. He stated that there were only six weeks remaining until the day of redemption. He voiced his concern that very few people had paid their outstanding taxes compared to previous years and he noted that he was unsure if this was a result of the instability of the economy.

Mr. Strainer questioned if the outstanding taxes were three years behind and Mr. Swan replied that it was three years for commercial property and vacant land and two years for residential property. Mr. Strainer queried how the deficiencies were different from prior years and Mr. Swan explained that normally six weeks prior to the last day to redeem there were 50% of the properties remaining on the list; however, he said, this year 75% of the properties remained on the list.

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Mr. Swan reiterated that he was unsure if the delay in payments was due to the instability of the economy or if taxpayers were waiting until the last minute to pay their outstanding taxes.

Mr. Swan stated that if property owners did not make the payments on their outstanding taxes the October County Land Auction would be larger than in prior years. Mr. Strainer pointed out that there would probably be more individuals making requests at the Last Chance meeting in August and Mr. Swan agreed.

Hal Payne, Commissioner of Administrative & Fiscal Services, questioned if the outstanding taxes on the Mullen property would be paid if the property was sold. Mr. Swan explained that if there was a conventional mortgage on the property the taxes would be paid. Mr. Goodspeed pointed out that the property would have to be obtained with the taxes as a lien on title, so he assumed as long as there was a title search or title insurance the outstanding taxes would be paid.

Mr. Girard questioned whether the County had taken possession of the Mullen property and Mr. Swan replied in the negative. Mr. Swan further explained that he had discouraged the County from taking possession due to his concerns with the environmental hazards that may exist on the property. Mr. Girard asked if the County had inquired whether C.R. Bard would be interested in purchasing the property, as it was adjacent to their facility. Mr. Swan advised that he had spoken to them two to three years ago and they had relayed they were not interested due to the amount of money they would be required to pay in outstanding taxes to acquire the property.

Mr. Strainer queried whether the business that was located on the Mullen property was currently in operation and Mr. Swan replied in the negative. He said that it appeared that the business had been vacant for the past six to seven months. Mr. Payne pointed out that there had been some activity because the sign that had been located on the garage doors had been taken down and the doors were open when he passed the location recently.

Agenda item 3, Mr. Swan apprised, referred to an update on the sale of County surplus land. He stated that the matter was still being addressed by the County Attorney's Office. He said that the eminent domain process had begun for the property located in the Town of Horicon.

He advised that Tax Map Parcel No. 210.2-1-5, which was located on Main Street in the Town of Warrensburg would be put out to bid. For Tax Map Parcel No. 288.-1-44 located on Gurney Lane, he apprised he was awaiting a reply from the Town on Queensbury on whether they would be interested in purchasing the property.

Mr. Bentley advised that Mr. Goodspeed had informed him that the individual who owned the hardware store adjacent to Tax Map Parcel No. 210.2-1-5 had expressed an interest in purchasing the property. Mr. Swan replied that he was aware of the interest in the purchase of the property but had to await further information from the County Attorney's Office as to the purchasing procedure and he noted that he would present the information to the Committee when it became available. Mr. Bentley questioned if the County had a policy in place where the property could be offered to the

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neighboring property owner rather than being put out to bid. Mr. Swan noted that there was no policy in place; however, he stated, the property could be offered for sale to the neighbor if the Committee desired.

Mr. Payne advised that ads for the property located across the street from the Municipal Center were scheduled to run this weekend in *The Post Star* and possibly again the following weekend. He apprised that he had received many inquires about the property.

Agenda item 4, Ms. Swan stated, was in reference to deed information from the County Clerk's Office. He advised that he had been informed by the County Clerk's Office that they would no longer be providing the Real Property Tax Services Office with copies of deeds that were necessary to send to the Assessors, as the Clerk's Office would be posting the deed information online.

Mr. Swan mentioned that although the process saved the County Clerk's Office money, the Real Property Tax Services Office budget would be increasing, as it would be necessary to obtain internet access for four more computers in the Office to access the necessary deed information. He noted that the printing and paper costs would increase in the Office, as well.

If an Assessor requested access to the deed information site, Mr. Swan stated, it would cost them \$600 per year plus an additional \$.25 per search, which he advised was not a feasible alternative as the Towns would be responsible for the cost. He said he was researching whether the information could be downloaded and then e-mailed to the Assessors to decrease the printing and paper costs; however, he pointed out that this would require additional time of four employees, which they did not have. He advised that at this point he was unsure of how to proceed, but he was working on a solution that would get the required information at the lowest cost.

Mr. Strainer asked for clarification on what the County Clerk's Office was posting on-line and Mr. Swan replied that the deeds were being entered on an on-line vendor site and access would be sold to title searchers, surveyors and anyone requesting deed information. Mr. Swan pointed out that due to the site not being an intranet site his Office would require internet access to obtain the necessary deed information.

Mr. Strainer interjected that he thought that the County Clerk's Office was supplying a copy of the deed and Mr. Swan responded that the Real Property Tax Services Office would no longer be receiving paper copies of deeds once the County Clerk's new system was instituted.

Discussion ensued.

Pursuant to discussion on the matter it was determined that Mr. Payne would request that the County Clerk attend the next Committee meeting to discuss the matter.

Concluding the agenda review, Mr. Swan advised he had attached to the agenda packet a listing of the Departmental and Budget summary for the Office of Real Property Tax Services. He asserted that

he could not eliminate any positions in the Office, as the Office was already at a minimum staffing level. He pointed out that within the last two years the staffing in the Office had been reduced from seven employees to five.

Mr. Geraghty queried whether there were any ways the Office could generate more revenue and Mr. Swan replied that he would research this and report back to the Committee. Mr. Payne questioned whether a fee schedule existed that could be increased and Mr. Swan replied affirmatively. He explained that the issue that existed was that the information provided by the Office was public; therefore, he stated, it was governed by the Freedom of Information Law (FOIL) which permitted only certain fees to be charged. Mr. Goodspeed asked whether the law pertaining to sub-division fees could be increased and Mr. Swan replied that the fee could be increased when the Governor signed the new Legislation.

Mr. Goodspeed advised that there were a few issues he wanted to make the Committee aware of, the first of which pertained to a home that had been for sale in the Town of Johnsburg for quite some time. He said that recently signs had been placed all over Town saying that the property would be auctioned, which had created an interest in the property. He stated he was concerned that a Real Estate Brokerage Firm was taking advantage of the foreclosure issues that had arisen recently to market the property. Mr. Swan pointed out that he had seen an increase in the requests for the information on the listing of properties included in the October Foreclosure Auction.

The next item, Mr. Goodspeed stated, referred to a meeting he had with the County Treasurer's Office and the County Attorney's Office regarding the abuse of the installment program. He said that although there were a few individuals making multiple requests with regards to installment plans on their homes, the concern was mostly with an individual making requests on the 31 commercial properties they owned. He said that Patricia Nenninger, Second Assistant County Attorney, was researching whether any action could be taken.

Mr. Swan advised that there was an issue with the installment program for delinquent property taxes in that there were taxpayers who continually abused the program by failing to pay their property taxes in a timely manner.

Regarding the Real Property Tax Services budget, Mr. Swan apprised that he could save \$13,500 if he removed the licensing fee from the budget which allowed each Town to be on the assessment program. He said that if the Committee consented to removing the item from the budget the Towns would have to be notified that they would be responsible to pay the user fee from their own budgets. Mr. Merlino asserted that he did not think this was a good idea, as it would be transferring the expense from the County onto the Towns.

Mr. Thomas queried whether Mr. Swan was required to purchase products only on State contract and Mr. Payne replied in the affirmative. Mr. Swan advised that toner cartridges for the printers in the Office could be purchased for less than what was offered on State contract; however; he stated, he was required to purchase them from the State contract. Mr. Merlino commented that it was necessary

to address this issue.

Mr. Payne advised that the Warren County Purchasing Guidelines stated that purchases were required to be made on a County-wide basis which prohibited Departments from making individual purchases.

Discussion ensued.

Pursuant to discussion on the matter it was the consensus of the Committee that the County Attorney's Office and the Purchasing Department review the County Purchasing Policy prior to the June 10, 2009 Finance Committee meeting for a presentation at that time.

With regards to whether anyone in the Real Property Tax Services Office was eligible to retire, Mr. Swan advised that he was the only employee eligible; however, he stated, he was not interested in doing so at this time.

Mr. Pitkin thanked Mr. Swan for assisting the Town of Thurman with inventory questions on the assessment rolls.

As there was no further business to come before the Real Property Tax Services Committee, on motion made by Mr. Thomas and seconded by Mr. Girard, Mr. Goodspeed adjourned the meeting at 10:39 a.m.

Respectfully submitted,

Sarah McLenithan, Legislative Office Specialist