

**WARREN COUNTY
REAL PROPERTY TAX SERVICES AGENCY**

Michael R. Swan
Director

Lexie Delurey
Deputy Director

AGENDA

REAL PROPERTY TAX SERVICES

COMMITTEE MEETING

SEPTEMBER 28, 2011

- I. Committee meeting called to order by Chairman.
- II. Motion to approve minutes of prior committee meeting.
- III. Resolution request.
 - A) To correct the attached list of corrections from the Treasurer's Office.
 - B) Request to Adopt the NYS Equalization Rates for Warren County.
 - C) Delete taxes on Queensbury Parcel 279.-1-33 which was gifted to the Town for a park in 2010. Amount \$ 210.83
 - D) Transfer \$ 1000.00 from contingent fund to Real Property supplies to cover cost of paper and toner to print flyer for Truth in Taxation Law.
- IV. Pending Items.
 - A) 2011 County Land Auction is set for October 15, 2011. There are 28 parcels on the list. This is less than last year. All information is on line and we have booklets in Real Property.
- V. New Business, updates.
 - A) Permission for Michael Swan and Lexie Delurey to attend Director Conference in Syracuse on October 3rd to the 5th. Total cost is \$ 574 and is in my budget. This includes two courses Mrs. Delurey needs for certification.
 - B) Review a request from Attorney Dan Smith concerning title Problems at the Rail Road Terminal in North Creek.
 - C) Additional items from committee members.
- VI. Adjournment of meeting.

RESOLUTION REQUEST FORM NO. 20

MISCELLANEOUS

****Please List All Other Requests Not Covered by Previous Resolution Request Forms Here.
Please attach any backup information available and be as detailed as possible.***

DEPARTMENT NAME: Real Property

DATE: 9/28/2011

- (a) Purpose of Request: To adopt NYS Equalization Rates for each municipality within the county. Rates are attached

- (b) Details:

- (c) Previous Resolution Number:

- (d) Where are the Funds (if required)? List Budget Code, Object Code, Full Title* and Amount:

Sample: A.8021 470 Planning & Community Development – Contract

* as listed in budget and LOGOS

Certificate of County Equalization Rates
For 2011 Assessment Rolls for Municipalities in the
County of Warren

Ms. Joan Sady, Clerk
Warren County Supervisors Municipal Center
Municipal Center
1340 State Route 9
Lake George, NY 12845 9803

On 9/07/2011 the Commissioner established the county equalization rates listed below. These county equalization rates are to be used in the apportionment of the 2012 county tax levy pursuant to Title 2 of Article 8 of the Real Property Tax Law. If you have any questions, please contact Carey O'Brien of Equalization and Central Services at (518) 474 - 5666.



David V. Ange, Real Property Analyst Equalization Support Services

Municipal Code / Municipality	2011 County Equalization Rate
520500 City of Glens Falls	77.57
522000 Town of Bolton	65.50
522200 Town of Lake George	65.50
522400 Town of Chester	100.00
522600 Town of Hague	75.75
522800 Town of Horicon	100.00
523000 Town of Johnsbury	1.80
523200 Town of Lake Luzerne	89.00
523400 Town of Queensbury	80.00
523600 Town of Stony Creek	1.01
523800 Town of Thurman	95.00
524000 Town of Warrensburg	100.00

CC: Mr. Michael R. Swan, County Director
Warren County RPTS Municipal Center
1340 State Route 9
Lake George NY 12845 9803

RESOLUTION REQUEST FORM NO. 20

MISCELLANEOUS

****Please List All Other Requests Not Covered by Previous Resolution Request Forms Here.
Please attach any backup information available and be as detailed as possible.***

DEPARTMENT NAME: Real Property

DATE: 9/28/2011

- (a) Purpose of Request: To delete taxes on Queensbury Parcel 279.-1-33 in the amount of \$ 210.83. Parcel was given to Town for a park.

- (b) Details:

- (c) Previous Resolution Number:

- (d) Where are the Funds (if required)? List Budget Code, Object Code, Full Title* and Amount:

Sample: A.8021 470 Planning & Community Development – Contract

*** as listed in budget and LOGOS**

RESOLUTION REQUEST FORM NO. 20

MISCELLANEOUS

****Please List All Other Requests Not Covered by Previous Resolution Request Forms Here.
Please attach any backup information available and be as detailed as possible.***

DEPARTMENT NAME: Real Property

DATE: 9/28/2011

- (a) Purpose of Request: Approve the attached bids from the October 15, 2011 auction.

- (b) Details:

- (c) Previous Resolution Number:

- (d) Where are the Funds (if required)? List Budget Code, Object Code, Full Title* and Amount:

Sample: A.8021 470 Planning & Community Development – Contract

* as listed in budget and LOGOS

SMITH & SIMON LLC

ATTORNEYS AT LAW
38 Art Tennyson Road
Chestertown, New York 12817
Telephone (518)494-3171
Fax (518)494-7869

Daniel T. Smith
Robert B. Simon

September 26, 2011

Sterling T. Goodspeed, Chairman
Warren County Real Property Tax Committee
Warren County Board of Supervisors
1340 Route 9
Lake George, NY 12845

Sterling T. Goodspeed
PO Box 11
North Creek, NY 12853

RE: North Creek Railroad Depot
Preservation Association

Dear Sterling,

I represent North Creek Woodworking Inc. the owner of the woodworking facility, Main Street, North Creek, north of railroad place. The property was purchased by Robert J. Sweet, Inc. by deed in July 1986. At that time, I indicated to Bob Sweet that the description was terrible, that I had no idea where the property was and that we should have a survey done. In December of 1986 the property described in our deed was surveyed by Coulter & McCormack. Copy of that 1986 map is enclosed. I discussed this with Bob and Claire and both agreed that someday they would get to some resolution to clarify the obvious encroachments. Someday is now here.

As you are probably aware this spring the Hudson River flooded the building, ruined the equipment, and put North Creek Woodworking Inc. out of business. In the process of cleaning the debris and ruined machinery Dale Aldrich was contacted by Iowa Pacific. We now have a Lease Option Agreement with Iowa Pacific, copy enclosed. I have deleted financial aspects of the lease and option.

Once we made an agreement with Iowa Pacific it became pretty obvious that we had to have a new survey done showing possible boundary line adjustments between North Creek Woodworking Inc., the Depot Preservation Association, and Warren County.

A little background. In 1962, the Delaware and Hudson signed a lease with Great Eastern Lumber Company, Inc. our predecessor in title. The outbounds of the "lease parcel" is shown on the Coulter & McCormack map. Copy of that lease is also enclosed.

To: Sterling T. Goodspeed
Date: September 23, 2011
Page: Two

Interestingly, referring to the 1986 survey the course "92 feet" goes to the "right-of-way" of lands of Great Eastern; thence northwesterly along the right-of way line of Great Eastern (through our building) 100 feet, thence northeasterly along the "northwesterly right-of-way line" of Great Eastern 40 feet, thence northwesterly along the "southwesterly right-of-way line" of lands of the lessor (Railroad) 150 feet. The deed to the association starts at the northbound of the passenger station and runs westerly about 117 feet, thence southerly about 70 feet, again through our building. The Depot deed, the lease and our deed all confirm that nobody had a clue where the property lines were.

Going back to the lease with Great Eastern. That lease was assumed by Robert J. Sweet Inc. and subsequently North Creek Woodworking Inc. (a wholly owned subsidiary of Robert J. Sweet Inc). Once the property was flooded out this year Glenna and Dale were in contact with Warren County Parks and Recreation, the lease was terminated and I believe all of our property has been removed from the storage barns. I believe Warren County will be knocking down the barns that have been there at least since 1962 and, looking at the buildings, perhaps 1862.

I enclose a Jim Nestor map color coded to show our suggestions, generally as follows:

1. Marked in green is a small parcel that should be conveyed from Warren County to the Depot Preservation Association including two or three feet towards the railroad track to include the deck that is now there. The original deed to the Association goes along the northern most boundary of the Passenger Station (1986 map). There is now a continuous deck from the passenger station building and freight house building (1986 map). The eaves of the two buildings almost touch.

2. Deed from the Association to North Creek Woodworking Inc. parcel marked in blue.

3. Deed from Warren County to North Creek Woodworking Inc. parcel marked in orange.

For what it is worth the septic system for the North Creek Woodworking Inc. is to the north of our building.

4. In addition to the boundary line adjustment and to provide access to our buildings, we would ask for a grant from Warren County for the parcel shown on the Jim Nestor map for an easement generally to the east of the existing building and over the small triangle parcel at the north end. The Association has a deed from the railroad tracks to (and into) our building. From the Association, we need to confirm the same easement to Railroad Place

We believe that these lot line adjustments/easements will reflect occupancy between Warren County and the Association. Our proposal appears to confirm occupancy at least since 1962 the date of the lease, and to the best of our knowledge probably going back into the late 1940's or perhaps early 1950's.

At the county level I would ask that this matter be scheduled for consideration at your meeting September 28 at 9:30 in the morning. I have discussed this with Mike Swan and he indicated that this matter would be on the agenda.

To: Sterling T. Goodspeed, Chairman
Date: September 23, 2011
Page: Three

For the association I write to you as the attorney for the Association and would ask that you review this proposal with the leadership of the Association.

To say the least, these maps are preliminary. If we can resolve everything Jim Nestor will complete the map, bearings and distances etc. etc.

I am sending a copy of this letter, the 1986 survey, the lease, the Association deed and our 2011 survey to Paul Dusek and Mike Swan. For your committee I am also hand delivering to Mike a extra 2 copies of this whole package.

Very truly yours,

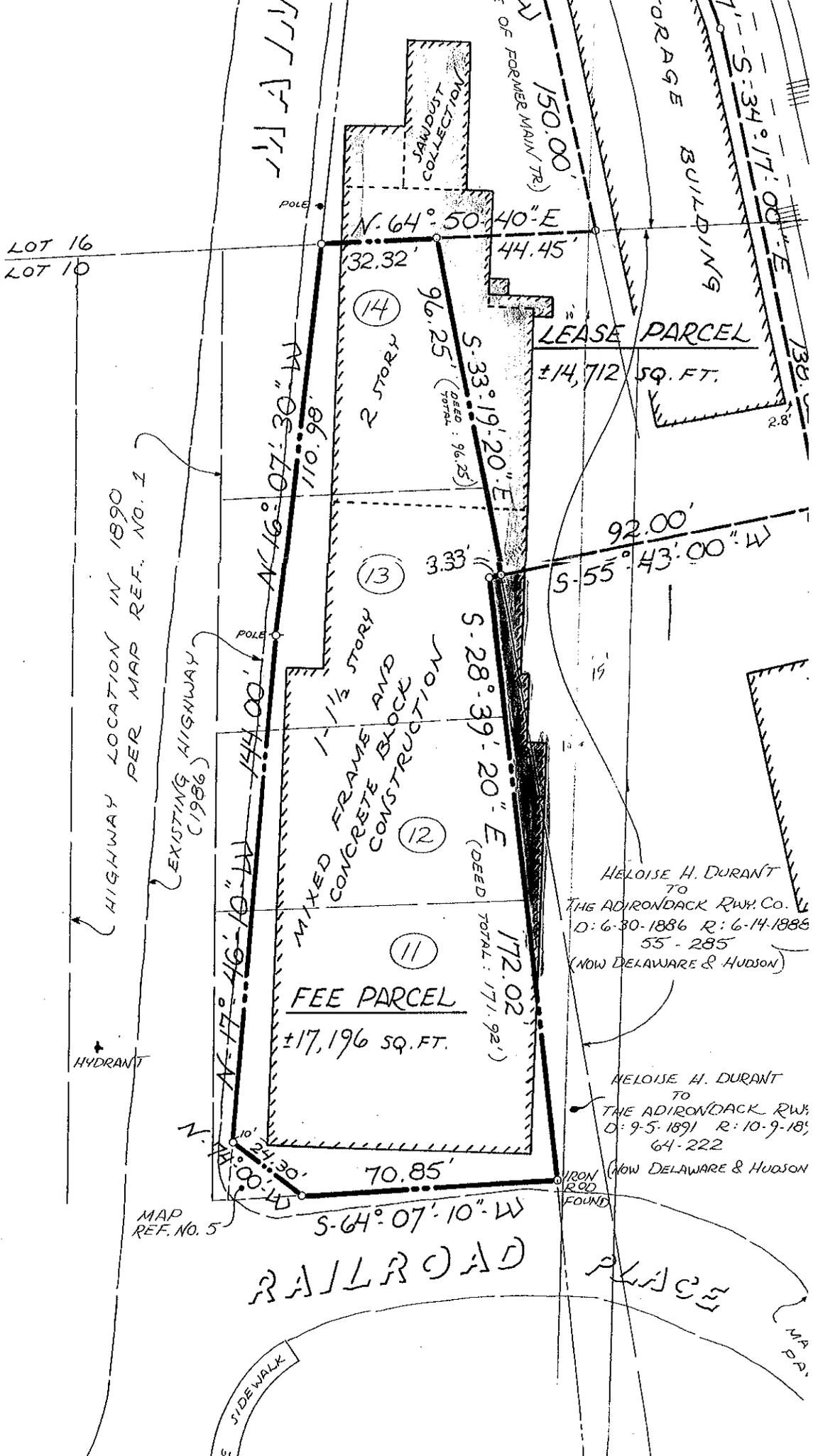
A handwritten signature in black ink, appearing to read 'D. Smith', written over a horizontal line.

DANIEL T. SMITH

DTS/djh
Enclosures

Area of land owned by Warren
 County that Building owned by
 North Creek Woodworking sit on.

Area of land owned by Depot
 Preservation Association that
 Building owned by North Creek
 Woodworking sits on.



HELOISE H. DURANT
 TO
 THE ADIRONDACK R.W. CO.
 D: 6-30-1886 R: 6-14-1886
 55-285
 (NOW DELAWARE & HUDSON)

HELOISE H. DURANT
 TO
 THE ADIRONDACK R.W. CO.
 D: 9-5-1891 R: 10-9-1891
 64-222
 (NOW DELAWARE & HUDSON)

MAP
 REF. NO. 5

RAILROAD PLACE

SIDEWALK

MAP
 P.P.