

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: REAL PROPERTY TAX SERVICES

DATE: MAY 26, 2015

COMMITTEE MEMBERS PRESENT: OTHERS PRESENT:

SUPERVISORS MONROE
DICKINSON
MCDEVITT
MERLINO
BEATY

LEXIE DELUREY, DIRECTOR OF REAL PROPERTY TAX SERVICES
KEVIN B. GERAGHTY, CHAIRMAN OF THE BOARD
PAUL DUSEK, COUNTY ADMINISTRATOR
MARTIN AUFFREDOU, COUNTY ATTORNEY
AMANDA ALLEN, CLERK OF THE BOARD
FRANK E. THOMAS, BUDGET OFFICER
SUPERVISORS BROCK
SEEBER
SIMPSON
CHARLENE DiRESTA, SR. LEGISLATIVE OFFICE SPECIALIST

Mr. Monroe called the meeting of the Real Property Tax Services Committee to order at 11:13 a.m.

Motion was made by Mr. McDevitt, seconded by Mr. Merlino 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, Ms. Delurey presented a request for approval of the list of corrections to the tax rolls from the County Treasurer's Office; *a copy of which was included in the agenda packet.* She informed there were two parcels listed, both of which were State owned. She said the assessment for the first parcel had been lowered causing a decrease in the taxes and the second parcel was for the chargeback of penalties on school taxes because the State did not pay penalties. A brief discussion ensued.

Motion was made by Mr. Beaty, seconded by Mr. Dickinson and carried unanimously to approve the list of corrections to the tax rolls from the County Treasurer's Office as outlined above. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the June 19, 2015 Board Meeting.*

Mr. Monroe pointed out there was a pending item pertaining to Tax Map Parcel No. 211.17-2-43.2 in the Town of Warrensburg. Ms. Delurey explained this was a six foot "sliver" of land on Smith Street which the Committee had discussed in the past and had requested that she contact the adjacent property owner to see if there was any interest in accepting the parcel if the County were to transfer it at no cost. She informed that she had tried to contact the adjacent property owner by phone but had not heard anything back yet. She stated there was an employee of the Town of Warrensburg who was assisting with the attempt to contact the property owner and she would touch base with him. She informed she would be traveling around the County in the month of June in order to post properties for the County Land Auction and she would try to contact the property owner in person at that time. She added she would also continue to try to reach the property owner by phone.

Ms. Delurey requested authorization to attend the Cornell 2015 Seminar on Appraising Information in order to take the Commercial/Industrial Valuation Course at Cornell University in Ithaca, New York

on July 12-16, 2015. She explained this was the last course necessary for her certification and the course had not been offered for the last two years. She said she would stay in Ithaca from Sunday, July 12, 2015 through Thursday, July 16, 2015.

Motion was made by Mr. Dickinson, seconded by Mr. Merlino and carried unanimously to authorize attendance at the seminar and course as outlined above. *A copy of the Authorization to Attend Meeting or Convention form is on file with the minutes.*

Mr. Monroe indicated the last item on the agenda pertained to Tax Map Parcel No. 308.10-1-65 in the Town of Queensbury and a status update to be provided by Ryan Wild, of Creative Spaces, LLC. Ms. Delurey stated that Mr. Wild had planned on attending this meeting to provide a status update; however, she continued, due to the Committee Meeting starting later than scheduled, Mr. Wild had to leave for another appointment. She explained that Mr. Wild was in the process of moving forward with the necessary steps to purchase the parcel which was located on Harold Drive. She informed that Mr. Wild believed his requests for variance approvals from the Town of Queensbury would be included on the agenda for their July Board Meeting. She added that Mr. Wild was required to submit all of the necessary paperwork to the Town of Queensbury by June 15, 2015.

Martin Auffredou, County Attorney, reminded the Committee members that they had approved a six month payment extension for Mr. Wild with Resolution No. 53 of 2015 which was approved at the February 20, 2015 Board Meeting. He noted the payment extension period would expire on July 20, 2015 and he added Resolution No. 53 of 2015 required Mr. Wild to provide a status update on his progress at the June Real Property Tax Services Committee Meeting. Given the progress that Mr. Wild had made and the fact that his attorney had prepared an agreement, Mr. Auffredou continued, it had been decided that it would be preferable to have the status update provided at the May meeting. He apprised that he and Ms. Delurey felt comfortable with the facts and the background of this issue. He explained the agreement received from Mr. Wild's attorney was an option agreement which was a little more involved and formal than the contract which had been intended by Resolution No. 53 of 2015. Mr. Auffredou stated he was amenable to the option agreement presented with some minor changes; however, he continued, since this was an option agreement he felt it should be formalized and approved by the Real Property Tax Services Committee.

Mr. Auffredou stated that Real Property Tax Law Article 11.66 provided the County with sufficient flexibility to work with Mr. Wild towards the purchase of this parcel. He informed that Mr. Wild had been the second highest bidder with a bid of \$11,000 and the proposed agreement had a deposit requirement of \$500. He explained the agreement set forth a 60-day window from the date of execution for Mr. Wild to obtain the necessary approvals. He said the Board of Supervisors would not be able to approve the agreement until the June 19, 2015 Board Meeting and Mr. Wild's matter was on the agenda for the Town of Queensbury meetings to be held in July. Mr. Auffredou apprised that given his experience with land use, he did not feel that July 20, 2015 would be a sufficient amount of time to complete the process.

Mr. Auffredou suggested the Committee authorize a 120-day payment extension for Mr. Wild and authorize the formal agreement subject to approval by the County Attorney's Office. He expressed that Mr. Wild was taking the necessary steps and was making progress with the process. He noted there was some opposition from the neighboring property owners, which was not unusual. He requested that the Committee authorize the Chairman of the Board of Supervisors to sign an option agreement with Ryan Wild, of Creative Spaces, LLC, for the purchase of Tax Map Parcel No. 308.10-1-65 in the Town of Queensbury with a 120-day contingency period to obtain all of the necessary

variance, zoning and sub-division approvals. He explained the contingency period meant that the closing on the property would need to be within the 120-day period.

Mr. Monroe said his understanding was that when a bidder was successful at the County Land Auction, they paid a deposit amount and if they did not follow through on the purchase, then the deposit was forfeited. Mr. Auffredou explained that Mr. Wild had never signed a purchase memorandum because he had been the second highest bidder. Mr. Monroe commented that he had thought there was some obligation for the second highest bidder to purchase the parcel if the highest bidder failed to do so. Ms. Delurey explained this was the third time the County had tried to sell this particular parcel as previous purchasers had backed out. She said Mr. Wild had been willing to apply for the necessary approvals from the Town of Queensbury in order to purchase the property. She explained it had been uncertain if Mr. Wild would be successful in obtaining the necessary approvals and variances but the Committee had decided to authorize the six month payment extension to allow him the opportunity to try. Mr. Auffredou commented that Resolution No. 53 of 2015 represented the Committee's intent to authorize a simple agreement to extend the time period to remit payment; however, he continued, the option agreement submitted by Mr. Wild's attorney was beyond the scope of the original resolution.

Motion was made by Mr. McDevitt and seconded by Mr. Dickinson to authorize the Chairman of the Board of Supervisors to sign an option agreement with Ryan Wild, of Creative Spaces, LLC, for the purchase of Tax Map Parcel No. 308.10-1-65 in the Town of Queensbury with a 120-day contingency period to obtain all of the necessary variance, zoning and sub-division approvals.

Mr. McDevitt asked the size of the property and Ms. Delurey replied it was in excess of 20 acres. Mr. Auffredou commented the property had some accessibility challenges and included some wetlands. Mr. McDevitt asked if the intent was to construct a single family residence and Mr. Auffredou replied affirmatively and noted that Mr. Wild had informed them this morning that the survey was completed and would be delivered soon. Mr. Auffredou informed that the surveyor had positioned the placement of the proposed house in a way which would be accessible. Mr. McDevitt asked the type of variances which were required and Mr. Auffredou responded road frontage and setback variances.

Mr. Monroe called the question and the motion was carried unanimously to authorize the Chairman of the Board of Supervisors to sign an option agreement with Ryan Wild, of Creative Spaces, LLC, for the purchase of Tax Map Parcel No. 308.10-1-65 in the Town of Queensbury with a 120-day contingency period to obtain all of the necessary variance, zoning and sub-division approvals. *The necessary resolution was authorized for the June 19, 2015 Board Meeting.*

Ms. Delurey informed that as of this morning there were 288 parcels remaining on the petition out of the original 371 parcels included in the foreclosure proceedings. She commented the property owners had until July 17, 2015 to pay the back taxes or enter into an installment agreement. She reiterated that in late June she would post the properties of any individuals who not respond to the petition.

As there was no further business to come before the Real Property Tax Services Committee, on motion made by Mr. Dickinson and seconded by Mr. Merlino, Mr. Monroe adjourned the meeting at 11:25 a.m.

Respectfully submitted,
Charlene DiResta, Sr. Legislative Office Specialist