

REAL PROPERTY TAX SERVICES and ENVIRONMENTAL CONCERNS
REAL PROPERTY TAX SERVICES AGENDA
OCTOBER 6, 2020

COMMITTEE MEMBERS: Supervisors Braymer, Dickinson, Hogan, Beaty, Merlino, Simpson and Strough

- I. Committee meeting called to order by Chair
- II. Approval of minutes of prior Committee Meeting
- III. Action Agenda/New Business Items:
 1. Request:
Rationale:
 2. Request:
Rationale:
- IV. Discussion Items:
 1. Chester auction parcel 120.9-1-4, Margaret Terry
 2. Queensbury auction parcels 290.5-1-43 & 290.5-1-46, Bruce & Phyllis Conklin
 3. Warrensburg auction parcel 223.8-2-21, Calvin, Brian & Stephen Engle
- V. Referrals/Pending Items: **None.**
- VI. Privilege of the floor and public comment (please allow for 15 second delay on live stream meetings)
- VII. Motion to adjourn

Attachments: 1. Discussion parcel information.

Re: TMP # 120.9-1-4
Town of Chester
Estate of Margaret J. Terry, deceased

Dear Lexi,

This is to request that Michael Terry, surviving spouse of Margaret Terry, be placed on the agenda for the October 6, 2020 10:00 a.m. meeting of the Real Property Tax Services Committee. Mr. Terry has the funds to pay the final installment due on the payment plan in the sum of \$1,694.47 and the taxes, penalties and interest due in the sum of \$2,509.28 and any additional amounts, if any, which may be due.

I am unfamiliar with this process and how the Committee will be conducting its virtual meeting. If there is a dial in number to call, please provide me with that number. I do not have Skype capabilities. Also, assuming the Committee agrees to allow payment, where payment should be made. I.e. The County Treasurer's Office? I assume if the Committee grants permission I will be able to call Mr. Swan's Office to let them know I am on my way with payment.

Claudia Braymer asked me to give a brief explanation of the reasons for the default in the installment plan, failure to pay the taxes and Mr. Terry's non-participation in the opportunities to pay the taxes prior to reaching this point.

I spoke with Mr. Terry about those issues and here, in abbreviated form, is what he said to me:

His wife, Margaret J. Terry, died on August 29, 2019 after a long struggle with cancer. He was depressed after she passed, was facing large medical expenses, funeral expenses while at the same time having to meet the expenses of college tuition and housing at the colleges for their children. He is a self-employed construction contractor and in March when the Covid pandemic hit, he was unable to work. His application for Unemployment Insurance was denied and the Insurance Carrier for his wife's Life Insurance Policy denied payment. He was receiving some notices addressed to his wife but assuming they were bills he could not pay, he did not open them. He was very depressed, without funds and prohibited from working by reason of the State Mandated Covid restrictions.

The subject property is commercial property occupied by a tenant. Mr. Terry states some type of Notice was affixed to the door of the property that the tenant gave him which finally made him aware the property was going to be lost to a tax foreclosure process. Mr. Terry successfully challenged the nonpayment of Unemployment Insurance and he was paid a lump sum retroactive to the date of application which now gives him the ability to pay the amounts due and he has been able to resume work.

With regards to title to the property going forward, Margaret Terry died without a Will. Accordingly, under the laws of intestacy, EPTL 4.1-1(a)(1), title to the property passes to Mr. Terry and the surviving children. I am in the process of drafting a quitclaim from the children to their father, Michael Terry, so that he will hold title solely in his name going forward. If Mr. Terry's request is granted, which I hope it will be, I will have the quitclaim signed and recorded so that Michael Terry will be the sole owner.

I have spoken with Judge Auffredou and he has not signed the Judgment of Foreclosure as of this date and is not expected to do so until sometime after the meeting of the Committee on

the 6th. I have copied Judge Auffredou with this email so he is aware that Mr. Terry has submitted a request to this Committee and the date of the hearing.

Please let me know if you require anything further.

Regards,

John M. Silvestri

Attorney & Counselor at Law

9 Broad Street

P.O. Box 2146

Glens Falls, New York 12801

Office: (518) 832 4966

Fax: (518) 615 1271

jms@jsilvestrilaw.com

**Warren County Treasurer
1340 STATE ROUTE 9
Lake George, NY 12845**

**Parcel Status Report
as of 10/30/2020**

Terry Margaret
16 Hill Park Rd
Chestertown, NY 12817

Town of: Chester

Prior ID: 69.-1-4

Swis: 522400; 120.9-1-4

24 - Hill Park Rd

Assessment: 76500.00

Acreage: 2.30

Property Class: 331 - Com. Vac Lan

Frontage: 0.00

School District: 522402 - North Warren Csd

Depth: 0.00

Known parcel history.....

Bill Type	Base Tax	Interest	Penalty	Total Due	Total Paid	Status	Date Paid
2020 County/Town	1,093.23	98.39	0.00	1,191.62	0.00	Deli	
2019 County/Town	1,089.06	228.70	0.00	1,317.76	0.00	Deli	
2018 County Town	1,131.29	0.00	0.00	0.00	1,131.29	Inst	
2017 County/Town	1,243.83	0.00	0.00	0.00	1,243.83	Inst	
2016 County/Town	1,073.70	32.21	0.00	0.00	1,105.91	Paid	04/21/2016
2015 County/Town	1,049.55	157.43	0.00	0.00	1,206.98	Paid	04/21/2016
2014 County/Town	1,540.01	0.00	0.00	0.00	522.08	Inst	
2013 County/Town	1,007.93	383.01	0.00	0.00	1,390.94	Paid	03/30/2016
2012 County/Town	985.54	492.77	0.00	0.00	1,478.31	Paid	03/30/2016
2011 County/Town	962.12	319.69	129.74	0.00	1,411.55	Paid	03/30/2016
2010 County/Town	2,081.90	0.00	0.00	0.00	2,081.90	Paid	02/11/2011
2009 County/Town	923.73	0.00	0.00	0.00	923.73	Paid	02/11/2011
2008 County/Town	1,391.00	0.00	242.76	0.00	1,633.76	Paid	02/11/2011
2007 County/Town	379.85	0.00	0.00	0.00	379.85	Paid	01/31/2007
2006 County/Town	329.66	0.00	0.00	0.00	329.66	Paid	01/31/2006
2005 County/Town	335.28	0.00	0.00	0.00	335.28	Paid	03/31/2005
Parcel Totals as of 10/30/2020	\$16,617.68	1,712.20	\$372.50	\$2,509.38	\$15,175.07		

Also see the next page
for additional money
owed.

Installment Payoff Quote

Agreement Date: 5/3/2018

Margaret Terry

16 Hill Park Rd

Chestertown NY 12817

Total Agreement Amount: \$3,999.53

Down Payment: \$1,000.00

Loan Amount: \$2,999.53

Annual Interest Rate: 12.0000

Payment #	Due Date	Principal Amt	Interest Amt	Amount Paid	Late Payment Fees	Balance Due
Installment Agreement Payment Schedule						
		\$3,999.53	\$418.90	\$3,136.50	\$192.30	\$1,474.23
0		\$1,000.00	\$0.00	\$1,000.00	\$0.00	\$0.00
1	6/30/2018	\$337.31	\$89.99	\$427.30	\$0.00	\$0.00
2	9/30/2018	\$347.43	\$79.87	\$427.30	\$0.00	\$0.00
3	12/31/2018	\$357.86	\$69.44	\$427.30	\$0.00	\$0.00
4	3/31/2019	\$368.59	\$58.71	\$427.30	\$0.00	\$0.00
5	6/30/2019	\$379.65	\$47.65	\$427.30	\$0.00	\$0.00
6	9/30/2019	\$391.04	\$36.26	\$427.30	\$76.92	\$504.22
7	12/31/2019	\$402.77	\$24.53	\$427.30	\$64.10	\$491.40
8	3/31/2020	\$414.88	\$12.45	\$427.30	\$51.28	\$478.61
Additional Fees Assessed Post Agreement						
		\$0.00	\$0.00	\$0.00	\$0.00	\$220.24
	9/29/2020	\$0.00	\$0.00	\$0.00	\$0.00	\$220.24
Totals		\$3,999.53	\$418.90	\$3,136.50	\$192.30	* \$1,694.47

* Balance Due on or before 10/6/2020

COUNTY OF WARREN, NEW YORK

10/01/2020

MUNICIPALITY 522400	Location 24 HILL PARK RD	SEC. 120.9	BLOCK 1	LOT 4
MAILING ADDRESS		SPECIAL DISTRICTS		
TERRY, MARGARET		Coordinate N-1749000, E-662321		
16 HILL PARK RD		SEC. 69.	BLOCK 1	LOT 4
CHESTERTOWN NY		School: NORTH WARREN CSD		
12817				

DATE	VOL.	PG.	OWNER OF RECORD	SALE	REMARKS
	510	159	OAKES,JOHN	\$0.00	J. OAKES DECD. 6/4/99
07/23/2003	1341	124	TERRY, MARGARET	\$0.00	EXEC.DEED

(REV.PER DEED RES.)12/10/01

FRONTAGE:	200.00	DEPTH:	0.00	ACRES:	2.30
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BRENNAN & WHITE LLP

ATTORNEYS AT LAW
163 Haviland Road
Queensbury, New York 12804

Joseph R. Brennan
William J. White
Katherine J. DeMartino

Tel. (518) 793-3424
Fax (518) 793-3422

October 2, 2020

Chairman
Real Property Tax Services Committee
Warren County Board of Supervisors
Warren County Municipal Center
1340 State Route 9
Lake George, New York 12845

Re: Tax Map Parcels Nos.: 290.5-1-43 and 290.5-1-46
Town of Queensbury
Owners Of Record: Phyllis Conklin and Bruce Conklin

Dear Chairman:

We are the attorneys for the Estate of Phyllis Conklin and for Bruce Conklin, the Record owners of the real property in the Town of Queensbury identified by the tax map numbers set forth above. Both properties are subject to tax sale scheduled for October 17, 2020, for non-payment of taxes. I am submitting this letter to request the Committee to allow these properties to be withdrawn from the tax sale and for permission to pay the full amount of the tax liability. I have been informed by the County Attorney's Office that the total tax bill, inclusive of interest is \$5,746.64. We are prepared to make payment of that sum immediately.

Bruce Conklin is the son of Phyllis Conklin who died on February 9, 2017. The delay in the probate of her will has been occasioned by a myriad of problems, including identification of heirs at law and other persons entitled to notice of the intended probate and the location of some heirs of law. We have recently received information as to the location of an heir and are seeking of a waiver and consent to probate the will. We expect that the will be admitted to probate hopefully within approximately the next thirty days.

As the value of the properties greatly exceeds the amount owed in tax arrearages, it will be devastating to our clients if ownership of these properties is lost at a tax sale.

We respectfully request the consideration of the Committee to permit the withdrawal of these properties and from the tax sale and to permit payment of the tax arrearage in full immediately.

If anything additional is required for consideration by the Committee of this request, please let us know.

The consideration of the Committee is appreciated.

Very truly yours,

BRENNAN & WHITE, LLP

A handwritten signature in black ink, appearing to read "Joseph R. Brennan". The signature is fluid and cursive, with the first name "Joseph" and last name "Brennan" clearly legible.

Joseph R. Brennan
Brennanbwllp@Albany.twcbc.com

JRB/baz

cc: Lexi Delurey, Director of Real Property Tax Services
(via email delureyl@warrnecountyny.gov and via fax 518-761-6559)

**Warren County Treasurer
1340 STATE ROUTE 9
Lake George, NY 12845**

**Parcel Status Report
as of 10/30/2020**

**Conklin Bruce
Conklin Phyllis
500 Blanco Ave
Blanco, TX 78606**

Town of: Queensbury	Prior ID: 50.-1-8.1
Swis: 523400; 290.5-1-43	- Hewitt Rd
Assessment: 27100.00	Acreage: 0.27
Property Class: 311 - Res vac land	Frontage: 0.00
School District:	Depth: 0.00

Known parcel history.....

Bill Type	Base Tax	Interest	Penalty	Total Due	Total Paid	Status	Date Paid
2020 County/Town	656.28	59.07	0.00	715.35	0.00	Deli	
2019 County/Town	648.88	136.26	0.00	785.14	0.00	Deli	
2018 County Town	1,025.36	215.39	0.00	1,240.77	0.00	Deli	
2017 County/Town	162.36	0.00	0.00	0.00	162.36	Paid	01/06/2017
2016 County/Town	163.68	0.00	0.00	0.00	163.68	Paid	01/20/2016
2015 County/Town	176.90	0.00	0.00	0.00	176.90	Paid	01/30/2015
2014 County/Town	175.44	0.00	0.00	0.00	175.44	Paid	01/31/2014
2013 County/Town	655.64	0.00	0.00	0.00	655.64	Paid	01/29/2013
2012 County/Town	167.82	0.00	0.00	0.00	167.82	Paid	01/31/2012
2011 County/Town	632.58	0.00	0.00	0.00	632.58	Paid	03/30/2011
2010 County/Town	145.61	0.00	0.00	0.00	145.61	Paid	02/05/2010
2009 County/Town	127.79	0.00	0.00	0.00	127.79	Paid	02/02/2009
2008 County/Town	136.88	0.00	0.00	0.00	136.88	Paid	09/08/2008
2007 County/Town	110.26	0.00	0.00	0.00	110.26	Paid	01/22/2007
2006 County/Town	109.83	0.00	0.00	0.00	109.83	Paid	06/07/2006
2005 County/Town	35.93	0.00	0.00	0.00	35.93	Paid	01/26/2005
Parcel Totals as of 10/30/2020	\$5,131.26	\$410.72	\$0.00	\$2,741.26	\$2,800.72		

COUNTY OF WARREN, NEW YORK

10/01/2020

MUNICIPALITY 523400	Location HEWITT RD	SEC. 290.5	BLOCK 1	LOT 43
MAILING ADDRESS		SPECIAL DISTRICTS		
CONKLIN, PHYLLIS J.&BRUCE R. 12 HEWITT RD QUEENSBURY NY 12804		Coordinate N-1655899, E-721884		
		SEC. 50.	BLOCK 1	LOT 8.1
		School: QUEENSBURY UN.FR.SD		

DATE	VOL.	PG.	OWNER OF RECORD	SALE	REMARKS
05/20/1959	386	554	SLEIGHT, HENRY J. & J.FLOYD	\$0.00	FR.HEWITT THEN TO B.BENNETT
01/18/1966	464	435	SLEIGHT, HENRY J. & J.FLOYD	\$0.00	
03/31/1973	565	357	BRISBOIS, JACQUES P.SR.	\$8.80	
10/29/1981	644	374	HORNING, LEE	\$9.90	
01/02/2001	1199	130	CONKLIN, PHYLLIS J.&BRUCE	\$0.00	

FRONTAGE:	98.50	DEPTH:	124.00	ACRES:	0.29
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**Warren County Treasurer
1340 STATE ROUTE 9
Lake George, NY 12845**

**Parcel Status Report
as of 10/30/2020**

**Conklin Bruce
Conklin Phyllis
500 Blanco Ave
Blanco, TX 78606**

Town of: Queensbury	Prior ID: 50.-1-8.3
Swis: 523400; 290.5-1-46	
Assessment: 30400.00	Acreage: 0.30 - East Rd
Property Class: 311 - Res vac land	Frontage: 0.00
School District:	Depth: 0.00

Known parcel history.....

Bill Type	Base Tax	Interest	Penalty	Total Due	Total Paid	Status	Date Paid
2020 County/Town	736.21	66.26	0.00	802.47	0.00	Deli	
2019 County/Town	727.89	152.86	0.00	880.75	0.00	Deli	
2018 County Town	1,080.54	241.62	0.00	1,322.16	0.00	Deli	
2017 County/Town	182.13	0.00	0.00	0.00	182.13	Paid	01/06/2017
2016 County/Town	183.61	0.00	0.00	0.00	183.61	Paid	01/20/2016
2015 County/Town	180.46	0.00	0.00	0.00	180.46	Paid	01/30/2015
2014 County/Town	178.98	0.00	0.00	0.00	178.98	Paid	01/31/2014
2013 County/Town	668.86	0.00	0.00	0.00	668.86	Paid	01/29/2013
2012 County/Town	171.21	0.00	0.00	0.00	171.21	Paid	01/31/2012
2011 County/Town	645.33	0.00	0.00	0.00	645.33	Paid	03/30/2011
2010 County/Town	148.54	0.00	0.00	0.00	148.54	Paid	02/05/2010
2009 County/Town	130.36	0.00	0.00	0.00	130.36	Paid	02/02/2009
2008 County/Town	139.64	0.00	0.00	0.00	139.64	Paid	09/08/2008
2007 County/Town	112.49	0.00	0.00	0.00	112.49	Paid	01/22/2007
2006 County/Town	112.05	0.00	0.00	0.00	112.05	Paid	06/07/2006
2005 County/Town	37.07	0.00	0.00	0.00	37.07	Paid	01/26/2005
Parcel Totals as of 10/30/2020	\$5,435.37	\$460.74	\$0.00	\$3,005.38	\$2,890.73		

COUNTY OF WARREN, NEW YORK

10/01/2020

MUNICIPALITY 523400	Location EAST RD	SEC. 290.5	BLOCK 1	LOT 46
MAILING ADDRESS		SPECIAL DISTRICTS		
CONKLIN, PHYLLIS J.&BRUCE R. 12 HEWITT RD QUEENSBURY NY		Coordinate N-1655917, E-722005		
12804		SEC. 50.	BLOCK 1	LOT 8.3
		School: QUEENSBURY UN.FR.SD		

DATE	VOL.	PG.	OWNER OF RECORD	SALE	REMARKS
10/29/1981	644	374	HORNING,LEE	\$0.00	FR.BRISBOIS
03/02/1982	645	102	HORNING,KATHRYN	\$0.55	
12/29/1998	1110	13	HORNING,LEE	\$0.00	
				\$0.00	
01/02/2001	1199	133	CONKLIN,PHYLLIS J.&BRUCE	\$0.00	

FRONTAGE:	105.00	DEPTH:	126.00	ACRES:	0.30
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Attention: Lexie Delurey
Director of Real Property Tax Services

I am writing to request that we be allowed to attend the meeting on October 6th about the tax foreclosure auction slated for October 17th because a property that we own is on the list of properties to be auctioned.

We became aware of 65 Alden Avenue, Warrensburg being in default on September 15, 2020 when a letter addressed to me was delivered to my brothers home at 52 Lake Avenue, Warrensburg. I reside at 15 Stacy Street and have never lived at 52 Lake Avenue. Upon further review of the letter there was another address listed as Stephen Engle C/O Austin Markey 65 Alden Avenue, Warrensburg, NY. The letter stated that my brother and I are the owners of the property in foreclosure and was being auctioned due to default. Mr. Markey bought multiple properties from my father several years ago and we had no issues until last year when we were notified by the town of Warrensburg that two condemned properties were deeded in our name and we were liable for the clearing of those properties. We contacted an attorney who after reviewing the deeds stated the quickest resolution would be to quick deed the Commercial Avenue and South Avenue homes to Mr. Markey which we did while incurring thousands in fees. The Alden Avenue property was not an issue until we received the letter from the county. We contacted Warren County immediately to find out why we were listed as owners and Mr. Terwilliger researched this and told us according to records we were the owners of 65 Alden Avenue. We then asked to pay the tax default in full however we were told further research was needed and Claudia Braymer was then informed of the issue. We have concerns about our liability for injury or damage on the property because we are the owners and need this resolved quickly. There are questions unanswered due to the fact my father passed in 2009 therefore we cannot ask him why the deed was not transferred, we assume this is because Mr. Markey did not pay in full. We have tried to contact Mr. Markey with no success.

We are able and willing to pay all taxes and fees in full immediately. Please let us know if we can attend the October 6th meeting and the location of the meeting or if it is to be virtual.

Sincerely,

Stephen and Betty Engle
518-744-6041

COUNTY OF WARREN, NEW YORK

10/01/2020

MUNICIPALITY 524000	Location 65 ALDEN AVE	SEC. 223.8	BLOCK 2	LOT 21
MAILING ADDRESS		SPECIAL DISTRICTS		
ENGLE,CALVIN,BRIAN & STEPHEN % AUSTIN&JEAN MARKEY 65 ALDEN AVENUE WARRENSBURG NY 12885		Coordinate N-1694766, E-684232		
		SEC. 52.	BLOCK 1	LOT 15.1
		School: WARRENSBURG CSD		

DATE	VOL.	PG.	OWNER OF RECORD	SALE	REMARKS
04/05/1963	428	467	KENYON,CLEON A.	\$0.00	
12/21/1970	532	587	KENYON,CLEON A.	\$0.00	Q/C FROM DL KENYON
03/15/1971	532	591	HASKELL,ROLAND M.&DEBORAH G.	\$14.85	
05/28/1974	583	196	BAKER,THOMS G.&MARY	\$0.00	ROW&EASEMENT
11/28/1978	618	1018	HASKELL,ROLAND M.	\$1.10	
09/07/1979	625	924	ENGLE,CALVIN C.&STEPHEN L.	\$11.00	+MORT.8564.31 FROM ROLAND HASKELL
08/10/1979	625	927	ENGLE,CLAVIN&STHEPHEN	\$1.10	Q/C FROM DEBORAH HASKELL
11/20/1986	687	434	ENGLE,BRIAN	\$0.00	INT.STEPHEN ENGLE
08/27/1990	802	3	ENGLE,CALVIN C.&JEANETTE H.	\$240.00	INT.BRIAN ENGLE
11/11/1992	872	298	ENGLE,CALVIN,BRIAN&STEPHEN	\$0.00	LIFE ESTATE CALVIN ENGLE

FRONTAGE:	0.00	DEPTH:	0.00	ACRES:	1.00
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