

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: ENVIRONMENTAL CONCERNS & REAL PROPERTY TAX SERVICES

DATE: APRIL 20, 2021

COMMITTEE MEMBERS PRESENT:

SUPERVISORS BRAYMER
MCDEVITT
SMITH
SHEPLER

OTHERS PRESENT:

LEXIE DELUREY, DIRECTOR, REAL PROPERTY TAX SERVICES
RACHEL E. SEEBER, CHAIRWOMAN OF THE BOARD
RYAN MOORE, COUNTY ADMINISTRATOR
AMANDA ALLEN, CLERK OF THE BOARD
ROBERT TERWILLIGER, FIRST ASSISTANT COUNTY ATTORNEY
FRANK E. THOMAS, BUDGET OFFICER

COMMITTEE MEMBER ABSENT:

SUPERVISOR DICKINSON

SUPERVISORS BRUNO
DRISCOLL
FRASIER
GERAGHTY
HOGAN
MAGOWAN
MERLINO
STROUGH
WILD
WAYNE LAMOTHE, COUNTY PLANNER
SARA FRANKENFELD, GIS COORDINATOR
ETHAN GADDY, ASSISTANT COUNTY PLANNER
JIM SIPLON, PRESIDENT, ECONOMIC DEVELOPMENT CORPORATION
TAMMIE DELORENZO, ASSISTANT TO THE COUNTY ADMINISTRATOR
DON LEHMAN, DIRECTOR OF PUBLIC AFFAIRS
LESLIE LOVELACE, SECRETARY TO THE CLERK OF THE BOARD

Please note, the following contains a summarization of the April 20, 2021 meeting of the Environmental Concerns & Real Property Tax Services Committee; the meeting in its entirety can be viewed on the Warren County website using the following link: <https://warrencountyny.gov/mma>

Note: As per Governor Cuomo’s Executive Order 202.1: “Article 7 of the Public Officers Law, to the extent necessary to permit any public body to meet and take such actions authorized by the law without permitting in public in-person access to meetings and authorizing such meetings to be held remotely by conference call or similar service, provided that the public has the ability to view or listen to such proceeding and that such meetings are recorded and later transcribed”. Supervisors Braymer and Shepler were physically present, while Supervisors McDevitt and Smith attended virtually.

In the absence of Committee Chairman Dickinson, Supervisor Braymer, as Vice-Chair called the meeting of the Environmental Concerns & Real Property Tax Services Committee to order at 11:20 a.m.

Copies of the Real Property Tax Services and Environmental Concerns agendas were distributed to those in attendance and those participating virtually accessed the agendas via the Warren County website; copies of the agendas are on file with the meeting minutes.

Motion was made by Mr. McDevitt, seconded by Ms. Smith 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, Real Property Tax Services*, who presented a request to authorize a new contract with Northco Products, Inc. in an amount not to exceed \$1,100 for bulk printing of the Town and County tax maps for a term commencing May 21, 2021 and terminating December 31, 2021.

Motion was made by Ms. Shepler, seconded by Ms. Smith and carried unanimously to approve the request and the necessary resolution was authorized for the May 21st Board meeting. *A copy of the resolution request form is on file with the minutes.*

Moving on to the Information for Discussion portion of the agenda, Ms. Delurey provided updates on two properties. With regard to Town of Johnsburg Tax Map Parcel No. 30.-2-68 located on Barton Mines Road, she apprised the parcel had not been sold in the 2019 Foreclosure Auction. She indicated the property was of no value to the County, as it was a small parcel with a steep embankment that led to a brook along the side of the road. She said she had a conversation with Kevin Hajos, *Superintendent of Public Works*, who concurred the property was of no value and agreed it was appropriate to transfer ownership to the Town of Johnsburg to turn it into part of their highway. She said she consulted with Robert Terwilliger, *First Assistant County Attorney*, who advised it was possible to gift the parcel to the Town of Johnsburg without consideration.

Ms. Hogan apprised the Town of Johnsburg had no objection to the property transfer, adding she had spoken to the Town of Johnsburg Highway Superintendent who also did not object.

Motion was made by Mr. McDevitt, seconded by Ms. Smith and carried unanimously to approve the request and refer same to the Finance Committee.

Continuing with the Information for Discussion portion of the agenda, Ms. Delurey apprised Town of Johnsburg Tax Map Parcel No. 133.8-1-27 (Mosher's Garage), had been a joint project with New York State DEC (*NYS Department of Environmental Conservation*) for removal of the tanks and contamination, but noted that as a result of the contamination under the building the project was not able to move forward and be finalized. She informed the Town of Johnsburg had indicated interest in the property and she said Ms. Hogan had obtained three quotes for demolition of the building which had been shared with the State; however, she noted, in order to proceed asbestos and lead testing were necessary prior to demolition. She said she contacted Patrick Holloway, *Manager, New York State Environmental Protection & Spill Compensation Fund* under the *Office of State Comptroller Oil Spill Fund*, and he advised the County could enter into a similar agreement as had been done for the 10 Pine Street parcel in the Town of Chester. She said the County could transfer the property to the Town of Johnsburg and the Town could have the demolition work done at a cost to them or the County and Town could share the cost of demolition and then the NYS DEC would perform the necessary clean up at which point both the County and Town would be released from liability for the spill. She explained the County had already paid the State \$15,000 for clean up, therefore, the only cost incurred would be for the building demolition. She informed the demolition quotes ranged from \$35,000 to \$68,000 which did not include the asbestos abatement or lead clean up. She said there was over \$118,000 due in back taxes on the property and the County did not own the property. She asked the Committee if they would like to pursue testing.

Ryan Moore, *County Administrator*, inquired if the Town had plans for the property and what was required to have the testing performed. Ms. Delurey replied the Town wanted to convert the property into a park and the temporary incidence application through the court was an easy process to pursue the necessary testing.

Ms. Hogan stated the property was a small corner lot and the garage dominated the property. She explained when traveling into the Town of Johnsburg via State Route 8 it was the first area of cellular phone service. She said the Town Board envisioned a park, along with a parking area to safely check messages. She expressed her appreciation

to the Committee for consideration of the demolition, as the Town did not have many resources to spend on the clean up.

A lengthy discussion ensued, following which it was the consensus of the Committee to allow Ms. Delurey to obtain a quote from Atlantic Testing which she would bring back for Committee approval before moving forward; Mr. Terwilliger was asked to research the possibility of recouping assets from the family members who owned the property in an effort to recover funds for the demolition/clean up.

There being no further Real Property Tax Services business to discuss, Ms. Braymer commenced review of the Environmental Concerns agenda. She stated under the Discussion Items portion of the agenda, as requested by Mr. Dickinson, she would review the Septic Inspection at Transfer Law which was proposed to the Committee in 2020. She stated the purpose of the law was to require a land owner of property within 200 feet of a body of water with a septic system to obtain an inspection of the septic system prior to conveying the property to a new owner. She said it was not a universal requirement, but the Towns of Queensbury, Bolton and Chester had adopted the Law. She stated the Law would apply to water bodies throughout Warren County such as Lake George, Schroon Lake, Schroon River, Brant Lake, Loon Lake, Lake Luzerne and the Hudson River. She said other water bodies could be added to the list in Appendix A and the program proposal would work the same way as the Town of Bolton's did. She explained the property owner would be responsible to hire an engineer who would provide the County with an inspection report and if the inspection passed the County would provide a certificate stating the property was approved for transfer as far as the Septic Inspection Transfer Law was concerned. She said if the engineer found issues with system the engineer would be required to provide means to remedy the issue and then the property owner was responsible for the repairs. She said the Town of Queensbury had staff perform the inspections, noting 80% had issues, the majority of which were minor. She explained the purpose of the law was to protect the water bodies and the details would be worked out with the Warren County Building & Codes Department. She stated the Town of Horicon was in the process of passing a similar law and she asked Ms. Smith to share with the Committee what she could. Ms. Smith stated the Town of Horicon was in the process of researching and consulting with the Towns of Bolton and Chester to follow suit, but said there were strict rules for buying and selling property. A brief discussion ensued following which Mr. McDevitt made a motion to approve the law, but due to the lack of a second to the motion it was the consensus of the Committee for the item to be discussed further a future meeting.

There being no further business to come before the Committee, on motion made by Ms. Shepler, seconded by Ms. Smith and carried unanimously, Ms. Braymer adjourned the meeting at 12:02 p.m.

Respectfully submitted,
Leslie Lovelace, Secretary to the Clerk of the Board