

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: ENVIRONMENTAL CONCERNS & REAL PROPERTY TAX SERVICES

DATE: FEBRUARY 28, 2022

COMMITTEE MEMBERS PRESENT:

SUPERVISORS MCDEVITT
DICKINSON (VIA ZOOM)
GERACI (VIA ZOOM)
BRAYMER (VIA ZOOM)
RUNYON (VIA ZOOM)
SEEBER (VIA ZOOM)
MAGOWAN

OTHERS PRESENT:

LEXIE DELUREY, DIRECTOR, REAL PROPERTY TAX SERVICES
KEVIN B. GERAGHTY, CHAIRMAN OF THE BOARD
RYAN MOORE, COUNTY ADMINISTRATOR
LARRY ELMEN, COUNTY ATTORNEY
AMANDA ALLEN, CLERK OF THE BOARD
ROBERT TERWILLIGER, FIRST ASSISTANT COUNTY ATTORNEY
SARAH MCLENITHAN, DEPUTY CLERK OF THE BOARD
FRANK E. THOMAS, BUDGET OFFICER
SUPERVISORS DRISCOLL (VIA ZOOM)
FRASIER (VIA ZOOM)
HOGAN (VIA ZOOM)
LEGGETT
STROUGH
WILD (VIA ZOOM)
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 February 28, 2022 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: Pursuant to New York State Legislation (S.50001/A.40001): “Notwithstanding the provisions of article 7 of the public officers law to the contrary, any state agency, department, corporation, office, authority, board, or commission, as well as any local public body, or public corporation as defined in section 66 of the general construction law, or political subdivisions as defined in section 100 of the general municipal law, or a committee or subcommittee or other similar body of such entity, shall be authorized to meet and take such action authorized by law without permitting in public in-person access to meetings and authorize 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.” All Committee members attended virtually, aside from Supervisors McDevitt and Magowan who were physically present.

Mr. McDevitt called the meeting of the Environmental Concerns & Real Property Tax Services Committee to order at 11:30 a.m.

Copies of the Real Property Tax Services agenda were distributed to the Committee members; *a copy of the agenda is on file with the meeting minutes.*

On motion made by Mr. Dickinson and seconded by Ms. Braymer, Mr. McDevitt declared the minutes of the previous Committee meeting approved, subject to correction by the Clerk of the Board. Ms. Seeber called for a Point of Order, stating a vote on the motion to approve the minutes was required. Mr. McDevitt called the question and the aforementioned motion was carried by a majority vote of those present (*Ms. Runyon absent*), with Mr. Magowan and Ms. Seeber abstaining.

Review of the Real Property Tax Services agenda commenced with a request to authorize a correction to the 2022 Town of Chester Tax Roll for the Town of Chester Tax Map Parcel No. 35.4-2-47. Discussion ensued.

Motion was made by Mr. Magowan, seconded by Mr. Dickinson and carried by a majority vote of those present (*Ms. Runyon absent*), with Ms. Seeber and Ms. Braymer voting in opposition, to approve the request and the necessary resolution was authorized for the March 18th Board meeting. *A copy of the resolution request form is on file with the minutes.*

Moving on to the Discussion Items portion of the agenda, the following items were reviewed:

1. Johnsbury parcel 133.8-1-27, 3485 State Route 8 bid results. Bid results were reviewed and a request was made for a resolution awarding bid and authorizing an agreement with Ritter & Paratore Contracting, Inc. in an amount not to exceed \$77,900 for the demolition and asbestos abatement services of the Mosher's Garage property.

A motion was made by Mr. Dickinson and seconded by Mr. Magowan to approve the request as presented. During discussion, a motion was made by Ms. Braymer and seconded by Ms. Seeber to table the matter. Discussion continued during which Ms. Seeber called for a Point of Order regarding comments made by Mr. Dickinson, indicating that Robert's Rules of Order cited a certain decorum be held by members. Following some consideration, Mr. McDevitt ruled that members should refrain from speaking until they were recognized by the Chair. Mr. McDevitt called the question on the motion to table, which failed due to a tie vote with Mr. Geraci, Ms. Braymer and Ms. Seeber voting in favor and Mr. McDevitt, Mr. Dickinson and Mr. Magowan voting in opposition (*Ms. Runyon absent*).

Ms. Delurey apprised she had another request for the same piece of property to appropriate funds in the amount of \$77,900 from Budget Code A.893.00, *Reserve, Environmental Testing Fund*, to Budget Code A.1355 470, *Real Property Tax Services, Contracts*, for the demolition and abatement services.

Motion was made by Mr. Dickinson and seconded by Mr. Magowan to approve the request.

Deputy Clerk advised the Chair that before entertaining this motion, they must first return to the motion already put forth to approve the request for an agreement with Ritter & Paratore Contracting, Inc. Mr. McDevitt called the question and the motion was passed by a majority vote of those present (*Ms. Runyon absent*) with Ms. Braymer voting in opposition and Ms. Seeber abstaining; the necessary resolution was authorized for the March 18th Board meeting. *A copy of the resolution request form is on file with the minutes.*

Mr. McDevitt called the question on the motion to approve the appropriation of funds for the agreement with Ritter & Paratore Contracting, Inc., which was carried by majority vote of those present (*Ms. Runyon absent*), with Ms. Seeber abstaining, and the matter was referred to the Finance Committee. *A copy of the resolution request form is on file with the minutes.*

Ms. Runyon entered the meeting virtually at 11:54 a.m.

Next the Committee reviewed a request to convey Town of Queensbury Tax Map Parcel No. 309.9-1-14.1 consisting of a 0.01 acre parcel of land on Indiana Avenue to Edward LaRoe, whose property adjoined the parcel and his garage was partially located on the piece of land, adding the conveyance would release the County of liability. It was noted that the County Clerk had indicated \$60 County recording fees could be waived, but the \$255 in State fees would need to be paid.

Motion was made by Mr. Dickinson and seconded by Ms. Runyon to authorize a transfer of funds in the amount of \$255 from the Contingent Account the Real Property Tax Services Budget to cover the cost of the State fees.

A brief discussion ensued in regards to the potential for an adverse possession claim attached to the parcel. County Attorney suggested an executive session to discuss potential litigation.

Motion was made by Mr. Magowan, seconded by Ms. Braymer and carried by majority vote, with Ms. Seeber voting in opposition, to enter into executive session pursuant to Section 105(d) of the Public Officer's Law.

Executive session was held from 12:02 p.m. until 12:17 p.m.

Upon reconvening, Mr. McDevitt announced that no action had been taken during the executive session. Discussion continued.

Mr. Dickinson and Ms. Runyon amended their motions to include the conveyance of the parcel along with the transfer of funds from the contingent account. Mr. McDevitt called the question and the motion was carried by majority vote, with Ms. Seeber abstaining; the necessary resolution related to the conveyance was authorized for the March 18th Board meeting and the transfer of funds was referred to the Finance Committee. *A copy of the resolution request form is on file with the minutes.*

Continuing to Discussion Item 3 on the agenda, Queensbury Tax Map Parcel No. 303.8-1-15, Queensbury Avenue, Mr. McDevitt requested a motion to table the item to allow Ms. Delurey to consult with the County Attorney. Discussion ensued regarding whether a motion to table was required. After a brief discussion it was determined a motion was not necessary and the item would return to Committee next month.

There being no further business to come before the Committee, on motion made by Mr. Dickinson, seconded by Mr. Geraci and carried unanimously, Mr. McDevitt adjourned the meeting at 12:24 p.m.

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