

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: ENVIRONMENTAL CONCERNS & REAL PROPERTY TAX SERVICES

DATE: NOVEMBER 22, 2022

COMMITTEE MEMBERS PRESENT:

SUPERVISORS MCDEVITT
GERACI
BRAYMER
SEEBER
MAGOWAN

OTHERS PRESENT:

LEXIE DELUREY, DIRECTOR, REAL PROPERTY TAX SERVICES
KEVIN B. GERAGHTY, CHAIRMAN OF THE BOARD
SUPERVISOR CRAIG LEGGETT, ACTING COUNTY ADMINISTRATOR
LARRY ELMEN, COUNTY ATTORNEY
AMANDA ALLEN, CLERK OF THE BOARD
FRANK E. THOMAS, BUDGET OFFICER
SUPERVISORS STROUGH
WILD
TAMMIE DELORENZO, ASSISTANT TO THE COUNTY ADMINISTRATOR
SARA FRANKENFELD, GIS ADMINISTRATOR
ETHAN GADDY, ASSISTANT COUNTY PLANNER
WAYNE LAMOTHE, COUNTY PLANNER
DON LEHMAN, DIRECTOR OF PUBLIC AFFAIRS
LIZA OSCHENDORF, DIRECTOR, WORKFORCE DEVELOPMENT
LESLIE LOVELACE, SECRETARY TO THE CLERK OF THE BOARD

COMMITTEE MEMBERS ABSENT:

SUPERVISORS DICKINSON
RUNYON

Please note, the following contains a summarization of the November 22, 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>

Mr. McDevitt called the meeting of the Environmental Concerns & Real Property Tax Services Committee to order at 11:31 a.m.

Motion was made by Mr. Geraci, seconded by Mr. Magowan and carried by unanimous vote of those present (*Mr. Dickinson and Ms. Runyon absent*) to approve the minutes of the previous Committee meeting, subject to correction by the Clerk of the Board.

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.*

The Committee commenced with a review of the Action Agenda/New Business Items portion of the agenda, which included the following requests:

1. To authorize the Chair of the Warren County Board of Supervisors to sign a Release and Waiver of Covenants in Real Property document for Town of Chester Tax Map Section 35.4, Block 2, Lot 30, located at 9 Olmstedville Road.

Motion was made by Mr. Magowan and seconded by Mr. Geraci to approve the request as presented; following discussion, Mr. McDevitt called the question and the motion carried by a unanimous vote of those present (*Mr. Dickinson and Ms. Runyon absent*) and the necessary resolution was authorized for the December 16th Board meeting. *A copy of the resolution request form is on file with the minutes.*

2. To authorize the Chair of the Warren County Board of Supervisors to sign Release and Waiver of Covenants in Real Property documents as needed for properties that were in the Tax Foreclosure Auction sales from

2019, 2020 and 2021.

Discussion ensued with regard to the request, during which the Committee considered the addition of language indicating that the Board of Supervisors would be notified within 10 days of any waivers executed by the Chair.

A motion was made by Ms. Seeber, seconded by Mr. Magowan and carried by a unanimous vote of those present (*Mr. Dickinson and Ms. Runyon absent*) to approve the request as presented, with the addition of language indicating that the Board of Supervisors would be notified within 10 days of any waivers executed by the Chair, and the necessary resolution was authorized for the December 16th Board meeting. *A copy of the resolution request form is on file with the minutes.*

3. To authorize a transfer of funds in the amount of \$500 from Budget Code A.1990 469, *Contingent Account - Other Payments/Contributions*, to Budget Code A.1970 410, *Supplies to Towns*, to help cover printing costs associated with the printing of the Town & County tax bills.

Motion was made by Ms. Braymer, seconded by Mr. Geraci and carried by a unanimous vote of those present (*Mr. Dickinson and Ms. Runyon absent*) to approve the request as presented and refer same to the Finance Committee. *A copy of the resolution request form is on file with the minutes.*

Committee reviewed with the Discussion Items sections, as follows:

1. Queensbury Parcel 302.8-1-2, discussion on the future use of the property for tax purposes. A lengthy discussion ensued with regard to the possibility of merging the property with the Warren County Bike Path. Following discussion, motion was made by Ms. Braymer to offer sale of the parcel under the current formula allowing parcels acquired by the County through tax foreclosure to be transferred to a municipality at a rate of one-third the market value (*or the amount of back taxes, whichever is less - in this case the one-third value is the lesser amount*) to the Town of Queensbury. Ms. Seeber agreed to second the motion if it was amended to indicate that the Town of Queensbury be allowed a six-month right of first refusal, following which the parcel would be offered for sale to the public. Following further discussion, Mr. McDevitt called the question on the motion as outlined above and the motion failed due to lack of majority vote, with Mr. McDevitt voting in opposition and Mr. Magowan abstaining (*Mr. Dickinson and Ms. Runyon absent*).

Concluding the agenda review the Committee reviewed the following Referrals/Pending Item:

1. Foreclosure properties that file an Order to Show Cause with the Courts and how to handle them - Larry Elmen, *County Attorney*, explained the Foreclosure Process indicating it was the duty of the Enforcement Officer (*which was the County Treasurer*) to start the foreclosure action and finish the action. He advised with regard to the motions filed he held an attorney/client conversation with the County Treasurer and included the Director of Real Property Tax Services regarding a proposal to resolve the Order to Show Cause based on review of legal factors where the County Treasurer made the determination as the authorized enforcement officer. Mr. Elmen stated he was confident there was no remedial action needed for the future with regard to a change in the future process for motions filed. He noted while it was within the statute, the practice of a Last Chance Meeting occurring after the redemption date was unusual and he hoped to have a proposal for the Board of Supervisors to consider with a timetable that the statute provides.

Returning to the matter of Queensbury Parcel 302.8-1-2, motion was made by Ms. Braymer and seconded by Mr. Magowan to offer the parcel to the Town of Queensbury for the amount of \$18,000, subject to the County Attorney determining such sale to be legally permissible. Following discussion, Mr. McDevitt called the question and the motion was carried by a majority vote of those present (*Mr. Dickinson and Ms. Runyon absent*), with Mr. McDevitt

voting in opposition.

There being no further business to come before the Committee, on motion made by Ms. Seeber, seconded by Ms. Braymer and carried by unanimous vote of those present (*Mr. Dickinson and Ms. Runyon absent*), Mr. McDevitt adjourned the meeting at 12:37 p.m.

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