

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: ENVIRONMENTAL CONCERNS & REAL PROPERTY TAX SERVICES

DATE: JULY 13, 2020

COMMITTEE MEMBERS PRESENT:

SUPERVISORS: BRAYMER
DICKINSON
HOGAN
SIMPSON
STROUGH

OTHERS PRESENT:

LEXIE DELUREY, DIRECTOR OF REAL PROPERTY TAX SERVICES
MICHAEL SWAN, COUNTY TREASURER
MARY ELIZABETH KISSANE, COUNTY ATTORNEY
AMANDA ALLEN, CLERK OF THE BOARD
ROBERT TERWILLIGER, FIRST ASSISTANT COUNTY ATTORNEY
KEVIN B. GERAGHTY, BUDGET OFFICER

COMMITTEE MEMBERS ABSENT:

SUPERVISORS: BEATY
MERLINO

SUPERVISORS DRISCOLL
MAGOWAN
MCDEVITT
SEEBER
DON LEHMAN, *DIRECTOR OF PUBLIC AFFAIRS*
RAY REITER, TAX COORDINATOR
JEREMY SCRIME, SENIOR COMPUTER SYSTEMS ANALYST/PROGRAMMER
SHAUNA SHEPARD- WARREN COUNTY RESIDENT
MOLLY GANOTES-GLEASON, LEGISLATIVE OFFICE SPECIALIST

Please note, the following contains a summarization of the, July 13, 2020 meeting of the Environmental Concerns & Real Property Tax Service Committee; the meeting in its entirety can be viewed on the Warren County website using the following link: <https://www.warrencountyny.gov/gov/comm/Archive/2020/environmental/>

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". All of the Committee members in attendance participated via video or teleconference except for Supervisor Braymer who was physically present.

Copies of the meeting agenda were distributed to those in attendance, those participating remotely accessed the agenda via the Warren County website.

Ms. Braymer called the meeting of the Environmental Concerns & Real Property Tax Service Committee to order at 9:00 a.m., informing this was the annual "Last Chance" meeting; a copy fo the agenda is on file with the meeting minutes.

Privilege of the floor was extended to Lexie Delurey, *Director of Real Property Tax Services*, who informed the details for the two properties with delinquent taxes to be discussed today were included in the agenda packet. Ms. Delurey advised Shauna Sheppard, whose property included a campground located in the Town of Bolton, was seeking an extension; she asked Michael Swan, *County Treasurer*, to comment on whether Ms. Sheppard was eligible to enter into an extension agreement because she was not the original owner of the property and Mr. Swan replied she was eligible. Ms. Sheppard explained the situation with her ex-husband and how she became the current owner of the property. Ms. Delurey inquired if anyone had knowledge regarding a divorce situation or change of ownership, but no one replied. Mr. Swan apprised Ms. Sheppard had submitted a certified check in an amount exceeding the minimum to enter into an installment agreement. Ms. Braymer suggested authorizing an extension until

August 31st. Ms. Delurey pointed out that the deed stated Ms. Sheppard and her husband were co-owners until 2016 when the deed was changed to reflect solely Ms. Sheppard as the property owner. Mr. Swan stated Ms. Sheppard would have until the first business day after August 27th to decide if she wanted to proceed with an installment agreement or to pay off the taxes.

A motion was made by Mr. Dickinson, seconded by Ms. Hogan and carried unanimously to allow Ms. Sheppard until August 31, 2020 to enter into an extension agreement or pay off the outstanding taxes on Town of Bolton Tax Map Parcel No. 184.02-2-8.

Ms. Delurey stated she would be speaking on behalf of Ronald Dufour with regard to Town of Queensbury Tax Map Parcel No. 303.20-1-5. She indicated Mr. Dufour had been in an installment agreement in the past and was ineligible to enter into another agreement until after three years had passed, which would be August 3, 2020. Ms. Braymer inquired if he had the money to enter into an installment agreement and Ms. Delurey replied affirmatively, but was concerned about extending the date any further than necessary. Ms. Braymer suggested an extension until August 7, 2020 to enter into an installment agreement.

A motion was made by Mr. Dickinson, seconded by Ms. Hogan and carried unanimously to allow Mr. Dufour until August 7, 2020 to enter into an installment agreement or pay the outstanding taxes on Town of Queensbury Tax Map Parcel No. 303.20-1-5.

Ms. Braymer asked Mr. Swan to elaborate on how the new procedure for delinquent tax payments worked this year; Mr. Swan informed he did not feel there was a change because he had granted extensions until the end of July in the past, but noted there were less extensions granted this year than last year. Ms. Delurey clarified twenty extensions had been granted. Mr. Swan informed there were repeat offenders who thought they still had the August meeting to attend to save their property, indicating he had conveyed this was no longer the case. Ms. Braymer asked Ms. Delurey if she had contacted the individuals that were in default and Ms. Delurey answered she had called those who defaulted on installment agreements. Ms. Delurey remarked there were fifty-six parcels going to auction with a few remaining from last year. She added that number included twenty parcels with agreements in place which brought the total number of parcels for auction down to thirty-six. Ms. Delurey spoke regarding individuals that defaulted on installment agreements.

Ms. Braymer reported the County Attorney's office was watching the prohibition on filing new foreclosure actions and Robert Terwilliger, *First Assistant County Attorney*, advised date to respond for those individuals served with petitions was postponed to August 5th, adding there was an additional thirty days from August 5th to respond to a petition. He said the earliest a default could be brought forward was Tuesday, September 8, 2020. He notified the New York State Courts were not accepting default applications for non-appearance. Ms. Braymer commented they may not be able to have a real estate auction this year.

Finally, Ms. Delurey asked Mr. Terwilliger for an update on the state of the foreclosure action for the Mullen's property located on Bay Road in the Town of Queensbury. Mr. Terwilliger informed the Fourth Judicial District which administered the Warren County Courts would not let them file a default motion to seek judgement to obtain ownership for the County. He explained the foreclosure would normally be achieved by default when there was no response from the property owners, however due to an Executive Order, the Courts would not accept a filing and allow the County to get a default judgement against anyone who had not answered in it. He informed the County as not able to move forward with the foreclosure until the Executive Order was lifted or expired. He remarked the Governor's Executive Order held the statute of limitations for individuals to answer, which extended the process.

Ms. Braymer inquired if there were any public comments and Don Lehman, *Director of Public Affairs*, replied in the negative.

As there was no further business to come before the Environmental Concerns & Real Property Tax Service Committee, on motion made by Mr. Dickinson, seconded by Ms. Hogan and carried unanimously, Ms. Braymer adjourned the meeting at 9:19 a.m.

Respectfully submitted,
Molly Ganotes-Gleason, Legislative Office Specialist