

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: ENVIRONMENTAL CONCERNS & REAL PROPERTY TAX SERVICES

DATE: JULY 22, 2019

COMMITTEE MEMBERS PRESENT:

SUPERVISORS BRAYMER
SIMPSON
STROUGH
DICKINSON
MCDEVITT
LOEB
HOGAN
HYDE

OTHERS PRESENT:

LEXIE DELUREY, DIRECTOR OF REAL PROPERTY TAX SERVICES
CHRIS BELDEN, ASSISTANT COUNTY PLANNER
MICHAEL SWAN, COUNTY TREASURER
RONALD F. CONOVER, CHAIRMAN OF THE BOARD
RYAN MOORE, COUNTY ADMINISTRATOR
MARY ELIZABETH KISSANE, COUNTY ATTORNEY
AMANDA ALLEN, CLERK OF THE BOARD
FRANK E. THOMAS, BUDGET OFFICER
SUPERVISORS DRISCOLL

COMMITTEE MEMBER ABSENT:

SUPERVISOR MERLINO

GERAGHTY

LEGGETT

SOKOL

TAMMIE DELORENZO, ASSISTANT TO THE COUNTY ADMINISTRATOR
ATTORNEY MATT LUDEMANN, SARATOGA COUNTY RESIDENT
TRAVIS WHITEHEAD, TOWN OF QUEENSBURY RESIDENT
MOLLY GANOTES-GLEASON, LEGISLATIVE OFFICE SPECIALIST

Please note, the following contains a summarization of the, July 22, 2019 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/gov/comm/Archive/2019/environmental/>

Ms. Braymer called the meeting of the Environmental Concerns & Real Property Tax Services Committee to order at 10:00 a.m.

Motion was made by Mr. Strough, seconded by Mr. McDevitt 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 of Real Property Tax Services*, who distributed copies of the agenda to the Committee members; *a copy of the agenda is on file with the minutes.*

Commencing her agenda review, Ms. Delurey presented a request to re-appoint her as Director of Real Property Tax Services for a six-year term commencing October 1, 2019 and terminating September 20, 2025, in accordance with the Real Property Tax Law.

Motion was made by Mr. Simpson, seconded by Mr. Strough and carried unanimously to approve the request as outlined above and the necessary resolution was authorized for the August 16, 2019 Board Meeting. *A copy of the resolution request form is on file with the minutes.*

Next, Ms. Delurey introduced a request to approve the List of Chargebacks and Refunds for four parcels located in the Town of Queensbury, as provided by the Treasurer's Office.

Mr. Loeb entered the meeting at 10:03 a.m. and Mr. Dickinson entered the meeting at 10:04 a.m.

Ms. Delurey informed the taxes had to be deleted before the EDC (*Economic Development Corporation*) could purchase the four parcels. Mary Elizabeth Kissane, *County Attorney*, explained the EDC had a contract to purchase the properties with no liens. Michael Swan, *County Treasurer*, notified the County had acquired these parcels in the 1990's and since had paid the taxes. Mr. Geraghty questioned whether this was a standard procedure, and Mr. Swan affirmed that it was; Mr. Geraghty suggested they remain consistent in the way chargebacks were handled.

Travis Whitehead, *Town of Queensbury Resident*, commented that no public hearings had been held to allow for the conveyance or sale of County-owned property and he believed this was required before the parcels could be acquired by the EDC.

A discussion ensued during which the Committee expressed their confusion with the request. Ms. Braymer announced that because of the number of questions from the Committee, no action would be taken on this request and it would be brought back to the next Committee meeting when more information could be provided about the contract for property sale to the EDC.

Regarding the Referral/Pending item, Update on Bay Road Property (*Mullen Property*), Ms. Delurey apprised ATL (*Atlantic Testing Labs*) had compiled samples from Town of Queensbury Tax Map Parcel No. 302.8-1-2, located on Bay Road, which she was awaiting the results of. She added that she was awaiting testing results for Town of Chester Tax Map Parcel No. 104.10-4-5, as well.

Moving on to the Information for Discussion/Review section of the agenda, Ms. Delurey noted the agenda included the proposed amendments to the Warren County Real Estate Auction Terms and Conditions of Sale, which were last adopted by Resolution No. 259 of 2017. Ryan Moore, *County Administrator*, advised that following the last Committee meeting, he had met with Charles Wallace, *Administrator of Fire Prevention & Building Code Enforcement*, to discuss the Terms and Conditions of Sale and additional changes were made.

Matt Ludemann, *Saratoga County Resident*, indicated that he was an attorney and member of the Bar Association, but said he was in attendance representing his own opinions. He spoke regarding residential waterfront properties that required septic inspections in the Towns of Bolton and Queensbury and he questioned if the County would comply with statuettes that were in place for foreclosed parcels when they took title of the property, expressing if a septic inspection failed it was required to be repaired or replaced immediately. He remarked the wording regarding the CO (*Certificate of Occupancy*) was unclear. He said he read the policy as an attorney and his interpretation was that if there was an existing CO the property would have to be brought up to code or demolished. He opined there should be a third option where there would be a second CO for repair of the property. He questioned how the County would enforce zoning and building codes and explained his concern that there were unintended consequences which needed to be considered. Ms. Kissane informed the statute of limitations required the County to send a letter to the homeowner informing them of the foreclosure and from that point the County had one year to take action; she advised that if the County did not take action within the specified term they would lose the chance to.

A discussion ensued following which Ms. Braymer advised the Committee would delay taking action on this item and proceed with the agenda review while Ms. Kissane and Mr. Moore worked on changing the language to address the concerns raised.

Regarding the Environmental Concerns portion of the agenda review, Ms. Braymer introduced a request to authorize the Chairman of the Board to execute a Municipal Agreement with Energy Improvement Corporation relating to Energize NY Open C-Pace Financing Agreement. She indicated the request was to implement the law that was passed allowing private and commercial entities to use the program to finance their energy improvements.

Motion was made by Mr. Strough, seconded by Mr. Loeb and carried unanimously to approve the request as outlined above and the necessary resolution was authorized for the August 16, 2019 Board Meeting. *A copy of the resolution request form is on file with the minutes.*

Privilege of the floor was extended to Chris Belden, *Assistant County Planner*, to discuss the Warren County Climate Smart Task Force. He reported the program was sponsored by the NYSDEC (*New York State Department of Environmental Conservation*) to reduce greenhouse gas emissions and adapt community infrastructure due to impacts from climate change. He stated the next step was to create and appoint members to a task force. He indicated within the agenda there was a list of appointed members which represented a wide spectrum of County departments and organizations and included three Supervisors. He explained the purpose of the task force was to prioritize and take action. Ms. Braymer clarified the request before the Committee was to establish the Warren County Climate Smart Task Force and appoint the members listed in the agenda.

Motion was made by Mr. Strough, seconded by Mr. Simpson and carried unanimously to approve the request as outlined above and the necessary resolution was authorized for the August 16, 2019 Board Meeting. *A copy of the resolution request form is on file with the minutes.*

With regard to the agenda item pertaining to Discussion on Clean Lakes Collaboration, Ms. Braymer pointed out that the agenda packet included a letter and memorandum of understanding from the Chautauqua County Legislature regarding the initiative, as mentioned by Mr. Simpson at the July 19, 2019 Board Meeting. Mr. Simpson stated that since he had first spoken about this matter, some questions had been raised which he felt should be addressed before action could be taken. A brief discussion ensued, following which Ms. Braymer noted this item would be addressed again at a future Committee meeting.

Ms. Delurey announced that she and her staff would be posting foreclosure properties next week; adding there were currently sixty installment agreements approved by the Treasurer's Office which were active until the end of August. She informed the Real Property Tax Services "Last Chance" meeting would be held August 12th at 9:00 a.m., and she indicating there was currently only one individual signed up to speak at that meeting.

Returning to the matter of the proposed changes to the Warren County Real Estate Auction Terms and Conditions of Sale, Ms. Braymer read aloud the changes Ms. Kissane and Mr. Moore had drafted relative to the issue of CO's for properties acquired at the annual foreclosure auction. As the Committee was in favor of the additional revision proposed, a motion was made by Mr. Loeb, seconded by Mr. McDevitt and carried unanimously to amend Resolution No. 259 of 2017 to update the Warren County Real Estate Auction Terms and Conditions of Sale and the necessary resolution was authorized for the August 16, 2019 Board Meeting.

As there was no further business to come before the Environmental Concerns & Real Property Tax Service Committee, on motion made by Mr. Dickinson and seconded by Mrs. Hogan, Ms. Braymer adjourned the meeting at 10:54 a.m.

Respectfully submitted,
Molly Ganotes-Gleason, Legislative Office Specialist