

Real Property Tax Committee Minutes  
April 26, 2021 – 2:30 p.m.

Present: Chairman Eric Connolly; Committee Members Ed Kinowski, Bill Peck, Dan Pemrick; Steve Bulger, Matt Rose, County Administrator; Michael Hartnett, County Attorney; Chris Schall, Auditor; Anna Stanko, Real Property Tax; Andrew Jarosh, Terri Wrisley, Treasurer; Gary Bowich

Chairman Connolly called the meeting to order and welcomed all in attendance.

**On a motion made by Mr. Kinowski, seconded by Mr. Pemrick, the minutes of the March 29, 2021 meeting were approved unanimously.**

**A motion was made by Mr. Pemrick, seconded by Mr. Peck, to approve the Auditor's first quarter report for 2021. Unanimous.**

Mr. Schall said that there were ten corrections for \$2,879.06, six refunds for \$1,916.35, for a total of \$4,795.41.

**A motion was made by Mr. Pemrick, seconded by Mr. Kinowski, to postpone the 2021 in-rem foreclosure proceeding. Unanimous.**

Mr. Jarosh said that he has had many meetings between himself, his staff, County Attorney and Director of Real Property to discuss this issue. This postponement is due to several changes that have occurred this year, most notably the movement of the duties of Tax Enforcement Officer to the County Treasurer, and the retirement of the Legal Assistant that was responsible for all of the title searches for the County. At this point, looking at the calendar and motions before the Court needed in order to foreclose by the end of the year, it is infeasible for the County to proceed with an in-rem process this year. Many title searches are outstanding, many searches are two years old and would need to be updated. There is currently a list of 800-900 parcels and outsourcing the title searches would be cost prohibitive. Mr. Jarosh suggested that the mass foreclosure process be postponed to next year, at which time a new Foreclosure Specialist will be on staff, and a process in place, ensuring a timely and orderly in-rem process. Mr. Hartnett said that there is currently an Executive Order, which is soon set to expire, preventing foreclosures on residential properties. Postponing does not necessarily waive any rights to foreclose at a later date. Mr. Hartnett said that he discussed with Mr. Jarosh a targeted in-rem foreclosure on select parcels this year, depending on the circumstance and nature of the parcels, commercial parcels. There are a few that have been on their radar for a while that they would like to pursue, but doing the large en masse proceeding is not feasible this year.

**A motion was made by Mr. Pemrick, seconded by Mr. Kinowski, to cancel the 2021 Property Tax Auction. Unanimous.**

Mr. Jarosh said that in past practice a property tax auction is not held when there are fewer than 10 parcels up for auction. Between the parcels not sold at the last auction, and pulls from previous auctions, there are only approximately seven parcels currently available for auction. With the 2021

auction being cancelled, and the in-rem foreclosures of 2021 being postponed to 2022, the 2023 auction is anticipated being a large auction. Mr. Kinowski confirmed that postponing the auction for two years does not preclude the property owner from paying their back taxes. Mr. Jarosh agreed and said that property owners would have until the day of the auction to have tender offers approved.

Mr. Jarosh and Mr. Gary Bowich gave an update on the Magnum property in the Town of Ballston. Mr. Jarosh said that this is a property on the corner of Route 50 and Lakehill Road, kitty-corner to the ice cream stand. Currently the parcel has a large pile of bricks and tanks above ground. Mr. Bowich said that it is an abandoned former gas station auto repair shop. The site was contaminated from underground storage tanks and the slab under the garage where there were hydraulic lifts. The former owner hired a consultant approximately two years ago and dug out many tons of contaminated soil in front of the building and under the concrete slab. There are two fiberglass tanks on the property which Mr. Bowich believes were intended to replace the old leaking tanks. The former owner did not complete the contamination clean up and the property now has an abandoned rundown building, two tanks and remaining contamination. Mr. Bowich said that the plan is to work out agreements between the NYS DEC, and the County and Town of Ballston. The intention is for the Town to use condemnation powers to have the building taken down, DEC has agreed to clean up the property once the building is down. In addition, they would like to have an agreement with the State oil spill fund whereby the County would take title through in-rem foreclosure, transfer the property to the Town, but the State would immunize both the County and Town from any liability associated with petroleum on the site. Mr. Bowich said that this is a win-win situation that will enable the property to be reused for beneficial use. Mr. Connolly thanked Attorneys Hartnett, Bowich and Treasurer Jarosh for the work they have put into this project.

**On a motion made by Mr. Pemrick, seconded by Mr. Peck, the meeting was adjourned unanimously.**

Respectfully submitted,  
Therese Connolly  
Deputy Clerk of the Board