

RECESSED PLANNING ENVIRONMENTAL MANAGEMENT AND REAL  
PROPERTY COMMITTEE

THURSDAY, JUNE 20, 2013 AT 11:15AM

1. Update on Real Property Auction held June 13, 2013 and June 14, 2013

**Resolutions:**

1. Accept and/or reject bids made at the June 2013 Public Auction for real property acquired by virtue of the in rem tax foreclosure proceedings
2. Convey FA 34.-4-17 to the Center for Discovery
3. Correct the 2013 Tax Roll FA 28.-1-50/6901 Gross

**RESOLUTION INTRODUCED BY PLANNING, ENVIRONMENTAL MANAGEMNET AND REAL PROPERTY COMMITTEE**

**RESOLUTION TO ACCEPT AND/OR REJECT BIDS MADE AT THE JUNE 2013 PUBLIC AUCTION FOR REAL PROPERTY ACQUIRED BY VIRTUE OF THE IN REM TAX FORECLOSURE PROCEEDINGS.**

**WHEREAS**, the Sullivan County Legislature authorized auctions to be conducted by Haroff Auction and Realty, Inc. and Absolute Auctions and Realty, Inc. for real property acquired by virtue of the In Rem tax foreclosure proceedings, and

**WHEREAS**, Haroff Auction and Realty, Inc. and Absolute Auctions and Realty, Inc conducted an auction on June 13, 2013 & June 14, 2013, and

**WHEREAS**, by the Terms of Sale, the County reserved the right to withdraw any property listed in the notice of sale from the auction and further required that all such bids at the auction be approved or rejected by the Sullivan County Legislature, and

**WHEREAS**, the Real Property Advisory Board recommends all bids made at said auction be accepted; except the bids for the following parcels, which will be rejected:

Tract #61 – Delaware 10.-1-4.5, Bidder #136 for \$8,000.00, and

**WHEREAS**, Tract #61 was resold and will be sold to the original bidder # 5066 for \$29,900.00, and

**WHEREAS**, the said conveyance for the parcel being rejected shall also include costs, fees & taxes pursuant to the County's terms of sale for the public auction, , and

**WHEREAS**, the successful bidders will have until 5:00 p.m. on Thursday, July 18<sup>th</sup>, 2013, pursuant to the terms and conditions of the auction, to pay the balance due to the Sullivan County Treasurer's Office or any deposit remitted will be forfeited, and

**WHEREAS**, the successful bidders must purchase all parcels they were the successful bidders for, and

**WHEREAS**, if the successful bidder(s) do not remit the balance of the bid amount by Thursday, July 18<sup>th</sup>, 2013, pursuant to the terms and conditions of the auction, the parcels will be offered for sale, and the deposit(s) will be forfeited, and

**NOW, THEREFORE, BE IT RESOLVED**, the bids recorded at the real property auction held on June 13, 2013 & June 14, 2013, are hereby accepted, with the exceptions mentioned above which are hereby rejected and sold as stated above, and the Chairman of the Sullivan County Legislature is hereby authorized and directed to execute the necessary documents to convey such title to the successful bidder, or to the party to whom conveyance shall be made, including those stated above, and

**BE IT FURTHER RESOLVED**, the Sullivan County Treasurer is authorized to forfeit and retain any deposits made on bids that are not paid in full on or before 5:00 p.m. July 18<sup>th</sup>, 2013, pursuant to the terms and conditions of the auction.

Moved by \_\_\_\_\_,  
Seconded by \_\_\_\_\_,  
and adopted on motion \_\_\_\_\_, 2013.

**COMBINED: LEGISLATIVE MEMORANDUM,  
CERTIFICATE OF AVAILABILITY OF FUNDS  
AND RESOLUTION COVER MEMO**

**To:** Sullivan County Legislature

**Fr:** Planning, Environmental Management and Real Property

**Re:** Request for Consideration of a Resolution: To Accept/Reject Bids made at the Real Property  
Tax Auction held on June 13th and 14th, 2013.

**Date:** June 20, 2013

**Purpose of Resolution:** [Provide a detailed statement of what the Resolution will accomplish, as well as a justification for approval by the Sullivan County Legislature.]

To authorize the Chairman of the Legislature to execute the necessary documents in order to convey such title to the successful bidders.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Is subject of Resolution mandated? Explain:**

\_\_\_\_\_

\_\_\_\_\_

**Does Resolution require expenditure of funds? Yes \_\_\_ No**

**If "Yes", provide the following information:**

**Amount to be authorized by Resolution: \$** \_\_\_\_\_

**Are funds already budgeted? Yes \_\_\_ No \_\_\_**

**If "Yes" specify appropriation code(s):** \_\_\_\_\_

**If "No", specify proposed source of funds:** \_\_\_\_\_

**Estimated Cost Breakdown by Source:**

**County** \$ \_\_\_\_\_ **Grant(s)** \$ \_\_\_\_\_

**State** \$ \_\_\_\_\_ **Other** \$ \_\_\_\_\_

**Federal Government** \$ \_\_\_\_\_ **(Specify)** \_\_\_\_\_

**Verified by Budget Office:** \_\_\_\_\_

**Does Resolution request Authority to Enter into a Contract? Yes \_\_\_ No**

**If "Yes", provide information requested on Pages 2. If "NO", please go straight to Page 3 and acquire all pre-legislative approvals.**

Request for Authority to Enter into Contract with \_\_\_\_\_ of  
\_\_\_\_\_

Nature of Other Party to Contract: .

Other:

Duration of Contract: From \_\_\_\_\_ To \_\_\_\_\_

Is this a renewal of a prior Contract? Yes \_\_\_ No \_\_\_

If "Yes" provide the following information:

Dates of prior contract(s): From \_\_\_\_\_ To \_\_\_\_\_

Amount authorized by prior contract(s): \_\_\_\_\_

Resolutions authorizing prior contracts (Resolution #s): \_\_\_\_\_

Future Renewal Options if any:

\_\_\_\_\_

Is Subject of Contract – i.e. – the goods and/or services Mandated? Yes \_\_\_ No \_\_\_

If "Yes" cite the mandate's source; describe how this contract satisfies the requirements:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If "No" provide other justification for County to enter into this Contract: [County does not have resources in-house, best source of the subject materials, required by grant, etc.]:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Total Contract Cost for [year or contract period]: (If specific sum is not known state maximum potential cost): \_\_\_\_\_

Efforts made to find Less Costly alternative:

\_\_\_\_\_  
\_\_\_\_\_

Efforts made to share costs with another agency or governmental entity:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Specify Compliance with Procurement Procedures (Bid, Request for Proposal, Quote, etc.)

\_\_\_\_\_

Person(s) responsible for monitoring contract (Title): \_\_\_\_\_

**Pre-Legislative Approvals:**

**A. Director of Purchasing:** \_\_\_\_\_ **Date** \_\_\_\_\_

**B. Management and Budget:** \_\_\_\_\_ **Date** \_\_\_\_\_

**C. Law Department:** \_\_\_\_\_ **Date** \_\_\_\_\_

**D. County Manager:** \_\_\_\_\_ **Date** \_\_\_\_\_

**E. Other as Required:** \_\_\_\_\_ **Date** \_\_\_\_\_

**Vetted in** \_\_\_\_\_ **Committee on** \_\_\_\_\_

**RESOLUTION INTRODUCED BY PLANNING, ENVIRONMENTAL  
MANAGEMENT AND REAL PROPERTY COMMITTEE**

**RESOLUTION TO CONVEY PROPERTY IN THE TOWN OF FALLSBURG  
KNOWN AS FA34.-4-17, ACQUIRED BY THE COUNTY OF SULLIVAN BY  
VIRTUE OF THE IN REM TAX FORECLOSURE PROCEEDING FOR THE  
2011 LIEN YEAR.**

**WHEREAS**, property located in the Town of Fallsburg designated on the Sullivan County Real Property Tax Map as FA34.-4-17, Class 311, being 40.00 X 137.00 +/- feet, located on Railroad Ave, is owned by the County of Sullivan and formerly owned by "Unknown Owner", was included in the foreclosure of 2011 liens, but was not sold (received no bids) at the June, 2013 Public Auction, and

**WHEREAS**, The Center for Discovery has offered to purchase said property for the sum of, ONE THOUSAND SIX HUNDRED THIRTY (\$1630.73) DOLLARS, which is the amount of the delinquent taxes owed to the County, and

**WHEREAS**, this matter was discussed by the Real Property Advisory Board who advised it is in the best interest of the County of Sullivan to convey the parcel to The Center for Discovery for ONE THOUSAND SIX HUNDRED THIRTY (\$1630.73) DOLLARS, and

**WHEREAS**, the purchaser will also be responsible for the recording fees plus 10% of sale price for auctioneer's commission, and any other applicable charges, including but not limited to, omitted & pro rata taxes, water and sewer charges, if any, and

**NOW, THEREFORE, BE IT RESOLVED**, the Chairman of the Sullivan County Legislature is hereby authorized to execute the necessary documents in order to convey the aforesaid premises to The Center for Discovery, upon payment of \$1630.73 to the County Treasurer, plus 10% of sale price for auctioneer's commission, plus fees for the County Clerk.

Moved by \_\_\_\_\_,  
Seconded by \_\_\_\_\_,  
and adopted on motion \_\_\_\_\_, 2013.

**COMBINED: LEGISLATIVE MEMORANDUM,  
CERTIFICATE OF AVAILABILITY OF FUNDS  
AND RESOLUTION COVER MEMO**

**To:** Sullivan County Legislature

**Fr:** Planning, Environmental Management and Real Property

**Re:** Request for Consideration of a Resolution: To Convey property known as FA34.-4-17

**Date:** June 20, 2013

**Purpose of Resolution:** [Provide a detailed statement of what the Resolution will accomplish, as well as a justification for approval by the Sullivan County Legislature.]

To authorize the Chairman of the Legislature to execute the necessary documents in order to convey the premises known as FA34.-4-17 to The Center for Discovery.

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**Is subject of Resolution mandated? Explain:**

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**Does Resolution require expenditure of funds? Yes \_\_\_ No**

**If "Yes", provide the following information:**

**Amount to be authorized by Resolution: \$** \_\_\_\_\_

**Are funds already budgeted? Yes \_\_\_ No \_\_\_**

**If "Yes" specify appropriation code(s):** \_\_\_\_\_

**If "No", specify proposed source of funds:** \_\_\_\_\_

**Estimated Cost Breakdown by Source:**

County	\$ _____	Grant(s)	\$ _____
State	\$ _____	Other	\$ _____
Federal Government	\$ _____	(Specify)	_____

**Verified by Budget Office:** \_\_\_\_\_

**Does Resolution request Authority to Enter into a Contract? Yes \_\_\_ No**

**If "Yes", provide information requested on Pages 2. If "NO", please go straight to Page 3 and acquire all pre-legislative approvals.**

Request for Authority to Enter into Contract with [ \_\_\_\_\_ ] of  
[ \_\_\_\_\_ ]

Nature of Other Party to Contract: \_\_\_\_\_

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Duration of Contract: From \_\_\_\_\_ To \_\_\_\_\_

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\_\_\_\_\_  
\_\_\_\_\_

If "No" provide other justification for County to enter into this Contract: [County does not have resources in-house, best source of the subject materials, required by grant, etc.]:  
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\_\_\_\_\_  
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Total Contract Cost for [year or contract period]: (If specific sum is not known state maximum potential cost): \_\_\_\_\_

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Specify Compliance with Procurement Procedures (Bid, Request for Proposal, Quote, etc.)  
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**Pre-Legislative Approvals:**

**A. Director of Purchasing:** \_\_\_\_\_ **Date** \_\_\_\_\_

**B. Management and Budget:** \_\_\_\_\_ **Date** \_\_\_\_\_

**C. Law Department:** \_\_\_\_\_ **Date** \_\_\_\_\_

**D. County Manager:** \_\_\_\_\_ **Date** \_\_\_\_\_

**E. Other as Required:** \_\_\_\_\_ **Date** \_\_\_\_\_

**Vetted in** \_\_\_\_\_ **Committee on** \_\_\_\_\_

**RESOLUTION INTRODUCED BY PLANNING, ENVIRONMENTAL  
MANAGEMENT AND REAL PROPERTY COMMITTEE TO  
CORRECT THE 2013 TAX ROLL OF THE TOWN OF FALLSBURG  
FOR TAX MAP #28.-1-50./6901**

WHEREAS, an application dated February 13, 2013 having been filed by Brian Gross with respect to property assessed to said applicant on the 2013 tax roll of the Town of Fallsburg Tax Map #28.-1-50./6901 pursuant to Section 554 of the Real Property Tax Law, to correct a clerical error on said tax roll resulting from the incorrect entry of 88 sewer units on the tax bill which should have been 14 sewer units; and

WHEREAS, the Director of Real Property Tax Services has duly investigated the application and filed her report dated May 20, 2013 recommending this Board approve said application; and

WHEREAS, this Board has duly examined the application and report and does find as follows:

- (a) That the application be approved because of a clerical error

NOW, THEREFORE, BE IT RESOLVED, that the application be approved upon the grounds herein set forth; and

BE IT FURTHER RESOLVED, that the Chairman of the County Legislature be and he hereby is directed to note the decision of this Board on the application, execute an order to such effect to the officer having custody of the tax roll, send notice of approval to the applicant and file a copy of the records of this proceeding with the Clerk of the County Legislature; and

BE IT FURTHER RESOLVED, that the amount of any tax corrected pursuant to this Resolution shall be a charge upon the said municipal corporation or special district to the extent of any such municipal corporation or special district taxes that were so levied and that the amount so charged to any such municipal corporation or special district shall be included in the next ensuing tax levy and to the extent that the levy made pursuant to this resolution includes a relieved school tax, the Treasurer shall charge back such amount in accordance with law.

Moved by \_\_\_\_\_,  
Seconded by \_\_\_\_\_,  
and adopted on motion \_\_\_\_\_ day of \_\_\_\_\_, 2013.