

Authorizing The Ulster County Commissioner Of Finance To Accept Redemption Offers Relative To Payment Of Real Property Taxes In The 2016 In Rem Foreclosure Proceeding – Finance

Referred to: The Ways and Means Committee (Chairman Gerentine and Legislators Archer, Bartels, Lopez, Maio, James Maloney, Joseph Maloney, and Petit)

Chairman of the Ways and Means Committee, Richard A. Gerentine, and Deputy Chair Laura Petit offer the following:

WHEREAS, this resolution has been submitted by the County Executive on behalf of the Department of Finance; and

WHEREAS, the fiscal health of Ulster County is acutely affected by the non-payment and late payment of taxes, and Article 11 of the Real Property Tax Law has been enacted to enable delinquent real property taxes be more aggressively pursued and to encourage prompt payment of taxes; and

WHEREAS, the enforcement of Article 11 carries a financial burden in and of itself, in that a great number of measures are taken so that parties with an interest in an In Rem parcel are given every opportunity to redeem; and

WHEREAS, the time to redeem parcels in the 2016 In Rem Tax Foreclosure proceeding will expire on February 21, 2019; and

WHEREAS, in the interest of equity and fairness it is the primary intent of the Legislature to collect delinquent real property taxes; now, therefore, be it

RESOLVED, that the Ulster County Legislature hereby authorizes the Ulster County Commissioner of Finance to accept monies equal to the amount due, plus interest to the date of payment, in the 2016 In Rem Proceeding, plus an additional late redemption fee of \$100.00, pending the approval by this Legislature; and be it further

RESOLVED, that the Ulster County Commissioner of Finance can accept said payments as a late redemption fee up to the date the County takes title to said properties; and, be it further

RESOLVED, that from the date the County takes title to said properties until five o'clock pm Eastern Time on the Friday before the Ulster County Public Auction, the Ulster County Commissioner of Finance can accept monies equal to the amount due, plus interest to the date of payment, plus the aforesaid \$100 redemption fee, plus a \$250.00 buy back-back fee, plus recording fees in connection with the buyback of the property; and, be it further

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RESOLVED, pursuant to Article 11, Section 1125, subdivision 1 (c) as amended by Chapter 415 of the laws of 2006, the Ulster County Commissioner of Finance is authorized to add an additional \$100 posting fee, if necessary; and, be it further

RESOLVED, that the aforementioned monies held in escrow are considered an offer of redemption, and this offer is subject to the approval of the Ulster County Legislature in its sole and absolute discretion; and, be it further

RESOLVED, that all payments must be in the form of certified check, bank check, cash or money order,

and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Legislator Petit arrived at 8:53 PM)
(Absent: Legislator Fabiano)

Passed Committee: Ways and Means on September 12, 2018

FINANCIAL IMPACT:
TO BE DETERMINED

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STATE OF NEW YORK

ss:

COUNTY OF ULSTER

I, the undersigned Clerk of the Legislature of the County of Ulster, hereby certify that the foregoing resolution is the original resolution adopted by the Ulster County Legislature on the 20th Day of September in the year Two Thousand and Eighteen, and said resolution shall remain on file in the office of said clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 21st Day of September in the year Two Thousand and Eighteen.

|s| Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature

Submitted to the County Executive this
24th Day of September, 2018.

|s| Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature

Approved by the County Executive this
1st Day of October, 2018.

|s| Michael P. Hein
Michael P. Hein, County Executive