

Authorizing The Ulster County Commissioner Of Finance To Accept Redemption Offers Relative To Payment Of Real Property Taxes In The 2009 In Rem Foreclosure Proceeding – Department Of Finance

The Ways & Means Committee (Chairman Gerentine and Legislators Bernardo, Frey, Hansut, Harris, Maio, Maloney, Sheeley, Lomita, Provenzano and Rodriguez) offers 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 to be more aggressively pursued and to encourage the 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 2009 *In Rem* tax foreclosure proceeding will expire on February 17, 2012, and

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

WHEREAS, the Ways & Means Committee has met and reviewed said request with a majority of members voting approval, 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 2009 *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 and late redemption fee up to the date the County takes title to said properties, and be it further

Resolution No. 200 September 20, 2011

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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 the recording fees in connection with the buy back of the property, and be it further

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 moves its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 28 NOES: 1
(NOES: Legislator Zimet)
(Absent: Legislators Frey, Gerentine, Petit and
Stoeckeler)

FINANCIAL IMPACT:
TO BE DETERMINED

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STATE OF NEW YORK

ss:

COUNTY OF ULSTER

This is to certify that I, the undersigned Clerk of the Legislature of the County of Ulster have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 20th day of September, 2011, and that the same is a true and correct transcript of said resolution and of the whole thereof.

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 Eleven.

/s/ Karen L. Binder
Karen L. Binder, Clerk
Ulster County Legislature

Submitted to the County Executive this

21st Day of September, 2011.

/s/ Karen L. Binder
Karen L. Binder, Clerk
Ulster County Legislature

Approved by the County Executive this

30th Day of September, 2011.

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