

Authorizing The Ulster County Commissioner Of Finance To Accept Redemption Offers Relative To Payment Of Real Property Taxes In The 2007 *In Rem* Foreclosure Proceeding

The Ways and Means Committee (Chairman Lomita and Legislators Cahill, Dart, Gregorius, Provenzano, Rodriguez, Cummings, Gerentine and Noonan) 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 in order that delinquent real property taxes be more aggressively pursued and prompt payment of taxes be encouraged, 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 2007 *In Rem* Tax Foreclosure proceeding will expire on February 19, 2010, 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 and Means Committee has met and reviewed said request with a majority of the 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 2007 *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 of tax due, plus interest to the date of payment, plus the aforesaid \$100.00 redemption fee, plus \$250.00 buy-back fee, plus recording fees, as a buy back of the property, and, be it further

Resolution No. 277 October 14, 2009

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RESOLVED, that 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, as required by law, and, be it further

RESOLVED, that the aforementioned monies held in escrow are considered an offer of redemption; said 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: 0
(Absent: Legislators Briggs, Cummings, Sheeley, Stoeckeler, and Zimet)

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 14th Day of October, 2009, 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 16th Day of October in the year Two Thousand and Nine.

/s/ Mary L. Carey
Mary L. Carey, Clerk
Ulster County Legislature

Submitted to the County Executive this

16th Day of October, 2009.

/s/ Mary L. Carey
Mary L. Carey, Clerk
Ulster County Legislature

Approved by the County Executive this

21st Day of October, 2009.

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