

Authorizing The Ulster County Commissioner Of Finance To Accept Redemption Offers Relative To Payment Of Real Property Taxes In The 2017 Article 11 In Rem Foreclosure Proceeding – Department Of Finance

Referred to: The Ways and Means Committee (Chairwoman Archer and Legislators Gerentine, Maio, Joseph Maloney, Petit, Rodriguez, and Ronk)

Chairwoman of the Ways and Means Committee, Lynn Archer, and Deputy Chair Richard A. Gerentine 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 New York Real Property Tax Law was enacted to enable pursuit of delinquent real property taxes and to encourage prompt payment of taxes; and

WHEREAS, the time to redeem parcels in the County's 2017 In Rem Tax Foreclosure Proceeding will expire on February 20, 2020; 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 2017 In Rem Tax Foreclosure Proceeding, plus an additional late redemption fee of \$100.00, pending Legislative approval; and, be it further

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

RESOLVED, that from the date the County takes title to affected properties until 5:00 PM Eastern Time on the Friday before the Ulster County Public Auction, the Ulster County Commissioner of Finance is authorized to accept monies equal to the amount due, plus interest to the date of payment, plus the \$100 redemption fee, plus a \$250.00 buy-back fee, plus recording fees in connection with the redemption of the affected properties; and, be it further

Resolution No. 405 September 17, 2019

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RESOLVED, that pursuant to Section 1125(1)(c) of New York Real Property Tax Law, 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 such an 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 made in the form of certified check, bank check, cash or money order,

and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 20 NOES: 0
(Absent: Legislators Collins, Delaune, and Fabiano)

Passed Committee: Ways and Means on September 10, 2019

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 17th Day of September in the year Two Thousand and Nineteen, 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 19th Day of September in the year Two Thousand and Nineteen.

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

Submitted to the County Executive this
19th Day of September, 2019.

Approved by the County Executive this
25th Day of September, 2019.

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

|s| Patrick K. Ryan
Patrick K. Ryan, County Executive