

PERSONNEL & ADMINISTRATION COMMITTEE

Monday, March 23, 2026 - 10:00 AM

Meg Wood, Chairperson
Cathleen Reusser, Vice-Chairperson

Chairman Wood called this Personnel Meeting to order at 10:10 am with the following Supervisors in attendance: Clayton Barber, Matthew Brassard, Chris Clark, Ken Hughes, Mary Lamphear, Steve McNally, Clayton Menser, James O'Bryan, Timothy Pierce, Richard Preston, Cathleen Reusser, Matt Stanley, Davina Thurston, Ike Tyler, Joe Pete Wilson and Margaret Wood. Timothy Follos was absent. Tracie McGill was excused.

Department Heads present: Judy Garrison, Roy Holzer, Dan Manning, Jennifer Mascarenas, Michael Mascarenas and Jim Dougan.

Deputies present: Bill Tansey

WOOD: Good morning. This is the personnel and administration meeting and Jen come on up.

J. MASCARENAS: Good morning. You have my monthly report and the updated vacancy list if anybody has any questions on those?

Just a quick note, Mike had asked us to advertise for the student trainee positions for the summer interns early so we could get that process rolling. To date, we have 24 applications.

MASCARENAS: That's good.

HUGHES: Good morning. Sixty-two and half seems a little elevated am I incorrect in that?

J. MASCARENAS: Well, each month it goes, we have a turnover either in the sheriff's department or social services. It's a little bit more elevated this month than it is last month.

HUGHES: We are still within the –

J. MASCARENAS: Yes.

HUGHES: That I am aware of.

J. MASCARENAS: Yeah, we had a few more resignations this past month.

MASCARENAS: Yeah, I think you're absolutely right if we're looking at recent data. I think if we were to go back two and three years we were looking at one hundred.

J. MASCARENAS: Yes.

HUGHES: No, I think that's fair and we also changed how we budgeted for some of our positions.

MASCARENAS: Yes, we did.

HUGHES: And I'm not worried about it I just wanted to make note and see if there is anything we need to be aware of in the committee report.

WOOD: And our job fair date is still in progress, the plans, everything is moving along. It does happen to fall on the same day as the Adirondack Association of Towns & Villages in Saranac Lake so that's currently an issue other than that everything is moving along.

HUGHES: I have one more question, and it's probably more for the edification of the new board members. Can you talk a little bit about exit interviews because you mentioned there's some resignations. What does the county do and how does the county work with those to get feedback or the reason for the resignation?

J. MASCARENAS: If the employee that resigned would like an exit interview it has to be requested by him to personnel and then we involve the County Manager and the County Attorney but mostly the departments do their own if that's requested.

MASCARENAS: A formal exit interview just so you know in terms of the county isn't what you think it's not with the department it's defined within policy, we look at an exit interview it's actually appointed there's individuals that are cited in that policy of who are on that exit committee so if an employee really wants that to know what they are saying is being perfected they have that ability. There is also an opportunity to speak with your department head that's not a formal exit interview just so we can kind of differentiate between the two so they could do either and do those things.

WILSON: I was looking at the second job/exam announcements what's a stockyard worker?

J. MASCARENAS: It's a position in DPW. It's for Jim's yard.

MASCARENAS: So, if you've been out to DPW you'll see really we lost a person that was really, really good at it separating culverts, this size goes here, this size goes here, they get the materials ready for crews that might be leaving the next day so it's really an efficiency position. If they are getting low on certain items they make sure to let their foreman know, items get replaced, replenished those type of things. The person that works in the stock yard in the winter they do a lot of snow plowing that kind of thing in and around the shop.

WILSON: So, for logistics we don't have like a farm somewhere? (laughter)

MASCARENAS: No, we don't.

O'BRYAN: Jennifer I just want to say thank you. Ticonderoga has been trying for quite a long time trying to get a court officer. Our court is a very busy court as a matter of fact, last week there were 109 cases on the docket in the Town in Ticonderoga for one sitting so you can imagine the need for security so thank you. You and your staff did a wonderful job and we surely appreciate it.

J. MASCARENAS: You're welcome.

WOOD: Anyone else? Any questions, any concerns for Jen? Thank you.

GARRISON: Good morning. I submitted my monthly report. I do not have anything in addition to that unless anyone has any questions for me?

WOOD: Does anyone have any questions? Any concerns for Judy? Alright, Dan.

MANNING: Okay thank you very much. I just have a few things. The first is a resolution authorizing the County Manager or the County Chairman to execute a participation agreement and a lease relative to an opioid settlement which are the attorneys that represent us on these opioid matters recommend that we do. This is to become involved in the settlement and receive settlement proceeds relative to a national opioid settlement involving Associates Pharmacies Inc., Jay & Smith Corporation, Louisiana Wholesale Drug Company, Inc., Morrison Dickson Company North Carolina Mutual Wholesale Drug Company and United Natural Foods, Inc. basically what this is we've done these a dozen times now, this allows us to participate in these lawsuits and to recover some of the settlement proceeds. Just as a refresher, settlement proceeds are not great often times as ever county in New York is participating in these and this is national, so you know, some of these times we get .03% of the overall monies. The monies are quite large in the millions, and we typically see checks coming in around \$5500,\$6000, \$3000 but that all adds up so that's what I am looking for a motion and a second.

RESOLUTION AUTHORIZING THE COUNTY CHAIRMAN OR COUNTY MANAGER TO EXECUTE A PARTICIPATION AND RELEASE FORM (RUBRIS) TO PARTICIPATE IN NATIONAL OPIOID LITIGATION PER ADVICE OF COUNSEL. Reusser, Tyler

WOOD: Any questions? Any concerns? All in favor. Thank you.

MANNING: We did a resolution last month authorizing the addition of six parcels in the county into the Essex County Agricultural District and the resolution did not contain our SEQRA determination so I'd like to amend this resolution to include the SEQRA determination, a short form environmental form was prepared, completed and it was determined there was no negative impact on the environment by the addition of these six pieces of property. So, I request a motion and second authorizing an amendment to resolution #41 of March 2, 2026, adding the SEQRA determination by this board of no detrimental environmental impacts.

RESOLUTION AUTHORIZING AN AMENDMENT TO RESOLUTION NO. 41 OF MARCH 2, 2026, AUTHORIZING THE ADDITION OF SIX PARCELS IN THE COUNTY OF ESSEX TO THE ESSEX COUNTY AGRICULTURAL DISTRICT, ADDING THE NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA) AND DETERMINING THAT THE PROJECT POSES NO SIGNIFICANT ENVIRONMENTAL IMPACT. Tyler, Wilson

WOOD: Any questions?

HUGHES: Who performed the SEQRA?

MANNING: Do you have that Judy?

GARRISON: It was performed by Cole Trager at Cornell Cooperative Extension and Anna Reynolds signed off on it as well.

HUGHES: Okay great, thank you.

WOOD: Anyone else? Any questions, concerns? All in favor.

MANNING: One more thing. So, you are aware there was a sub committee assigned the duty of establishing a policy relative to how taxes, real estate taxes of surplus money are handled and properties are requested by a land bank or a municipality to be taken from foreclosure auctions

and transferred to them also, third party transfers to land banks where there are taxes that are existing this policy applies to them. I think the end of December at the end of the year meeting we passed this resolution. The committee met Davina is the Chair and some slight modification were made to the committee policy basically clarifying so that the land bank and municipalities know that when you do transfers from a third party either by a deed or being it a foreclosure of a gift they are all by deed and there are outstanding taxes the policy applies to that whereby, lets say for sake of argument the land bank wants to receive by gift a piece of property from a third party, they should contact us ahead of time, provide us the information so that we can get them the tax information and then this committee would make a determination on how to handle those taxes. As you recall or may not recall, this policy is very flexible the handling of back taxes can run the gamut of and it all depends on the facts or situations, it can run the gamut of forgiving the taxes if you want to, not forgiving the taxes and making the land bank or municipality pay, splitting the burden of the taxes between the town and the land bank if that's the case, you could come up with of course the committee comes up with these, temporarily suspending the payment of taxes upon the sale of the property and at the sale of the property taxes will be paid by the land bank to the county so these are all considerations in this policy they were considerations that were in there when you first passed it. So, it's very flexible. We made some very small changes. We named the committee the Essex County Real Property Dispositioning committee and then just made a clarification on third party transfers which was in there, but we wanted to have it stand out so there will be no misunderstanding in the future as to how these things are handled. So, I would like a motion and a second approving the amendment of the policy dated December 31, 2025.

RESOLUTION APPROVING THE AMENDMENT TO THE POLICY FOR SALE OR TRANSFER OF REAL PROPERTY ACQUIRED THROUGH IN-REM DELINQUENT TAX FORECLOSURE PROCEEDINGS TO LAND BANKS AND MUNICIPALITIES IN ESSEX COUNTY DATED DECEMBER 31, 2025. Tyler, Menser

WOOD: Questions?

BRASSARD: Me and my colleague here to my right, we're missing page 2 and 4.

THURSTON: It was supposed to be double sided Dan.

MANNING: Yeah, I get it. Well, let's get this in the pipeline you'll see it at regular board I just wanted to get it in the pipeline. My apologies.

HUGHES: My question is I certainly understand our right and responsibility to write our own policies at the county I was just curious, has the land bank seen this?

MANNING: Yes.

HUGHES: And are they on board with what we're attempting to do here?

MANNING: Yes.

HUGHES: And it is not in spite of them.

MANNING: They don't have a real say.

HUGHES: I understand they don't.

THURSTON: They are aware. They were at the last committee meeting that we went through all of this. They pose no questions or concerns with this, and they understand because there's literally a million different scenarios you know, it's really up to the committee to meet and work out an appropriate way to disburse of the taxes if that were the case, so they are aware and even after the meeting no one reached out to me with any concerns.

HUGHES: Okay I appreciate that because I just wanted to make sure we continue to have that regional relationship even though I know we have a responsibility to do our due diligence.

THURSTON: Absolutely.

REUSSER: I wholly approve of the establishment of Essex County Real Property disposition. If you sat in that meeting it's very clear that there is so many different circumstances that come to the table varying levels of preparedness on parts of families and their disposition of properties and taxes being paid, things falling off the radar simply things like, a former owner goes to nursing home placement they maybe on a public Medicaid, long term Medicaid in a nursing home there's just so much to this that every time we face these things we really have to look at them as individual cases to protect the counties money one and to have the best disposition for real property to benefit the towns and the county as well so, the establishment of the committee I think will very well serve that purpose.

BARBER: Just that one time I know the discussions talked about the county and the towns were going to, I'm just a little concerned keeping all these different examples of opening and being fair amongst all the towns and at one time I thought we talked about where the county and the town would split that cost, the back taxes. I thought we had made that agreement at one time? Maybe I'm mistaken about that?

WOOD: I know it was talked about.

MANNING: We have been kind of pell-mell here on how we handle these things because there has been no policy. When the land bank was first started there were four properties were taken care of and tax issues were waived because the land bank was brand new and they wanted to get the land bank off the ground and there were some other properties that were dealt with a property in Jay that was split between the town and the county but there are – so that is in here that is a consideration that if a particular piece of property gets split between the county pays half of the tax and the town pays half the tax that is a consideration in here but it's not the only consideration regarding how those taxes are dealt. The reason is there is just so many scenarios and possibilities there's no way to pigeonhole this thing. I mean, you could, you could say one of two things nope, you've got to pay the taxes everybody or nope, we waive them but this gives you flexibility.

BARBER: I'm just bringing this point up because obviously myself, Mary you are on the landbank board now I just want to make this board aware when it comes time, to different places on being fair and remember the land bank doesn't usually have the money to purchase properties so I'm just making everybody aware of that, it's my understand.

MENSER: The other thing we talked about which is involved in this heavily is all of these situations are prior to the property going up for actual auction once the property is actually

auctioned whoever buys it has to pay whatever the bid was.

MANNING: Right.

MCNALLY: I've sat on this board for twelve years and we've handed out property like candy for years and years we've given to towns for all sorts of purposes but right now we actually have a plan to move forward with the land bank they restore these houses and get them back as where we are going to generate taxes. Most of these properties are small taxes are, I mean to benefit the whole community I think we should forgive the taxes.

MANNING: Well, it depends though.

MCNALLY: I think we should forgive them because the benefit is to get them on the roll. If the land bank takes a home and they owe \$6,000 we lose that \$6,000 but in the scheme of things the land bank get that, puts that \$6,000 where they didn't pay for taxes into the home it goes from a value of \$20,000 to \$200,000 for the next forty years we are ahead of the game so I mean, anything to the land bank I think we should just waive the taxes and that's my personal opinion.

REUSSER: Again, I'll say the benefit of the Essex County Real Property committee gives the opportunity for the best outcome in every given situation. I disagree with my colleague in terms of forgiveness because there would be no motivation in the heart of people to pay their taxes which they are obligated to do.

TYLER: I'll tell you a little more history about this too for 100 years this board had the policy of if it's not the county's fault then there's no forgiveness of any taxes so this is a step in a different direction we are going now having a little common sense involved about properties we can and can't do that to. It's good and bad but it is changes involved with board in the right direction I think.

MANNING: I just want to make one quick comment too not only does this address the taxes but it addresses how the surplus is handled with Tyler v. Hennepin if there's a surplus and it's not covered under the auction which it generally would be then, it's a surplus and say the land bank wants a piece of property, wants it taken out, hasn't gone through an auction then you've got to do an appraisal and come up with a surplus amount and if it's a dilapidated building and it's falling down then maybe no surplus, no sweat we can give it to the land bank and address the taxes. If there is a surplus then somebody has to pay that and in my opinion shouldn't be the county but again, every situation is different so that's why this policy exists and why it is made so flexible. I don't disagree with what the Chairman said but there are situations where you may not want to forgive the tax and if the land bank is coming to you every year they are asking for forgiveness on five pieces of property that amounts to \$35,000 or \$40,000 dollars you may say, fine do away with them you just took down five buildings that would have cost us \$350,000 to demolish so, these are all considerations you have to make. Now if they come and say, they want twenty of them and then poor Mike has to make good on the warrant on twenty of them, I don't see that happening but that's why but you can certainly do what you want.

MENSER: And the other thing is depending on the situation the taxes might not be a descent amount, but we recently looked at a piece of property where the back taxes were over \$85,000 so that's a lot of money to say, not pay them and just forget about it.

MCNALLY: I think and I'm just thinking a small group of properties right now I'm not sure what

the \$85,000 one is but we have two options too we can keep auctioning these off and no one buys them because they are in that poor of shape, we can do this for three or four years and we're going to lose that revenue for the next three or four years this is a chance if we can find a property that we can give to the landbank, waive the taxes to a certain amount I guess if you want it's going to benefit the county, it's going to benefit the towns, it's going to benefit the people that can't afford to live here. I think this is a good idea anything that doesn't win waive the taxes, get it back on the tax roll and get housing to the people that live in this community.

STANLEY: I don't sit on this committee but I did sit on the happily mentioned disposition committee, I think when we are looking at taxes and properties the county has made every single town whole for these taxes for years that's why the Town of Jay split taxes on a property because the town has already benefitted from money from the county tax and we should be sharing that tax at least back to the county. I don't think the land bank should be paying for taxes but I think our town should be sharing in that cost that the county has laid out all the money up front so if one gets bought from each town and they want these properties to be actually worked on in their town and it also helps pay back the county for essentially having loaned each one of us money for all these years those taxes were not paid.

MANNING: So, that's why the policy is flexible the committee makes a determination, brings it to you guys and you guys may say every single time forgive the tax or you may go another route depending on the facts and circumstances so you can certainly do that.

WOOD: Anyone else?

MASCARENAS: Yeah, if I could and I haven't weighed in on this I've been sitting here awfully quiet and being really good, but what I'll say is I really wholeheartedly agree with your plan as much as I may surprise some of you. I do think that any policy and plan that is too rigid is very difficult to manage and when you start to get into always and never you're not going to be in a position where you can make a decision based on circumstances at the time so, while Mr. Stanley is 100% right as your County Manager I feel like there should be shared skin in the game in terms of these taxes, I think everybody needs to understand where that money is coming from up front, who is paying the bill and all of that but I believe that committee will do that as they're assessing each decision independently at that point in time so I feel really good about what you've come up with. I think it gives you the opportunity to make a decision based on what's happening at that time frame so I'm good with it.

STANLEY: Can you just circle on the calendar that Mike thinks I'm right? (laughter)

WOOD: Anyone else? Questions or concerns?

THURSTON: So, as the Chair for that committee I just want to reiterate I'm okay with this policy. I do agree with the fact that the land bank what their work is and what they do for us is invaluable it really does help our residents and we want them to succeed in any way possible and this policy allows us to be flexible on every single parcel so that we can make the best decision for everyone moving forward.

REUSSER: We discussed this, I sat on that committee and whoever the committee is comprised of in terms of numbers, remains to be seen but I think to be reasonable, any town that is affected by this would be consulted as to what their desired outcome would be and seek input from that town so I think that is a reasonable thing to help decide.

THURSTON: Absolutely.

WOOD: Anyone else? All in favor, any opposed.

TYLER: I have something since we're talking about this I have a property in Westport and it went to the tax auction and the first person who bid on it declined, the second person declined the issue is the system doesn't show the third person who bid on it who is the neighbor near this house, they bid on it but it's not documented because it only goes back to one and two. The house is in very bad disrepair. The door was open on it a week or so ago, somebody could go in there and fall through the floor very easily and get hurt. The county owns it, it's going to be our responsibility. I would like to put this piece of property in the paper and have it sold sooner than later than wait until the next auction to remove this property, but we've done this in the past and I'd like to offer a resolution to remove this parcel on Main Street in Westport. It's the only parcel for sale in Westport.

RESOLUTION AUTHORIZING THE REMOVAL OF A PIECE OF PROPERTY ON MAIN STREET IN THE TOWN OF WESTPORT FROM THE TAX AUCTION AND PLACE AN ADVERTISEMENT FOR SALE IN THE LOCAL NEWSPAPERS. Tyler, Barber

WOOD: Any questions?

BRASSARD: I'm in a similar situation in Moriah with a piece of property, actually two properties in Moriah bought at the auction, first person didn't want them, the second person didn't want it they are both eyesores, significant liability one at the North end of town Mike knows about it. It might be worthwhile to put a few of these in the paper, or I think I talked to Mike Diskin and run an online auction. I don't know.

TYLER: That is what I am requesting just to throw it in the paper I don't want it in an online auction. Just throw it in the paper it's the easiest way and then we can resolve this a little quicker with no disagreements and get it done.

BARBER: So, the question that I have for both of you is the first bidder, did he put down some money?

BRASSARD: Yes on both properties. The one property this board decided not to sell to the guy that wanted it because of issues with code issues in the town. The other property the guy put money down at the auction and actually went and started to go through the place and decided it was better for him to lose his four thousand, five thousand dollars.

TYLER: Westport the same thing, the first bidder but down the money and decided he didn't want it. A lot of times these people as you know bid these properties and they've never been to them they don't know what they look like. This property needs to be torn down, it's starting to fall down over the bank into the river, it needs to be taken care of. The person bidding on it is the next-door neighbor and wants to tear it down.

MANNING: Okay just to back up, yes, in the past we have put pieces of property in the newspaper for sale 1136 of our PTL provides you can sell at auction, you can sell to third parties, you can sell to realtors, you can sell anyway the open market sells in county law section 215 because it's tax foreclosure proceedings there's a little laxity here. Now, with Tyler v. Hennepin case it throws a little bit of a monkey wrench into that kind of stuff. The one that we pulled in Moriah because we

found the bidder to be unacceptable with code violations you could have a Tyler v. Hennepin problem there because I would have to take a look to see if there was any surplus in that particular property. Okay if there weren't that's good. A second consideration is in response of how the State of New York enacted some changes to 1196/1197 real property tax law which deals with surplus as you know surplus at an auction great the auction price sets the surplus amount, we're not out any money but this wouldn't be an auction this would be a private sale and the law the 1196/1197 they only provide for auction or private sale outside of the auction so if this is going to be a private sale outside of the auction we are going to have to get an appraisal and then the private sale should at least meet the appraised value so that the surplus is protected. I can see an argument but saying an auction is an arm's length although that's usually part of the appraisement but that's how it goes and so is the real estate transaction it's on the open market, you have people buying for but so I would like at least by the next meeting we are going to have to have an appraisal done at the same time. Now if these places are in really poor shape that's great because your appraisal may come in like nothing then the taxes may be more than the place is worth after it's torn down. So, the motion is fine, but I will have to look into some specifics.

REUSSER: Dan, is there a place in this conversation for codes enforcement to condemn property because it's structurally compromised or however you want to say that?

THURSTON: Unsafe structure.

MANNING: Yeah, I don't think so. In this context no but in another context to get properties to the land bank yes you do your unsafe building and all that and then we have the age old question when you tear down a building and you send a bill for taxes in \$70,000 the county is going to make that money up so I always have to ask the board to be judicially the use of that because that just makes the county keep paying that warrant. If everybody puts thirty, forty, fifty thousand once a year times eighteen that stuff builds up in my mind I'd like to see I hate to say policy on that but you can do certain things none of which so yeah it's confidential but really as far as this is concerned having code violation law really doesn't make any different, having a appraisal allowed is the key.

TYLER: I can tell you the land bank looked at this property and they don't want anything to do with it. We asked them first if they wanted to do something with it and this property is, thank God there is somebody that wants to do something with it. It's not buildable anymore I don't think you can get a permit to build anything on this property the bank is deteriorating behind it and the street is in front of it I don't think there's enough room to build anything.

MANNING: So, another thing is when you do these things you have to notify the prior owner and so they will get a notification if there is surplus so just give me until next time to check.

MENSER: Before we advertise like already responded to you whether the land bank is interested in that one, but can we check to see if the land bank is interested in your properties before we advertise it?

BRASSARD: Yes.

TYLER: We are only doing Westport's today anyways. He can do his at another time. I'd like to move ahead with this. This place has been sitting there for years and years we keep talking about this stuff let's just move ahead and take care of this place before somebody gets hurt or cost us more money as we go down the line and I know Mr. Mascarenas would like the fact that something

is going back on the tax rolls rather than keeping the insurance and all this stuff up.

MANNING: I agree.

TYLER: It's a commonsense thing.

WOOD: So, you are going to bring more information?

MANNING: For regular board one week.

WOOD: Okay great. Anyone else have anything?

MANNING: Can we get a vote on this?

REUSSER: Can you restate the motion here.

MANNING: The motion is to place for advertisement to purchase in the newspapers the property in the Town of Westport on Main Street and the property located in the Town of Moriah that was pulled from the auction.

TYLER: No just Westport.

MANNING: Okay just Ike's.

GARRISON: We had a first and second on that.

REUSSER: Ike is probably not going to like this but in lieu of Mr. Manning's desire to bring more information to the table and we don't have an address for this I'd like to make a motion to table this discussion pending legal advice from Mr. Manning.

TYLER: He just stated that he could do that before we bring it to the full board.

WOOD: So, this is to move it forward.

MANNING: This is just to get it in the pipeline.

REUSSER: Okay I withdraw my motion.

WOOD: All in favor, any opposed. Anything else?

MANNING: I do not.

WOOD: Steve, do you have something?

MCNALLY: Just back to the auctions, there was a property in Minerva that the bid went up to \$5500 and then this gentlemen bid \$25,000 well, after the auction is over the guys says, oh I was bidding on the wrong property so it should go to the second bidder for \$5,500 the problem so the auction company called this gentlemen and they said it was going to be \$8,000 and he said to me why is it for \$8,000? I never bid on an auction, but what I understand is you can put a maximum bid you can bid up to a certain amount at the auction?

THURSTON: Online.

MCNALLY: Right so, what happened is this gentlemen said he will go up \$8,000 for the bid but he won the bid at \$5,500 so right now he's not going to pay \$8,000 because he was the second highest bid at \$5,500 so here's another property that could be sold today but it's not going to be sold because the auction won't sell it for \$5,500 which is the high bid because the guy said that he would go up \$8,000 I mean, things like this delay sales so it's going to sit there until the next auction.

MANNING: I don't know, you would have to speak to Mike Diskin about that.

MASCARENAS: If I could say, Ike's problem and your problem are very similar I think before the auction happens in November we need to really clarify the rules. The fact that if there's truth to that people say lots of things and what I've learned in life is the truth's in the middle but what I'll tell you this is we need to get those definitions because if we're only tracking too, come on, there's got to be a record of how those bids are flowing and how those are going during the auction process so if the first are not paying it should go to the third, it should go to the fourth this board ultimately decides whether they want to sell it in the end for the price allocated so to be taking our responsibility and pushing it to a vendor to make those decisions really cost us another year of taxes that we get to make whole on the warrant because we're not selling that property to the next highest bidder so while they are a little different circumstances the issue is the same in terms of Ike and Steve and it's really understanding the rules, how does that play out and us working with that long term.

MCNALLY: I'll get my info before I come back and I'll talk to Mike and the auction company if I have to before I come back again, this is unpaid taxes for another year.

MANNING: I think the taxes though, you do lose your down payment so that probably could cover —

MCNALLY: They never made a down payment.

MASCARENAS: Yeah, a lot of them are not making down payments on online bids we also found that out because they could put in a card that might accept but it might not be real a lot of people did that so that's not the case either.

MENSER: I'm under the impression that even though you put in a statement you are willing to go up to a certain amount, but he actually only bid \$5,500 and if it suddenly jumps from there to \$20,000 and he doesn't take it, the bid should be \$5,500.

MCNALLY: Well, that's what this gentlemen says too because he'll gladly pay \$5,500 but I think it's more of a principal thing because he does not want to make a payment of \$8,000.

MENSER: Right and I don't think he should have to.

BARBER: I don't know there's probably 10-12 properties that were sold in the Town of Chesterfield and I had probably six of them come to me this is after they put in a bid and then they get the tax bill of unlevied water payments, unlevied sewer payments anything else that was put on that property a lot of people aren't aware and as I said to them, because I had discussions with Dan about this. Most people aren't aware that they are getting that 2025 back tax bill on there

after they made a bid of whatever it was \$5,000 and then get another \$3,000 or \$4,000 because you have water and sewer added.

MANNING: Those are in the terms and conditions of the auction it is on the back of the brochure.

BARBER: And I'm aware of that I'm just saying there's a lot of people and that's why they are coming in and I don't know if that's the situation that went back to Steve and said, I don't want to pay \$8,000? I'm just saying, a lot of people aren't aware of that. It is something I've learned, and I've never been to a tax auction.

THURSTON: I agree with Clayton I mean, the fine print it is in the terms and conditions, but I think we somehow need to do a much better job of educating the bidder to those fees. We need to do a better job of that.

BARBER: I totally agree.

WOOD: That shouldn't be too hard, have a disclaimer.

THURSTON: I mean we should have a list in hand of the day of the bid that says each property what they owe in addition. I think that's my personal opinion.

BARBER: Yes, I think it would be, well, that's for us if we had it there at the auction and have that stated that be aware, you could get last year's tax bills with added fees of water and sewer in they are in the hamlet.

THURSTON: And it's not could, will. Will get. So, I think what Clayton is bringing up here is really, really critical and important because I think that it's leaving a very bad taste in people's mouths when they come to the Essex County bid auctions and then like he said, they pay \$5,000 now they've got another \$3,000 and we can't allow that to happen. We don't want people to say, don't bid on Essex County because you have no idea what you're going to end up paying. We don't want them to do that.

REUSSER: There is a saying for anyone that attends auctions, buyer beware. You are to do your due diligence before any kind of purchase whether it's antique piece of furniture or piece of property.

WOOD: It is a tax sale.

STANLEY: Once again, I'm not on this committee but where this actually really had a lot of taxes owed in this tax sale was because the foreclosure happened, the sale was suppose to happen in November, December then it rolled over past January 1st and then those bills got releived onto those properties now, had this been done in November or December they would have paid for the property then they would have owed those taxes January 1st or January 31st.

MASCARENAS: Right so it's a timing issue.

STANLEY: It was.

CLARK: I'm not on this committee but through my years my partner and myself have bought thousands of acres at auctions, and you have to be aware of what your final payment is going to

be that's your responsibility not anybody else's to guide you through that. If you're not, you're foolish.

WOOD: Anyone else? Anything else to come before this committee?

BARBER: So, Dan, I called Mike Diskin on Friday a piece of property in the Town of Chesterfield that went back to the first person living there in fact he was due to go to court for unsafe building structure because he has a lot of clutter on the property and so the property was sold and the owner was actually going back to that house going into the house in fact over the weekend. I had called the State Troopers and said, he doesn't own that property we sold that at the Essex County thing, so the State Troopers went up there, come to find out they turned around and called me Friday evening and said, he never received a letter saying that property sold. He had just as much right to be there as and there is nothing that they can do. They let him stay.

MANNING: I agree with that. If I was a Trooper and I didn't know what the hell was going on I would say the same thing. We can check to see whether we sent the letter. We have a process. We very, very meticulously document those things. We send out mailings by certified mail rate, and we usually have a certified receipt signed if it was and if in regular mail it does not come back the law resumes it was received regular mail. We also notify the owner of back taxes so that will all come out Clayton. The Troopers are not going to get involved in a civil matter generally so if you've got this guy says this and this guy says that they are not going to jump on that.

BARBER: So, do you document that that letter was sent?

MANNING: Yes we do. We have a file on everybody. We do a tax research so we determine who owns the property, all the lien owners are notified, all the judgement owners are notified, we send out mailings to them and then we get the proof back so if you call Mike and ask him or tell him which piece of property he can pull that file and show you. Now, the chance could be maybe we didn't notify him, but we haven't had that happen yet. I have two actions pending where people say they never got notified but we have proof that they were notified so one is a very expensive piece of property that the bank fell asleep on signed for they didn't pay attention to taxes, didn't pay the taxes for five years began a foreclosure action of their own which is just stupid but it happens. So, my point is, ask Mike he can find out.

BARBER: Okay. So, the State Trooper just said, there's no documentation. I don't know where he looked.

MANNING: Yeah, he's not going to get involved.

WOOD: Anyone else? Before you, we are adjourned.

As there was no further discussion to come before this Personnel and Administration committee meeting it was adjourned at 11:00 a.m.

Respectfully submitted,

Judith Garrison, Clerk
Board of Supervisors