

The minutes of the Board of Assessment Review of the Village of Haverstraw Board of Trustees on Tuesday, February 20<sup>th</sup>, 2018, beginning at 4:00 PM.

ROLL CALL	Trustee Bueno	- Present
	Trustee Watson	- Present
	Trustee Dominguez	- Present
	Trustee Santana	- Present
	Mayor Kohut	- Present
	Village Assessor Edye McCarthy	- Present

Mayor Kohut: The Mayor opened the Board of Assessment Review Meeting announcing that any petitions received between 4:00 PM and 8:00 PM that evening would be evaluated along with any grievances that had been filed prior to the meeting. He then invited the Village Assessor to present the petitions she has received.

Edye McCarthy, Village Assessor: Ms. McCarthy received 55 grievance petitions, announcing that any additional petitions received by 8:00 PM will be honored and anything received after 8:00 PM will be discarded. She mentioned that approximately 15 petitions were residential and the rest commercial. She also informed the Board that she sent out questionnaires to all petitioners who requested applications, but to date she has not received many back. She then informed the Board that New York State will be auditing all Assessor's offices in the State this year and to be in compliance she has to be very strict when it comes to the review process. Ms. McCarthy presented a list of Grievance Applications to the Board and spoke about the following petitions:

Terrace on the Hudson Restaurant: Ms. McCarthy brought this property up to nearly full market value this year, but she will review it again next year.

Haverstraw Place: The owners were asking for a new arrangement because they are selling to a "not-for-profit" operation. Ms. McCarthy mentioned that she has had several conversations with the contract vendee at which time they also discussed Haverstraw Place being substituted in when they purchased the property as part of a Pilot Program. She also mentioned that when a "Pilot Agreement" is involved negotiations can only be made through the County, not the local governing agency and with a Pilot Agreement you may not be able to file a grievance, it depends on the wording in the Agreement. She then informed the Board that the petition they presented was for the 2016-2017 tax year, which is irrelevant at this point because it was capped on the prior numbers.

With no-one awaiting an assessment review, this meeting was put on HOLD, while the Board went into workshop.

The Board of Assessment Review Meeting continued at this point.

93 A,B&C Maple Avenue - Tax Lot #27.54-1-76,77&78: Maureen McNamara and property owner Daniel O'Kane - At this time, Trustee Watson recused himself as he is an employee of Mr. O'Kane. Ms. McNamara spoke at great length about the property and the contamination thereof before Mr. O'Kane bought the property, which consists of a house, a warehouse and a vacant piece of land. She explained that many years prior to Mr. O'Kane purchasing the property there was a gas manufacturing plant on that property which caused the contamination. She then reported that the Department of Environmental Conservation (DEC) eventually served Orange & Rockland (O&R) with a Remediation Order to remediate the property, taking care of the contamination

as well as any and all complications resulting from same. Mr. O'Kane was forced to move out and rent elsewhere while all the remediation took place on this property, which took much longer than the 1 or 2 years O&R had predicted. He was told he could move back into this property in 2016, but due to a concern that the contamination could seep up through the property, he was asked to sign an agreement with O&R for them to be allowed to continue visiting this property on a regular basis to do vapor testing, which would take 2 or 3 days each time, therefore, he did not move back in. The properties have remained vacant since 2003, except for a month or so recently when his daughter moved into the house because she was out of work. O&R has continued their testing on this site and have had control of the property since it was originally vacated. Mr. O'Kane never received anything from DEC or O&R saying that the property was safe for human habitat. He informed the Board that O&R paid his rent up until 2 years ago, but in the meantime he has continually been paying his mortgage and taxes. Due to the environmental problems no bank would extend another loan to Mr. O'Kane and he would not be able to sell the property with these issues being a factor. They currently have a legal action in progress against O&R, and the DEC will not allow the property to be transferred without Deed restrictions. The Mayor informed Mr. O'Kane that the Board would discuss this matter with the Assessor, perform its review and render a final decision by April 1<sup>st</sup>, at which time Mr. O'Kane would be notified of the Board's decision.

With no individuals awaiting review, this meeting was put on HOLD.

The Board of Assessment Review Meeting continued at this point.

140 Route 9W, Haverstraw, New York: Richard Sarajian, Law Firm of Montalbano, Condon & Frank, 67 North Main Street, New City, NY - Mr. Sarajian was there to grieve property for the owner, known as Haverstraw Place AIA, LLC. He mentioned that the property was purchased for \$5.8M and is assessed at over \$10M. He mentioned that the Town of Haverstraw has this property assessed at \$6M. If the owner wants to sell the property, with this over assessment, they more than likely will have a problem. With the property already being exempt on the tax roll, they are basically requesting the Board to reduce the Assessed Value down to the purchase price of the property. The Mayor mentioned that they had discussions the previous year with the owners and they never raised the issue of the Village assessment. Mr. Sarajian checked the tax roll on the Website and found that the property was exempt, but did notice the high assessment value and informed his clients of that, explaining that it may create a problem if they decide to sell. This property was originally purchased as part of a Pilot Program. The Mayor explained that decisions on grievances must be made by April 1<sup>st</sup>. He suggested to Mr. Sarajian that he and the property owner speak with Ms. McCarthy to settle the confusion regarding the exempt status.

Mayor Kohut adjourned the Board of Assessment Review meeting at 8:00 PM.

Respectfully submitted by,

Beverly A. Swift, Senior Steno Clerk