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Otsego County Board Meeting November 5, 2014

Ladies and Gentlemen of the Board:

My name is Robert Force and I am here with my wife, Donna. We stand before you to plead for this board to accept our back tax monies that are owed to Otsego County.

We have owned our property in the Butternuts, since 1986. My wife and I have worked extremely hard to own, maintain and hopefully retire on our property. We have paid our taxes in the past on time for all these years of ownership except for the past few years.

In 2012 our taxes were paid in full and we were told by the County Treasures' office to pay 2012 instead of paying 2011 which was due. We did not understand this but paid our 2012 taxes as directed by their office. The 2011 non-payment of taxes is what triggered the foreclosure and auction of our property.

To understand what was going on and to get resolution I spoke to Otsego county treasurer Dan Crowell on July 15, 2014 at 1:30pm and stated that I wanted to pay all of my back taxes owed to the county of Otsego. He stated that I missed the June 30, 2014 deadline and that my property would be sold at Public Auction on August 20, 2014.

This 15 day miss was a mistake on my wife's part, she pays the bills, and she thought that we had until July 30, 2014. When

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An example of the discretion allowed by the County Treasurer's office was reported in the Oneonta Daily Star on July 17, 2013. An owner of a property in the Town of Butternuts, who ~~had~~ ^{OWED} back taxes and was slated for auction, was allowed to fly from London England and allowed to pay \$52,000 of back taxes then the property was taken off the auction block by the County Treasurer.

When Mr. Crowell was asked about this article he stated that he was deployed in 2013 and that it was up to the discretion of the acting County Treasurer and he was not responsible for the decision. This decision and discretion was considered lawful. My wife and I were not given any such discretion or allowance.

Members of the Board – We were willing to pay our taxes, in full, on July 15, 2014 when there was only three years of back taxes due. Mr. Crowell made, in our opinion, an unjust and inconsistent decision again us and put our property up for auction when he clearly had a choice to accept our payment.

I am here today to ask you to grant us the opportunity, which was denied by Mr. Crowell, to pay our taxes and continue to own our property that we have owned for nearly 30 years.

I HOPE BY THE GRACE OF ^{GOD} THAT YOU
FIND COMPASSION IN ^{YOUR} HEARTS TO LET US
KEEP OUR PROPERTY

THANK YOU FOR YOUR TIME AND
PLEASE APPROACH MY WIFE AND I AFTER
THIS MEETING SO THAT WE CAN
RESOLVE THIS MATTER.

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speaking to Mr. Crowell I shared with him that my wife has had MS for 17 years and in the last few years there has been memory and judgment impacts that are becoming more evident. I also shared with him that I was facing health issues in the past three years and I was recovering from a full knee replacement. The 15 days were an honest error and his reaction was one of indifference to our situation and my family's dilemma.

I am a Navy Veteran with 18 years of service and am currently serving with the 106th Combat Rescue Wing of the Air National Guard.

I feel that this situation is unjust. A property worth \$268,000 with no mortgage is sold at auction when I am will^{ing} and able to pay my back taxes ... (~~something else was on the fax and I could not read it~~)

In an effort to understand the county Treasurer's position a friend of our family contacted a local village official who called Mr. Crowell on July 16, 2104 and talked to him about the Otsego County foreclosure procedures.

Our local Village official made an inquiry about a local farm that was having problems paying their taxes. They asked Mr. Crowell how long would it take before the County would foreclose on the property and when do they put the property up for auction.

Mr. Crowell stated that he does not like to foreclose on properties and communicated that the County sends certified letters first. Then it usually takes five years of unpaid taxes before they foreclose on a property.

CHECK OUT MY COMMENTS ONLINE.
 SOMEONE HAD A GENERAL CALL MY BASE 3 HOURS
 AFTER I MADE MY COMMENTS STATING I SHOULD HAVE
Homeowners facing tax auction blast county

By Joe Mahoney Staff Writer | Posted: Thursday, November 6, 2014 6:15 am *NOT WORN MY UNIFORM,*

COOPERSTOWN — The director of Otsego County's veterans services agency urged the county's Board of Representatives on Wednesday to nullify the auction of tax-delinquent properties in three cases where the owners are willing to pay their back taxes in full.

Jack Henson, a Vietnam combat veteran who served with the U.S. Marine Corps and was appointed to his job by the board, stated: "There is something seriously wrong here, and I don't hear you standing up for these people."

Henson also said he has no sympathy for those who fail to pay their taxes on time, saying they should appropriately penalized. But he argued that not even the Internal Revenue Service seeks a financial windfall by confiscating the entire real estate equity from tax deadbeats, instead opting to garner only what is due in taxes and penalties.

Members of the board did not immediately react to his statement.

The sales of three properties at the county tax auction in August are now the subject of litigation, with the owners contending the sales were inappropriate because, they assert, they never received proper advance warning.

County Treasurer Dan Crowell has said that the required notices were sent, and that there are documents showing the owners in question signed certified-mail receipts for them.

Henson spoke after Robert Force, an 18-year Navy veteran and now an Air National Guard member, urged the board to nullify the tax sale of his Butternuts property, which he said is valued at \$268,000.



Homeowners facing tax auction blast county

Wearing his Air Force uniform, Force, a Patchogue resident who said he had hoped to have the Butternuts property as his retirement home, said his situation differed from many others in the tax sale, as he had paid his 2012 taxes in full, as directed by the treasurer's office.

Force said his wife, Donna, who has health problems, mistakenly thought she had until July 30 to pay the back taxes. When the county's deadline was missed, Force said he approached Crowell and noted that The Daily Star had reported in 2013 that a delinquent property owner living in London was allowed to come in after the deadline and get her property out of that year's auction by paying \$52,000 in back taxes.

Force said Crowell pointed out he was on military deployment at the time and the acting treasurer then, Russell Bachman, had the discretion to accept the late payment.

Crowell offered a different account when interviewed later Wednesday, saying Bachman only accepted that payment because it was determined that the property owner in question never received the notifications that the county was planning to take title to the property.

"I'm sympathetic to them, too, but they're asking to be treated as exceptions," said Crowell. "You can't make exceptions for them (those bringing the litigation) and then hold others to the standard."

Crowell has said in interviews that he believes accepting late payment would discourage potential buyers from attending the annual tax auctions, because they would be disappointed to learn that properties had been taken out of the sale catalog.

Also making an emotional appeal to the board was Maria Ajello of Richfield, a staffer in the county Department of Social Services. She also filed a lawsuit against the county after her tax-delinquent home, valued at \$153,000, sold at auction for \$75,000. The widow remains living in the house left to her by her late husband, also a Vietnam-era veteran.

Carrying the U.S. flag given to her by the federal government after her husband died several years ago, Ajello also said she was willing to pay the back taxes in full now.

"The carnival atmosphere (at the auction) was a disgrace," said Ajello, and bidders were never advised that court proceedings had been initiated in connection with the dispute.

County officials, at the request of Rep. Betty Ann Schwerd, R-Burlington, discussed the litigation involving the auction sales in a closed-door meeting. But no decisions were made, officials said.