

RESOLUTION 49 of 2018

At a regular meeting of the Town Board of the Town of Clinton, held at Town of Clinton Town Hall, 1215 Center Road, Rhinebeck, New York, on the 11th day of October, 2018, at 7:00 p.m.,

Town Supervisor, Raymon Oberly called the meeting to order, and upon roll call, the following were present:

SUPERVISOR RAY OBERLY

COUNCILMAN ELIOT WERNER

COUNCILMAN MICHAEL WHITTON

COUNCILMAN DEAN MICHAEL

COUNCILWOMAN NANCY CUNNINGHAM

Councilman Michael moved the following resolution, seconded by Councilwoman Cunningham to wit:

WHEREAS, Renata Coleman, the petitioner in a Tax Certiorari proceedings brought pursuant to Article 7 of the New York Real Property Tax Law in 2015, 2016 and 2017, against the Town of Clinton, the Assessor for the Town of Clinton and the Town of Clinton Board of Assessment Review seeking reduction of the assessment of the following properties located in the Town of Clinton designated by tax identification

numbers 6367-00-804176-0000 (745 Hollow Road), 6367-00-804176-0001 (Hollow Road) and 6366-00-769982-0000 (Hollow Road).

WHEREAS, the attorneys for petitioner, Corbally, Gartland and Rappleyea, LLP, by Karen E. Hagstrom, Esq., and the attorneys for the Town of Clinton, Cappillino & Rothschild, LLP by Shane J. Egan, Esq. have entered into a tentative settlement agreement of the Tax Certiorari Proceedings, subject to approval by the Town of Clinton Town Board, whereby the assessed value of the properties would be reduced for the years 2015, 2016 and 2017 as indicated in Schedule “A” which is attached hereto and made a part hereof.

WHEREAS, the proposed Stipulation containing the terms referred to above are attached hereto, and

WHEREAS, the Town Assessor for the Town of Clinton has reviewed and consented to the terms of this settlement, and

WHEREAS, the Dutchess County Attorney’s Office during their review of the proposed settlement, found a typographical error on Schedule “A” which was attached to the Stipulation approved by the Town Board at its July meeting, while said typo will have no effect on the settlement assessment, the County Attorney required that said Schedule “A” be corrected, and

WHEREAS, the Town Board of the Town of Clinton must now approve the settlement again with the corrected Schedule “A” attached to the stipulation by resolution, and

WHEREAS, the Town Board of the Town of Clinton now wishes to approve said settlement.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Clinton hereby authorizes the attorneys for the Town of Clinton, Cappillino & Rothschild, LLP, to enter into a Stipulation with the attorneys for petitioner, Corbally, Gartland and Rappleyea, LLP, by Karen E. Hagstrom, Esq., the terms of which are set forth in the attached Amended Stipulation and hereby authorizes the attorneys for the Town of Clinton, Cappillino & Rothschild, LLP to sign said Amended Stipulation on behalf of the Town of Clinton.

Upon Roll Call the vote was as follows:

Raymon Oberly, Town Supervisor voting	AYE
Dean Michael, Councilman voting	AYE
Eliot Werner, Councilman voting	AYE
Nancy Cunningham, Councilwoman voting	AYE
Michael Whitton, Councilman voting	AYE

The resolution was thereupon declared duly adopted.

IN WITNESS WHEREOF, I affix the seal of the Town of Clinton as the Clerk thereof, this 11th day of October, 2018.

TOWN OF CLINTON, NEW YORK

By: Carol-Jean Mackin, Town Clerk