

RESOLUTION 42 of 2023

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 12th day of September, 2023, at 6:30 p.m.,

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

Supervisor Whitton

Councilwoman Mustello

Councilman Michael

Councilman Werner

Councilman Juliano

Supervisor Whitton moved the following resolution, seconded by Councilperson Juliano, to wit:

WHEREAS, Louie Fields LLC, petitioner in Tax Certiorari Proceedings brought in 2022 and 2023 pursuant to Article 7 of the New York Real Property Tax Law, 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 132400-6566-00-412985-0000 (689 Schultzville Rd.) and 132400-6567-00-300289-0000 (Schultzville Rd.), and

WHEREAS, the attorney for the petitioner, Corbally Gartland & Rappleyea, LLP, Allan B. Rappleyea Esq., and the attorney for the Town of Clinton, Cappillino, Rothschild & Egan LLP, Shane J. Egan, Esq., have entered into a tentative settlement agreement of the Tax Certiorari Proceedings, subject to approval by the Town Board, whereby the assessed value of the properties would be reduced in accordance with the proposed Consent Judgment, which is annexed hereto and made a part hereof, as follows:

TAX ID # 132400-6566-00-412985-0000					
<u>Assessment Roll</u>	<u>Original Assessment</u>	<u>Settled Assessment</u>	<u>Final Taxable AV</u>	<u>Original AG Exemption</u>	<u>Settled AG Exemption</u>
2022	2,861,000	2,711,000	2,039,380	708,781	671,620
2023	3,118,000	2,968,000	2,224,546	792,314	743,454

TAX ID # 132400-6567-00-300289-0000					
<u>Assessment Roll</u>	<u>Original Assessment</u>	<u>Settled Assessment</u>	<u>Final Taxable AV</u>	<u>Original AG Exemption</u>	<u>Settled AG Exemption</u>
2022	207,600	200,000	105,372	100,078	94,628
2023	228,400	200,000	110,122	116,128	89,878

WHEREAS, the proposed Consent Judgment containing the complete terms of the settlement is attached hereto and made a part hereof, and

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

WHEREAS, the Town Board must approve said settlement by resolution, and

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

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Clinton hereby authorizes the attorney for the Town of Clinton, Cappillino, Rothschild & Egan LLP, Shane J. Egan, Esq., to enter into a settlement agreement with the attorney for petitioner, Corbally Gartland & Rappleyea, LLP, Allan B. Rappleyea Esq., the terms of which are set forth in the attached Consent Judgment and hereby authorizes the attorney for the Town of Clinton, Cappillino,

Rothschild & Egan LLP, Shane J. Egan, Esq., to sign said Consent Judgment on behalf of the Town of Clinton.

Upon Roll Call the vote was as follows:

Michael Whitton, Town Supervisor voting AYE

Eliot Werner, Councilman voting AYE

Dean Michael, Councilman voting AYE

Christopher Juliano, Councilman voting AYE

Katherine Mustello, Councilwoman 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 12th day of September, 2023.

TOWN OF CLINTON, NEW YORK



By: Carol -Jean Mackin, Town Clerk