

RESOLUTION 45 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 10th day of October, 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

Deputy Supervisor Werner

Councilman Juliano

Councilman Michael

Councilwoman Mustello

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

WHEREAS, Chick Realty Co. and Bulls Head Family Farm, LLC, petitioners in a Tax Certiorari Proceeding 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 132400-6469-00-649105-0000 (803 Pumpkin Lane) and 132400-6469-00-647411-0000 (Bulls Head Road), and

WHEREAS, the attorney for petitioners, Stenger, Diamond & Glass, LLP, Karen E. Hagstrom, 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 Proceeding, subject to approval by the Town Board, whereby the assessed value of the property would be reduced in accordance with the proposed Consent Judgment, which is annexed hereto and made a part hereof, as follows:

DESCRIPTION (Tax Map No.): 132400-6469-00-649105-0000 (803 Pumpkin Lane) OWNER: CHIK REALTY LLC

<u>Assessment Roll</u>	<u>Original Assessment</u>	<u>Settlement Assessment</u>	<u>Amount of Reduction</u>
2022	\$755,000	\$630,000	\$125,000
2023	\$755,000	\$685,000	\$70,000

DESCRIPTION (Tax Map No.): 132400-6469-00-647411-0000 (Bulls Head Road) OWNER: BULLS HEAD FAMILY FARM LLC

<u>Assessment Roll</u>	<u>Original Assessment</u>	<u>Settlement Assessment</u>	<u>Amount of Reduction</u>
2022	\$313,200	\$270,000	\$43,200
2023	\$344,200	\$295,000	\$49,200

WHEREAS, the proposed Consent Judgment containing the terms referred to above is 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 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 petitioners, Stenger, Diamond & Glass, LLP, Karen E. Hagstrom, 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 10th day of October, 2023.

TOWN OF CLINTON, NEW YORK



By: Carol-Jean Mackin, Town Clerk