

PRESENT: HON. JAMES V. BRANDS, J.H.O.

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF DUTCHESS

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In the Matter of the Application of
RONALD L. COHEN and DONNA S. KRAMER,

CONSENT JUDGMENT

Petitioners,

Index Nos.: 2024-53297
2025-53660

- against -

TOWN OF CLINTON, a Municipal
Corporation, its ASSESSOR and its
BOARD OF ASSESSMENT REVIEW,

Assigned Justice:
Hon. James V. Brands, JHO

Respondents.

For Review of the Assessment of Certain Real
Property under Article 7 of the Real Property
Tax Law.

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Petitioners having served and filed Notices of Petition and Petitions to review the assessment and exemption denials made by the Town of Clinton, Respondents ("Town") for the assessment years 2024 and 2025 upon certain real property located in the Town of Clinton and designated as Parcel Tax Identification Number 132400-6267-00-940330 (1 West Meadowbrook Lane) on the tax maps and assessment rolls of the Town, (the "Subject Property");

AND, the issues in the 2024 and 2025 proceedings having duly come before an IAS Term of this Court, and the Petitioners having appeared by Allan B. Rappleyea, Esq. of Corbally, Gartland and Rappleyea, LLP, and the Town having appeared by Shane J. Egan, Esq. of Cappillino, Rothschild & Egan LLP, and the parties having made their settlement; it is hereby

ORDERED, that the assessments on the Subject Property referred to herein, be and the same are hereby reduced, corrected, and fixed for the 2024 and 2025 assessment rolls as provided for in Schedule A which is attached hereto and made a part hereof; and it is further

ORDERED, that there shall be audited, allowed and paid to the Petitioners by the Town or the Dutchess County Commissioner of Finance for the Subject Property, the amount of Special District taxes paid by the Petitioners as taxes against the said erroneous assessment in excess of what the taxes would have been had the said assessment made in the aforesaid year been determined by this Order, together with interest thereon from the date of payment thereof as provided by statute, provided, however, notwithstanding any other provision herein to the contrary, interest shall be waived in the event that payment is made within sixty (60) days from the date of service of this Order with Notice of Entry; and it is further

ORDERED AND DIRECTED, that the Commissioner of Finance of the County of Dutchess, State of New York, be and is hereby directed and authorized to audit, allow and pay to the Petitioners for the Subject Property, the amount of County and County Special taxes paid by the Petitioners as taxes against the erroneous assessment in excess of what the taxes would have been had the assessment been determined by this Order, together with interest thereon from the date of payment thereof as provided by statute, provided, however, notwithstanding any other provision herein to the contrary, interest shall be waived in the event that payment is made within sixty (60) days from the date of service of this Order with Notice of Entry; and it is further

ORDERED AND DIRECTED, that there shall be audited, allowed and paid to the Petitioners by the Hyde Park Central School District for the Subject Property, the amount of school taxes, and library taxes if applicable, paid by the Petitioners as taxes against the said erroneous assessment in excess of what the taxes would have been had the said assessment made

in the aforesaid year been determined by this Order, together with the interest from the date of payment thereof as provided by the statute, provided, however, notwithstanding any other provision herein to the contrary, interest shall be waived in the event that payment is made within sixty (60) days from the date of service of this Order with Notice of Entry; and it is further

ORDERED AND DIRECTED, that the Fire District or the Dutchess County Commissioner of Finance, County of Dutchess, State of New York, be and is hereby directed and authorized to audit, allow and pay to the Petitioners where applicable for the Subject Property, the amounts, if any, of County taxes and ad valorem Special District Taxes, if any, paid by the Petitioners as taxes against the erroneous assessment in excess of what the taxes would have been if said assessment made in the aforesaid year had been as determined by this Order, with interest pursuant to the 726 of the Real Property Tax Law of the State of New York, from the date of payment, provided, however, notwithstanding any other provision herein to the contrary, interest shall be waived in the event that payment is made within sixty (60) days from the date of service of this Order with Notice of Entry; and it is further

ORDERED, that unless paid within sixty (60) days from service of this Order and of the Audit and Demand for payment all tax refunds are to be made with statutory interest from the date the taxes indicated herein were paid, pursuant to Section 726 of the Real Property Tax Law of the State of New York, interest, and it is further,

ORDERED, that this Order hereby constitutes and represents full settlement of the tax review proceedings herein, and there are no costs or allowances awarded to, by above-entitled proceedings be and the same are settled and discontinued, and it is further

ORDERED, that this Order may be executed and delivered by exchange of facsimile signatures of the parties, or by exchange by e-mail of signed copies bearing the signatures of the parties. The facsimile or e-mail signatures shall be the same as original signatures in all respects, including, but not limited to, being admissible in evidence in any court, and it is further

ORDERED, that this Order may be executed in counterparts.

Signing and entry of the within
Order is hereby consented to:

By: _____

Shane J. Egan, Esq.
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By: _____


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Dated: _____

Poughkeepsie, New York

SO ORDERED

HON. JAMES V. BRANDS, J.H.O.