



TOWN OF AMENIA
TOWN BOARD

4988 Route 22, AMENIA, NY 12501
(845) 373-8860 www.ameniany.gov

Resolution No. 25 of 2021

RE: RESOLUTION AUTHORIZING AMENDED CONSENT JUDGMENT FOR THE SETTLEMENT OF THE TAX CERTIORARI PROCEEDING REGARDING HEATHCOTE FARM LLC

WHEREAS, there is now pending in the Dutchess County Supreme Court a tax certiorari proceeding commenced in 2020 by Heathcote Farm LLC, regarding property located on Smithfield Valley Road, Tax Map No. 6968-00-690809-0000, seeking a reduction in the 2020 assessment for the respective tax roll; and

WHEREAS, the Town Assessor and the Attorney to the Town recommended a settlement on this tax review proceeding.

WHEREAS, by Resolution No. 52 of 2020, the Town Board of the Town of Amenia authorized and approved a settlement on behalf of the Town of Amenia for the tax review proceeding for the year 2020, as it pertains to the parcel identified as Tax Map No. 6968-00-690809-0000, as follows:

<u>Year of Assessment</u>	<u>Original Total Assessment</u>	<u>Revised Total Assessment</u>	<u>Reduction</u>
2020	1,350,000	975,000	375,000

WHEREAS, a proposed Consent Judgment reflecting the terms of the settlement was provided to the Dutchess County Finance Department (“DCFD”) for approval prior to being entered as a final Judgment; and

WHEREAS, DCFD requested certain amendments, in particular the inclusion of the agricultural and forest land tax exemptions to be included in the taxable assessed value of the property, to approve the Consent Judgment; and

WHEREAS, an Amended Consent Judgment was prepared by the petitioner reflecting the amendments made by DCFD.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Amenia hereby approves the Amended Consent Judgment, as annexed hereto, for the settlement of the tax review proceeding for the year 2020, on behalf of the Town of Amenia, as it pertains to the parcel identified as Tax Map No. 6968-00-690809-0000, as follows:

<u>Year of Assessment</u>	<u>Original Assessment</u>	<u>Original Taxable AV</u>	<u>Settlement Assessment</u>	<u>Settlement Taxable AV</u>	<u>Final Taxable AV</u>
2020	1,350,000	274,983	975,000	203,266	203,266

and it be further,

RESOLVED, that the Town Supervisor, Town Assessor, and Ian C. Lindars of Stenger, Diamond & Glass, LLP, Attorneys to the Town of Amenia, are hereby authorized to take all actions necessary and appropriate to effectuate the terms of this Resolution.

Motioned By: Somogyi; Seconded By: Doyle

The foregoing resolution was voted upon with all councilwomen/councilmen voting as follows:

Supervisor Perotti	Aye
Councilwoman Doyle	Aye
Councilman Gutierrez	Aye
Councilman Morris	Aye
Councilwoman Somogyi	Aye

Dated: Amenia, New York
April 1, 2021


DAWN MARIE KLINGNER, TOWN CLERK