

TOWN OF AMSTERDAM TOWN BOARD

JUDICIAL TAX GRIEVANCE SETTLEMENT RESOLUTION

The monthly meeting of Town of Amsterdam Town Board was convened in public session at the office of the town located at 283 Manny's Corners Road, Amsterdam, New York on February 20, 2012, at 7:00 p.m., local time.

The following resolution was offered by _____ and seconded by _____, to wit

WHEREAS, by tax grievance action entitled *RBS Citizens, N.A. v. TOWN OF AMSTERDAM, et al.*, Index #2012-579, petitioner sought a reduction of the real property tax assessment of their Citizens Bank building located at 4883 State Route 30, Town of Amsterdam, County of Montgomery, State of New York (S.B.L.: 24.20-1-19); and,

WHEREAS, after a review of all relevant documentation, including appraisals, and discussion with the Town of Amsterdam Elected Assessors and attorney for the Greater Amsterdam School District, and in the interest of judicial economy as well as the time, expense and vagaries of litigation, the parties have agreed to resolve the issues herein by judicial settlement; and,

RESOLVED, that the Town of Amsterdam Town Board will settle this matter upon the terms contained within the court documents appended hereto and made a part of this resolution to wit; and,

RESOLVED, that the Town of Amsterdam Town Board hereby agrees to lower the Assessed Valuation from Seventh One Thousand Two Hundred Forty Dollars (\$71,240.00) to Fifty Five Thousand Dollars (\$55,000.00), which results in a reduction of Sixteen Thousand Two Hundred Forty Dollars (\$16,240.00) of Assessed Valuation with no refunds being due petitioner; and,

RESOLVED, that the Town of Amsterdam Town Attorney is authorized to sign any and all documents in furtherance of this judicial settlement.

RESOLVED, that this judicial settlement is conditioned upon acceptance by the members of the Greater Amsterdam School District School Board of Education.

A roll call vote was taken on the Resolution as follows:

Supervisor Thomas P. DiMezza:	_____
Town Board person Alexander Kuchis:	_____
Town Board person Terry Bieniek:	_____
Town Board person Bart Tessiero:	_____
Town Board person Kenneth J. Krutz:	_____

Resolution was adopted at a meeting of the Town Board of the Town of Amsterdam duly conducted on February 20, 2013.

Dated: February 20, 2013

Thomas P. DiMezza
Town of Amsterdam Supervisor



Our File #200-488

SUPREME COURT STATE OF NEW YORK
COUNTY OF MONTGOMERY

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STIPULATION OF SETTLEMENT

In the Matter of the Application of:

RBS CITIZENS, N.A.

Petitioner,

-against-

Index #

Tax Year

2012-579

2012/13

THE ASSESSOR, THE BOARD OF ASSESSORS AND
THE BOARD OF ASSESSMENT REVIEW OF THE TOWN
OF AMSTERDAM AND THE TOWN OF AMSTERDAM

Respondents.

For Review of a Tax Assessment Under
Article 7 of the Real Property Tax Law.

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IT IS HEREBY STIPULATED AND AGREED by and between the attorneys
for the respective parties that the tax review proceedings now
pending for the taxable status dates of March 1, 2012 (Tax Year:
2012/13) be and the same hereby are settled and adjusted as follows:

Desc. 24.20-1-19:

<u>Taxable Status Date (Tax Yr.)</u>	<u>Name</u>	<u>Original Assessed Valuation</u>	<u>Amount of Reduction</u>	<u>Total Final Assessed Valuation</u>
March 1, 2012 (2012/13)	RBS CITIZENS, N.A.	\$71,240	\$16,240	\$55,000

STIPULATED AND AGREED that the County of Montgomery, Town of
Amsterdam, and Amsterdam City School District are hereby waived from
refunding any of the taxes paid by the Petitioner as taxes against
the said erroneous assessments in excess of what the taxes should

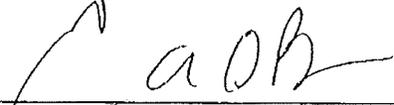
have been if the said assessments had been determined by this Stipulation.

IT IS FURTHER STIPULATED AND AGREED that the moratorium imposed by RPTL §727, as well as the exceptions contained therein, shall apply to this settlement commencing the 2013/14 tax year.

IT IS FURTHER STIPULATED AND AGREED, that upon compliance with the terms of the Stipulation, that said tax review proceedings shall be discontinued without costs to any party and that an Order to this effect may be entered forthwith without further notice.

Dated: Mineola, New York
February 4, 2013

CRONIN, CRONIN & HARRIS, P.C.
Attorneys for Petitioner


BY: ERIN A. O'BRIEN, ESQ.
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Suite 570
Mineola, New York 11501

BY: CHARLES R. SCHWARTZ, ESQ.
Attorney for Respondents
Town of Amsterdam