

*The Town of Orleans Board Meeting
December 28, 2015*

The Town of Orleans Town Board held a special board meeting on December 28, 2015 at 7:00PM at the municipal building in LaFargeville to pay year end bills.

Members Present: *Kevin Rarick, Mary Ford-Waterman and Thomas Johnston.*

Members Absent: *Gwen Kirkby, Peter Wilson*

Others Present: *Tammy Donnelly, and Jim Burrows.*

Supervisor Rarick opened meeting at 7:00PM

Bills were audited in the amount of \$52,104.61

A motion was made by Thomas Johnston and seconded by Mary Ford-Waterman to go into executive session on litigation.

Entered executive session at 7:20pm

Exited executive session at 7:30pm

A motion was made by Kevin Rarick and seconded by Mary Ford-Waterman to accept assessment settlement between Crossett vs. Town of Orleans. (Resolution as follows)

RESOLUTION #22

To settle action to review real
Property assessment, 43284 County
Route 100, Parcel No. 13.05-1-29

WHEREAS, certain premises owned by Peter and Gwen Crossett and located in the Town of Orleans at 43284 County Route 100, Parcel No. 13.05-1-29 on the assessment roll and map of the Town (the "subject property") is assessed upon the assessment roll of the Town of Orleans for the payment of taxes starting with tax year 2015 at \$370,000.00; and

WHEREAS, Peter and Gwen Crossett have heretofore duly instituted in the Supreme Court proceedings to review the assessment and the determination of the Board of Review of the Town of Orleans for tax year 2015; and

WHEREAS, the parties have reviewed an appraisal of the subject property during 2015 and have reviewed conveyance documents in connection with the sale of the subject property to Peter and Gwen Crossett during 2015; and

WHEREAS, the parties have agreed that the assessment for tax year 2015 shall be set at \$300,000.00 and "locked in" for the next three (3) years; and

WHEREAS, the assessor for the Town of Orleans reserves the right to adjust the assessment on the subject property for future years as authorized by RPTL Section 727; and

WHEREAS, a compromise and settlement of the aforesaid proceeding upon the above basis is deemed in the best interests of the Respondents; and

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Orleans, New York that the Town attorneys be and are hereby authorized, empowered and directed to enter into a formal Stipulation of Settlement and Discontinuance of the aforesaid proceeding with counsel of Petitioners Peter and Gwen Crossett on the following terms and conditions:

1. The total assessment of the subject property owned by Peter and Gwen Crossett and known as Tax Parcel No. 13.05-1-29 shall be reduced from \$370,000.00 to \$300,000.00 for tax year 2015 with rebates, and as so adjusted shall be finally fixed and determined and that the assessment roll be corrected as required.

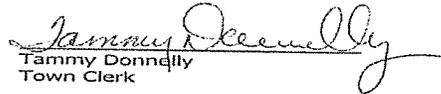
2. That the total assessment of the subject property shall remain set at \$300,000.00 and unchanged for tax years 2016, 2017 and 2018 per RPTL Section 727.
3. That the above adjustments with rebates are made in consideration of the Petitioners' agreement not to commence tax assessment review proceedings pursuant to Article 7 of the Real Property Tax Law of the State of New York or under any other applicable provisions of law for tax year 2016, 2017 and 2018 so long as the assessment is fixed as set forth above.
4. That the assessor for the Town of Orleans reserves the right to adjust the assessment of the subject property as authorized by RPTL Section 727.
5. Upon the instances specified above, Petitioners reserve the right to challenge the assessment on the subject property as relates to RPTL Section 727.
6. That an Order of the Supreme Court shall be made and entered settling the aforesaid proceeding to reduce said assessment without cost to either party as against the other and upon the terms and conditions set forth above; and

BE IT FURTHER RESOLVED that the Town assessor and all of the municipal officers, agents or employees be and they hereby are directed to do such acts and things as may be necessary to give full force and effect to the aforesaid.

This Resolution shall take effect immediately.

Supervisor Kevin Rarick	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Thomas Johnston, Jr.	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Gwendolyn Kirkby	Yes <input type="checkbox"/>	No <input type="checkbox"/> (Absent)
Peter Wilson	Yes <input type="checkbox"/>	No <input type="checkbox"/> (Absent)
Mary Ford-Waterman	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

Dated: December 28, 2015


 Tammy Donnelly
 Town Clerk

A motion was made by Kevin Rarick and seconded by Thomas Johnston to adjourn meeting

*Kevin Rarick, Aye
 Thomas Johnston, Aye
 Mary Ford-Waterman, Aye
 Peter Wilson, Absent
 Gwen Kirkby, Absent 3-2 motion carried.*

*Respectfully submitted
 Tammy Donnelly
 Town Clerk*