



VILLAGE OF DOBBS FERRY BOARD OF TRUSTEES AGENDA

MEETING DATE: FEBRUARY 8, 2022

AGENDA ITEM SECTION: DISCUSSION AND RESOLUTION ITEMS

AGENDA ITEM NO. : 3

AGENDA ITEM:

DISCUSSION: CONSIDER RESOLUTIONS LEADING TO SETTLEMENT OF CERTAIN ACTIONS FOR TAX CERTIORARI HAVING INDEX NUMBERS 67360/16, 66680/17, 67160/18, AND 66751/19, AND HAVING INDEX NUMBERS 67063/18, 67656/19, 62758/20, AND 65217/21a ALL OF WHICH CONCERN PROPERTY LOCATED AT LANDING DRIVE AND HUDSON DRIVE

RESOLUTION: LEADING TO SETTLEMENT OF CERTAIN ACTIONS FOR TAX CERTIORARI HAVING INDEX NUMBERS 67360/16, 66680/17, 67160/18, AND 66751/19 ALL OF WHICH CONCERN PROPERTY LOCATED AT LANDING DRIVE AND HUDSON DRIVE

RESOLUTION: LEADING TO SETTLEMENT OF CERTAIN ACTIONS FOR TAX CERTIORARI HAVING INDEX NUMBERS 67063/18, 67656/19, 62758/20, AND 65217/21a ALL OF WHICH CONCERN PROPERTY LOCATED AT LANDING DRIVE AND HUDSON DRIVE

ITEM BACKUP DOCUMENTATION:

1. RESOLUTION APPROVING SETTLEMENT OF ACTION FOR TAX CERTIORARI ON PROPERTY LOCATED AT LANDING DRIVE AND HUDSON DRIVE, DOBBS FERRY, NEW YORK (COMMON PROPERTY)
2. RESOLUTION APPROVING SETTLEMENT OF ACTION FOR TAX CERTIORARI ON PROPERTY LOCATED AT LANDING DRIVE AND HUDSON DRIVE, DOBBS FERRY, NEW YORK (CONDOMINIUM)

Meeting date: 02/___/2022
Resolution#: 02/____/2022

**RESOLUTION APPROVING SETTLEMENT OF ACTION FOR TAX CERTIORARI
ON PROPERTY LOCATED AT
LANDING DRIVE AND HUDSON DRIVE,
DOBBS FERRY, NEW YORK
(COMMON PROPERTY)**

WHEREAS, proceedings were commenced in New York State Supreme Court, Westchester County to challenge the tax assessment for a portion of property located at Landing Drive and Hudson Drive (the "Common Property") by owner The Landing on the Water at Dobbs Ferry Condominium/The Landing on the Water at Dobbs Ferry Homeowner's Association, Inc.; and

WHEREAS, the property owner has agreed to a resolution of the aforementioned pending proceedings filed with the Court under Index Nos. 67360/16, 66680/17, 67160/18, and 66751/19; and

WHEREAS, it has been recommended to the Board of Trustees by its Assessor and Attorney to resolve this litigation; and

WHEREAS, the Board of Trustees as had an opportunity to review the proceedings and has determined that the proposed settlement is fair and reasonable and is in the best interests of the Village.

NOW, THEREFORE, BE IT RESOLVED the Board of Trustees authorizes the Village Treasurer to issue refunds of Village property taxes on the Common Property for the 2016, 2017, 2018, and 2019 tax years in the amounts set forth in the "Anticipated Refund" column on the schedule at the end of this Resolution, subject to adjustment by an increase of not more than 5% or a reduction in any amount upon final calculation after entry of a Consent Judgment implementing the settlement in the aforementioned matters.

Tax Year	Assessed Value Reduced From	Assessed Value Reduced To	Assessed Value Reduction	Anticipated Refund
2017	\$38,300.00	\$10,000.00	\$28,300.00	\$196.82
2018	\$38,300.00	\$10,000.00	\$28,300.00	\$196.73
2019	\$38,300.00	\$10,000.00	\$28,300.00	\$195.70
2020	\$38,300.00	\$10,000.00	\$28,300.00	\$195.69

Moved:

Seconded:

Vote:

Meeting date: 02/___/2022
Resolution#: 02/____/2022

**RESOLUTION APPROVING SETTLEMENT OF ACTION FOR TAX CERTIORARI
ON PROPERTY LOCATED AT
LANDING DRIVE AND HUDSON DRIVE,
DOBBS FERRY, NEW YORK
(CONDOMINIUM)**

WHEREAS, proceedings were commenced in New York State Supreme Court, Westchester County, to challenge the tax assessment for property located at Landing Drive and Hudson Drive by owner The Landing on the Water at Dobbs Ferry Condominium/The Landing on the Water at Dobbs Ferry Homeowner's Association, Inc.; and

WHEREAS, the Village is not an assessing authority having assigned that role to the Town of Greenburgh, but approval by the Village Board of Trustees is required before the Village Treasurer can properly issue any refund of Village Taxes; and

WHEREAS, all parties have reached a mutually agreeable resolution for the aforementioned pending proceedings filed under Index Nos. 67063/18, 67656/19, 62758/20, and 65217/21; and

WHEREAS, no refund by the Village will be due for 2022 if all parties formally approve the settlement prior to March 1, 2022; and

WHEREAS, it has been recommended to the Board of Trustees by its Assessor and Attorney to resolve this litigation.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees authorizes the Village Attorney to execute a Consent Judgment settling the claims in all respects with assessed values for the 2019, 2020, 2021, and 2022 tax years as set forth in the "Assessed Value Reduced To" column on the schedule at the end of this Resolution; and

BE IT FURTHER RESOLVED, that refunds for the 2019, 2020, and 2021 tax years are authorized in the amounts set forth in the "Anticipated Refund" column on the schedule at the end of these Resolutions, subject to adjustment by an increase of not more than 5% or a reduction in any amount upon final calculation after entry of a Consent Judgment implementing the settlement.

Tax Year	Assessed Value Reduced From	Assessed Value Reduced To	Assessed Value Reduction	Anticipated Refund
2019	\$87,807,000.00	\$87,807,000.00	\$00.00	\$00.00
2020	\$90,152,600.00	\$90,152,600.00	\$00.00	\$00.00
2021	\$89,951,300.00	\$51,270,000.00	\$38,691,200.00	\$274,320.61
2022	\$92,518,700.00	\$51,049,500.99	\$41,769,200.00	N/A

Moved:

Seconded:

Vote: