



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. 22 OF 2023

**RESOLUTION RE: CERTIORARI SETTLEMENT –
MTR. OF DMS CONSOLIDATORS, LTD. v. BOARD OF ASSESSMENT REVIEW OF THE
CITY OF BEACON, ET ANO. (SUP. CT DUTCHESS CO. INDEX NOS. 53246/21, ET SEQ.) –
SETTLEMENT OF 2021 TAX CERTIORARI PROCEEDINGS**

WHEREAS, tax certiorari proceedings, titled *Mtr. of DMS Consolidators, Inc. v. Board of Assessment Review of the City of Beacon, et al.* (Sup. Ct. Dutchess Co. Index Nos. 53246/21, *et seq.*), are pending before the Supreme Court, Dutchess County (Hon. James V. Brands, J.S.C., presiding); and

WHEREAS, these proceedings challenge the 2021 assessments of property identified as Parcel Nos. 5954-26-665932, 5954-26-665931, 5954-26-665935, 5954-26-664933, 5954-26-664939, 5954-26-664938 and 5954-26-664935 on the City of Beacon 2021 Assessment Roll; and

WHEREAS, a proposed settlement of these proceedings has been reached by and between Petitioner DMS Consolidators, Ltd. and the City of Beacon; and

WHEREAS, the City of Beacon has obtained the advice and assistance of its counsel, Keane & Beane, P.C., with respect to the proposed settlement terms and has duly considered same; and

WHEREAS, under the settlement terms, the City will be liable for a City tax refund in the amount of Two Thousand Three Hundred Sixty-Six and 80/100 (\$2,366.80) Dollars;

NOW, THEREFORE, BE IT RESOLVED that the City Council accepts the settlement of this proceeding so that the following adjustment is made to the real property tax assessment of the above-described tax parcels:

<u>Tax Parcel</u>	<u>Assessment</u>	<u>Revised Assessment</u>	<u>Reduction</u>
5954-26-665932	\$465,000	\$425,000	\$40,000
5954-26-665931	\$575,000	\$480,000	\$95,000
5954-26-665935	\$485,000	\$450,000	\$35,000
5954-26-664933	\$525,000	\$490,000	\$35,000
5954-26-664939	\$525,000	\$495,000	\$30,000
5954-26-664938	\$440,000	\$405,000	\$35,000
5954-26-664935	\$505,000	\$470,000	\$35,000

BE IT FURTHER RESOLVED, that counsel for the City of Beacon, Keane & Beane, P.C., together with the City Administration, is hereby authorized to undertake such actions as are necessary to confirm and effectuate this settlement, including execution of the Consent Order and Judgment incorporating the settlement terms.

Resolution No. 22 of 2023			Date: March 20, 2023				
<input type="checkbox"/> Amendments						<input type="checkbox"/> 2/3 Required	
<input type="checkbox"/> Not on roll call.			<input type="checkbox"/> On roll call			<input type="checkbox"/> 3/4 Required	
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
	x	Paloma Wake	x				
		Justice McCray	x				
		George Mansfield	x				
		Wren Longno	x				
x		Molly Rhodes	x				
		Dan Aymar-Blair	x				
		Mayor Lee Kyriacou	x				
		Motion Carried	x				