



**CITY OF BEACON  
CITY COUNCIL**

**RESOLUTION NO. 137 OF 2023**

**APPROVING MTR. OF ENEL NORTH AMERICA, INC. v. BOARD OF ASSESSMENT  
REVIEW OF THE CITY OF BEACON, ET ANO. (SUP. CT. DUTCHESS CO. INDEX NO.  
52548/23) – SETTLEMENT OF 2023 TAX CERTIORARI PROCEEDING**

**WHEREAS**, a tax certiorari proceeding, titled Mtr. of ENEL North America, Inc. v. Board of Assessment Review of the City of Beacon, et al. (Sup. Ct. Dutchess Co. Index No. 52548/23), is pending before the Supreme Court, Dutchess County (Hon. James V. Brands, J.S.C., presiding); and

**WHEREAS**, this proceeding contests the 2023 assessment of property identified as Parcel No. 6055-04-590165 on the City of Beacon 2023 Assessment Roll; and

**WHEREAS**, this parcel is the site of the Groveville Hydroelectric facility, owned and operated by Petitioner ENEL North America, Inc. (“ENEL”); and

**WHEREAS**, a proposed settlement of this proceeding has been reached by and between ENEL 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 projected amount of One Thousand One Hundred Forty-Five and 09/100 (\$1,145.09) 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 parcel:

<u>Year</u>	<u>Assessment</u>	<u>Revised Assessment</u>	<u>Reduction</u>
2023	\$750,000	\$625,000	\$125,000

**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.

<b>Resolution No. 137 of 2023</b>			<b>Date: December 18, 2023</b>				
<input type="checkbox"/> <b>Amendments</b>			<input type="checkbox"/> <b>On roll call</b>			<input type="checkbox"/> <b>2/3 Required</b>	
<input type="checkbox"/> <b>Not on roll call.</b>						<input type="checkbox"/> <b>3/4 Required</b>	
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		<b>Paloma Wake</b>	<b>x</b>				
	<b>x</b>	<b>Justice McCray</b>	<b>x</b>				
		<b>George Mansfield</b>	<b>x</b>				
		<b>Wren Longno</b>	<b>x</b>				
<b>x</b>		<b>Molly Rhodes</b>	<b>x</b>				
		<b>Dan Aymar-Blair</b>	<b>x</b>				
		<b>Mayor Lee Kyriacou</b>	<b>x</b>				
		<b>Motion Carried</b>	<b>x</b>				