

RESOLUTION NO. 214

AUTHORIZING THE APPROVAL OF A COURT ORDERED LITIGATION SETTLEMENT STIPULATION REGARDING A REAL PROPERTY TAX CORRECTION OF ERRORS APPLICATION

Introduced: 6/8/20

By Audit and Finance Committee:

WHEREAS, Albany County ("County") has been involved in ongoing litigation with Brandle Limited Partnership and Fairway Limited Partnership ("Brandle and Fairway") pursuant to Real Property Tax Law §556 regarding the correction of assessment errors applications made by Brandle and Fairway with respect to the parcels of real property owned by them located at 15 Van Evera Drive (Tax Map No. 48.07-1-9.2) and 950 Altamont Blvd. (Tax Map No. 48.06- 3-24) in the Town of Guilderland ("Properties"), and

WHEREAS, The County Attorney has undertaken negotiations with Brandle and Fairway's attorneys as a result of which they have agreed to a Court Ordered Settlement Stipulation regarding said correction of errors application with respect to said Properties, and

WHEREAS, The Director of the Real Property Tax Services Agency and the County Attorney have recommended that the County settle the litigation as detailed in said Court Ordered Settlement Stipulation in full and final settlement of any and all claims arising from or relating to said litigation, and

WHEREAS, The Director of the Real Property Tax Services Agency and the County Attorney have indicated that pursuant to Real Property Tax Law §556 approval of this Honorable Body is required in order to effectuate the correction to the Tax Rolls and the refunds of the taxes involved in said Court Ordered Settlement Stipulation, now, therefore, be it

RESOLVED, By the Albany County Legislature, that the County Attorney is authorized to approve and take all necessary steps to settle said litigation in accordance with the Court Ordered Settlement Stipulation as indicated, and, be it further

RESOLVED, That the therein listed Tax Rolls for the County and local municipalities involved be corrected and refunds be made with respect to the aforesaid parcels of real property in accordance with said Court Ordered Settlement Stipulation, and,

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

Adopted by unanimous vote – 6/8/20