

RESOLUTION NO. 2014248

RE: CORRECTION TO RESOLUTION NO. 2011255, APPROVAL OF APPLICATION FOR REFUNDS OF REAL PROPERTY TAXES AND TO AUTHORIZE A CHARGE-BACK BY THE COMMISSIONER OF FINANCE APPLICANT: Leland Ryder and Putnam County Bank PO Box 10, Carmel, NY 10512 ACCOUNT NO.: 132800-00-677174-0000

Legislators BORCHERT, HORTON, SAGLIANO, and WEISS offer the following and move its adoption:

WHEREAS, by Resolution No. 2011255 the Dutchess County Legislature authorized, empowered and directed the Commissioner of Finance to issue a refund of taxes to the applicant for the 2011 fiscal year in the amount of \$4,438.93 based on a claimed clerical error in the calculation of a Forrest Exemption, and

WHEREAS, the Commissioner of Finance issued a tax refund to the applicant in the amount of \$4,438.93, and

WHEREAS, the applicant appealed claiming the refund was miscalculated and the Court directed that the Forest Exemption be recalculated, and

WHEREAS, the Forest Exemption was recalculated per the Court's Order and it was determined that an additional refund of taxes of \$1,651.39 was due the applicant, and

WHEREAS, there was an error in calculation of the additional refund, and

WHEREAS, the Forest Exemption was recalculated and it was determined that an additional refund of taxes of \$682.62 is due the applicant, and

WHEREAS, a further correction is now necessary, now, therefore, be it

RESOLVED, that Resolution No. 2011255 is hereby amended to correct the sum of taxes to be refunded by the Dutchess County Commissioner of Finance to reflect an additional refund in the amount of \$682.62, and be it further

RESOLVED, that the Dutchess County Commissioner of Finance is authorized empowered and directed to issue a further tax refund to the applicant in the amount of \$682.62 and to charge-back the erroneous taxes on next year's levy as follows:

A342	Allowance for Uncollected Taxes	\$379.59
A430	Town of East Fishkill	<u>303.03</u>
	Total	\$682.62
CA-163-14	EA/KPB/ca/G-0194	
8/15/14	Fiscal Impact: None	

STATE OF NEW YORK
COUNTY OF DUTCHESS

ss:

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 8th day of September 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 8th day of September 2014.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

132800-6555-00-677174-0000

Ryder, Putnan County Bank

215 Hidden Acres Rd

Jan 2011 Tax Roll

A	B	C	D	E	F	G	H	I	J	K	
Taxes Using Revised Exemption											
Tax Year	Assessed	Exempt	Taxable Assessed (B - C)	Rate	Tax (D x E)	Actual Taxes Paid (From Rolls)	Overpayment (G - F)	Refunds Voucher #	Refunds Voucher #	Refunds Owed	Purpose
2011	1,646,400	1,312,000	334,400	0.003064027	\$1,024.61	\$4,790.85	\$3,766.24	# 131000	# 140576		
2011	1,646,400	1,312,000	334,400	0.002446105	\$817.98	\$3,824.68	\$3,006.70	02/03/12	04/14/14	\$379.59	County
					\$1,842.59	\$8,615.53	\$6,772.94	\$4,438.93	\$1,651.39	\$303.03	Town
										\$682.62	2011 Total

RESOLUTION NO. 2011255

RE: APPROVAL OF APPLICATION FOR REFUND OF REAL PROPERTY TAXES AND TO AUTHORIZE A CHARGE-BACK BY THE COMMISSIONER OF FINANCE APPLICANT: Leland Ryder and Putnam County Bank, PO Box 10, Carmel NY 10512, ACCOUNT NO: 132800-6555-00-677174-0000

Legislators BORCHERT, WEISS, and HORTON offer the following and move its adoption:

WHEREAS, there is an assessment on the assessment roll for the Town of East Fishkill for 2010 under the name of Leland Ryder and Putnam County Bank, Account No: 132800-6555-00-677174-0000, and

WHEREAS, the owner of said parcel, by application attached hereto, has applied for a refund of real property taxes on the basis of a clerical error, and

WHEREAS, pursuant to Section 556 of the Real Property Tax Law, the County Director of the Real Property Tax Service Agency has investigated this claim, and has found that the local tax assessor in the Town of East Fishkill has made a clerical error in said assessment, and

WHEREAS, attached hereto is the written report of said Director together with his recommendation that the application be approved by the County Legislature, and

WHEREAS, the County Legislature has agreed that the clerical error does exist, now, therefore, be it

RESOLVED, that the application received August 31, 2011 relating to Account No. 132800-6555-00-677174-0000 for a refund is hereby approved, and be it further

RESOLVED, that the Commissioner of Finance is authorized, empowered and directed to issue a tax refund to the applicant in the amount of \$4,438.93 and to charge-back the erroneous taxes on next years levy as follows:

A342 Allowance for Uncollectable taxes	\$2,468.36
A430 Town of East Fishkill	<u>1,970.57</u>
Total	\$4,438.93

and be it further

RESOLVED, that the Clerk of the County Legislature be and she hereby is authorized, empowered and directed to mail a copy of the approved application and this resolution to the applicant.

CA-138-11 MB/cu/G-194 9/13/11
STATE OF NEW YORK

ss:
COUNTY OF DUTCHESS

APPROVED
William R. Steinhaus
WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

December 15, 2011

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, which was adopted by said Legislature on the 9th day of November 2011, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 9th day of November 2011.

Patricia J. Hohmann
PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE