

OGDENSBURG CITY SCHOOL DISTRICT
OGDENSBURG, NEW YORK

SUBJECT: Ogdensburg Associates LLC Tax Certiorari Settlement Resolution
DATE: May 22, 2019

REASON FOR BOARD CONSIDERATION:

The Board of Education of the Ogdensburg City School District must approve all authorizations required for the expenditure of district funds.

FACTS AND ANALYSIS:

The firm of Ferrara Fiorenza P.C., the district's attorneys, have submitted the following resolution to be adopted by majority vote of the Board of Education to execute a settlement agreement with Ogdensburg Associates LLC regarding the current Tax Certiorari. (Resolution attached)

RECOMMENDED ACTION:

Moved by _____ and supported by _____ that, having the approval of the Superintendent of Schools, the Board of Education of the Ogdensburg City School District does hereby adopt the attached resolution on this 22nd day of May 2019.

APPROVED FOR PRESENTATION TO THE BOARD:


Superintendent

KK/alf
Attachment

RESOLUTION

At a Regular Meeting of the Board of Education of the Ogdensburg City School District (the "Board of Education"), held on **May 22, 2019** at Ogdensburg Free Academy, 1100 State Street, Ogdensburg, County of St. Lawrence, State of New York;

The meeting was called to order by Ronald N. Johnson, President of the Board of Education, and upon roll being called, the following members were:

PRESENT:

ABSENT:

OTHERS ALSO PRESENT:

The following Resolution was offered by _____, and seconded by _____.

WHEREAS, Ogdensburg Associates LLC filed tax certiorari proceedings challenging the assessment of four tax parcels located on Ford Street in the City of Ogdensburg, for the 2016-17, 2017-18 and 2018-19 school years; and

WHEREAS, Ogdensburg Associates LLC has proposed settlement of the pending proceedings upon the following terms:

- a. reduce the combined assessment of the property to \$14,728,300;
- b. waive all real property tax refunds; and

WHEREAS, the City of Ogdensburg supports the settlement proposal; and

WHEREAS, the Board of Education is willing to settle the proceedings pursuant to the terms outlined above.

NOW, THEREFORE, BE IT RESOLVED that:

- 1. The Board of Education agrees to settle the tax certiorari proceedings commenced by Ogdensburg Associates LLC in accordance with the terms set forth above and hereby delegates to Ferrara Fiorenza PC the authority to execute such settlement documents.
- 2. This Resolution shall take effect immediately.

The question of the adoption of the foregoing Resolution was duly put to a vote, which resulted as follows:

AYES: _____

NAYS: _____

The Resolution was thereupon declared adopted.

Dated: _____

School District Clerk
Ogdensburg City School District