

RESOLUTION NO. \_\_\_\_

**TOWN OF ANCRAM  
REGULAR MEETING**

**November 16, 2023**

**RESOLUTION AUTHORIZING AND DIRECTING  
SETTLEMENT OF LITIGATION:**

***CHERNOFF, et al. v. TOWN OF ANCRAM et al.  
WEINER, et ano v. ASSESSOR et al.***

**WHEREAS**, forty-seven (47) petitioners, set forth in Table 1, below, commenced a proceeding pursuant to Article 78 of the Civil Practice Law & Rules (“CPLR”) and Article 7 of the Real Property Tax Law (“RPTL”) against, among others, the Assessor of the Town of Ancram, the Board of Assessment Review of the Town of Ancram, and the Town of Ancram (collectively, the “Town”) in Supreme Court, Columbia County, bearing caption *In the Matter of the Application of Carl Chernoff, et al. v. Town of Ancram, et al.*, and Index No. E012023020904, in which such petitioners seek annulment of the 2023 assessment roll prepared following the town-wide revaluation, as well as a reduction of the 2023 assessments on the thirty-five (35) properties such petitioners own identified in Table 1 below (hereinafter, the “Chernoff Proceeding”); and

**WHEREAS**, in addition to the Chernoff Proceeding, Robert A. Weiner and Nancy C. Weiner commenced a proceeding pursuant to Article 7 of the RPTL against the Town in Supreme Court, Columbia County, bearing caption *In the Matter of the Application of Robert A. Weiner, et ano v. Rene DeLeeuw, as Assessor of the Town of Ancram, et al.*, and Index No. E012023020697, in which such petitioners seek reduction of the 2023 assessment on property they own identified as Tax Map Parcel No. 197.-2-13.120 (hereinafter, the “Weiner Proceeding”); and

**WHEREAS**, it is determined to be in the best interest of the Town of Ancram to resolve the Chernoff Proceeding and Weiner Proceeding by reducing the assessments for the subject properties as follows:

<b>TABLE 1 – CHERNOFF PROCEEDING</b>					
<b>PETITIONER</b>	<b>TAX PARCEL</b>	<b>TOTAL CURRENT ASSESSMENT</b>	<b>REDUCTION</b>	<b>FINAL ASSESSMENT</b>	<b>LAND ASSESSMENT</b>
Lana Hirsch	197.-2-8.120	\$633,000	\$90,000	\$543,000	\$0.00
Adam Albin	197.-2-16.112	\$589,000	\$90,000	\$499,000	\$0.00
William Walters	197.-2-17.200	\$658,000	\$90,000	\$568,000	\$0.00

**TABLE 1 – CHERNOFF PROCEEDING**

<b>PETITIONER</b>	<b>TAX PARCEL</b>	<b>TOTAL CURRENT ASSESSMENT</b>	<b>REDUCTION</b>	<b>FINAL ASSESSMENT</b>	<b>LAND ASSESSMENT</b>
Carl Chernoff	197.-2-16.200	\$589,000	\$90,000	\$499,000	\$0.00
John Dietz	197.-2-13.111	\$633,000	\$90,000	\$543,000	\$0.00
Catherine and Lindsay Fisher	197.-2-17.112	\$589,000	\$90,000	\$499,000	\$0.00
Wendy Freedman	197.-2-6.111	\$589,000	\$90,000	\$499,000	\$0.00
Cheryl Friedman	197.-2-10.112	\$589,000	\$90,000	\$499,000	\$0.00
Nancy Gluck	197.-2-17.120	\$589,000	\$90,000	\$499,000	\$0.00
Allen Kessler	197.-2-8.111	\$640,000	\$90,000	\$550,000	\$0.00
Richard Greenwald	197.-2-9.112	\$589,000	\$90,000	\$499,000	\$0.00
Irwin Hirsch and Willa Cobert-Hirsch	197.-2-6.200	\$589,000	\$90,000	\$499,000	\$0.00
Audrey and Dean Irwin	197.-2-7.112	\$547,000	\$58,000	\$489,000	\$0.00
Siddesh and Zalma Karmali	197.-2-16.120	\$589,000	\$90,000	\$499,000	\$0.00
Harry and Jan Katz	197.-2-9.120	\$633,000	\$90,000	\$543,000	\$0.00
Alan Kaufman	197.-2-10.120	\$633,000	\$90,000	\$543,000	\$0.00
Scott Kornberg	197.-2-15.200	\$633,000	\$90,000	\$543,000	\$0.00
Rafael Levites	197.-2-10.111	\$589,000	\$90,000	\$499,000	\$0.00
Kin Liu and Paula Huie	197.-2-8.112	\$589,000	\$90,000	\$499,000	\$0.00
Irene Lovitz	197.-2-14.200	\$589,000	\$90,000	\$499,000	\$0.00
Harold Magid and Julie Molk	197.-2-14.111	\$589,000	\$90,000	\$499,000	\$0.00
Robert and Susan Mellman	197.-2-6.112	\$589,000	\$90,000	\$499,000	\$0.00
Robert Paley and Leslie Schneier	197.-2-12.111	\$568,000	\$90,000	\$478,000	\$0.00
Deborah Rabina and Saul Bardosh	197.-2-4.111	\$568,000	\$90,000	\$478,000	\$0.00
Richard Robbins	197.-2-10.200	\$633,000	\$90,000	\$543,000	\$0.00
Ira and Norma Sax	197.-2-7.200	\$633,000	\$90,000	\$543,000	\$0.00
Susan Sarlin	197.-2-14.112	\$589,000	\$90,000	\$499,000	\$0.00

<b>TABLE 1 – CHERNOFF PROCEEDING</b>					
<b>PETITIONER</b>	<b>TAX PARCEL</b>	<b>TOTAL CURRENT ASSESSMENT</b>	<b>REDUCTION</b>	<b>FINAL ASSESSMENT</b>	<b>LAND ASSESSMENT</b>
Allen Scherl	197.-2-9.200	\$633,000	\$90,000	\$543,000	\$0.00
Phyllis Schlesinger	197.-2-7.120	\$568,000	\$90,000	\$478,000	\$0.00
Martin Schwartz	197.-2-15.112	\$547,000	\$58,000	\$489,000	\$0.00
Andrew Silver	197.-2-1.200	\$589,000	\$90,000	\$499,000	\$0.00
Howard Slavin	197.-2-13.112	\$633,000	\$90,000	\$543,000	\$0.00
Robert Teitelbaum	197.-2-15.120	\$589,000	\$90,000	\$499,000	\$0.00
Steve Solomon	197.-2-13.200	\$568,000	\$90,000	\$478,000	\$0.00
Karen Zier and Walter Williamson	197.-2-15.111	\$568,000	\$90,000	\$478,000	\$0.00

<b>TABLE 2 – WEINER PROCEEDING</b>					
<b>PETITIONER</b>	<b>TAX PARCEL</b>	<b>TOTAL CURRENT ASSESSMENT</b>	<b>REDUCTION</b>	<b>FINAL ASSESSMENT</b>	<b>LAND ASSESSMENT</b>
Robert Weiner and Nancy Weiner	197.-2-13-120	\$633,000	\$90,000	\$543,000	\$0.00

**AND WHEREAS**, it is determined to be in the best interest of the Town of Ancram to resolve the Chernoff Proceeding as outlined in Table 1, above, on the conditions that Real Property Tax Law § 727 shall apply in the years 2024, 2025, and 2026; that any refunds of taxes paid that are due to petitioners as a result of such resolution shall be payable without interest if payment is made by the applicable entity responsible for such refunds within sixty (60) days of service upon it of a copy of an Order executed by the Court reflecting such reduction of the assessments for the properties for the year at issue with notice of its entry; and that the claim(s) brought pursuant to CPLR Article 78 is/are dismissed with prejudice; and

**WHEREAS**, it is determined to be in the best interest of the Town of Ancram to resolve the Weiner Proceeding as outlined in Table 2, above, on the conditions that Real Property Tax Law § 727 shall apply in the years 2024, 2025, and 2026; and that any refunds of taxes paid that are due to petitioners as a result of such resolution shall be payable without interest if payment is made by the applicable entity responsible for such refunds within sixty (60) days of service upon it of a copy of an Order executed by the Court reflecting such reduction of the assessments for the properties for the year at issue with notice of its entry;

**NOW, THEREFORE, BE IT RESOLVED** by the Town Board of the Town of Ancram in regular session duly convened as follows:

1. The Town Board approves the settlement of the Chernoff Proceeding as set forth in Table 1, above, on the conditions that Real Property Tax Law § 727 shall apply in the years 2024, 2025, and 2026; that any refunds of taxes paid that are due to petitioners as a result of such resolution shall be payable without interest if payment is made by the applicable entity responsible for such refunds within sixty (60) days of service upon it of a copy of an Order executed by the Court reflecting such reduction of the assessments for the properties for the year at issue with notice of its entry; and that the claim(s) brought pursuant to CPLR Article 78 is/are dismissed with prejudice. The Town Board hereby authorizes and directs the law firm of Gilchrist Tingley, P.C., as attorneys for the Town in the Chernoff Proceeding, to execute any documents and take any further steps necessary to settle the Chernoff Proceeding in accordance with this Resolution.

2. The Town Board approves the settlement of the Weiner Proceeding as set forth in Table 2, above, on the conditions that Real Property Tax Law § 727 shall apply in the years 2024, 2025, and 2026; and that any refunds of taxes paid that are due to petitioners as a result of such resolution shall be payable without interest if payment is made by the applicable entity responsible for such refunds within sixty (60) days of service upon it of a copy of an Order executed by the Court reflecting such reduction of the assessments for the properties for the year at issue with notice of its entry. The Town Board hereby authorizes and directs the law firm of Gilchrist Tingley, P.C., as attorneys for the Town in the Weiner Proceeding, to execute any documents and take any further steps necessary to settle the Weiner Proceeding in accordance with this Resolution.

The foregoing Resolution, offered by Councilperson \_\_\_\_\_ and seconded by Councilperson \_\_\_\_\_, was duly put to a roll call vote as follows:

<b>COUNCILPERSON BOICE</b>	<b>VOTING</b>	_____
<b>COUNCILPERSON CLARK</b>	<b>VOTING</b>	_____
<b>COUNCILPERSON GOLD</b>	<b>VOTING</b>	_____
<b>COUNCILPERSON HUNDT</b>	<b>VOTING</b>	_____
<b>SUPERVISOR BASSIN</b>	<b>VOTING</b>	_____

November 16, 2023