

RESOLUTION OF THE TOWN BOARD FOR THE TOWN OF TYRE CONCERNING RETENTION OF SPECIAL LEGAL COUNSEL TO REPRESENT THE TOWN IN CONNECTION WITH A PETITION FOR REVIEW OF TAX ASSESSMENTS BY TRAVELCENTERS OF AMERICA

September 11, 2014

WHEREAS, the Town of Tyre (the “Town”) was served with a “Petition for Review of Tax Assessments” filed by Travelcenters of America; and

WHEREAS, in the Petition, Travelcenters of America is seeking a reduction of the assessed value of real property within the Town of Tyre, identified as Tax Map Parcel No. 12-1-49 (the “Property”), which is owned or controlled by Travelcenters of America and used as the Petro Truck Stop; and

WHEREAS, in the Petition, Travelcenters of America is claiming that the assessed value of the Property should be reduced from \$10,000,000 to \$4,000,000; and

WHEREAS, in order to protect its financial interests and its real property tax base, the Town Board of the Town of Tyre (the “Town Board”) wishes to retain special legal counsel to assist with the defense of the assessment on the Property; and

WHEREAS, the Town Board has previously engaged Bond, Schoeneck & King, PLLC, in connection with the Town’s review of certain land use matters; and

WHEREAS, the recommendation of the Town Attorney is to retain the services of Bond, Schoeneck & King, PLLC in connection with the Town’s defense of the Petition for Review of Tax Assessments; and

WHEREAS, the Town Board desires to act on the recommendation of the Town Attorney to select Bond, Schoeneck and King, PLLC to provide the services requested in connection with the Town’s defense of the Petition for Review of Tax Assessments.

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. After consideration of the recommendation of the Town Attorney and its prior engagement of Bond, Schoeneck & King, PLLC, the Town Board hereby designates the law firm of Bond, Schoeneck & King, PLLC to assist the Town in connection with the Town’s defense of the Petition for Review of Tax Assessments.

The adoption of the foregoing Resolution was moved by Councilman Rogers, seconded by Councilman Delpapa, and duly put to vote, which resulted as follows:

	<i>Yea</i>	<i>Nay</i>	<i>Abstain</i>	<i>Absent</i>
Supervisor Ronald F. McGreevy	[x]	[]	[]	[]
Councilman Joseph Delpapa	[x]	[]	[]	[]
Councilman James Rogers	[x]	[]	[]	[]
Councilman Reginald Aceto	[]	[]	[]	[x]
Councilman Thomas Thomson	[x]	[]	[]	[]

The Resolution was thereupon duly adopted.

September 11, 2014