

**MINUTES OF SPECIAL TOWN BOARD MEETING OF
JUNE 30, 2015
HELD AT THE TOWN HALL,
8529 MAIN ST., CAMPBELL, NEW YORK**

PRESENT: Town Board Members: David L. Tennent, John R. Tschantre; Jeffrey Horton, Terry E. Wheat and Sara B. Rosplock; and **Town Clerk:** Sandra M. Austin.

Call To Order/Pledge.

Mr. Tennent called the special meeting to order at 6 p.m. at the meeting room of the Campbell Town Hall and led the pledge of allegiance. The purpose of this meeting was for calling a public hearing on the community development block grant program and to deal with the TEP sidewalk bids.

Notice of Meeting/ Roll Call.

Notice of this meeting was e-mailed by the Town Clerk to The Leader and posted on the Town Clerk's signboard on 6/22/2015 [copy attached]. The Town Clerk then took roll call.

TEP Sidewalk Project.

Discussion was had concerning the bids received on the sidewalk project; only two were received; 1 was not properly filled out, so we are down to 1 bid. DOT then requested that we re-bid the project. Also, the project scope was reduced to achieve a significant savings on the project.

RESOLUTION #1, was offered by Horton and seconded by Wheat to authorize proceeding with the re-bidding on the TEP Sidewalk Project with a bid opening on July 21st at 2 p.m. **Resolution Adopted By Vote:** Horton-Aye; Rosplock-Aye; Wheat-Aye; Tschantre-Aye; and Tennent-Aye.

Executive Session.

On motion of Rosplock seconded by Tschantre, the following resolution was adopted: RESOLUTION #2: RESOLVED that this Board move into executive session to discuss items concerning Kraft litigation. Time 6:05 PM. Adopted by roll call Vote: Ayes- 5; Nays-0.

Close Executive Session.

On motion of Wheat, seconded by Tschantre, the following resolution was adopted: RESOLUTION #3: Resolved that the executive session be closed and that this Board return to regular meeting. Time 6:13 PM. Adopted by vote: Ayes-5; Nays-0.

Kraft Litigation.

RESOLUTION #4, was offered by Horton and seconded by Rosplock as follows:

WHEREFORE, Kraft General Foods, Inc. commenced litigation against the Town of Campbell seeking reduction of its real property tax assessment for the year 2011 through 2014, inclusive, for realty situated within the Town of Campbell, and

WHEREAS, the parties conducted a non-binding mediation on June 24, 2015; and

WHEREAS, as a result of the mediation, the parties reached the proposed resolution of the litigation set forth in the attached "Term Sheet"; and

WHEREAS, the Term Sheet was brought before the Town Board of the Town of Campbell for consideration and approval at a special meeting concluded on June 30, 2015;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Campbell hereby approves the terms and conditions of the settlement set forth on the "Term Sheet" as resolution of the referenced litigation by a vote of 5 in favor, and 0 opposed; and

BE IT FURTHER RESOLVED, that Supervisor David L. Tennent is hereby authorized to take all action necessary, including execution of any documents, to complete the referenced settlement.

Resolution Adopted By Vote: Horton-Aye; Rosplock-Aye; Wheat-Aye; Tschantre-Aye; and Tennent-Aye.

Community Development Block Grant Projects—E. Campbell Town Park and Extension of Water District #1.

RESOLUTION #5, was offered by Wheat and seconded by Horton to authorize public hearings as follows: to set up a public hearing on the future of the Town Park at the E. Campbell Park for July 8th at 6 p.m.; and a public hearing on the extension of the water district across the railroad tracks to the Route 415 intersection and to include 2 trailer courts, Clawson Drive, possibly the lower portion of McNutt Run and parts of Route 415 to be scheduled on July 13th at 6 p.m. which would be at the beginning of the regular Monthly Town Board Meeting.

Resolution Adopted By Vote: Horton-Aye; Rosplock-Aye; Wheat-Aye; Tschantre-Aye; and Tennent-Aye.

Adjournment.

There being no further business before the Board, the meeting was, upon motion by Horton and seconded by Tschantre, adjourned at 6:22 p.m.

Respectfully submitted,



SANDRA M. AUSTIN
Campbell Town Clerk

DATED: July 8, 2015.

ATTACHMENTS:

Meeting Notice
Kraft Term Sheet

TERM SHEET

This term sheet is entered into the 24th day of June, 2015, by, between and among Kraft General Foods, Inc. ("Kraft"), the Town of Campbell (the "Town"), the County of Steuben, New York (the "County"), and Campbell-Savona Central School District (the "School District"); the School District together with the Town and the County (the "Taxing Bodies"). Kraft and the Taxing Bodies are hereafter referred to as the "Parties", as follows:

1. Subject to the various Parties obtaining whatever approvals may be required (the "Approvals") which Approvals each of the Parties agrees to in good faith seek to obtain, and, if such Approvals are obtained, the approval of the Supreme Court, County of Steuben, State of New York (the "Court"):

A. The Taxing Bodies agree that the assessment valuation of Kraft's five real property parcels situated in the Town (the "Properties") shall remain at \$7,094,500.00 for 2015 and 2016;

B. Kraft will take whatever actions are required to discontinue or withdraw whatever tax certifications or similar proceedings it has filed as to the Properties associated with the years 2011, 2012, 2013 and 2014;

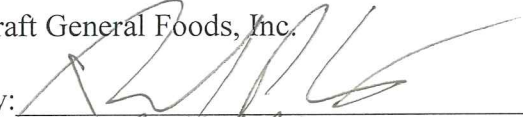
C. The Parties agree to meet in person no later than one (1) year from the date the Court, if it does, approves the Parties' settlement to explore the potential for prospective resolution of assessed value matters, with no obligation on any of the Parties to reach a prospective agreement.

2. If the Approvals are not obtained or, if they are, but the Court does not approve the settlement contemplated in this Term Sheet, this Term Sheet shall be void, as if it had never been entered into by any of the Parties.

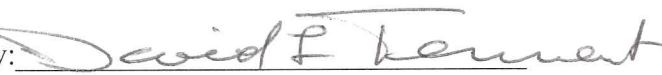
3. Counsel for the Taxing Bodies shall draft a complete settlement document for submission to Kraft by July 15, 2015.

Agreed to the month, day and year first written above by each of the Parties.

Kraft General Foods, Inc.

By: 
Name: Richard Cronin
Title: Attorney

Town of Campbell, New York

By: 
Name: DAVID L Tennent
Title: TOWN Supervisor

County of Steuben, New York

By: 

Name: Alan P. Reed

Title: County Attorney

Campbell-Savona Central School District

By: 

Name: Timothy P. Allard

Title: Asst. Supt. of Mgmt. SVCS.