



**AGENDA**

**TOWN BOARD  
TOWN OF OSSINING  
86-88 SPRING STREET  
BIRDSALL-FAGAN POLICE COURT FACILITY  
OSSINING, NEW YORK**

**NOVEMBER 22, 2016  
7:30 P.M.**

**SUPERVISOR  
Dana Levenberg**

**COUNCILMEMBERS  
Karen M. D'Attore Elizabeth R. Feldman  
Kim L. Jeffrey Northern Wilcher, Jr.**

- I. CALL TO ORDER – PLEDGE OF ALLEGIANCE – ROLL CALL**
- II. Public Hearing in the matter of the 2017 Preliminary Budget**
- III. ANNOUNCEMENTS**
- IV. LIAISON REPORTS**
- V. DEPARTMENTAL REPORTS**
- VI. PUBLIC COMMENT ON AGENDA ITEMS**
- VII. BOARD RESOLUTIONS**

**A. Approval of Minutes-Regular Meeting**

**Resolved, that the Town Board of the Town of Ossining hereby approves the November 9, 2016, Minutes of the Regular Meeting as presented.**

**B. Approval of Voucher Detail Report**

**Resolved, that the Town Board of the Town of Ossining hereby approves the Voucher Detail Report dated November 22, 2016 in the amount of \$194,757.64**

**C.**

**TAX CERTIORARI**

**Hoye Textile Corp.  
vs.  
Town of Ossining**

**WHEREAS, proceedings pursuant to Article 7 of the Real Property Tax Law of the State of New York were instituted by Hoye Textile Corp. against The Town of Ossining, to review the tax assessments made on Petitioner's property located at 325 North Highland Avenue, Town of Ossining, and designated on the tax assessment map of The Town of Ossining as Section 89.06-1-11 for Tax Assessment Years 2009-2015, which proceedings are now pending in the Supreme Court of the State of New York, County of Westchester, under Index No. 23612/09; 25940/10; 15804/11; 67495/12; 66906/13; 67296/14 and 67288/15; and**

**WHEREAS, the above Petitioner has agreed to a compromise and settlement of such proceedings, subject to the approval of the Town Board, correcting and reducing the assessed valuation of its real property and improvements, as follows:**

**Hoye Textile Corp. 325 North Highland Avenue, Ossining, N.Y. Section 89.06-1-11**

Assessment Year	Tax ID No.	Original Assessed Value	Reduction	Final Assessed Value
2009	89.06-1-11	\$80,000	\$30,150	\$49,850
2010	89.06-1-11	\$80,000	\$38,580	\$41,420
2011	89.06-1-11	\$80,000	\$35,850	\$44,150
2012	89.06-1-11	\$80,000	\$32,180	\$47,820
2013	89.06-1-11	\$80,000	\$29,810	\$50,190
2014	89.06-1-11	\$80,000	\$28,130	\$51,870
2015	89.06-1-11	\$80,000	\$27,440	\$52,560

**WHEREAS, any and all refunds necessitated by said settlement will be made without interest; and**

**WHEREAS, the Town Board, upon the recommendation of the Assessor, concurred by the Special Counsel to the Town, finds the proposed settlement appropriate and in the best interest of the Town of Ossining; now therefore it is**

**RESOLVED, that settlement of the proceedings, on the terms set forth herein, is hereby accepted and approved, subject to the approval of the Supreme Court, Westchester County, wherein such proceedings are pending; and it is further**

**RESOLVED, that the Special Counsel to the Town is hereby authorized and directed to procure and execute any documents necessary to effectuate such settlement; and it is further**

**RESOLVED, subject to the approval of the Supreme Court, Westchester County, that the Assessor is authorized and directed to make the changes and corrections to the individual unit assessment on the tax assessment roll of the Town of Ossining, which will be ordered pursuant to the Consent Judgment to be entered in accordance with the terms of this settlement, and the Receiver of Taxes is authorized and directed to process and pay the refund of Town of Ossining taxes estimated to be \$ 2,427.76, which will be ordered pursuant to said Consent Judgment.**

**D.**

**TAX CERTIORARI**

**Croton Lane Associates LLC**

**vs.**

**Town of Ossining**

**WHEREAS, proceedings pursuant to Article 7 of the Real Property Tax Law of the State of New York were instituted by Croton Lane Associates LLC against The Town of Ossining, to review the tax assessments made on Petitioner’s property located at 57 Croton Avenue, Town of Ossining, and designated on the tax assessment map of The Town of Ossining as Section 89.19, Block 2, Lot 7 for Tax Assessment Years 2012-2016, which proceedings are now pending in the Supreme Court of the State of New York, County of Westchester, under Index No. 67947/2012, 67387/13, 65392/14, 65522/15, and 63988/16; and**

**WHEREAS, the above Petitioner has agreed to a compromise and settlement of such proceedings, subject to the approval of the Town Board, correcting and reducing the assessed valuation of its real property and improvements, as follows:**

**Croton Lane Associates LLC 57 Croton Avenue Section 89.19, Block 2, Lot 7**

Assessment Year	Tax ID No.	Original Assessed Value	Reduction	Final Assessed Value
2012	89.19-2-7	\$52,980	\$6,930	\$46,050
2013	89.19-2-7	\$52,980	\$6,930	\$46,050
2014	89.19-2-7	\$52,980	\$6,930	\$46,050
2015	89.19-2-7	\$52,980	\$6,930	\$46,050

**WHEREAS, any and all refunds necessitated by said settlement will be made without interest; and**

**WHEREAS, the Town Board, upon the recommendation of the Assessor, concurred by the Special Counsel to the Town, finds the proposed settlement appropriate and in the best interest of the Town of Ossining; now therefore it is**

**RESOLVED, that settlement of the proceedings, on the terms set forth herein, is hereby accepted and approved, subject to the approval of the Supreme Court, Westchester County, wherein such proceedings are pending; and it is further**

**RESOLVED, that the Special Counsel to the Town is hereby authorized and directed to procure and execute any documents necessary to effectuate such settlement; and it is further**

**RESOLVED, subject to the approval of the Supreme Court, Westchester County, that the Assessor is authorized and directed to make the changes and corrections to the individual unit assessment on the tax assessment roll of the Town of Ossining, which will be ordered pursuant to the Consent Judgment to be entered in accordance with the terms of this settlement, and the Receiver of Taxes is authorized and directed to process and pay the refund of Town of Ossining taxes estimated to be \$ 442.17, which will be ordered pursuant to said Consent Judgment.**

**E. Appointment of Ossining Representative to WestCOP Board of Directors**

**Resolved that the Town Board of the Town of Ossining hereby re-appointed Joan E. Whittaker to the position of the Town of Ossining representative to the Board of Directors of the Westchester Community Opportunities Program, (WESTCOP) for the 2016-2017 year.**

**F.**

**TAX CERTIORARI**

**Morgan Sherwood LLC and Morgan Sparta Green LLC**

**vs.**

**Town of Ossining**

**WHEREAS, proceedings pursuant to Article 7 of the Real Property Tax Law of the State of New York were instituted by Morgan Sherwood LLC and Morgan Sparta Green LLC, against The Town of Ossining, to review the tax assessments made on Petitioner's property located at 7 Sherwood Avenue, Town of Ossining, and designated on the tax assessment map of The Town of Ossining as Section 89.16-2-83 for Tax Assessment Years 2009-2010, which proceedings are now pending in the Supreme Court of the State of New York, County of Westchester, under Index No. 22239/2009 and 23532/2010; and**

**WHEREAS, the above Petitioner has agreed to a compromise and settlement of such proceedings, subject to the approval of the Town Board, correcting and reducing the assessed valuation of its real property and improvements, as follows:**

**Morgan Sherwood LLC and Morgan Sparta Green LLC 7 Sherwood Avenue Section 89.16-2-83**

Assessment Year	Tax ID No.	Original Assessed Value	Reduction	Final Assessed Value
2009	89.16-2-83	\$114,560	\$17,380	\$97,180
2010	89.16-2-83	\$114,560	\$5,170	\$109,390

**WHEREAS, any and all refunds necessitated by said settlement will be made without interest; and**

**WHEREAS, the Town Board, upon the recommendation of the Assessor, concurred by Special Counsel to the Town, finds the proposed settlement appropriate and in the best interest of the Town of Ossining; now therefore it is**

**RESOLVED, that settlement of the proceedings, on the terms set forth herein, is hereby accepted and approved, subject to the approval of the Supreme Court, Westchester County, wherein such proceedings are pending; and it is further**

**RESOLVED, that Special Counsel to the Town is hereby authorized and directed to procure and execute any documents necessary to effectuate such settlement; and it is further**

**RESOLVED, subject to the approval of the Supreme Court, Westchester County, that the Assessor is authorized and directed to make the changes and corrections to the individual unit assessment on the tax assessment roll of the Town of Ossining, which will be ordered pursuant to the Consent Judgment to be entered in accordance with the terms of this settlement, and the Receiver of Taxes is authorized and directed to process and pay the refund of Town of Ossining taxes estimated to be \$ 14,463.76, which will be ordered pursuant to said Consent Judgment.**

#### **G. Agreement- Briarcliff Little League**

**Resolved, that the Town Board of the Town of Ossining hereby authorizes the Supervisor to enter into an agreement with the Briarcliff Little League regarding field usage at Ryder Park for the time period between April 1st and October 31st for the years 2017, 2018 and 2019, including general provisions related to league conduct and procedures for the time period, in a form acceptable to Counsel to the Town.**

#### **H. Acceptance of Donation- Briarcliff Little League**

**Resolved, that the Town Board of the Town of Ossining hereby accepts the donation in the amount of 7,523.75 from the Briarcliff Little League, to be used for the express purpose of adding clay and bases to Field #2 at Ryder Park; and**

**Be it further Resolved, that the aforementioned items will hereby become property of the Town of Ossining once installed at Ryder Park.**

#### **I. IMA for Stormwater Mapping**

**WHEREAS, The Village of Sleepy Hollow as Lead Agency has applied for and been approved for a Stormwater Quality Improvement Project grant (DEC01-C00077GG-335000) in the amount of \$343,854.00 from New York State Department of Environmental Conservation for Stormwater Mapping services on behalf of the stormwater consortium; and**

**WHEREAS, the members of the Consortium have previously agreed to participate in the Consortium; and**

**WHEREAS, the Town of Ossining is a member of that Consortium and wishes to participate in the implementation phase of the project to further enhance the data base for mapping of stormwater infrastructure consistent with requirements of New York State;**

**NOW, THEREFORE BE IT RESOLVED that the Town of Ossining hereby enters into an intermunicipal agreement with the Village of Sleepy Hollow for the purpose of implementing the above referenced grant agreement with New York State Department of Environmental Conservation, as amended on November 7<sup>th</sup>, 2016 and attached hereto; and**

**FURTHER hereby agrees to the terms of the agreement providing specified in-kind services; and**

**FURTHERMORE providing salary and benefit information in connection with those services to the Village of Sleepy Hollow in a timely manner.**

**J. Policy- Open Enrollment Policy for the Town of Ossining**

**Be it Resolved, that the Town Board of the Town of Ossining hereby approves the attached policy limiting the Open Enrollment Period for Town of Ossining employees to the time period between November 1<sup>st</sup> and November 30<sup>th</sup> of any given year; and**

**Be it further Resolved, that this policy shall become effective upon adoption.**

**VIII. CORRESPONDENCE TO BE RECEIVED AND FILED**

**Resolved, that the Town Board of the Town of Ossining hereby accepts the following Zoning Board Resolutions:**

- **Bethany Arts Community dated November 7, 2016**
- **Thomas Arminio dated November 7, 2016**

**IX. MONTHLY REPORTS**

**Resolved, that the Town Board of the Town of Ossining hereby accepts the following monthly reports for the month of October 2016 from:**

- **Town Tax Receiver's**
- **Town Building Department**

**X. VISITOR RECOGNITION**

**XI. ADJOURNMENT –EXECUTIVE SESSION– CONTRACTS & LITIGATION**