

**TOWN BOARD
TOWN OF OSSINING
OSSINING, NEW YORK**

**REGULAR MEETING
AUGUST 15, 2006
7:30 PM**

**MUNICIPAL BLDG.
16 Croton Ave.**

I. CALL TO ORDER

The August 7, 2006 Regular Board Meeting was rescheduled for this evening due to a lack of quorum. This meeting was called to order at 7:30 p.m. by Deputy Supervisor Geoffrey Harter. Other members of the Board present were: Martha Dodge, David Krieger and Northern Wilcher. Supervisor John Chervokas was absent. Also present were: Connie Cerny, Budget Officer and Connie Alfini, Deputy Town Clerk.

II. BOARD RESOLUTIONS

A. Approval of Minutes

Councilmember Krieger moved and it was seconded by Councilmember Wilcher that the following be approved:

Resolved, that the Town Board of the Town of Ossining hereby approves the Minutes of the July 25, 2006 Regular Meeting as presented.

Motion Carried: Unanimously

B. Approval of Voucher Detail Report

Councilmember Wilcher moved and it was seconded by Councilmember Krieger that the following be approved:

Resolved, that the Town Board of the Town of Ossining hereby approves the Voucher Detail Report dated August 7, 2006 in the amount of \$133,504.83.

Motion Carried: Unanimously

C. Awarding of Bid-Engel Park Playground Improvement Project

Councilmember Dodge moved and it was seconded by Councilmember Krieger that the following be approved:

Whereas, the Town of Ossining has solicited bids for the Engel Park Playground Improvement Project; and

Whereas, a public notice was advertised in the Journal News on June 20, 2006; and

Whereas, at 10:00a.m., Thursday, July 6, 2006 all bids received were opened and upon reviewing the bids, the Town Attorney determined that the lowest responsible bidder meeting the requirements of the contract documents for the Playground Improvement Project is Peter J. Landi, Inc. of Eastchester, NY at a total bid price of \$199,438.40;

Now, Therefore be it Resolved, that the Playground Bid at Engel Park is hereby awarded to Peter J. Landi, Inc. for the total bid price of \$199,438.40.

Motion Carried: Unanimously

D. Finance-Capital Project # 2006-2146-Engel Park Playground Improvement Project

Councilmember Wilcher moved and it was seconded by Councilmember Krieger that the following be approved:

Resolved, that the Town Board of the Town of Ossining hereby authorizes the establishment of Capital Project #2006-2146-Engel Park Playground Improvement Project, in the amount of \$199,438.40 to be funded by a Westchester County Community Development Block Grant in the amount of \$150,000.00 and 2007 General Fund-Transfer to Capital Fund in the amount of \$50,000.00.

Motion Carried: Unanimously

E. Finance-2006 Budget Adjustment

Councilmember Wilcher moved and it was seconded by Councilmember Krieger that the following be approved:

Resolved, that the Town Board of the Town of Ossining hereby authorizes Capital Project # 2005-0035 entitled Repair of Highway Dept. Garage Floor in the amount of \$80,000 to be closed; and

Be it further Resolved, that the 2006 Highway Budget be amended as follows:

Increase the following accounts by the amounts listed:

31-0031-5038-Transfer from Debt Service	\$80,000
31-9730-610-Principal	\$80,000

Motion Carried: Unanimously

F. CERTIORARI SETTLEMENTS

**PETER NICHOLSON
BRIARCLIFF MANOR ASSOCIATES**

vs.

TOWN OF OSSINING

Councilmember Krieger moved and it was seconded by Councilmember Wilcher that the following be approved:

WHEREAS, proceedings pursuant to Article 7 of the Real Property Tax Law of the State of New York were instituted by PETER NICHOLSON, Petitioner, against the Town of Ossining to review the tax assessment made on Petitioner's property located at 156 Sleepy Hollow Road, and designated on the tax assessment map of the Town of Ossining as Section 4.16, Block 010, Lot 25, for assessment years 2003 through 2006, which proceedings are now pending in the Supreme Court of the State of New York, County of Westchester, under Index Nos. 16813/03, 15408/04 and 17159/05; and

WHEREAS, proceedings pursuant to Article 7 of the Real Property Tax Law of the State of New York were instituted by BRIARCLIFF MANOR ASSOCIATES, Petitioner, against the Town of Ossining to review the tax assessment made on Petitioner's property located at 345 North State Road, and designated on the tax assessment map of the Town of Ossining as Section 4, Plate 7, Block 7, Lot 4; for assessment years 2002 through 2005, which proceedings are now pending in the Supreme Court of the State of New York, County of Westchester, under Index Nos. 17514/02, 15647/03, 16030/04 and 16950/05; and

WHEREAS, the above Petitioners have agreed to a compromise and settlement of such proceedings, subject to the approval of the Town Board, correcting and reducing the assessed valuation of their real property and improvements, as follows:

PETER NICHOLSON
Section 4.16, Block 010, Lot 25

Assessment Year	Original Assessment	Corrected Assessment	Reduction
2003	163,350	152,000	11,350
2004	163,350	148,000	15,350
2005	163,350	144,000	19,350
2006	163,350	115,000	48,350

BRIARCLIFF MANOR ASSOCIATES
Section 4, Plate 7, Block 7, Lot 4

Assessment Year	Original Assessment	Corrected Assessment	Reduction
2002	518,400	436,000	82,400
2003	518,400	420,000	98,400
2004	518,400	396,000	122,400
2005	518,400	370,000	148,400

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

WHEREAS, the Town Board, upon the recommendation of the Assessor, concurred in by the Town Attorney, finds the proposed settlements 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 Town Attorney is hereby authorized and directed to procure and execute any documents necessary to effectuate such settlements; and it is further

RESOLVED, that the Assessor is authorized and directed to make the changes and corrections to the tax assessment rolls of the Town of Ossining which will be ordered pursuant to the Consent Judgments to be entered in accordance with the terms of these settlements, and the Receiver of Taxes is authorized and directed to process and pay the refund of Town of Ossining taxes, estimated to be \$2,910.04, which will be ordered pursuant to said Consent Judgments.

Motion Carried: Unanimously

G. Zoning Board of Appeals-Resignation/Appointment

Councilmember Wilcher moved and it was seconded by Councilmember Krieger that the following be approved:

Resolved, that the Town Board of the Town of Ossining hereby accepts, with regret, the resignation of Charles Greiter as Chairman of the Zoning Board of Appeals effective July 24, 2006 and hereby appoints Sal Carrera of Ryder Avenue, Briarcliff Manor, as Chairman.

Motion Carried: Unanimously

H. Highway Department-Temporary Appointment

Councilmember Wilcher moved and it was seconded by Councilmember Dodge that the following be approved:

Resolved, that the Town Board of the Town of Ossining hereby appoints Raymond Blackwell, S. Highland Avenue, Ossining, NY to the temporary position of Laborer in the Highway Department at the hourly rate of \$12.00, effective July 31, 2006.

Motion Carried: Unanimously

IV. CORRESPONDENCE TO BE RECEIVED AND FILED

Councilmember Krieger move and it was seconded by Councilmember Dodge that the following correspondence be received and filed:

1. June, 2006 Helicopter Log from G.E.

Motion Carried: Unanimously

V. MONTHLY REPORTS – July, 2006

Councilmember Wilcher moved and it was seconded by Councilmember Dodge that the Monthly Reports for July, 2006 from Town Clerk, Tax Receiver and Building Department be received and filed.

Motion Carried: Unanimously

VII. ADJOURNMENT

At 7:57 p.m., Councilmember Wilcher moved and it was seconded by Councilmember Krieger that the meeting be adjourned.

Motion Carried: Unanimously

Approved:

Mary Ann Roberts, Town Clerk