

TOWN BOARD  
TOWN OF OSSINING  
BIRDSALL-FAGAN POLICE/COURT FACILITY  
86-88 SPRING STREET - OSSINING, NEW YORK  
DECEMBER 12, 2006  
7:30 PM

SUPERVISOR

John Chervokas

COUNCILMEMBERS

Geoffrey Harter

Northern Wilcher

David Krieger

Martha Dodge

I. CALL TO ORDER

The Regular Meeting of the Town Board of the Town of Ossining was held on December 12, 2006 in the Police/Court Facility, 86-88 Spring Street in Ossining. The meeting was called to order at 7:30 p.m. by Supervisor John Chervokas. Members of the Board present were: Geoffrey Harter, Northern Wilcher and Martha Dodge. Councilmember David Krieger was absent. Also present were: Tom Beirne, Town Attorney and Mary Ann Roberts, Town Clerk.

II. ANNOUNCEMENTS

Supervisor Chervokas wished everyone a Happy Holiday, Hanukah, Christmas and Kwanza.

Councilmember Harter reminded everyone to attend the Holiday Party in honor of the Toys for Tots at the Ossining Boat and Canoe Club on Sunday, December 17<sup>th</sup> from 1 to 4 pm

Councilmember Wilcher announced that the Corinthian Lodge would be hosting a Christmas Party from noon until 3 pm on Sunday, December 17<sup>th</sup>.

III. BOARD RESOLUTIONS

A. Approval of Minutes – November 28, 2006

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

Resolved, that the Town Board of the Town of Ossining hereby approves the Minutes of the November 28, 2006 Regular Meeting as presented.

Motion Carried: Unanimously

B. Approval of Voucher Detail Report

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

Resolved, that the Town Board of the Town of Ossining hereby approves the Voucher Detail Report dated December 12, 2006 in the amount of \$344,032.72.

Motion Carried: Unanimously

C. Approval of the Town of Ossining 2007 Budget

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

Resolved, that the Town Board of the Town of Ossining hereby approves the 2007 Budget for the Town of Ossining. Total appropriations for the 2007 entire Town (10) Fund are \$4,719,512. Total appropriations for the Unincorporated Area (20) Fund are \$3,383,468 and Total Appropriations for the Highway Department (31) Fund are \$1,978,610. Total appropriations for the Water and Sewer Funds are \$430,821. Total appropriations for the Fire/Light/Refuse funds are \$1,174,535.

Motion Carried: Unanimously

**D. CERTIORARI SETTLEMENT  
ROSECLIFF HOMEOWNER'S ASSOCIATION, INC.  
vs.  
TOWN OF OSSINING**

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

WHEREAS, proceedings pursuant to Article 7 of the Real Property Tax Law of the State of New York were instituted by Rosecliff Homeowner's Association, Inc., Petitioner, against the Town of Ossining to review the tax assessments made on Petitioner's property located at Rosecliff, and designated on the tax assessment map of the Town of Ossining as Section 4.33, Block, 1, Lot 99; Section 4.33, Block 2, Lot 99; Section 4.33, Block 3, Lot 99; Section 4.33, Block 4, Lot 99; and Section 4.33, Block 5, Lot 99, for assessment years 2002 through and including 2005; and Section 105.09, Block 1, Lot 2; Section 105.13, Block 1, Lot 18; Section 105.13, Block 1, Lot 48; Section 105.13, Block 2, Lot 17; Section 105.13, Block 2, Lot 53; Section 105.19, Block 1 – private road (f/k/a 4.33-1-99), for the 2006 assessment year, which proceedings are now pending in the Supreme Court of the State of New York, County of Westchester, under Index Nos. 17609/02, 14648/03, 14873/04, 16247/05 and 19890/06; and

WHEREAS, 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 the real property and improvements, as follows:

Tax Years 2002/03 through 2005/06

Tax Lot	Original Assessment	Reduced Assessment	Reduction in Assessment
4.33-1-99	17,000	-0-	17,000
4.33-2-99	17,000	-0-	17,000
4.33-3-99	17,000	-0-	17,000
4.33-4-99	39,400	-0-	39,400
4.33-5-99	17,000	-0-	17,000

Tax Year 2006/07

Tax Lot	Original Assessment	Reduced Assessment	Reduction in Assessment
105.09-1-2	10	-0-	10
105.13-1-18	39,400	-0-	39,400
105.13-1-48	17,000	-0-	17,000
105.13-2-17	17,000	-0-	17,000
105.13-2-53	17,000	-0-	17,000
105.19-1 Private road f/k/a 4.33-1-99	17,000	-0-	17,000

WHEREAS, any and all refunds necessitated by said settlement will be made without interest, if made within sixty (60) days of service of the Judgment and Order, with a Demand for Refund. Furthermore, all refunds are subject to a discount of twenty-five (25%) percent of the total amount to be refunded; and

WHEREAS, the Town Board, upon the recommendation of the Assessor, concurred with by the Town Attorney, 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 Town Attorney is hereby authorized and directed to procure and execute any documents necessary to effectuate such settlement; 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 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 \$2,464.81, which will be ordered pursuant to said Consent Judgment.

Motion Carried: Unanimously

E. Police Facility-Facilities Management Services Agreement

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

Resolved, that the Town Board of the Town of Ossining hereby authorizes the Supervisor to sign an agreement with Calgi Construction Company, Inc. of New Rochelle, NY for facilities management services for the Police Facility located at 507 North State Road, Briarcliff Manor, NY. Such services shall include technical support, procurement and management of service agreements, monitoring on-site repairs and assistance with procurement of additional support services; and be it further

Resolved, that the standard rates for assigned personnel shall be in accordance with the agreement provided by Calgi Construction Company, Inc. dated December 14, 2005.

Motion Carried: Unanimously

IV. MONTHLY REPORTS

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

Motion Carried: Unanimously

V. CORRESPONDENCE TO BE RECEIVED AND FILED

Councilmember Harter moved and it was seconded by Councilmember Wilcher that the following correspondence be received and filed:

1. November, 2006 Helicopter Log from General Electric.
2. October 25, and November 15, 2006 Planning Board Minutes.

Motion Carried: Unanimously

VI. ADJOURNMENT

At 7:45 p.m., Councilmember Harter moved and it was seconded by Councilmember Wilcher that the meeting be adjourned into Executive Session for the purpose of Personnel.

Motion Carried: Unanimously

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Mary Ann Roberts, Town Clerk