



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

**FEBRUARY 11, 2014
7:30 P.M.**

**SUPERVISOR
Susanne Donnelly**

**COUNCILMEMBERS
Geoffrey Harter Eric P. Blaha
Kim L. Jeffrey Northern Wilcher**

I. CALL TO ORDER – PLEDGE OF ALLEGIANCE – ROLL CALL

The Regular Meeting of the Town Board of the Town of Ossining was held on February 11, 2014 in the Police/Court Facility, 86-88 Spring Street in Ossining. The meeting was called to order at 7:30 p.m. by Supervisor Susanne Donnelly. Members of the Board present were: Councilmembers Geoffrey Harter, Northern Wilcher and Eric Blaha. Councilmember Kim L. Jeffrey was absent. Also present were Town Attorney Wayne Spector, Budget Officer Madeline Zachacz and Town Clerk Mary Ann Roberts.

II. Public Hearing In The Matter Of The Salary Of The Elected Highway Superintendent

At 7:31 P.M., the Public Hearing was opened.

No one spoke on this matter.

At 7:32 P.M., Trustee Blaha moved and it was seconded by Trustee Wilcher that the Public Hearing be closed.

III. ANNOUNCEMENTS

IV. PUBLIC COMMENT ON AGENDA ITEMS

V. BOARD RESOLUTIONS

A. Approval of Minutes-Regular Meeting

Councilmember Harter 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 January 28, 2014, Minutes of the Regular Meeting as presented.

Motion Carried: Unanimously

B. Approval of Minutes-Special Meeting

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

Resolved, that the Town Board of the Town of Ossining hereby approves the February 3, 2014, Minutes of the Special Meeting as presented.

Motion Carried: Unanimously

C. Approval of Voucher Detail Report

Councilmember Harter 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 Voucher Detail Report dated February 11, 2014 in the amount of \$17,148.46 for 2013 and \$427,946.53 for 2014. Grand total of \$445,094.99

Motion Carried: Unanimously

D.

TAX CERTIORARI

Briarcliff-160 Co., LLC

vs.

Town Of Ossining

Councilmember Wilcher moved and it was seconded by Councilmember Blaha 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 Briarcliff -160 Co., LLC against the Town of Ossining and Briarcliff Manor Union Free School District, to review the tax assessments made on Petitioner's property located at 160 North State Road, Village of Briarcliff Manor in The Town of Ossining, and designated on the tax assessment map of the Town of Ossining as Section 98.10-2-26 for Tax Assessment Years 2009, 2010, 2011, 2012 and 2013, which proceedings are now pending in the Supreme Court of the State of New York, County of Westchester, under Index Nos.23851/09; 25518/10; 15705/11; 66898/12 and 66158/13; 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:

<u>Ass't Year</u>	<u>Assessed Valuation Reduced From</u>	<u>Reduced To</u>	<u>Amount of Reduction</u>
2009	52,500	40,450	12,050
2010	52,500	42,800	9,700
2011	52,500	43,300	9,200
2012	52,500	45,100	7,400
2013	52,500	46,500	6,000

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 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, 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 \$ 424.12 , which will be ordered pursuant to said Consent Judgment.

Motion Carried: Unanimously

E. **TAX CERTIORARI**
Metallized Carbon Corporation
vs.
Town Of Ossining

Councilmember Blaha 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 Metallized Carbon Corporation against the Town of Ossining, to review the tax assessments made on Petitioner's property located at Barlow Lane, Village of Ossining, and designated on the tax assessment map of the Town of Ossining as Section 97.07-1-52 for Tax Assessment Years 2007,2008, 2009, 2010, 2011, 2012 and 2013, which proceedings are now pending in the Supreme Court of the State of New York, County of Westchester, under Index Nos.18878/07; 22397/08; 23424/09; 25026/10; 15040/11; 66831/12; 66946/13; 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:

<u>Assess. Year</u>	<u>Assessed Valuation</u>		<u>Amount of Reduction</u>
	<u>Reduced From</u>	<u>Reduced To</u>	
2007	269,020	215,216	53,804
2008	269,020	215,216	53,804
2009	269,020	215,216	53,804
2010	269,020	215,216	53,804
2011	269,020	228,667	40,353
2012	269,020	228,667	40,353
2013	269,020	228,667	40,353

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 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, 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 \$ 3,014.88 , which will be ordered pursuant to said Consent Judgment.

Motion Carried: Unanimously

F. Town Clerk - Authorization to Attend NYS Town Clerk's Conference

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

Resolved, that the Town Board of the Town of Ossining hereby authorizes the Town Clerk to attend the NYS Town Clerk's Conference in Saratoga, N.Y. on April 27, 2014 through April 30, 2014.

Motion Carried: Unanimously

G. Agreement - Call a Cab

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

Resolved, that the Town Board of the Town of Ossining hereby authorizes the Supervisor to sign an agreement with ECUA Taxi 73 Croton Avenue, Big Taxi 143 North Highland Avenue, AJ's Taxi PO Box 369, Ft. Montgomery, NY, New Mega Taxi 110 North Highland Avenue and Amigo's Taxi 290 North Washington Street, Sleepy Hollow, NY ending December 31, 2014.

Motion Carried: Unanimously

VI. CORRESPONDENCE TO BE RECEIVED AND FILED

VII. MONTHLY REPORTS

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

Resolved, that the Town Board of the Town of Ossining hereby accepts the following monthly reports for the month of January 2014 from:

- Town Clerk's Office
- Town Supervisor's Office
- G.E. Helicopter Report
- Town Highway Department
- Town Building Department

Motion Carried: Unanimously

VIII. VISITOR RECOGNITION

IX. ADJOURNMENT –EXECUTIVE SESSION-LEGAL ADVICE

At 7:50 P.M. Councilmember Wilcher moved and it was seconded by Councilmember Harter that the meeting be adjourned.

Motion Carried: Unanimously

Approved:

Mary Ann Roberts, Town Clerk