



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

**APRIL 26, 2011
7:30 P.M.**

**SUPERVISOR
Catherine Borgia**

COUNCILMEMBERS

**Geoffrey Harter Michael L. Tawil
Peter Tripodi 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 April 26, 2011 in the Police/Court Facility, 86-88 Spring Street in Ossining. The meeting was called to order at 7:30 p.m. by Supervisor Catherine Borgia. Members of the Board present were: Councilmembers Geoffrey Harter, Michael Tawil, Northern Wilcher and Peter Tripodi. Also present were Town Attorney Wayne Spector and Town Clerk Mary Ann Roberts.

**II. Police Department Update- Chief Inspector John Hodges &
Captain Thomas Gleason-Westchester County Police Department**

Chief Inspector Hodges was happy to report all was going well with the transition. Captain Mark Busche was also present and is transitioning well. The Sergeants are at approximately two thirds to three quarters transitioned and are a group of very professional individuals. There have been a few minor problems which were easily worked out.

Captain Gleason commented on the Monthly Reports with March's Report showing a nice increase in traffic summons. They are attempting to capture every event, dark house inspections, commercial inspections, etc. They are continuing with the cross-training of officers and Lt. Provenzano has been a tremendous help during this time.

Supervisor Borgia commented on the cross-training as it pertains to street locations. Captain Busche commented on Hillcrest Drive as an example of needing further education on street locations and should be made available thru the Town website. Ms. Borgia requested an explanation of Village Incidents where County Police went to the scene. Chief Inspector Hodges explained that when 911 calls are received they go to TMC and they are unsure of the location. If the call goes off line the GPS will triangulate and locate where the call came from. The Village and the County do have a Mutual Aid Agreement. There was an issue when a Lt., Sgt. And patrol car arrived at a Village incident and left as soon as they saw everything was under control. The County would rather send a car to make sure someone is covering the incident rather than be sorry that no one arrived.

Councilmember Tripodi had several questions:

1. How is the relationship with the Village Police?
2. How is the 507 North State Road building utilized?
3. How many officers are at 507 North State Road during the day and weekends?

Chief Inspector Hodges responded that the officers are turning out of the building for their shifts and Lt. Provenzano also has an office there. The Special

Investigation (Internal Affairs) is also located there. All three tours turn out from the building. Detectives Whitney and Otero also have desks there.

Councilmember Tawil stated that the building is used around the clock for patrol. To the untrained eye you see County vehicles all over the Town.

Councilmember Wilcher stated that if he should ever need help he does not want the County Police to turn around because they are in another town. For someone to try and discriminate against one officer from another is wrong and feels that it is petty. Councilman Wilcher commended County Police for doing what they do best when they are on a call.

Councilman Harter thanked Chief Hodges, Captain Gleason and Captain Busche for all of their confidence.

A resident complimented the County regarding an incident when their street was covered in a thick layer of snow and her son was unable to make it up the hill. She called the Town Police which at this time had changed over to the County and a County Officer arrived, called the Town Highway and stayed with her son until the plow arrived and cleared the road.

Ellen Kahan, Ganung Drive, complimented the police but also reminded them about the upcoming cabaret and the noise level and that the decibel meter should be calibrated for an accurate reading.

The officer responded that it was expensive to maintain as well as train someone to operate it. There will be more discussions with the Town regarding this.

Supervisor Borgia added that she has been receiving positive feedback regarding the police transition. On the whole people in the community are very pleased and this proves that this transition was seamless.

III. ANNOUNCEMENTS

Councilmember Tripodi announced that the Ossining Fire Department would have a Wet Down on April 30, 2011 from 12 noon to 3 p.m. at the State Street Firehouse. The Ossining Historical Society is also looking for members. Applications will be available at the Municipal Building at 16 Croton Avenue.

Supervisor Borgia announced the Earth Day/Stash the Trash event on Saturday, April 30, 2011. There will be animals from the Hilltop Hanover Farm.

IV. PUBLIC COMMENT ON AGENDA ITEMS-None

V. BOARD RESOLUTIONS

A. Approval of Minutes

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

Resolved, that the Town Board of the Town of Ossining hereby approves the April 12, 2011 Minutes of the Regular Meeting as presented.

Vote: 4-1-0

**Voting Aye: Tawil, Harter,
Wilcher & Borgia**

Abstain: Tripodi

B. Approval of Voucher Detail Report

Councilmember Tawil 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 April 26, 2011 in the amount of \$464,312.26 for 2011.

Vote: 4-0-1

Voting Aye: Tawil, Harter,
Wilcher & Borgia

Nay: Tripodi

C. Senior Services-Westchester County Food Establishment Permit Renewal

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 application with the Westchester County Department of Health for a permit to operate a food service establishment at the Community Center for the period July 1, 2011-June 30, 2012.

Motion Carried: Unanimously

D. Agreement- Auctions International

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

Resolved, that the Town Board of the Town of Ossining hereby authorizes the Supervisor to enter into an online auction contract with Auctions International, Inc., Cheektowaga, NY to sell surplus vehicles and any other miscellaneous equipment or supplies. The Town of Ossining will be required to pay a 10% seller's fee added to the successful high bid prices, which will constitute Auctions International Inc. compensation for these services.

Motion Carried: Unanimously

E.

TAX CERTIORARI
WILLIAM J. VESCIO & SARA A. VESCIO
vs.
TOWN OF OSSINING

Councilmember Harter 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 William J. Vescio and Sara A. Vescio against the Town of Ossining to review the tax assessments made on Petitioner's property located on 124 Old Briarcliff Road, 130 Old Briarcliff Road, and 136 Old Briarcliff Road in the Town of Ossining, and designated on the tax assessment map of the Town of Ossining as Section 98.09, Block 1, Lot 3.1; Section 98.09, Block 1, Section 3.2; Section 98.09, Block 1, Lot 3.3, for assessment years 2009 and 2010, which proceedings are now pending in the Supreme Court of the State of New York, County of Westchester, under Index Nos. 23863/2009, 25534/2010; 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:

Tax Map #98.09/1/3.1 (124 Old Briarcliff Road)

Ass't Year	Assessed Valuation Reduced From	Assessed Valuation Reduced To	Amount of Reduction
2009	21,700	16,100	5,600
2010	21,700	17,500	4,200

Tax Map #98.09/1/3.2 (130 Old Briarcliff Road)

Ass't Year	Assessed Valuation Reduced From	Assessed Valuation Reduced To	Amount of Reduction
2009	24,100	16,300	7,800
2010	24,100	17,750	6,350

Tax Map #98.09/1/3.3 (136 Old Briarcliff Road)

Ass't Year	Assessed Valuation Reduced From	Assessed Valuation Reduced To	Amount of Reduction
2009	31,600	24,300	7,300
2010	31,600	26,400	5,200

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 \$ 507.79, which will be ordered pursuant to said Consent Judgment.

Motion Carried: Unanimously

**F. TAX CERTIORARI
THE GREAT ATLANTIC & PACIFIC TEA CO., INC.,
vs.
TOWN OF OSSINING**

Councilmember Tawil 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 The Great Atlantic & Pacific Tea Co., Inc., against the Town of Ossining to review the tax assessments made on Petitioner's property located on 1886 Pleasantville Road in the Town of Ossining, and designated on the tax assessment map of the Town of Ossining as Section 90.17, Block 1, Lot 3, for assessment years 2000 through 2010, which proceedings are now pending in the Supreme Court of the State of New York, County of Westchester, under Index Nos. 15548/2000, 15457/2001, 16861/2002, 15414/2003, 14443/2004, 16695/2005, 19280/2006, 19777/2007, 20866/2008, 21832/2009, 23459/2010; 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:

The Great Atlantic & Pacific Tea Co., Inc.
Sec: 90.17 Block: 1 Lot: 3

<u>Assessment Year</u>	<u>Total Assessment</u>	<u>Amount of Reduction</u>	<u>Reduced Assessment</u>
2000	\$266,500	\$ -0-	\$266,500
2001	266,500	-0-	266,500
2002	266,500	-0-	266,500
2003	266,500	-0-	266,500
2004	266,500	-0-	266,500
2005	266,500	-0-	266,500
2006	266,500	-0-	266,500
2007	266,500	-0-	266,500
2008	266,500	-0-	266,500
2009	280,600	-0-	280,600
2010	280,600	30,000	250,600

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 \$420.43, which will be ordered pursuant to said Consent Judgment.

Motion Carried: Unanimously

VI. VISITOR RECOGNITION

Stuart Kahan, Ganung Drive, spoke relative to the monthly bulk pick up which should be placed curb side between 7 p.m. and 7 a.m. prior to pick up. Resident are placing these items out on either a Saturday or a Sunday making it an eyesore as well as safety issues when items blow into the road.

Bobby Williams, Spring Street, discussed the upcoming school budget and the money that has been stripped by the State of New York.

VII. ADJOURNMENT

At 8:35 P.M. Councilmember Tawil moved and it was seconded by Councilmember Wilcher that the meeting be adjourned.

Approved:

Mary Ann Roberts, Town Clerk