



AGENDA
TOWN BOARD
TOWN OF OSSINING
HELD VIA VIDEO CONFERENCING ONLY

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<https://us02web.zoom.us/j/88412985931>

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Meeting ID: 884 1298 5931

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MAY 10, 2022
REGULAR MEETING
7:30 P.M.

SUPERVISOR
Dana A. Levenberg

COUNCILMEMBERS
Elizabeth R. Feldman Gregory G. Meyer
Angelo A. Manicchio Jennifer Fields-Tawil

- I. CALL TO ORDER-PLEDGE OF ALLEGIANCE-ROLL CALL**
- II. PUBLIC HEARING**
 - The Briarcliff Manor Cabaret License 2022
- III. SPECIAL PRESENTATION**
 - Town of Ossining 2021-2022 Draft Stormwater Annual Report, Mike Ritchie, Dolph Rotfeld Engineers
- IV. SUPERVISOR AND TOWN BOARD ANNOUNCEMENTS**
- V. ADMINISTRATIVE REPORT ON TOWN OPERATIONS**
- VI. LIAISON REPORTS**
- VII. PUBLIC COMMENT ON AGENDA ITEMS**
- VIII. BOARD RESOLUTIONS**
 - A. Approval of Minutes—Regular Meeting – April 26, 2022**

Resolved, that the Town Board of the Town of Ossining hereby approves the January 26, 2021 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 May 10, 2022 in the amount of \$139,754.26
 - C. Resolution – Local Law # 3 of 2022 – Prohibition on Release of Balloons and Sky Lanterns**

WHEREAS, although balloon and sky lantern releases are common ways to celebrate and/or memorialize people and/or occasions, there is considerable

objective and scientific evidence that such activities are contrary to Town policy and law of not littering, protecting our environment and wildlife, and being good stewards of the Hudson River; and

WHEREAS, the Town Board, in the interest of protecting the public health, safety and welfare, considered a local law to prohibit the release of balloons and sky lanterns, subject to certain exceptions; and

WHEREAS, the Town Board opened a duly noticed public hearing on the proposed local law at its regular meeting on Tuesday, April 26, 2022, and members of the public having the opportunity to attend and be heard, the public hearing was closed on April 26, 2022; and

WHEREAS, said local law has been on the desks of the members of the Town Board for at least seven days, exclusive of Sunday, prior to the adoption of this resolution, and

NOW THEREFORE,

BE IT RESOLVED, the Town Board hereby adopts a Negative Declaration pursuant to the State Environmental Quality Review Act determining this action does not have the potential to have any significant adverse environmental impacts as the Local Law will further protect the environment by prohibiting the release of materials that often become litter on land and in water and can harm wildlife; and

BE IT FURTHER RESOLVED, the Town Board, after due deliberation, finds that in the furtherance of the safety, health and well-being of the persons and property in the Town, it is in the best interest of the Town to adopt said local law, and the Town Board hereby adopts Local Law #3 of 2022 entitled Prohibition on Release of Balloons and Sky Lanterns; and

BE IT FURTHER RESOLVED, the Town Clerk is directed to enter said local law in the minutes of this meeting into the local law book for the Town of Ossining; to publish said minutes in a newspaper published in the town, if any, or in such newspaper published in the county in which such town may be located having a circulation in such town, and affidavits of said publication shall be filed with the Town Clerk; and to file a copy of said local law with the Secretary of State of New York.

D. Resolution Declaring Support for the New York State Climate Action Council Scoping Plan

WHEREAS, the Sixth Assessment of the International Panel on Climate Change (IPCC) finds that climate change is causing dangerous and widespread disruption in nature and affecting the lives of billions of people around the world; and

WHEREAS, the IPCC Assessment concludes that rapid, deep and sustained reductions in global greenhouse gas emissions (GHG) are necessary, including accelerated action in this critical decade, to limit global warming to within 1.5°C and 2°C in this century; and

WHEREAS, New York State recognizes the urgent need to reduce and eliminate GHG emissions in the atmosphere, passing the 2019 Climate Leadership and Community Protection Act ("Climate Act") committing the State to:

- reduce GHG emissions by 40 percent by 2030 below 1990 levels, and achieve net-zero emissions by 2050;
- meet 70 percent of electricity needs from renewable resources by 2030, and 100 percent of electricity needs from zero-emissions resources by 2040;

- ensure a just and equitable transition that leaves no one behind, and dedicate up to 40 percent of the benefits of clean energy investments to Disadvantaged Communities; and

WHEREAS, the New York State Climate Action Council has approved for public comment a Draft Scoping Plan to meet New York's climate and equity goals; and

WHEREAS, the Scoping Plan calls for shifting to energy-efficient electrification in buildings and transportation as the primary solution to replace fossil-fuel combustion in these sectors, which together account for 60 percent of the state's carbon emissions; and

WHEREAS, the Scoping Plan calls for a phase-down of emissions from fossil fuel-fired electricity generation, while ensuring support and protections for impacted workers as they transition to clean energy jobs; and

WHEREAS, the 2021 Jobs Study by the Just Transition Working Group for the NYS Climate Action Council estimates that meeting New York's climate goals will result in a net gain of 189,000 jobs across the state by 2030, alone, with a ratio of jobs gained to jobs displaced of 10 to 1; and

WHEREAS, the Scoping Plan includes measures that would expand the development of renewable resources and battery storage, encourage "agrivoltaics," or the co-location of agricultural activities with solar and wind, and provide resources to communities to assist with renewable siting and land-use planning; and

WHEREAS, the Scoping Plan recognizes the critical role that rural landscapes play, both natural and working lands, in sequestering carbon emissions and enabling the state to achieve net-zero emissions, and the importance of agricultural land preservation, open space protection, support for farmers to improve soil health, and policies that expand afforestation and reforestation and incentivize and assist private landowners in implementing sustainable forest management practices; and

WHEREAS, the Integration Analysis for the Scoping Plan finds that meeting emissions reduction goals of the Climate Act is technically feasible and will have the additional and significant benefit of improving public health by eliminating co-pollutants from fossil fuel combustion, resulting in an estimated \$50 to \$120 billion in health-related savings by 2050; and

WHEREAS, according to NYSERDA, over half of what New Yorkers currently spend on energy leaves New York, mostly for fossil fuels; and

WHEREAS, our communities would be better served by keeping energy spending primarily within the local economy; now, therefore be it

RESOLVED, the Town of Ossining affirms the critical importance of meeting the emissions and equity goals of the Climate Act, which will help mitigate dangerous warming while delivering the additional benefits of improving public health, economic opportunities, agricultural land open space protection, and quality of life for the people of Westchester County; and, be it further

RESOLVED, the Town of Ossining declares its support for prohibiting an expansion of fossil fuel infrastructure, which contradicts the goals of the Climate Act, and for transitioning to efficient electricity-based solutions for buildings and transportation; and be it further

RESOLVED, the Town of Ossining supports a planning process for a managed transition of the utility gas system that maintains affordable, safe,

and reliable utility service and protects low- and moderate-income households from an undue burden in the transition; and be it further

RESOLVED, the Town of Ossining supports the recommendations of the Scoping Plan for advanced building codes that will improve the energy efficiency of new buildings, creating healthier living and work environments while reducing monthly energy costs; and be it further

RESOLVED, the Town of Ossining supports the recommendations of the Scoping Plan to phase in code requirements prohibiting on-site combustion of fossil fuels in new buildings over a 2024-2027 period; and, be it further

RESOLVED, the Town of Ossining calls on the Climate Action Council to include in the Scoping Plan the necessary policies and support to help owners of existing buildings improve energy efficiency and transition to zero-emissions equipment, ensuring cost parity with fossil systems, with incentives and financing assistance as necessary; and, be it further

RESOLVED, the Town of Ossining supports Scoping Plan recommendations that make electric vehicles more affordable relative to gas-powered vehicles, and expand fast-charging infrastructure; and, be it further

RESOLVED, the Town of Ossining urges the Climate Action Council to include in the Scoping Plan recommendations to expand assistance for all-electric municipal transit systems; and, be it further

RESOLVED, the Town of Ossining further urges the New York State Department of Environmental Conservation and NYSERDA to immediately launch a sustained statewide public education and information campaign on the benefits of a clean energy economy and climate-friendly choices by consumers of heating and cooling systems, transportation, and products and appliances; and, be it further

RESOLVED, the Town of Ossining shall forward copies of this resolution to the Commissioner of the NYS Department of Environmental Conservation, President of NYSERDA, Chair of the NYS Public Service Commission, the NYS Climate Action Council, and Members of the State Senate and Assembly representing the Town of Ossining.

E. Resolution – Recertification of Special Permit – MetroPCS New York, LLC

WHEREAS, by resolution dated April 13, 2010 (“2010 Resolution”, attached hereto and made a part hereof), the Town Board granted a special permit to MetroPCS New York, LLC (the “Applicant”) for a wireless telecommunications facility (the “Facility”) at 400 Executive Boulevard in the unincorporated Town of Ossining, subject to the conditions and limitations set forth in Chapter 182A of the Town Code and the 2010 Resolution; and

WHEREAS, the Facility was constructed in accordance with the 2010 Resolution; and

WHEREAS, the Applicant submitted an application dated March 30, 2022 and supplemented by letter dated April 22, 2022 for recertification of the special permit; and

NOW THEREFORE,

BE IT RESOLVED, the Town Board determines this to be a Type II action under the State Environmental Quality Review Act (“SEQRA”) for which no environmental review is required; and

BE IT FURTHER RESOLVED, the Town Board hereby grants the Applicant's recertification of the special permit subject to compliance with the terms and conditions of Chapter 182A of the Town Code and the 2010 Resolution; and

BE IT FURTHER RESOLVED, under this special permit the Applicant may only perform modifications to the Facility that constitute an eligible facilities request under 47 C.F.R. § 1.6100 or are otherwise required to be permitted administratively or ministerially under federal, state or local laws, rules or regulations, and prior to making any other changes, modifications or additions to the Facility the Applicant shall make an application to the Town Board for an amended special permit; and

BE IT FURTHER RESOLVED, the Applicant shall make an application to the Town Board for a recertification of the special permit on or before November 10, 2026, and failure to do so may result in the special permit ceasing.

F. Donation – Outdoor Shed for Dale Cemetery

Resolved, that the Town Board of the Town of Ossining accepts the donation of a used outdoor shed at an estimated value of \$750 from Peter Connolly for use at Dale Cemetery.

G. Resignation – Planning Board

Resolved, that the Town Board of the Town of Ossining accepts, with regret, the resignation of Gareth Hougham from his positions as member and chair of the Town Planning Board, effective May 10, 2022.

H. Appointment – Planning Board Chair

Resolved, that the Town Board of the Town of Ossining hereby appoints Carolyn Stevens as chair of the Town Planning Board, effective May 11, 2022.

I. Resignation – Zoning Board

Resolved, that the Town Board of the Town of Ossining accepts, with regret, the resignation of Nicholas Emmanuel Enriquez from his position on the Town Zoning Board, effective March 22, 2022.

J. Revised Proposal – Noise Consultant

Resolved, that the Town Board of the Town of Ossining accepts the revised proposal from B. Laing Associates, Fort Salonga, NY 11768 for additional environmental consulting services regarding noise in the Crotonville area of the Unincorporated Town of Ossining, for an additional amount not to exceed \$2,600.

K. Resolution – Adoption of Comprehensive Plan – Sustainable Ossining

WHEREAS, for more than two years, the Town Board, with the assistance of the Steering Committee appointed by the Town Board comprised of Town residents, stakeholders and officials, has been preparing a new comprehensive plan with ample public input and participation; and

WHEREAS, a draft comprehensive plan was preliminarily completed entitled Sustainable Ossining dated January 27, 2022 and has been available on the Town's website for the comprehensive plan (www.sustainableossining.com) and in the Town Clerk's Office for review and inspection during normal business hours; and

WHEREAS, the Town Board, as the only involved agency, declared itself lead agency pursuant to the State Environmental Quality Review Act (“SEQRA”) for the review and adoption of the comprehensive plan; and

WHEREAS, the Town’s consultant planners prepared a Full Environmental Assessment Form, Part 1 and the Town Board adopted a Full Environmental Assessment Form, Part 2; and

WHEREAS, pursuant to General Municipal Law 239-m, the Town Board circulated the draft comprehensive plan and all applicable documents and information to the Westchester County Planning Board and those municipalities abutting the Town, more than 30 days have elapsed since said circulation and the Town Board has only received comments from the Westchester County Planning Board dated March 25, 2022, which comments were discussed at a Town Board work session and incorporated into the Comprehensive Plan; and

WHEREAS, the Town Board opened a duly-noticed public hearing on the draft comprehensive plan at its legislative session on March 8, 2022 at 7:30 p.m., which public hearing was adjourned and continued to multiple subsequent legislative sessions, and members of the public having the opportunity to attend and be heard, the public hearing was closed on April 26, 2022; and

WHEREAS, while the public hearing was open, the Town Board made modifications to the comprehensive plan to address public comment, with the final draft being last revised April 10, 2022, and gave the public an opportunity to review and comment on those changes; and

NOW THEREFORE,

BE IT RESOLVED, the Town Board hereby adopts the Environmental Assessment Form, Part 3 dated May 10, 2022 issuing a Negative Declaration determining that the adoption of the comprehensive plan does not have the potential for any significant adverse environmental impacts, thus ending the SEQRA process; and

BE IT FURTHER RESOLVED, applicable Town staff and consultants are hereby directed to file and distribute the Negative Declaration in accordance with 6 NYCRR 617.12(b); publish the Negative Declaration in the Environmental Notice Bulletin in accordance with 6 NYCRR 617.12(c); and further distribute, file and/or publish the Negative Declaration and any related documents as required by law; and

BE IT FURTHER RESOLVED, the Town Board hereby adopts the comprehensive plan entitled Sustainable Ossining last revised April 10, 2022; and

BE IT FURTHER RESOLVED, the comprehensive plan shall be filed in the Office of the Town Clerk and with the Westchester County Planning Board.

L. TAX CERTIORARI - 40 South Highland Ave. LLC & 56 South Highland Ave. 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 40 South Highland Ave. LLC & 56 South Highland Ave. LLC against The Town of Ossining, New York to review the tax assessments made on Petitioner’s property located on 40 South Highland Avenue in The Town of Ossining, New York 10562, and designated on the tax assessment map of The Town of Ossining as Section 89.19, Block 4, Lot 68 for Tax Assessment Years 2016-2021; and to review the tax assessments made on Petitioner’s property located on 56 South

Highland Avenue in The Town of Ossining, 10562, and designated on the tax assessment map of The Town of Ossining, 10562, as Section 97.07, Block 3, Lot 46; all of which proceedings are now pending in the Supreme Court of the State of New York, County of Westchester, under Index Nos. 66044/2016; 66795/2017; 66793/2018; 66651/2019; 61827/2020; and 64128/2021; 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:

40 South Highland Ave. LLC , 40 South Highland Avenue , The Town of Ossining, N.Y. 10562
Section 89.19, Block 4, Lot 68

Assessment Year	Tax ID No.	Original Assessed Value	Reduction	Final Assessed Value
2016	89.19-4-68	\$ 2,238,900	\$ 238,900	\$ 2,000,000
2017	89.19-4-68	\$ 2,238,900	\$ 238,900	\$ 2,000,000
2018	89.19-4-68	\$ 2,573,900	\$ 373,900	\$ 2,200,000
2019	89.19-4-68	\$ 2,573,900	\$ 181,173	\$ 2,392,727
2020	89.19-4-68	\$ 2,707,900	\$ 257,900	\$ 2,450,000
2021	89.19-4-68	\$ 2,803,700	\$ 280,370	\$ 2,523,330

56 South Highland Ave. LLC, 56 South Highland Avenue, The Town of Ossining, N.Y. 10562
Section 97.07, Block 3, Lot 46

Assessment Year	Tax I.D. No.	Original Assessed Value	Reduction	Final Assessed Value
2016	97.07-3-46	\$ 1,148,300	\$ 133,300	\$ 1,015,000
2017	97.07-3-46	\$ 1,148,300	\$ 57,415	\$ 1,090,885
2018	97.07-3-46	\$ 1,322,300	\$ 122,300	\$ 1,200,000
2019	97.07-3-46	\$ 1,322,300	\$ 122,300	\$ 1,200,000
2020	97.07-3-46	\$ 1,412,700	\$ 137, 700	\$ 1,275,000
2021	97.07-3-46	\$ 1,436,000	\$ 143,600	\$ 1,292,400

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 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 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 \$ 1,792.83, at this time, which will be ordered pursuant to said Consent Judgment.

M. TAX CERTIORARI – 40 South Highland Ave. LLC & 56 South Highland Ave. 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 40 South Highland Ave. LLC & 56 South Highland Ave. LLC against The Town of Ossining, New York to review the tax assessments made on Petitioner’s property located on 40 South Highland Avenue in The Town of Ossining, New York 10562, and designated on the tax assessment map of The Town of Ossining as Section 89.19, Block 4, Lot 68 for Tax Assessment Years 2016-2021; and to review the tax assessments made on Petitioner’s property located on 56 South Highland Avenue in The Town of Ossining, 10562, and designated on the tax assessment map of The Town of Ossining, 10562, as Section 97.07, Block 3, Lot 46; all of which proceedings are now pending in the Supreme Court of the State of New York, County of Westchester, under Index Nos. 66044/2016; 66795/2017; 66793/2018; 66651/2019; 61827/2020; and 64128/2021; 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:

40 South Highland Ave. LLC , 40 South Highland Avenue , The Town of Ossining, N.Y. 10562
Section 89.19, Block 4, Lot 68

Assessment Year	Tax ID No.	Original Assessed Value	Reduction	Final Assessed Value
2016	89.19-4-68	\$ 2,238,900	\$ 238,900	\$ 2,000,000
2017	89.19-4-68	\$ 2,238,900	\$ 238,900	\$ 2,000,000
2018	89.19-4-68	\$ 2,573,900	\$ 373,900	\$ 2,200,000
2019	89.19-4-68	\$2,573,900	\$ 179,300	\$ 650,000
2020	89.16-1-56	\$ 832,700	\$ 182,700	\$ 650,000
2021	89.16-1-56	\$ 825,500	\$ 175,500	\$ 650,000

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 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 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 \$ 769.71, at this time, which will be ordered pursuant to said Consent Judgment.

N. TAX CERTIORARI – Highland Terrace Owners 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 Highland Terrace Owners Corp. against The Town of Ossining, New York to review the tax assessments made on Petitioner’s property located on Holbrook Road in The Town of Ossining, New York 10562, and designated on the tax assessment map of The Town of Ossining as Section 97.12, Block 1, Lot 88 for Tax Assessment Years 2016-2021; and to review the tax assessments made on Petitioner’s property located on 123-125 South Highland Avenue in The Town of Ossining, 10562, and designated on the tax assessment map of The Town of Ossining, 10562, as Section 97.11, Block 4, Lot 32; all of which proceedings are now pending in the Supreme Court of the State of New York, County of Westchester, under Index Nos. 64743/2016; 66130/2017; 66054/2018; 65589/2019; 61492/2020; and 63588/2021; 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:

**Highland Terrace Owner’s Corp. Holbrook Road, The Town of Ossining, N.Y. 10562
Section 97.12, Block 1, Lot 8**

Assessment Year	Tax ID No.	Original Assessed Value	Reduction	Final Assessed Value
2016	97.12-1-8	\$ 157,800	\$ 0	\$ 157,800
2017	97.12-1-8	\$ 157,800	\$ 0	\$ 157,800
2018	97.12-1-8	\$ 162,700	\$ 0	\$ 162,700
2019	97.12-1-8	\$ 162,700	\$ 0	\$ 162,700
2020	97.12-1-8	\$ 162,600	\$ 0	\$ 162,600
2021	97.12-1-8	\$ 162,600	\$ 0	\$ 162,600

**Highland Terrace Owner’s Corp. 123-125 South Highland Avenue, The Town of Ossining, N.Y. 10562
Section 97.07, Block 3, Lot 46**

Assessment Year	Tax I.D. No.	Original Assessed Value	Reduction	Final Assessed Value
2016	97.11-4-32	\$ 12,707,400	\$ 0	\$ 12,707,400
2017	97.11-4-32	\$ 12,707,400	\$ 0	\$ 12,707,400
2018	97.11-4-32	\$ 14,613,300	\$ 739,000	\$ 13,874,300
2019	97.11-4-32	\$ 14,613,300	\$ 738,300	\$ 13,875,000
2020	97.11-4-32	\$15,270,900	\$ 1,053,500	\$ 14,217,400
2021	97.11-4-32	\$15,735,600	\$ 1,198,200	\$14,537,400

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 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 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 \$ 3,621.42, at this time, which will be ordered pursuant to said Consent Judgment.

O. TAX CERTIORARI – Research Center on Natural Conservation, Inc. 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 Research Center on Natural Conservation, Inc. against The Town of Ossining, New York to review the tax assessments made on Petitioner’s property located on 235 Elm Road in The Village of Briarcliff Manor in The Town of Ossining, New York, and designated on the tax assessment map of The Town of Ossining as Section 98.19, Block 2, Lot 11 for Tax Assessment Years 2018 and 2019, which proceedings are now pending in the Supreme Court of the State of New York, County of Westchester, under Index Nos. 65562/2018 and 65398/2019; 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:

**Research Center on Natural Conservation, Inc., 235 Elm Road, The Village of Briarcliff Manor in The Town of Ossining
Section 98.19, Block 2, Lot 11**

Assessment Year	Tax ID No.	Original Assessed Value	Reduction	Final Assessed Value
2018	98.19-2-11	\$ 17,715,900	\$ 5,033,300	\$ 12,682,600
2019	98.19-2-11	\$ 17,715,900	\$ 5,333,300	\$ 12,382,600

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 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 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 \$ 7,848.23 at this time, which will be ordered pursuant to said Consent Judgment.

P. TAX CERTIORARI – Scarborough Manor Owner’s 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 Scarborough Manor Owner’s Corp. against The Town of Ossining, New York to review the tax assessments made on Petitioner’s property located on 16 Rockledge Avenue, in The Town of Ossining, New York 10562, , and designated on the tax assessment map of The Town of Ossining as Section 97.15, Block 1, Lot 37 for Tax Assessment Years 2020 and 2021, which proceedings are now pending in the Supreme Court of the State of New York, County of Westchester, under Index Nos. 61497/2020 and 63593/2021; 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:

Scarborough Manor Owner’s Corp., 16 Rockledge Avenue, The Town of Ossining, N.Y. 10562
Section 97.15, Block 1, Lot 37

Assessment Year	Tax ID No.	Original Assessed Value	Reduction	Final Assessed Value
2020	97.15-1-37	\$ 35,104,300	\$ 1,755,215	\$ 33,349,085
2021	97.15-1-37	\$ 36,134,800	\$ 1,806,740	\$ 34,328,060

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 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 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 \$ 1,687.71, at this time, which will be ordered pursuant to said Consent Judgment.

Q. TAX CERTIORARI – West First Management 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 West First Management Corp. against The Town of Ossining, New York to review the tax assessments made on Petitioner’s property located on 170 North Highland Avenue in The Town of Ossining, New York 10562, and designated on the tax assessment map of The Town of Ossining as Section 89.15, Block 1, Lot 14.1 for Tax Assessment Years 2016-2021, which proceedings are now pending in the Supreme Court of the State of New York, County of Westchester, under

Index Nos.66818/2017; 66013/2018; 66255/2019; 61855/2020; and 64363/2021; 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:

West First Management Corp., 170 North Highland Avenue, The Town of Ossining, N.Y. 10562
Section 89.15, Block 1, Lot 14.1

Assessment Year	Tax ID No.	Original Assessed Value	Reduction	Final Assessed Value
2016	89.15-1-14.1	\$ 955,600	\$ 47,780	\$ 907,820
2017	89.15-1-14.1	\$ 955,600	\$ 47,780	\$ 907,820
2018	89.15-1-14.1	\$ 1,000,600	\$ 50,030	\$ 950,570
2019	89.15-1-14.1	\$ 1,000,600	\$ 50,030	\$ 950,570
2020	89.15-1-14.1	\$ 1,000,600	\$ 50,030	\$ 950,570
2021	89.15-1-14.1	\$ 1,000,600	\$ 50,030	\$ 950,570

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 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 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 \$285.71, at this time, which will be ordered pursuant to said Consent Judgment.

R. TAX CERTIORARI – Wolden Road 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 Wolden Road Associates, LLC The Town of Ossining, New York to review the tax assessments made on Petitioner's property located on 9 Wolden Road in The Town of Ossining, New York 10562, and designated on the tax assessment map of The Town of Ossining as Section 89.20, Block 3, Lot 42 for Tax Assessment Years 2016-2021, which proceedings are now pending in the Supreme Court of the State of New York, County of Westchester, under Index Nos.66043/2016; 66797/2017; 66979/2018; 66649/2019; 61829/2020; and 64144/2021; 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:

Wolden Road Associates, LLC, 9 Wolden Road, The Town of Ossining, N.Y. 10562
Section 89.20, Block 3, Lot 42

Assessment Year	Tax ID No.	Original Assessed Value	Reduction	Final Assessed Value
2016	89.20-3-42	\$ 985,200	\$ 85,200	\$ 900,000
2017	89.20-3-42	\$ 985,200	\$ 900,000	\$ 85,200
2018	89.20-3-42	\$ 1,044,100	\$ 900,000	\$ 144,100
2019	89.20-3-42	\$ 1,044,100	\$ 995,000	\$ 49,100
2020	89.20-3-42	\$ 1,083,900	\$ 995,000	\$ 88,900
2021	89.20-3-42	\$ 1,128,300	\$ 1,050,000	\$ 78,300

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 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 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 \$ 512.31, at this time, which will be ordered pursuant to said Consent Judgment.

IX. CORRESPONDENCE TO BE RECEIVED AND FILED

Resolved, that the Town Board of the Town of Ossining hereby accepts the following correspondence:

X. MONTHLY REPORTS

Resolved, that the Town Board of the Town of Ossining hereby accepts the following monthly reports for the month of April 2022:

- Tax Receiver
- Town Highway
- Town Clerk
- Town Building Department
- Town Supervisor
- Dale Cemetery

XI. VISITOR RECOGNITION

Visitors shall be accorded one (1) four (4) minute opportunity to speak

XII. ADJOURNMENT