



**TOWN HALL MEETING II
TOWN OF OSSINING
OSSINING PUBLIC LIBRARY
BUDARZ THEATER
53 CROTON AVE.
OSSINING, NY 10562**

**May 1, 2012
7:30 P.M.**

**Supervisor
Susanne Donnelly**

**Councilmembers
Geoffrey Harter Eric P. Blaha
Peter Tripodi IV Northern Wilcher**

The Town Hall meeting for the Town of Ossining was held on May 1, 2012 at the Ossining Public Library , 95 Broadway, Budarz Theater, Ossining, N.Y. The meeting was called to order at 7:30 P.M. by Supervisor Donnelly. Members of the Board present were: Northern Wilcher, Geoffrey Harter, Peter Tripodi and Eric P. Blaha. Also present were: Wayne Spector and Madeline Zachacz Budget Officer and Deputy Town Clerk, Ann Marie Rocco

Announcements:

Supervisor Donnelly thanked everyone for coming to the presentation and explained that the Town Assessor, Fernando Gonzalez will be speaking about his office and their open door policy.

Supervisor Donnelly announced that the next Town Hall meeting will be on June 19, 2012 at the Ossining Public Library and will be concentrated on the residents and business owners of the unincorporated area of the Town.

There was no one in the audience that had questions/comments pertaining to anything other than the assessment topic.

Presentation:

Town Assessor, Fernando Gonzalez introduced the presenters, Mr. John Petrino representative Westchester County and Regional Director Mr. John Wolham.

Mr. Wolham spoke about the basics of real property tax in New York State

- Administred locally**
- All revenues go the support local services.**
- Based on the value of real property.**
- At Value**
- Provides the taxpayers an opportunity to dispute the base assessment.**

Mr. Wolham stated that the New York State is a very complex system.

The job of the Assessor is to provide fair assessments by determining the market value of each property.

In addition the Assessor also does the following:

- **Keeps inventory on all properties accurate and current.**
- **Helps taxpayers understand assessments.**
- **Processes exemptions such as star programs for senior citizens and veterans**
- **Maintains all the data in an assessment software to produces the assesment roles.**
- **To provide fair assessments.**
- **The Assessor's goal is to determine a fair market value for all real property.**
- **The objective is to produce a fair and equibitable assessment roll for the distribution of the real proeprty tax burden. This is accomplished through miniciapl wide reassessment.**

Mr. Wolham explained Budget vs. Levy.

- **Taxing justification-school, town, or county, etc...is responsible for developing and adopting a budget.**
- **Revenue from all sources other than property tax is determined.**

There are two additional factors besides the levy that determine your proeprty taxes.

Levy/taxable assessed =Tax Rate

While assessments play an important part of the tax calcualtion, the tax levy is controlling factor in the amount of your tax bill.

Mr. Wolham reviewed assessments vs. taxes and provided some specific examples.

Mr. Wolham provided some references resdients could use:

- **The Westchester Municiaapl Officials Association**
- **The Westchester County Tax Commission**
- **They NYS Assessors Association**
- **The New York State Department of taxation and finance. [www. tax.ny.gov](http://www.tax.ny.gov)**

Town Assessor, Mr. Fernando Gonzalez provided a background of his expertise and his open door policy. Mr. Gonzalez advised that assessment is a collaborative effort. Currently, the office is working on the 2012 assessment roll and this is the busiest time in the Assessor's Office. We will attempt to schedule an appointment if we are not able to see a resident immediatley. Mr. Gonzaeles introduced his Appraiser, Mr. Al Closi. June 1st is the deadline for the tax expemptions. You can grieve your assessment on your own. Mr. Gonzalez urged residents to be cautious with Assessment Review Companies that are advertizing to help residents reduce their taxes as there may be hidden fees attached. Mr. Gonzaeles disscussed how the process of grievances worked and how they are handled. Grievance day will be June 19th, 2012.

Mr. Jaimie Fiella-Ganung Drive questioned what are the credentials of the Assessor and the Appraiser.

Mr. Gonzalez advised that the has been an Assessor for two years with the City of Newburgh. Prior to this he was a NYS certified Appraiser and is also a NYS Real Estate Broker. Mr. Gonzalez did not comment on his Appraiser's credentials however, he invited Mr. Fiella to come to his office and discuss this further.

Mr. Fiella feels that the tax problem is state wide and residential home owners are not getting a fair share.

Ms. Deanna D'Amore wanted to know what the general turn around time is from grievance day June 19th.

Mr. Gonzalez advised that it all depends on the specific case.

Ms. Janet Zagoria- Angela Drive questioned if there were other forms of State Aide and could this state State Aide increase?

Mr. Wholman explained that \$5 per parcel is available for reassessment aid and this is presently the only aide available.

Mr. Citron Revolutionary Rd. questioned how does a resident find out if the exemptions are incorporated in the tax bill. Do you have to re-file every year?

Mr. Gonzalez advised that it would be shown on the tax bill. For the basic STAR you do not have to re-file every year. For Enhanced Star you have to re-file because the state has a maximum income requirement. For the Veterans exemption you do not have to refile.

Mr. Jerry Gershner Stonegate Road. Wanted to know how an assessment could be increased?

Mr. Wholman responded that the only changes to the assessment role that the assessor is legally allowed to make is new construction or demolition or processing of exemptions. The legal mechanism is reassessment. The equalization rate is an overall measure of the average assessment. The residential Assessment Ratio is a component of the equalization rate.

Gerry Gershner questioned If the Town of Ossining did a Town wide re-evaluation, how do they adjust for all those other districts?

Mr. Wholman explained that if the Town of Ossining did a reassessment it would affect the assessment on that role. It is very hard to say what will happen in any particular town until a reassessment is actually accomplished. It is hard to predict.

Jim Merfy Mystic Drive What is the likelihood of a re-evaluation?

Mr. Gonzalez advised that he would like to see this happen and assessment is all about equity. It is important to know if a resident finishes their basement or if a resident demolishes their garage. It is not up to the Assessor to decide if a re-evaluation is necessary.

Supervisor Donnelly advised that it is a Town Board decision. Supervisor Donnelly feels that there is a fear factor apparent when we mention reassessment. 1/3 would stay the same, 1/3 would decrease and 1/3 would increase. If we all work together and make a decision the residents of Ossining would do it. It would be best if Westchester County did a re-evaluation because we are broken up by so many districts. What do the people of Ossining want to do?

John Fried 22 Ryder Rd. If the Town were to do a re-assesemnt what enables the Assessor to come into the home. How do you accomplish that?

Mr. Fernando Gonzalaz advised that the Assessor's office will utilize all of the information from our departments such as the building department, data that is located on-line and multiple listing service. We try to make the best assessment we can with the information that is available to us.

Mr. Wholman there is no law that requires the Assessor to come into to your houses. If you have someone that refuses and entry an assumption will be made that the property owner has made some improvements.

Barbara Sylverstein- Wyche Way questioned when was last assessment done in Ossining? Also, after being a Town resident for over 30 years she is now being

forced to sell her house. Ms. Sylverstein wanted to clarify if she should come in now or wait until June 1st?

Mr. Gonzalez stated that 1972 was the last assessment and was advised that she could come in now to discuss the value of her house. The equalization rate will change and the full market value will change. 6.1 is the new equalization rate.

Regina Conrad Eastern Ave. had questions relating to the examples of the Jones & Smith house.

Mr. Wholman advised that the only changes that the Assessor can make is on new construction or demoliton.

Gloria Fried Receiver of Taxes made the following clarification. When a person lists their house on the market sometimes they uncover a finished basement. At that time, the seller will have to go to the Building Department and then they have to apply for the permits and get approvals. There are adjustments made at that particular time

Mr. Wholman stated that most of the Assessors office will use their resources and find out what the inventory is. This comes under the category of new construction. The only thing the Asessor can do is change the assessment to reflect this new inventory that formally wasn't included in the property records. When the building department issues a building permit it legalizes new construction.

Janet Brant- Town of New Castle Does notification of increase in assessment go to the property owner or the bank? Is this sufficient notice for the assessment to go up? What is the rule?

Mr. Gonzalez advised that the notice goes to the owner of record.

Mr. Wholman stated that if for some reason the property owner does not receive that notice this is not rationale that would excuse us for an increase in assessment. We encourage residents to check the assessments when the tentative roll is filed.

Jaimie Faiella- Ganung Drive wanted and explanation of demolition.

Mr. Gonzalez explained for example if a resident removed a garage that would be considered a demoliton. We would up date the property record card.

Victoria Gerrity -Prospect Ave. questioned if we were to get to a point of reassessment of the Town and their was a home owner that did improvements and didn't get permits would there be a penalty?

Mr. Wholman explained that the Town of Scarsdale is currently under going a re-assessment in 2014. The Town Board in Scarsdale wants to get the best records of the property inventory. There was a concern of illegal work being done so the Town Board passed a resolution for a period of time that the data collectors pick up inventory that was not on the Town record the home owner would not be penalized. He could not speak of what the Town of Ossining would do.

Jane Brant stated that if you have a finished basement and you have a fire your insurance company will want to make sure you have a C of O for that basement. They could possibly deny that claim.

Town Attorney Wayne Spector clarified that they don't retroactively increase your taxes. You will not get taxed for prior years. Also, construction standards change over time and additonal safety requirements are imposed.

Supervised Donnelly advised that the previous Assessor Josette Polzella was on top of the residents and commerical properties.

Councilman Tripodi stated that if we spend 2 to 3 million dollars doing a Town re-assessment with the amount of money you may save for not paying lawyer, appraisers, etc... that money could create a wash.

Supervisor Donnelly if you watch the Town Board meeting and Village Board meetings you will see a tremendous amount of Certioaris and SCARS. We want residents to understand how your taxes are derived and that we have an open door policy and we can't stress this enough.

Greg Rooney- Beach Rd. stated that most of us would like our property taxes to be less. How are other municipalities keeping there taxes so low?

Supervisor Donnelly explained that the Town has looked at ways to make cuts in the budget. CT may have low taxes but everything in Supervisor Donnelly's office is taxed in CT. We have to get our budget under control and still get the same services. It's important to have businesses in your community and residents should shop locally.

A resident questioned if we could line up the village, the towns, schools and library?

Supervisor Donnelly explained that the school system incorporates Ossining, Briarcliff and New Castle.

Councilman Tripodi stated that there are State mandates that are placed upon us.

Mr. Gershner explained that if you are under assessed you will not speak up. If you are over assessed you will grieve and get it reduced. Is there any historical data pertaining to the 1/3, 1/3 & 1/3?

Mr. Wholman stated that we do not have any data that tracks the percentage shifts.

Cliff Netto- Ganung Drive questioned if we make an appointment with the Assessor what do we have to bring in?

Mr. Gonzalez explained you should bring in an appraisal report, comparable sales and information to help us understand your point of view. Mr. Gonzalez pointed out that we work closely with the Building Department.

Barbara White questioned if a resident needs to get an appraiser?

Mr. Gonzalez explained that it is not necessary. Residents can go on-line and view posting of sales within the last three years. This information is on-line through your realtor.

Mr. Dave Keeny questioned that Journal News runs a data base of local real estate sales and questioned if they were accurate? When are the local transactions going to be posted on the website?

Mr. Gonzalez explained that he is hoping to do it by the end of the week and Yes, the Journal News postings are accurate.

Supervisor Donnelly thanked everyone for coming to the Town Hall Meeting.

The Next Town Hall meeting will be held on June 19th, 2012 at the Ossining Public Library to discuss issues from the unincorporated part of the Town of Ossining.