



SPECIAL MEETING

**TOWN BOARD
TOWN OF OSSINING
MUNICIPAL BUILDING
16 CROTON AVE. 1ST FLOOR
OSSINING, NY 10562
SEPTEMBER 3, 2013
7:30 P.M.**

**SUPERVISOR
Susanne Donnelly**

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

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

The Special Meeting of the Town Board of the Town of Ossining was held on September 3, 2013, Municipal Building, 16 Croton Avenue, 1st Floor Board Room, Ossining, New York. The meeting was called to order at 7:30 p.m. by Supervisor Susanne Donnelly. Members of the Board present were: Councilmembers Eric Blaha, Peter Tripodi IV Geoffrey Harter and Northern Wilcher. Also present were Town Attorney Wayne Spector, Budget Officer Madeline Zachacz and Deputy Town Clerk Ann Marie Rocco.

II. PUBLIC COMMENTS ON AGENDA ITEMS

III. BOARD RESOLUTIONS

A. TAX CERTIORARI

**Pace University
vs.
Town Of Ossining**

Councilmember Wilcher moved and it was seconded by Councilmember Tripodi 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 Pace University against the Town of Ossining, to review the tax assessments made on Petitioner's property located at 235 Elm Road, Village of Briarcliff Manor in The Town of Ossining, and designated on the tax assessment map of the Town of Ossining as Section 98.19-2-11 for Tax Assessment Years 2009 through 2012, which proceedings are now pending in the Supreme Court of the State of New York, County of Westchester, under Index Nos. 24379/09; 23632/10; 56952/11; and 67204/12; and

WHEREAS, the above Petitioner has agreed to a compromise and settlement of such proceeding, subject to the approval of the Town Board, correcting and reducing the assessed valuation of its real property and improvements, as follows:

As to Parcel 98.19 -2-011:

<u>Assessment Year</u>	<u>Original AV</u>	<u>Revised AV</u>	<u>AV Diff</u>
2009	\$3,864,198	\$2,304,000	\$1,560,198
2010	\$3,864,198	\$2,502,000	\$1,362,198
2011	\$3,864,198	\$2,340,000	\$1,524,198
2012	\$3,864,198	\$2,440,198	\$1,424,198

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 \$0.00, which will be ordered pursuant to said Consent Judgment.

**Motion Carried: 4-1-0
Ayes: Wilcher, Tripodi, Blaha &
Donnelly
Abstain: Harter**

IV. ADJOURNMENT-REGULAR WORK SESSION

At 7:34 P.M. Councilmember Blaha moved and it was seconded by Councilmember Wilcher that the meeting be adjourned.

Motion Carried: Unanimously

Approved:

Mary Ann Roberts Town Clerk