



**TOWN BOARD
TOWN OF OSSINING
BIRDSALL-FAGAN POLICE/COURT FACILITY
86-88 SPRING STREET
OSSINING, NEW YORK
JULY 8, 2014**

**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 July 8, 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, Kim L. Jeffrey Northern Wilcher and Eric P. Blaha. Also present were Town Attorney Wayne Spector, Budget Officer Madeline Zachacz and Town Clerk Mary Ann Roberts

II. ANNOUNCEMENTS

Supervisor Donnelly read the following statement into the record:

Police Services for the Unincorporated Area of Ossining

- Village of Ossining Presentation
- Westchester County Presentation
- Open for questions and answers
 - Questions submitted by letter, phone call, or email
 - Open the floor up for questions

Update on the Reassessment/Revaluation

Other items from the Residents/Commercial Property owners of the entire Town of Ossining

RFP for Police Services for the Unincorporated Area of the Town of Ossining

As we come to the end of the four year contract with Westchester County Department of Public Safety in December, the Town issued an RFP (Request for Proposal) for Police Services to see if the landscape has changed at all since the original contract was issued. Westchester County, the Village of Ossining, and the Village of Briarcliff Manor responded; however, Briarcliff Manor was disqualified, as they only offered to supply services for Election Districts 17/20. The RFP responses can be viewed and downloaded from the Town web page at www.townofossining.com. At our regularly scheduled Town Hall meeting on July 15th, we will have presentations from both the Village of Ossining and Westchester County Department of Public Safety. Each of these government entries will have officers and staff on hand to answer questions from interested parties, but we especially hope to hear from the residents and commercial property owners in the Unincorporated Area of the Town. We understand that some of you might not be able to make the Town Hall Meeting, so if you have any questions or comments, please forward them to sdonnelly@townofossining.com and they will be asked at the Town Hall Meeting. If you plan to attend the Town Hall Meeting, but would rather communicate with us either by email or US mail, that works too!

We have already received some feedback, and encourage everyone to read the information and submit your questions as far in advance as possible; we want all of the entities to be able to research your questions and have the best possible answers prepared for you at the Town Hall Meeting.

The final decision must be made in August 2014 so that all parties can determine their next steps and budget appropriately.

Town wide Reval (Reassessment)

Tyler Technologies (the firm hired by the Consortium) is in the process of collecting the data, the first phase of several in this project. Along with an internal walk-through, this stage includes measuring all houses and commercial properties, as well as all “out” buildings like garages and sheds. It is essential that we get a true inventory of everything to ensure fair and equitable taxation to everyone.

There are still people who do not know about the Reval, so please pass this information onto your family and friends who also live in the Town of Ossining.

Important to remember:

- There has not been a reassessment in Ossining since 1972.
- This is a revenue neutral process. This means that it is not to collect more taxes but rather to distribute the tax responsibility fairly. It will not affect the budgets or the tax cap, except that the funds to pay for this will be paid for from the Town General tax in which every Town of Ossining resident shares.
- The cost of this is not to exceed \$1.8 million. While that sounds like a lot, please understand that the Town of Ossining (the smallest percent of all your taxes) has refunded close to \$2.5 million in grievances in the past 5 years alone.
- The Assessor’s office needs to be able to defend the assessments with current values, and everyone must only pay their fair share.

Wednesday, my husband and I had our interior and exterior inspection done. We wanted to make sure that everyone knew that we welcome the reassessment and will do everything in our power to make sure Tyler Technologies gets any information they need. We hope each of you feel the same way and open your doors for this short inspection. Please remember: they are not looking at your furniture or your artwork but rather the number of rooms you have (bedrooms, bathrooms, kitchens etc.) and the square footage of your home.

Parks Public Opinion Survey Grant

The Town of Ossining received a small grant several years back to poll some of our residents about the Ossining Town Parks. We will be sending out questionnaires to the residents in the Unincorporated Area (limited funds from the grant do not allow us to send the questionnaire out to the entire Town) asking questions such as:

Are you familiar with the Town Parks?

What parks do you utilize?

What activities would you like to see or see more of in the parks?

Please help us by answering the survey if you get it. The surveys have pre-paid return labels, so make sure to write your name, address and phone number on the inside, follow the folding instructions and mail it back to us by the deadline. 2 submissions will be chosen from all the surveys returned, and each will win a \$100 gift card to a great Ossining spot- one to Keenan House, and one to The Boathouse. As you’ve seen, this administration is getting serious about improving our Parks- we want to hear from you! How can we do better? Let us know, and dinner is on us!

Comprehensive Plan Review

We are in the process of reviewing the Town of Ossining’s Comprehensive Plan. The entire “Comp Plan “is on the Town of Ossining web page. We will be looking at all of the recommendations that have not yet been implemented, and determine if they are still relevant in 2014. Additionally, we will be taking suggestions from our residents and commercial property owners as to other items we could address in relation to the Comprehensive Plan.

We invite everyone to join us at the meetings listed below:

July 17, 2014 7:00 PM

August 21, 2014 7:00 PM

September 18, 2014 7:00 PM

October 16, 2014 7:00 PM

All meetings will be held in the first floor Board Room at 16 Croton Ave.

While we understand many of you may be away enjoying a vacation during these times, you can always submit suggestions, comments and questions to me at sdonnelly@townofossining.com, or call the office at (914) 762-6001. We want to hear from you!

Ethic Code and Board

The Town Ethics Board has been working diligently on strengthening our Code of Ethics. A big thank you goes out to Stuart Kahan and Sandy Hirsch who, along with our Deputy Town Attorney Mark Reisman, have been working on this project over the past several months. Stuart gave the Town Board an update at our last Work Session and will their recommended changes for us shortly.

The Ethics Board will grow from 3 to 5 members, and the Deputy Town Attorney will now be a liaison as opposed to an actual member going forward. We will be looking for 3 people to become part of the Ethics Board this fall, and encourage everyone interested to send their resumes to Maddi Zachacz at MZachacz@townofossining.com. We will be accepting resumes from all interested residents. You do not have to be an attorney- in fact, there is a requirement that at least one member not have a law background!

Business Development Committee

Our Business Development Committee meets regularly and will soon begin surveying all the businesses on North State Road. What can the Town of Ossining, the Chambers of Commerce and the BDC do for our businesses? By building an inventory of the businesses on North State Road, we hope to work with the Chambers of Commerce and the existing businesses not only to improve public relations, but establish ways to give existing businesses a boost while attracting new businesses to our area.

Members of the committee will be walking North State Road in the next month or so. We want to be a partner with you as we work on attracting more business and shoppers to our commercial district.

III. PUBLIC COMMENT ON AGENDA ITEMS

IV. BOARD RESOLUTIONS

A. Approval of Minutes

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 June 24, 2014, Minutes of the Regular Meeting as presented.

Motion Carried: Unanimously

B. Approval of Voucher Detail Report

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 approves the Voucher Detail Report dated July 8, 2014 in the amount of \$232,929.69.

Motion Carried: Unanimously

C. Approval of Voucher Detail Report

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 approves the Voucher Detail Report dated July 8, 2014 in the amount of \$86,479.48.

Motion Carried: Unanimously

D. Firework's Approval – St. Augustine's Church

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

Whereas, the Church of St. Augustine, by letter dated June 26, 2014 has requested a permit from the Town of Ossining for a fireworks display to be held on the evening of Wednesday, July 23, 2014 at 9:15 p.m. (rain date of July 24, 2014); and

Whereas, the Church has submitted the information required by Section 101-5 of the Code of the Town of Ossining and Section 405(2) of the Penal Law of the State of New York; and

Whereas, the bond/insurance coverage submitted by the Church has been found by the Town Attorney to comply with the requirements of Section 101-6 of the Ossining Code and Section 405 of the State Penal Law; and

Whereas, the Fire Chief has made an inspection of the premises where the fireworks display will be held and reported that such display will not be hazardous to persons or property;

Now, Therefore, Be It Resolved, that the application of the Church of St. Augustine's for a fireworks display on July 23, 2014 at 9:15 p.m. (rain date July 24, 2014,) is approved subject to the following conditions pursuant to Section 405(3) of the Penal Law:

1. The actual point at which the fireworks are to be fired shall be at least 200 feet from the nearest permanent building, public highway or railroad or other means of travel and at least 50 feet from the nearest above-ground telephone or telegraph line, tree or other overhead obstruction;
2. The audience at such display shall be restrained behind lines at least 150 feet from the point at which the fireworks are discharged and only persons in active charge of the display shall be allowed inside these lines;
3. All fireworks that fire a projectile shall be so set up that the Projectile will go into the air as nearly as possible in a vertical direction, unless such fireworks are to be fired from the shore or a lake or other large body of water, in which case they may be directed in such manner that the falling residue from the deflagration will fall into such lake or body of water;
4. Any fireworks that remain unfired after the display is concluded shall be immediately disposed of in a way safe for the particular type of fireworks remaining;
5. No fireworks display shall be held during any wind storm in which the wind reaches a velocity of more than 30 miles per hour;
6. All persons in actual charge of firing the fireworks shall be over the age of 18 years, competent and physically fit for the task;
7. There shall be at least 2 such operators consistently on duty during the discharge; and
8. At least 2 soda acid or other approved type fire extinguishers of at least 2 and one-half gallons capacity each shall be kept at as widely separated points as possible within the actual area of the display; and it is further

9. Resolved, that a copy of this Resolution duly certified by the Town Clerk of the Town of Ossining shall constitute a Permit, meeting the requirements of the Code of the Town of Ossining and the Penal Law of the State of New York.

Motion Carried: Unanimously

E. Amendment of Resolution: Foreclosure- Public Auction

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

Whereas, the Town Board of the Town of Ossining, on June 24th, 2014, passed Resolution G, entitled, "Foreclosure- Public Auction"; and

Whereas, an error was noted in the date of the auction;

Now, therefore be it Resolved, that the Town Board of the Town of Ossining hereby amends the resolution to read as follows with the date corrected to August 13th, 2014:

Foreclosure – Public Auction

Resolved, that the Town Board of the Town of Ossining hereby authorizes the following properties to be sold at a Public Auction on August 13th, 2014 pursuant to a judgment of foreclosure and sale has been entered into with New York State Supreme Court, Westchester County, New York.

House and Property at 94 State Street, Tax I.D # 97.011-0001-084.

Minimum Bid- \$25,000.00

Vacant Property at Priestly Street, Lots 4 and 5, Tax I.D. # 97.015-0002-004. Minimum Bid - \$5,000.00

10 Building Lots 8-16 Thornton Hill, Tax I.D. # 89.008-0001-049.004 to 013. Minimum Bid- \$177,000.00

Motion Carried: Unanimously

F. Call for Public Hearing: Local Law #3 of 2014 Purpose of Amending the Town Of Ossining Zoning Map

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

Resolved, that the Town Board of the Town of Ossining hereby calls for a Public Hearing to be held on Tuesday, July 22nd, 2014 at 7:30PM at the Village of Ossining Police/Court Facility, 86-88 Spring Street, in the matter of Local Law #3 of 2014 for the Purpose of Amending the Town Of Ossining Zoning Map to rezone two parcels owned by the General Electric Company and contiguous with The General Electric Crotonville Campus, to Business Education (BE), in conformity with the rest of the campus, the parcels being a 7.03 acre parcel (Section 80.15, Block 1, Lot 4.1) currently zoned R-30 and a 2.16 acre parcel (Section 80.14, Block 2, Lot 13), currently zoned R-5.

Motion Carried: Unanimously

G. Call for Public Hearing: Local Law #4 of 2014 In The Matter of Amending, in accordance with a Petition filed by Artis Senior Living, LLC, Section 200-53 of the Zoning Code of The Town of Ossining

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 calls for a Public Hearing to be held on Tuesday, July 22nd, 2014 at 7:35 PM at the Village of Ossining Police/Court Facility, 86-88 Spring Street, in the matter of Local Law #4 of 2014 for the Purpose of Amending, in accordance with a Petition filed by Artis Senior Living, LLC, Section 200-53 of the Zoning Code of The Town of Ossining to define Assisted Living, including Memory Care, facilities, Section 200-29 of the zoning code to establish parking standards for assisted living facilities and Section 200-29 to include, as a permitted use in the General Business (GB) district, Assisted Living, Including Memory care, Facility.

Motion Carried: Unanimously

H. Tax Payment Plan

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

Whereas, the Town of Ossining is required to collect Town, County and School taxes for the municipality, with the onus on the Town to make whole the County and School District for any uncollected taxes; and

Whereas, the Receiver of Taxes has been approached by a property owner, Mr. Ahikam Lee Carter, requesting a short-term payment plan for the property at 5 Brook Place; Tax Parcel Designation 90.9-4-3; and

Whereas, the Town Board, pursuant to Article 5 of the Ossining Town Code, as authorized by section 1184 of the New York Real Property Tax Law, before entry of a final judgment, may withdraw a parcel for which payment of real property taxes is delinquent, from a foreclosure proceeding and enter into an installment plan for payment of all delinquent taxes, as well as interest and penalties, and does occasionally grant such a plan and has the discretion to accept or reject any proposal by a residential or commercial property owner, providing the owner meets the eligibility requirements set forth in section 180-17 of the Town Code and the payment plan conforms to the requirements for such a repayment plan set forth in section 180-18 of the Town Code;

Now, therefore be it Resolved, that the Town Board of the Town of Ossining hereby grants the aforementioned payment plan, which terms comply with the Town Code, to grant this property owner, who has been determined to be eligible, with the understanding that this sets no precedent going forward for this or any other property in the future.

Motion Carried: Unanimously

V. CORRESPONDENCE TO BE RECEIVED AND FILED

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

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

- Town Planning Board Meeting Minutes- June 11th, 2014**

Motion Carried: Unanimously

VI. MONTHLY REPORTS

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 accepts the following monthly reports for the month of June 2014 from:

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

Motion Carried: Unanimously

VII. VISITOR RECOGNITION

VIII. ADJOURNMENT - EXECUTIVE SESSION – LEGAL ADVICE

At 8:00 P.M. Councilmember Jeffrey moved and it was seconded by Councilmember Wilcher that the meeting be adjourned.

Motion Carried: Unanimously

Approved:

Mary Ann Roberts, Town Clerk