



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

**SEPTEMBER 23, 2014
7:30 P.M.**

**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 September 23, 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, Northern Wilcher, Eric P. Blaha and Kim Jeffrey. 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:

We would like to thank the vast majority of the residents and commercial property owners of the Town of Ossining for their support of this Town Board and Administration. We pride ourselves on our accessibility and transparency, and we are glad those qualities have been recognized by so many of you.

Thank you for the many emails and calls, for stopping into the office to acknowledge your support or speaking to us at functions, in the streets of this great community, and while out shopping at or local businesses. We have worked to create the norm that every situation is thought out, acted on with purpose, and then tweaked as needed, always keeping in mind our goal to improve the lives of those in the community a little at a time.

Our accessibility to outlets through social media and our right to free speech allow people to express their opinions, which are one of the great things about living in a democracy. Thank you to all who contribute constructive comments concerning any of the many issues we have in front of us. There will always be those who spin the truth to their advantage, whether it is for personal gain or because they have truly been misinformed. This is why we ask each and every one of you to investigate for yourselves: ask your own questions, pay your own visits, and most importantly, draw your own conclusions.

Recently, someone asked me, “How’s the voice of the People?”, to which I responded that the majority of our residents say that they love the way the Town is moving forward, respect the Town Board and Administrations deliberation and decisions on each issue. Again, thank you.

As far as the Town Board is concerned, this is a business; our responsibility is to provide the services needed to make this a comfortable place to live at the most responsible cost. You are the stakeholders. We are accountable to all 37,000 residents in the entire Town of Ossining, including the 5,700 residents of the Unincorporated Area, for whom we are the most local layer of government. Often, the decisions we are

asked to reach are tough, but we have all taken an oath to do what we believe is right for our community, and we ask that you continue to have confidence in our ability to see the big picture in all instances and act accordingly.

Dale Cemetery

Due to lack of consistent funding, we have been required to make some changes at Dale Cemetery. The Town cannot assume a budget of \$500,000 per year between payroll, equipment, and the supplies necessary to keep the property in top shape and in working order. We appreciate the time that both George and Barbara have put into project, but the Board concluded that, at this time, it would be most prudent for us to go in another direction. We have asked Peter Connolly to oversee the cemetery for the time being, and we have notified the local funeral homes that for a short period of time, we will continue to bury those who have passed away, but we will not be selling new plots. The sales and financial operations will be moved to the Supervisor's Office for the time being. We will be meeting with the local funeral directors shortly to get their input and advice as we move forward.

Our goal is to keep the cemetery open; we understand that all the plots sold and the maintenance of this historical memorial park is a serious responsibility. We hope to continue to bring this beautiful historical site back to its past beauty, and to have it in pristine condition when family and friends pay respect to their loved ones, when our veterans and First Responders visit to honor those who served so bravely. We will be very busy this week re-organizing and we hope you will bear with us as we work through this process.

Police Negotiations

We have begun working with the Village of Ossining on the police negotiations concerning the provision of service to the Unincorporated Area for 2015-2018. Immediately after our vote on Tuesday evening, we sent the Village an outline of the contract and began setting up meetings to review all the aspects of the agreement. It is essential that we have everything in writing to avoid complications and second-guessing after the fact. As explained in the press release, we need to move this process along very quickly to facilitate the hiring of staff and allow both municipalities to budget appropriately.

As in any RFP, we need to work out the details and adjust our procedures so that they work for both parties. We would have done this with whomever the Town had agreed to negotiate. This Town Board and Administration have spent a great deal of time researching and evaluating the proposals, and we look forward to this natural next step in the process.

At sundown tomorrow many of our friends and family will celebrate the Jewish New Year. "Have a blessed Rosh Hashanah"

Senator David Carlucci will be at Starbucks in Arcadia Shopping Center on Saturday 9/27 from 9:00 AM -11:00 AM

III. PUBLIC COMMENT ON AGENDA ITEMS

IV. BOARD RESOLUTIONS

A. Approval of Minutes

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 September 9, 2014, Minutes of the Regular Meeting as presented.

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

B. Approval of Minutes-Special Meeting

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

Resolved, that the Town Board of the Town of Ossining hereby approves the September 16, 2014, Minutes of the Special Meeting as presented.

Motion Carried: Unanimously

C. Approval of Voucher Detail Report

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 approves the Voucher Detail Report dated September 23, 2014 in the amount of \$434,384.81.

Motion Carried: Unanimously

D. Tax Payment Plan- 15 Campwoods Road

Councilmember Wilcher moved and it was seconded by Councilmember Harter 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, Campwoods Realty LLC, requesting a short-term payment plan for the property at 15 Campwoods Road; Tax Parcel Designation 90.13-1-84; 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

E. Permission for Extended Sale Deadline- 19 Cedar Lane

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

Whereas, the property at 19 Cedar Lane, Tax ID number 89.11-1-59, was on the list of properties to be auctioned by the Town for failure to pay delinquent taxes; and

Whereas, on May 27th, 2014, the Town Board agreed to temporarily remove the property from the auction listing while efforts were made to market and sell the property; and

Whereas, the property owners have encountered extenuating circumstances while preparing the property for sale and have requested more time to market and sell the property;

Now, therefore be it Resolved, that the Town Board of the Town of Ossining hereby grants an extension to this deadline until December 31st, 2014.

Motion Carried: Unanimously

F. Acceptance of High Bid- 94 State Street

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

Whereas, pursuant to a judgment of foreclosure for unpaid taxes, entered by the Supreme Court of The State of New York, Westchester County, the Town of Ossining conducted an auction of foreclosed properties at 16 Croton Avenue at 1PM on August 13th, 2014, in order to sell off properties with delinquent taxes owed to the Town of Ossining, one of which was 94 State Street, Tax ID# 97.11-1-84; and

Whereas, all present had the opportunity to register and become “Qualified Bidders” to bid on the three properties for sale, under the condition that the party offering the highest purchase price would be awarded the property, subject to a resolution approving such sale by the Town Board of the Town of Ossining; and,

Whereas, Mr. Darwin Yunga was the successful bidder at a bid price of \$49,000.00; and

Now therefore, be it Resolved that the Town accepts the high bid of \$49,000 for the property at 94 State Street, submitted by Mr. Darwin Yunga, Ossining, New York, the Town is authorized to accept a deed for the property from the Receiver of Taxes in a form approved by the Town Attorney and The Town Supervisor is authorized to execute a deed as well as all required transfer documents in forms acceptable to the Town Attorney, effectuating the sale of the premises to the high bidder upon receipt by the Town of the bid price.

Furthermore, upon conveyance of the property to the high bidder, the bidder will pay all real property taxes for the property, as adjusted from the date of conveyance, with all additional accrued interest and/or penalties that may have accrued against the property for unpaid taxes through the day of conveyance being hereby waived.

Motion Carried: Unanimously

G. Acceptance of High Bid- Priestly Street Vacant Lots

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

Whereas, pursuant to a judgment of foreclosure for unpaid taxes, entered by the Supreme Court of The State of New York, Westchester County, the Town of Ossining

conducted an auction of foreclosed properties at 16 Croton Avenue at 1PM on August 13th, 2014, in order to sell off properties with delinquent taxes owed to the Town of Ossining, one of which was two vacant lots on Priestly Street, Tax ID#s 97.15-2-4 and 97.15-2-5; and

Whereas, all present had the opportunity to register and become “Qualified Bidders” to bid on the three properties for sale, under the condition that the party offering the highest purchase price would be awarded the property, subject to a resolution approving such sale by the Town Board of the Town of Ossining, and,

Whereas, Ms. Karen Lau was the successful bidder at a bid price of \$12,000.00, and

Now therefore, be it Resolved that the Town accepts the high bid of \$12,000 for the properties at Priestly Street, submitted by Ms. Karen Lau, Ossining, New York, the Town is authorized to accept a deed for the property from the Receiver of Taxes in a form approved by the Town Attorney and The Town Supervisor is authorized to execute a deed as well as all required transfer documents in forms acceptable to the Town Attorney, effectuating the sale of the premises to the high bidder upon receipt by the Town of the bid price.

Furthermore, upon conveyance of the property to the high bidder, the bidder will pay all real property taxes for the property, as adjusted from the date of conveyance, with all additional accrued interest and/or penalties that may have accrued against the property for unpaid taxes through the day of conveyance being hereby waived.

Motion Carried: Unanimously

V. CORRESPONDENCE TO BE RECEIVED AND FILED

VI. MONTHLY REPORTS

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

Resolved, that the Town Board of the Town of Ossining hereby accepts the following monthly report from the Tax Receiver’s Office for the month of August, 2014.

Motion Carried: Unanimously

VII. VISITOR RECOGNITION

VIII. ADJOURNMENT - EXECUTIVE SESSION-LEGAL ADVICE

At 7:47 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

