Town of Ossining Board Work Session

April 28, 2020

Meeting Transcript

Video Recording of Meeting: https://www.youtube.com/watch?v=EvFCdhLGZbl

In Attendance: Supervisor Dana Levenberg, Board Member Liz Feldman, Board Member Jackie G. Shaw, Board Member Northern Wilcher, Jr., Board Member Gregory Meyer, Senior Services Director Kathy Asaro, Town Clerk Sue Donnelly, Municipal Attorney Christie Addona, Deputy Clerk Martha Quituisaca

- 1 VICTORIA CAFARELLI: Recording.
- DANA LEVENBERG: Okay, wonderful. Thank you. Good evening,
- 3 everybody. And welcome to the Town Board of the Town of Ossining
- 4 regular meeting for Tuesday, April 28, 2020. My name is Dana Levenberg,
- 5 I'm the Supervisor for the Town of Ossining. Please rise and join me for the
- 6 Pledge of Allegiance. If we could have our flag graphic that would be great.
- 7 I don't know. We don't have? Okay, thank you.
- 8 DANA LEVENBERG: I pledge allegiance to the flag of the United States of
- 9 America and to the Republic for which it stands, one nation under God,
- indivisible, with liberty. And justice for all.
- DANA LEVENBERG: Shhh. Sorry. Had to quiet my house down. Okay.
- And thank you, everybody. And I think now we're going to just start with the
- 13 Roll call, please.
- DANA LEVENBERG: Martha, do you want to do the roll call? Just raise
- 15 your hands.
- MARTHA QUITUISACA: On second, yes. Oh, sorry. There was a little
- 17 glitch over here.
- 18 MARTHA QUITUISACA: Councilmember Feldman?
- 19 **ELIZABETH FELDMAN**: Present.
- 20 MARTHA QUITUISACA: Councilmember Shaw?

- 21 **JACKIE SHAW**: Present.
- 22 MARTHA QUITUISACA: Councilmember Wilcher?
- 23 NORTHERN WILCHER: Present.
- 24 MARTHA QUITUISACA: And Councilmember Meyer?
- 25 **GREG MEYER**: Present. Present.
- 26 MARTHA QUITUISACA: And Supervisor Levenberg?
- DANA LEVENBERG: Present. Thank you so much. Okay? We're going to
- go into announcements. I did neglect to ask if everybody would just
- observe a short moment of silence for all those we have lost to COVID in
- the last week we continue to see numbers rising many people who are
- close to us and we want to make sure that we just take a moment, which is
- the least that we can do for all of the horrific deaths that we're experiencing
- in our community and we continue to put our have our flags at half-staff,
- so please just observe a moment of silence for all those we've lost.

35 [MOMENT OF SILENCE]

- DANA LEVENBERG: Thank you. So before I get started with my
- announcements, I just wanted to give a huge shout out to all of the
- teachers and administrators today who were part of the Oss Ossining
- elementary school and AMD Middle School town-wide driving parade that
- took place, starting at around 3:30 right outside my house by the High
- School. They waved to all of their students who are missing them so much,
- and vice versa. It's so hard for our students and teachers to be away from
- one another for so long. This was a great way to show some mutual
- 44 appreciation for the hard work that everyone is doing to continue teaching
- and learning outside of our school facilities. Thanks to our Ossining police,
- 46 fire and OVAC escorts as well for making it really feel like a parade and
- sharing the love and also a huge shout out also to all of our Briarcliff
- teachers. And to our students and Briarcliff School District. We know that
- everybody is experiencing tough times, these days. Missing all of the great
- events that are supposed to be taking place right around now and we just
- want to say keep keep up the good work and very, very hard work at this
- 52 time.

- **DANA LEVENBERG**: Once again, I want to start my announcements with 53 54 my weekly reminder to respond to the US Census and I'm going to share my screen. I hope effectively. Which is this... to show you that - is it 55 working? Yes, it's working. I think... We found out yesterday that the 56 response rate for the town of Ossining is about 55.3% for the village of 57 boxing there at 48.6% and for the village of Briarcliff Manor 66.3%. Come 58 on now, Ossining Town and Village. We got us some catching up to do. 59 And for everyone our goal is a 100% response rate. As you can see from 60 this lovely thermometer that was created by Jamie Hoffman and Village of 61 Ossining. 62
- **DANA LEVENBERG**: So we want to get those responses in today. All you 63 need to do is to go to my2020census.gov to respond. An accurate count in 64 this census means we would receive our fair share of federal, state, and 65 county funding, which includes funding for our schools - very critical. I also 66 wanted to share an interesting thought that was discussed on yesterday's 67 stakeholders conference call with Westchester County and Municipal 68 leaders, Dr. Sherlita Amler, who's the Commissioner of Westchester 69 County Department of Health was asked a question regarding the high per 70 capita count of coronavirus cases in the Village of Ossining. 71
- **DANA LEVENBERG**: And Dr. Amler are pointed out that the number of per 72 capita cases in our community reveals two facts. First, of course, a high 73 rate of the - the disease, but we also know that that much of that is due to 74 our high rate of testing thanks to Open Door. But also that our community 75 was dramatically undercounted in the 2010 Census. An accurate census 76 count is important for many reasons, and will help us understand 77 phenomena like the pandemic we are currently facing. So please respond 78 and remind your friends, family and neighbors to do so as well. Thanks so 79 much for that lovely graphic. I think I just close it. Does that work? Oh, no, 80 no, I'm sure. Okay, perfect. Yay. New - new technology at work. 81
- DANA LEVENBERG: Since we had our last town board meeting, we have shared via our email blast, Facebook account, and press release more information regarding relief programs available to taxpayers who may be finding it difficult to pay their town and county taxes - which are due this week, April 30 - due to the impact of the coronavirus pandemic. Although the deadline for payments remains April 30th 2020, penalties for late

payments have been substantially reduced for all taxpayers to .5% if 88 payment is received in May 2020 (so up until May 30) and 1% if payment is 89 received in June or through July 15, 2020. So, additionally for those who 90 qualify for - and just to remind people, an average town/county tax is 91 somewhere between 3,000 and \$4,000 so if you pay \$4,000 in town and 92 county taxes that .5% would be 15 - I'm sorry \$20 and the 1% would be 93 \$40. Additionally, for those who qualify for a hardship waiver based upon 94 criteria established by the County Executive, penalties will be fully waived 95 for payments received by July 15, 2020. Tonight the Town of Ossining will 96 be formally opting into this opportunity, pursuant to Executive Order to 97 202.22. 98

DANA LEVENBERG: That means that individual taxpayers for individual 99 taxpayers. The criteria for hardship are: one, you must be enrolled in the 100 New York State STAR program. Number two, your taxes cannot be paid via 101 escrow and three you certify a negative impacts your income has occurred 102 as set forth in the certification form basically as a result of COVID. For 103 taxpayers with rental properties, who must own only six or fewer residential 104 rental properties you certify that 50% of your rents have not been paid to 105 you as a result of tenants loss of employment due to COVID-19 and taxes 106 for that property or not being paid by escrow. 107

DANA LEVENBERG: For business owners that own the property they 108 operate it out of the net income must be under a million dollars in 2019 and 109 they must certify that there's been a negative impact on their income as a 110 result of COVID-19. In order to qualify for a hardship penalty waiver of late 111 fees, you must meet the criteria and swear to the accuracy of your request 112 or completing a certification form no additional documentation is required 113 hardship certification forms are now available on the town's website: 114 townofossining.com. We ask that you do not submit your certification form 115 until you are prepared to make payment in full. You must submit your 116 completed certification form with payment to the Austin tax office at our 117 offices at 16 Croton Avenue via mail. 118

DANA LEVENBERG: As a reminder, if you are in a position to pay your taxes on time, please do so. And we thank so many of you who already have done so, even at this very tough time. The town and county and other special districts and entities we collect taxes for rely on this income in order

- to provide you with the many essential services that are perhaps more
- important now than ever.
- DANA LEVENBERG: You can pay your taxes online at
- TownofOssining.com, via us mail or by dropping your payment, which is
- also by US Mail in the dedicated mail slot at the Ossining post office. So
- because this is still a mail slot you have to still put posted on your envelope
- you put a stamp on your envelope. If you get that envelope in to Ossining
- mail slot specially dedicated for tax receipts before five o'clock, it will be
- postmarked for that same day, and after five o'clock will be postmarked for
- the following day.
- DANA LEVENBERG: Only payments received or postmarked by April 30
- without hurts hardship certification will be considered timely and not be
- assessed a penalty. Please do not bring your tax payments to 16 Croton
- Avenue, our offices remain close to the public in order to protect you and
- our staff from possible transmission of the coronavirus if you have
- questions, the best way to reach our tax office right now is via email. And
- that is to Perlowitz@townofossining.com or
- taxreceiver@townofossining.com. You can also call the tax office at 914-
- 141 762-8790 but please be patient. If they do not pick up right away, please
- leave a message and somebody will get back to you as you can imagine,
- call volume is particularly high right now.
- DANA LEVENBERG: I know many of you also have many questions
- regarding the preliminary change of assessment notices that were sent out
- in the mail last week. We are going to be discussing this in depth during our
- departmental report from with assessor Fernando Gonzales. But I would
- like also to encourage you to please schedule an informal review with Tyler
- Technologies. If you have questions or concerns about your preliminary
- 150 assessment.
- DANA LEVENBERG: This process is essential to maintain our tax roll at
- 152 100% of market value and it was first set in motion in 2015. Now for this
- review we've we've started working on this this round of revaluation
- months ago to maintain the accuracy of our tax roll. The effort that was
- made after four years to get our tax roll up to full value is important. And if
- we do not continue to do so, then we're going to backtrack and be in a
- position where our tax roll is not at 100% value and you don't really know

- what your property is worth and we get all out of whack. So please bear in
- mind that an increase in assessed value does not necessarily mean a
- proportionate increase in taxes, it may not even mean an increase in taxes
- 161 at all.
- DANA LEVENBERG: Your tax bill is determined by a number of factors,
- including the budgets that are set by each taxing jurisdiction. That is all I
- have to say about that for now I'm looking forward to discussing this with
- Fernando and Steve from Tyler Technologies, a little bit later in the
- 166 evening.
- DANA LEVENBERG: As you know, stopping the spread of coronavirus
- remains our top priority right now in the town and that means continuing to
- observe social distancing practices, wearing masks in public when you may
- not be able to keep from within six feet of another person, holding our
- meetings from remote locations, keeping buildings close to the public, etc.
- DANA LEVENBERG: In Ossining the numbers of positive or the number of
- positive confirmed cases as of today, total was at 119. For the
- Unincorporated Town 792, for the Village of Ossining and 72 in the Village
- of Briarcliff. However, these numbers are cumulative and they are not
- reflective of active cases, necessarily, it's likely that our number of active
- cases might be 50% less than reported today if you subtract out the
- number of people who would have already recovered. We are beginning to
- see encouraging statistics in New York State as I know you've all been
- following as well as in Westchester County with decreased active cases
- decreased hospitalizations and this seems to indicate we are moving in the
- right direction and our efforts efforts to remain socially distant have been
- paid off. We must remain vigilant in our efforts and closely followed the
- direction of our state leaders or county leaders, for incremental ways that
- we may be able to return to some sort of normal within the coming weeks
- and months, but really carefully do so as we monitor our numbers. We
- continue to work closely with our partners and county government under
- the direction of New York State to make sound decisions to protect our
- entire community health and safety.
- DANA LEVENBERG: New York State in Westchester received a large
- number of cloth masks donated to the government by Hanes Brand and we
- have been asked by the county to distribute those two essential workers

- not our healthcare workers, not our first responders tomorrow at noon
- 194 County Executive George Latimer is scheduled to deliver them to Ossining.
- They are not medical grade, as I mentioned, not for medical professionals
- who are getting their masks elsewhere. However, they will offer much
- needed supply of washable reusable masks to our food and delivery
- service workers, taxi drivers, grocery store workers, childcare facilities,
- volunteers, and other essential services who must interact with the public.
- These will be available to any essential business or organization upon
- request. We've created an easy Google form for these requests, which will
- be available on our town website after the delivery. You can call Carina
- Scorcia in my office at 762-6002 or reach her by email at
- cscorcia@townofossining.com. The masks are being distributed by
- 205 appointment only and there are limited number available. So we ask
- everyone to help essential service organizations and businesses by letting
- them know that these masks will be available after tomorrow and we will
- 208 post the link on the town and village website and on Facebook because
- we're doing this in collaboration with the Village of Ossining.
- DANA LEVENBERG: Finally, please visit our website for up to date
- information about town services, as well as a comprehensive resource
- guide, which was developed with help of the Village of Ossining Managers
- Office and other community partners.
- DANA LEVENBERG: Please also do your best to continue to patronize
- businesses that are offering remote services and opportunities deliveries
- 216 and takeout food and other products and anything else you may need that
- is available safely. This is the best way to keep our economy going while
- 218 still on PAUSE if we are missing any businesses or resources, you know,
- have on our pages are you have any trouble accessing any of these
- resources, please do not hesitate to call my office directly at 762-6001. And
- with that, I think I'm turning this over to Fernando for his departmental
- report. I have asked Mr. Gonzalez to join us for a departmental report,
- since we have been receiving so many questions regarding the preliminary
- change of assessment notices that went out in the mail last week, just as a
- reminder, this has been a process that has been in place for over a year.
- We also have with us tonight. Steve Bessio from Tyler Technologies, I am
- 227 hopeful that this conversation will answer many questions about this
- process, where we are in the process, why we are continuing with it now

- 229 and how you can help us make sure we get the numbers right. Fernando
- 230 and Steve the Zoom floor is yours.
- FERNANDO GONZALEZ: Can you hear me well?
- 232 **ELIZABETH FELDMAN**: Yes.
- FERNANDO GONZALEZ: Dana, can you hear me? Hello?
- 234 VICTORIA CAFARELLI: Yes.
- 235 **ELIZABETH FELDMAN**: I can hear you.
- DANA LEVENBERG: Yes. Sorry I muted myself so that I can hear you
- 237 well.
- 238 **FERNANDO GONZALEZ**: Okay.
- DANA LEVENBERG: On mute, but yes, I can hear I can hear you. Well,
- do you want me stay off mute?
- FERNANDO GONZALEZ: Okay, okay, I hear you. Now I, like -
- DANA LEVENBERG: I was going to try to mute my family, a little bit so that
- people could hear everybody, but I'm going to mute me so you guys don't
- hear on my background noise, okay?
- FERNANDO GONZALEZ: Okay. So good evening. As as you know, in
- 2016 we did a town wide we assessment after 42 plus years of of not
- having done every assessment that was a massive undertaking -
- undertaking, where we have to update all the property inventories, sales
- 249 and make sure that all the information for each and every property,
- including exempted properties and Village-owned, town-owned, county-
- and state-owned properties were accurate. And the only way to place an
- 252 accurate value valuation on the property is to make sure that you have the
- 253 accurate data. So back then we we we requested interior inspections
- we accomplished over 60% rate of interior inspections and we analyzed the
- sales, created a model, and used a computer-aided mass appraisals
- technology we placed a value on each and every property. We reviewed
- the values by streets and of course went through the same process, which
- was very invasive to some people, but on the other hand we we brought
- the assessment roll up to up to date and we are able to levy taxes, more,
- 260 more accurately.

FERNANDO GONZALEZ: Since then, in order to maintain the role we -261 every year we did sales ratio analysis where we adjusted the neighborhood 262 based on a ratio that we found to be applicable based on sales during a 263 specific period of time as prescribed by law. As an agreement with the 264 State of New York and following best recommended practices we agreed to 265 do a cyclical reassessment process in which on the fifth year we would go 266 ahead and do a complete reappraisal, which basically means again doing a 267 new computer aided mass appraisal model and driving a value to each and 268 every property, based on this model. And this is the fifth year. And that's 269 what we're doing. And that's why we call it every appraisal instead of a 270 reassessment. Of course we had most of the data was accurate, but we 271 have to verify that data. We sent - we send the request to every 272 property owner to verify our information to make sure that we had the 273 correct inventory on every property. Many did, some didn't. But we 274 continued on utilizing all the technology we have at hand, such as sales, 275 building department GIS, and [UNCLEAR] in order to update the 276 information. So this year, this process basically placing value on each and 277 every property, the ratio increases or decreases or changes or no changes 278 that we did in the last four years, basically says that the same ratio, 279 whether it's a 2% increase or decrease or not change applied to every 280 281 property equally. And as you know, real estate- the real estate market is a very local phenomenon and some properties increase or decrease in 282 values differently based on what's happening in the marketplace. So on the 283 fifth year such - a year, such as this, this model basically brings all that up 284 to date. And as a result when we say that some neighborhood increase or 285 decrease by 5%. That doesn't mean that everybody had the same 286 percentage. Some people may have seen a drop. Some people may have 287 seen that 15-20% increase or people may have seen a 15-20% decline. 288 But the important thing is that every property is value individually based on 289 comparable sales, similar to the subject. So that's where we are now. We 290 were supposed to have sent out this preliminary change of assessment 291 notices last month, but due to the emergency we delayed it and delayed it. 292 FERNANDO GONZALEZ: We have to act because there has been no 293 change in the prescribed assessment calendar and we have to basically 294 follow the law do our job and - and - and continue with the process. As a 295 reminder, the 2020 role is utilized for the 2021 tax bills as of now, there has 296

been no change in the assessment calendar and the filing of the 10th of the 297 tentative roll is scheduled for July - I'm sorry, June 1st. As far as - as 298 neighborhood adjustments, I did provide to the town board and is posted on 299 the website, each neighborhood and the average adjustment per 300 neighborhood. Some neighborhoods went down, some neighborhood didn't 301 really change, but many did go up. Neighborhoods that were affected by 302 the new SALT, which is the tax laws that limited the deductibility of real 303 estate taxes in high-end neighborhoods they went - they were - they went 304 down because people are not buying those properties. However, most 305 neighborhoods in Ossining are very affordable compared to the rest of the -306 of Westchester County and there has been no inventory or very little 307 inventory and as a result the market values for those affordable 308 neighborhoods have been going up - at incredible, at incredible numbers, 309 even as we speak. For example, the rental market it's - it's - it's crazy. 310 There is hardly any available apartments in Ossining to be had. Because a 311 lot of people are trying to move out of the city as we speak. And of course, 312 as you know, a lot of the market in these suburban communities in 313 Westchester, Rockland, most of Putnam and Nassau County, the market is 314 a lot of people from the city moving to the suburbs to raise the family, etc. 315 And as a result, the affordable homes have been increasing in value. 316

FERNANDO GONZALEZ: Now, as far as – to give you some statistics, the average residential increased –town wide - is 5%. The one, two, and three family average increase is 6%. And condo - which are valued differently than one, two, and three families - they're valued as if they were apartment rentals. They were up an average 5%. Commercial properties were not an average of 3%. Overall town wide is a 5% increase, which means basically that if you're increase is 5% or less and the budgets were to remain the same, you should not see an increase in in taxes. However, there are many factors that will, you know, come into play. This is the preliminary numbers. When we filed a tentative role, we would have more specific numbers then as far - as far - as - as the gain in taxable assessed value. But overall the assessment roll for the Town of Ossining, we are looking at an increase of about \$200 million in increase in assessed value.

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FERNANDO GONZALEZ: So, basically, to answer one of the questions that I've been has been posed - asked in the past few days. What will happen if this emergency situation kills the real estate market and

everybody has value goes down? Of course you know as soon as we complete this roll, finalize the role in September, we will start working on next year's roll and the license sales in order to capture the market data and make the proper adjustments. So if, if the market was to - to drop in value, we would we would, of course, adjust the values next year to reflect the new market conditions.

FERNANDO GONZALEZ: Now, another question that was asked is what happens when everybody's market values drop? Basically – basically the assessment roll or the pie by which we divvy up the levy will decrease. So as a result, the tax rates would - it would increase because there are less taxable assessed value to divvy up the tax burden. On the contrary, as we have experienced in every assessment in 2016 every year we have had increases in taxable assessed value, not only because of market condition changes which we call equity, but also because of physical changes which is like new construction, additions... And as a result, many of the taxing jurisdictions have - have seen that the tax rates have not increased or they increase - increase by very little. So if - if and when the market crashes and we have to lower the assessed value for most properties, then the, the effect will be to the contrary, been in most likely will see an increase in the tax rate in order to maintain - maintain services. Provided that the levy remain - the levy remains the same.

FERNANDO GONZALEZ: As far as shifts when it comes to commercial, residential, and the ratio of commercial, residential to condo. It basically has remained the same. There is going to be some minor adjustments as we go through this process of - of informal reviews and grievance. But basically, they have remained the same, because the condos went up 5%. One, two, and three family 6% and commercial properties on average 3%.

FERNANDO GONZALEZ: Another question that was asked in the past, we always said, well, we will see a third of the properties will go down, a third will go up, and a third we've remained the same. The preliminary statistic that we have been able to pull - because remember this is not finalized, this is, this is just the preliminary - we see that 67% of the properties remain between minus 10% and plus 10%. With 25% increasing from 10 - between 10% and 25%. And 5% decreasing minus 10% to minus 25%. So that - that is that is the breakdown, as we see it now. If there are any changes after

we finalize the roll, it would be minimal. We don't expect that big - a big shift because of the changes related to the grievances, or the informal reviews.

FERNANDO GONZALEZ: Right. To pick one other - one other question I can address as we - as we go through this...So the – as prescr - as prescribed the law, the valuation date for the role is July 1 of the previous year. So for the 2020 roll the valuation day is July 1st 2019 so of course these numbers do not reflect the current conditions in the marketplace, which is of course that not a lot of things are moving because of the because of the emergency. However, there are still some closings going on because those - those deals were negotiated before. And there are listings coming into the marketplace. And while there is no physical showing some property of course utilizing technology, Realtors have been able to continue to do business. However, the public is not really into it and they and the general sense is that the market is going to - is going to really take a hit - if - unless we reopen this economy soon.

FERNANDO GONZALEZ: So it remains to be seen, when you think that way about what is going on right now with this emergency. However, the reality is that a lot of people are looking to move into neighborhoods, such as Ossining. Whether it be renters or single family properties because that has always been the market and there is of course now a strong desire from - from many people to leave a highly populated area, such as the City of New York. One of the questions is why are we seeing an average increase in 6% - of 6% and that is because of in - in one, two, or three family homes is because of the market. Again, the ratio adjustments that we did in the last four years was based on sales for that neighborhood. And while we apply those adjustment equally to all the properties within the neighborhood. While we do this time when we do a new a new computer - computer aided mass appraisal is to place a value on each property. Because typically, for example, a raised ranch does not go up or down in value at the same rate as an older 1920 home or for example a two family.

FERNANDO GONZALEZ: And of course, the rate of increases and desirability by - of neighborhoods changes every year depending as to what's happening in the marketplace, what we saw in the last few years,

- particularly this course of this year is that the small two and three family home became very desirable that they went up in value tremendously.
- FERNANDO GONZALEZ: In neighborhoods such as Indian village people
- coming out of the city were paying ridiculous number for small capes with
- two, three bedrooms, you know, 15 and 2900, 1800 square foot homes.
- That neighborhood, for example, in the Village has seen an increase every
- year. I think every year. So, basically, we are charts to measure, measure
- the market and what the market reaction is to to to situations, we will be
- measuring the market reaction to the current emergency and of course that
- will be taken into consideration for next year.
- FERNANDO GONZALEZ: I'm trying to read some questions as we as we
- go along. Yes, again this year some some properties in the state area
- saw a decrease again because of the effect of the deductibility of taxes. We
- saw some of that last year, but most of it is reflected this year. There were
- corrections on some of the plan, you need the high end Planned Unit
- Development, because again, because of the tax situation. And on the
- other hand, we have seen other Planned Unit Development that continues
- to be highly desirable, such as Hudson Watch. And the sale prices have
- been continuing to climb.
- FERNANDO GONZALEZ: As to address the condo market, as you know,
- condos are valued as if they were rental properties. And in Ossining
- overall, particularly in the Village of Ossining there is not many apartments
- available to rent. The few new units that were built in the last few years
- have been absorbed into the market pretty rapidly.
- FERNANDO GONZALEZ: This emergency pandemic situation has made
- the market even even more tight, meaning that there is less apartments
- available now than there were at the end of last year in the Village of
- Ossining. And in the town of course, Town Outside and and and the
- Village of Briarcliff Manor there's not many apartments to begin with. Of
- course, there are units that are rented in some of the [UNCLEAR] and
- condo and condo condominium complexes and we have seen an
- increase in the asking rent. A steady increase in the square rent in the
- continued demand. So the increase in the condo values and the apartment
- building values reflect that.

- FERNANDO GONZALEZ: And as, of course, a lot of the smaller homes in
- affordable neighborhoods saw a sizable increase. For example, in the
- neighborhood the Hollow in in in the Village [of Ossining] that area and
- the south end of the Village [of Ossining], the Sparta area of Revolutionary
- Road you could you can see the sale. By the way, we have posted the
- sales in our website and you the sales are posted there. And you can see
- them and you will see that they are listed by street name and you could see
- sales in your in your neighborhood.
- FERNANDO GONZALEZ: And and you can get a sense when when you
- see that a similar home to yours, what they are selling for the last couple of
- 446 years.
- DANA LEVENBERG: Fernando while you're looking... So what if there
- weren't any sales in your neighborhood? What what happens then, where
- do they go next?
- 450 **FERNANDO GONZALEZ**: If there are no sales in your neighborhood you
- try to go to another neighborhood that has similar market conditions. One
- of the big determinants of a neighborhood is School District. Of course we
- would never cross school district in order to find a comparable sale. Many
- of the neighborhoods -many many of the most of the neighborhood -
- neighborhood has had sales in order to come up with a with a with a with
- a model to to drive values. Now after this process is done and values are
- assigned to each property we do every view by street and by
- neighborhood. And that was, you know, the last, the last few months in
- 2019. When people were calling him because they saw a strange car park
- in front of the house looking. And that that is the process. And basically
- what you're trying to do, with the street by street street review is to find
- what we call in, in, in an appraiser's jargon is "outliers," meaning
- 463 properties that do not conform to the neighborhood or values that our -
- values are obviously off. For example, you go into, you know, you got you,
- you, you look at a neighborhood, which is mostly 15-1800K per square
- Foot Cape Cod snd then you have this one property and this cape cod
- style homes are valued at 450 and then you have this one property that is
- valued at 700 and when you drive you right away, will make a
- determination, there's something wrong here, or that explains it. Because
- you drive to it and maybe they put a second floor and has converted this

- 471 home into a colonial which is now 3800 square feet. And hence, the value
- of that home is not typical for that area. But there are other similarly styled
- colonials with similar square footage in other neighborhoods that would be
- compar more comparable to that home so that that is the process. And of
- course, you know, we we review every, every property in every
- neighborhood. Not only do the Tyler staff review it, but my staff reviews it.
- Remember and I'll remind everybody, while we we hire Tyler
- Technologies to do this this process and provide the technology and the
- driving force. This is our role. We are responsible, my this is this is not
- Tyler. This is the Town of Ossining Assessor's Office. And we review every
- property and we approve every value. So, so, you know, we don't just say,
- 482 "well, Tyler did it," no. We did it. So we were involved, we are involved in -
- every step of the way. We will continue to be involved and we are the ones
- also that defend these values when we have to report for the in trial in
- some cases. So it's a process. It's time consuming and and we have
- deadlines to meet and of course the assessment calendar is prescribed by
- law. And until that law changes, we have to continue to do our job,
- 488 [UNCLEAR] the required dates.
- DANA LEVENBERG: Okay, so a couple more quick questions. And then
- l'm going to address that "the required dates question"... or issue.
- 491 **FERNANDO GONZALEZ**: Okay.
- DANA LEVENBERG: Somebody had asked the question about how you
- determine neighborhoods because they didn't think that their neighborhood
- made any sense. So so the neighborhood, half of the neighborhood was
- in an area that was walkable to Scarborough train station. And the other
- part where they lived wasn't walkable so they felt like their value was -
- shouldn't have been as high as something that was walkable to the train
- station, how is that, how are those neighborhoods, you know, areas
- determined to be in the same area?
- FERNANDO GONZALEZ: We basically did not make we didn't feel this
- year that we needed to make any changes to neighborhoods. In the last
- few years. We did move some properties from amongst neighborhood.
- The neighborhood delineation process, you can find that document on on
- the Assessors page on the Town's website. But basically, is typically we
- would like to build in a neighborhood where everybody has shares the

- same characteristics of such as walkability, style, your bills, etc. But that is
- not always the case, as you know, particularly in older neighborhoods, we
- have a mix of of styles, a mix of conditions, and age. And many times of
- the characteristics such as walkability it's important as a good
- determinability of how fast and how much people would pay for a property.
- FERNANDO GONZALEZ: Many times it's better to live in those few homes
- within the neighborhood, because we're not going to find... the the other
- neighborhoods are not going to are going to drive value that are even
- worse. So in those cases. That's what the process of of of review tries to
- find those outliers, where you may have, you may have a neighborhood
- where everybody is in a nice residential neighborhood, but you may have
- 517 five houses on a busy road. And those five houses that are on a double
- yellow line high traffic busy road we would then adjust adjust that the
- value to to reflect that external obsolescence of high traffic. In some
- cases, some homes may be next to a business or next to a noisy business
- or next to a gas station and of course those are situations that we try to find
- and address by making an adjustment to to to compensate for that.
- DANA LEVENBERG: Just to be clear, this part of the process is also what
- drives the tentative roll that you eventually are going to file. Which is the -
- the these informal interviews with Tyler.
- 526 **FERNANDO GONZALEZ**: Correct.
- DANA LEVENBERG: So that's part of getting it right?
- 528 FERNANDO GONZALEZ: That is correct.
- DANA LEVENBERG: So if somebody says, "Well, this is crazy." I was just
- I just bought my property, a year ago and it's gone up 20% and there's no
- way it's gone up 20% and I know that because I have comparables of sales
- so I'm going to go sit down and meet with Tyler and I'm going to show them
- this, and then they might adjust that value down.
- FERNANDO GONZALEZ: That is correct. So, so, the process is this. The
- informal review the idea is to provide the homeowners who best know
- their property, an opportunity to discuss the value with with an appraiser
- who who's an expert. And for them to bring to our attention anything that
- we have missed. So let's say for example that so that same how's that I
- was describing that it's next to a gas station. Maybe we missed that. And

then house should not have the same value of the house behind it that is 540 541 facing a nice residential quiet street. So - so through this informal process Tyler will make a determination and make adjustments. And then we will 542 send again - if there is a change in value - we will send a Notice of 543 Determination by Tyler and we will send another change of assessment 544 notice whether is to increase the value or decrease the value. Most often, 545 of course, is the decreasing the value. Prior to the filing of the 10th of April, 546 which is typically June 1, so that is the process. And then after that, if the 547 property owner is not satisfied, of course, they will always have the - the 548 ability to seek administrative review by the Board of Assessment Review 549 like filing the grievance, which is the RP 524 mentioned in the notice.

FERNANDO GONZALEZ: And after that, if the board of Assessment 551 Review still does not meet their - with their agreement, they can seek 552 judicial review by filing a small claim with the court or an article seven 553 certiorari for commercial properties with the court. I'm sorry, the small claim 554 [UNCLEAR] with the courts for residential owner occupied properties and 555 an article seven several certiorari for commercial properties. 556

550

- **DANA LEVENBERG**: I'm going to ask this question, even though you 557 already answered it. I'm going to ask it one more time. So we did a full 558 reval out in 2016 every year we've kept basically tried to keep up to the 559 best of our ability. Now we're back to doing another sort of full, full blown 560 reval. Why would we see 20% increases in some properties? Why would 561 there be such a big swing in value for properties? They've been sort of if 562 we've been sort of keeping up keeping up keeping them. It seems like there 563 should only be a minor increase not such a huge increase in any property. 564
- FERNANDO GONZALEZ: It could be many factors, it could be inventory 565 changes that were not captured because there was no inspection. Or 566 because when - we never had the - the improvement, where there 567 were recently legalized in some cases. It's the market and it's a little bit of 568 catching up because the adjustments that we did for prior years were - may 569 not have been applicable to that property. 570
- **FERNANDO GONZALEZ**: So for example, in some neighborhoods we 571 determine some years that increase was 1 or 2% but really what was 572 driving those values where, for example, the old style home. And we apply 573 those values to everybody. And not all the homes in the neighborhood are 574

- old-style. And then when we do a more detailed analysis as we did now and when the model price value which styles is one of the main of the main conditions. We realize that yeah, the old style homes were going up for by 2% in that neighborhood, but the capes have been going up by 8% every year. So now we have all this catching up to do. And that's where you see that is in some in some in many instances, our recent recent sales, recent additions.
- FERNANDO GONZALEZ: And in many cases with recent sales, we 582 discovered that, for example, the condition that we had was incorrect. We 583 have the property is in average condition. Meanwhile, it was in excellent 584 condition. And we saw, and it could be a combination of all these factors 585 again. And that's why when you do an appraisal for refinance transactions 586 such as a mortgage for purchasing a home or - or home equity loan an 587 appraiser does one appraisal report specific to that property and 588 comparable sales to that subject are used for that reason. 589
- FERNANDO GONZALEZ: What we do in interim years as we call it between reappraisal is apply a factor equally to all the homes in the neighborhood, although not all the homes in the neighborhood went up or down at the same rate.
- DANA LEVENBERG: Alright. Got it. Um, the other thing I wanted to talk about is one of the questions was, why would you do this now and middle of this pandemic.
- FERNANDO GONZALEZ: It's a very good question. And we've taken a lot 597 of heat for it. And I understand. You know the situation makes people, you 598 know, desperate. Especially those who - who are on the line on the front 599 lines, you know, the - the healthcare workers and the emergency workers. 600 They're going through a lot of stress. Anybody who has been affected 601 directly, whether they - they have had the virus or have lost their jobs or 602 their family has been sick, you know, everybody's under stress. And of 603 course, you know, we're adding more stress by doing this. Unfortunately, 604 the - what we do is prescribed by law. The assessment calendar is part of 605 the law and until the law changes we are not to - we cannot just, you know, 606 take action to - to try to help people out. We have to follow the law and do 607 our jobs. Now, if the law changes, then of course we would follow the new 608 law and act accordingly. But until that happens, we must continue. 609

- FERNANDO GONZALEZ: These notices were supposed to be out a month 610 611 ago. In order to provide for more - a more relaxed, if I may say – informal review process, giving us time to investigate, inspect if we need to, before 612 we filed the tentative roll, June 1. But because of the situation we delayed it 613 since you know nobody had an idea that this was going to - this was going 614 to - go down, you know, go down as it has been. So we have to get going 615 in order to make the calendar and that's why the notices went out last 616 week, in retrospect, maybe we should have sent them out a month ago and 617 - and - and dealt with it. However, you know, we're trying to do the best we 618 619 can, by using technologies we hope that many people availed themselves for this informal review. Now of course we are inundated with calls and we 620 are talking to everyone, I'm answering emails and trying to also make 621
- **DANA LEVENBERG**: So let me just say that after the notices were printed 623 and I don't know exactly when they were in the mail or on their way to the 624 mail, the Governor issued an Executive Order which gave the 625 municipalities the ability to extend the day that we could file the tentative 626 assessment roll by up to thirty days. And I believe that that's something that 627 the Board would probably look favorably upon if that was something that, 628 you know, your office can handle, which I'm confident, you're going to say 629 yes to that, Fernando. 630
- 631 FERNANDO GONZALEZ: Yes.

adjustments accordingly.

622

- **DANA LEVENBERG**: Okay. So I think that what we're going to do is offer 632 to buy back that one month that we took away from waiting and seeing and 633 634 put it on the other end, so that we can give people a little bit more leeway in making - scheduling those informal reviews with Tyler and or, you know, 635 speaking with your office assured that in fact the assessments are correct 636 and that they match up with properties as they should. And so that would 637 then mean that we pushed back our Grievance Day. So we would have the 638 - we've pushed back the roll - the filing of the tentative assessment roll from 639 June 1 to June... 640
- 641 CHRISTIE ADDONA: June 30.
- DANA LEVENBERG: to June 30 okay. From June 30 and then we would put we would push the Grievance Day to July 21.

- 644 **FERNANDO GONZALEZ**: Correct, yes.
- DANA LEVENBERG: And that would work for everybody.
- 646 FERNANDO GONZALEZ: That would work. To, you know, we would still -
- we would the Board of Assessment Review then has to process the
- grievances and render a decision and provides the information to us so that
- we can file the final role by September 15.
- 650 CHRISTIE ADDONA: The Executive Order the Executive Order also did
- give you discretion to extend the filing of the Final Roll by 30 days.
- FERNANDO GONZALEZ: Okay. I don't think we would need that. But if we
- do, we will certainly request it.
- 654 **CHRISTIE ADDONA**: It's available to it's available to you as an option.
- DANA LEVENBERG: I'm just going to ask -poll the board the board to
- make sure that everybody's on the same page, although I know you're all
- going to say yes. So I'll just go around to Councilman Shaw, would you be
- in favor of extending those dates?
- 659 **JACKIE SHAW**: Yes.
- DANA LEVENBERG: Yes. And Councilman Feldman?
- 661 ELIZABETH FELDMAN: Yes.
- DANA LEVENBERG: Councilman Wilcher?
- NORTHERN WILCHER: Yes.
- DANA LEVENBERG: Councilman Meyer?
- 665 **GREG MEYER**: Yes.
- DANA LEVENBERG: So that's something that we have time to add to our
- next meeting our next regular meeting, we would adopt a resolution to
- extend those dates, and I think we could inform the public. Prior to that,
- even as long as we're on the same page.
- DANA LEVENBERG: Council Addona. Is there anything you wanted to add
- to that before I just ask our Board Members they have any questions for -
- 672 for Fernando?

- CHRISTIE ADDONA: No. I think the executive order pretty clearly allowed 673 for - for these really. Contemplating circumstances, similar to what we're 674 seeing in Ossining and so if the town board is willing to avail itself to that. It 675 - while it appears and, you know, given the timing of everything and the fact 676 that Fernando is coming tonight. It seemed a little premature to put 677 something on the agenda, but if the Board is an agreement which it 678 appears that the Board is then I think you can certainly begin operating on 679 that understanding of the June 30th tentative roll until the Board's next 680 meeting where you can formally adopt a resolution. 681
- FERNANDO GONZALEZ: Okay, great. Hopefully, the sooner we get the 682 word out - which will basically extend the time that we have available for 683 informal reviews and let me point out that we have scheduled available for 684 two and a half weeks, which is until - from now until May 12 which can be 685 extended as required by Tyler. We already have close to 200 appointments 686 scheduled. And of course, many people have discussed their assessment 687 with my assistant Al Closi and myself as well. And after that, after that, of 688 course they will have the option to proceed with an administrative review by 689 the Board of Assessment review by filing a grievance. In this case, by July 690 21. 691
- 692 **DANA LEVENBERG**: Okay. Wonderful. And then the other question I forgot to ask you before was that this, this information is available in PDF form. And then I asked the question about, could it be available in Excel, and you said that it's easier and searchable on PDF. So if you just talk about that a little...
- FERNANDO GONZALEZ: Yeah, we have posted on that were on the 697 town's website a 2020 reappraisal project. Not only the sales - residential 698 and commercial by street name - which will, of course, then of course also 699 show the neighborhood. And we have also posted the change of 700 assessments by name and by street name so that you can if you want to 701 see how your street - how your neighbors assessment and compare to that. 702 You can see that. And that's also posted on the website and of course the 703 neighborhood adjustment. Also, you can go to the to the – on same towns 704 website the GIS website you can search a specific property and then 705 change the map layer to "sales" and you can see sales around your home, 706 for example. And they are color coded. Green means within the last year, I 707

- think Brown is two years, etc. They'll give you a good sense of what have
- so many people know what homes are so you know near them.
- 710 **FERNANDO GONZALEZ**: And that is a that is a good source of
- information and also when you pull your property information or any
- property information, you can look at the property record card with the
- specific inventory of the property and the assessment for this year.
- DANA LEVENBERG: Okay, okay, I'm just, I just like to open it up to my
- board colleagues to ask Fernando any particular question that you may
- have been getting, because I know that everybody's getting questions. So
- this would be a good time for you to have just a chance to ask Fernando.
- And then as far as our Zoom audience and our meeting, we will have an
- opportunity at the end of the meeting, which is not very long for visitor
- recognition. At which point, if you have questions you would like to ask. I
- think we'll probably take a few questions at the end as well.
- DANA LEVENBERG: I don't know if we're going to be able to give
- answers, but we'll do our best.
- 724 **ELIZABETH FELDMAN**: One of the most common questions that I've been
- getting um is what is, you know, with the market going down. So I would
- just want to reiterate that my understanding any fluctuations in the market
- dynamic will be caught on our next regular appraisal or reassessment.
- Which would be in July. So the tax rolls will be updated again next this
- coming July 1 and will hopefully capture any changes that the market
- bears. Correct?
- 731 **FERNANDO GONZALEZ**: That is correct. The, the valuation date for the
- roll is July 1 of the prior year. So for the 2020 year roll, the valuation date is
- July 1 of 2019. So for the 2021st roll, it would be July 1 of 2020 so you
- know whatever happens in the market between now and July 1st would be
- captured for the next roll. You know, which, you know, we are all concerned
- I'm, you know to, to see what's going to happen here.
- 737 **DANA LEVENBERG**: Okay.
- 738 FERNANDO GONZALEZ: We can we can get back to some sense of
- 739 normalcy.

- DANA LEVENBERG: Councilman Feldman, if you do you have to audios
- going at the same time? Because you're very echo-ey. I don't know if you
- have a phone and a video/audio going at same time.
- 743 **ELIZABETH FELDMAN**: Nope, just a phone.
- DANA LEVENBERG: And also just to point out, I mean Fernando you
- mentioned that rates go if values go down rates go up. But also if you're all
- taking the same portion of the pie. So, you know, shrink a little bit but
- everybody's sort of taking that same portion. It doesn't necessarily mean
- your taxes are going to go up. So if you're paying a certain amount of taxes
- this year and everybody's value goes down, sort of proportionately your
- taxes are going to go up more. They're going to just remain the same again
- proportionately. You know me some neighbors some neighborhoods may
- go down more than other neighborhoods based on, you know, some of the
- factors that you discussed earlier. But if everything were to just sort of
- crash at the same time. That's it. That's what it would look like it wouldn't
- look like your taxes going sky high or or coming way down. Just because
- your value had your property value had decreased.
- 757 **FERNANDO GONZALEZ**: Yes, that is correct. So basically, as I say now
- that the average increases 5% and anyone who saw 5% or less increase in
- assessed value should not see an increase in taxes, provided the budgets
- remained the same. To the contrary of that is if everybody went down by
- 10% then everybody kept the same share of the tax burden. However, if
- you only went down by 2% then of course you may see a slight increase in
- taxes so it's it's again, what taxes you paid are not only impacted by
- your assessment and and budgets, but also other property other
- property assessments as well.
- 766 **ELIZABETH FELDMAN**: So one thing is, even if we everybody's taxes,
- everybody's assessment went up 5% that doesn't necessarily mean that
- they are going to have a bigger tax bill because it's the same. As long as it
- went up exactly proportionate. Then it would be [UNCLEAR] be code and
- we are not changing our budget based assessments. We change our
- budget based on our needs and try very hard not to [UNCLEAR]. So it's not
- that all of a sudden there's you know this much more money and the town
- gets more money we're still asking for, the we'll have the same needs. It's
- just a proportionate, different evaluation. Correct?

- 775 **FERNANDO GONZALEZ**: Correct, yes.
- 776 **ELIZABETH FELDMAN**: Thank you.
- 777 **FERNANDO GONZALEZ**: Thank you.
- DANA LEVENBERG: Alright. Councilwoman Shaw, did you have any
- 779 questions?
- JACKIE SHAW: Yeah, Fernando. Can you just go over one more time, if
- someone wants to grieve, what the processes, who they call, that kind of
- 782 thing?
- 783 **FERNANDO GONZALEZ**: Okay, of course we want people to have and
- avail themselves to have an informal review with Tyler technologies. The
- notices that were sent out included a checklist, which had a number to call.
- That number is 1800-829-4235 Monday through Friday 9am to 4pm. You
- can also schedule an appointment, through the internet by going to
- 788 <u>www.Tylertech.com/schedule</u>
- 789 **FERNANDO GONZALEZ**: All that information is on the package that we
- send to the property owners with a preliminary change of assessment
- notice. It's called the informal review guidelines, which explains what it is,
- what to do, and what what we're looking for. After the informal review, if
- you are not satisfied with the decision. Which which which you will be
- notified prior to filing the tentative roll which most likely will be June 30 -
- you will have the opportunity to file a grievance to seek administrative
- review by the Board of Assessment Review and that will be by filing the RP
- 524 form which you can get to our website or through the state website.
- 798 FERNANDO GONZALEZ: And you must file the grievance you must file a
- grievance by July 21st. Which, you know, once the board approves the the
- soo change for the for the tentative roll, again, we encourage people to meet
- with Tyler and and discuss their assessment and try that first.
- 302 **JACKIE SHAW**: Thank you.
- FERNANDO GONZALEZ: Also also as a reminder, if you know you you
- can have your representative contact Tyler if you so desire. Of course we
- would rather deal with the property owner. But if you have a representative,
- whether it's an attorney or not we'll we'll be happy to discuss it with your
- representatives as long as they are authorized by you.

- DANA LEVENBERG: Do you need a representative?
- FERNANDO GONZALEZ: No, you don't need a representative.
- DANA LEVENBERG: Do you do better with a representative?
- FERNANDO GONZALEZ: Not necessarily. A representative is supposed to
- be an expert in real estate. So, you know, if he or she will understand
- what comparables are and you know the date range and how to make the
- 814 proper adjustments.
- DANA LEVENBERG: Okay. Councilman Wilcher?
- 816 NORTHERN WILCHER: Yes?
- DANA LEVENBERG: Did you have any questions for Fernando? Or
- anybody ask any questions that you wanted to ask him?
- NORTHERN WILCHER: No, I don't.
- DANA LEVENBERG: Okay. Nope. Thank you. Councilman Meyer.
- 6821 **GREG MEYER**: Yeah. My only concern is that even with the July date, I
- just worried that we still may not know exactly what the real estate markets
- looking like. But you know, I think it's important for people at home to
- understand that, you know, we're, you know, that's kind of the end date of
- when we're able to push it back too. Is that correct?
- FERNANDO GONZALEZ: Yes, well you know what the real estate market
- is looking now looking like in the next few months is not a factor. That
- would be a factor for next year's roll. Of course, based on what is going on
- right now we're making preparations as the Governor authorized us to
- s30 conduct bar the bar proceedings zia Zoom or or technology, not not -
- not, you know, by people coming to town hall. So we would set up the
- whole process analysis shortly.
- 833 **GREG MEYER**: Thank you.
- FERNANDO GONZALEZ: Thank you.
- DANA LEVENBERG: Okay, so I think that Fernando unless you
- have anything else you wanted to add or I don't know if a Steve ever came.
- I didn't see his name. But if you wanted to say anything about Tyler, the
- methodology, or anything like that. Because I know a lot of people have

- guestioned it and had some not such nice things to say about Tyler. If you
- wanted to say anything at all about the methodology, Steve, I would give
- you an opportunity to do that now, before we continue on with the rest of
- 842 our meeting.
- FERNANDO GONZALEZ: Hello, Steve? Are you there?
- DANA LEVENBERG: I didn't see his name. So I but it can be a phone
- 845 number.
- VICTORIA CAFARELLI: Do we might be muted, I'm not sure.
- DANA LEVENBERG: I don't know. Can you raise your hands, virtually?
- VICTORIA CAFARELLI: I'm unmuting whoever is dialing it, and so if you
- could just say who you are, maybe? ... Nope.
- DANA LEVENBERG: It's the 845 number, I don't know.
- VICTORIA CAFARELLI: I don't think so. No, no, okay.
- DANA LEVENBERG: Okay, we don't have Steve, I don't know, Fernando,
- did you want to talk at all about anything about the methodology. I think you
- kind of hit some of it, but I don't know if you wanted to talk about their
- computer models or anything like that. I mean, again, I think you talked
- about the general information. You don't have to go back over anything
- you've already stated.
- FERNANDO GONZALEZ: No, but basically this is a process that is
- considered best practices, before we went ahead and made these changes
- and send out the notices, all this data on sales and values are sent to the
- State of New York, which oversees this process. And they run their own
- processes and models to to determine whether our values meet the
- threshold in order to certify that 100% full market value for the Town of
- Ossining and that is part of the process that is required. So, again, this is
- considered a best practice. And as you know you know many people talk
- about Tyler, but, you know, the reality is that they are the leading company
- that does this kind of work, not only in the state of New York but in in the
- 868 United States and Canada as well.
- DANA LEVENBERG: And then it does also go to [UNCLEAR] to get a
- 870 blessing.

- FERNANDO GONZALEZ: Yes. The whole file, every property record sales
- and everything we did is verified by the state in New York, in order to give
- us the certification of 100%. And also let me point out that the staff the
- majority of the staff that has worked on this project is also worked with us
- during the last five years, six years. Steve best was supposed to be on the
- on the call with us has been working with us every year. Salim Serba, the
- project director has been working with us also for the last five years. And
- many of the data collectors, appraisers, and reviewers also have a lot of
- experience in Ossining in and are very knowledgeable of the real estate
- marketing in Ossining.
- DANA LEVENBERG: Okay. Great. Well, I thank you for that. And I think
- that that is it for our departmental report for this evening, one of the longest
- yet. Thank you for details.
- FERNANDO GONZALEZ: Thank you, I've keep breaking records.
- DANA LEVENBERG: You do really. Okay, so next up we have liaison
- reports? Any board members liaison to anything that want that want to
- make a mention of anything?
- ELIZABETH FELDMAN: Well, I did want to thank our fire Department and
- especially our ambulance Corps for all that they're doing and going through
- now. And the parade was great today. It was good to see all the teachers
- and they all our first responders escorting them. I'm just thank you and
- you know just appreciate all that they do. I just want to give them a shout
- out. Same with all our essential workers. I mean, they really all deserve a
- shout out. So that's it.
- DANA LEVENBERG: Okay. And next we have public comment on agenda
- items only. And again at the bottom of your screen, I believe, or depending
- on what kind of screen you have, there's a place where you can actually
- raise your virtual hand. Not your live hand because most of you are on
- muted video. If you have a question on any of the agenda items. So that's
- any of the ABCD can't exactly see all of it E- would be or anything else
- that we're going to be voting on. If you can raise your hand. And Victoria
- 902 Cafarelli will unmute you.
- 903 VICTORIA CAFARELLI: Don't see any right now. But yes, just as a
- reminder, if you're on a computer screen, the the raise your hand button

- should be at the bottom of your screen. If you're on an iPhone or iPad it's in
- the upper right hand corner, there's three little dots says "more." And then it
- asks us to raise your hand, but I am not seeing anybody raising your hand
- 908 at this time.
- 909 **DANA LEVENBERG**: Okay. So thank you for that. And double checking. I
- can also figure out if you push participants for me on my Mac, for whatever
- reason, if I click on participants, then it lists everybody on the side of the
- screen and at the bottom of that screen is a place where you can raise your
- hand. I'm just going to tell you because that's different on my screen. Okay,
- so next up, we are going into our Board Resolutions and I would ask that
- our Deputy Clerk Martha Quituisaca please help us reading through these
- 916 resolutions.
- 917 MARTHA QUITUISACA: Okay. Approval of minutes Regular Meeting April
- 918 14 2020 resolved at the Town Board of the Town of Ossining hereby
- approves the April 14 2020 minutes of the Regular Meeting, as presented.
- 920 **DANA LEVENBERG**: Do I have a Motion?
- 921 **ELIZABETH FELDMAN**: So moved.
- 922 NORTHERN WILCHER: Second.
- 923 **DANA LEVENBERG**: All those in favor?
- 924 DANA LEVENBERG, GREG MEYER, NORTHERN WILCHER,
- 925 **ELIZABETH FELDMAN, JACKIE SHAW**: Aye.
- DANA LEVENBERG: Any opposed? Anybody abstaining? Fantastic.
- 927 MARTHA QUITUISACA: Approval of voucher detail report April 28 2020
- resolved that the Town Board of the Town of Ossining hereby approves the
- voucher detailed report data April 20 2020 and the amount of \$297,163 and
- 930 **72 cents**.
- 931 **ELIZABETH FELDMAN**: So moved.
- 932 NORTHERN WILCHER: Second.
- DANA LEVENBERG: Okay, all those in favor?
- 934 DANA LEVENBERG, GREG MEYER, NORTHERN WILCHER,
- 935 ELIZABETH FELDMAN, JACKIE SHAW: Aye.

- DANA LEVENBERG: Any opposed? Yeah.
- 937 MARTHA QUITUISACA: Tax payment plans to Waller Avenue. Whereas
- the Town of Ossining is required to collect Town/County school taxes for
- the municipality with the uncollected taxes and whereas the receiver of
- taxes has been approached by property owner requesting a short term
- payment plans for the property of 2 Waller Avenue. Tax personal
- designation ID number 97.7-3-5 and whereas the town board pursuant to
- 943 Article Five of the Ossining Town Code as authorized by Section 1184 the
- New York real property tax law before entering a final judgment made,
- 945 which are parcel for which payment are Real Property Tax delinquent from
- a foreclosure proceeding and enter into an agreement of all delinquent
- taxes as well as interest and penalties and does occasionally grant such a
- 948 plan and has the discretion to accept or reject any proposal by residential
- 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 payment plan sent forth in Section 180-18 of
- 952 the Town Code.
- 953 MARTHA QUITUISACA: Now therefore be resolved that the Town Board
- of the Town of Ossining hereby grants the aforementioned payment plan
- which terms comply with the Town Code to this property owner who has
- been determined to be eligible with the understanding that sets no
- precedent going forward for this or any other property in the future.
- 958 **DANA LEVENBERG**: Do I have a Motion?
- 959 JACKIE SHAW: So moved.
- 960 ELIZABETH FELDMAN: Second.
- DANA LEVENBERG: So, from time to time our Tax Receiver will request
- that the Town Board enter into a payment plan with the taxpayer who may
- be on their way to have in their home foreclosed upon by the Town. That is
- the case for the property at 2 Waller Avenue. So we are happy to be able to
- offer this payment plan to recoup unpaid taxes will also allowing this
- property owner to keep ownership of their property. Thank you to our tax
- receiver Holly Perlowitz for helping out our taxpayers, while still keeping the
- payments coming into the town. Any questions? Discussion? All those in
- 969 favor?

- 970 DANA LEVENBERG, GREG MEYER, NORTHERN WILCHER,
- 971 ELIZABETH FELDMAN, JACKIE SHAW: Aye.
- 972 **DANA LEVENBERG**: Anybody opposed? Any abstentions? Okay. Moving
- 973 along.
- 974 MARTHA QUITUISACA: Opting into Westchester County tax program
- established by Executive Order to 202.22 whereas on April 21 [UNCLEAR]
- 976 **DANA LEVENBERG**: Martha? Martha?
- 977 MARTHA QUITUISACA: Yes?
- 978 DANA LEVENBERG: I can't -
- 979 MARTHA QUITUISACA: Yes?
- DANA LEVENBERG: We can't hear you when you get too close to the
- screen, for some reason, like you get very muffled. Can you just, I don't
- know why. Yeah, that's better. I don't know, for whatever reason, when you
- move closer to your screen, it's hard to hear you. So if you could just start
- 984 back-
- 985 MARTHA QUITUISACA: Okay, I'll go there?
- 986 **DANA LEVENBERG**: Great, thanks.
- 987 MARTHA QUITUISACA: [UNCLEAR]
- DANA LEVENBERG: Oh see right there. That's not good.
- 989 MARTHA QUITUISACA: [UNCLEAR]. Okay.
- 990 **DANA LEVENBERG**: That's good.
- 991 DANA LEVENBERG: Sorry, I don't know why -
- 992 MARTHA QUITUISACA: I'm on a new computer today. I'm on a new
- 993 computer so that -
- 994 **DANA LEVENBERG**: Okay.
- 995 MARTHA QUITUISACA: That may be throwing me off.
- 996 **DANA LEVENBERG**: Okay, good. Thank you.

- 997 MARTHA QUITUISACA: Okay, okay. From the beginning: Opting into
- Westchester County tax program established by Executive Order 202.22.
- Whereas an April 20 2020 Governor Cuomo issued Executive Order
- 202.22 related to the COVID-19 pandemic that included at the request of
- 1001 Westchester County Executive Latimer, the suspension of real property tax
- law 1512 candidacies law and Westchester County tax law 283.21 and
- 283.221, to the extent necessary to allow relief from certain requirements
- related to the town, city, and county taxes due on April 30 2020, EO
- 1005 202.22; and
- 1006 MARTHA QUITUISACA: Whereas EO to 202.2 authorizes the Town
- Supervisor to waive the penalties for late payment of town and county
- taxes for payments made by July 15 2020 if the taxpayer qualifies for a
- hardship due to COVID-19 based upon the criteria to established by
- 1010 County Executive Latimer Hardship Waiver; and
- 1011 MARTHA QUITUISACA: Whereas a hardship waiver compliments the law
- passed by the County Board of Legislators on April 17 2020. And which the
- Town understands will be signed into law by County Executive Latimer.
- 1014 Which law amends Westchester County tax law statute 283.221 to
- substantially reduce the penalties of late payments of town and county
- taxes for payments received by July 15 2020 for all taxpayers regardless of
- whether the taxpayer qualifies for the hardship waiver; and,
- 1018 MARTHA QUITUISACA: Whereas Executive Order 202.22 also authorizes
- 1019 County Executive Latimer to negotiate with an individual cities and towns,
- which are required by law to provide 60% of the county tax forms the
- 1021 County and May 25 2020 to provide a lesser percentage or the County tax
- line by May 25 2020 provided the municipalities, making the hardship
- waiver available to its eligible taxpayers county payment negotiation and
- MARTHA QUITUISACA: Whereas, while the Town does not yet know if it
- will need to avail itself of the county payment negotiation, the Town Board
- decides to reserve, it's right to do so. If need be based upon the Town's
- financial circumstances as the May 25 2020 deadline approaches; and
- 1028 MARTHA QUITUISACA: Now therefore be resolved the Town Board
- hereby adopt the hardship waiver established by Executive Order 202.22
- and authorizes the Supervisor, the Town Receiver of Taxes and

- necessarily town staff and offices to establish and implement a procedure
- 1032 for the administration of the hardship waiver in the Town; and
- MARTHA QUITUISACA: Be it further resolved the Town Board hereby
- authorizes the Supervisor to notify the County Executive Office of the
- Town's preliminary intention to participate in the county payment
- negotiation, the necessity of which the Town Board shall continue to
- evaluate as the May 25 2020 deadline approaches.
- 1038 **DANA LEVENBERG**: Do I have a motion?
- 1039 **ELIZABETH FELDMAN**: So moved.
- 1040 **UNCLEAR:** Second.
- 1041 CHRISTIE ADDONA: Supervisor?
- 1042 **DANA LEVENBERG**: Yes?
- 1043 **CHRISTIE ADDONA**: If I could just Can we do a friendly amendment?
- DANA LEVENBERG: Friendly amendment, yes. The County Executive did
- 1045 actually sign -
- 1046 **CHRISTIE ADDONA**: Yes, yes since this resolution was drafted. And I just
- confirmed on his website, the the law that reduces the interest rates for
- everyone, the penalties for everyone, by July 15 was indeed signed into
- 1049 law.
- DANA LEVENBERG: Yes, I believe that happened on Monday, and we're
- grateful for the County Executive and the County Legislators, for coming up
- with a plan that helps all taxpayers, even if they can't or don't seek to prove
- hardship, as well as those who in fact can prove hardship to waive
- penalties entirely as long as you pay by July 15. So as mentioned before, I
- think I talked through all the details and the details have also been outlined
- in the resolution, there is more information on our town website, about this,
- and you can feel free to reach out to our offices and 762-6001 if you cannot
- find that information and would like to. But once again, we ask that you if
- you are going to be taking advantage of the hardship waiver that you turn
- your your form in to certify that you fill the necessary requirements to
- obtain it with your tax payment by July 15. If again if you don't and you

1062	pay –and	d you p	bay y	your taxes	late, yo	ou're go	ing to	pay th	nat was	s very
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- reduced penalties. And all those in favor?
- DANA LEVENBERG, GREG MEYER, NORTHERN WILCHER,
- 1065 ELIZABETH FELDMAN, JACKIE SHAW: Aye.
- 1066 **DANA LEVENBERG**: As amended. Anybody opposed?
- DANA LEVENBERG: Wonderful. Very grateful to be able to partner with
- our friends in the county to offer that to everybody. Okay, so next up, we
- are on to Resolution B.
- 1070 MARTHA QUITUISACA: Amending payment plan for delinquent taxes or
- 48 Gordon on you, whereas due to the COVID-19 pandemic and the
- related restrictions on business operations, many taxpayers are suffering
- financial hardship due to the loss of employment and or other income; and
- 1074 MARTHA QUITUISACA: Whereas, as a result, the Federal and New York
- State governments have extended the deadline for finding income tax
- returns, and if applicable, paying the outstanding amount owed until July 15
- 2020 and the New York State in Westchester County governments have
- eliminated or substantially reduced the penalties on late payment of town
- and county real Property taxes for payments received by July 15 2020; and
- 1080 MARTHA QUITUISACA: Whereas, pursuant to real property tax law
- statute 1184 in Town Code, Chapter 180, Article 5, the Town is authorized
- to enter into agreements for payment plans for taxpayers delinquent and
- the real property taxes and requires monthly payments in order to satisfy
- the outstanding real property tax obligation; and
- 1085 MARTHA QUITUISACA: Whereas the Town Board previously authorized
- the Town Receiver of Taxes to enter into a payment plan with the owner of
- 40 Gordon Avenue in New York (the property) for the payment of
- delinquent real property taxes; and
- 1089 MARTHA QUITUISACA: Whereas the property owner contacted the Town
- 1090 Receiver of Taxes and advised that they are suffering financial hardships to
- the current due to the COVID-19 pandemic and requested a modification
- to the payment plan to delay the deadline, the payments will be made
- under the plan; and

1094	MARTHA QUITUISACA: Whereas, the Town does not generally entertain
1095	modifications to the payment plans. It is not obligated to do so under law.
1096	Due to the extraordinary and unprecedented circumstances surrounding
1097	the economic impact of COVID-19 pandemic and the fact that action has
1098	been taken at a Federal, State, and County levels to eliminate or
1099	substantially reduce the burden of taxpayer - taxpayers to pay income and
1100	real property taxes until July 15 2020, the Town Board believes it is
1101	appropriate and warranted in this situation to provide the property owner
1102	with relief in line with that provided at the higher levels of government; and
1103	MARTHA QUITUISACA: Now therefore be it resolved upon - upon the
1104	owner of 48 Gordon Avenue submitting a signed contract certification and
1105	the form provided by the Town based upon the criteria established by the
1106	Westchester County Executive, the Town Board hereby authorizes the
1107	Town Receiver of Taxes to enter into amendment - into an amended
1108	agreement for a payment plan for the delinquent real property taxes for 48
1109	Gordon Avenue, which agreement shall make the deadline for the next
1110	payment July 15 2020 and subsequent payments shall be made on or
1111	before the 15th of every month thereafter, until the outstanding obligation
1112	has been satisfied; and
1113	MARTHA QUITUISACA: Be it further resolved the Town Board is
1114	authorizing this action based upon the extraordinary and unprecedented
1115	circumstances of the COVID-19 pandemic and the actions taken at the
1116	Federal, State and County level to alleviate tax burdens on taxpayers until
1117	July 15 2020 and this authorization should not establish a precedent for this
1118	property owner or any other property owners going forward and seeking a
1119	leave from their delinquent tax payment plan obligations or general tax

- obligations; and
- MARTHA QUITUISACA: Be it further resolved and authorizing this action
- the Town Board does not waive any rights or remedies available to it under
- the original payment plan, State law, or local line hereby expressively
- reserves the right to take any action or utilize any remedies and
- enforcement mechanisms available to the town under the law at any time in
- the future.
- DANA LEVENBERG: Do I have a Motion?
- 1128 NORTHERN WILCHER: So moved.

- 1129 JACKIE SHAW: I second.
- 1130 ELIZABETH FELDMAN: Second.
- 1131 **DANA LEVENBERG**: So our Receiver of Taxes was also approached by
- property owner that currently has a payment plan because they recently
- lost their primary source of income as a result of COVID-19, so following
- the model from our state and federal governments, we have decided to
- offer this taxpayer, the opportunity to delay payment until July 15 much in
- line with the hardship waiver, provided that they can certify hardship in
- accordance with the criteria set forth by the County Executive.
- 1138 **DANA LEVENBERG**: Any questions for further discussion?
- 1139 **DANA LEVENBERG**: All those in favor?
- 1140 GREGORY MEYER, JACKIE SHAW, ELIZABETH FELDMAN,
- 1141 **NORTHERN WILCHER**: Aye.
- 1142 **DANA LEVENBERG**: Any opposed? Fantastic.
- DANA LEVENBERG: Correspondence to be received and filed. We have
- none. And so we get to our visitor recognition, at which point we are going
- to ask you to limit your recognized responses to four minutes as we usually
- do. And if you could again find the "raise hand" feature on the app the
- zoom app and raise your hand if you would like to speak and then Victoria
- 1148 Cafarelli will unmute you in the order in which you raise your hands.
- DANA LEVENBERG: Don't all raise your hands at once. I see that we have
- some members of our village board have have joined us, obviously, some
- have come and some have gone, but thank you for doing that. We
- appreciate it. And we know that you've also been getting very many
- questions, so please feel free. If you do have any additional questions to
- 1154 ask them now. And...
- 1155 VICTORIA CAFARELLI: Oh? Yeah.
- DANA LEVENBERG: Do we have somebody?
- 1157 **VICTORIA CAFARELLI**: We do. Hold on. Sorry.
- 1158 **DANA LEVENBERG**: Oh.
- 1159 VICTORIA CAFARELLI: Okay, I'm...

1160	DANA	LEVENE	BERG:	Just a	little
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- 1161 VICTORIA CAFARELLI: Trustee Lopez. I think you are unmuted.
- OMAR LOPEZ: Good evening council. How are y'all?
- DANA LEVENBERG: Good. And how are you, Mr. Lopez.
- OMAR LOPEZ: Good. Well, thank you very much. So I have two items that
- I wanted to bring to your attention. First, I appreciate the update from Mr.
- Gonzalez on the reassessment. I The information will go out to the
- community and I'm sure folks will find it helpful. I do want to underscore, a
- lot of the messages that I've gotten have been not only in terms of the
- content of the reassessment which Mr. Gonzalez spoke to this evening, but
- also in terms of the process and communication. And there's a lot of pain
- and indignation in the community right now with this and I recognize that
- there's a lot that's out of our hands in terms of the law. What I my hope is,
- is that moving forward, should something like this happen again, that there
- is a lesson learned by all of us, and I'll include myself as part of this, as a
- person that can share information with the public about how some of the
- things that we need to do as municipality needs to move forward, may
- 1177 negatively impact folks.
- 1178 **OMAR LOPEZ**: Or maybe land in a way that's not great or whatever else.
- My main point being, could we have seen this coming. What can we learn
- 1180 from this for next time as folks in the public? That's number one response.
- And if the spirit moves you, or not, but I did want to pass on the feelings
- that I've been getting from folks. And number two is if you are wondering if
- you had any updates, any questions that I asked recently on the website?
- The Town website with respect to minutes and agendas and things like
- 1185 that?
- DANA LEVENBERG: That's actually I'm going to leave that to Victoria
- 1187 Cafarelli because I know that we were trying to get some answers to those
- 1188 questions.
- VICTORIA CAFARELLI: Yeah, so all of the most recent minutes that have
- been approved except for the minutes that were just approved minutes
- ago by the Town Board have been posted to the town website. And I
- apologize, we're a little bit behind on that. We are exploring some new
- options for our website. I was hoping those would come online, a little bit

- sooner than they have. Of course because of situation we're in now, some of those projects had to be put to the back burner. We're hoping that when we can make those improvements and some of these items will be more accessible to the Town to the residents of the town and anybody who's interested in looking at them.
- **VICTORIA CAFARELLI**: If I remember correctly, I don't have your email 1199 right in front of me, but you were looking for some of the work session 1200 agendas. Those are posted on the website, you know if there's something 1201 that you're looking for. You can certainly feel free to reach out to me and I 1202 can share that with you, but all of the agendas are posted on the Friday 1203 night before for work sessions or town board meetings. So if there was 1204 something that you might have had a little bit of a hard time locating just 1205 reach out to me and I'm happy to help. 1206
- 1207 **OMAR LOPEZ**: Thank you kindly.
- **DANA LEVENBERG**: And as far as lessons learned, in terms of sensitivity 1208 to public situations. I am sure that we can all learn lessons and I do know 1209 that we had been doing our very best to keep the public apprised of the 1210 timing of all of this, of course, it is unfortunate, but as you heard, you know, 1211 we do - we did have deadlines to continue to meet that were only extended 1212 I think really as of last week's Executive Order which gave us the 1213 opportunity to push back the filing of the tentative roll. So we were doing 1214 our best to be sensitive, sometimes that can backfire on you, in which case 1215 you know some - somebody might think it did because if we had actually 1216 come out with this earlier, but that could have also just been as bad or 1217
- worse. So it's, it's hard to know, hindsight is 2020.
- DANA LEVENBERG: We can always do better in communication, there is no doubt about that. I can't imagine anybody ever thinking that they do a perfect job of communicating, but we do try our best with a variety of forms and will continue to do so and we appreciate all the help that the Village gives to the town and hopefully we give back right back to you.
- OMAR LOPEZ: Of course, one one last piece that I want to add to the agenda is that I saw the video that you record it in the fall with about this project and found it quite helpful. And I I only found out about the video after folks got the letter. And so, and before I got into office and something we didn't have the same kind of communication. Then, but if there's

1229	anything like that	I'm [UNLCEAR]	push it out to folks are aware	of the wor

- that y'all are doing to get the word out.
- 1231 **DANA LEVENBERG**: Thanks so much.
- 1232 **ELIZABETH FELDMAN**: Yeah, I did say, you know, like you said there, we
- did do a video in the fall, we've been talking about this for over a year. But
- most people don't pay attention to us until the actual assessment comes
- and we like we said, we've been working on this for over a year and we
- can't stop the timing as unfortunate as it is, but we can all assuredly work
- harder at getting the word out about when these things are coming,
- especially to our colleagues in the Village and to our taxpayers. So, lessons
- 1239 learned.
- DANA LEVENBERG: Anybody else would like to raise a hand? Or looking
- 1241 for hand raising?
- 1242 **DANA LEVENBERG**: Okay.
- 1243 VICTORIA CAFARELLI: Just....
- 1244 **DANA LEVENBERG**: No more hands right? Okay. All right. Fantastic.
- DANA LEVENBERG: Okay, well, I want to thank everybody for their
- participation in this meeting, for taking the time to listen this evening. I'm
- hoping the fact that there were not a lot of people who stayed on til what I
- don't think is that much of a bitter end, since it was probably only 10
- additional minutes, that you got a lot of your questions answered by Mr.
- Gonzalez tonight. I appreciate, Fernando, your time taking the time to kind
- of take us all through the process again and and I, and again, you know,
- we can we can try to do you know if we continue to get a lot of questions
- that seem to be the same types of questions. I was thinking of just pulling
- out that segment of the meeting and seeing if we can make that just a
- separate YouTube video to make it easy to share. And again, Trustee
- Lopez, that might be another way, I know you're still listening, to share out
- the information of some of the frequently asked questions that we get about
- the process and you know how we went through it and I think maybe that
- would be a good idea.
- DANA LEVENBERG: And we can think about if there continue again to
- meet many more questions after tonight. Other ways to get that information

1262	out as well.	So thank	vou again.	one and	all thanks	to ever	vbody	ا for ا	√our

- patience, your tolerance. We know that is such a hard time right now. We
- continue to really to lose people in our midst every day that make an
- impression on us that we love. Who we don't know, but, or, you know, we
- know that they're not able to be with their loved ones right now and our
- hearts go out to everybody right now muddling through this very, very, very
- difficult time we just hope you get a chance to appreciate a few of the Silver
- Linings. We know that there are a few Silver Linings along the way.
- DANA LEVENBERG: And I know that for for myself, but just except for
- tonight when they were eating loudly in the background. I have been able
- to eat dinner with my family literally almost every single night. And that is a
- blessing and I hope that all of us have some of those blessings as well,
- have a wonderful week we will see you next week. I'd like to take a motion
- to adjourn into Executive Session for contracts and, I don't think we have
- any personnel items this evening and I think, council.
- DANA LEVENBERG: And that would be it for that Motion. Anybody?
- 1278 JACKIE SHAW: So moved.
- 1279 ELIZABETH FELDMAN: Second.
- 1280 **DANA LEVENBERG**: All those in favor?
- 1281 DANA LEVENBERG, JACKIE SHAW, NORTHERN WILCHER, GREG
- 1282 **MEYER**: Aye.
- DANA LEVENBERG: I have a wonderful weekend we will see you back at
- the same zoom bat channel next week for our work session Tuesday
- evening at 730 goodnight.