



AGENDA
TOWN BOARD
TOWN OF OSSINING
JUNE 8, 2021
REGULAR MEETING
7:30 P.M.

THIS MEETING WILL BE HELD VIA VIDEO CONFERENCING ONLY
Pursuant to Governor's Executive Order 202.1 dated March 12, 2020

Members of the public can view the meeting via computer or mobile app:
<https://us02web.zoom.us/j/89765733973?pwd=VWd6YWtSSDhM1A5KzF1bXN2MzJzUT0>
9

Members of the public can listen to the meeting by dialing in via phone: +1 929 205 6099

Meeting ID: 897 6573 3973
Passcode: 244499

****Please note that by dialing in, your phone number will be visible to the host, participants, and attendees of the meeting.****

SUPERVISOR
Dana A. Levenberg

COUNCILMEMBERS
Elizabeth R. Feldman Gregory G. Meyer
Jackie G. Shaw Northern Wilcher, Jr.

- I. CALL TO ORDER-PLEDGE OF ALLEGIANCE-ROLL CALL
- II. DEPARTMENTAL REPORT
 - Recreation Superintendent Bill Garrison
 - Assessor Fernando Gonzalez
- III. WORK SESSION
 - Letter to Town of Cortlandt Planning Board regarding proposed Hudson Wellness Project
- IV. ANNOUNCEMENTS
- V. LIAISON REPORTS
- VI. PUBLIC COMMENT ON AGENDA ITEMS
- VII. BOARD RESOLUTIONS
 - A. Approval of Minutes—Regular Meeting – May 25, 2021

Resolved, that the Town Board of the Town of Ossining hereby approves the May 25, 2021 minutes of the Regular Meeting as presented.
 - B. Approval of Voucher Detail Report

Resolved, that the Town Board of the Town of Ossining hereby approves the Voucher Detail Report dated June 8, 2021 in the amount of \$502,661.37
 - C. TAX CERTIORARI - GMSUE INC., vs. Town of Ossining

WHEREAS, proceedings pursuant to Article 7 of the Real Property Tax Law of the State of New York were instituted by GMSUE INC., against The Town of Ossining, New York to review the tax assessments made on Petitioner’s property located at 1136 Pleasantville Road, Village of Briarcliff Manor in The Town of Ossining, N.Y., and designated on the tax assessment map of The Town of Ossining as Section 98.10, Block 1, Lot 48 for Tax Assessment Years 2015-2020; which proceedings are now pending in the Supreme Court of the State of New York, County of Westchester, under Index Nos.67361/15; 65054/16; 66633/17; 66684/18; 66304/19; and 62152/20; and

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

1136 Pleasantville Road, The Village of Briarcliff Manor, The Town of Ossining, N.Y. 10510

Section 98.10, Block 1, Lot 48

Assessment Year	Tax ID No.	Original Assessed Value	Reduction	Final Assessed Value
2015	98.10-1-48	\$39,300	\$12,180	\$27,120
2016	98.10-1-48	\$454,400	\$45,440	\$408,960
2017	98.10-1-48	\$454,400	\$45,440	\$408,960
2018	98.10-1-48	\$425,000	\$25,000	\$400,000
2019	98.10-1-48	\$425,000	\$25,000	\$400,000
2020	98.10-1-48	\$425,000	\$42,500	\$382,500

WHEREAS, any and all refunds necessitated by said settlement will be made without interest; and

WHEREAS, the Town Board, upon the recommendation of the Assessor, concurred by The Counsel to The Town, finds the proposed settlement appropriate and in the best interest of the Town of Ossining; now therefore it is

RESOLVED, that settlement of the proceedings, on the terms set forth herein, is hereby accepted and approved, subject to the approval of the Supreme Court, Westchester County, wherein such proceedings are pending; and it is further

RESOLVED, that The Counsel to The Town is hereby authorized and directed to procure and execute any documents necessary to effectuate such settlement; and it is further

RESOLVED, subject to the approval of the Supreme Court, Westchester County, that the Assessor is authorized and directed to make the changes and corrections to the individual unit assessment on the tax assessment roll of the Town of Ossining, which will be ordered pursuant to the Consent Judgment to be entered in accordance with the terms of this settlement, and the Receiver of Taxes is authorized and directed to process and pay the refund of Town of Ossining taxes estimated to be \$ 293.23, which will be ordered pursuant to said Consent Judgment.

D. TAX CERTIORARI - 191 Enterprises Corp. vs. Town of Ossining

WHEREAS, proceedings pursuant to Article 7 of the Real Property Tax Law of the State of New York were instituted by 191 Enterprises Corp. against The Town of Ossining, New York to review the tax assessments made on

Petitioner’s property located at 191 North Highland Avenue in The Town of Ossining, N.Y. 10562, and designated on the tax assessment map of The Town of Ossining as Section 89.11, Block 1, Lot 82 for Tax Assessment Years 2016-2020; which proceedings are now pending in the Supreme Court of the State of New York, County of Westchester, under Index Nos.63660/2016; 65196/2017; 67335/2018; 66914/2019; 60602/2020; and

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

191 North Highland Avenue, The Village of Ossining, in The Town of Ossining, N.Y. 10562

Section 89.11, Block 1, Lot 82

Assessment Year	Tax ID No.	Original Assessed Value	Reduction	Final Assessed Value
2016	89.11-1-82	\$1,013,100	\$51,100	\$962,000
2017	89.11-1-82	\$1,013,100	\$51,100	\$962,000
2018	89.11-1-82	\$1,013,000	\$101,300	\$911,700
2019	89.11-1-82	\$1,013,000	\$101,300	\$911,700
2020	89.11-1-82	\$911,700	\$0	\$911,700

WHEREAS, any and all refunds necessitated by said settlement will be made without interest; and

WHEREAS, the Town Board, upon the recommendation of the Assessor, concurred by The Counsel to The Town, finds the proposed settlement appropriate and in the best interest of the Town of Ossining; now therefore it is

RESOLVED, that settlement of the proceedings, on the terms set forth herein, is hereby accepted and approved, subject to the approval of the Supreme Court, Westchester County, wherein such proceedings are pending; and it is further

RESOLVED, that The Counsel to The Town is hereby authorized and directed to procure and execute any documents necessary to effectuate such settlement; and it is further

RESOLVED, subject to the approval of the Supreme Court, Westchester County, that the Assessor is authorized and directed to make the changes and corrections to the individual unit assessment on the tax assessment roll of the Town of Ossining, which will be ordered pursuant to the Consent Judgment to be entered in accordance with the terms of this settlement, and the Receiver of Taxes is authorized and directed to process and pay the refund of Town of Ossining taxes estimated to be \$ 293.74, which will be ordered pursuant to said Consent Judgment.

E. TAX CERTIORARI - NSRR Realty LLC vs. Town of Ossining

WHEREAS, proceedings pursuant to Article 7 of the Real Property Tax Law of the State of New York were instituted by NSRR Realty LLC against The Town of Ossining, New York to review the tax assessments made on Petitioner’s property located at 532 North State Road, Town of Ossining, New York 10562, and designated on the tax assessment map of The Town of Ossining as Section 90.15, Block 2 and Lot 17, and also Section 90.15, Block 2 and Lot 18 for Tax Assessment Years 2016-2020; which proceedings are now pending in the Supreme Court of the State of New York, County of

Westchester, under Index Nos. 63732/16; 64562/17; 64908/18; 65005/19; and 60372/20; and

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

532 North State Road, Town of Ossining, N.Y. 10562

Section 90.15, Block 2, Lot 17

Assessment Year	Tax ID No.	Original Assessed Value	Reduction	Final Assessed Value
2016	90.15-2-17	\$476,300	\$0	\$476,300
2017	90.15-2-17	\$476,300	\$0	\$476,300
2018	90.15-2-17	\$502,200	\$22,200	\$480,000
2019	90.15-2-17	\$502,200	\$22,200	\$480,000
2020	90.15-2-17	\$533,600	\$53,600	\$480,100

and

532 North State Road, Town of Ossining, N.Y. 10562

Section 90.15, Block 2, Lot 18

Assessment Year	Tax ID No.	Original Assessed Value	Reduction	Final Assessed Value
2016	90.15-2-18	\$797,800	\$0	\$797,800
2017	90.15-2-18	\$797,800	\$0	\$797,800
2018	90.15-2-18	\$797,800	\$0	\$797,800
2019	90.15-2-18	\$797,800	\$0	\$797,800
2020	90.15-2-18	\$797,800	\$0	\$797,800

WHEREAS, any and all refunds necessitated by said settlement will be made without interest; and

WHEREAS, the Town Board, upon the recommendation of the Assessor, concurred by The Counsel to The Town, finds the proposed settlement appropriate and in the best interest of the Town of Ossining; now therefore it is

RESOLVED, that settlement of the proceedings, on the terms set forth herein, is hereby accepted and approved, subject to the approval of the Supreme Court, Westchester County, wherein such proceedings are pending; and it is further

RESOLVED, that The Counsel to The Town is hereby authorized and directed to procure and execute any documents necessary to effectuate such settlement; and it is further

RESOLVED, subject to the approval of the Supreme Court, Westchester County, that the Assessor is authorized and directed to make the changes and corrections to the individual unit assessment on the tax assessment roll of the Town of Ossining, which will be ordered pursuant to the Consent Judgment to be entered in accordance with the terms of this settlement, and the Receiver of Taxes is authorized and directed to process and pay the refund of Town of Ossining taxes estimated to be \$ 348.86, which will be ordered pursuant to said Consent Judgment.

F. TAX CERTIORARI - M & M Realty Corp. vs. Town of Ossining

WHEREAS, proceedings pursuant to Article 7 of the Real Property Tax Law of the State of New York were instituted by M & M Realty Corp. against The Town of Ossining, New York to review the tax assessments made on Petitioner’s property located at 520 North State Road, Town of Ossining, New York 10562, and designated on the tax assessment map of The Town of Ossining as Section 90.19, Block 2 and Lot 19, for Tax Assessment Years 2016-2020; which proceedings are now pending in the Supreme Court of the State of New York, County of Westchester, under Index Nos. 663733/16; 64570/17; 64909/18; 65003/19 and 60373/20; and WHEREAS, the above Petitioner has agreed to a compromise and settlement of such proceedings, subject to the approval of the Town Board, correcting and reducing the assessed valuation of its real property and improvements, as follows:

520 North State Road, Town of Ossining, N.Y. 10562

Section 90.19, Block 2, Lot 19

Assessment Year	Tax ID No.	Original Assessed Value	Reduction	Final Assessed Value
2016	90.19-2-19	\$661,200	\$100,400	\$560,800
2017	90.19-2-19	\$661,200	\$100,400	\$560,800
2018	90.19-2-19	\$690,000	\$130,600	\$559,400
2019	90.19-2-19	\$690,000	\$55,600	\$634,400
2020	90.19-2-19	\$691,000	\$55,600	\$635,400

and

520 North State Road, Town of Ossining, N.Y. 10562

Section 90.19, Block 2, Lot 20

Assessment Year	Tax ID No.	Original Assessed Value	Reduction	Final Assessed Value
2016	90.19-2-20	\$19,600	\$0	\$19,600
2017	90.19-2-20	\$19,600	\$0	\$19,600
2018	90.19-2-20	\$20,300	\$0	\$20,300
2019	90.19-2-20	\$20,300	\$0	\$20,300
2020	90.19-2-20	\$20,300	\$0	\$20,300

And

520 North State Road, Ossining, N.Y. 10562

Section 90.19, Block 2, Lot 21

Assessment Year	Tax ID No.	Original Assessed Value	Reduction	Final Assessed Value
2016	90.19-2-21	\$19,600	\$0	\$19,600
2017	90.19-2-21	\$19,600	\$0	\$19,600
2018	90.19-2-21	\$20,300	\$0	\$20,300
2019	90.19-2-21	\$20,300	\$0	\$20,300
2020	90.19-2-21	\$20,300	\$0	\$20,300

WHEREAS, any and all refunds necessitated by said settlement will be made without interest; and

WHEREAS, the Town Board, upon the recommendation of the Assessor, concurred by The Counsel to The Town, finds the proposed settlement appropriate and in the best interest of the Town of Ossining; now therefore it is

RESOLVED, that settlement of the proceedings, on the terms set forth herein, is hereby accepted and approved, subject to the approval of the Supreme Court, Westchester County, wherein such proceedings are pending; and it is further

RESOLVED, that The Counsel to The Town is hereby authorized and directed to procure and execute any documents necessary to effectuate such settlement; and it is further

RESOLVED, subject to the approval of the Supreme Court, Westchester County, that the Assessor is authorized and directed to make the changes and corrections to the individual unit assessment on the tax assessment roll of the Town of Ossining, which will be ordered pursuant to the Consent Judgment to be entered in accordance with the terms of this settlement, and the Receiver of Taxes is authorized and directed to process and pay the refund of Town of Ossining taxes estimated to be \$ 3,044.10, which will be ordered pursuant to said Consent Judgment.

G. Resolution Modifying Town Board Meeting Schedule

WHEREAS, at its annual reorganizational meeting, the Town Board established by resolution its meeting schedule for the year, with its work sessions generally held on the first and third Tuesdays of the month and its legislative sessions generally held on the second and fourth Tuesdays of the month, subject to certain modifications; and

WHEREAS, it has come to the Town Board's attention that there are certain conflicts with its meeting schedule that the Board wishes to address, including its June 22, 2021 legislative session that is the date of the primary, which the Town Clerk will be responsible for administering, and its September 9, 2021 work session that is the date of the Westchester Municipal Officers Association Meeting, which certain Town Board members will be attending; and

WHEREAS, the Town Board also wishes to cancel two work sessions over the summer in anticipation of lighter agendas due to Board members, Town employees and the public enjoying summer vacations; and

NOW THEREFORE,

BE IT RESOLVED, the Town Board hereby modifies its meeting schedule as follows:

- **The legislative session scheduled for Tuesday, June 22, 2021 will be held on Monday, June 21, 2021 at 7:30pm via Zoom videoconferencing in accordance with the Governor's Executive Orders 202.1 and 202.15, as subsequently extended**
- **The work session scheduled for Thursday, September 9, 2021 will be held on Wednesday, September 8, 2021 at 7:30pm via Zoom videoconferencing in accordance with the Governor's Executive Orders 202.1, as subsequently extended, or if Zoom videoconferencing is no longer an option, at the Ossining Municipal Building, 16 Croton Avenue, Ossining, NY;**

BE IT FURTHER RESOLVED, the Town Board hereby cancels the following Town Board meetings:

- **Tuesday, July 20, 2021 work session**
- **Tuesday, August 17, 2021 work session**

BE IT FURTHER RESOLVED, the Town Clerk is hereby directed to notice said meetings as required by law.

H. Call for Public Hearing: Community Development Block Grant 2022-2024 Application Cycle

Resolved, that the Town Board of the Town of Ossining hereby calls for a public hearing in the matter of the Town’s applications to the Community Development Block Grant 2022-2024 Application Cycle as part of the Westchester County Urban County Consortium to be held at 7:30pm on Monday, June 21, 2021; and

Be it further Resolved, that pursuant to the Governor’s Executive Orders 202.1 and 202.15, and subsequently extended, this public hearing will be held via videoconferencing only, with the information to participate in the public hearing to be duly noticed and circulated in accordance with the requirements for noticing public hearings.

I. Personnel – Seasonal Intermediate Clerk – Town Justice Court

Resolved, that the Town Board of the Town of Ossining appoints Stephanie Coraisaca, Ossining, to the seasonal position of Intermediate Clerk in the Town Justice Court at an hourly rate of \$15, effective June 21, 2021.

J. Promotion – Appointment – Town of Ossining Highway Department

Resolved, that the Town Board of the Town of Ossining promotes Alicia Santucci from the temporary to probationary position of part-time Office Assistant (Automated Systems) in the Town of Ossining Highway Department, effective June 8, 2021; and

Be it further Resolved, that Ms. Santucci’s hourly rate remains at \$18 for 2021.

K. Contract – Sing Sing Kill Brewery, LLC.

Resolved, that the Town Board of the Town of Ossining authorizes the Supervisor to sign an agreement with Sing Sing Kill Brewery, LLC. (“SSKB”) for SSKB to curate a craft beverage corral during the 2021 Summer Concert Series and Fireworks Celebration events.

L. New York State Liquor Authority Special Event Permit Application – Summer Concert Series and Fireworks Celebration

Resolved that the Town Board of the Town of Ossining hereby authorizes the Supervisor to sign the Landlord Authorization Form for the New York State Liquor Authority Special Event Permit Application made by Sing Sing Kill Brewery, LLC, for the craft beverage corral at the Summer Concert Series and Fireworks Celebration at Louis Engel Park on Fridays, July 2, 9, 16, 23, & 30, August 6, 13, 20, & 27, September 3, 2021 with rain dates for the July and August concerts for the Sundays following the scheduled Friday dates, and for the September Fireworks Celebration of September 10, 2021; and

Be it further Resolved, that the applicant will provide proof of insurance and the letter of indemnity to the Town in a form acceptable to Counsel to the Town.

M. Tax Payment Plan – 18 Forest Avenue

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 requesting a short-term payment plan for the property at 18 Forest Avenue, Tax Parcel Designation ID# 89.16-4-64; 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 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 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.

N. Memorandum of Understanding – 593 North State Road

BE IT RESOLVED, the Town Board hereby authorizes the Town Supervisor to enter into a memorandum of understanding with 593 North State Road LLC, the owner of 593 North State Road, Ossining, New York, with respect to a Town water main located underneath its property.

O. Stormwater Management System Maintenance and Easement Agreement – Parth Knolls

WHEREAS, as a condition of the site plan approval granted by the Planning Board, Parth Knolls LLC is required to enter into a stormwater facilities maintenance agreement with the Town to ensure the stormwater management system approved by the Planning Board is constructed and installed by the Applicant in accordance with the approved project documents and all applicable NYSDEC regulations, standards and guidelines for the project and thereafter is maintained, cleaned, repaired, replaced and restored in perpetuity by the Applicant to ensure optimum performance; and

NOW THEREFORE,

BE IT RESOLVED, the Town Board hereby authorizes the Supervisor to execute a Stormwater Management System Maintenance and Easement Agreement with Parth Knolls LLC, and

BE IT FURTHER RESOLVED, the Supervisor is authorized to sign all documents reasonably necessary to have the agreement recorded with the County Clerk.

VIII. CORRESPONDENCE TO BE RECEIVED AND FILED

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

- Planning Board Minutes – May 5, 2021

IX. MONTHLY REPORTS

Resolved, that the Town Board of the Town of Ossining hereby accepts the following monthly reports for the month of May 2021:

- **Town Building Department**
- **Tax Receiver**
- **Town Clerk**
- **GE Helicopter**
- **Highway Department**
- **Town Supervisor**

X. VISITOR RECOGNITION

Visitors shall be accorded one (1) four (4) minute opportunity to speak

XI. ADJOURNMENT