



SPECIAL MEETING

**TOWN BOARD
TOWN OF OSSINING
MUNICIPAL BUILDING
16 CROTON AVE. 1ST FLOOR
OSSINING, NY 10562**

**MAY 20, 2014
7:30 P.M.**

**SUPERVISOR
Susanne Donnelly**

COUNCILMEMBERS

**Geoffrey Harter Eric P. Blaha
Kim L. Jeffrey Northern Wilcher**

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

The Regular Meeting of the Town Board of the Town of Ossining was held on May 20, 2014 at the Municipal Building, 16 Croton Avenue in Ossining. The meeting was called to order at 7:30 p.m. by Supervisor Susanne Donnelly. Members of the Board present were: Councilmembers Northern Wilcher, Kim L. Jeffrey, Geoffrey Harter and Eric P. Blaha. Also present were Budget Officer Madeline Zachacz and Deputy Town Clerk Ann Marie Rocco. Town Attorney Wayne Spector was absent.

II. PUBLIC COMMENT ON AGENDA ITEMS

Supervisor Donnelly reported on Resolutions C - Contract for Professional Services at Spray Park- Trace Pool Design; D- Tax Receiver - Property Redemption, 29 Fuller Road; and E- Tax Receiver - Property Redemption, 312A Spring Street.

III. RESOLUTIONS

A. Referral to Planning Board- Requested Zoning Change

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

Whereas, a petition has been received on behalf of Artis Senior Living, LLC, as contract vendee, for an amendment to section 200-18, GB General Business District, of the Zoning Code of the Town of Ossining, in connection with a proposed development of property located at 553 North State Road, Briarcliff Manor, New York, in the Unincorporated section of the Town of Ossining, of a memory care facility on the property, a use not currently permitted in the General Business District;

Now, in accordance with section 200-52 of the Code of the Town of Ossining, the petition is referred to the Planning Board of The Town of Ossining to review, report and issue a recommendation on the proposed amendment within 45 days of this referral.

Motion Carried: Unanimously

B. 8 Macy Road- Temporary Removal from Auction Listing

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

Resolved that the real property currently on the list of properties to be auctioned by the Receiver of Taxes of The Town Of Ossining for delinquent taxes, located at 8 Macy Road, Briarcliff Manor New York, tax ID number 97.08-1-39 and 97.08-2-17, be temporarily removed from the auction list for a reasonable period of time, as

determined by the Receiver of Taxes, while efforts are made to market and sell the property; and

Be it Further Resolved that this action by the Board is without prejudice to any rights of the Town, including the Town's rights and obligation to enforce all laws in connection with collection of delinquent taxes and is not to be deemed a waiver of any levied taxes or penalties due by law for unpaid taxes.

Motion Carried: Unanimously

C. Contract for Professional Services at Spray Park- Trace Pool Design

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

Resolved, that the Town Board of the Town of Ossining hereby authorizes the Supervisor to sign a contract with Trace Pool Design of White Plains, New York, to perform services for the design of a water filtration system for the existing spray pad, and make the required applications and receive approvals from the Westchester County Department of Health, in accordance with the rates contained in their proposal dated April 16th, 2014.

Motion Carried: Unanimously

D. Tax Receiver - Property Redemption, 29 Fuller Road

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

Whereas, property located at 29 Fuller Road, Ossining, has delinquent taxes resulting in commencement of In Rem foreclosure proceedings and a judgment of foreclosure, and

Whereas, Reverse Mortgage Solutions, the mortgage holders, have requested to redeem the property and tendered full payment; and

Whereas, the Town Board desires to allow the mortgage holders of said property a window of opportunity to redeem the property prior to auction;

Now therefore be it Resolved, that the Town Board of the Town of Ossining hereby allows Reverse Mortgage Solutions, the mortgage holders of 29 Fuller Road, Ossining, to redeem said property by paying all outstanding taxes, interest, penalties and fees, plus an additional ten (10%) percent penalty on the lien amount, which, upon the recommendation of the Receiver of Taxes, the Town Board finds to be fair and appropriate based on the specific and unique circumstances of this case.

Motion Carried: Unanimously

E. Tax Receiver - Property Redemption, 312A Spring Street

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

Whereas, property located at 312A Spring Street, Ossining, has delinquent taxes resulting in commencement of In Rem foreclosure proceedings and a judgment of foreclosure; and

Whereas, Ocwen Bank, the mortgage holders, have requested to redeem the property and tendered full payment; and

Whereas, the Town Board desires to allow the mortgage holders of said property a window of opportunity to redeem the property prior to auction;

Now therefore be it Resolved, that the Town Board of the Town of Ossining hereby allows Ocwen Bank, the mortgage holders of 312A Spring Street, Ossining, to redeem said property by paying all outstanding taxes, interest, penalties and fees, plus an additional ten (10%) percent penalty on the lien amount, which, upon the recommendation of the Receiver of Taxes, the Town Board finds to be fair and appropriate based on the specific and unique circumstances of this case.

Councilmember Blaha made a motion to amend the above resolution to add the word “window” of opportunity and the word “allows” Ocwen Bank...the motion was seconded by Councilmember Jeffery.

Motion Carried: Unanimously

F. 57 Ellis Place- Temporary Removal from Auction Listing

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

Resolved, that the real property currently on the list of properties to be auctioned by the Receiver of Taxes of the Town of Ossining for delinquent taxes, located at 57 Ellis Place, Ossining New York, tax ID number 89.20-3-24, be temporarily removed from the auction list for a reasonable period of time, as determined by the Receiver of Taxes, while efforts are made to market and sell the property; and

Be it further Resolved that this action by the Board is without prejudice to any rights of the Town, including the Town’s rights and obligation to enforce all laws in connection with collection of delinquent taxes and is not to be deemed a waiver or any levied taxes or penalties due by law for unpaid taxes.

Motion Carried: Unanimously

IV. ADJOURMENT-WORK SESSION

At 7:44 P.M. Councilmember Blaha moved and it was seconded by Councilmember Wilcher that the meeting be adjourned.

Motion Carried: Unanimously

Approved:

Mary Ann Roberts, Town Clerk