



**TOWN BOARD
TOWN OF OSSINING
OSSINING MUNICIPAL BUILDING
16 CROTON AVE. – 3RD FLOOR CONFERENCE ROOM
FEBRUARY 15, 2019
SPECIAL MEETING
8:30 A.M.**

**SUPERVISOR
Dana A. Levenberg**

**COUNCILMEMBERS
Karen M. D’Attore Elizabeth R. Feldman
Jackie G. Shaw Northern Wilcher, Jr.**

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

The Special Meeting of the Town Board of the Town of Ossining was held on February 15, 2018 at the Ossining Municipal Building-3rd Floor Conference Room, 16 Croton Avenue in Ossining. The meeting was called to order at 8:32 a.m. by Supervisor Dana A. Levenberg. Members of the Board present were: Councilmembers Karen M. D’Attore, Northern Wilcher Jr. and Jackie G. Shaw. Councilmember Elizabeth Feldman was absent. Also present were Town Counsel Christie Tomm-Addona and Budget Officer Madeline Zachacz.

II. BOARD RESOLUTIONS

A. Approval of Voucher Detail Report

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

Resolved, that the Town Board of the Town of Ossining hereby approves the Voucher Detail Report dated February 12, 2019 in the amount of \$61,928.75 for 2018 and \$369,607.88 for 2019, for a total of \$431,536.63.

Motion Carried: Unanimously

B. Approval of Minutes-Regular Meeting

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

Resolved, that the Town Board of the Town of Ossining hereby approves the January 22, 2019 minutes of the Regular Meeting as presented.

Motion Carried: Unanimously

C. Approval of Minutes-Special Meeting

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

Resolved, that the Town Board of the Town of Ossining hereby approves the February 5, 2019 minutes of the Special Meeting as presented.

Motion Carried: Unanimously

D. Zoning Board of Appeals- Appointment

Councilmember Shaw moved and it was seconded by Councilmember D’Attore that the following be approved:

Resolved, that the Town Board hereby appoints David Whitlinger, Ossining, to fill the remainder of an unexpired term on the Town’s Zoning Board of Appeals, set to expire on December 31, 2022.

Motion Carried: Unanimously

E. Resolution calling for public hearing – Local Law #2 of 2019 – Abolishing the office of Elective Town Superintendent of Highways and creating the office of Appointive Town Superintendent of Highways subject to a mandatory referendum

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

Resolved, that the Town Board of the Town of Ossining hereby calls for a Public Hearing to be held on Tuesday, February 26, 2019 at 7:30 p.m. at the Birdsall-Fagan Police/Court Facility, Ossining, NY in the matter of Local Law #2 of 2019 entitled “Abolishing the office of Elective Town Superintendent of Highways and creating the office of Appointive Town Superintendent of Highways subject to a mandatory referendum.”

Motion Carried: Unanimously

F. Resolution calling for public hearing – Local Law #3 of 2019 – Abolishing the office of Elective Town Receiver of Taxes and creating the office of Appointive Town Receiver of Taxes subject to a mandatory referendum

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

Resolved, that the Town Board of the Town of Ossining hereby calls for a Public Hearing to be held on Tuesday, February 26, 2019 at 7:35 p.m. at the Birdsall-Fagan Police/Court Facility, Ossining, NY in the matter of Local Law #3 of 2019 entitled “Abolishing the office of Elective Town Receiver of Taxes and creating the office of Appointive Town Receiver of Taxes subject to a mandatory referendum.”

Motion Carried: Unanimously

G. Resolution calling for public hearing – Local Law #4 of 2019 – Abolishing the office of Elective Town Clerk and creating the office of Appointive Town Clerk subject to a mandatory referendum

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

Resolved, that the Town Board of the Town of Ossining hereby calls for a Public Hearing to be held on Tuesday, February 26, 2019 at 7:40 p.m. at the Birdsall-Fagan Police/Court Facility, Ossining, NY in the matter of Local Law #4 of 2019 entitled “Abolishing the office of Elective Town Clerk and creating the office of Appointive Town Clerk subject to a mandatory referendum.”

Motion Carried: Unanimously

H. Tax Payment Plan- 59 Upper Croton Avenue, Ossining

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

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

Whereas, the Receiver of Taxes has been approached by a property owner requesting a short-term payment plan for the owner occupied property at 59 Upper Croton Ave, Ossining, Tax Parcel Designation ID# 90.13-2-86; and

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

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

Motion Carried: Unanimously

I. Tax Payment Plan- 135 State Street, Ossining

Councilmember D'Attore moved and it was seconded by Councilmember Wilcher that the following be approved:

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

Whereas, the Receiver of Taxes has been approached by a property owner requesting a short-term payment plan for the owner occupied property at 135 State Street, Ossining, Tax Parcel Designation ID# 97.11-1-78; and

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

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

Motion Carried: Unanimously

J. Tax Payment Plan- 36 Main Street, Ossining

Councilmember Shaw moved and it was seconded by Councilmember Wilcher that the following be approved as amended:

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 owner occupied property at 36 Main Street, Ossining, Tax Parcel Designation ID# 97.07-1-27; and

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

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

Motion Carried: Unanimously

III. MONTHLY REPORTS

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

Resolved, that the Town Board of the Town of Ossining hereby accepts the following monthly reports for the month of January 2019:

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

Motion Carried: Unanimously

IV. ADJOURNMENT

At 8:57 A.M., Councilmember Shaw moved and it was seconded by Councilmember Wilcher that the Special Meeting be adjourned to Executive Session.

Motion Carried: Unanimously

At 9:36 A.M., Councilmember Shaw motioned to leave Executive Session and Councilmember Wilcher seconded.

Motion Carried: 3-0-0

**Ayes: Wilcher, Shaw & Levenberg
Abstain: D'Attore**

At 9:37 A.M., Councilmember Wilcher motioned to adjourn Executive Session and Councilmember Shaw seconded.

Motion Carried: Unanimously

Approved:

Mary Ann Roberts Town Clerk