



P2

AGENDA
MARCH 30, 2015
BOARD OF TRUSTEES
VILLAGE OF BRIARCLIFF MANOR, NEW YORK
REGULAR MEETING – 7:30 PM

1. Continued Public Hearing to Amend Chapter 220, Zoning to Allow For Mixed Use Residential/Commercial Uses Within a New CB1 Central Business District 1 and a New CB2 Business District 2
2. Public Hearing Fiscal Year 2015-2016 Tentative Budget (to be continued to April 15th)

Public Comments

3. Fire Department Service Awards Program for 2014
4. Tax Certiorari – Woodland Farms LLC
5. Minutes
 - March 18, 2015

**THE ANNUAL REORGANIZATIONAL MEETING WILL BE ON APRIL 8, 2015
AT 7:00PM AND THE NEXT REGULAR BOARD OF TRUSTEES MEETING
WILL BE ON APRIL 15, 2015 AT 8:00PM**

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
MARCH 30, 2015

- 1. CONTINUED PUBLIC HEARING: LOCAL LAW TO AMEND CHAPTER 220, ZONING TO ALLOW FOR MIXED USE RESIDENTIAL/COMMERCIAL USES WITHIN A NEW CB1 CENTRAL BUSINESS DISTRICT 1 AND A NEW CB2 BUSINESS DISTRICT 2**

BE IT RESOLVED that the proposed local law amend Chapter 220, Zoning to allow for Mixed Use Residential/Commercial uses within a new CB1 Central Business District 1 and a New CB2 Business District 2 is hereby adopted.

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
MARCH 30, 2015

**2. PUBLIC HEARING FOR FISCAL YEAR 2015-2016 TENTATIVE
BUDGET**

BE IT RESOLVED, that the Board of Trustees does hereby adjourn the Public Hearing for the Fiscal Year 2015-2016 Tentative Budget to Wednesday, April 15, 2015 at 8:00pm.

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
MARCH 30, 2015

3. FIRE DEPARTMENT SERVICE AWARDS PROGRAM

BE IT RESOLVED, that the Volunteer Firefighter Service Award Program list for all 2014 active firefighters of the Briarcliff Manor Fire Company, the Briarcliff Manor Hook, Ladder & Fire Company and the Scarborough Engine Company is hereby approved.

BE IT FURTHER RESOLVED that the list and certification shall be directed to the respective fire companies for posting for a period of thirty (30) days.

Briarcliff Manor Fire Department - Losap Report

BRIARCLIFF FIRE CO.

3/15/2015 13:38:19

FINAL

Losap Dates between From 1/1/2014 To 12/31/2014

Events	General Fires 579				EMSA 151				General Ambl 661			
Badge# Name	Fire	Amb	Elec	Meet	Drill	Stby	Misc	Trng	Med	Mil	Final	
1014 Ashar, Dharendra	50	57	20.0	20.0	20.0	4.0	15.0	2.0	0.0	0.0	131.0	
1083 Bennett, Shaun	12	20	5.0	11.0	12.0	1.0	4.0	0.0	0.0	0.0	33.0	
1065 Blevins, Jason	61	15	0.0	3.0	4.0	2.0	7.0	0.0	0.0	0.0	41.0	
1117 Breuel, Natalie	0	1	0.0	4.0	1.0	0.0	1.0	0.0	0.0	0.0	6.0	
1097 BUCKLE, OLIVER	43	13	0.0	3.0	7.0	0.0	6.0	0.0	0.0	0.0	16.0	
1041 Cacciola, Douglas	116	4	25.0	12.0	6.0	0.0	10.0	2.0	0.0	0.0	80.0	
1066 Caruso, Vincent	146	19	15.0	12.0	19.0	3.0	15.0	2.0	0.0	0.0	91.0	
1048 Catalfamo, Carmelo	0	0	0.0	0.0	0.0	0.0	1.0	0.0	0.0	0.0	1.0	
1113 Cocozza, Russell	201	37	0.0	8.0	15.0	3.0	15.0	0.0	0.0	0.0	66.0	
1015 Crawford, Jason	16	34	25.0	15.0	8.0	0.0	7.0	0.0	0.0	0.0	55.0	
1100 Cronin, Matthew	1	0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
1049 DEANGELIS, WILLIAM	0	0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
1086 Engelhardt, Martin	24	152	25.0	14.0	13.0	2.0	4.0	0.0	0.0	0.0	83.0	
1051 Farrington, Thomas	7	0	20.0	2.0	0.0	0.0	0.0	0.0	0.0	0.0	22.0	
1045 Fleishman, Alan	55	6	0.0	10.0	8.0	0.0	12.0	2.0	0.0	0.0	57.0	
1061 Friedel, Thomas	25	1	0.0	1.0	0.0	2.0	2.0	0.0	0.0	0.0	5.0	
1059 Fulfree, Peter	252	66	20.0	17.0	18.0	3.0	15.0	2.0	0.0	0.0	125.0	
3013 Garcia, Robert	456	62	25.0	20.0	20.0	6.0	15.0	2.0	0.0	0.0	138.0	
1052 Guilmette, Peter	75	54	25.0	19.0	16.0	2.0	15.0	0.0	0.0	0.0	127.0	
1020 Gullo, Matthew	229	36	0.0	14.0	20.0	3.0	15.0	0.0	0.0	0.0	77.0	
1084 Haxhia, Behar	48	51	5.0	7.0	8.0	0.0	10.0	8.0	0.0	0.0	88.0	
1111 HOROWITZ, SUMMER	0	0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
1053 Johnson, Debra	168	29	25.0	12.0	6.0	0.0	13.0	0.0	0.0	0.0	81.0	
1008 Johnson, William	75	2	0.0	12.0	6.0	0.0	9.0	0.0	0.0	0.0	52.0	
1114 Johnson, William	7	0	0.0	5.0	0.0	0.0	0.0	0.0	0.0	0.0	5.0	
1038 KOSSOW, WILLIAM	0	0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
1101 Kowack, Michelle	53	7	0.0	8.0	12.0	2.0	15.0	0.0	0.0	0.0	62.0	
1005 Kulman, Brett	0	5	20.0	2.0	0.0	0.0	0.0	0.0	0.0	0.0	22.0	
1040 LaBruzzo, Carmelo	133	6	20.0	14.0	9.0	0.0	13.0	2.0	0.0	0.0	83.0	
1055 Lehning, Robert	46	4	5.0	11.0	6.0	2.0	4.0	0.0	0.0	0.0	53.0	
1056 Leihbacher, Rachel	375	349	15.0	20.0	20.0	5.0	15.0	4.0	0.0	0.0	129.0	
1121 Lewis, Ryan	18	1	0.0	1.0	0.0	0.0	2.0	0.0	0.0	0.0	3.0	
1118 Manganello, Kathernine	0	0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
1024 Marcel, John	73	3	5.0	10.0	15.0	3.0	15.0	3.0	0.0	0.0	76.0	
1010 Marell, James	36	9	0.0	17.0	18.0	3.0	10.0	4.0	0.0	0.0	52.0	
1031 Miller, Joshua	25	4	0.0	0.0	0.0	1.0	1.0	0.0	0.0	0.0	2.0	
1032 Motta, Michael	57	0	0.0	5.0	6.0	4.0	10.0	0.0	0.0	0.0	50.0	
1037 Neski, Steven	76	1	0.0	10.0	10.0	2.0	5.0	1.0	0.0	0.0	53.0	
1057 Norwood, Daniel	57	9	15.0	7.0	10.0	1.0	6.0	0.0	0.0	0.0	64.0	
1116 Palevic, Sadie	4	52	20.0	10.0	6.0	1.0	7.0	5.0	0.0	0.0	74.0	
1076 Pastore, Richard	35	2	0.0	6.0	1.0	0.0	0.0	0.0	0.0	0.0	7.0	
1017 Reilly, Dennis	388	44	25.0	20.0	13.0	3.0	15.0	0.0	0.0	0.0	101.0	
1002 Reilly, Lawrence	308	6	25.0	16.0	11.0	0.0	12.0	2.0	0.0	0.0	91.0	
1122 Saitta, Alex	0	2	0.0	2.0	1.0	0.0	1.0	0.0	0.0	0.0	4.0	
1004 SHARMAN, WILLIAM	0	0	0.0	7.0	0.0	0.0	0.0	0.0	0.0	0.0	7.0	
1119 Silberman, Nicole	0	0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
1085 Tani, Masato	184	7	0.0	8.0	14.0	0.0	9.0	2.0	0.0	0.0	58.0	
1043 Turco, Michael	115	4	0.0	8.0	6.0	0.0	9.0	2.0	0.0	0.0	50.0	
1044 Urban, Linda	56	6	15.0	6.0	7.0	2.0	10.0	0.0	0.0	0.0	65.0	
1082 Uytterlinde, Arie	107	12	15.0	13.0	20.0	6.0	15.0	5.0	0.0	0.0	99.0	
1108 Veit, Christina	5	18	20.0	11.0	9.0	0.0	9.0	4.0	0.0	0.0	53.0	
1012 Wall, Edward	31	0	0.0	6.0	6.0	0.0	3.0	0.0	0.0	0.0	15.0	
1124 Wang, Hanbin	0	0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
1035 Weiner, Carl	57	2	0.0	6.0	6.0	0.0	6.0	0.0	0.0	0.0	43.0	
1013 Welsh, William	67	26	25.0	15.0	10.0	1.0	1.0	1.0	0.0	0.0	78.0	
1007 White, Jay	101	2	20.0	12.0	8.0	0.0	9.0	2.0	0.0	0.0	76.0	
1115 Young, Thomas	1	6	0.0	7.0	7.0	1.0	2.0	0.0	0.0	0.0	17.0	

This Report Summarizes All Events Attended by Member. LOSAP Calcs/Caps ARE Included. Max Fire/Rescue is 25 Pts.
Numbers of Fire Incidents Required = 43 **Numbers of Rescue Incidents Required = 49**

Briarcliff Manor Fire Department - Losap Report

SCARBOROUGH ENGINE CO.

3/15/2015 13:35:28

FINAL

Losap Dates between From 1/1/2014 To 12/31/2014

Events	General Fires 579			EMSA 151				General Ambl 661				
Badge# Name	Fire	Amb	Elec	Meet	Drill	Stby	Misc	Trng	Med	Mil	Final	
3062 Alleva, Adam	51	2	0.0	9.0	7.0	3.0	4.0	2.0	0.0	0.0	50.0	
3017 Alleva, Alexander	106	8	20.0	19.0	11.0	4.0	12.0	0.0	0.0	0.0	91.0	
3041 Avinoam, Elan	74	4	0.0	7.0	9.0	5.0	8.0	0.0	0.0	0.0	54.0	
3008 Avinoam, Tzafrir	5	0	0.0	3.0	3.0	0.0	4.0	0.0	0.0	0.0	10.0	
3073 Ayanoglu, Jessica	0	0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
3016 Bassett, Jeffrey	143	5	15.0	12.0	9.0	0.0	8.0	2.0	0.0	0.0	71.0	
3009 Bassett, Michael	96	5	0.0	7.0	6.0	0.0	10.0	2.0	0.0	0.0	50.0	
3035 BASSETT, WILLIAM	3	0	0.0	0.0	1.0	0.0	0.0	0.0	0.0	0.0	1.0	
3038 Bassett, William	51	2	0.0	8.0	6.0	0.0	11.0	0.0	0.0	0.0	50.0	
3058 Calman, Darren	235	22	5.0	13.0	15.0	5.0	10.0	2.0	0.0	0.0	75.0	
3007 DENGLER, JOAN	39	5	6.0	12.0	15.0	0.0	11.0	2.0	0.0	0.0	46.0	
3006 Dengler, Theobald	16	35	25.0	18.0	8.0	4.0	15.0	0.0	0.0	0.0	70.0	
3012 Fisher, Timothy	0	0	0.0	1.0	0.0	0.0	0.0	0.0	0.0	0.0	1.0	
3001 Goldman, Matthew	37	5	6.0	19.0	11.0	2.0	10.0	2.0	0.0	0.0	50.0	
3067 Hannan, Thomas	9	50	5.0	19.0	9.0	0.0	6.0	0.0	0.0	0.0	64.0	
3014 Hautau, Lisette	39	1	6.0	16.0	13.0	0.0	4.0	0.0	0.0	0.0	39.0	
3052 KREBSER, NICHOLAS	50	3	0.0	6.0	7.0	1.0	11.0	0.0	0.0	0.0	50.0	
3005 Lederman, Joan	225	113	5.0	20.0	20.0	5.0	15.0	5.0	0.0	0.0	120.0	
3071 Lederman, Joanna	2	0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	
1028 Lederman, Mark	16	13	0.0	3.0	4.0	0.0	8.0	1.0	0.0	0.0	16.0	
3069 Levine, Max	101	13	0.0	10.0	12.0	2.0	9.0	0.0	0.0	0.0	58.0	
3070 McNally, Kevin	21	1	0.0	9.0	1.0	1.0	5.0	0.0	0.0	0.0	16.0	
3045 Muro, Jonathan	97	14	15.0	11.0	6.0	4.0	4.0	0.0	0.0	0.0	65.0	
3002 Muro, Nicholas	56	10	0.0	6.0	6.0	1.0	10.0	2.0	0.0	0.0	50.0	
3019 Robson, Scott	44	1	0.0	12.0	11.0	0.0	6.0	0.0	0.0	0.0	54.0	
3072 Sassano, Kenneth	101	17	0.0	13.0	8.0	3.0	10.0	1.0	0.0	0.0	60.0	
3037 Schaeffer, Rochelle	1	0	5.0	8.0	7.0	0.0	0.0	0.0	0.0	0.0	20.0	
3020 Smalley, Philomena	12	34	20.0	18.0	11.0	0.0	4.0	0.0	0.0	0.0	53.0	
3022 Smalley, Stephen	88	6	0.0	6.0	6.0	0.0	11.0	2.0	0.0	0.0	50.0	
3040 Theriault, H.	1	0	0.0	8.0	0.0	0.0	1.0	0.0	0.0	0.0	9.0	
3024 Wolf, George	4	0	0.0	9.0	1.0	1.0	4.0	2.0	0.0	0.0	17.0	

This Report Summarizes All Events Attended by Member. LOSAP Calcs/Caps ARE Included. Max Fire/Rescue is 25 Pts.
 Numbers of Fire Incidents Required = 43 Numbers of Rescue Incidents Required = 49

VILLAGE OF BRIARCLIFF MANOR
BOARD OF TRUSTEES AGENDA
MARCH 30, 2015

4. TAX CERTIORARI – WOODLAND FARMS LLC (104 WOODSIDE AVENUE AND 120 WOODSIDE AVENUE)

WHEREAS, Woodland Farms LLC (104 Woodside Avenue) instituted tax certiorari proceedings pursuant to Article 7 of the Real Property Tax Law of the State of New York; and

WHEREAS, the tax certiorari filings were for Town of Ossining assessment years 2010-2013; and

WHEREAS, the tax certiorari filings relate to Village of Briarcliff Manor fiscal years 2011-2012, 2012-2013, 2013-2014 and 2014-2015; and

WHEREAS, a Consent Order of the Supreme Court of the State of New York, County of Westchester, was entered on March 12, 2015;

WHEREAS, the Consent Order was received after the finalization of the approval of the Village budget for Fiscal Years 2011-2012, 2012-2013, 2013-2014 and 2014-2015;

WHEREAS, the Consent Order reduced the tax assessment for the subject property for the Fiscal Years 2011-2012, 2012-2013, 2013-2014 and 2014-2015 assessment roll; and

NOW THEREFORE, BE IT RESOLVED that the Board of Trustees does hereby authorize the refund of the tax bill for Fiscal Years 2011-2012, 2012-2013, 2013-2014 and 2014-2015 in the amount of \$6,890.82 based upon the reduced assessment values in the Consent Order.

Year	Address	Assessed Value	New Assessed Value	Assessment Reduction	Original Tax Amount	Reduced Tax Amount	Refund	Abatement
2011	104 Woodside Avenue	\$93,000	\$74,400	\$18,600	\$8,277.00	\$6,621.60	\$1,655.40	
2012	104 Woodside Avenue	\$93,000	\$74,400	\$18,600	\$8,399.76	\$6,719.81	\$1,679.95	
2013	104 Woodside Avenue	\$93,000	\$74,400	\$18,600	\$8,740.88	\$6,992.71	\$1,748.18	
2014	104 Woodside Avenue	\$93,000	\$74,400	\$18,600	\$9,036.44	\$7,229.15	\$1,807.29	
				\$74,400			\$6,890.82	
				TOTAL AV REDUCTION			TOTAL REVENUE REDUCTION	\$6,890.82

WHEREAS, Woodland Farms LLC (120 Woodside Avenue) instituted tax certiorari proceedings pursuant to Article 7 of the Real Property Tax Law of the State of New York; and

WHEREAS, the tax certiorari filings were for Town of Ossining assessment years 2011-2013; and

WHEREAS, the tax certiorari filings relate to Village of Briarcliff Manor fiscal years 2012-2013, 2013-2014 and 2014-2015; and

WHEREAS, a Consent Order of the Supreme Court of the State of New York, County of Westchester, was entered on March 12, 2015;

WHEREAS, the Consent Order was received after the finalization of the approval of the Village budget for Fiscal Years 2012-2013, 2013-2014 and 2014-2015;

WHEREAS, the Consent Order reduced the tax assessment for the subject property for the Fiscal Years 2012-2013, 2013-2014 and 2014-2015 assessment roll; and

NOW THEREFORE, BE IT RESOLVED that the Board of Trustees does hereby authorize the refund of the tax bill for Fiscal Years 2012-2013, 2013-2014 and 2014-2015 in the amount of \$2,764.07 based upon the reduced assessment values in the Consent Order.

Year	Address	Assessed Value	New Assessed Value	Assessment Reduction	Original Tax Amount	Reduced Tax Amount	Refund	Abatement
2012	120 Woodside Avenue	\$49,095	\$39,275	\$9,820	\$4,434.26	\$3,547.32	\$886.94	
2013	120 Woodside Avenue	\$49,095	\$39,275	\$9,820	\$4,614.34	\$3,691.38	\$922.96	
2014	120 Woodside Avenue	\$49,095	\$39,275	\$9,820	\$4,770.36	\$3,816.19	\$954.17	
				\$29,460			\$2,764.07	
				TOTAL AV REDUCTION			TOTAL REVENUE REDUCTION	\$2,764.07

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF WESTCHESTER

TOWN OF OSSINING

APR 24 2014

In the Matter of

The Application for a Review under Article 7 of the
Real Property Tax Law of a Tax Assessment by
WOODLAND FARMS LLC

Petitioner(s),

- against -

THE ASSESSOR OF THE TOWN OF OSSINING
AND THE BOARD OF ASSESSMENT REVIEW OF THE
TOWN OF OSSINING

Respondent(s)

File Under **ASSESSOR'S OFFICE**

Index Nos.

25041-2010

15891-2011

65155-2012

64528-2013

CONSENT JUDGMENT

Premises:

104 WOODSIDE AVE

DISTRICT 554201

SECTION 98.10

BLOCK 2

LOT 48.0

-----X-----
Petitions with due notice thereof having been presented to this Court in connection with
proceedings to review certain real property tax assessments which were filed by the Town of
Ossining with respect to premises owned by Petitioner herein and located at 104 WOODSIDE
AVE, Ossining, New York, also designated as District 554201, Section 98.10, Block 2, Lot
48.0 on the Official Assessment Map of the Town of Ossining, for assessment years 2010, 2011,
2012 and 2013, County tax years 2011, 2012, 2013 and 2014 and School tax years 2011, 2012,
2013 and 2014 and

Said proceedings having duly come on to be heard at an IAS Term of this Court, and the
Petitioner having appeared by Reilly, Like & Tenety, Esqs. and the Respondent Town of
Ossining, having appeared by Wayne Spector, Esq., for assessment years 2010, 2011, 2012 and
2013 and the parties having agreed to settle said proceedings as appears hereinafter,
it is

ORDERED, ADJUDGED AND DECREED that the assessments on Petitioner's said real property known as District 554201, Section 98.10, Block 2, Lot 48.0 on the Official Assessment Map of the Town of Ossining which were filed for the years involved herein as follows:

Assessment Years 2010 thru 2013

Total Assessment:

\$93,000

be and the said assessments are hereby corrected and reduced to the following amounts:

Assessment Year	Tax Year	Total Current Assessment	Reduction in Assessment	Proposed New Assessment
2010	2011	93,000	18,600	74,400
2011	2012	93,000	18,600	74,400
2012	2013	93,000	18,600	74,400
2013	2014	93,000	18,600	74,400

and it is further

ORDERED, ADJUDGED AND DECREED that the allocation of the stipulated assessed values as between land and improvements shall be left to the sole discretion of the Assessor of the Town of Ossining, and it is further

ORDERED, ADJUDGED AND DECREED that the officers having custody of the rolls upon which the above-mentioned assessments are entered, shall forthwith correct said entries in conformity with this judgment and shall note upon the margin of said rolls, opposition said entries, that the same have been corrected by the authorization of this judgment; and it is further

ORDERED, ADJUDGED AND DECREED that there shall be audited, allowed and paid by the Town of Ossining, and the appropriate fiscal officers thereof are hereby directed to refund to Petitioner, the amount paid as Town taxes and taxes relating to any special district for

which said Town collects such taxes upon the basis of said erroneous assessments in excess of what the taxes would have been if said assessments had been fixed in accordance with this judgment, with interest thereon in accordance with the provisions of the Real Property Tax Law of the State of New York; and it is further

ORDERED, ADJUDGED AND DECREED that there shall be audited, allowed and paid by the Village of Briarcliff Manor, and the appropriate fiscal officers thereof are hereby directed to refund to Petitioner, the amount paid as Town taxes and taxes relating to any special district for which said Town collects such taxes upon the basis of said erroneous assessments in excess of what the taxes would have been if said assessments had been fixed in accordance with this judgment, with interest thereon in accordance with the provisions of the Real Property Tax Law of the State of New York; and it is further

ORDERED, ADJUDGED AND DECREED that there shall be audited, allowed and paid by the Briarcliff Manor School District and the appropriate fiscal officers thereof are hereby directed to refund to Petitioner, the amount paid as School District taxes upon the basis of said erroneous assessments in excess of what the taxes would have been if said assessments had been fixed in accordance with this judgment, with interest thereon in accordance with the provisions of the Real Property Tax Law of the State of New York; and it is further

ORDERED, ADJUDGED AND DECREED that the County Board of Legislators of Westchester County be and it is hereby authorized and directed to audit, allow and pay the amount of State, County, Judiciary, Refuse and Sewer District Taxes paid upon the basis of said erroneous assessments in excess of what the taxes would have been if said assessments had been fixed in accordance with this judgment, with interest thereon in accordance with the provisions of the Real Property Tax Law of the State of New York; and it is further

ORDERED, ADJUDGED AND DECREED that all payments directed to be made hereunder shall be drawn to the order of Reilly, Like & Tenety as Attorneys for Petitioner; and it is further

ORDERED, ADJUDGED AND DECREED that the contrary provisions of the third, fourth, fifth and sixth decretal paragraphs hereof notwithstanding, if any such tax refund payable pursuant to this judgment shall be paid within sixty days of the service hereof upon the Clerks or Financial Officers of the City and School District, and in the case of the County tax refund upon the Westchester County Department of Finance with proof of payment of taxes, no interest shall be paid thereon. Taxes refunded thereafter shall be paid with interest from the date of each tax payment in accordance with the provisions of the third, fourth, fifth and sixth decretal paragraphs hereof; and it is further

ORDERED, ADJUDGED AND DECREED that this judgment shall be entered without costs to either party.

Dated: White Plains, New York

March 12 2014

5/ ENTER

Bruce E. Tolbert

HON. BRUCE E. TOLBERT J.S.C.

SIGNING AND ENTRY OF THE WITHIN JUDGMENT IS HEREBY CONSENTED TO:

REILLY, LIKE & TENETY
Attorneys for Petitioner (s)
50 Main Street - Suite 1000
White Plains, New York 10606
(914) 682-6851

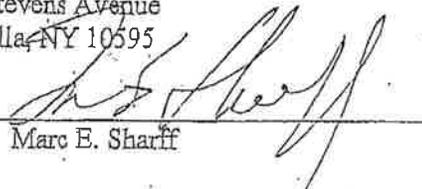
By: 

Vincent C. Tenety

Wayne Spector, Esq.
Town Attorney, Town of Ossining
Attorney for Respondent
16 Croton Avenue
Ossining, NY 105462

By: 
Wayne Spector

Marc E. Sharff, Attorney for Briarcliff Manor School District
Shaw, Perelson, May and Lambert LLP
115 Stevens Avenue
Valhalla, NY 10595

By: 
Marc E. Sharff

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF WESTCHESTER

-----X
In the Matter of

The Application for a Review under Article 7 of the
Real Property Tax Law of a Tax Assessment by
WOODLAND FARMS LLC

File Under
Index Nos.
15891-2011
65153-2012
64527-2013

Petitioner(s),

CONSENT JUDGMENT

- against -

THE ASSESSOR OF THE TOWN OF OSSINING
AND THE BOARD OF ASSESSMENT REVIEW OF THE
TOWN OF OSSINING

Premises:
120 WOODSIDE AVE
DISTRICT 554201
SECTION 98.10
BLOCK 2
LOT 47.0

Respondent(s)

-----X
Petitions with due notice thereof having been presented to this Court in connection with proceedings to review certain real property tax assessments which were filed by the Town of Ossining with respect to premises owned by Petitioner herein and located at 120 WOODSIDE AVE, Ossining, New York, also designated as District 554201, Section 98.10, Block 2, Lot 47.0 on the Official Assessment Map of the Town of Ossining, for assessment years 2011, 2012 and 2013, County tax years 2012, 2013 and 2014 and School tax years 2012, 2013 and 2014 and

Said proceedings having duly come on to be heard at an IAS Term of this Court, and the Petitioner having appeared by Reilly, Like & Tenety, Esqs. and the Respondent Town of Ossining, having appeared by Wayne Spector, Esq., for assessment years 2011, 2012 and 2013 and the parties having agreed to settle said proceedings as appears hereinafter,

it is

ORDERED, ADJUDGED AND DECREED that the assessments on Petitioner's said real property known as District 554201, Section 98.10, Block 2, Lot 47.0 on the Official Assessment Map of the Town of Ossining which were filed for the years involved herein as follows:

Assessment Years 2011 thru 2013

Total Assessment:

\$49,095

be and the said assessments are hereby corrected and reduced to the following amounts:

Assessment Year	Tax Year	Total Current Assessment	Reduction in Assessment	Proposed New Assessment
2011	2012	49,095	9,820	39,275
2012	2013	49,095	9,820	39,275
2013	2014	49,095	9,820	39,275

and it is further

ORDERED, ADJUDGED AND DECREED that the allocation of the stipulated assessed values as between land and improvements shall be left to the sole discretion of the Assessor of the Town of Ossining, and it is further

ORDERED, ADJUDGED AND DECREED that the officers having custody of the rolls upon which the above-mentioned assessments are entered, shall forthwith correct said entries in conformity with this judgment and shall note upon the margin of said rolls, opposition said entries, that the same have been corrected by the authorization of this judgment; and it is further

ORDERED, ADJUDGED AND DECREED that there shall be audited, allowed and paid by the Town of Ossining, and the appropriate fiscal officers thereof are hereby directed to refund to Petitioner, the amount paid as Town taxes and taxes relating to any special district for

which said Town collects such taxes upon the basis of said erroneous assessments in excess of what the taxes would have been if said assessments had been fixed in accordance with this judgment, with interest thereon in accordance with the provisions of the Real Property Tax Law of the State of New York; and it is further

ORDERED, ADJUDGED AND DECREED that there shall be audited, allowed and paid by the Village of Briarcliff Manor, and the appropriate fiscal officers thereof are hereby directed to refund to Petitioner, the amount paid as Town taxes and taxes relating to any special district for which said Town collects such taxes upon the basis of said erroneous assessments in excess of what the taxes would have been if said assessments had been fixed in accordance with this judgment, with interest thereon in accordance with the provisions of the Real Property Tax Law of the State of New York; and it is further

ORDERED, ADJUDGED AND DECREED that there shall be audited, allowed and paid by the Briarcliff Manor School District and the appropriate fiscal officers thereof are hereby directed to refund to Petitioner, the amount paid as School District taxes upon the basis of said erroneous assessments in excess of what the taxes would have been if said assessments had been fixed in accordance with this judgment, with interest thereon in accordance with the provisions of the Real Property Tax Law of the State of New York; and it is further

ORDERED, ADJUDGED AND DECREED that the County Board of Legislators of Westchester County be and it is hereby authorized and directed to audit, allow and pay the amount of State, County, Judiciary, Refuse and Sewer District Taxes paid upon the basis of said erroneous assessments in excess of what the taxes would have been if said assessments had been fixed in accordance with this judgment, with interest thereon in accordance with the provisions of the Real Property Tax Law of the State of New York; and it is further

ORDERED, ADJUDGED AND DECREED that all payments directed to be made hereunder shall be drawn to the order of Reilly, Like & Tenety as Attorneys for Petitioner; and it is further

ORDERED, ADJUDGED AND DECREED that the contrary provisions of the third, fourth, fifth and sixth decretal paragraphs hereof notwithstanding, if any such tax refund payable pursuant to this judgment shall be paid within sixty days of the service hereof upon the Clerks or Financial Officers of the Town and School District, and in the case of the County tax refund upon the Westchester County Department of Finance with proof of payment of taxes, no interest shall be paid thereon. Taxes refunded thereafter shall be paid with interest from the date of each tax payment in accordance with the provisions of the third, fourth, fifth and sixth decretal paragraphs hereof; and it is further

ORDERED, ADJUDGED AND DECREED that this judgment shall be entered without costs to either party.

Dated: White Plains, New York

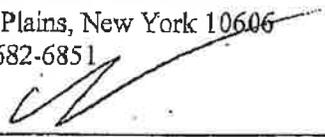
March 12, 2015

ENTERED

Bruce E. Tolbert
5/ HON. BRUCE E. TOLBERT J.S.C.

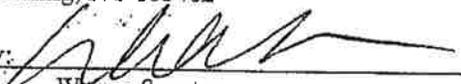
SIGNING AND ENTRY OF THE WITHIN JUDGMENT IS HEREBY CONSENTED TO:

REILLY, LIKE & TENETY
Attorneys for Petitioner (s)
50 Main Street - Suite 1000
White Plains, New York 10606
(914) 682-6851

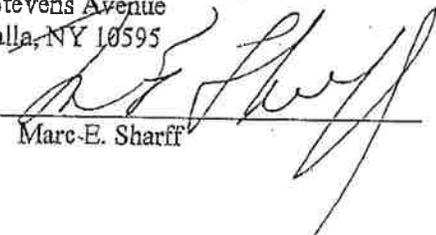
By: 

Vincent C. Tenety

Wayne Spector, Esq.
Town Attorney, Town of Ossining
Attorney for Respondent
16 Croton Avenue
Ossining, NY 105462

By: 
Wayne Spector

Marc E. Sharff, Attorney for Briarcliff Manor School District
Shaw, Perelson, May and Lambert LLP
115 Stevens Avenue
Valhalla, NY 10595

By: 
Marc-E. Sharff

Accept Cancel Cut Copy Paste Find Browse Query Add Update Delete Print Display PDF Save Excel Word Email Ex

- Detail
- Months
- Seg Find
- Totals

Account

Fund	A	...	Gen Fund	Acct	A -1-19-01-1964-423 -		
Org	A1964	...	RefPropTax	Acct name	Refund Of Real Property Tax		
Object	423	...	Ref Proptx	Type	Expense	Status	Active
Project		...				<input type="checkbox"/> MultiYr Fund	<input type="checkbox"/> Budget
							<input type="checkbox"/> Account

4 Year Comparison	Current Year	History	Fiscal Year 2014		Fiscal Year 2013	
Yr/Per 2015/10	Fiscal Year 2015		Fiscal Year 2014		Fiscal Year 2013	
Original Budget	100,000.00		100,000.00		50,000.00	
Transfers In	.00		.00		231,051.88	
Transfers Out	.00		-78,781.70		.00	
Revised Budget	100,000.00		21,218.30		281,051.88	
Actual (Memo)	47,457.78		21,218.30		281,051.88	
Encumbrances	.00		.00		.00	
Requisitions	.00					
Available	52,542.22		.00		.00	
Percent used	45.65		100.00		100.00	

includes :

Briardiff 160 LLC
 Copley Ct.
 1181 Pleas. Road
 Michael Kelly
 Woodland Farms LLC

Village Board of Trustees
Regular Meeting
March 18, 2015
7:30 p.m.

The Regular Meeting of the Board of Trustees of the Village of Briarcliff Manor, New York was held in the Village of Briarcliff Manor Village Hall, at 1111 Pleasantville Road, Briarcliff Manor, New York on the 18th of March, 2015 commencing at 7:30 p.m.

Present

William J. Vescio, Mayor
Lori A. Sullivan, Deputy Mayor
Cesare DeRose, Jr.
Mark Pohar, Trustee
Mark L. Wilson, Trustee

Also Present

Philip Zegarelli, Village Manager
Christine Dennett, Village Clerk
Clinton Smith, Village Counsel

Public Hearing to Amend Chapter 220, Zoning to Allow For Mixed Use Residential/Commercial Uses Within a New CB1 Central Business District 1 and a New CB2 Business District 2

Upon motion by Trustee Wilson, seconded by Trustee Pohar, the Board voted unanimously to open the public hearing.

Trustee Wilson requested the language for 80% coverage in the CB1 zone be the same for the CB2 zone.

Mayor Vescio explained the proposed legislation and stated it was a goal of the Comprehensive Plan to add to the diversity of the Village and add vibrancy to the Central Business District. He stated a letter was received by the Westchester County Department of Planning commending the Village for the proposed legislation. He further stated a comment was received from a Member of the Village's Planning Board regarding cross access easements to allow for a better flow of parking. He stated that wasn't part of this proposed local law but would be looked into in the future.

Upon motion by Trustee Pohar, seconded by Deputy Mayor Sullivan, the Board voted unanimously to adjourn the Public Hearing to Monday, March 30, 2015 at 7:30pm.

Board of Trustees Announcements by Mayor Vescio

Former Mayor George Kennard Mayor passed away. He served the Village as Mayor from 1977-1983.

Village Managers Report by Village Manager Zegarelli

- The Library and Community Center pre-construction meeting was held and a notice to proceed has been given.
- Another snow storm is forecasted for Friday.
- Fields are being prepped for Spring but the ground is still very solidly frozen.
- The Tentative Budget for FY 15-16 was filed on March 17th with the Village Clerk.
- The Village Election is today Wednesday, March 18th and the polls are open until 9:00pm.
- The Easter Egg Hunt is scheduled for March 28th at 10am at Law Park.
- Visit the Recreation website for a listing of all upcoming programs.

Public Comments

There were no public comments.

Reschedule Board of Trustees Meeting Scheduled for April 1, 2015

Upon motion by Trustee Pohar, seconded by Deputy Mayor Sullivan, the Board voted unanimously to approve the following resolution:

BE IT RESOLVED, that the Board of Trustees Meeting originally scheduled for Wednesday, April 1, 2015 is hereby rescheduled for Monday, March 30, 2015 at 7:30pm.

Scheduling Annual Organizational Meeting & Tentative Budget Public Hearing

Annual Organizational Meeting

Upon motion by Trustee DeRose, seconded by Trustee Wilson, the Board voted unanimously to approve the following resolution:

BE IT RESOLVED, that the Annual Organizational Meeting of the Board of Trustees is hereby scheduled for Wednesday, April 8, 2015 at 7:00 pm.

2015-2016 Tentative Budget Public Hearing

Upon motion by Deputy Mayor Sullivan, seconded by Trustee DeRose, the Board voted unanimously to approve the following resolution:

BE IT RESOLVED, that a Public Hearing for the 2015-2016 Tentative Budget is hereby scheduled for Monday, March 30, 2015 at 7:30 pm.

Minutes

Upon motion by Trustee Wilson, seconded by Trustee Pohar, the Board voted unanimously to approve the minutes of March 4, 2015.

Adjournment

Upon motion by Trustee DeRose, seconded by Trustee Pohar, the Board voted unanimously to adjourn the regular meeting at 7:50pm.

Respectfully Submitted By,

Christine Dennett
Village Clerk