



**AGENDA**  
**TOWN BOARD**  
**TOWN OF OSSINING**  
**86-88 SPRING STREET**  
**BIRDSALL-FAGAN POLICE COURT FACILITY**  
**OSSINING, NEW YORK**

**AUGUST 23, 2016**  
**7:30 P.M.**

**SUPERVISOR**  
**Dana Levenberg**

**COUNCILMEMBERS**  
**Karen M. D'Attore Elizabeth R. Feldman**  
**Kim L. Jeffrey Northern Wilcher, Jr.**

**6:30 P.M. EXECUTIVE SESSION-LEGAL ADVICE**

- I. CALL TO ORDER – PLEDGE OF ALLEGIANCE – ROLL CALL**
- II. Public Hearing in the matter of the 2016 Cabaret License for Ballroom Studio of Westchester**
- III. ANNOUNCEMENTS**
- IV. LIAISON REPORTS**
- V. DEPARTMENTAL REPORTS**

**Adjourn into work session**

- Donation by Briarcliff Little League for field clay at Ryder Park**
- Discussion of Capital Project Priorities for Parks**
- Coast Guard Request for Anchorage Areas in the Hudson River**
- Next Steps in Zoning & Planning Analysis**

**Adjourn Into legislative session**

- VI. PUBLIC COMMENT ON AGENDA ITEMS**
- VII. BOARD RESOLUTIONS**

**A. Approval of Minutes**

**Resolved, that the Town Board of the Town of Ossining hereby approves the August 8, 2016, 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 August 23, 2016 in the amount of \$314,189.49.**

**C. Resolution in Support of Greenway Grant Application**

**WHEREAS, the Town of Ossining is applying to the Hudson River Valley Greenway for a grant under the 2016 Greenway Conservancy Trail Grant Program for a project entitled, Planning for Open Space/Bike Lane/Commerce Connectivity Corridor, to be located in the Town of Ossining, the Town of New Castle, and the Village of Ossining,**

**WHEREAS, the grant application requires the applicant municipality to obtain the approval/endorsement of the governing body of the municipality or municipalities in which the project will be located;**

**NOW, THEREFORE, be it resolved that the governing board of the Town of Ossining hereby does approve and endorse the application for a grant under the 2016 Greenway Conservancy Small Grant Program, for a project known as Planning for Open Space/Bike Lane/Commerce Connectivity Corridor and located within this community.**

**D. Resolution of the Town Board of the Town of Ossining in Opposition to Proposed Rule 2016-13701**

**WHEREAS, the U.S. Coast Guard is considering designating 2,400 acres of Hudson River Estuary as new anchorage areas for commercial barges along the Hudson River shoreline from Yonkers to Kingston and has proposed a rule establishing such new anchorage grounds; and**

**WHEREAS, there are three proposed anchorage grounds in the Hudson River adjacent to the Hudson River shoreline in Westchester County and Rockland County and those locations are known as Yonkers Extension, Montrose Point and Tompkins Cove; and**

**WHEREAS, the only notification that has been provided by the Coast Guard regarding the proposed anchorage grounds is through the publication in the Federal Register; and**

**WHEREAS, despite requests from several public interest organizations and local, state and federal elected officials, including U.S. Senators Charles Schumer and Kirsten Gillibrand, to hold public hearings on the new proposed anchorage grounds, to date the Coast Guard has declined to schedule any public hearings and will only be accepting written comments until September 7, 2016; and**

**WHEREAS, Scenic Hudson and Riverkeeper, as well as many municipalities, have voiced their concern and opposition to establishing these new anchorage grounds; and**

**WHEREAS, the designation of these new anchorage grounds, which would become water-based parking areas for commercial barges on the way to and from the ever-busier Port of Albany, portends an increase in barge traffic on the Hudson River; and**

**WHEREAS, the proposed anchorage sites abut the main shipping channel of the river, which will increase congestion on the river, and may lead to collisions and create additional homeland security issues along the riverfronts; and**

**WHEREAS, such efforts by the Coast Guard would serve to re-industrialize the Hudson River in areas undergoing transformation, coastal revitalization and adaptive reuse away from commercial and industrial uses and toward residential and recreational uses, and which re-industrialization would be inconsistent with the local long-term waterfront goals and regional initiatives toward Hudson Valley tourism; and**

**WHEREAS, the establishment of these anchorages will cause noise and light pollution, produce river bed scarring of delicate river bottom habitat through the use of heavy ground tackle and congregate dangerous material, such as crude oil, directly adjacent to the shoreline; and**

**WHEREAS, large anchoring equipment used by commercial vessels disturbs bottom sediment and can damage wildlife habitats, including those of endangered species that live in and abut the river; and**

**WHEREAS, the anchoring of ships and barges poses health, safety and welfare concerns from possible oil and fuel spills; and**

**WHEREAS, the Town of Ossining, along with many other municipalities within Westchester County, is a participating community under the Hudson River Valley Greenway Act, part of the intent of which is to establish a cooperative effort to advance the State's commitment to preserve, enhance and develop the world-renowned scenic, natural, historic, cultural and recreational resources of the Hudson River Valley; and**

**WHEREAS, the Town of Ossining has a high population of recreational boaters, who will be required to bypass the nearby proposed anchorage sites and navigate the increased commercial traffic on the Hudson River, which may create health, safety and welfare issues; and**

**WHEREAS, the Town of Ossining has already expended large sums of taxpayer money to clean up contaminated areas within the Town and is concerned about the increased likelihood of such future contamination from the increased commercial traffic and risk of spills from the ships that would utilize the proposed anchorage sites; and**

**WHEREAS, the Town of Ossining has a population of fisherman who utilize the river as a source of sustenance and who may be harmed by the increased contamination caused by the proposed anchorage sites; and**

**WHEREAS, the Town of Ossining is in the process of evaluating the potential of opening up its shoreline and beaches to the public in certain locations, and the impacts that may result from the proposed anchorage sites may cause the Town of Ossining to have to reevaluate this plan, to the detriment of its residents and the public; and**

**WHEREAS, the foregoing potential impacts of the new anchorage grounds have not been adequately studied or addressed, including identifying all impacts from the proposed anchorage grounds; and**

**WHEREAS, the Coast Guard's proposal does not indicate which agency(ies) will be responsible for overseeing and/or maintaining the proposed anchorage sites and the anticipated impacts that will result from such; and**

**NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Ossining does hereby register its opposition to the proposed rule and urges its disapproval; and**

**BE IT FURTHER RESOLVED that the Board calls upon the Coast Guard to increase the ability for public comment by scheduling and actively promoting additional public forums that are easily accessible throughout the affected area so that the community concerns over this complex proposal can be heard and integrated into the rulemaking process as early as possible; and**

**BE IT FURTHER RESOLVED that the Town Board of the Town of Ossining urges residents to voice their concerns on the proposed new anchorage locations identified as Docket ID USCG-2016-0132 at <http://www.regulations.gov> by September 7, 2016; and**

**BE IT FURTHER RESOLVED that this resolution be distributed to U.S. Senator Charles Schumer, U.S. Senator Kristen Gillibrand, U.S. Congresswoman Nita Lowey, U.S. Congressman Eliot Engel, Governor Andrew Cuomo, N.Y.S. Secretary of State Rossana Rosado, N.Y.S. Senator David Carlucci and N.Y.S. Assemblywoman Sandy Galef; and**

**BE IT FURTHER RESOLVED**, the Town Board authorizes the Town Supervisor to execute any and all correspondence conveying the Town's concerns as set forth herein or as may become known in the future based upon further review of the proposal.

**E. Proposal: Cleaning Services at the Town Court**

Resolved, that the Town Board of the Town of Ossining hereby accepts the proposal dated August 16<sup>th</sup>, 2016 from Arco Cleaning, Mt. Kisco, for bi-weekly cleaning services of the Town Court Offices at a rate of \$500 per month.

**F. Stipulation of Agreement: Denise Awerdick**

**BE IT SO RESOLVED**, that the Town Board of the Town of Ossining hereby ratifies and approves the Stipulation of Agreement between the Town of Ossining and Denise Awerdick; and

**IT IS FURTHER RESOLVED**, that the Town Board hereby authorizes the Town Supervisor to execute the Stipulation of Agreement on behalf of the Town.

**VIII. CORRESPONDENCE TO BE RECEIVED AND FILED**

**IX. MONTHLY REPORTS**

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

- Tax Receiver's Office-July 2016

**X. VISITOR RECOGNITION**

**XI. ADJOURNMENT – EXECUTIVE SESSION-LEGAL ADVICE**