



**TOWN BOARD
TOWN OF OSSINING
86-88 SPRING STREET
BIRDSALL-FAGAN POLICE COURT FACILITY
OSSINING, NEW YORK
AUGUST 22, 2017
7:30 P.M.**

**SUPERVISOR
Dana Levenberg**

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

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

The Regular Meeting of the Town Board of the Town of Ossining was held on August 8, 2017 at the Birdsall-Fagan Police Court Facility, 86-88 Spring Street Ossining, NY. The meeting was called to order at 7:30 p.m. by Supervisor Dana Levenberg. Members of the Board present were: Councilmembers Northern Wilcher, Elizabeth R. Feldman, Karen D'Attore and Kim Jeffrey. Also present were Town Counsel Christie Tom Addona, Budget Officer Madeline Zachacz and Town Clerk Mary Ann Roberts.

Supervisor Levenberg would like everyone to please remain standing for a moment of silence for Reverend Solomon Crooms Phifer, who passed away on August 9th. Reverend Phifer pastored St. Matthew's United Methodist Church in Ossining before founding Faith New Testament Fellowship Church, where he became an inspiration to so many of us through his community service and devotion to building a better Ossining. Please join me for a moment of silence to remember Reverend Phifer.

II. ANNOUNCEMENTS

Supervisor Levenberg announced the following:

After a week without a meeting, I want to thank everyone for tuning in to join us this evening. We had a bit of a disappointment last Friday evening, when our Summer Concert Series featuring Marc Berg & Ride had to be cancelled due to the heavy rain. We are in talks with Marc to find a new date to bring him back to Ossining, since we had such a great time with him and his band when they played back in 2015. Stay tuned for updates on this. In the meanwhile, I hope you will join us this coming Friday, August 25th at 7PM, when Cuboricua, a 7 piece band, will take the stage at Louis Engel Park for a night of salsa, Cuban and Dominican music. It's sure to be a great time. I hope to see you there. The following Friday (September 1st), we will welcome The Old Mill Singers to the stage, also beginning at 7PM. Join us for some wonderful tunes. We will have more info on their repertoire in my update this Friday.

Hudson River Expeditions has another kayak excursion out of Ossining coming up this Friday evening, August 25th. If you wait for the 6PM tour, you can probably hear the sounds of Cuboricua from the OTHER side of the stage as you cruise down the Hudson! Visit www.hudsonriverexpeditions.com for more information.

Also this weekend, Engel Park will host Sue Radparvar from Studio 95 for a free Zumba class as part of our Mind Body Spirit Ossining programming. The fun starts on Saturday, August 26th at 3PM, probably on the stage. Make sure to come down for an energized dance workout at the waterfront.

Also on Saturday, August 26th, Green Ossining will host their Repair Café between 11AM and 3PM at the Ossining Community Center. Their experts can help you bring your gently used possessions back to life, including fabric, plants, ceramics, costume jewelry, bikes and more. Visit www.greenossining.org for more information.

Although a few weeks out, please mark your calendars for these two important upcoming events. On Monday, September 11th, please join us for the annual Ossining and Briarcliff Manor September 11th Remembrance Ceremony at Louis Engel Park, beginning at 7PM. This is always an incredibly touching event and a fitting reminder of all of the civilians and brave first responders we lost on that fateful day sixteen years ago, as well as all of our first responders who selflessly put their lives on the line for us each day.

The Briarcliff Manor Fire Department has been chosen to host the 111th Annual Westchester County Volunteer Fireman's Association Convention, which will culminate in a Fireman's Parade on Saturday, September 16th at 1PM. The parade will start on Pleasantville Road and head down to Law Park, where the marchers and onlookers will be met by a live band. We look forward to celebrating this great honor with the Village of Briarcliff Manor next month.

We have some congratulations to extend—firstly, to our own Ossining PD, who was named “Best in New York” by The Center for Digital Government for “Most Innovative Use of Social Media/ Citizen Engagement.” As anyone who follows the OPD Facebook page can attest, this is a well deserved honor, and we look forward to celebrating with you when you bring that trophy home in September.

Also deserving of a shout out? Our JCYS 13-14 year old Little League team, who were New York State champions and moved on to the East Regionals, where they placed 2nd. Out of 1000 teams nationwide who competed at this level, our guys were in the top 10! I want to sincerely congratulate the players and their coaches, who continue to make us so very proud each year. We look forward to having the team come to a meeting in September to be recognized by the Board in person.

Players:

Joey Bossinas

Matthew Capio

Nicholas Cascione

Aiden Curry

Jack DeAngelis

Dan Galef

Shane Horrigan

AJ Mannichio

Gino Mannichio

Kyle Monaghan

Massimo Stinziani

Tej Verma and

Eric Yost

Coaches: Jim Curry, Graig Galef & Pat Yost

We should also celebrate the Village of Ossining, who just today announced that they have been awarded a \$1.4 million grant from the Environmental Protection Agency and the Drinking Water State Revolving Fund to perform extensive replacement of the water main at Gordon Avenue. While this infrastructure is within the Town, this otherwise would have been paid for by the Water Fund, into which all Village of Ossining and Unincorporated residents pay. Congratulations to Andy Tiess and the Village Administration for their success on this great project.

Another celebration is in order, as just today, our Tax Office sent the file out for the school tax bills to be printed. This is by no means a simple process and has required the cooperation of multiple Town departments, municipalities and school districts. I am pleased to say that our newly appointed Receiver of Taxes, Holly Perlowitz, got the job done, and we applaud and appreciate her efforts and the efforts of her staff to get us over the finish line on this important annual process. Bills are also available on line

I want to acknowledge that we continue to experience intermittent phone issues in the Town and Village offices related to the changeover of our phone system—we appreciate your patience with us as we work to get this resolved to better serve our residents.

I also want to speak briefly about some of the horrible events of the past two weeks which shook our world nationally and internationally. The hatred expressed in Charlottesville, VA toward a group of people by another is so loathsome that it leaves many of us speechless. However, these types of events cannot and should not be ignored. We must acknowledge hatred at every turn and respond to it with our hearts and minds, countering it with unabashed love, inclusivity, and hope. The same is true with the events in Barcelona, Spain. Having spent much of my college semester abroad on Las Ramblas, my heart truly goes out to those innocent tourists and Catalonians who were victims of extremism manifest in hate. I hope we, as a community, can continue to celebrate the joy of our diversity of beliefs and backgrounds. Coming together at the library the other day just to look up at our sun and the phenomenon of a full solar eclipse was a perfect example of how we all share the same wonder in our humanity, science and nature.

Councilmember Feldman announced that Village Historian, Dana White, will be a guest speaker at the Ossining Boat & Canoe Club to discuss the Hudson River from 7:30 p.m. to 9 p.m.

III. LIAISON REPORTS

Councilmember D'Attore announced the IFCA Back Pack Drive on August 30, 2017 where backpacks, supplies, etc. can be dropped off from 9 a.m. to 5 p.m. t 138 Spring Street.

IV. DEPARTMENTAL REPORTS

V. PUBLIC COMMENT ON AGENDA ITEMS

VI. BOARD RESOLUTIONS

A. Approval of Minutes-Regular Meeting

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

Resolved, that the Town Board of the Town of Ossining hereby approves the August 8, 2017, Minutes of the Regular Meeting as presented.

Motion Carried: Unanimously

B. Approval of Voucher Detail Report

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

Resolved, that the Town Board of the Town of Ossining hereby approves the Voucher Detail Report dated August 22, 2017 in the amount of \$429,384.23.

Motion Carried: Unanimously

C. Resolution of Support- Teatown Lake Reservation Consolidated Funding Application

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

WHEREAS, the Teatown Lake Reservation is applying to the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) for a grant under the Environmental Protection Fund for a park project to be located at 1595 Spring Valley Road, Ossining, NY; and

NOW, THEREFORE, be it resolved that the Board of the Town of Ossining hereby does endorse the application of Teatown Lake Reservation for a grant under the Environmental Protection Fund for a park project known as the Regional Science Education Center.

Motion Carried: Unanimously

D.Parks Department- Part Time Availability Appointment Amendment

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

Whereas, Dean Carretta of Ossining has long been employed by the Town of Ossining as a Part Time Park Attendant; and

Whereas, Mr. Carretta is paid \$30 per event at Engel Park and \$50 per event at Gerlach Park; and

Whereas, the job responsibilities at Engel Park have expanded and the Board wishes to pay Mr. Carretta accordingly;

Therefore be it Resolved, that effective August 5th, 2017, the rate at Engel Park is now \$50 per event.

Motion Carried: Unanimously

E. Acceptance of High Bid- 27 Secor Road

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

Whereas, pursuant to a judgment of foreclosure for unpaid taxes, entered by the Supreme Court of The State of New York, Westchester County, the Town of Ossining conducted an auction of foreclosed properties at 16 Croton Avenue at 1PM on July 25th, 2017, in order to sell off properties with delinquent taxes owed to the Town of Ossining, one of which was 27 Secor Road, Tax ID# 97.7-1-41; and

Whereas, all present had the opportunity to register and become “Qualified Bidders” to bid on the two properties for sale, under the condition that the party offering the highest purchase price would be awarded the property, subject to a resolution approving such sale by the Town Board of the Town of Ossining; and,

Whereas, Mr. Pedro Silva of 27 Secor Road Corp, Ossining, NY, was the successful bidder at a bid price of \$165,000; and

Now therefore, be it Resolved that the Town accepts the high bid of \$165,000 for the property at 27 Secor Road, submitted by Mr. Pedro Silva, and the Town is authorized to accept a deed for the property from the Receiver of Taxes in a form approved by Counsel to the Town and The Town Supervisor is authorized to execute a deed as well as all required transfer documents in forms acceptable to Counsel to

the Town, effectuating the sale of the premises to the high bidder upon receipt by the Town of the bid price; and

Be it Further Resolved, that upon conveyance of the property to the high bidder, the bidder will pay all real property taxes for the property, as adjusted from the date of conveyance, with all additional accrued interest and/or penalties that may have accrued against the property for unpaid taxes through the day of conveyance being hereby waived.

Motion Carried: Unanimously

F. Acceptance of High Bid- 15 Meadowbrook Drive

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

Whereas, pursuant to a judgment of foreclosure for unpaid taxes, entered by the Supreme Court of The State of New York, Westchester County, the Town of Ossining conducted an auction of foreclosed properties at 16 Croton Avenue at 1PM on July 25th, 2017, in order to sell off properties with delinquent taxes owed to the Town of Ossining, one of which was 15 Meadowbrook Drive, Tax ID# 89.7-1-60; and

Whereas, all present had the opportunity to register and become “Qualified Bidders” to bid on the two properties for sale, under the condition that the party offering the highest purchase price would be awarded the property, subject to a resolution approving such sale by the Town Board of the Town of Ossining; and,

Whereas, the top two highest bidders declined moving forward with the purchase, and the Town instituted a sealed bid auction for the top three bidders with a minimum bid of \$300,000, as authorized by Town Board resolution on August 8th, 2017, accompanied by a document outlining the terms and conditions of said bid solicitation; and

Whereas, Mr. Luis Arevalo was the successful bidder at a bid price of \$300,100.50; and

Now therefore, be it Resolved that the Town accepts the high bid of \$300,100.50 for the property at 15 Meadowbrook Drive, submitted by Mr. Luis Arevalo, and the Town is authorized to accept a deed for the property from the Receiver of Taxes in a form approved by Counsel to the Town and The Town Supervisor is authorized to execute a deed as well as all required transfer documents in forms acceptable to Counsel to the Town, effectuating the sale of the premises to the high bidder upon receipt by the Town of the bid price; and

Be it Further Resolved, that upon conveyance of the property to the high bidder, the bidder will pay all real property taxes for the property, as adjusted from the date of conveyance, with all additional accrued interest and/or penalties that may have accrued against the property for unpaid taxes through the day of conveyance being hereby waived.

Motion Carried: Unanimously

G. Resolution Authorizing Building Inspector To Proceed In Accordance With Town Code Chapter 60 To Remove Hazardous Condition On 18 Minkel Road Property.

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

WHEREAS, the Town Board has been advised by the Building Inspector that the property located at 18 Minkel Road and shown on the Tax Map as Section 81.17, Block 1, Lot 48 (the “Property”) appears to be abandoned, and has been determined to have created a serious fire and health hazard to neighbors and to drivers due to the overgrowth of weeds and grass that are spreading into the street; and

WHEREAS, the Building Inspector has, on multiple occasions, contacted the mortgage servicer and has received no satisfactory response; and

WHEREAS, there continues to exist on the Property a hazardous condition that is only increasing and becoming more dangerous with time, and the Town has already once authorized the Building Inspector to proceed with noticing, a process that ultimately resulted in a contractor being retained to clean up the property; and

NOW THEREFORE, BE IT RESOLVED, the Town Board authorizes the Building Inspector to send a notice to the property owner in accordance with Town Code § 60-2 to clean and remove the weeds and grass on the Property that are spreading into the street and causing a hazard to drivers within 15 days of the mailing of the notice and a copy of this Resolution shall be included with the notice; and

BE IT FURTHER RESOLVED, in the event the Property's owner does not cure the hazardous conditions within 15 days of the mailing of the notice by the Building Inspector, the Town Highway Department and/or an independent contractor, as determined to be appropriate and necessary by the Building Inspector, is hereby authorized to clean and remove the hazardous condition in accordance with Town Code § 60-3; and

BE IT FURTHER RESOLVED, the reasonable cost of doing the work necessary to remove the hazardous condition on the Property shall be charged to the Property, which cost shall be assessed and shall constitute a lien and charge on the Property in accordance with Town Code §60-3.

Motion Carried: Unanimously

H. Authorization to sign stipulation with the Ms. Kathy Asaro, Manager of the Senior Nutrition Program regarding unused sick days

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

WHEREAS, the Town of Ossining has a policy which allows managers and employees who are not represented by a collective bargaining agreement to accumulate up to 200 sick days, and does not provide for monetary compensation for such unused sick days, and

WHEREAS, Ms. Kathy Asaro, Manager of the Senior Nutrition Program, has 200 days of unused sick leave accumulated over many years of employment with the Town on Ossining, and

WHEREAS, Ms. Asaro wished to donate 15 days of her sick leave to Senior Nutrition Program employee Denise Awerdick, who is currently on leave due to illness;

Therefore be it RESOLVED that the Town Board of the Town of Ossining authorizes the transfer of 15 sick days from Ms. Asaro to Ms. Awerdick, to be paid at Ms. Awerdick's regular rate of pay; and

Be it further RESOLVED, that this resolution shall not establish a precedent with regard to how similar situations may be handled in the future.

**Motion Carried: 4-1-0
Ayes: D'Attore, Feldman, Wilcher & Levenberg
Abstain: Jeffrey**

I. Rescission of Resignation—Building Inspector

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

Whereas, the Town Board accepted the resignation of Building Inspector John Hamilton at the June 6, 2017 meeting for a resignation date effective July 1st, 2017; and

Whereas, Mr. Hamilton has twice agreed for his tenure to be extended until such time as the Town was able to find replacement; and

Whereas, the Town and Mr. Hamilton have come to a tentative agreement and Mr. Hamilton has agreed to rescind his resignation;

Resolved, the Town Board of the Town of Ossining hereby accepts Mr. Hamilton's rescission of resignation effective immediately; and

Be it Further Resolved, that the Town Board hereby authorizes the Supervisor to execute a letter outlining the unchanged terms and conditions of Mr. Hamilton's employment with the Town once such letter is produced by Labor Counsel.

Motion Carried: Unanimously

VII. CORRESPONDENCE TO BE RECEIVED AND FILED

VIII. MONTHLY REPORTS

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

Resolved, that the Town Board of the Town of Ossining hereby accepts the following monthly report for the month of July 2017:

- Dale Cemetery

Motion Carried: Unanimously

IX. VISITOR RECOGNITION

X. ADJOURNMENT-EXECUTIVE SESSION-ADVICE OF COUNSEL –PERSONNEL

Supervisor Levenberg stated that next week is the 5th Tuesday of August, which means the Town Board will not be meeting. Our next meeting will be a Work Session and Special Meeting on Tuesday, September 5th at 16 Croton Avenue, where we will re-open the Public Hearing on our Zoning Law. Please do not forget to join us this coming Friday night for Cuboricua at Louis Engel Park at 7:00 P.M., I look forward to dancing the night away with all of you.

I would like to close this meeting in memory of Martha "Marti" Stewart, a stalwart servant leader in Ossining for many, many years who served as a volunteer elected Ossining School Board Trustee as well as on the Ossining Food Pantry board. She gave so much to our community and has been taken from us much too soon. She will be truly missed.

Have a great end of the summer, everyone, and a safe and happy Labor Day weekend.

At 8:01 P.M., Councilmember Jeffrey moved and it was seconded by Councilmember Wilcher that the Regular Meeting be adjourned to Executive Session.

At 8:37 P.M., Councilmember Jeffrey moved and it was seconded by Councilmember Wilcher to leave Executive Session.

At 8:38 P.M., Councilmember D'Attore motioned to leave Exec and Councilmember Wilcher that Executive Session be adjourned.

Approved:

Mary Ann Roberts Town Clerk