



**TOWN BOARD  
TOWN OF OSSINING  
86-88 SPRING STREET  
BIRDSALL-FAGAN POLICE COURT FACILITY  
OSSINING, NEW YORK  
NOVEMBER 28, 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 November 28, 2017 at the Ossining Municipal Building, 86-88 Spring Street Birdsall-Fagan Police Court Facility, Ossining, NY. The meeting was called to order at 7:30 p.m. by Supervisor Dana Levenberg. Members of the Board present were: Councilmembers Kim Jeffrey, Northern Wilcher, Karen D'Attore and Elizabeth R. Feldman. Also present were Town Counsel Steven Silverberg Budget Officer Madeline Zachacz and Town Clerk Mary Ann Roberts.

**II. PUBLIC HEARINGS IN THE MATTER OF:**

- Public Hearing in the matter of the 2018 Preliminary Budget

At 7:31 P.M., the Public Hearing was opened.

Supervisor Levenberg stated that on October 27<sup>th</sup>, we presented the Supervisor's Budget to the community, and I can say that very little has changed since then. Our Town Board has taken time with each of our departments to weigh in on what they have requested for 2018, and the substantive changes we have made are quite minimal. We will, however, be making some adjustments to salary and benefits following the settlement of our CSEA collective bargaining agreement two weeks ago—the money has already been accounted for, and will be redistributed in accordance with the contract. We also are expecting to see a few changes in our Special Districts, namely Fire and Refuse/Recycling, based on the final numbers from our contractors that are still coming in. Nevertheless, we will remain under the tax levy cap.

If you have not yet had a chance to look at the proposed budget, it can be viewed on the Budget Office page of the Town website, and hard copies can be found in the Office of the Town Clerk and at the Ossining Public Library. I want to thank Maddi Zachacz, the Town's Budget Director, along with Dale Ferreira, Town Deputy Comptroller, Thomas Warren, Town Comptroller, and all of our department heads for working with the Board to construct another exceptional budget that serves our residents responsibly and stays under the tax cap.

At 7:33 P.M., Councilmember Jeffrey moved and it was seconded by Councilmember Wilcher that the Public Hearing be closed.

- Petition for Extension of the Ossining Consolidated Sewer District, 93 Old Albany Post Road

At 7:33 P.M., the Public Hearing was opened.

Supervisor Levenberg stated that from time to time, we have properties who wish to join the Town sewer district. Once it has been confirmed that the neighborhood has the capacity to service the property, this petition can be filed with the Town Building Department and the property owner can move forward with construction at their cost. Assuming there are no issues, we plan to issue this petition next week in a Special Meeting.

At 7:33 P.M., Councilmember Jeffrey moved and it was seconded by Councilmember Wilcher that the Public Hearing be closed.

- Restore NY Grant Application, Cedar Lane Park Reuben House

At 7:34 P.M., the Public Hearing was opened.

Supervisor Levenberg stated that my office has been working hard on this grant application to help eventually restore the Reuben House, with the long-term view being a pop-up restaurant or event space—for that longer term plan we will solicity community input. There is much work to be done just to ready the building and site and secure it, and we are hopeful that our project will be looked on favorably by the state so we can receive grant money and start moving forward next year.

At 7:35 P.M., Councilmember Jeffrey moved and it was seconded by Councilmember Wilcher that the Public Hearing be closed.

### III. ANNOUNCEMENTS

Supervisor Levenberg announced the following:

We have such an exciting weekend coming up in the Town, beginning this Friday evening, December 1<sup>st</sup>, when you can “Celebrate the Holidays” with the Old Mill Singers at the Clearview School at 8PM. Come hear some holiday classics and get into the spirit of the season. Tickets are available online at [www.oldmillsingers.com](http://www.oldmillsingers.com), or you can purchase them at the door. There will also be a performance on Saturday, December 2<sup>nd</sup>, also at 8PM.

Feeling creative? Join us for Holiday Gift Making at the Cedar Lane Arts Center this Saturday, December 2<sup>nd</sup>, between 2PM and 4:30PM. You can drop in to work on some cool winter craft projects like ornaments, note cards and more, ranging from \$2 to \$6 per project, and give a handmade gift to a special someone this holiday season. All children must be accompanied by an adult.

Also on Saturday, December 2<sup>nd</sup> is the Campwoods Holiday Craft Fair. This event is a favorite of mine each year, and I am looking forward to seeing everyone there to get my yearly fill of ceramics, hand-made jewelry, candles, soaps and other artisanal goodies. The day starts at 10AM and lasts until 5PM, so make sure to stop by and “get your local shop on” here in Ossining.

I would also encourage everyone to attend the second-to-last weekend of Westchester Collaborative Theater’s “Fractured Family Tales” at 23 Water Street. This collection of four short plays is getting great reviews, and although I may be a little biased, I thought it was outstanding. Tickets can be purchased at [wctheater.org](http://wctheater.org) for Thursday, November 30<sup>th</sup>, Friday, December 1<sup>st</sup>, Saturday, December 2<sup>nd</sup> or Sunday, December 3<sup>rd</sup>. Shows are at 8pm Friday nights, 3 and 8pm on Saturdays, and 3pm on Sunday.

Finally, I want to remind everyone to check out two screenings coming up. The first one is this Tuesday, December 5<sup>th</sup>. Join Assemblywoman Sandy Galef at the Ossining Public Library’s Budarz Theater for a screening of “She’s Beautiful When She’s Angry,” which looks at the modern women’s movement and how far we’ve come, before examining how far we have to go. The 90 minute film will be followed by a panel discussion featuring three generations of Ossining women who will

discuss how being a woman has changed, and how it hasn't, over their lifetimes. This great event in celebration of the 100<sup>th</sup> anniversary of women's suffrage begins at 6:30 P.M., and is free.

Then on Thursday, December 6<sup>th</sup>, the Ossining Documentary and Discussion Series will be hosting "Dramatic Escape" which takes place behind the walls of our very own Sing-Sing Correctional Facility. The film follows a group of inmates over the course of one year while they prepare to stage a production of "A Few Good Men." Having visited Sing-Sing for these productions in the past, I can attest to the fact that this is some compelling material that you will not want to miss. This screening will also take place in the Ossining Public Library's Budarz Theater beginning at 6:30PM, followed by a panel discussion. All are welcome.

Councilmember Feldman announced the Ossining Boat and Canoe Club Toy Drive for the holidays. Donations boxes are located in the Village/Town Clerk's office, the Ossining Union Free School District and the Shattemuc Yacht Club.

#### **IV. LIAISON REPORTS**

Councilmember Jeffrey commented on the joint efforts of Briarcliff and the Town of Ossining including Assemblywoman Sandy Galef and Senator David Carlucci in the expansion of the intersection of Route 9A and North State Road.

Budget Officer Zachacz announced Breakfast With Santa will take place on December 9<sup>th</sup> at the Joseph G. Caputo Community Center.

#### **V. DEPARTMENTAL REPORTS**

#### **VI. PUBLIC COMMENT ON AGENDA ITEMS**

#### **VII. BOARD RESOLUTIONS**

##### **A. Approval of Minutes-Regular Meeting**

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 November 14, 2017, Minutes of the Regular Meeting as presented.

Motion Carried: Unanimously

##### **B. Approval of Voucher Detail Report**

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 Voucher Detail Report dated November 28, 2017 in the amount of \$698,403.53

Supervisor Levenberg stated that as we come closer to the end of 2017, we are starting to see a rush of bills coming in to help everyone close out the year. While this is a rather large bill run, it includes our December medical payment, the November IMA with the Village of Ossining, and some items from the 2017 Capital Plan, including the paving at Cedar Lane Park and the Bobcat Skid Steer for the Town Parks Department. We are also reimbursing the Village of Briarcliff for the substantial amount of work that has been completed at Route 9A and North State Road, \$80k of which is being reimbursed by the State, and the final design and site work for the 9A/Route 134 sewer replacement job.

Motion Carried: Unanimously

**C. Contracts- CSEA Local 1000, 2018 through 2021**

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

**BE IT RESOLVED, that upon the recommendation of the Town Supervisor, the Town Board hereby approves the Memorandum of Agreement between the Town of Ossining and the Civil Service Employees Association Inc. (CSEA) Local 1000 AFLC-CIO, Town of Ossining Unit, Westchester County Local 860, covering the period January 1, 2018 - December 31, 2021 and authorizes the expenditure of funds consistent therewith; and**

**BE IT FURTHER RESOLVED, that the Town Supervisor is authorized to execute a collective bargaining agreement covering the period from January 1, 2018 through December 31, 2021 that is consistent with the terms of the Memorandum of Agreement.**

**Supervisor Levenberg stated she is extremely pleased with the contract we have been able to broker with the CSEA, which is the bargaining unit that represents the Town's administrative and Senior Nutrition Program employees. We believe this contract is fair and takes into consideration the rising benefit costs that the Town is seeing now and will see into the foreseeable future. Special thanks to the negotiating team from CSEA for thinking outside the box on ways for the Town to save money while taking care of our most valuable resource--our employees.**

**Motion Carried: Unanimously**

**D. Personnel- Resignation**

**Councilmember Wilcher 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, with regret, the resignation of Town Councilwoman Kim Jeffrey, effective December 1<sup>st</sup>, 2017.**

**Supervisor Levenberg read the following statement:**

*Kim, I cannot even remember how we met originally. It's possible it was at a School Board Meeting. Or maybe at a district leader meeting. Or maybe I saw you on a sports field or at a PTA sponsored event. But I know one thing for sure, whatever or wherever it was, it was surely because of your involvement in our Ossining community. You have been an outspoken advocate for all that you believe in, and all that you believe others believe will make our community better, smarter, easier, less expensive, cleaner, brighter, more comfortable, happier, and more attractive for those who live and work here.*

*Your work in Senator Carlucci's office has been of great help to the community at large, especially your presence in his satellite office in Ossining. Whether helping seniors, working on school funding issues helping veterans or those with mental health or addiction issues, working with student advisors or any of the other folks you have dealt with, you have been such a positive force for so many. Your work on the Westchester Children's Museum board has finally started to bear fruit. Your participation in events, help navigating state agencies, and your ability to dance at every party has made you such a valuable asset and a joy to be around.*

*On the Town board, your work to keep our budgets under the tax cap, to improve zoning and environmental codes, to make taxes fairer for all, to look out for your neighbors, and to help give our staff the tools they need to provide excellent service to our residents over the last four years has been so important. You have truly been a servant leader and have made every second of your service on the board count.*

*I know there are many, many people who have felt that you were their personal spokesperson on the Town Board and you have taken that responsibility very seriously. You are a tireless advocate and I know that you will certainly never stop being that. I know I speak for the entire Town board when I say I look forward to many citizen emails from you in the days and months ahead, and wish you well in your work for the Westchester DA. We will always value your input, and are so appreciative for all the time and energy you have given to the Town. While we do not have an official proclamation, we have nevertheless resolved as a board to designate December 1<sup>st</sup> Kim Jeffrey Day in the Town of Ossining. We will all celebrate accordingly!*

*Thank you so much for all you do!*

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

**Councilmember Jeffrey read the following statement:**

*It is with excitement, but also bittersweetness, that I am announcing today that I am going to start a new chapter of my life. As many know, along with being a Town Board member for 4 years, I have worked full time for Senator Carlucci for almost 5. These 2 roles have afforded me the wonderful opportunity to serve people in many ways. Recently, I have received a new opportunity to work for the Westchester District Attorney's Office. This new career precludes me from being an elected official, and therefore I will be resigning from the Board effective December 1st, 2017. It has been a hard decision to make, but it is the right decision for me and my family. The timing is unfortunate, but we do not always choose timing. I am so proud and humbled to have served you. I thank you immensely for your support, all the relationships I have forged, and all that I have learned and that you have taught me. I leave knowing that there is more to do, but proud of the work I have done, facilitated, or been part of. I thank this board and am confident that these honorable people will continue the hard work to keep supporting our community and moving forward. I am leaving this role but I will continue to serve in other ways and I will always be here for you, my community. Thank you for your support. Thank you for your trust. And thank you for allowing me to serve you.*

**Victoria Garity, Prospect Avenue, stated that she and Kim met at the school board and also on the soccer field. I lives actually overlap but now it will be one less layer. I will miss your voice on the Town Board even though I did not agree on the many of the same issues but I do thank you for supporting the Village Police taking on the Town areas. I wish you the best of luck.**

**E. Resolution- Contract, Harlan Films LLC**

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

**Whereas, the Village of Ossining contracted with Harlan Films LLC (“the Producer”) to film in the Village of Ossining during the fall of 2017; and**

**Whereas, the filming on October 23<sup>rd</sup>, 2017, specifically outside of the Ossining Community Center, which houses the Town of Ossining Senior Nutrition Program, caused meals not to be delivered for one day; and**

**Whereas, the Producer, on October 27<sup>th</sup>, filmed in the Town of Ossining on North State Road without securing a permit in advance; and**

**Whereas, the Town has asked the Producer to make restitutions to the Town for impairing the business operation of the Senior Nutrition Program, as well as to pay the filming permit fees that should have been obtained prior to filming and related penalties;**

Whereas, the Producer has agreed to make the payments so long as the Town signs a Business Loss Release acknowledging receipt of the payments as a full resolution of this matter;

Therefore be it Resolved, that the Town Board of the Town of Ossining hereby authorizes the Supervisor to sign the aforementioned Business Loss Release with Harlan Films LLC, which will entitle the Town to payments in the amount of \$2420, subject to approval by the Counsel to the Town as to form.

Supervisor Levenberg stated that as some of you may recall, in October and early November, a film shoot took place around Ossining, mainly in the downtown near the Community Center. While we are always thrilled to have these kinds of exciting things happening in our community, and we welcome business from the film industry, we did run into a few hiccups. I am glad that the company producing the film has seen fit to make the Town whole after a rocky couple of days, and we look forward to working together more smoothly in the future.

Motion Carried: Unanimously

#### **F. Deputy Supervisor**

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

Supervisor Levenberg appoints Northern Wilcher Deputy Supervisor for the Town of Ossining effective December 1, 2017.

Supervisor Levenberg stated that with the vacancy created by Councilwoman Jeffrey, I have asked Councilman Wilcher to serve as Deputy Supervisor for the remainder of the year, an offer that he graciously accepted. Northern has been a member of the Town Board since 2009, and is certainly well equipped to serve as Supervisor in my absence.

Motion Carried: Unanimously

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

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

Resolved, that the Town Board of the Town of Ossining hereby accepts the following meeting minutes from the Town of Ossining Zoning Board of Appeals dated:

- March 31, 2016
- August 7, 2017
- September 18, 2017

Motion Carried: Unanimously

### **IX. MONTHLY REPORTS**

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 accepts the Dale Cemetery monthly report for the month of October 2017.

Motion Carried: Unanimously

### **X. VISITOR RECOGNITION**

**XI.ADJOURNMENT-EXECUTIVE SESSION-PERSONNEL-CONTRACTS-ADVICE  
OF COUNSEL**

**At 8:04 P.M., Councilmember Jeffrey moved and it was seconded by Councilmember Wilcher that the Regular Meeting be adjourned to Executive Session.**

**At 9:45 P.M., Councilmember Jeffrey motioned to leave Executive Session and it was seconded by Councilmember Wilcher.**

**At 9:46 P.M., Councilmember Jeffrey motioned to adjourn and it was seconded by Councilmember D'Attore.**

**Supervisor Levenberg stated that we look forward to seeing you at our Work Session next Tuesday, December 5<sup>th</sup> at 16 Croton Avenue. I want to put out one final reminder— all Ossining residents who wish to apply to fill the one-year vacancy on the Town Board left by Councilwoman Jeffrey's resignation have until this Friday afternoon, December 1<sup>st</sup> at 4:30pm to submit a letter of interest and a resume to Maddi in my office, at [MZachacz@townofossining.com](mailto:MZachacz@townofossining.com), or come by and drop it off in person at 16 Croton Avenue, the Supervisor's Office is on the 3<sup>rd</sup> floor. We look forward to hearing from you! Have a great week.**

**At 8:04 P.M., Councilmember Jeffrey moved and it was seconded by Councilmember Wilcher that the Regular Meeting be adjourned.**

**Approved:**

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**Mary Ann Roberts Town Clerk**