



**SPECIAL MEETING**  
**TOWN BOARD**  
**TOWN OF OSSINING**  
**16 CROTON AVENUE**  
**OSSINING MUNICIPAL BUILDING -1<sup>ST</sup> FLOOR BOARD ROOM**  
**OSSINING, NEW YORK**  
**DECEMBER 5, 2017**  
**8:30 P.M.**

**SUPERVISOR**  
**Dana Levenberg**

**COUNCILMEMBERS**  
**Karen M. D'Attore Elizabeth R. Feldman**  
**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 December 5, 2017 at the Birdsall-Fagen Police Court Facility, 86-88 Spring Street, Ossining, NY. The meeting was called to order at 8:30 p.m. by Supervisor Dana Levenberg. Members of the Board present were: Councilmembers Northern Wilcher, Karen D'Attore and Elizabeth R. Feldman. Also present was Town Counsel Christie Tom Addona and Budget Officer Madeline Zachacz.

**II. ANNOUNCEMENTS**

Supervisor Levenberg read the following statement:

I want to offer a few short announcements this evening before we move forward with our Special Meeting. First, on Thursday December 7<sup>th</sup> right here at 16 Croton Avenue, the Central Committee of Organized War Veterans of the Town of Ossining welcome all to join in their annual Pearl Harbor Remembrance Celebration. At 12 noon, all will gather to pay homage to the brave men and women who served, and those who were lost, on that fateful day in 1941. Special thanks to our own Michael G. O'Connor for organizing this event each year for our community.

This Thursday evening, December 7<sup>th</sup>, the Ossining Documentary and Discussion Series will be screening a film that hits very close to home. "Dramatic Escape" follows inmates at Sing Sing Correctional Facility for one year as they plan a performance of "A Few Good Men" from behind bars, and will make you consider what it really means to find redemption. The screening begins in the Budarz Theater of the Ossining Public Library at 6:30PM and will be followed by a panel discussion.

This is also the last weekend to check out the Westchester Collaborative Theater's production of "Fractured Family Tales", a collection of four short plays that look at some interesting family dynamics—some familiar, and some anything but. Visit [www.wctheater.org](http://www.wctheater.org) to purchase your tickets for Friday, December 8<sup>th</sup> at 8PM or Saturday, December 9<sup>th</sup> at 2PM or 8PM. You will not want to miss this great chance to see affordable, local talent right here in Ossining.

On Saturday, December 9<sup>th</sup>, the Friends of the Ossining Public Library will host a Holiday Book and Gift Sale between 10AM and 4PM in the Gallery area of the Library. If you still have some shopping to do, look no further. Proceeds support programming at the Library, so be sure to stop in.

Also on Saturday the 9<sup>th</sup>, the Village of Ossining's Recreation Department will host Breakfast with Santa in two seatings, one at 10AM and one at 11AM at the

Recreation Center. Be sure to call the Recreation Office at 941-3189 to reserve your spot!

On Tuesday, December 12<sup>th</sup>, join the Chabad of Briarcliff-Ossining to light the Community Menorah at Market Square at 6PM. All are welcome to enjoy music, latkes, donuts, and chocolate gelt as we welcome the first night of Hanukkah.

Finally, please don't forget that while we are all shopping and preparing to host our families for the holidays, there are many in our community who are not as fortunate. We have a Toys for Tots box here at 16 Croton at the Clerk's Office, which will accept new, unwrapped toys for the next week or so. The Village of Briarcliff/ Briarcliff PBA is also holding several drives at Village Hall at 1111 Pleasantville Road—through Friday, December 8<sup>th</sup>, you can drop off a new or gently used coat for their coat drive. They are also collecting for their annual Toy Drive, and all toys will be delivered to the Maria Ferarri Children's Hospital at Westchester Medical Center. Finally, don't forget about all of our local charities and service providers who count on your help, like IFCA and their lovely thrift shop, the Baker Collyer Cheer Fund, the Ossining Micro Fund, Teatown Lake Reservation, Gullotta House, Ossining Matters, the Westchester Children's Foundation, Neighbors Link, Open Door and so many more. These organizations are experts in making sure even the smallest gift can be stretched a long way.

### III. PUBLIC COMMENT ON AGENDA ITEMS

### IV. BOARD RESOLUTIONS

#### A. Sewers - Approval of Ossining Consolidated Sewer District Extension – Angel Quintuna, 93 Old Albany Post Road

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

Whereas, a Petition for the extension of Ossining Consolidated Sewer District located at 93 Old Albany Post Road in the Town of Ossining, Westchester County, New York, dated November 6<sup>th</sup>, 2017 has been presented to the Town Board by Angel Quintuna; and

Whereas, an Order was duly adopted by the Town Board on November 14<sup>th</sup>, 2017 reciting the filing of said Petition, and specifying November 28<sup>th</sup>, 2017 at 7:35pm in the Police/Court facility, 86-88 Spring Street, Ossining, New York as the date, time and place where the said Board would hold a Public Hearing to consider the Petition and to hear all persons interested in the subject matter thereof concerning the same; and

Whereas, such Order was duly posted and published as required by law; and

Whereas, a public hearing on the matter was duly held by the Town Board on November 28<sup>th</sup>, 2017, where discussion of the matter was had, and all persons interested were given the opportunity to be heard; and

Whereas, pursuant to Section 194 (6) of the Town Law, the approval of the State Comptroller is not required since the entire burden of the financing of the proposed extension is to be borne by the Petitioner, and there is to be no financing borne by the Town of Ossining, the Ossining Consolidated Sewer District, or any prior extensions thereof;

Now, Therefore, Be It Resolved (a) that the petition is signed and acknowledged as required by law; (b) that all the property and property owners within the proposed extension are benefited thereby; (c) that all the property and property owners benefited thereby are included and (d) that it is in the public interest to grant the relief sought; and it is further

Resolved, that the extension of the Ossining Consolidated Sewer District in the Town of Ossining, Westchester County, New York, as proposed in the Petition, be and the same is hereby approved, and that the said sewer district extension include the property as described in the said Petition; and it is further

Resolved, that the Town Clerk shall, within ten (10) days after adoption of this Resolution, file certified copies thereof in duplicate in the Office of the State Department of Audit and Control at Albany, New York, and record a certified copy in the Office of the Clerk of the County of Westchester.

Motion Carried: Unanimously

**B. Calling for a Public Hearing-Revisions to PACE Financing Law**

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 calls for a Public Hearing to be held on Tuesday, December 26th, 2017 at 7:30 p.m. at the Birdsall-Fagan Police/Court Facility, 86-88 Spring Street, Ossining, NY in the matter of Local Law #7 of 2017, entitled “Revisions to PACE Financing Law in the Town of Ossining.”

Supervisor Levenberg stated that as we discussed in the Work Session earlier this evening, we are still going to be tweaking this local law change, and the law will be posted well in advance of the scheduled hearing on December 26<sup>th</sup>.

Motion Carried: Unanimously

**C. Senior Services - Awarding Bid of Nutrition Program**

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

Whereas, the Town solicited bids for the Senior Nutrition Program Meal service, to be opened in the Office of the Town Clerk on November 27<sup>th</sup>, 2017; and

Whereas, the lowest responsible bidder was Hubbard’s Cupboard, 440 Mamaroneck Avenue, Harrison NY;

Now be it Resolved, that the Town hereby accepts the bid from Hubbard’s Cupboard in the amount of \$4.79 per meal from January 1, 2018 through December 31, 2018, with the Town reserving the option to extend this contract for an additional two years (January 1<sup>st</sup>, 2019 through December 31<sup>st</sup>, 2019 and January 1<sup>st</sup>, 2020 through December 31<sup>st</sup>, 2020, respectively) at an increase no more than the Consumer Price Index in each renewal; and

Be it Further Resolved, that the Town Board authorizes the Supervisor to sign a contract with Hubbard’s Cupboard in accordance with the above specifications, upon the approval of Counsel to the Town as to form.

Supervisor Levenberg stated that we are pleased to award another contract to Hubbard’s Cupboard, our lowest responsible bidder, for the coming year, as they have been providing excellent service to our Senior Nutrition Program at a very low cost since 2012.

Motion Carried: Unanimously

**D. Restore NY Grant Application- Confirmation of Funds Availability**

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

**Whereas, the Town of Ossining has many valuable public spaces in its beautiful parks and has dedicated funding to preserving these community resources in accordance with recommendations from the Town's Comprehensive Plan, including the vacant buildings that were once part of the Kress Estate at Cedar Lane Park; and**

**Whereas, in a similar fashion to the rehabilitation of the Shine House and Ice House into the Cedar Lane Art Center the remaining Kress Estate Buildings, namely the Reuben House and its adjacent green house, require extensive deconstruction and rehabilitation to realize their true potential as community assets; and**

**Whereas, the Town is seeking funding through the Empire State Development Corporation's Restore NY program to complete deconstruction and rehabilitation on the Reuben House and associated greenhouse as the first phase in revitalizing this property; and**

**Whereas, the Restore NY program requires a ten percent local match to be funded by in-kind services of Parks Department staff and cash match to be drawn from the \$50,000 impact fee from the extension of the Snowden House PILOT agreement and the \$50,000 impact fee from the extension of the Maple House PILOT agreement, all worthy investments of public resources; and**

**Whereas, the Reuben House preservation project will enhance the community, attracting future private investment, employment opportunities, and overall economic development;**

**Resolved, that the Town Board of the Town of Ossining supports the preservation of the Reuben House and the public investment required by the Restore NY grant program to facilitate New York State funding; and**

**Be it further resolved, that the Town Supervisor's office is hereby directed to submit an application to the Restore NY grant program for the deconstruction and rehabilitation of the Reuben House at Cedar Lane Park.**

**Supervisor Levenberg read the following statement:**

**I know there have been a couple questions about the nature of this resolution, so I want to clarify by reading from the grant guidelines: "The municipality's legislative body must pass a resolution finding that the proposed project is consistent with the municipality's local revitalization or urban development plan; that the proposed financing is appropriate for the specific project; that the project facilitates effective and efficient use of existing and future public resources so as to promote both economic development and preservation of community resources; and the project develops and enhances infrastructure and/or other facilities in a manner that will attract, create and sustain employment opportunities where applicable." We are essentially telling the State that the Town Board would be comfortable proceeding with the project as prescribed in the grant application if, and only if, they provide the requisite funding.**

**Motion Carried: Unanimously**

**V. ADJOURNMENT**

**Supervisor Levenberg made the following statement:**

**Multiple community members have brought to my attention and to the attention of the Town of Ossining Board that work was going on last week on the Sunshine Children’s Home property which included drilling, demolition and tree work. These residents expressed concerns that this work was happening in conjunction with the application for expansion that is still under review with the New Castle ZBA, and/or that it was work that was not permitted. Residents expressed concern, specifically, about the impact that the work could potentially have on the local environment and the water table.**

**I promptly investigated by reaching out to the Planning Department in New Castle who shared with me that it was their understanding that the drilling work was being done to a well that was already permitted by the County Department of Health and did not require Town permitting. Nevertheless, they had called for the work to cease until they could investigate further (specifically regarding the demolition and tree removal) and they were still in the process of investigating when I spoke to them yesterday. Today, I spoke with the Assistant Commissioner in the Westchester County Department of Health (WCDOH) to find out about the permitting process. They reiterated that when a well currently in operation gets upgraded, the work being done only requires the WCDOH to receive notification. That notification was received. When such work is done to an existing, permitted well, it must be taken out of service, then tested and the tests reviewed by the WCDOH before they will approve it to go back into service. This type of work, according to the Department, takes place throughout Westchester County on a regular basis. They do not anticipate it would have any additional impact on the aquifer as the approved pump may only pump out a certain volume of water and that would not change based on the upgrades to the existing well. As far as the impact the silver mine might have on the water, according to the Village of Ossining Water Superintendent, silver has never shown up in any of the annual water tests of the Indian Brook water, so he does not believe there is need for concern.**

**At this point, it appears as far as the drilling, Sunshine is following all proper legal processes. We will continue to closely monitor the situation and appreciate the concern residents have shared with us for the environment.**

**Supervisor Levenberg stated the following reminders to residents:**

**Town Board will not be meeting as scheduled on Tuesday, December 12<sup>th</sup> in observance of the first night of Hanukkah. Instead, we will be meeting on the morning of Monday, December 11<sup>th</sup> at 8:30AM next week for a short Work Session and Special Meeting right in this very room, where we will approve the voucher detail report and adopt the 2018 budget, and then we will adjourn into Executive Session to interview several candidates for our Town Board vacancy. We will also have a meeting in which we go directly into Executive Session on Wednesday, December 13<sup>th</sup> at 6:30PM for the same purpose. We have gotten many impressive resumes from folks who are looking to serve their community, and I anticipate it won’t be long before we find and appoint our new Town Board member to serve in 2018.**

**At 9:15 P.M., Councilmember Wilcher moved and it was seconded by Councilmember Feldman that the Special Meeting be adjourned.**

**Approved:**

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**Mary Ann Roberts Town Clerk**

