



**TOWN BOARD
TOWN OF OSSINING
BIRDSALL-FAGAN POLICE/COURT FACILITY
86-88 SPRING STREET
OSSINING, NEW YORK
NOVEMBER 10, 2015
7:30 P.M.**

**SUPERVISOR
Susanne Donnelly**

**COUNCILMEMBERS
Geoffrey Harter Eric P. Blaha
Kim L. Jeffrey Northern Wilcher**

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 10, 2015 at the Birdsall-Fagan Police Court/Facility, 86-88 Spring Street in Ossining. The meeting was called to order at 7:30 p.m. by Supervisor Susanne Donnelly. Members of the Board present were: Councilmembers Eric Blaha, Geoffrey Harter, Northern Wilcher and Kim Jeffrey. Also present were Town Attorney Wayne Spector, Budget Officer Madeline Zachacz and Town Clerk Mary Ann Roberts.

II. PUBLIC HEARINGS:

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

- Public Hearing in the matter of Local Law #5 of 2015- “Amending Notification Provisions of the Town Code”

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

At 7:31 P.M., Councilmember Jeffrey moved and it was seconded by Councilmember Harter that the Public Hearing be closed.

- Public Hearing in the matter of Local Law #6 of 2015- “Amending the Tree Protection Chapter of the Town Code”

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

At 7:31 P.M., Councilmember Jeffrey moved and it was seconded by Councilmember Wilcher that the Public Hearing be closed.

- Public Hearing in the matter of Local Law #7 of 2015- “Amending the Freshwater Wetlands, Watercourses and Water Bodies Protection Chapter of the Town Code”

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

At 7:32 P.M., Councilmember Wilcher moved and it was seconded by Councilmember Jeffrey that the Public Hearing be closed.

- Public Hearing in the matter of Local Law #8 of 2015- “Amending the Steep Slope Protection Chapter of the Town Code”

At 7:32 P.M., the Public Hearing was opened.

At 7:32 P.M., Councilmember Harter moved and it was seconded by Councilmember Wilcher that the Public Hearing be closed.

- **Public Hearing in the matter of Local Law #9 of 2015- “Amending the Subdivision of Land and Zoning Chapters of the Town Code”**

At 7:32 P.M., the Public Hearing was opened.

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

- **Public Hearing in the matter of Local Law #10 of 2015- Establishment of an Architectural Review Board**

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

At 7:34 P.M., Councilmember Blaha moved and it was seconded by Councilmember Wilcher that the Public Hearing be closed.

III. ANNOUNCEMENTS

Well, the elections are over and the people have spoken. As we will begin the transition to the new administration, I would like to introduce Supervisor Elect Dana Levenberg, and new council members Karan D’Attore and Liz Feldman.

This current Board still has a lot of work in front of us. Tonight we will continue our open discussion on our updates to the Vision portion of the Comprehensive Plan, as well as the laws associated with it.

We also wanted to give you a quick update on the accomplishments of the Parks Department over the past month. We told you that we had a very aggressive schedule for some repairs and upgrades during the month of October, and that we were using in-house staff to complete many of these projects- I am happy to announce that our outstanding staff has accomplished their goal.

Cedar Lane Park:

- Restored electricity to garage/shop and pavilion as well as the comfort station.
- LED lighting has been installed in the Pavilion. We have also readied the poles to accept LED cobra heads, which is part of the greater street light project that we will be getting an update on this evening. Again, we cannot thank Senator Carlucci enough for finding a grant to do this work.
- We have had electric work performed in the Ice House so that it is ready to store the kilns for the pottery classes that will happen across the street in the Shine House.
- Drainage to the pond has been restored, and we have had the pond valve repaired to eliminate future flooding.
- Between 30 and 35 tons of blacktop was used to fill potholes in the roads of Cedar Lane. While the roads are still not perfect, they are much better than they’ve been in a long time, and please also be reminded that the speed limit inside the park is 5MPH.
- Work continued on the Shine House which will enhance the recreation programs for the Town and Village of Ossining very soon!
- Believe it or not, we continue to remove storm damage debris from Sandy. This park was hit hard and is a passive park so we are continuously picking up debris.
- Prep and “execution” (please forgive the pun) of the Haunted Hay Ride was part of the work performed this month. Despite a few growing pains, everyone had a wonderful time. One of the best outcomes was the volunteers working together- our police officers and high school students, as well as younger children, got to work together towards a goal and got to know each

other and create a bond in the process, which was surely a priceless experience for everyone involved.

Ryder Park:

- We repaired broken water main and storm water drain pipes that had been causing problems for some time. It's not always underground stream causing the problem- sometimes it is a slow leak!
- A much needed paint job on the outside of the Shop
- A concrete slab to hold the propane tanks off the ground

Louis Engel Park

- Sewer line upgrade – Done by the Highway Department because it is their job.
- We have run an electric line from the comfort station to the spray park, which is now complete, and has also resulted in another clean up of the beach.
- We replaced the ladies room door that had been destroyed by vandalism with a new, extra strong door with an automatic locking system. We are still waiting for the High School Art Department to work their magic and recreate that section of the mural, which may not happen until the spring, but if this weather keeps up, it may be much sooner than that!
- We also connected the gutters on the Comfort Station roof to divert the rain from the building and avoid puddling near the entrances.
- The crew will be finishing up with removing the fence and replacing it with large boulders, which will serve to make the park more inviting, while still keeping vehicles out of the park and the river.

Leaves, leaves and more leaves are next on the agenda, as our Parks staff assists the Highway Department with residential pickups in exchange for the times the Highway helped the Parks Department. The Parks Department mulches and leaves leaves in place as fertilizer in the parks, and we encourage people to do that on their property too.

Working together as a team is important to accomplish our goals; it is a great way to cross train our employees, too. Each of us should be looking to learn new things everyday, some small, some large, so we can grow not just in our jobs, but as people too.

Winterizing the comfort stations in our parks is on the agenda. Please be aware that the rest rooms in the parks will soon be closing for the season. We need to protect our infrastructure no matter where it's located or how big the job.

Slabs and additional Park Benches will be added at Louis Engel Waterfront Park and Buck Johnson Park over the next month, weather permitting. These can be purchased as memorial benches, and your loved one can be commemorated with a lovely plaque. There are also benches on the waterfront piers that still have no plaques and are available for purchase. Please contact John Crawford from the Ossining Rotary for more information:

John Crawford johncrawford508@aol.com

Our Senior Nutrition Program is going to begin an outreach program to make sure all of our seniors in the Town of Ossining, including the Villages of Briarcliff Manor and Ossining, know about the programs available at the Joseph G Caputo Community Center, including meals, exercise programs, games, art classes, and so much more. Stop by any early afternoon or call Kathy or Lynn for more information. They can be reached at (914) 762-8953 between 8:00 AM and 3:30 PM, Monday through Friday.

So much to talk about, so little time- let's get back to the agenda for this evening.

We are looking to discuss and have a final presentation on the Accessory Apartment Law before we call for a Public Hearing. We will also have progress report on the

replacement our street lights with LED bulbs, a project approved a few months back by both the Town and Village of Ossining. We will have another discussion on Local Laws #5-10, the Comp Plan Vision Portion and the Environmental Assessment to see if the Board has any more questions. We will continue the public hearings next week (November 10th) on Local Laws #5-10, and plan to close them that evening, as it appears we have heard everyone's input. We will end the evening by reviewing our Non Union Employee Fringe Benefits Policy, so let's get started.

IV. PUBLIC COMMENT ON AGENDA ITEMS

Budget Officer Maddi Zachacz read the following budget message:

2016 marks the 5th year under New York State's Property Tax Cap. The law states that taxing jurisdictions are entitled to the rate of inflation, or a 2% levy increase, whichever is less. The rate of inflation has been significantly lower than 2%, and our levy limit has subsequently become a 0.73% cap, which further ties our hands as to what we can expend. Our saving grace has been the brick and mortar construction we have seen in Ossining, which helps to increase our allowable levy by an incremental amount under the "Growth Factor" provision of the law. Even with the growth factor, however, this was our toughest year yet under the cap.

Non property tax revenues, such as Sales Tax and Mortgage Recording Tax, were weak at the beginning of 2015, but have essentially recovered; these two revenues items can sometimes represent as much as 25% of our incoming revenues, so we are relieved to see those conditions improving. One of the reasons for the weakness in Sales Tax was the reduced price of gasoline and home heating fuel- as it became apparent that prices were going to stay at more reasonable rates, people started to travel more and spend their hard earned dollars on other items (hence, the rebound). Property sales (from which the Mortgage Recording Tax is derived) have continued to increase, as have corresponding real estate values (slowly, but surely!) The only economic certainty upon which we can depend is that the Town's expenses will continue to rise; our employee health insurance premiums (expected to rise by as much as 7.4% for 2016) continue to climb markedly faster than the levy increase to which we're entitled by New York State Law. Providing these benefits to employees is a cost of doing business for municipalities, and there are only so few employees we can have to keep the Town running.

That being said, we have been hard at work evaluating costs over which we do have some say, and continue to evaluate all departments, as well as infrastructure, to brainstorm ways to control expenses. Here are some changes we've made in 2015 to prepare for 2016, and changes we will be making in the year ahead:

- For the 2016 budget, we will be moving some of the Administration payroll from the General Fund to the Unincorporated Budget. For 2016, we will be assigning 35% of the following salaries to the Unincorporated Budget:**
- Budget Director**
- Town Attorney**

- **Deputy Town Attorney**
- **Confidential Secretary**

These employees provide direct services to the Unincorporated Area, as do our elected officials. However, by law, elected officials salaries must be in the Town General line, with the exception of the Highway Superintendent, who works only for Unincorporated residents.

- **Taking Dale Cemetery “in house” during 2015 has allowed us to eliminate the significant backlog in the office, while the property has never looked better, and all at a fraction of the price we’ve paid in years past. While it was running self-sufficiently for a few years, this was due only to a huge influx of cash from a bulk sale. This money has already been spent, leaving the Town taxpayers responsible for interments on those sold plots for many years to come. The good news is that we expect the progress to continue, and are working towards making many overdue improvements on the property in cost-effective ways that reflect our respect for the families that visit loved ones there.**
- **Upon reviewing the potential for outsourcing different functions, we determined that the following operational changes have become necessary:**
- **We have been disappointed in the service and cost of the company we’ve been paying to mail the Town/County/School Tax bills, and have until now been using various printing services for different components of the mailing. We have been in contact with a new company who performs all of these functions in one location, and working with them will help the Town General fund realize a savings of 50% over 2015, as well as saving on postage. This will also allow our Tax Receiver’s staff to concentrate on more integral functions of their job.**
- **Bringing in scanners from our bank that capture both the tax coupon and check will allow the Tax Receiver’s Office to work more efficiently, without the cost of software and software maintenance contracts that other vendors have offered. In 2015, banks are just as anxious to have electronic transactions as we are! Any bank with which we conduct business uses this technology, so we would never be obligated to a particular bank by using this system.**
- **Bringing in similar scanners to the Finance Office will allow for quicker depositing of all payments made to the Town because (as mentioned above), using technology makes everyone more efficient and causes fewer errors.**
- **We still believe that doing more with less has to start at the top. After working with a Confidential Secretary in the Supervisor’s Office for a year, this position will be part time in 2016. While this will cause added strain on the Budget Officer and Supervisor, our hope is that, by working efficiently, the Confidential Secretary will still be able to perform essential functions of the job**

(processing departmental vouchers, retrieving time clock data and providing grant support), but on a reduced schedule.

- In 2015, we purchased a ten-wheel truck from the Federal Government surplus, which we are in the process of having modified and should be ready to put on the road early in 2016. This will allow Highway Department projects to proceed more quickly with fewer return trips for supplies. It will also makes for a great snow plow.
- We purchased new vehicles for the Senior Nutrition program this year, which was not only good business, but demonstrates how important the safety and comfort of our seniors is to us. Less maintenance leads to saving tax dollars, and will also lead to less down time of the vehicles.
- LED lighting will reduce the cost of electricity on our roadways, and in our Town Highway garage and administration building, by more than 50%.
- The Town entered into a 4 year Police Contract with the Village of Ossining beginning in 2015, and we are entering our second year of this contract in 2016. When we contracted with the Village of Ossining, we saw a decrease in the cost of police services over past years with Westchester County, thanks in part to hiring entry-level officers. The contract price dips in 2016, due to efficiencies realized after year one with new officers and reduced overtime, and the Town will realize a savings in 2016 of \$292,385 over 2015 in the Unincorporated Fund. We have allocated much of that extra money from the 2016 budget (\$124,386) to defray the increase for the 2017 year, which will be a significant jump. While we will continue to see the benefits of the new hires throughout the tenure of the contract, the costs will continue to increase going forward. To prevent a huge tax rate increase, we have set that money aside this year.
- While we see increases in our Workers' Compensation premium on an annual basis due to a variety of factors beyond our control, we know the Town will see significant cost increase in 2017; although we work to improve safety at all times, we have seen an uptick in accident severity over the past year, which impacts our premium costs, and these penalties are on a one year lag. Much like the above example, we have allocated monies in the 2016 budget (\$42,491) to be reserved towards the 2017 Workers' Compensation premium in an attempt to soften the blow for our taxpayers.
- All monies needed to be allocated to paying the debt on the former Police Station have been reserved and are available for the 2017 bond call.

We continue to contend with assessment challenges on the values of our residential and commercial properties. Between residential "SCARS" (small claims by residents) and "tax certioraris" enacted by commercial property owners, the tax

base in the Town of Ossining, and across almost every municipality in Westchester, continues to be impacted, as does the average residential assessment. The cost of these SCARS and tax certioraris over the years prompted us to start the Reassessment, which will be completed in 2016. We will be able to defend our assessments on all properties, which will result in less frivolous complaints. Our Assessor predicts it may take roughly a year or so after the reassessment for this trend to dissipate, but he shares our confidence that the legitimate claims we see should slow significantly.

It is important that everyone pay their fair share of taxes- no more, no less.

Although a mechanism exists to have a property assessment lowered, the only condition under which an assessment could be increased is when a property owner took out a building permit and performed work on their property. The reassessment has the ability to correct the data in both directions, for the benefit of the overall community. Some will pay more than before, some will pay less, some will see little difference, but the end result will be what they should have been paying all along.

Please note: A reassessment does NOT increase the amount of taxes that are collected by the Town- it merely redistributes them to be fair and equitable. All budgeting bodies (Town, Village, School, and the County) must determine the amount of funding it will take to run their municipality for the next year and budget accordingly- THAT process is what determines the amount of taxes raised, the assessment is only a guide to how that amount is apportioned. To add to the complexity of the process, taxing bodies in New York State now must stay within the tax cap, and adjust services accordingly, rather than raising taxes in line with need for services.

Another consequence of the revaluation will be to stabilize assessments in the community, which are affected by SCARS and tax certioraris. Over the past year, we have seen a 0.18% decrease in Taxable Assessed Value in the Unincorporated Area, while the Town General has seen a decrease of 0.22%. We are confident that the Town-wide re-evaluation plan will help to slow and eventually eradicate these reductions and find a fair and equitable balance for all of our taxpayers.

Despite all of the challenges before us, we are proud to share with you the results of the hard work performed by every employee of the Town of Ossining to keep our costs down and provide the services you deserve.

Our tax increase for 2016 complies with the levy increase allowed by the Tax Cap law- 0.73% plus a 1.43% growth factor. Our General Fund tax, paid by all residents in the Town of Ossining, will see a 1.89% increase. The Town Unincorporated blended rate, which is where we charge for Police, Building/ Planning/ Zoning and

Highway, shows a minimal 0.41% increase. Every other tax increase (Water/ Sewer/ Lighting/ Fire Protection/ Refuse/ Ambulance) is modest, and will allow us to continue delivering exceptional services.

As some in this Administration leave, there will be others taking our place, and we plan to leave them with a sound budget that will result in a smooth transition. We are continuing our 20+ IMAs (intermunicipal agreements) with the Village of Ossining as well as our IMA with Briarcliff Manor.

Major kudos goes out this year to all, but especially to Budget Officer Maddi Zachacz, Town Comptroller Tom Warren, and Deputy Comptroller Dale Ferreira for staying on top of our budget and spending at all times.

More kudos to Town Parks Foreman Mario Velardo and the Parks Team, Highway Department Foreman John Martin, Superintendent of Highways Michael G. O'Connor, and the entire Highway Department for completing so many huge projects all over Town, especially in the Unincorporated Area. We also are extremely appreciative for the work of our Engineering Team, Paul Fraioli and Andy Tiess, for guiding us through, and keeping a watchful eye on, so many capital projects that have improved the quality of life for our residents.

The Supervisor's Tentative 2016 Budget is available in the Town Clerk's office at 16 Croton Avenue, the Ossining Public Library, and online at www.townofossining.com. The Town Board will be holding its final Town Hall Meeting of 2015 on November 17th. Please join us at 7:30PM at the Ossining Public Library (use the downstairs entrance), where we will be gathering Board & public input on the 2016 Tentative Budget. Your opinions matter to us- we are working for you, the taxpayers, to create a sensible and sound budget, while keeping costs low and maintaining or even improving service levels. The Ossining Town Board will be discussing the Supervisor's Tentative Budget during November work sessions and will hold a Public Hearing on Tuesday, November 24th, 2015, 7:30 pm at the Police/Court Facility, 88 Spring Street, Ossining. We urge members of the public to review the budget and make comments at the Public Hearing or by contacting me at 914-762-6001 or sdonnelly@townofossining.com.

V. 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 October 27, 2015, Minutes of the Regular Meeting as presented.

Motion Carried: Unanimously

B. Approval of Minutes- Special Meeting

Councilmember Harter 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 November 4, 2015, Minutes of the Special Meeting as presented.

Motion Carried: Unanimously

C. Approval of Voucher Detail Report

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

Resolved, that the Town Board of the Town of Ossining hereby approves the Voucher Detail Report dated November 10, 2015 in the amount of \$ 532,683.14

Motion Carried: Unanimously

D. Calling for a Public Hearing-2016 Preliminary Budget

Councilmember Harter moved and it was seconded by Councilmember Jeffrey 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, November 24, 2015 at 7:30 p.m. at the Village of Ossining Police/Court Facility, 86-88 Spring Street, in the matter of the 2016 Preliminary Budget for the Town of Ossining.

Motion Carried: Unanimously

E. Calling for a Public Hearing in the matter of Local Law #11 of 2015- Amendments to Accessory Apartment Law

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 calls for a Public Hearing to be held on Tuesday, November 24th, 2015 at 7:35 p.m. in the Police/Court facility, 86-88 Spring Street in Ossining, for the Purpose of Amending the Accessory Apartment Law.

Motion Carried: Unanimously

VI. CORRESPONDENCE TO BE RECEIVED AND FILED

VII. MONTHLY REPORTS

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

Resolved, that the Town Board of the Town of Ossining hereby accepts the following monthly reports for the month of October 2015:

- G.E. Helicopter Report
- Town Clerk's Office
- Town Supervisor's Office
- Town Building Department

Motion Carried: Unanimously

VIII. VISITOR RECOGNITION

Howard Fleischer, Tavano Road, discussed the threat of a lawsuit by the attorney for Mr. Zappi. He is suggesting that counsel review the laws very carefully so as not to allow Mr. Wekstein to undue all of the work that has been done.

IX. ADJOURNMENT –EXECUTIVE SESSION-LEGAL ADVICE

Supervisor Donnelly stated that Veteran’s Day is November 11th and will begin with a mass at St. Augustine’s at 10:00 a.m. followed by the Memorial Service at Nelson Park beginning at 11:00 a.m.

At 7:59 P.M. Councilmember Blaha moved and it was seconded by Councilmember Wilcher that the meeting be adjourned.

Motion Carried: Unanimously

Approved:

Mary Ann Roberts, Town Clerk