



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

**OCTOBER 25, 2016
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 October 25, 2016 at the Ossining Municipal Building, 16 Croton Avenue-3rd Floor Conference Room in Ossining. 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 M. D'Attore and Elizabeth R. Feldman. Also present were Town Counsel Christie Tom Addona and Budget Officer Madeline Zachacz. Town Clerk Mary Ann Roberts was absent.

II. ANNOUNCEMENTS

Supervisor Levenberg read the following statement:

Thanks to everyone for joining us tonight, we are expecting a relatively short but informative meeting this evening.

Before we begin, the Town received some very sad news over the weekend. Freddy Roberts, beloved husband of Town Clerk Mary Ann Roberts, passed away on Saturday. Freddy was a life-long resident of Ossining, and was deeply involved with a variety of organizations in his hometown, especially the Ossining Historical Society. Freddy was a quiet, sweet, kind man who was as generous as he was adoring of his wife, his two daughters, and his beautiful grandchildren, and the entire community is truly saddened by his passing. Our thoughts are with Mary Ann, Kim, Nick, Sarah, Will, Amaya, Brianna, Gianna and Nicholas during this difficult time. I'd like to ask for a moment of silence in Freddy's memory and in recognition of all of the good that he brought to our community.

I'd like to start with a few quick announcements about what's going on in Ossining this week.

I was very glad to attend the "Fishing on Henry's Hudson" event several times over their three week run, and I want to commend the Ossining Arts Council for a job well done—it was a true pleasure to see the excellent work put together to honor a wonderful man and a fascinating character who made his life on and around the Hudson and has really contributed to the wealth of history in our town of Ossining. I also was glad to attend the very successful fundraiser for IFCA, which was graciously hosted by Henry Welt and Nicki Reno-Welt. Kudos to Councilwoman D'Attore and all her colleagues at IFCA for all the good work you do every day on behalf of community residents.

This weekend, we have multiple Halloween events coming up and you won't want to miss what we have in store. The Ossining Historical Society will present "Night at

the Museum” this Friday evening, October 28th. Come for a guided tour of the Museum at 196 Croton Avenue, led by AMD middle school students. This spooky program is for children aged 10 and up, and no RSVP is required. The first tour group steps off at 7PM. This was a great event last year, and I know I am not alone in looking forward to another great night at the Historical Society.

Saturday morning, October 29th, the Village of Briarcliff Manor hosts their annual Ragamuffin Parade, co-sponsored by the Briarcliff Recreation and Fire Departments. The parade will kick off in front of the Operating Engineer's Building located at 1360 Pleasantville Road (in between Bella Maiya Day Spa and St. Theresa's Church) at 9:30 AM. Costumed marchers will proceed down Pleasantville Road through the Village ending in the parking lot next to the firehouse where everyone will be treated to entertainment, refreshments and goody bags.

On Saturday, October 29th, the Ossining Historic Cemeteries Conservancy will unveil their year of planning and weeks of hard work when they turn Cedar Lane Park into the Forest O' Fears. Come for the Haunted Hayride, and stay for the fortune teller, carnival games, and music by DJ Johnny G, not to mention some delicious food for purchase from Wobble Café and the Gyro Uno Food Truck. Tickets for this event are *only* available online, and will only be sold through Friday evening, October 28th. Visit ForestOFears.org to get your tickets before it's too late! Rumor has it that some time slots are already sold out.

On Sunday, October 30th, the Greater Ossining Chamber of Commerce will present the 2nd Annual Pet Parade. The parade kicks off at 12 Noon from the Ossining Elks Lodge at 118 Croton Avenue, and will end at the Mike Risko School of Music, where everyone can enjoy snacks, activities, music and prizes. Make sure your kids, and your pets, have their best Halloween duds on!

On Monday, October 31st, Halloween day, the DARE Halloween party will take to the streets with a Trunk or Treat at Market Square from 6-8pm.

Councilmember Jeffrey announced that Senator Carlucci will be hosting a Narcan training on Thursday, October 27th at Westchester Community College at the Ossining Extension 6:00 p.m. -7:30 p.m.

III. LIAISON REPORTS

We had a follow-up meeting with the Recreation Department, Briarcliff and Ossining Little leagues regarding our conversation about converting the middle baseball field to allow for the travel team regulations. Everyone seems to be on the same page, now we are just looking to find the agreement that was originally signed between the Town and the little league to make sure everyone is in compliance. We will keep you posted. I anticipate being able to consider a resolution accepting the donation at our next regular meeting.

IV. DEPARTMENTAL REPORTS

As many of you know, we have been hard at work putting together the 2017 Town budget. We will release the draft/supervisor's budget this Friday and present it next Tuesday at our Town Hall meeting. In a similar vein, we have a departmental report this evening from Town Comptroller Tom Warren, who is here to give us a “state of the Town”, as it were, by giving us some information about the recent release of our Fiscal Stress report card from the New York Office of the State Comptroller, and a quick update about the progress of our software conversion from KVS to MUNIS.

Town Comptroller Thomas Warren reviewed and discussed the NYS Office of the State Comptroller's Fiscal Stress Monitoring System, and OSC's results and conclusions for the Town of Ossining. For the year ended 12/31/2015, the State Comptroller's Office rated the Town's Fiscal Stress Summary as 0.0%, which meant “no designation” in terms of fiscal stress – i.e., like providing negative

assurance that they found no indication of fiscal stress in the Town's finances. Included was a review of OSC's indicators and a comparison of the Town's indicators with all NYS Towns, all Mid-Hudson Region Towns, and all 54 Medium Downstate Towns. The report and data is available on the OSC website.

V. PUBLIC COMMENT ON AGENDA ITEMS

Three sets of minutes- We couldn't adopt the September 27th minutes at our last meeting, because we did not have enough Board Members present who had attended that meeting

Voucher Detail- 3 major bills-August IMA Services for the Village, 1 of 6 payments to OVAC, and the November medical bill, which add up to \$474,981 alone

VI. BOARD RESOLUTIONS

A. Approval of Minutes-Regular Meeting

Councilmember Feldman 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 approves the September 27, 2016, Minutes of the Regular Meeting as presented.

Motion Carried: 3-0-1
Ayes: D'Attore, Feldman &
Levenberg
Abstain: Wilcher

B. Approval of Minutes-Regular Meeting

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

Resolved, that the Town Board of the Town of Ossining hereby approves the October 13, 2016, Minutes of the Regular Meeting as presented.

Motion Carried: TABLED

C. Approval of Minutes-Special 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 October 18, 2016, Minutes of the Special Meeting as presented.

Motion Carried: Unanimously

D. 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 October 25, 2016 in the amount of \$605,653.76.

Motion Carried: Unanimously

E. Adoption of Local Law #9 of 2016- Amendment to Extend Interim Development Moratorium within the Unincorporated Town of Ossining

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

WHEREAS, the Town Board of the Town of Ossining has been considering the adoption of a proposed local law entitled “Amendment to Extend Interim Development Moratorium within the Unincorporated Town of Ossining”, which impose a temporary moratorium on development within the Town of Ossining to allow for a planning and zoning analysis consistent with the Town’s Comprehensive Plan; and

WHEREAS, in accordance with New York State Law, and after having provided all requisite notice thereunder, the Town Board conducted a Public Hearing on Introductory Local Law No. 9-2016 entitled “Amendment to Extend Interim Development Moratorium within the Unincorporated Town of Ossining” on October 18th at 7:30 p.m. at 16 Croton Avenue, Ossining, New York during which the public had the opportunity to be heard on such proposed local law; and

WHEREAS, the proposed Local Law is a Type II action and does not require environmental review;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Ossining hereby adopts Local Law No. 9-2016, entitled “Amendment to Extend Interim Development Moratorium within the Unincorporated Town of Ossining” with such adoption to take effect as set forth in said Local Law and as otherwise required by law; and

BE IT FURTHER RESOLVED, that the Town Board directs said Local Law #9 of 2016 to be filed and/or distributed in accordance with applicable law.

Supervisor Levenberg stated that On October 18th, we held our Public Hearing on Local Law #9, which will serve as an extension of the current development moratorium within the Town of Ossining. Our Planning Consultant, David Stolman, attended our last work session, and reported to us that he is confident that we can complete the public hearing process on what will be Local Law #10 of 2016 within this 4 month window, and we are hopeful that the final iteration of said law will be ready to view in mid-November.

Roll Call Vote 4-0-0
Ayes: D’Attore, Wilcher,
Feldman & Levenberg

Councilmember Jeffrey had to leave the meeting at this point to attend another business matter and was not present when the roll call vote occurred.

F. Resolution: Changes to Town Fee Schedule

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

Whereas, the Town of Ossining has received requests from several Department Heads to change fees on the Town’s Fee Schedule prior to re-adoption at the 2017 Re-Organizational Meeting of the Town Board of the Town of Ossining;

Therefore be it Resolved, that the following changes to the Fee Schedule be implemented effective October 26th, 2016:

Additions:

Under “Credit Card Fees” (New Section)

Credit Card Payment Fee	3% of Transaction
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Under “Taxi Cabs and Limousines”

Fare within Town, or Between Town and Village	\$4.75
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Changes:

Under “Cabaret”

Annual license fee	\$100 changed to \$200
After July 1 st	\$25 changed to \$100

Under “Dog Fees—License Fees”

Spayed/Neutered	\$10 changed to \$15
Unspayed/ Unneutered	\$18 changed to \$23

Under “Tax Foreclosure”

Legal & Publication Fees	\$600 changed to \$700
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At our October 4th Work Session, we reviewed a several changes to our current fee schedule that had been recommended by our Department Heads prior to the passing of the 2017 budget, when fee changes usually take effect. As usual, our department heads have a finger on the pulse and we found these recommendations to be well thought out and practical. I am hopeful we can approve these changes in order to ease the operations of our Town departments.

Motion Carried: Unanimously

G. Appointment- Planning Board

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

Resolved, that the Town Board hereby appoints Ching Wah Chin, Ossining, as the Chair of the Town of Ossining Planning Board, to fill the remainder of an unexpired five-year term set to expire on 12/31/2018.

Supervisor Levenberg stated that in September, we learned that our Planning Board Chair, Ingrid Richards, would be moving out of Ossining, which necessitated her resignation from the Planning Board. Ching Wah Chin, who has served on the Zoning Board of Appeals for many years, volunteered to serve as Interim Chair while we embarked on a search process to replace Ingrid. Much to our surprise, we received no applications aside from Ching Wah’s, for this position. The good news is that, by all accounts, Ching Wah is doing a fantastic job in his role as Interim Chair, and we are lucky that he has indicated he would accept the permanent appointment

of Planning Board Chair if it would serve the Town (which I believe it would!) Ching Wah has agreed to serve out the remainder of the term vacated by Ingrid, and will be submitting a resignation letter for his seat on the ZBA shortly. Let this also serve as an announcement that we will be soliciting applications for Zoning Board member to fill out the remainder of Ching Wah's term on that board.

Motion Carried: Unanimously

VII. CORRESPONDENCE TO BE RECEIVED AND FILED

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 accepts the following meeting minutes from the Town Planning Board:

- Town Planning Board Meeting Minutes dated 10/5/16
- Town Planning Board Meeting Minutes dated 9/21/16

Motion Carried: Unanimously

VIII. MONTHLY REPORTS

IX. VISITOR RECOGNITION

Mr. George Catlett Esq. was present representing Joanne Schneider of 74 Hawkes Ave. Ms. Schneider has a subdivision plat approval before the Planning Board of 0.989 acres divided into two lots. Mr. Catlett has been retained because of the recreation fee of \$7,000 and would like an adjustment due to the nature of the subdivision. Would like the fee to be adjusted to \$2,500 or less.

Town Counsel Steven Silverberg explained that this was a decision made by the Planning Board. The Planning Board could adjust the fee and recommends that he addresses his concerns with the Planning Board directly.

Ms. Schneider stated that she was told to come to the Town Board to question the fee.

Mr. Silverberg explained that the Town Board does not have any authority on this decision.

Ms. Debra VanSteen resident of the Village of Ossining was present to discuss National registry in regards to the Ossining Boat and Canoe Club. She provided some basic background information. The National Register is a list of significant properties and a way of recognizing historic importance. The Club has already been evaluated by the State and was found that it could be added to the list in May of 2014. The National Register would make it official and document the property.

Ms. VanSteen read a level of significance statement that was prepared by the Historic Preservation Office. The Ossining Boat and Canoe Club meets the criteria of eligibility for the national register. The building has specific characteristics. The building was constructed in 1921 to 1922. The Ossining Boat and Canoe Club is the only remaining Boat club in Ossining and based on the info provided it has remained in its original form.

Councilmember Feldman questioned if this would give Board access to funds/grants designated to help preserve historical buildings. Are there grants available?

Ms. VanSteen explained that yes, there is access to the grants once they become available.

Councilmember D'Attore questioned if we were to seek registry application would it prohibit the building from evolving in the future.

Ms. VanSteen stated no it would not prohibit the building from evolving.

Mr. Silverberg suggested that his office prepare a memorandum outlining the restrictions.

Village Historian Dana White explained that she has been working on editing a book about the Ossining Boat and Canoe.

Mr. Mark Frye Revolutionary Rd. explained that he is in the business of historic preservation. Mr. Frye would like to thank Dana White and Debra VanSteen for their work on this historic preservation. Mr. Frye encouraged residents to visit the Henry Gourdine Park. We look forward to working with the Town Board and very proud that we have reached this milestone.

Commodore Mr. Mike Pavelchek of the Ossining Boat and Canoe Club added a final thought that if there is any one building in Ossining that is Volunteer Spirited and Old in History it is the Ossining Boat and Canoe Club.

X. ADJOURNMENT- Executive Session for Contracts and Potential Litigation

Supervisor Levenberg announced that OVAC has purchased a new ambulance. The ambulance will be delivered on October 31, 2016 and it will be named after former Town Supervisor Martha Dodge.

Supervisor Levenberg stated that she hopes everyone will join us for our Town Hall Meeting on Tuesday, November 1st at 7:30PM at the Ossining Public Library, where we will be presenting the 2017 Supervisor's Budget, to be followed by a presentation about an update on the Sing-Sing Museum Project from our very own Jerry Faiella.

At 8:45 P.M., Councilmember D'Attore moved and it was seconded by Councilmember Feldman that the meeting be adjourned to Executive Session.

Motion Carried: Unanimously

At 9:57 P.M., Councilmember D'Attore made a motion to leave Executive Session and it was seconded by Councilmember Wilcher.

At 9:58 P.M., Councilmember Wilcher made a motion to adjourn and it was seconded by Councilmember D'Attore.

Approved:

Mary Ann Roberts Village Clerk