



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

**DECEMBER 13, 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 December 13, 2016 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 Kim Jeffrey, Norther Wilcher, Karen M. D'Attore and Elizabeth R. Feldman. Also present were Town Counsel Steven Silverberg, Budget Officer Madeline Zachacz and Town Clerk Mary Ann Roberts.

II. ANNOUNCEMENTS

Supervisor Levenberg read the following statement:

We have a lot happening in the Town of Ossining these days. The last we were all together was at the Town Hall Meeting on Tuesday, December 6th, where this Board honored all of the members of our volunteer Boards: the Planning Board, Zoning Board of Appeals, Board of Assessment Review, Board of Ethics, Recreation Advisory Board, Green Ossining, the Mid-Hudson Ambulance District and the Environmental Advisory Committee. We were pleased that so many members of these boards could join us to be recognized. The work of a volunteer Board is easy to take for granted, since the Town Board has very little interaction with most of these groups, but they are in place to make sure that Town processes move smoothly, we are lucky to have so many dedicated community members who help their neighbors in this important way. If you belong to one of these Boards or committees and couldn't join us, please call the Supervisor's Office at 762-6001 to schedule a time to come say hello and get your certificate from the Board. We can't wait to say thank you in person.

On Wednesday of last week, I had the honor of attending the Pearl Harbor Remembrance Ceremony, hosted by the Central Committee of Organized War Veterans of Greater Ossining. I want to give special thanks to our Highway Superintendent Michael G. O'Connor for his work to organize this event, and former Village mayor Miguel Hernandez who spoke, as well as the American Legion Post 506, and all of the community members who joined us to commemorate this tragic day in our nation's history.

Also last week, I attended a meeting at Croton Village Hall, hosted by the New York State DEC, to discuss the rise in the growth of the invasive hydrilla in the Croton River and the Croton Reservoir. I was pleased to be joined by several community members at this event, and learned a great deal about what some of the plans are to stem the growth of this species which is highly detrimental to the ecosystem. We will keep you posted as we get more information about the treatment options the DEC is hoping to put into place.

On Saturday evening, along with Councilwomen Feldman and D'Attore, I attended the Gullotta House fundraiser at the Ossining Boat and Canoe Club. Besides raising money, we were entertained by a "mentalist" who impressed us with his ability to read our minds, as well as the band Night Train who led the group to a big night of dancing. A good time was had by all, and for a great cause.

Earlier today, my office participated in a conference call with Ron Kamen of Earth Kind Energy, who is working with Sustainable Westchester on their "Clean Transportation" program. We are the first municipality to start working with Ron on the somewhat ambitious task of integrating more eco-friendly vehicles into the Town fleet. We look forward to hearing what next steps Rob will propose to get us started down this exciting path, which he tells us is paved with a lot of grant funding for municipalities.

We are also hard at work crafting a resolution to demonstrate unity in the Town of Ossining. Many other municipalities have passed resolutions declaring themselves safe, inclusive places, and the Town Board will hopefully follow suit at our special meeting next week which will follow our Work Session discussion. We also participated in a meeting yesterday with the Village of Ossining mayor and trustees, School Superintendent Ray Sanchez, and several community members to keep track of what everyone is doing separately to demonstrate this unity. I want to take this opportunity to invite you to a community forum this Friday, December 16th at the Ossining Public Library hosted by the Hudson Valley Community Coalition, Neighbors Link, Community Voices Heard and Proyecto A.L.C.A.N.C.E at 7PM. Come to show your support for any of our neighbors who are feeling disenfranchised, celebrate the victories we have shared thus far, and begin thinking about the path forward, and learn about legal services available. I hope many of you will attend.

Tomorrow, Wednesday, December 14th, marks the kickoff of the Village of Ossining's "Museum in the Streets;" come see Ossining's history come to life through this extensive signage project. The inaugural tour begins at 4PM, and all will gather where Main Street meets the Aqueduct. Make sure to stick around through the whole tour so you can enjoy a celebratory cider toast upon returning to the community center. A very big thanks to the Ossining Historical Society and the Historic Preservation Commission for their tireless work to make this a reality for our residents and visitors. This Thursday please join us at Antipasti Di Napoli starting at 6pm for the All Ossining Party. RSVP to Baker Collyer Cheer fund if you would like a ticket. RSVPs are required in advance.

Finally, on Monday, December 19th, all of our Town Staff will be participating in a NARCAN training, organized by Senator David Carlucci's office. Once trained, all participants will be able to administer this life-saving treatment to someone in trouble. Thanks to Councilwoman Kim Jeffrey for her help on this, and to Town Court staff member Sarath Nair for suggesting that we get all Town employees on board.

Councilmember Jeffrey announced on December 15 Senator Carlucci will sponsor a Student Advisory Council Meeting for grades 8 – 12 from the Ossining and Briarcliff school districts at 4:30 p.m. in the Ossining Public Library.

Councilmember Feldman reminded the Community that Toys for Tots boxes are located at the Police Department; Ossining Boat & Canoe Club; Ossining Fire Department; Mike Risko's Music School; Value Drug; Emigrant Savings Bank; Bob's Army and Navy; Chamber of Commerce and the Boathouse. The boxes with toys will be picked up on December 19th.

Councilmember D'Attore announced the Emergency Homeless Shelter opened last Sunday and is open from 9 p.m. to 7 a.m. If you are in need of shelter meet at the Open Door at 9:00 p.m. We are also in need of gloves, socks and scarves.

III. LIAISON REPORTS

Councilmember Jeffrey attended the monthly meeting of the Parks & Recreation Committee where there are 2 Village openings. This is an advisory board comprised of representatives from the Village of Ossining, Town Outside and Briarcliff residents. The gym floor will be re-done in March.

IV. DEPARTMENTAL REPORTS

Supervisor Levenberg stated that tonight, we have our Police Chief, Kevin Sylvester, here to update us on how the last few months have been going in the Town.

Chief Kevin Sylvester provide a brief summary of the activity of the Police Department for the year 2016 as follows: Detective Donald Farrell retired earlier this year beginning followed by Detective Jose Ferrao on December 16th; Captain Scott Craven on December 31; and Patrolman Diego Santiago on January 15. We have done several "Coffee with a Cop" at various locations around the Village. There were 41,000 blotter entries and 600 arrests during the year.

V. PUBLIC COMMENT ON AGENDA ITEMS

VI. BOARD RESOLUTIONS

A. Approval of Minutes-Regular Meeting

Councilmember Jeffrey 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 22, 2016, Minutes of the Regular Meeting as presented.

Motion Carried: Unanimously

B. 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 December 6, 2016, Minutes of the Special Meeting as presented.

Motion Carried: Unanimously

C. 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 December 13, 2016 in the amount of \$924,911.66

Supervisor Levenberg stated that we have a rather large voucher detail report this week for a few reasons. Our last voucher run was very small at \$194k, and we also went three weeks between check runs this time, thanks to our 5th Tuesday in November. Finally, this voucher run also includes a few large bills, specifically our annual payment to the New York State Retirement System totaling \$419k, and the December IMA payment to the Village of Ossining at \$269k. We also paid our final 2016 installment to OVAC for ambulance services in the amount of almost \$99k. As we come to the end of the year, please be reminded that on January 1st, we will open up the books for the new year and will be running 2 sets of voucher detail reports concurrently until we close 2016, which will likely happen in late March 2017.

Motion Carried: Unanimously

D. Approval of the 2017 Budget

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 approves the 2017 Budget for the Town of Ossining. Total appropriations for the 2017 entire Town (10) Fund are \$5,447,710. Total appropriations for the Unincorporated (20) Area Fund are \$4,126,523 and total appropriations for the Highway (31) Fund are \$2,607,441. Total appropriations for the Water and Sewer Funds are \$543,311. Total appropriations for the Fire/Light/Refuse Funds are \$1,336,314. Total appropriations for the Ambulance District are \$633,488.

Supervisor Levenberg stated that the creation of the Town budget is a long process that begins in August, and requires a cooperative effort between the Supervisors's Office, the Finance Office, and our department heads. This is the Town's first budget using our full market value assessments, and I am proud to say that we are adopting a budget that holds the line on spending, with only minor adjustments for salaries, an increase in health insurance premiums and electric costs. We also managed to make a significant change to the Town's budget that has been years in the making—we have moved a portion of the Mortgage Recording Tax to the Unincorporated Fund, in accordance with the percentage of assessment that those properties contribute to the whole. Although making this move, which the Town Board agreed was an equitable way to distribute this revenue, increased the tax rate in the General Fund, the smallest portion of an Ossining taxpayer's bill, we are still pleased to share that the increase to the average Town of Ossining homeowner will be less than \$22 for the entire year, which we also held down by applying \$75k of the General Fund's healthy fund balance. We are also proud to be able to offer a tax rate decrease to homeowners in the Unincorporated Area, who will be paying roughly \$46.50 less than they did in 2016. At the same time, we were able to designate \$275K to purchase several trucks for the Highway department to replace those at the end of their useful life, and also to do some paving work in the Unincorporated Area, all without having to borrow and incur interest charges. We also are going to be making the final payment on the 507 North State Road public safety building, which will be paid from reserves that have been put aside over the past several years. We will have one payment to make in 2018 on improvements to the building, and then we will have relieved our residents of the debt on this facility, once and for all. We saw very modest increases in our Special Districts, but overall, the news is quite good- we are under the tax cap by \$136,441, which we are allowed to carry over for use in the 2018 budget. We will continue to offer exceptional services to all Town taxpayers for an incredible bargain. I want to thank all of our Department Heads for their important role in this process, along with all of the members of our Town staff, who work hard every day to give you their best and who are certainly our most valuable resource. I also want to thank this Board for the time and energy that you've dedicated to this budget process. Congratulations.

Motion Carried: Unanimously

E. Stipulation of Settlement- Weeks and Hadjstylianos

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

WHEREAS, two actions have been commenced by Dale Cemetery Management Corp., George Weeks and Barbara Hadjstylianos against the Town Board, as well as current and former members of the Town Board and the former Town Attorney; and

WHEREAS, the Town Board believes it is in the best interests of the Town to resolve such litigation, without acknowledging liability;

Therefore BE IT RESOLVED that Town Counsel, Steven Silverberg, Esq. and Town Special Counsel, Benjamin Leavitt, Esq. are authorized to execute the annexed

Stipulation of Settlement and related documents required to complete such settlement, and

IT IS FURTHER RESOLVED that the Town Budget Officer and Supervisor are authorized to issue payments in accordance with the terms of such Stipulation of Settlement.

Motion Carried: Unanimously

F. Request for Home Rule Legislation from New York State—Mortgage Recording Tax

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

Whereas, the Town of Ossining has long discussed a reapportionment of the Mortgage Recording Tax revenue from Westchester County, based on the unique geographic boundaries of the Town's Unincorporated Area; and

Whereas, the Town Board has unanimously agreed to apply a share of this revenue, in accordance with the Unincorporated Area's percentage of assessed value within the Town as a whole, to the Unincorporated Fund in the 2017 budget;

Now, therefore be it Resolved, that the Town Board of the Town of Ossining hereby calls upon the State of New York to permit Home Rule legislation on this specific circumstance within the Town of Ossining;

And be it further Resolved that the Town Supervisor is hereby authorized to complete paperwork as requested by New York State to enact the above.

Supervisor Levenberg stated that as I mentioned earlier, the Town Board has agreed to begin the process of moving a portion of this revenue, usually allocated to the Town general Fund, into the Unincorporated Area budget. This resolution is not the end of the work, but will get the ball rolling-- we will begin the paperwork to submit to our State representatives before the end of the year.

Motion Carried: Unanimously

G. Indian Brook- Croton Gorge Watershed Conservation Plan

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

Resolved, that the Town Board of the Town of Ossining hereby authorizes the Supervisor to sign the annexed letter as part of an effort among the agencies comprising the IBCG Watershed Committee to solicit help from Westchester County Planning to update the plan to protect our local watersheds and drinking water.

Supervisor Levenberg stated that the communities that comprise the Indian Brook/ Croton Gorge Watershed have agreed that it is time to update our Conservation Plan. We are collectively asking the Westchester County Department of Planning to offer us staffing support on this project, and this resolution will authorize me to sign on to a letter requesting the same.

Motion Carried: Unanimously

VII. CORRESPONDENCE TO BE RECEIVED AND FILED

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 the following Planning Board Meeting Minutes dated October 19, 2016 -Artis Senior Living.

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

VIII. MONTHLY REPORTS

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 monthly report for the month of November 2016:

- Town Building Department
- Town Clerk's Office
- Town Tax Receiver's Office
- Town Supervisor's Office
- Town Senior Center
- Dale Cemetery

Motion Carried: Unanimously

IX. VISITOR RECOGNITION

X. ADJOURNMENT –EXECUTIVE SESSION-PERSONNEL & CONTRACTS

Supervisor Levenberg stated that we have some very cold weather predicted for the end of this week. Please be careful out on the roads. Our Highway department and Village DPW do a wonderful job of keeping the roads as safe as possible, but the less you need to be on them the better for everyone when it snows. Also, please make sure any elderly neighbors and friends are okay. Landlords, please remember you must maintain your building temperature to at least 68 degrees 24 hours a day throughout the winter months through May 31st.

I hope you will join us for our work session and special meeting next Tuesday, December 20th at 16 Croton Ave where we will continue our discussions about the zoning amendments to our town code as well as our unity message. We will also have the opportunity to join with our County Legislator Catherine Borgia to honor our dear friend Bobby Williams who we lost this year. His wife will join us to accept this honor posthumously. As we get into the holiday season, please remember to give generously to all of the causes that define our social services network here in Ossining and beyond. Town offices will be closing at 12 noon on Friday December 23rd and Friday December 30th and will be closed for the Christmas and New Year holiday on Monday December 26th and Monday January 2nd.

At 8:10 P.M., Councilmember Jeffrey moved and it was seconded by Councilmember Wilcher that the meeting be adjourned to Work Session.

Motion Carried: Unanimously

At 9:28 P.M., Councilmember Wilcher made a motion to leave Executive Session and it was seconded by Councilmember Jeffrey.

At 9:30 P.M., Councilmember Jeffrey made a motion to adjourn and it was seconded by Councilmember D'Attore.

Approved:

Mary Ann Roberts Town Clerk

November 29, 2016

Ed Buroughs, AICP, Commissioner
Westchester County Planning
Department 432 Michaelian Office
Building
148 Martine Avenue
White Plains, New York 10601

RE: Indian Brook - Croton Gorge (IBCG) Watershed Conservation

Action Plan. Dear Commissioner Buroughs,

The County Department of Planning worked with the Town of Cortlandt, Town of New Castle, Town/Village of Ossining and Village of Croton-on-Hudson to prepare the ***Indian Brook - Croton Gorge (IBCG) Watershed Conservation Action Plan***. This plan focused on protecting the drinking water supply for the Village of Croton-on-Hudson and the Town/Village of Ossining as well as the health of the Croton River. The plan was completed in 2008 and won a WMPF award. The County then assisted in creating the IBCG IMA (2009) that formed the IBCG Watershed Committee.

The Committee has been meeting over the years and most recently is considering applying for a Hudson River Valley Greenway Grant to update the ***IBCG Plan*** and implement goals to protect the drinking water possibly through new zoning and/or modifications and enhancements to environmental laws. Today much of the data used to create the plan is over 10 years old and there is additional useful data – such as septic system data – that wasn't available when the IBCG plan was created. Revising the base information of the IBCG plan would be very helpful in determining the most critical actions

– such as septic vs. stormwater -- necessary to protect the quality of the drinking water and the environment in the area.

The IBCG municipalities would like to request the assistance of Westchester County Department of Planning's GIS services to assist us with updating the plan – primarily the data and maps. The County services would be used as part of the match and we would then use the grant award to enable the hiring of a consultant to implement a project such as the adoption of new ordinances/zoning to protect the drinking water supplies of both basins. The next grant application deadline is in February 2017 and if awarded the project could start the second quarter of 2017.

We look forward to continue working together to protect the Indian Brook and Croton River watersheds and the drinking water for the residents of Westchester.

Sincerely,

Linda D. Puglisi, Supervisor Town of Cortlandt

Dana Levenberg, Supervisor, Town of

Dr. Gregory Schmidt, Mayor, Village of Croton
-on-Hudson

Victoria Gearity, Mayor, Village of

Robert Greenstein, Supervisor, Town of New Castle

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF WESTCHESTER

----- X
DALE CEMETERY MANAGEMENT CORP.,
GEORGE WEEKS and BARBARA
HADJSTYLIANOS,

Index No. 3135/2016

Petitioners,

-against-

SUSANNE DONNELLY and DANA LEVENBERG, in
their capacities as Town Supervisor(s), KIMBERLY
JEFFREY, NORTHERN WILCHER JR., ERIC
BLAHA, JEFFREY HARTEK, KAREN D'ATTORE
and ELIZABETH FELDMAN, in their capacities as
Town Council members, WAYNE SPECTOR, in his
capacity as Attorney to the Town Board (as constituted
from January 1, 2014 to December 31, 2015), THE
TOWN BOARD OF THE TOWN OF OSSINING (as
constituted from January 1, 2014 to December 31,
2015), and THE TOWN BOARD OF THE TOWN OF
OSSINING (as constituted from January 1, 2016 to date
of Petition),

**STIPULATION OF
SETTLEMENT**

Respondents.

----- X

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF WESTCHESTER

-----X
DALE CEMETERY MANAGEMENT CORP.,
GEORGE WEEKS and BARBARA HADJSTYLIANOS,

Plaintiffs,

-against-

Index No. 66893/2016

SUSANNE DONNELLY, WAYNE SPECTOR,
KIMBERLY JEFFREY, WILCHER JR.,
ERIC BLAHA, JEFFREY HARTEK,
KAREN D'ATTORE, ELIZABETH FELDMAN, and
DANA LEVENBERG,

Defendants.

-----X

WHEREAS, the Petitioners and Plaintiffs have commenced the above referenced Article 78 proceeding and plenary action, respectively, and

WHEREAS, the Respondents and Defendants in the above captioned Article 78 proceeding and plenary action deny all claims brought by the Petitioners and Plaintiffs, respectively, and

WHEREAS, the Petitioners, Respondents, Plaintiffs and Defendants in the above referenced captions (individually and collectively referred to herein as the "Parties") have determined it is in the best interests of all to resolve the claims asserted in the above referenced Article 78 proceeding and plenary action, and

WHEREAS, the reference to Wilcher, Jr. in the plenary action, bearing Index Number 66893/2016, is intended to mean Town Council Member Northern Wilcher, Jr., the reference in the captions in both proceedings to Jeffrey Harter is intended to refer to former Town Council Member Geoffrey Harter, and the reference to Kimberly Jeffrey is intended to refer to Town Council Member Kim Jeffrey, and

WHEREAS, this Stipulation of Settlement is not an acknowledgement of any wrongdoing on the part of any of the Respondents or Defendants,

IT IS HEREBY STIPULATED AND AGREED BY AND AMONG THE PARTIES BY AND THROUGH THEIR ATTORNEYS AS FOLLOWS:

- 1- The Town of Ossining shall issue payments of twenty thousand dollars (\$20,000.00) in good funds ("Payments"), to each of GEORGE WEEKS, and, BARBARA HADJSTYLIANOS, in full satisfaction of any and all claims that exist or may exist by Petitioners/Plaintiffs DALE CEMETERY MANAGEMENT CORP., GEORGE WEEKS and/or BARBARA HADJSTYLIANOS as against any and all of the named Respondents and Defendants, as well as the Town of Ossining and all of its current and former officers, employees, elected officials, contractors, consultants, accountants and attorneys.
- 2- Petitioners/Plaintiffs DALE CEMETERY MANAGEMENT CORP., GEORGE WEEKS and BARBARA HADJSTYLIANOS shall provide General Releases in the forms annexed as Exhibit "A" releasing all of the named Respondents and Defendants, as well as the Town of Ossining and all of its current and former officers, employees, elected officials, contractors, consultants, accountants and attorneys.
- 3- Separate Stipulations of Discontinuance with Prejudice in the form annexed as Exhibit "B" shall be executed by the Attorneys for the Parties to the Article 78 proceeding and the Attorneys for the Parties to the plenary action.
- 4- The Attorneys executing this Stipulation of Settlement represent they have been authorized by all of their respective clients to enter into this Stipulation of Settlement and that all legal requirements to execute the annexed Exhibits have been completed and

authorized as required by law. WEEKS and HADJSTYLIANOS aver, and only for purposes of resolving the within actions the Respondents/Defendants do not dispute, that said individuals are authorized to act on behalf of and bind the Dale Cemetery Management Corp, and in consideration of the fact that all of the Petitioners/Plaintiffs have represented through their attorney that no other claims or causes of action among the Parties are known to exist or that are not fully and finally resolved by this Stipulation of Settlement, Respondents/Defendants have agreed to enter into this Stipulation of Settlement. Further, it is specifically agreed that no claim of lack of authority may form the basis for vacating this settlement or any of its terms by any party hereto.

- 5- Upon execution of the General Releases by Petitioners/Plaintiffs, their counsel Felsenfeld Legal, PLLC shall similarly execute and cause this Stipulation of Settlement, and the aforementioned executed General Releases and Stipulations of Discontinuance with Prejudice to be delivered to Silverberg Zalantis LLP, which shall be held in escrow, pending delivery of the Payments provided for herein to Felsenfeld Legal PLLC, counsel for Petitioners/Plaintiffs.
- 6- Within (5) days of delivery to Silverberg Zalantis LLP of this Stipulation of Settlement, and the aforementioned General Releases and Stipulations of Discontinuance with Prejudice, Payments as set forth above shall be forthwith delivered to Petitioners/Plaintiffs counsel.
- 7- Upon acknowledgement of receipt of such Payments by Petitioners/Plaintiffs' counsel, Silverberg Zalantis LLP shall then be authorized to file said Stipulations of Discontinuance with Prejudice and provide the General Releases to the respective parties.
- 8- This Stipulation of Settlement, which may only be modified in writing upon consent of all of the Parties to the respective action or proceeding, constitutes the entire agreement among the Parties and supersedes and nullifies any other agreement(s) among or between any or all of the Parties.
- 9- This Stipulation of Settlement may be executed in counterparts or by electronic or facsimile signature, all of which shall be deemed original signatures.

Dated: December ____, 2016

FELSENFELD LEGAL, PLLC

Steven Felsenfeld, Esq.
Attorneys for Petitioners and Plaintiffs
6 Knoll View
Ossining, NY 10562
(914) 844-4911

SIGNATURES CONTINUED ON THE FOLLOWING PAGE

SILVERBERG ZALANTIS LLP

Steven M. Silverberg
Attorneys for Respondents and Defendants,
except Defendant Donnelly
220 White Plains Road, Fifth Floor
Tarrytown, NY 10591
(914) 682-0707

LEAVITT LEGAL PLLC

Benjamin F. Leavitt, Esq.
Attorneys for Defendant Donnelly
19 Court Plaza, Suite 201
White Plains, NY 10601
(914) 946-3800

EXHIBIT A

GENERAL RELEASE

In consideration for payment by the TOWN OF OSSINING (the "TOWN") of TEN (\$10) DOLLARS, receipt of which is acknowledged Dale Cemetery Management Corp. (hereinafter "Releasor") hereby remises, releases, and forever discharges the TOWN, the CURRENT AND FORMER TOWN BOARD, SUSANNE DONNELLY, WAYNE SPECTOR, KIMBERLY aka KIM JEFFREY, NORTHERN WILCHER JR., ERIC BLAHA, JEFFREY aka GEOFFREY HARTE, KAREN D'ATTORE, ELIZABETH FELDMAN, and DANA LEVENBERG, and their heirs, executors, administrators, successors, current and former attorneys, current and former officers, current and former elected officials and current and former employees (individually, in their official capacities and collectively "Releasees") from all debts, demands, actions, claims, causes of action, suits, dues, sums of money, accounts, bonds, specialties, covenants, contracts, controversies, agreements, promises, doings, omissions, damages, executions, liabilities, judgments and any and all other claims of every kind, nature, and description whatsoever, which against the said Releasees, and their heirs, executors, administrators, successors, attorneys, officers, and employees Releasor now has or ever had or ever will have from the beginning of the world to the date of this General Release, relating to any of the Releasees' conduct, and including all claims that were or could have been asserted in any and all demands or litigations served on Releasor's behalf, not limited to allegations related to any non-payments of wages, infliction of emotional distress, breach of contract, the operation, management, control and/or finances of Dale Cemetery and/or Dale Cemetery Management Corp. or any other damages of any nature or kind whether or not currently asserted inuring to Releasor; and Releasor agrees that (a) this General Release relates to the settlement of any and all disputed claims between Releasor and Releasees, (b) that the Releasees deny all liability, and (c) this General Release is not and should not be construed as an admission of the truthfulness of any of Releasor's claims.

GEORGE A. WEEKS, PRESIDENT
DALE CEMETERYMANAGEMENT
CORP.

Sworn to before me this _____ day
of December 2016

NOTARY PUBLIC

GENERAL RELEASE

In consideration for payment by the TOWN OF OSSINING (the "TOWN") of TWENTY THOUSAND (\$20,000.00) DOLLARS, to be delivered on or before December 19, 2016, payable to "GEORGE A. WEEKS," George A. Weeks (hereinafter "Releasor") hereby remises, releases, and forever discharges the TOWN, the CURRENT AND FORMER TOWN BOARD, SUSANNE DONNELLY, WAYNE SPECTOR, KIMBERLY aka KIM JEFFREY, NORTHERN WILCHER JR., ERIC BLAHA, JEFFREY aka GEOFFREY HARTEK, KAREN D'ATTORE, ELIZABETH FELDMAN, and DANA LEVENBERG, and their heirs, executors, administrators, successors, current and former attorneys, current and former officers, current and former elected officials and current and former employees (individually, in their official capacities and collectively "Releasees") from all debts, demands, actions, claims, causes of action, suits, dues, sums of money, accounts, bonds, specialties, covenants, contracts, controversies, agreements, promises, doings, omissions, damages, executions, liabilities, judgments and any and all other claims of every kind, nature, and description whatsoever, which against the said Releasees, and their heirs, executors, administrators, successors, attorneys, officers, and employees Releasor now has or ever had or ever will have from the beginning of the world to the date of this General Release, relating to any of the Releasees' conduct, and including all claims that were or could have been asserted in any and all demands or litigations served on Releasor's behalf, not limited to allegations related to any non-payments of wages, infliction of emotional distress, breach of contract, the operation, management, control and/or finances of Dale Cemetery and/or Dale Cemetery Management Corp. or any other damages of any nature or kind whether or not currently asserted inuring to Releasor; and Releasor agrees that (a) this General Release relates to the settlement of any and all disputed claims between Releasor and Releasees, (b) that the Releasees deny all liability, and (c) this General Release is not and should not be construed as an admission of the truthfulness of any of Releasor's claims.

GEORGE A. WEEKS

Sworn to before me this _____ day of
December 2016

NOTARY PUBLIC

GENERAL RELEASE

In consideration for payment by the TOWN OF OSSINING (the "TOWN") of TWENTY THOUSAND (\$20,000.00) DOLLARS, to be delivered on or before December 19, 2016, payable to "BARBARA HADJSTYLIANOS," Barbara Hadjstylianos (hereinafter "Releasor") hereby remises, releases, and forever discharges the TOWN, the CURRENT AND FORMER TOWN BOARD, SUSANNE DONNELLY, WAYNE SPECTOR, KIMBERLY aka KIM JEFFREY, NORTHERN WILCHER JR., ERIC BLAHA, JEFFREY aka GEOFFREY HARTER, KAREN D'ATTORE, ELIZABETH FELDMAN, and DANA LEVENBERG, and their heirs, executors, administrators, successors, current and former attorneys, current and former officers, current and former elected officials and current and former employees (individually, in their official capacities and collectively "Releasees") from all debts, demands, actions, claims, causes of action, suits, dues, sums of money, accounts, bonds, specialties, covenants, contracts, controversies, agreements, promises, doings, omissions, damages, executions, liabilities, judgments and any and all other claims of every kind, nature, and description whatsoever, which against the said Releasees, and their heirs, executors, administrators, successors, attorneys, officers, and employees Releasor now has or ever had or ever will have from the beginning of the world to the date of this General Release, relating to any of the Releasees' conduct, and including all claims that were or could have been asserted in any and all demands or litigations served on Releasor's behalf, not limited to allegations related to any non-payments of wages, infliction of emotional distress, breach of contract, the operation, management, control and/or finances of Dale Cemetery and/or Dale Cemetery Management Corp. or any other damages of any nature or kind whether or not currently asserted inuring to Releasor; and Releasor agrees that (a) this General Release relates to the settlement of any and all disputed claims between Releasor and Releasees, (b) that the Releasees deny all liability, and (c) this General Release is not and should not be construed as an admission of the truthfulness of any of Releasor's claims.

BARBARA HADJSTYLIANOS

Sworn to before me this _____ day of
December 2016

NOTARY PUBLIC

EXHIBIT B

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF WESTCHESTER

----- X
DALE CEMETERY MANAGEMENT CORP.,
GEORGE WEEKS and BARBARA
HADJSTYLIANOS,

Index No. 3135/2016

Petitioners,

-against-

SUSANNE DONNELLY and DANA LEVENBERG, in their capacities as Town Supervisor(s), KIMBERLY JEFFREY, NORTHERN WILCHER JR., ERIC BLAHA, JEFFREY HARTER, KAREN D'ATTORE and ELIZABETH FELDMAN, in their capacities as Town Council members, WAYNE SPECTOR, in his capacity as Attorney to the Town Board (as constituted from January 1, 2014 to December 31, 2015), THE TOWN BOARD OF THE TOWN OF OSSINING (as constituted from January 1, 2014 to December 31, 2015), and THE TOWN BOARD OF THE TOWN OF OSSINING (as constituted from January 1, 2016 to date of Petition),

**STIPULATION OF
DISCONTINUANCE WITH
PREJUDICE**

Respondents.

-----X

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned attorneys for all named parties and all appearing parties that whereas no party hereto is an infant, incompetent person for whom a committee has been appointed or conservatee and no person not a party has an interest in the subject matter of the above-captioned action, this action and all counterclaims asserted therein, if any, be, and the same hereby are all discontinued with prejudice, without costs or attorneys' fees or any disbursements to either party as against the other. This Stipulation of Discontinuance with Prejudice is being executed in consideration of a certain Stipulation of Settlement dated December __, 2016 and is subject thereto.

This Stipulation may be executed in counterparts or by electronic or facsimile signature, all of which shall be deemed original signatures.

This stipulation may be filed without further notice with the Clerk of the Court.

Dated: Tarrytown, New York
December __, 2016

SILVERBERG ZALANTIS LLP

FELSENFELD LEGAL, PLLC

By: _____
Steven M. Silverberg, Esq
Attorneys for Defendants
220 White Plains Road, 5th Floor
Tarrytown, New York 10591
Tel. (914) 682-0707

By: _____
Steven Felsenfeld, Esq
Attorneys for Plaintiffs
6 Knoll View
Ossining, New York 10562
Tel. (914) 844-4911

SUPREME COURT OF THE STATE OF NEW
YORK COUNTY OF WESTCHESTER

-----X
DALE CEMETERY MANAGEMENT CORP.,
GEORGE WEEKS and BARBARA HADJSTYLIANOS, **STIPULATION OF
DISCONTINUANCE
WITH PREJUDICE**

Plaintiffs,

-against-

Index No. 66893/2016

SUSANNE DONNELLY, WAYNE SPECTOR,
KIMBERLY JEFFREY, WILCHER JR.,
ERIC BLAHA, JEFFREY HARTER,
KAREN D'ATTORE, ELIZABETH
FELDMAN, and DANA LEVENBERG,

Defendants.

-----X

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned attorneys for all named parties and all appearing parties that whereas no party hereto is an infant, incompetent person for whom a committee has been appointed or conservatee and no person not a party has an interest in the subject matter of the above-captioned action, this action and all counterclaims asserted therein, if any, be, and the same hereby are all discontinued with prejudice, without costs or attorneys' fees or any disbursements to either party as against the other. This Stipulation of Discontinuance with Prejudice is being executed in consideration of a certain Stipulation of Settlement dated December __, 2016 and is subject thereto.

This Stipulation may be executed in counterparts or by electronic or facsimile signature, all of which shall be deemed original signatures.

This Stipulation may be filed without further notice with the Clerk of the Court.

Dated: Tarrytown, New York
December __, 2016

SILVERBERG ZALANTIS LLP

By: _____
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LEAVITT LEGAL PLLC.

By: _____
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