



**TOWN BOARD  
TOWN OF OSSINING  
WORK SESSION & REGULAR MEETING  
BIRDSALL-FAGAN POLICE COURT FACILITY  
86-88 SPRING STREET – OSSINING, NEW YORK  
NOVEMBER 27, 2018**

**7:30 P.M.**

**SUPERVISOR  
Dana A. Levenberg**

**COUNCILMEMBERS  
Karen M. D’Attore Elizabeth R. Feldman  
Jackie G. Shaw Northern Wilcher, Jr.**

**I. WORK SESSION –**

The Work Session was called to order at 7:30 p.m.

**a. Solar Code Local Law – David Stolman, FP Clark**

Supervisor Levenberg stated that as we discussed at our meeting last week, we discussed the proposed Solar Code Local Law and had suggested some revisions to the latest draft. We have our planner, David Stolman from FP Clark with us this evening to review those changes with us in a short Work Session which he has incorporated into the next latest draft. David, could you please walk us through these changes and if there is nothing additional, we will then adjourn our work session and go right into the public hearings on this as well as the Leaf Blower proposed local law, and our Preliminary 2019 Town budget.

At 7:44 p.m., Councilmember Wilcher moved and it was seconded by Councilmember Shaw to Adjourn in Legislative Session.

**II. CALL TO ORDER-PLEDGE OF ALLEGIANCE-ROLL CALL**

The Regular Meeting of the Town Board of the Town of Ossining was held on November 13, 2018 in the Birdsall-Fagan Police Court Facility, 86-88 Spring Street, in Ossining. The meeting was called to order at 7:44 p.m. by Supervisor Dana A. Levenberg. Members of the Board present were: Councilmembers Elizabeth Feldman, Karen D’Attore, Jackie G. Shaw and Northern Wilcher, Jr., Also present were Town Counsel Christie Tomm Addona, Budget Officer Madeline Zachacz and Interim Town Clerk Victoria Cafarelli.

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

*(Visitors shall be accorded one (1) three (3) minute opportunity to address the public hearing)*

At 7:45 pm, the Public Hearing was opened.

- 2019 Preliminary Budget

Supervisor Levenberg stated that the first public hearing is in the matter of the 2019 Preliminary Budget. First, thank you to our budget director, Madeline Zachacz as well as Deputy Comptroller Dale Ferreira. I am proud to say we are once again planning to comply with the Tax Cap and our budget document reflects that. Also, I would like to thank all of our departments for their hard work, making sure we save dollars whenever and wherever possible so that we can continue to offer what we believe is a very fair deal to our Town residents. We continue to look for new and

**innovative ways to make our government even more efficient and hope you will be part of that continuing conversation.**

**Budget Officer Madeline Zachacz provided an update on the tentative budget and there are very few changes and we are very close to adopting the budget.**

**At 7:48 p.m., Councilmember Wilcher moved and it was seconded by Councilmember Shaw that the Public Hearing be closed.**

**At 7:48 pm, the Public Hearing was opened.**

- **Local Law #5 (formerly Local Law #4) Leaf Blowers**

**Supervisor Levenberg stated that we have been speaking about the proposed local law regulating the use of gas powered leaf blowers for some time now. At our last work session, I believe we felt that the updated version of the law was in good form. Tonight is an opportunity for the public to weigh in on the most recent changes. Our Counsel to the Town, Ms. Christie Tomm Addona has led the charge on this proposed local law, before we open it up to the public.**

**Town Attorney Christie Tomm Addona reviewed some of the changes that were made to this law.**

**At 7:51 p.m., Councilmember Wilcher moved and it was seconded by Councilmember Shaw that the Public Hearing be adjourned until December 11, 2018.**

**At 7:51 pm, the Public Hearing was opened.**

- **Local Law #6 Solar Energy**

**Supervisor Levenberg stated that our Planner to the Town, David Stolman, for the overview of the changes the board had requested at our last work session on the proposed Solar Energy Code local law, which have now been incorporated into the latest draft.**

**Highway Superintendent Michael G. O'Connor spoke about the solar panels he purchased and the restrictions that apply. Is this covering the entire Town of Ossining?**

**Supervisor Levenberg stated that this would not cover the entire Town.**

**At 7:56 p.m., Councilmember Wilcher moved and it was seconded by Councilmember Feldman that the Public Hearing be adjourned until December 11, 2018.**

#### **IV. ANNOUNCEMENTS**

**Supervisor Levenberg announced the following:**

**Once again, I hope everyone was able to enjoy family and friends this past weekend, and start preparing for the next round of holidays. Today is giving Tuesday, so if you have not already made a contribution to your local charity or charities, you may want to consider, in the midst of shopping craziness, how you can give a little to those who help others. Here's a good start: the Ossining Police Department has partnered with the Ossining schools to host a coat drive for families in need this winter. Through December 7th, drop your new or gently used coats off at the Police Station at 86-88 Spring Street, or at 16 Croton Avenue on the first floor, and pay it forward this holiday season.**

Also, today we had Lorraine Hill from the New York State Archives in to meet with both Town and Village departments to discuss best practices in records management. Thank you to our Interim Town/Village Clerk, Victoria Cafarelli for setting up this visit. Ms. Hill was a wealth of information and I believe today's sessions were extremely helpful. We are considering applying for a grant to help us with our records retention in the Town and Village and we will have more about that for you in the not too distant future.

This Thursday, November 29<sup>th</sup>, join Assemblywoman Sandy Galef for a Town Meeting at Croton Free Library, where a panel will address the pros and cons of recreational marijuana use in New York State. Come learn more and share your opinion with our Assemblywoman and her staff. This event begins at 7:00 PM.

You have a few options for the evening of Friday, November 30<sup>th</sup>--start off your night with the Tree Lighting at Market Square, with events starting at 6PM. Join us for music, cookies & hot cocoa, and even a visit from Santa and Mrs. Claus! Thanks to the Ossining Department of Parks and Recreation, along with the Ossining Chamber of Commerce, for organizing this beloved (and free) annual event for our community. If you are looking for something a little more low key, that very evening, Ossining Wines & Liquors (196 Croton Avenue) will host a wine tasting to benefit the Ossining Historical Society between 6 and 8PM. \$15 will buy you hors d'oeuvres and light refreshments along with the tasting, and 20% of sales will be donated back to the Historical Society Museum.

Then, over the weekend, join me at one of my favorite annual Ossining events-- the Campwoods Holiday Craft Fair will take place on Saturday December 1<sup>st</sup> between 10AM and 5PM and Sunday December 2<sup>nd</sup> from 11AM to 4PM. Stop by for artisanal crafts, wreaths, candles, pottery, ornaments, knit goods, jewelry, photography, natural body products, a raffle and much more. Make sure to find parking outside of the Campgrounds.

On Sunday, December 2<sup>nd</sup>, support the 63<sup>rd</sup> Ossining Community Christmas Crib Dedication at 2PM. This annual event takes place at the House of Refuge Apostolic Church at the corner of Croton Avenue and Todd Place, and you can participate in a 50/50 raffle to help defray the cost of maintaining the crib. Call (914) 941-6013 for more information.

Chabad of Briarcliff will host the lighting of the Menorah on Tuesday, December 4<sup>th</sup>, also at Market Square. All are welcome for donuts (sufganiyot), warm beverages, latkes, crafts, and chocolate gelt—Judah Macabee will be there too! This free event begins at 6PM.

Finally, this Friday afternoon, our Town and Village staff holiday party will take place from 1-4PM, so if you should be looking for many of us, we will be spending time thanking our staff for all the hard work they do every day on behalf of our taxpayers at the Ossining Community Center. Please do plan around that, if you need us. We will be back bright and early on Monday morning to assist you.

## **V. LIAISON REPORTS**

Councilmember Feldman reminded residents that the Ossining Boat & Canoe Club will be have a toy fundraiser and there will be a box in the hallway at 16 Croton Avenue.

## **V.DEPARTMENTAL REPORTS**

## **VI.BOARD RESOLUTIONS**

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

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

**Resolved, that the Town Board of the Town of Ossining hereby approves the November 13, 2018 minutes of the Regular Meeting as presented.**

**Motion Carried: Unanimously**

**B. Approval of Voucher Detail Report**

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

**Resolved, that the Town Board hereby approves the Voucher Detail Report dated November 27, 2018 in the amount of \$112,340.56**

**Motion Carried: Unanimously**

**C. Personnel: Parks Department- Appointment**

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

**Resolved, that the Town Board of the Town of Ossining hereby appoints Michael Santiago, Ossining, to the probationary position of Park Groundskeeper in the Town Parks Department at an annual salary of \$59,760, effective November 26<sup>th</sup>, 2018.**

**Supervisor Levenberg stated that we are very excited to welcome Mike Santiago to the Town Parks department. Mike comes to this entry level Parks job with a lot of experience, having managed buildings in the private sector for many years, and with very high recommendations. Mike, thank you for coming tonight for your appointment. We always love to welcome people in person to the Town family. With your volunteer experiences helping out on the Haunted Hayride, we know you are well suited to the new group you will be working with, and look forward to many years of great service to our Parks and to the Town. As a longtime Ossining resident, we know you have a vested interest in doing right by your neighbors. Congratulations and welcome!**

**Motion Carried: Unanimously**

**D. Memorandum of Understanding- Westchester Records Online**

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

**Resolved, that the Town Board of the Town of Ossining hereby authorizes the Supervisor to sign a Memorandum of Understanding between the County of Westchester and the Town of Ossining for the purposes of allowing continued access by Town staff to Westchester Records Online (WRO) for the period covering January 1, 2019 through December 31, 2019.**

**Motion Carried: Unanimously**

**E. Grant Disbursement Agreement – Improvements to Louis Engel Park (SAM Grant #6107)**

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

**Resolved, that the Town Board of the Town of Ossining authorizes the Supervisor to sign a Grant Disbursement Agreement with the Dormitory Authority of the State of New York for a State and Municipal Facilities Grant in the amount of \$100,000 for Improvements to Louis Engel Park (Project ID# 6107), subject to the approval of counsel to the Town as to form.**

Supervisor Levenberg stated that we are so grateful to NYS State Senator David Carlucci for designating these state funds to our Town Park. Also, many thanks to Victoria Cafarelli for her hard work getting all the documents together which DASNY required. I am so relieved that we were able to work through the state process with DASNY to basically reallocate the money which was supposed to pay for the recirculating water system to instead make much needed safety improvements to the spray park at Engel Park. This particular feature of our park is one of the most popular spots for our residents and their friends in the hot summer months, and we are pleased to have been able to make these needed improvements with the help of these state dollars. Look for a ribbon cutting in late spring, possible to coincide with our Earth Day festivities.

Motion Carried: Unanimously

**F. Flexible Benefits Plan—Increase Health Care Maximum for 2019**

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

Resolved, that the Town Board of the Town of Ossining hereby authorizes the Supervisor to sign an amendment to the Plan Document with Stirling Benefits Inc. to increase the maximum allowable annual Health Care Maximum deduction to \$2700 for the 2019 plan year.

Supervisor Levenberg stated that this is good news for our employees as you can now utilize more of your healthcare spending pre-tax, and we are pleased to be able to continue offering this great benefit to our staff with very little impact on the Town budget.

Motion Carried: Unanimously

**G. Request for Bids- Delivery of Meals and Supplies for Nutrition Program**

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

Resolved, that the Town Board of the Town of Ossining hereby authorizes the Town Clerk to advertise a Request for Bids for the provision of meals and supplies for the Nutrition Program located in the Ossining Community Center, to be amended to include a request for proposals with and without delivery of the prepared meals to the Community Center. Bids shall be submitted no later than 10:00 A.M. on Monday, December 17, 2018 to the office of the Town Clerk.

Supervisor Levenberg stated that unfortunately, we did not receive any responses last time we announced this RFP, so we are going to tweak the request and try again. Kathy Asaro, Director of our Senior Nutrition program has been hard at work seeing if we can find some interested suppliers and we are hopeful that we will be able to secure a competitive bid to continue to serve nutritional meals to our Seniors.

Motion Carried: Unanimously

**H. Village Pier Extension Plan Submission-November 27, 2018**

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

Whereas, it is the Town Board's understanding that the Village of Ossining desires to expand and enhance the Haverstraw/Ossining ferry pier (the pier),

Whereas Hudson Valley Arts and Science (HVAS), a local not for profit, has received a grant from the New York State Department of Environmental

**Conservation for design, permitting and construction documents in connection with the proposed expansion and enhancement of the pier,**

**Whereas, HVAS has helped lead a grassroots effort under the auspices of the DEC grant to engage the community and stakeholders in a dialogue about the design and configuration of the pier,**

**Whereas, stakeholders have included MTA Metro North, the Ossining Boat and Canoe Club, the adjacent restaurant, the owner of the adjacent residential development and the Town of Ossining, among others,**

**Whereas, the Town of Ossining owns a park adjacent to the ferry pier and proposed pier extension, and so it shares the Hudson River Waterfront with the Village of Ossining and other property owners,**

**Whereas, a total of 38 schematic design options have been prepared and discussed with the community and stakeholders, including the Town,**

**Whereas, there is consensus among the stakeholders that recommended schematic design # 38 is the preferred alternative, optimally balancing stakeholder concerns,**

**Therefore be it resolved, that contingent upon the approval of the Village of Ossining, the Town Board of the Town of Ossining, hereby affirms support for HVAS to formally submit option #38 to all regulatory agencies requesting permits to build said option #38. Those agencies include but may not be limited to the NYSDEC, the Army Corps of Engineers, the Office of General Services and the New York Department of State.**

**Supervisor Levenberg stated that as you may recall, we heard a presentation on this project at our work session last week and there was general consensus from the board that we would support the design to be submitted to the state and federal agencies. Since last week, a question arose about how much of the dock extended into the Town owned waters, so the design was revised one more time to lop off 2-3 feet in order to avoid unnecessarily complicating the approval process. As a result, none of the dock, with the current design, would extend into Town waters.**

**Motion Carried: Unanimously**

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

## **VIII. MONTHLY REPORTS**

## **IX. VISITOR RECOGNITION**

## **X. ADJOURNMENT – CONSIDER MOTION TO GO INTO EXECUTIVE SESSION TO DISCUSS PERSONNEL, CONTRACTS AND ADVICE OF COUNSEL IN RELATION TO RECENT REPAVING OF HAWKES AVENUE**

**At 8:13 p.m., Councilmember Wilcher moved and it was seconded by Councilmember Shaw to adjourn the meeting to Executive Session**

**Motion Carried: Unanimously**

**At 9:20 p.m., Councilmember Wilcher moved and it was seconded by Councilmember Feldman to leave Executive Session.**

**Motion Carried: Unanimously**

**At 9:21 p.m., Councilmember Feldman moved and it was seconded by Councilmember Shaw to Adjourn Executive Session.**

**Motion Carried: Unanimously**

**Approved:**

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**Interim Town Clerk Victoria Cafarelli**