



MINUTES
TOWN BOARD
TOWN OF OSSINING
BIRDSALL-FAGAN POLICE/COURT FACILITY
86-88 SPRING STREET – OSSINING, NEW YORK
SEPTEMBER 24, 2019
REGULAR MEETING
7:30 P.M.

SUPERVISOR
Dana A. Levenberg

COUNCILMEMBERS
Elizabeth R. Feldman Gregory G. Meyer
Jackie G. Shaw 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 September 24, 2019 in 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 Dana A. Levenberg. Members of the Board present were: Councilmembers Jackie G. Shaw, Elizabeth R. Feldman, Gregory G. Meyer, and Northern Wilcher, Jr. Also present were Town Counsel Christie Tomm-Addona, Budget Officer Madeline Zachacz and Confidential Secretary Victoria Cafarelli.

II. PUBLIC HEARINGS IN THE MATTER OF

At 7:30 p.m., the Public Hearing opened.

- **Local Law #7 of 2019 – Amendments to Chapter 74 of the Town Code entitled “Dogs” to Regulate Registration for and Use of the Town’s Dog Parks.**

No one from the public came to speak on this local law.

At 7:31 p.m., Councilmember Wilcher moved and it was seconded by Councilmember Feldman that the Public Hearing be adjourned to October 22, 2019.

At 7:31 p.m., the Public Hearing opened.

- **Local Law # 8 of 2019 – Amendments to Chapter 180 of the Town Code entitled “Taxation” to Implement the Solar Energy System PILOT Law of the Town of Ossining, New York.**

Town Counsel Christie Tomm-Addona discussed the latest version of Local Law #8. It now states that a PILOT is required except as otherwise stated. Additionally, the local law has been updated to say that even though there may be two separate or multiple systems that could exceed the one-megawatt thresholds when combined, a PILOT will be calculated for each system and then combined into one payment.

No one from the public came to speak on this local law

At 7:38 p.m., Councilmember Feldman moved and it was seconded by Councilmember Wilcher that the Public Hearing be adjourned to October 22, 2019.

III. ANNOUNCEMENTS

Supervisor Levenberg announced the following:

Last week, the League of Women Voters of the Rivertowns hosted a forum in Ossining on the three ballot initiatives that are up for a vote this November in our community to convert the positions of Receiver of Taxes, Town Clerk, and Superintendent of Highways from elected to appointed positions. I hope you will agree that it was an informative and helpful panel discussion, and I encourage you to check out the recording on the Town's YouTube channel if you were unable to join us last Tuesday. If you would like to learn more about why these proposed ballot initiatives are before the voters of Ossining, please check out the website www.projectforwardtoo.com. We look forward to hearing from the public on these ballot initiatives in November. Also, today, September 24th is National Voter Registration day! If you are not registered to vote, today is certainly the day to do it. But, you do have until October 11th to register before the General Election. Visit the Westchester County Board of Election's website at citizenparticipation.westchestergov.com to learn more and register to vote today!

I would like to take a moment to give a big shout out to the Sing Sing Prison Museum, especially Vice President Stephanie Lynn, for bringing "The Wait Room" to our very own Louis Engel Park. "The Wait Room" was a moving performance inspired by the experiences of women whose loved ones have been or currently are incarcerated. I had the opportunity to attend Friday night's performance and was blown away. It was especially thought provoking right outside the walls of Sing Sing Prison, where unfortunately so many family members must experience the trauma of having a loved one behind bars. We all look forward to the Sing Sing Prison Museum opening in just a few short years so they can continue to challenge the status quo of our broken criminal justice system with exhibits and special programs like "The Wait Room."

Everyone in Ossining and Briarcliff's first half School Tax is due next Monday, September 30th! You can pay your taxes online at www.townofossining.com on the Receiver of Taxes page, or come in the office and pay in person weekdays 8:30am to 4:30pm. On the last two days of collection (this Friday, September 27th and Monday, September 30th), the tax office will have extended hours: 8am to 6pm. There is also a special mail slot at the Ossining post office that gets delivered directly to the Receiver's office. If you have any questions, please call the tax office at (914) 762-8790, they are always happy to help in any way they can!

September is the annual Hudson River Valley Ramble and this is the last weekend to take advantage of all the great events scheduled throughout the region. I encourage you to check out the many ways you can get outdoors with your family and enjoy all of the recreational and cultural resources right in our backyard at www.hudsonrivervalleyramble.com. Here in Ossining, you can join in on the Ramble fun by participating in the last Mind, Body, Spirit – Ossining class scheduled for this Saturday, September 28th. Sue Radparvar of Studio95 Zumba will be at Louis Engel Park from 4PM to 5PM with Zumba for all ages. The end of Mind, Body, Spirit – Ossining means it's time to draw the winners for our raffle with prizes from our partners at UMAC Briarcliff and Club Fit Briarcliff. We will be drawing from all Mind, Body, Spirit – Ossining participants who registered for a class in an advance. Keep an eye out next week for a call or e-mail from us...you might just be the lucky winner!

Don't miss part two of Ossining Town Historian Scott Craven's Hudson River Lecture Series. Part one was last week, but Part two is tomorrow, Wednesday, September 25th at 7PM at the Ossining Public Library's Budarz Theater, and will focus on the history of Route 9 what it was and how it got to be built as it stands today. Scott is a magical storyteller, and it's always extra cool to see and hear about the very important events that helped form our piece of the Hudson Valley.

Also at the library this week, are two presentations about health care. On Thursday, September 26th at 1pm, learn more about supporting heart health with Dr. Ricardo Esquitin as part of New York Presbyterian Hospital's and Ossining Public Library's Health & Wellness series. Then, later on Thursday, from 7pm to

8:30pm, you can learn more from the experts about the New York Health Act and extending healthcare coverage for all.

This weekend, head over to the Maryknoll Sisters Center for their fall festival on Saturday, September 28th from 11am to 4pm. All of the proceeds from the festival will benefit the elderly Maryknoll sisters living here in Ossining. Then on Sunday, the Ossining Boat and Canoe Club is holding its Annual Family Fun and Fishing Day from 12noon to 4pm with fishing, crafts, food, and fun – just for \$10 per family.

If you do plan on heading out of town this weekend, bear in mind that there will be changes to the Hudson Line Metro-North schedule starting Sunday, September 29th--they are adding service-- so plan ahead!

Next Tuesday, October 1st from 6pm to 8pm, Westchester County Legislator Catherine Borgia, the Westchester County Department of Planning, and the Village of Ossining are hosting a Town Hall discussion on the 2020 census at the Ossining Public Library's Budarz Theater. Westchester County Department of Planning Commissioner Norma Drummond will be the keynote speaker. Ensuring an accurate count during the 2020 census is extremely important – population counts determine so much on the federal level including our representation to Congress and, significantly, allocations for funding, including school district funding. I hope you will join me for this important conversation (yes, you can still make our Town Board Work Session just down the street that evening starting at 7:30pm!).

Finally, Halloween is right around the corner! Get your tickets now for the Forest O' Fears: The Haunting at Cedar Lane. This year we have 4 nights of ghoulish fun planned for you: Two Saturdays and two Sundays, October 18th and 19th and 25th and 26th. Visit www.forestofears.org to grab your tickets before someone grabs you! Also, this year, all proceeds will go to the SPCA of Westchester, so you can plan an evening of family fun while also supporting a great local non-profit.

The Briarcliff Manor Fire Department's Annual Inspection Dinner is going to be held on Saturday October 19th at Fire headquarters. The inspection will begin at 7:00 p.m.

Councilmember Feldman announced the following:

The Ossining Historical Society Museum will be holding its annual Dinner and Silent auction on October 24th. Tickets bought by October 14th are \$85.

On October 20th the Ossining Historic Cemeteries Conservancy, the Jug Tavern of Sparta, and Ossining Parks and Recreation Department will be presenting "Stories in Stone: Sparta Cemetery." For tickets and more information go to www.ossininghistoriccemeteries.org or www.joketavern.org

Budget Officer Madeline Zachacz announced the following:

The hours for early voting at the Joseph G. Caputo Community Center are the following:

Saturday October 26th – 11:30 AM to 5:30 PM

Sunday October 27th – 11:30 AM to 5:30 PM

Monday October 28th – 7:30 AM to 4:30 PM

Tuesday October 29th – 11:30 AM to 8:30 PM

Wednesday October 30th – 7:30 AM to 4:30 PM

Thursday October 31st – 11:30 AM to 8:30 PM

Friday November 1st – 7:30 AM to 4:30 PM

Saturday November 2nd – 11:30 AM to 5:30 PM

Sunday November 3rd – 11:30 AM to 5:30 PM

IV. LIAISON REPORTS

V. DEPARTMENTAL REPORTS

- **Town Assessor Fernando Gonzalez gave the Board an update on what has been happening at the Assessor's Office. For the 2019 assessment roll the Assessor's office conducted an analysis of sales. The office has also processed various building permits, added and removed exemptions, and published the tentative assessment roll and grievance date. The final assessment role was published on September 16, 2019. During the summer the Board of Assessment Review deliberated over 425 assessment grievance cases and ordered the adjustment on the assessment of a couple properties. There was an approximately \$92 million increase in taxable assessed value for the Town. The increase was due to residential homes selling well and to increases in the number of buildings in Ossining. Next year's appraisal process will be slightly different than this years.**
- **Town/Village Engineer Paul Fraioli and Water Superintendent Andy Tiess gave the Board an update on the projects the Building and Planning Departments are working on. Water Superintendent Andy Tiess discussed the Dale Cemetery House Rehabilitation Project. The architect has completed the probable cost report and the drawings for the project. They are currently working on bid specs for the project. Once that is completed there will be a walkthrough of the house. The bid opening will be on December 9th. The departments are additionally working with the Town Highway Superintendent Pete Connolly to review all sewer lift station generator backup systems. The North State Road generator will be removed and may be used as a backup at the highway garage. The Parker Bale lift station needs to be replaced as soon as possible. The 9A Water Main Project's design has been altered to save money. The goal is to bid the Water Main project by late winter early spring. Town/Village Engineer Paul Fraioli thanked Deputy Treasurer Dale Ferreira for helping to apply to grants to offset the costs of the Old Albany Post Road Extension Rehabilitation Project. The Town has so far received over half a million dollars in grant money for the project. Last year the Town had considering demolishing a wall near the S turn in Croton Ville. After further consideration the Town has decided to rehab the wall with existing materials. Paving has been completed at Hawkes Ave. The Town will work towards paving the road at Studio Hill Rd and Haymont Terrace next. The McCarthy Drive Project is moving along. Work at McCarthy Drive will hopefully commence by spring of next year.**
- **Recreation Superintendent Bill Garrison gave the Board an update on the Recreation Department. There were over 500 registered campers in the Recreation Department's Summer Camps. A camp survey was given out to parents at the end of the summer to complete. The feedback from the surveys has revealed that parents are happy with the summer camps and consider them to be safe. Swimming lessons will now run for six weeks instead of ten. The Recreation Department is working to get its lifeguards more training on water safety. Over the summer the Recreation Department hosted the Family Entertainment Series at Henry Gourdine Park and the Acoustic Music Series at Market Square. The Cedar Lane Arts Center has been one of the biggest successes of the past year. Registration for recreation programs has increased as a result of online registration. Pickleball has become a popular sport at the recreation center. The Recreation Department is currently running a fashion program for teens at the recreation center. The Recreation Department's after-school program is currently maxed out at 120 kids. The Recreation Department's Fall Family Fun Day is on October 5th at the Market Square. The very popular Halloween on Main Event is going to be on October 31st. The**

Recreation Advisory Board is looking for new members. The next Recreation Advisory Board will be on October 7th. The Recreation Department is currently working with the Supervisor's Office to build futsal turfs in the Town.

VI. PUBLIC COMMENT ON AGENDA ITEMS

VII. BOARD RESOLUTIONS

A. Approval of Minutes—Regular Meeting – September 10, 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 approves the September 10, 2019 minutes of the Regular Meeting as presented.

Motion Carried: Unanimously

B. Approval of Voucher Detail Report

Supervisor Levenberg said the following in regard to the resolution: This was a big voucher detail report for us—we finally received the last truck we ordered back in February for Dale Cemetery, we paid our fifth of six annual payment to OVAC, we had our September IMA payment and summer water bill for the Spray Park payable to the Village of Ossining, as well as our October 2019 medical bill, and we got our (long awaited) new generator for the S-Turn pump station. Also, our new guardrails are in and looking spectacular- you can visit phase 1 along Croton Dam Road, Stormytown Road, Old Albany Post Road, and McCord Road (otherwise known as Narraganset Avenue once you reach the Town line!) Special thanks to Highway Superintendent Pete Connolly and our Intermediate Clerk Fern Quezada for all of their hard work staying on top of our infrastructure needs and keeping the costs in line. We are so very proud of you both, as well as our awesome Highway crew, who can always be counted on to get the job done right.

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 approves the Voucher Detail Report dated September 24, 2019 in the amount of \$819,560.64

Motion Carried: Unanimously

C. Stipulation of Agreement between Town of Ossining and CSEA

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

BE IT RESOLVED, that upon recommendation of the Town Supervisor, the Town Board hereby ratifies and approves the Stipulation of Agreement regarding Sandra Anelli's job description and rate of pay between the Town of Ossining and Civil Service Employees Association, Inc., Local 1000, AFSCME, AFL-CIO, Town of Ossining Unit #9182, Westchester County Local 860, retroactive to January 1, 2019; and

BE IT FURTHER RESOLVED, that the Town Supervisor is authorized to execute the Stipulation on the Town's behalf.

Motion Carried: Unanimously

D. Stipulation of Agreement between Town of Ossining and CSEA

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

BE IT RESOLVED, that upon recommendation of the Town Supervisor, the Town Board hereby ratifies and approves the Stipulation of Agreement regarding a corrected salary schedule for the title of Senior Office Assistant for years 2017 through 2021 between the Town of Ossining and Civil Service Employees Association, Inc., Local 1000, AFSCME, AFL-CIO, Town of Ossining Unit #9182, Westchester County Local 860; and

BE IT FURTHER RESOLVED, that the Town Supervisor is authorized to execute the Stipulation on the Town's behalf.

Motion Carried: Unanimously

E. Resolution: Town Policy Manual

Supervisor Levenberg said the following in regard to the resolution: This is a momentous day. This manual has been in the works for more than two years and we are ecstatic to finally wrap this up. It has been fully vetted by not only my office, but our labor counsel and both of our labor unions. Every Town staff member will be receiving a brand-new binder with all of the Town policies as soon as they come back from the print shop, which should be any day now!

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 ratifies and approves the Employee Policy Manual for the Town of Ossining effective September 24th, 2019, including the following policies:

- Equal Employment Opportunity/ Affirmative Action Policy
- Oath of Office
- Code of Ethics
- Americans with Disabilities Act
- Sexual Harassment Prevention Policy
- Unlawful Harassment Policy
- Workplace Safety/ Violence Policy
- Work Badge Policy
- Reimbursement of Town Employee Business Expenses
- Policy Governing the Use of Computer and Telecommunications Systems
- Confidential Information
- Vehicle Usage
- Driver's License/ Insurance Requirements
- Personal Appearance/ Dress Code
- Solicitation and Distribution
- Smoking
- Drug-Free Workplace/ Drug-Free Awareness
- Department of Transportation Controlled Substance and Alcohol Testing

- Family and Medical Leave Act
- Affordable Care Act/ Healthcare Marketplace Policy
- Open Enrollment Policy
- Bloodborne Pathogens Policy
- Confined Space Policy
- Hazard Communication Policy
- Rights of Nursing Mothers
- Leave for Cancer Screening
- Military Leave
- Blood Donation Leave
- Leave for Volunteer Firefighters and Emergency Responders
- Leave to Vote
- Deduction from Pay Policy for Exempt Employees

; and

BE IT FURTHER RESOLVED that all policies contained herein supersede any previously adopted versions of similar policies as of the effective date of this resolution; and

BE IT FURTHER RESOLVED that this Policy Manual, including any and all policies contained herein, may be updated on an as-needed basis pending approval by the then-sitting Town Board and under advisement by Counsel to the Town and/ or Labor Counsel to the Town, and impacted bargaining units when necessary.

Motion Carried: Unanimously

VIII. CORRESPONDENCE TO BE RECEIVED AND FILED

IX. VISITOR RECOGNITION

Visitors shall be accorded one (1) four (4) minute opportunity to speak

X. ADJOURNMENT

At 8:42 P.M., Councilmember Shaw motioned to adjourn into Executive Session for Advice of Counsel and Personnel and Councilmember Feldman seconded.

Motion Carried: Unanimously

At 10:03 P.M., Councilmember Feldman motioned to leave Executive Session and Councilmember Shaw seconded.

Motion Carried: Unanimously

At 10:04 P.M., Councilmember Wilcher motioned to adjourn Executive Session and Councilmember Shaw seconded.

Motion Carried: Unanimously