



MINUTES
TOWN BOARD
TOWN OF OSSINING
TOWN MUNICIPAL BUILDING
16 CROTON AVE – OSSINING, NEW YORK
OCTOBER 1, 2019
SPECIAL MEETING
8:56 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 Special Meeting of the Town Board of the Town of Ossining was held on October 1, 2019 in the Ossining Municipal Building 1st Floor Conference Room, 16 Croton Ave in Ossining. The meeting was called to order at 8:56 P.M by Supervisor Dana A. Levenberg. Members of the Board present were: Councilmembers Jackie G. Shaw, Elizabeth R. Feldman, Gregory G. Meyer, and Councilmember Northern Wilcher, Jr. Also present were Town Counsel Christie Tomm-Addona and Budget Officer Madeline Zachacz. Confidential Secretary Victoria Cafarelli was absent.

II. PUBLIC COMMENT ON AGENDA ITEMS

III. BOARD RESOLUTIONS

A. Personnel: Town Court- Appointment

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 appoints Fernanda Lilley, Ossining, to the probationary position of Part-Time Intermediate Clerk in the Town Court, at an hourly rate of \$13.00, effective October 1, 2019.

Motion Carried: Unanimously

B. Personnel: Town Assessor- Appointment

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 re-appoints Fernando Gonzalez, Stony Point, NY, to the position of Town Assessor, for a six year term beginning October 1, 2019.

Motion Carried: Unanimously

C. Resolution in support of NYS Senate Bill S6648 and NYS Assembly Bill A08545 to mandate education on symbols of hate in New York State public schools

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

Whereas, there has been an upsetting increase in hate crimes recently across our state and our nation, necessitating strong, immediate actions by our leaders to remedy this horrific reality; and

Whereas, symbols of hate and hate speech have also permeated our community in Ossining and Westchester County, calling attention to the need for education and action, both in our schools and communities as a whole; and

Whereas, New York State Senate Bill Number S6648 and New York State Assembly Bill Number A08545 propose mandating instruction in schools regarding symbols of hate as a part of the curriculum for sixth through twelfth grade; and

Whereas, this proposed legislation is a step towards ensuring all students fully understand the meaning behind symbols of hate, like the swastika and noose, but there are many opportunities to expand education beyond schools and into communities as a whole;

Now therefore be it Resolved, that the Town Board of the Town of Ossining hereby supports New York State Senate Bill Number S6648 and New York State Assembly Bill Number A08545 and urge the New York State legislature to ensure passage of this important legislation; and

Be it further Resolved, that the Town Board also encourages New York State legislators to consider adding community-wide education to this proposed legislation; and

Be it further Resolved, that a copy of this resolution be distributed to the sponsors and co-sponsors of S6648/A08545, Senators Kaminsky, Kaplan, Mayer, and Thomas and Assemblymembers Lavine and Glick, as well as the Town of Ossining's state representatives, Senator David Carlucci and Assemblywoman Sandy Galef.

**Motion: Carried
Abstain: Meyer**

D. Tax Payment Plan- 2 Havell Street

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

Whereas, the Town of Ossining is required to collect Town, County and School taxes for the municipality, with the onus on the Town to make whole the County and School District for any uncollected taxes; and

Whereas, the Receiver of Taxes has been approached by a property owner requesting a short-term payment plan for the property at 2 Havell Street, Tax Parcel Designation ID# 89.15-2-68; and

Whereas, the Town Board, pursuant to Article 5 of the Ossining Town Code, as authorized by section 1184 of the New York Real Property Tax Law, before entry of a final judgment, may withdraw a parcel for which payment of real property taxes is delinquent, from a foreclosure proceeding and enter into an installment plan for payment of all delinquent taxes, as well as interest and penalties, and does occasionally grant such a plan and has the discretion to accept or reject any proposal by a residential property owner, providing the owner meets the eligibility requirements set forth in section 180-17 of the Town Code and the payment plan conforms to the requirements for such a repayment plan set forth in section 180-18 of the Town Code;

Now, therefore be it Resolved, that the Town Board of the Town of Ossining hereby grants the aforementioned payment plan, which terms comply with the

Town Code, to this property owner, who has been determined to be eligible, with the understanding that this sets no precedent going forward for this or any other property in the future.

Motion: Carried
Nays: Meyer

E. Tax Payment Plan- 6 Havell Street

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

Whereas, the Town of Ossining is required to collect Town, County and School taxes for the municipality, with the onus on the Town to make whole the County and School District for any uncollected taxes; and

Whereas, the Receiver of Taxes has been approached by a property owner requesting a short-term payment plan for the property at 6 Havell Street, Tax Parcel Designation ID# 89.15-2-69; and

Whereas, the Town Board, pursuant to Article 5 of the Ossining Town Code, as authorized by section 1184 of the New York Real Property Tax Law, before entry of a final judgment, may withdraw a parcel for which payment of real property taxes is delinquent, from a foreclosure proceeding and enter into an installment plan for payment of all delinquent taxes, as well as interest and penalties, and does occasionally grant such a plan and has the discretion to accept or reject any proposal by a residential property owner, providing the owner meets the eligibility requirements set forth in section 180-17 of the Town Code and the payment plan conforms to the requirements for such a repayment plan set forth in section 180-18 of the Town Code;

Now, therefore be it Resolved, that the Town Board of the Town of Ossining hereby grants the aforementioned payment plan, which terms comply with the Town Code, to this property owner, who has been determined to be eligible, with the understanding that this sets no precedent going forward for this or any other property in the future.

Motion: Carried
Nays: Meyer

F. Tax Payment Plan- 94 North Highland Avenue

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

Whereas, the Town of Ossining is required to collect Town, County and School taxes for the municipality, with the onus on the Town to make whole the County and School District for any uncollected taxes; and

Whereas, the Receiver of Taxes has been approached by a property owner requesting a short-term payment plan for the property at 94 North Highland Avenue, Tax Parcel Designation ID# 89.15-2-66; and

Whereas, the Town Board, pursuant to Article 5 of the Ossining Town Code, as authorized by section 1184 of the New York Real Property Tax Law, before entry of a final judgment, may withdraw a parcel for which payment of real property taxes is delinquent, from a foreclosure proceeding and enter into an installment plan for payment of all delinquent taxes, as well as interest and penalties, and does occasionally grant such a plan and has the discretion to accept or reject any proposal by a residential property owner, providing the owner meets the eligibility requirements set forth in section 180-17 of the Town

Code and the payment plan conforms to the requirements for such a repayment plan set forth in section 180-18 of the Town Code;

Now, therefore be it Resolved, that the Town Board of the Town of Ossining hereby grants the aforementioned payment plan, which terms comply with the Town Code, to this property owner, who has been determined to be eligible, with the understanding that this sets no precedent going forward for this or any other property in the future.

Motion: Carried
Nays: Meyer

G. Tax Payment Plan- 96 North Highland Avenue

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

Whereas, the Town of Ossining is required to collect Town, County and School taxes for the municipality, with the onus on the Town to make whole the County and School District for any uncollected taxes; and

Whereas, the Receiver of Taxes has been approached by a property owner requesting a short-term payment plan for the property at 96 North Highland Avenue, Tax Parcel Designation ID# 89.15-2-67; and

Whereas, the Town Board, pursuant to Article 5 of the Ossining Town Code, as authorized by section 1184 of the New York Real Property Tax Law, before entry of a final judgment, may withdraw a parcel for which payment of real property taxes is delinquent, from a foreclosure proceeding and enter into an installment plan for payment of all delinquent taxes, as well as interest and penalties, and does occasionally grant such a plan and has the discretion to accept or reject any proposal by a residential property owner, providing the owner meets the eligibility requirements set forth in section 180-17 of the Town Code and the payment plan conforms to the requirements for such a repayment plan set forth in section 180-18 of the Town Code;

Now, therefore be it Resolved, that the Town Board of the Town of Ossining hereby grants the aforementioned payment plan, which terms comply with the Town Code, to this property owner, who has been determined to be eligible, with the understanding that this sets no precedent going forward for this or any other property in the future.

Motion: Carried
Nays: Meyer

H. Contract- Generator Replacement Specifications- LynStaar Engineering P.C.

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 the agreement dated September 20th, 2019 with Lynstaar Engineering, P.C, White Plains NY, for the preparation of bid specifications for the replacement of two generators at North State Road and Parker Bale lift stations, at a cost not to exceed \$7,750.

Motion Carried: Unanimously

I. Permission to Sell Alcohol at Forest o' Fears Haunted Attraction: Tapsmith

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

Resolved, that Tapsmith is hereby authorized to operate a concession stand during the Forest o' Fears Haunted Attraction event held on October 18th and October 19th at Cedar Lane Park in the Town of Ossining and to sell, for consumption by persons over 21 years of age, beer, wine, and/or cider; and

Be it further Resolved, that Tapsmith will also obtain all necessary permits including an event permit from the New York State Liquor Authority and will provide proof of insurance and the letter of indemnity to the Town in a form acceptable to Counsel to the Town.

Motion Carried: Unanimously

J. Permission to Sell Alcohol at Forest o' Fears Haunted Attraction: Sing Sing Kill Brewery

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

Resolved, that Sing Sing Kill Brewery is hereby authorized to operate a concession stand during the Forest o' Fears Haunted Attraction event held on October 25th and October 26th at Cedar Lane Park in the Town of Ossining and to sell, for consumption by persons over 21 years of age, beer, wine, and/or cider; and

Be it further Resolved, that Sing Sing Kill Brewery will also obtain all necessary permits including an event permit from the New York State Liquor Authority and will provide proof of insurance and the letter of indemnity to the Town in a form acceptable to Counsel to the Town.

Motion Carried: Unanimously

IV. VISITOR RECOGNITION

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

V. ADJOURNMENT

At 9:08 P.M., Councilmember Feldman motioned to adjourn into Executive Session and Councilmember Wilcher seconded.

Motion Carried: Unanimously

At 9:46 P.M., Councilmember Shaw motioned to leave Executive Session and Councilmember Wilcher seconded.

Motion Carried: Unanimously

At 9:47 P.M., Councilmember Feldman motioned to adjourn Executive Session and Councilmember Wilcher seconded.

Motion Carried: Unanimously