



**TOWN BOARD
TOWN OF OSSINING
OSSINING MUNICIPAL BUILDING-1ST FLOOR
16 CROTON AVENUE – OSSINING, NEW YORK
APRIL 24, 2018
REGULAR MEETING
7:30 P.M.**

**SUPERVISOR
Dana A. Levenberg**

**COUNCILMEMBERS
Karen M. D’Attore Elizabeth R. Feldman
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 April 24, 2018 in the Ossining Municipal Building, 16 Croton Avenue -1st Floor Board Room 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 Northern Wilcher Jr., Jackie G. Shaw and Karen D’Attore. Councilmember Elizabeth Feldman arrived at 7:34 p.m. Also present were Town Counsel Christie Tomm Addona and Deputy Town Clerk Ann Marie Rocco. Budget Officer Madeline Zachacz was absent.

Supervisor Levenberg asked everyone to remain standing for a moment of silence. Yesterday, we lost a great friend to the Ossining community and schools. Dr. Paul Fried passed away yesterday after a battle with cancer. Dr. Fried worked in the Ossining school district for 19 years, 16 years as principal and 3 years as an assistant superintendent, before moving to higher positions in school districts in Montville, New Jersey, Mamaroneck, and White Plains. Dr. Fried was an advocate for so many students, and a dedicated educator. He was an inspiration to the teachers and administrators in the Ossining School District, and he will be sorely missed by many. Our thoughts and prayers go out to his family and friends. Please join me for a moment of silence to remember Dr. Paul Fried.

II. PUBLIC HEARING IN THE MATTER OF:

- 2018 Cabaret Application for The Briarcliff Manor Restaurant & Catering Corp.

At 7:31 P.M., the Public Hearing was opened.

Mr. Perry DiNapoli owner of The Briarcliff Manor Restaurant & Catering Corp. was present to discuss his annual renewal for his cabaret license. Mr. DiNapoli feels that they have done a good job of keeping their noise and times of the music/live bands where they need to be. He would like the petition to be granted for 2018.

Supervisor Levenberg is very appreciative of their hard work of keeping the noise level where it should be and keeping the neighbors happy.

Town Counsel Christie Tom Addona asked Mr. DiNapoli to bring the Board up to date on the Zoning Board application. They are applying for a use variance and they are compiling for information that the Zoning Board has requested.

Mr. DiNapoli explained that they are proposing a glass enclosure for the patio to serve a better purpose. This will also benefit the neighbors and contain the noise level.

Supervisor Levenberg wished Mr. DiNapoli and his restaurant all the best.

Councilmember Wilcher stated that it is nice to hear the business is doing well and happy to hear that there are no complaints.

At 7:35 P.M., Councilmember Wilcher moved and it was seconded by Councilmember Feldman that the Public Hearing be closed.

II. ANNOUNCEMENTS

Supervisor Levenberg announced the following:

We have a short agenda this evening, but I want to begin with a few announcements about what's going on in the Town.

First of all, you still have a chance to catch a special event tonight: **Pressing On: The Letterpress Film** at the Ossining Public Library, is hosted by the Westchester Chappel, a local letterpress printing club founded in 1960. The movie started at 6:30pm, but until 9pm there will be a demonstration on an antique press and an exhibition of letterpress calendars.

I would like to thank everyone that helped to make Saturday's 8th annual Earth Day Festival a smashing success. First, of course, a huge thank you to Suzie Ross and Green Ossining for putting together such a great day for the Ossining community once again. Thank you to the Town Parks Department Staff and Foreman Mario Velardo for all of their hard work on Saturday and especially leading up to the event, in installing three electric car charging stations at Engel Park, Ryder Park, and Cedar Lane Park. At Saturday's event, I was joined by several of my colleagues on the Town Board, representatives from the Village Board and Sustainable Westchester, and Assemblywoman Sandy Galef to officially cut the ribbon on the charging station at Engel Park. Somehow, I neglected to invite our Parks guys who were staring right at me, and were instrumental in getting the stations installed in time for Earth Day, and they did need to move Heaven to do so, so my sincerest apologies. 80% of the costs to purchase and install all three charging stations were paid for by the Zero-Emissions Vehicle Infrastructure Rebate Program from the New York State Department of Environmental Protection. Getting the charging stations up and running for Saturday was truly a team effort – thank you to Mario, Victoria and Maddi in my office, and Ron Kamen from Sustainable Westchester for bringing us to the finish line, with just a few bumps in the road. We hope that these charging stations will help make it easier for you to consider purchasing an electric car, and that you come down to one of our beautiful parks to charge your car! The charging stations are programmed to offer three free hours of charging and \$5 per hour thereafter. Please only use the parking spaces at each charging station if you are using it, and vacate the stall once your car is done charging. There will be a public hearing next week to discuss codifying this requirement into the Town's vehicle & traffic law.

There are a few ways you can keep the Earth Day spirit going this week! First, the Ossining Documentary and Discussion Series will present a special Friday night showing of "An Inconvenient Sequel" on the evening of April 27th. The screening will begin at 6:30PM and will be followed by a panel discussion including Pace University Land Use Law Center Professor John Nolon, Director and Chairperson of the Climate Reality Project Tim Guinee, and then my fabulous counterpart Nancy Seligson, Town Supervisor of Mamaroneck and Co-Chair of Sustainable Westchester. I am looking forward to this fantastic evening at the Ossining Public Library and hope to see you there.

Also, this Friday, April 27th is Arbor Day. At 11am we invite the community to join us at Louis Engel Park for our annual Arbor Day celebration. Following the recommendations of SavATree to bolster our tree canopy at Engel Park, we will be planting a red oak tree, a native species to our area that does well in soils along waterways, like the Hudson River. We thank Donna Sharrett for her help selecting a species that would work well at the waterfront.

On Saturday, April 28th please join Ossining School's Superintendent Ray Sanchez and me on a walk at Teatown Lake Reservation at 10am. Park in the Lakeside Lot right next to the main house, or across the street in the overflow lot. Right now, the weather looks like it will be beautiful, so it should be a great morning for the whole family to spend in one of Ossining's most beautiful open spaces!

Also this Saturday, April 28th, join me after the hike to help out our friends on the Ossining Historic Cemeteries Conservancy, with their 2018 Spring Kick-Off at Dale Cemetery, 104 Havell Street. Between 9AM and 12 Noon, come down to learn how to clean and restore some of our community's oldest and most treasured artifacts—no experience is necessary, just be ready to get a little soggy! For more information, email OHCC10562@gmail.com or check out the OHCC Facebook page.

We are getting closer and closer to Mother's Day, and there are several opportunities to shop local for the moms and special ladies in your life. On Saturday the 28th, the Ossining Public Library will host a Mother's Day Artisan Market in partnership with the Northeast Etsy Artists Association. Come pick up some handmade gifts for the special women in your life between 10AM and 4PM- a percentage of sales will go to benefit the Friends of the Ossining Public Library. Next Saturday, May 5th from 10am to 3pm St. Paul's on the Hill will hold their annual Mother's Day Sale at the Lantern Gift Shop with lots of special trinkets and treasures. Stay for the tea luncheon, and treat yourself to a true afternoon tea organized by the ladies of St. Paul's from 11:30am to 2:30pm. Finally, mark your calendars for Teatown's annual PlantFest on May 11th and 12th with great selections for Mother's Day gifts as well.

Next weekend, there are several ways to pitch in and help clean up Ossining and help preserve some of the beautiful natural resources in our area. Saturday, May 5th is I Love My Park Day, a statewide initiative with a local event at the Old Croton Aqueduct. You can register in advance online at www.ptny.org, but pre-registration is not required. Join me and other volunteers along the Old Croton Aqueduct trail on Quaker Bridge Road in Croton at 9:30 am, and get all the supplies you need to help clean up the trail by throwing out trash, nipping invasive plants in the bud, and restore some of the historic features of the Old Croton Aqueduct. Goodies from the Black Cow and Baked by Susan will be provided to volunteers, but be sure to bring a water bottle and lunch if you plan to stay for the whole day. Riverkeeper will also be hosting a sweep of the waterfront in Ossining between 8am and 10am. You can also help out Riverkeeper and join in their "Stencil a Storm Drain," project, making a permanent impact on keeping our waterways clean. You can learn more about Riverkeeper's efforts at www.riverkeeper.org.

May 5th is Stash the Trash day in Ossining. Stop by the Recreation Center at 95 Broadway to pick up your gloves and bags and register your location on May 4th and/or 5th from 8:30-noon. We can give you some ideas if you don't have any spots you are targeting. We are all in this together. Hope to see you out there!

Also, next week will be your last opportunity to pay your Town/County tax bill without penalty, if you have not already done so. Our Town Tax Receiver, Holly Perlowitz is reminding everyone that those taxes are due by April 30th. The Tax Office will be open early and late to receive your taxes this Friday, April 27th and next Monday, April 30th. Hours on those two days will be from 8 am to 6 pm. Holly encourages taxpayers to call her office at 762-8790 if you have any questions or issues with getting your payment in on time! Thank you to all those who have already paid!

Councilmember Shaw announced that our annual feeding our families event will take place at our local Stop & Shop on Saturday, April 28th from 9:00 a.m. – 6:00 p.m.

Councilmember Feldman announced that the Elk's Club at 118 Croton Avenue now has Organ Groove Thursday's (April 26th) from 7:00 p.m. -10:00 p.m. They also have second Saturday Jazz on Saturday April 28th from 7:00 p.m. -10:00 p.m. The Ossining Boat and Canoe Club is up and running. Please visit www.OBCC.org for more information.

Supervisor Levenberg added that the Fire Department is hosting their annual communion breakfast at Maryknoll starting at 8:00 a.m. on Sunday, May 27th.

III.LIAISON REPORTS

IV.DEPARTMENTAL REPORTS

V.PUBLIC COMMENT ON AGENDA ITEMS

VI.BOARD RESOLUTIONS

A. Approval of Minutes-Regular Meeting

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 approves the April 10, 2018 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 D'Attore that the following be approved:

Resolved, that the Town Board of the Town of Ossining hereby approves the April 17, 2018 minutes of the Special Meeting as presented.

Motion Carried: Unanimously

C. Approval of Voucher Detail Report

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

Resolved, that the Town Board hereby approves the Voucher Detail Report dated April 24, 2018 in the amount of \$440,725.39.

Motion Carried: Unanimously

D.

TAX CERTIORARI

Thomas Carucci

vs.

Town of Ossining

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

WHEREAS, proceedings pursuant to Article 7 of the Real Property Tax Law of the State of New York were instituted by Thomas Carucci against The Town of Ossining, to review the tax assessments made on Petitioner's property located at 173 Chappaqua Road , Town of Ossining, and designated on the tax assessment map of The Town of Ossining as Section 90.18, Block 2, Lot 91 for Tax Assessment Years 2010-2014, which proceedings are now pending in the Supreme Court of the State of New York, County of Westchester, under Index No. 25522/10, 15706/11, 66901/12, 66164/13 and 66961/14; and

WHEREAS, the above Petitioner has agreed to a compromise and settlement of such proceedings, subject to the approval of the Town Board, correcting and reducing the assessed valuation of its real property and improvements, as follows:

Assessment Year	Tax ID No.	Original Assessed Value	Reduction	Final Assessed Value
2010	90.18-2-91	\$30,185	\$3,497	\$26,688
2011	90.18-2-91	\$30,185	\$2,105	\$28,080
2012	90.18-2-91	\$30,185	\$905	\$29,280
2013	90.18-2-91	\$30,185	\$1,880	\$28,305
2014	90.18-2-91	\$30,185	\$1,625	\$28,560

WHEREAS, any and all refunds necessitated by said settlement will be made without interest; and

WHEREAS, the Town Board, upon the recommendation of the Assessor, concurred by Counsel to The Town, finds the proposed settlement appropriate and in the best interest of the Town of Ossining; now therefore it is

RESOLVED, that settlement of the proceedings, on the terms set forth herein, is hereby accepted and approved, subject to the approval of the Supreme Court, Westchester County, wherein such proceedings are pending; and it is further

RESOLVED, that The Counsel to The Town is hereby authorized and directed to procure and execute any documents necessary to effectuate such settlement; and it is further

RESOLVED, subject to the approval of the Supreme Court, Westchester County, that the Assessor is authorized and directed to make the changes and corrections to the individual unit assessment on the tax assessment roll of the Town of Ossining, which will be ordered pursuant to the Consent Judgment to be entered in accordance with the terms of this settlement, and the Receiver of Taxes is authorized and directed to process and pay the refund of Town of Ossining taxes estimated to be \$ 1,016.63, which will be ordered pursuant to said Consent Judgment.

Motion Carried: Unanimously

E.

TAX CERTIORARI
Jeanpierre & Franca Corrieri
vs.
Town of Ossining

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

WHEREAS, proceedings pursuant to Article 7 of the Real Property Tax Law of the State of New York were instituted by Jeanpierre & Franca Corrieri against The Town of Ossining, to review the tax assessments made on Petitioner’s property located at 65 South Highland Avenue, Town of Ossining, and designated on the tax assessment map of The Town of Ossining as Section 97.07-6-71 for Tax Assessment Years 2014-2016, which proceedings are now pending in the Supreme Court of the State of New York, County of Westchester, under Index No. 66111/14, 66573/15 and 64357/16; and

WHEREAS, the above Petitioner has agreed to a compromise and settlement of such proceedings, subject to the approval of the Town Board, correcting and reducing the assessed valuation of its real property and improvements, as follows:

Jeanpierre & Franca Corrieri 65 South Highland Avenue, Town of Ossining, N.Y. Section 97.07-6-71

Assessment Year	Tax ID No.	Original Assessed Value	Reduction	Final Assessed Value
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2014	97.07-6-71	\$26,900	\$3,900	\$23,000
2015	97.07-6-71	\$26,900	\$5,000	\$21,900
2016	97.07-6-71	\$387,600	\$0	\$387,600

WHEREAS, any and all refunds necessitated by said settlement will be made without interest; and

WHEREAS, the Town Board, upon the recommendation of the Assessor, concurred by The Counsel to The Town, finds the proposed settlement appropriate and in the best interest of the Town of Ossining; now therefore it is

RESOLVED, that settlement of the proceedings, on the terms set forth herein, is hereby accepted and approved, subject to the approval of the Supreme Court, Westchester County, wherein such proceedings are pending; and it is further

RESOLVED, that The Counsel to The Town is hereby authorized and directed to procure and execute any documents necessary to effectuate such settlement; and it is further

RESOLVED, subject to the approval of the Supreme Court, Westchester County, that the Assessor is authorized and directed to make the changes and corrections to the individual unit assessment on the tax assessment roll of the Town of Ossining, which will be ordered pursuant to the Consent Judgment to be entered in accordance with the terms of this settlement, and the Receiver of Taxes is authorized and directed to process and pay the refund of Town of Ossining taxes estimated to be \$ 145.68, which will be ordered pursuant to said Consent Judgment.

Motion Carried: Unanimously

F. Personnel- Town Tax Office- Seasonal Appointment

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 appoints Martha Quituisaca, Ossining, to the seasonal position of Intermediate Clerk in the Town Tax Office effective April 25th, 2018 at a rate of \$13 per hour.

Supervisor Levenberg stated that as Town Tax season is underway, our Receiver of Taxes, Holly Perlowitz is bringing a seasonal Intermediate Clerk on board to help in the office. Martha Quituisaca is an OHS grad, and working on her master’s degree in Public Administration at John Jay College. She is sure to be a great addition to the Tax Office team!

Motion Carried: Unanimously

VII.CORRESPONDENCE TO BE RECEIVED AND FILED

VIII.MONTHLY REPORTS

IX.VISITOR RECOGNITION

Eric Glomann McCarthy Drive explained that he is happy the McCarthy Drive is becoming a dedicated road. Mr. Glomann explained that after speaking with the Village Engineer the results were not satisfactory and kept referring to the Town’s standards about the width of the road. Mr. Glomann is asking the Board to possibly have a meeting with the residents on McCarthy Drive to discuss about what we can do to save the Town of Ossining money.

Mitchell Yonkler McCarthy Drive thanked the Board for dedicating the road. Mr. Yonkler explained that he lives at the end of McCarthy Drive where there is group home and is concerned about how drivers are going to be turning around. Currently,

drivers have been backing into his driveway for the past few years and feels this is unacceptable. He understands that there will be a “hammer turn” and is unclear how this is going to work. Mr. Yonkler would like to see what the plan is going to be.

Rob Casey McCarthy Drive stated that the Board is looking at a 40% increase in the size of the road and really doesn't see the need in this.

X.ADJOURNMENT –EXECUTIVE SESSION-ADVICE OF COUNSEL & LEGAL PROCEDURE

Supervisor Levenberg thanked everyone for joining us. Town Board will have a Town Hall meeting next week, May 1st at the Ossining Public Library.

At 7:59 P.M., Councilmember Shaw moved and it was seconded by Councilmember Feldman that the meeting be adjourned to Executive Session.

Motion Carried: Unanimously

Approved:

Mary Ann Roberts Town Clerk