



**TOWN BOARD
TOWN OF OSSINING
BIRDSALL-FAGAN POLICE/COURT FACILITY
86-88 SPRING STREET – OSSINING, NEW YORK
MAY 22, 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 May 22, 2018 in the Ossining Municipal Building, 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 Northern Wilcher Jr., Jackie G. Shaw, Karen D’Attore and Elizabeth Feldman. Also present were Town Counsel Christie Tomm Addona and Budget Officer Madeline Zachacz was absent. Village Clerk, Mary Ann Roberts was absent.

II. PUBLIC HEARING IN THE MATTER OF:

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

- The 2018 Cabaret License Renewal Extension for Maya Riviera

Supervisor Levenberg stated that as you may recall, back in February of this year, we issued a conditional Cabaret License to Maya Riviera on North State Road because they had asked us to extend their cabaret hours on the weekends. We approved it for 90 days and said we would revisit it. If anyone would like to address this board on this issue please introduce yourself and come to the microphone.

Supervisor Levenberg suggested that we make the following amendment to the Cabaret License:

1. The music played on site will consist only of (a) a Band consisting of 3-5 members, or (b) a DJ using a Karaoke Machine

All members of the Board were in agreement.

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

III. ANNOUNCEMENTS

Supervisor Levenberg announced the following:

Last week we received guidance from New York State’s Tax & Finance Department regarding the Charitable Trust Fund legislation which was passed in New York State and signed into law in reaction to the federal SALT bill which disallows more than \$10,000 in deductions for individuals and families. I can tell you that everyone at all levels of government is working hard to figure out how we can administer this new law to offer our taxpayers the most options for securing the highest deduction on their federal income tax payments so we do not have to pay taxes on our taxes.

Unfortunately, it is not smooth sailing, but we hope as many of the top finance, taxation, and legal specialists in the localities, state and county, will evaluate the legislation and its ramifications, so we can put plan in place very soon.

Speaking of taxes, a notice from our Assessor's office will be arriving in many of your mailboxes very soon. It includes a copy of the NYS Official Change of Assessment Notice for your property. After the town wide revaluation of properties that went into effect in 2016 that brought all properties to 100% full market value assessment, the Town has completed an assessment property annually to make sure we maintain this 100% market value. Property owners are asked to FOCUS on their assessed value as determined by the Town assessor's office, visit the Assessor's page at TownofOssining.com, and then call their office to set up an appointment to review any information you may have to present to them in advance of Grievance Day June 19th. You may also formally challenge your assessment if you are not satisfied through the Board of Assessment Review from June 1-June 19th. This is your annual opportunity to do so if you believe you have been over assessed. Their number is 914-762-8274.

This Monday is Memorial Day, and as always, there are several opportunities to join in with the community and honor the brave men and women that have made the ultimate sacrifice for our country. The Ossining Memorial Day parade begins at 9:30am on Monday, May 28th at the corner of Croton Avenue and Calam Avenue. The parade will continue to Nelson Park, for a ceremony following. The Briarcliff Manor Memorial Day parade will also be held on Monday, beginning at 11:30am on Pleasantville Road near the downtown. A service following the parade will be held at Law Park. Hopefully we will get nice weather this year, and everyone will get to participate in this important day, although right now it does not look so good.

If you do attend the ceremony at Nelson Park, keep an eye out for wreaths handmade by some of Ossining's Girl Scouts. Completed wreaths have been trickling into my office this week – can't wait to see their handiwork displayed at Nelson Park for the third year in a row!

We do have a little tough news to share—the Spray Park at Louis Engel Park has been undergoing some repairs and, while we generally open it for the first time on Memorial Day Weekend, there is a good chance it won't be ready quite yet. Check out the Town homepage or the Supervisor's Update for more information. Please also note that both the Town and Village of Ossining will be closed in observance of the holiday—we will be back to serve you first thing Tuesday morning.

There are few opportunities left to catch Bill T Jones & Co during the last 2 weeks of their residency at Bethany Arts Community in Ossining. With small, intimate audiences, these performances are unlike any other. I attended one this past weekend and it was spectacular and so special to see these performers in this intimate setting. Bethany has received endless raves from others as well, and the art show that accompanies the dance performance is focused on movement and superbly curated.

- Thursday, 5/24, 7pm - Artist Talk featuring Bill T Jones, Janet Wong (co-artistic director) and dancers (only \$10)
- Saturday, 5/26, 1-4pm - Community dance project - take part in developing their new work while participating in a meaningful human experience (FREE)
- Wednesday, 5/30, 7pm - Your only chance to see a full performance in Westchester, and you'll be seated at the edge of the dance floor (\$30)
- Thursday, 5/31, 7pm - A works in process showing of independent projects by the company's dancer (\$10/\$20)

For full details and tickets, please visit Bethany's website at www.bethanyarts.org/bill-t-jones.

The Sing Sing Kill Brewery on Spring Street right across the street from us here at the Courthouse, will be holding its official ribbon cutting this Friday at 4pm. Then

stay for a drink when the taproom opens at 5pm. Sing Sing Kill Brewery is a New York State Farm Brewery, committed to supporting local agriculture, and is the newest member of Westchester's Hudson River Brewery Trail, right here in downtown Ossining. This brewery has been a long time coming and a labor of love - please join me in welcoming this local craft brewery to Ossining.

WCT is delighted to present the next *Play In the Box* production, a performance series that offers member playwrights an opportunity to present their never before seen plays to an audience at our black box theater. The plays, all self-produced by the playwrights featuring actors and directors of their choice, range from readings to fully staged performances. Following each play, the audience is asked to become part of the creative process through talk-backs that assist the playwrights in identifying what works and what doesn't in the plays. WCT will present 4 new one-act plays direct from their workshop development program this Friday at 8pm. \$5 suggested donation: Pay at Door wctheater.org

Team Gullottas Fight Cancer is still raising money for the Leukemia and Lymphoma Society, working towards their \$50,000 goal. You can support their efforts by attending Beers for a Cause, an evening of beers and standup comedy, at the Ossining Elks Lodge on Friday, June 1st from 7pm to 9pm. \$20 donations to attend the event will be collected at the door, and you can also join them for dinner from 6:30pm to 7:30pm for \$10 and enjoy light appetizers during the show for \$5. On Wednesday, June 6th, there will be a pig roast at The Briarcliff Manor to support the Leukemia and Lymphoma Society as well. The event is \$80 per person, for a delicious feast with wine, beer, live music performed by Downtown Saturn, raffle, and silent auction. You can RSVP at pigroastforlls.eventbrite.com. If you can't make either event, but would still like to support Team Gullottas efforts for this important cause, a link to donate is available on the Town's website.

Support Briarcliff Baseball by purchasing your tickets now for the New York Mets game against the Chicago Cubs for Sunday, June 3rd, at 1:10 pm. Field level tickets are \$80.00 each which includes 1 ticket, a Mike Piazza jersey, and a Mets fanny pack. Children 12 and under can run the bases after the game. Come in your Briarcliff Bears attire and see yourself on the jumbotron! To get your tickets, contact Greg DeMilia at (914) 610-1748 or gregorydemilia@gmail.com

Finally, be sure to mark your calendars for Sunday, June 3rd, when the Ossining Historic Cemeteries Conservancy will join us to officially dedicate the Dale Cemetery Heritage Trail at 1PM. The OHCC has been hard at work for almost a year to develop the signage for this trail through a grant from Senator David Carlucci, and we are incredibly fortunate to have this jewel of Ossining's history cared for and developed into a destination by the OHCC volunteers. This event is rain or shine!

Councilmember Feldman announced that it was National EMS week and recognized the Ossining Ambulance Volunteers and thanked them for all they do. The OBCC had its 103rd Commissioning day ceremony on Sunday.

IV.LIAISON REPORTS

V.DEPARTMENTAL REPORTS

- Police Chief Kevin Sylvester

Supervisor Levenberg stated that tonight, we are joined by Ossining Police Chief Kevin Sylvester. We are so excited that he will be among the 40 under 40 recognized by the Westchester Business Journal in a couple of weeks. He does an outstanding job supervising our men and women in blue. We had the opportunity to hear, last week, about some really heroic efforts made by our police force. I'm guessing we will hear a little bit about that today as well as some highlights of what positive community outreach you have coming up this summer. Chief, thanks for joining us tonight.

Chief Sylvester reminded residents to keep up to date on the Police Departments social media such as Nixle, Facebook, Instagram, Twitter and Next Door. There have been some projects going on:

- Awards Ceremony
- There is an intern on staff from Pace University and she will be helping us revise our policies and procedures.
- Our lending library is part of the Ossining Basics program
- We are also collection school supplies for the Action Committee
- Memorial Parade starts at 9:00 a.m. on Monday, May 28th.
- Village Fair will take place on June 9th and Main Street will be closed
- The Portuguese Festival will take place the following week on Main St.
- Fireworks will be coming up soon.
- We have 4 movies in the parks at Nelson Park scheduled with the Recreation Center.
- We have 4 Coffee with a Cop Events coming up.

VI.PUBLIC COMMENT ON AGENDA ITEMS

VII.BOARD RESOLUTIONS

A. Approval of Minutes-Regular Meeting

Councilmember Shaw 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 May 8, 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 Feldman that the following be approved:

Resolved, that the Town Board of the Town of Ossining hereby approves the May 15, 2018 minutes of the Special Meeting as presented.

Motion Carried: Unanimously

C. Approval of Voucher Detail Report

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

Resolved, that the Town Board hereby approves the Voucher Detail Report dated May 22, 2018 in the amount of \$1,302,791.68.

Supervisor Levenberg stated that this is a whopper of a voucher detail mostly because the Village of Ossining is kind enough to wait until we have some cash under our belts after the Town/County taxes have been collected before they bill us (\$823k). We have 5 months of charges in here. From here on out they will bill us monthly (\$65k +/-) Also in here, we paid the annual maintenance to All Makes for our 7 sewer lift station generators (\$8925 plus extra parts not under contract, a resolution we passed a few weeks back), and we replenished our supply of blue envelopes for the Tax Office (these ones say Holly Perlowitz instead of Gloria Fried so look for them!, \$3084). We paid Dolph Rottfeld the \$2500 annual fee for preparing our stormwater report which we are accepting tonight, we paid the June Medical Insurance bill (\$107K), 50% of our annual audit bill (\$25,500 split between all

funds), many Town/County tax bill overpayments, and of course, our May 2018 IMA bill for the Village of Ossining (\$131,970 not including the Police).

Motion Carried: Unanimously

D. Approval of 2018 Cabaret License – Maya Riviera Bar and Restaurant, 518 North State Road Briarcliff Manor, Town of Ossining

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

Whereas, the Maya Riviera Bar and Restaurant (“Applicant”) filed an application for a Cabaret License for the calendar year 2018, requesting extended hours during which it can play amplified music on Friday and Saturday nights from 12:00 midnight to 1:00 a.m.; and

Whereas, on February 27, 2018, the Town Board, after holding a duly noticed public hearing and considering the application and all of the attachments and reports thereto and comments from the public, granted the Applicant a provisional cabaret license for three months subject to the following conditions:

2. The music played on site will consist only of (a) a Band consisting of 3-5 members, or (b) a DJ using a Karaoke Machine
3. Amplified music shall be allowed on Sunday through Thursday from 11:00 a.m. – 11:00 p.m. and Friday- Saturday from 11:00 a.m. -1:00 a.m.; and

Whereas, the provisional license provided that after the three-month period, the Town Board would hold another public hearing on this application to receive public input on the extended hours and determine whether it was appropriate to grant a license for the entirety of the 2018 calendar year with the extended hours; and

Whereas, on May 22, 2018 the Town Board held a duly noticed public hearing on the application and, with the public having had the opportunity to speak and be heard, the Town Board closed the public hearing on May 22, 2018; and

Now therefore,

Be it Resolved, in accordance with Chapter 68 of the Town Code and based upon the evidence adduced before this Board, the Town Board finds that the Applicant’s extended hours of operation do not have a negative impact on the economic and/or social welfare, health, peace and morals of the residents of the Town and the Town Board deems it appropriate and consistent with public safety and welfare to allow the Applicant to continue to operate until 1 a.m. on Friday and Saturday nights; and

Be it further Resolved, that the Applicant’s cabaret license is granted for the entirety of the 2018 calendar year subject to the same conditions in the provisional cabaret license set forth above; and

Be it further Resolved, these conditions are only for the 2018 calendar year and the Town Board reserves the right to modify, add and/or eliminate any and all conditions when considering the Applicant’s application for a cabaret license renewal for the 2019 calendar year in accordance with Chapter 68 of the Town Code.

Motion Carried: Unanimously

E. Contract- Homestead Study, Benjamin Center at SUNY New Paltz

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

Whereas, the Town of Ossining released a Request for Proposal (RFP) seeking completion of a professional research study and report to identify and evaluate the potential benefits and/or impacts of enacting the Homestead tax option in the Town of Ossining; and

Whereas, in seeking proposals the Town of Ossining actively solicited bids from five research institutions the Town believed may be willing and able to provide said services, and

Whereas, the Town of Ossining opened the one submitted sealed proposal on Monday, May 14th in accordance with all legal requirements for soliciting bids; and

Whereas, the only proposal the Town received was from the Benjamin Center at SUNY New Paltz, proposing to conduct the specified work outlined in the RFP for an amount not to exceed \$30,000; and

Whereas, the Board finds this proposal to be reasonable and complete;

Therefore be it Resolved, that the Town Board of the Town of Ossining hereby authorizes the Supervisor to sign a contract with the Research Foundation of the State of New York on behalf of the Benjamin Center, New Paltz, NY to conduct the outlined study as per their submission dated May 10th, 2018, subject to approval by Counsel to the Town as to form.

Supervisor Levenberg stated that after reaching out to several research institutes and tax policy think tanks who we thought would be a good fit for this study, we only received one response back. However, these folks are known as the go-to on issues like this one, and we know that, based on their proposal to us, that they understand the topic wholly and will do a very thorough job researching the issue of Homestead and how it has applied to communities that are closer to home. We will also be sure to work with them on putting together a presentation that is accessible and understandable for everyone.

SUNY RF
The Research
Foundation for
The State University of New York
The Office of Sponsored Programs

May 10, 2018

Town of Ossining
16 Croton Avenue
Ossining, NY 10562
Attn: Mary Ann Roberts
Ossining Town Clerk

Dear Mary Ann:

The Research Foundation for the State University of New York on behalf of The Benjamin Center is pleased to submit their proposal for the Homestead Study for Town of Ossining, New York. Enclosed please find the proposal memorandum.

Please let me know if you need any other information.

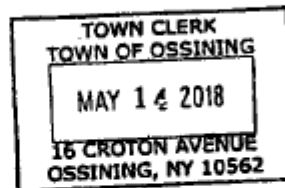
Sincerely,

Patty Pritchard

Patty Pritchard
Sponsored Programs Manager

Enclosures

cc: Gerald Benjamin, Director, The Benjamin Center
Carrie Corti, Director of Pre-Award Services



MEMORANDUM

To: Ossining Town Clerk
16 Croton Avenue
Ossining, NY 10562

From: Gerald Benjamin
Director, The Benjamin Center

Re: Performing a Study of the Homestead/Non-Homestead Property Tax Option for the
Town of Ossining, in accord with the Town government's request of April 19, 2018

Dated: May 8, 2018

In accord with your request, the Benjamin Center proposes to conduct a study of the potential advantages and disadvantages for the Town of Ossining, the Villages of Ossining and Briarcliff, and the Ossining and Briarcliff School Districts of the adoption by the Town of Ossining of the option offered municipalities by the New York state legislature in 1981 to tax residential and business property classes at different rates following property revaluation. The dual rates are called "homestead" for residential and "non-homestead" for business properties.

The Benjamin Center proposes to perform this research over a six month period, in accord with the plan and methods detailed below, starting at a date specified by the Town (at or after execution of a contract to do this work), at a cost of \$30,000, payable on an agreed schedule.

Qualifications: The Benjamin Center at SUNY New Paltz is the leading university-based regional public policy research and analysis organization in the Mid-Hudson Valley. The Center is acknowledged for its expertise in property tax policy and administration. Our research on "Classification of Property for Taxation in New York State: Issues and Options" (Discussion Brief #13 – Fall 2014) is of particular relevance for this proposal. Built upon initial work on the City of Kingston funded by the Dyson Foundation, it is comparative analysis of five Hudson Valley cities that have chosen the homestead/non-homestead option, augmented with data from eight additional upstate cities and reports of research on New York City (including condominium and coop taxation there). It specifically addresses implications for school districts of the adoption of the homestead/non-homestead option, and additionally presents some data from towns and villages that have made this policy choice. Benjamin Center researchers who wrote this Discussion Brief, Gerald Benjamin and Thomas Cetrino, will be the lead investigators for the proposed Ossining study.

Accountability: The project will proceed over a six-month period. Periodic reports of progress will be provided to the Ossining Town Board, through the Town Supervisor. A formal report of the results of the study will be delivered to the Supervisor and Board Members of the Town of Ossining, and through the Town Board to the mayors of the two villages and the chairs of the two school boards as the Town Board specifies, electronically and in a number of hard copies as contractually agreed. Additionally, The Benjamin Center will make a public presentation on these research results in the Town of Ossining, at a time and in a place specified by the Town Board.

Research Goals, Process, and Methods

- I. Context of this project
 - a. Summary of current debate in Ossining regarding potential of adoption of the homestead/non-homestead option
Method: Interviews with advocates on both sides of this debate, reviews of the materials they have prepared and distributed, interviews with current and past elected and appointed town officials and regional representative of state tax department, review of published reporting
 - b. History of the adoption of the homestead/non-homestead option, with particular attention to development of policy regarding taxation of condominiums
Method: Draw upon files of the Benjamin Center, consult with tax department personnel as needed, draw upon expertise and developed research of NY State Assessors Association
- II. What if the Homestead/Non-homestead option were in place in the Town of Ossining now? Compare tax burden under current practice and under homestead/non-homestead alternative for commercial, non-condo and condominium properties
 - a. Obtain and consider calculations developed by persons engaged in current policy debate in Ossining
 - b. Obtain and consider research conducted by Town assessor, and interview him
 - c. Using the most recent available tax roll, independently calculate impact of adoption of homestead/non-homestead option and tax burden shift, compare to previously available analyses
- III. Current and future local economic impact and perceived impact of adoption of homestead/non-homestead option
 - a. Subject to the availability of data, compare change in commercial and residential (condo/non-condo) property values over the 2007 – 2017 period for Ossining and selected towns in Westchester and Rockland Counties with homestead non-homestead option; e.g. Orangetown, Clarkstown, Haverstraw, Pelham, Rye, Stony Point.

- b. Model potential future change in values for commercial, non-condominium and condominium properties based upon recent past historical patterns for Ossining and selected regional towns employing homestead/non-homestead option.
 - c. With particular regard to perceived impact, interviews with realtors with experience in marketing commercial and residential properties in Ossining and towns with homestead/non-homestead option
 - d. Research and document conversion of properties to condominium status to achieve tax advantage in non-homestead jurisdictions and resultant tax burden shift
- IV. Impact on Villages and School Districts
- a. Using most recent available tax rolls, model tax burden shift under three scenarios regarding adoption of homestead/non-homestead option by villages and school districts made eligible to do so as a result of adoption by Town of Ossining
 - i. Town and one village
 - ii. Town and one school district
 - iii. Town and one village and one school district
- V. Administrative costs – current and transitional
- a. Compare current budgeted costs (normalized) of property tax administration in Ossining and potentially affected Villages and School Districts with costs in towns and affected villages and school districts of similar parcel count and type in the region employing the homestead/non-homestead option; e.g., Ossining, 10,165 parcels; Rye, 11,109; Haverstraw, 10,066.
 - b. To the degree possible, locate and interview assessors with experience with both the homestead/non-homestead system and single rate system for estimates of comparable administrative costs.
 - c. Interview those responsible for property tax administration in Ossining, Villages and School Districts for an estimate of workload required to convert to homestead/non-homestead and monetize cost.
 - d. Through the State Assessor's Association, locate and interview an assessor or assessors with experience of conversion to or from the homestead/non-homestead system for an estimate of workload, and monetized costs.
- VI. Potential changes in state policy
- a. Research recent proposals brought to the NYS legislature and current litigation seeking to achieve greater equity in residential property burden and project its potential impact on Ossining.
 - b. As possible, draft legislation based upon this research for introduction in the NYS Assembly and Senate to achieve greater equity in residential tax burden in Ossining and elsewhere.

Role of the Town Government

To assure the success of this research, we ask that the town government agree to:

- I. Specify one staff person and one board member as principle liaisons with this project
- II. Assure and facilitate access to data and files available to the town
- III. Arrange liaison with the regional representative of the State Department of Finance, and assist in obtaining his or her collaboration with this effort
- IV. Recommend and arrange introductions to persons in the community who should be interviewed
- V. Arrange liaison with village and school board members and administrative staff and support access to data and files from these governments needed for the study
- VI. Assist with the arrangement of public meetings and hearings to engage the community with this work, as planned and needed

Key Personnel

Gerald Benjamin, Director of the Benjamin Center will advise on the project. Dr. Benjamin is one of the foremost experts on local government policy. He earlier served as Director of the Center for the New York State and Local Government Studies at SUNY's Rockefeller Institute of Government in Albany. While in that post, between May of 1993 and March of 1995, Dr. Benjamin served as Research Director of the Temporary State Commission on Constitutional Revision appointed by Governor Mario Cuomo. Earlier he was Principal Research Advisor to a New York City Charter Revision Commission that achieved the most extensive structural changes in the government of that city in recent history. Between 2004 and 2006, by unanimous bipartisan action of the county legislature, Benjamin was appointed to chair the Ulster County Charter Commission. The work of this commission resulted in approval at the polls of the county's first charter. That charter went into effect in January of 2009. In 2007 Associate Vice President Benjamin was appointed by Governor Spitzer to the State Commission on Local Government Efficiency and Competitiveness that in 2008 proposed wide-reaching reforms in local government in New York State. Between 1981 and 1993 Gerald Benjamin was an elected member of the Ulster County legislature. He served in legislative leadership as both Majority Leader (1985-91) and Chairman (1991-93). During this time, Ulster County had no elected executive; the legislative chairman was therefore the County's Chief Elected Officer. Under his leadership the Benjamin Center has provided studies on government restructuring, redistricting, tax policy, and intergovernmental collaboration for counties, cities, towns, and villages in the Hudson Valley and elsewhere in New York State. He is co-author with Thomas Cetrino of *Classification of Property Taxation in New York State: Issue and Options*.

Thomas Cetrino graduated from SUNY New Paltz in 1973 with a BA in Political Science and continued his education at SUNY Albany where he earned a MA in Criminal Justice. Tom first

worked at the NY State Division of Criminal Justice Services where he was the chief researcher in the development of standards and goals under which federal grants were distributed to police agencies across the State. Tom then served in many positions with the Office of New York State Senate Minority Leader for 20 years serving as the primary researcher and author of reports that lead to the passage of several current laws including the establishment of a Community Dispute Resolution Center program within the Office of Court Administration and the development of a handicapped accessible public transit system in New York City.

After leaving the NY State Legislature, Tom became the Research Director for the NY State Public Employees Federation and was the primary researcher and author of several reports that documented the cost-effectiveness of using state employees rather than consultants to handle most of New York State's engineering and information technology work. His efforts helped lead to the enactment of the Contract Disclosure Law of 2001 which requires consultants hired by New York State to disclose their costs and the nature of their work as well as to improve State reporting of consultant costs in State agency budgets. Tom currently serves as a research consultant on many of the center's local government projects. He recently was the chief staff researcher and writer in assisting Albany County in the development of its 2015 Government Efficiency Plan. He is co-author with Gerald Benjamin of *Classification of Property Taxation in New York State: Issue and Options*.

References

Mayor Randy Casale
City of Beacon
1 Municipal Plaza
Beacon NY 12508
845.838-5012
mayor@cityofbeacon.org

Thomas Collins
SVN Deegan-Collins Commercial Realty
411 Washington Ave., Suite 210
Kingston NY 12401
845.339-9100
thomas.collins@svn.com

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Motion Carried: Unanimously

F. MS4 Stormwater Report, 2017-2018

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

Resolved, that the Town Board of the Town of Ossining hereby accepts the MS4 Stormwater Report, as prepared by Dolph Rotfeld Engineering covering the period of March 10th, 2017 through March 9th, 2018; and

Be it further Resolved, that the Supervisor's Office is hereby directed to submit the final report to the NYS Department of Environmental Conservation no later than the deadline of June 1st, 2018.

Supervisor Levenberg stated that as we discussed last week, this is a report that we are required to file annually as per the New York State DEC, and once the Board gives the thumbs up tonight, this will be mailed to Albany and filed for the 2017-18 year. While I have your attention, please take note of a few "didja knows" about stormwater:

DID YOU KNOW?

Bacteria from animal wastes and illicit connections to sewerage systems can make nearby lakes and bays unsafe for wading, swimming and the propagation of edible shellfish.

Oil and grease from automobiles causes sheen and odor and makes transfer of oxygen difficult for aquatic organisms.

Sediment from construction activities clouds waterways and interferes with the habitat of living things that depend upon those waters.

Careless application of pesticides, herbicides and fertilizers affect the health of living organisms and cause ecosystem imbalances.

Litter damages aquatic life, introduces chemical pollution, and diminishes the beauty of our waterways.

Pick up after yourself and after your pets, keep your car up to date on its servicing, and limit or eliminate the use of pesticides on your plants and lawn. By paying attention to these small every day habits, we can all ensure that our water bodies are less affected by human activities.

For more tips, please visit the Stormwater Management section of the Town of Ossining website, or visit us at 16 Croton Avenue or the Town Building Department to pick up some literature on how you can help keep our stormwater safe and clean.

Motion Carried: Unanimously

G. Appointment: CDBG Representative, Town of Ossining

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

Resolved, that the Town Board of the Town of Ossining hereby appoints Richard Wishnie, Ossining, as the Town of Ossining representative to the Westchester Urban County Consortium's Community Development Advisory Group for the purposes of certifying the Town's compliance with Community Development Block Grant standards and fulfilling the County's citizen participation requirement for the program.

Supervisor Levenberg stated that after nearly a decade of being blocked from accessing CDBG, or Community Development Block Grant, funds, we are excited to once again be permitted to apply for projects through the Westchester Urban County Consortium, our membership to which this Board agreed by resolution several meetings back. As part of the agreement, each participating municipality must assign a CDAG representative, and we couldn't think of anyone who knows our Town better than the Honorable Richard Wishnie. Thanks to former Supervisor Wishnie for volunteering to represent us at the County level during this exciting process.

Motion Carried: Unanimously

H. Purchase of Street Sweeper for Town Highway Department

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

Resolved, that the Town Board of the Town of Ossining hereby authorizes the Supervisor to sign a purchase order for the Town Highway Department to order one (1) Elgin Broom Badger from Long Island Sanitation Equipment Co., Farmingdale NY, as per the specifications contained within Quote #050318NJPA

received on May 3rd, 2018, with a price not to exceed \$199,280 as per NJPA Contract #022014-FSC.

Supervisor Levenberg stated that after several months of back and forth, including several test drives, our Highway Superintendent has made his recommendation for a replacement street sweeper. Luckily for us, this sweeper is on the NJPA, or National Joint Purchasing Alliance, list, which means we can be sure we are getting a competitive price and do not have to take bids. It is, however, the least expensive sweeper that we tried. We are excited to get the wheels turning and get this equipment into place for our guys—our current sweeper has been on its last broom for a while, and we are constantly being told that our MS4 requirements are going to get more strict, necessitating even more street sweeping to keep the catch basins clear. This is a necessary expense and we know it will serve us well into the future.

Motion Carried: Unanimously

VIII. CORRESPONDENCE TO BE RECEIVED AND FILED

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

Resolved, that the Town Board of the Town of Ossining hereby accepts the following:

- Town Architectural Review Board Resolution dated April 18, 2018

Motion Carried: Unanimously

IX. MONTHLY REPORTS

X. VISITOR RECOGNITION

XI. ADJOURNMENT –WORK SESSION

At 8:03PM, Councilmember Wilcher motioned to enter into Work Session Councilmember Shaw seconded.

Motion Carried: Unanimously

WORK SESSION AGENDA
TOWN BOARD
TOWN OF OSSINING
BIRDSALL-FAGAN POLICE/COURT FACILITY
86-88 SPRING STREET – OSSINING, NEW YORK
MAY 22, 2018
8:03 P.M.

I. River Knoll Proposal

Supervisor Levenberg stated that our first agenda item tonight is a continuation of our discussion on the River Knoll proposed project. When we last met, the Board discussed our thoughts on the DEIS as presented and shared ideas about what we would like to see added or updated for the FEIS. Our illustrious counsel prepared a memo to our specifications, and we would like to review it once more before it goes to the Planning Board for their reconsideration.

Caroline Ranald Curvan
Ossining, NY 10562

May 22, 2018

Town Supervisor Dana Levenberg
16 Croton Avenue
Ossining, NY 10562
dlevenberg@townofossining.com

Dear Supervisor Levenberg:

I cannot attend the Town Board meeting on Wednesday, May 23, 2018 in which the “River Knoll” proposal is scheduled to be discussed, but I ask that the following letter be included in the minutes of that meeting.

I am writing to express my extreme opposition to the “River Knolls” development proposal currently under discussion with the Town Board.

I believe that the proposed “River Knolls” development is completely out of character with everything else currently in the neighborhood. It would be the only multi-story, multi-building apartment complex situated in a neighborhood of R-20 zoned lots.

Having attended numerous Zoning Board meetings and spoken before it during the approval process for “Parth Knolls,” another development currently under construction at 87 Hawkes Avenue, I wonder at the independence and, I must say, the reason for the existence of that Board.

I specifically question their unwillingness to exercise the oversight given them by the Ossining Town Code. Specifically, the duties and obligations laid out in Paragraph 55-8A of the Ossining Town Code which states:

In considering an application, the Architectural Review Board (ARB) shall take into account the natural and manmade features of the site and its surroundings, and the character of the zoning district and its peculiar suitability for particular purposes with a view to conserving existing values and encouraging the most appropriate use of land.

The Town Code goes on to state that:

The Architectural Review Board may . . . disapprove any application, provided that the ARB finds the project as proposed would be so detrimental to the

desirability and property values so as to cause . . . striking dissimilarity, visual discord or inappropriateness in general or with respect to other structures located . . . on the same street.

If one reviews the public relations website for River Knolls, <http://respectingossining.com>, it is curious that the developers wish to build their 188-unit complex in the “Adirondack Style,” something that seems completely out of keeping with any of the neighboring homes or almost every other home/apartment complex in Ossining.

I believe that the River Knolls proposal, as it stands now, is without question dissimilar to every other structure in both its immediate environs and the rest of Ossining, Town and Village. Plunking a multi-story, multi-unit apartment building in the middle of a quiet neighborhood primarily consisting of single family dwelling no taller than two stories is, without question, inappropriate and would mar the appearance and go against the “character of the zoning district.”

But the cosmetic issues are minor - there are other very real concerns that seem to be ignored when approving such developments. The function of the Town Planning Board should be to preserve and protect the general tenor of a neighborhood, and to look at the big picture in terms of the unintended consequences large developments will have on Ossining as a whole. Other concerns include school overcrowding, increased traffic, sewage overload, water, train station parking – all of these must be taken into account when approving or denying ANY proposed development.

The Town Planning and Architectural Review Board seems to have abdicated their responsibilities when it comes to a careful, global review of all the consequences of permitting development to proceed.

Therefore, I hope that you, our elected officials on the Town Board, will muster up the strength and courage to remain committed to what is best for Ossining, for all of Ossining, for Ossining of the present and the future. Short-term gain is long-term loss.

Sincerely,

Caroline Ranald Curvan

cc:

Council Member Karen D'Attore: dattore@townofossining.com

Council Member Elizabeth Feldman: feldman@townofossining.com

Council Member Jackie Shaw: jshaw@townofossining.com

Council Member Northern Wilcher: wilcher@townofossining.com

II. Discussion of Hooklift Truck for Town Parks Department: Parks Foreman Mario Velardo

Supervisor Levenberg stated that our second Work Session agenda item for tonight is a short presentation from our Parks Foreman Mario Velardo about a truck that he believes will help his department to be more efficient and will also save the Town money in a variety of ways.

III. Adjournment – Executive Session – Advice of Counsel- Contracts

At 8:35 PM, Councilmember D'Attore motioned to enter into Executive Session and Councilmember Shaw seconded.

Motion Carried: Unanimously

At 9:14 PM, Councilmember D'Attore motioned to leave Executive Session and Councilmember Shaw seconded.

Motion Carried: Unanimously

At 9:15 PM, Councilmember Wilcher motioned to adjourn Executive Session and Councilmember Shaw seconded.

Motion Carried: Unanimously

Approved:

**_____
Mary Ann Roberts Town Clerk**