



**TOWN BOARD  
TOWN OF OSSINING  
BIRDSALL-FAGAN POLICE/COURT FACILITY  
86-88 SPRING STREET – OSSINING, NEW YORK  
MAY 8, 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 8, 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 Deputy Town Clerk Ann Marie Rocco. Budget Officer Madeline Zachacz was absent.

**II. SPECIAL PRESENTATION:**

- **Recognition- Team Gullottas Fight Cancer and Michel Lippen, Leukemia & Lymphoma Society**

Supervisor Levenberg stated that before we get into the formal portion of our meeting, I want to welcome a group of very special folks to join us up front. Team Gullottas Fight Cancer, who has been working diligently to raise money for the Leukemia and Lymphoma Society over the past few months. They have raised over \$30,000 to date, and we wanted to thank them for their efforts and say: Keep up the good work! I believe you have a goal of \$50,000? So we hope you will continue to be successful to reach that goal! The “dream team” is comprised of Captains Amilia and Matthew Gullotta, Daniel Perez, Jennifer Ortiz, Jesus Guillen, Nathana Murray, Pedro Montes DeOca, Steven Chambers, and Peter Tarricone, many of whom, have joined us here tonight. I would also like to welcome Michele Lippen from the Leukemia and Lymphoma Society, who wants to join the Town Board in congratulating and thanking this selfless group of students for making a real difference in the lives of their friends and neighbors.

**II. ANNOUNCEMENTS**

First things first—the folks who bring you these meeting broadcasts every week are getting ready to enter the spotlight. Come tour Greater Ossining’s (GO-TV)’s new studio at the Joseph G. Caputo Center this Friday, May 11<sup>th</sup>, between 4PM and 7PM, and learn about what ZGO-TV has been up to! Special thanks to former Town Supervisor, the Honorable Sue Donnelly, for her commitment to getting GO-TV back up and running—it was a task that scared off many, but she persevered and we are better for it.

Coming up this weekend is one of my personal favorite events of the year—Teatown’s Plantfest. Come on Saturday the 12<sup>th</sup> between 9AM and 2PM, or pay \$20 per person for “First Picks” on Friday evening between 4 and 7PM-- this early access will not only get you first crack at the plants and artisanal goods, but there

will also be small plates, wine and local craft beer. This is a great chance to pick up some special Mother's Day gifts for the ladies in your life.

Also on Saturday the 12<sup>th</sup>, Bethany Arts Community will host the Bill T. Jones/Arnie Zane Dance Company for three consecutive Saturdays from 1PM to 4PM. This world renowned dance company will be in residency at Bethany Arts Community, and is looking for volunteers to participate in the company's latest work, *The Deep Blue Sea*. Participants will be asked to move, think, and create with the dance company. No formal dance experience is necessary, but participants should be 16 years or older, ideally with backgrounds in movement such as martial arts, dance, gymnastics, sports, or gardening, just to name a few! These events will be outdoors (weather permitting), so plan accordingly. Learn more at [bethanyarts.org](http://bethanyarts.org).

That very evening, Westchester Collaborative Theater will be hosting "Spring Fling," their spring fundraiser, beginning at 7PM. Come check out an evening of cabaret featuring Lin Snider and Sally Sherwood with Blake Rowe on keyboard. Visit [wctheater.org](http://wctheater.org) to get your tickets.

On Saturday, May 19<sup>th</sup>, the OHCC will be hosting their second gravestone cleaning of the season at Dale Cemetery. Show up at 9AM ready to get a little messy, and never fear—the experts will show you what to do, and no prior experience is necessary. You can also bring the students in your life along with you for some gratifying and interesting community service hours. Email [OHCC10562@gmail.com](mailto:OHCC10562@gmail.com) for more information.

You could also bounce across Town and check out Green Ossining's Repair Café at the Joseph G. Caputo Community Center. Between 11AM and 3PM, bring your gently used housewares to the Repair Café for a little TLC and get them back in working order—don't replace, REPAIR! Bring your clothing, ceramic items, bikes, electrical appliances, and even plants and let the Green Ossining experts work their magic!

That afternoon, join me at the 4<sup>th</sup> Annual Ossining Microfest, our annual event benefitting the Ossining Microfund. Bring the family for an afternoon of live music, food and drinks, and pool games, and bid on some of our fantastic silent auction items. This year, we will be at the home of Russell and Mary Seacor at 320 Illington Road between 1 and 5PM—email [OssiningMicrofund@gmail.com](mailto:OssiningMicrofund@gmail.com) for more info or to secure your spot by this Thursday, May 10<sup>th</sup>! Adult tickets are \$25 each, children under 12 attend for free.

Next Sunday, May 20<sup>th</sup> between 11AM and 3PM, the OBCC will host their annual Commissioning Day and Veteran's Ceremony. Be sure to RSVP by May 11<sup>th</sup> (this Friday) by emailing [Secretary@obcc.org](mailto:Secretary@obcc.org) if you plan to attend.

Finally, be sure to mark your calendars for Sunday, June 3<sup>rd</sup>, 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!

I want to end with a quick announcement regarding a project that we have been working on. Back in August of last year, the Town submitted a grant application to the Department of State in which we proposed learning more about our shared services options. We have been offered a small amount of funding to get started, and our conversations with the DOS have led us to believe that the way to start is by opening up the dialogue to the public and taking the temperature of our residents about some of our ideas. We are anticipating approving a contract to do just that at

next week's meeting, but we wanted to share that we have asked the Village of Ossining if they wish to join us in this endeavor. Tomorrow evening, Councilwoman D'Attore has graciously volunteered to appear before the Village Board to speak to them about what, if any, level of involvement they feel comfortable with at this time. Whether or not the Village chooses to participate, rest assured that we will be soliciting feedback from all Ossining residents, including those who live in the Village.

### **III.LIAISON REPORTS**

### **IV.DEPARTMENTAL REPORTS**

Supervisor Levenberg stated that tonight, we are joined by our Receiver of Taxes, Holly Perlowitz, who will be sharing a short presentation on how her office fared in the recent Town/County collections and to give us an update on our understanding of the proposed Charitable Trust option in response to the SALT legislation. Welcome, Holly.

Tax Receiver, Holly Perlowitz provided the Board with the following update:

#### **TAX COLLECTION UPDATE**

1. Good Evening Supervisor and Board Members.
  2. I'm here tonight to update you on how our 2018 Town and County Tax Collections went.
  3. While bills went out at the end of March – the lion's share of our taxes were collected in April.
  4. In summary – Our Warrant was - \$31,881,932.62
    - a. We have collected 96.85% of that warrant – totaling \$30,877,129.79
    - b. Leaving our balance to collect to be just a little over a million dollars at \$1,004,802.83 or 3.15% -- from approximately 750 taxpayers.
  5. At the outset of preparing to do the town county tax collection, I did an informal survey of our taxpayers who are signed up for my e-mail blasts - to ask them what would be helpful and accommodating to them when they had to pay their taxes in addition to extended hours which we already do. Just to give perspective – about 6,500 or 60% of our taxpayers pay their own taxes – meaning not through a mortgage company. The responses ranged from:
    - a. A “box-drop for taxes”/as opposed to our mail box – which everyone knows makes a trip to White Plains before being delivered back to Ossining to deliver to us -- outside town hall dedicated to receiving taxes
    - b. Allowing payments to be scheduled to pay on our website – meaning that as soon as you get the bill – you can set it up to be paid – but funds will not be deducted until the due date. Just as a benchmark – about 800 of our taxpayers use the online payment option.
    - c. Allowing for monthly payments vs. once a year
  6. At this point – we have addressed the ability to “schedule payment dates on our website” – we will have that available for the next collection.
  7. We are in talks with the Ossining Post office to have a mail slot in the Post Office dedicated to tax payments where they will postmark them at the end of each day --- and they will not have to travel through to White Plains – and will work with us on the last day – postmarking envelopes received up until midnight.
  8. Ask if there are any questions regarding tax collection.
- GENERAL UPDATE ON TAX DEPARTMENT**
9. As you know, we lost one of our deputies in the beginning of February. You graciously agreed to allow me to hire a part time seasonal person. We hired Martha Quituisaca, who lives in Ossining and is currently getting her Master's Degree at John Jay in Public Administration. Martha is bilingual and in a very short time has jumped in and become part of the team.
  10. I think it is also important to at least inform you all that the Supervisor and I are prone to gather as much information as is currently available and be there as new information becomes available regarding changes to how we may be collecting taxes in the future – given some of the personal federal income tax changes. The information is still a bit murky – but we are plugged into the right information

channels to assure that we will know the approach --- and at that time we will communicate it.

11. Thank you

## 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 24, 2018 minutes of the Regular Meeting as presented.

Motion Carried: Unanimously

### B. Approval of Minutes-Special Meeting

Councilmember D'Attore 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 1, 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 Shaw that the following be approved:

Resolved, that the Town Board hereby approves the Voucher Detail Report dated May 8, 2018 in the amount of \$257,653.30.

Supervisor Levenberg stated that while we have a relatively small voucher report, we do have a few bills of note, including several bills to finish up the wiring and installation of, and signage for, our three electric vehicle charging stations. The stations themselves were paid for largely through a grant from NYS, and we are pleased to be able to offer 3 hours of free charging at Cedar Lane, Engel and Ryder Parks. The other major bill in this check run is our annual payment to Briarcliff Manor for fire protection services to a portion of the Unincorporated Area. Our residents get exceptional service from both the Village of Ossining and the Village of Briarcliff Manor fire departments, and we are pleased to be able to save money for our residents in this efficient shared services model.

Motion Carried: Unanimously

### D. Personnel: Town Highway- Appointment

Councilmember Feldman 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 appoints Mr. Emmanuel Toribio, Ossining, to the probationary position of Road Maintainer in the Town Highway Department at an annual salary of \$76,650 effective May 10<sup>th</sup>, 2018.

Supervisor Levenberg stated that this is sort of a bittersweet resolution to pass. Juan joined us in 2014, and even before he was hired, he was passionate about our Town Parks. However, the opportunity to take a position in our Highway Department

came around Juan decided to go for it. Our Highway Superintendent, Michael G. O'Connor, is very excited to get Juan started on Thursday, as he brings an incredible amount of skill and know-how to work each day, but we also know that the Parks Department will miss him. Luckily, he is just going across Town! Congratulations to Juan on this exciting new step in his career with the Town.

Motion Carried: Unanimously

**E. Personnel: Town Parks- Appointment**

Councilmember Shaw 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 Mr. Mark Gallagher, Cortlandt Manor, to the probationary position of Park Groundskeeper in the Town Parks Department at an annual salary of \$59,760 effective May 10<sup>th</sup>, 2018.

Supervisor Levenberg stated that as Juan leaves the Parks Department, we had an unexpected vacancy, but luckily, we had a large pool of applications and resumes from our Highway vacancy this past February. The talent pool that we drew for these entry-level positions was astounding, and it was a challenge for us to choose. However, the Parks Foreman and I, with the support of our Board, have chosen to hire Mark Gallagher. Mark was born and raised in Ossining, and worked for the Village of Ossining DPW about ten years ago. Since leaving for career advancements in other municipalities, he has really honed his skills and brings a lot to the table, including a background in electrical work, carpentry, and masonry. Mark will also be our first employee with a CDL Class A license. We are pleased to bring Mark on in this probationary position, but based on his glowing references, I suspect he will have a bright future with the Town of Ossining.

Motion Carried: Unanimously

**F. Resolution Authorizing The Town Of Ossining To Enter Into An Agreement With The County Of Westchester For The Purpose Of Undertaking A Community Development Program**

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

WHEREAS, the Secretary of Housing and Urban Development of the United States is authorized, under Title I of the Housing and Community Development Act of 1974 as amended, and Title II of the National Affordable Housing Act of 1990, as amended, to make grants to states and other units of general local government to help finance Community Development Programs; and

WHEREAS, Section 99-h of the General Municipal Law of the State of New York grants to any municipal corporation the power, either individually or jointly with one or more municipal corporations, to apply for, accept and expend funds made available by the federal government, either directly or through the State, pursuant to the provisions of any Federal law which is not inconsistent with the statutes or constitution of this State, in order to administer, conduct or participate with the Federal government in programs relating to the general welfare of the inhabitants of such municipal corporation; and

WHEREAS, the Community Development Act of 1974 as amended, Title II of the National Affordable Housing Act of 1990, as amended, and any "Eligible Activities" thereunder are not inconsistent with the statutes or Constitution of the State; and

WHEREAS, a number of municipalities have requested Westchester's participation, and the County of Westchester has determined that it is desirable and in the public

interest that it make application for Community Development Block Grant funds and HOME funds as an Urban County; and

WHEREAS, participation by the County of Westchester as an Urban County in the Community Development Program requires that the Town of Ossining and the County of Westchester cooperate in undertaking, or assisting in undertaking, essential community development and housing activities, specifically those activities authorized by statutes enacted pursuant to Article 18 of the New York State Constitution.

WHEREAS, this Board deems it to be in the public interest for the Town of Ossining to enter into a Cooperation Agreement with the County of Westchester for the aforesaid purposes.

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor be and hereby is authorized to execute a Cooperation Agreement between the Town of Ossining and the County of Westchester for the purposes of undertaking a Community Development Program pursuant to the Housing and Community development Act of 1974 as amended and Title II of the National Affordable Housing Act of 1990, as amended.

Supervisor Levenberg stated that after many years of being denied access to this funding stream due to the HUD Fair Housing lawsuit with Westchester County, we are finally reviving the County consortium and I know I speak for the Board when I say we are eager to put our heads together with some of our local agencies to see what projects will most benefit Ossining. This resolution is the first step, and I understand that the County has asked that it be a roll call vote.

Roll Call Vote: 5-0-0  
Ayes: Shaw, D'Attore, Wilcher,  
Feldman & Levenberg

**G. Proposal- All Makes Pump & Motor Repair Inc.**

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

Resolved, that the Town Board of the Town of Ossining hereby authorizes the Supervisor to accept a proposal from All Makes Pump & Motor Repair Inc. for the replacement of a hydromatic pump and a sealing flange for the Parker Bale Lift Station, in addition to 16 labor hours for removal of the existing pump, installation and wiring.

Supervisor Levenberg stated that at the behest of our Highway Superintendent Michael G. O'Connor and our Water Superintendent Andy Tiess, we need to replace one of the pumps at the Parker Bale lift station, which is our biggest sewer pump in the Town. Luckily, we have a healthy sewer fund balance, and also an IMA with the Village of Ossining—according to our Deputy Comptroller and finance guru Dale Ferriera, the Village will end up paying roughly 38% of this bill when we true up at year's end. However, it seems we have been living on borrowed time with these pumps for awhile and will likely need another at this pump station before long.

Motion Carried: Unanimously

**H. Contract: Asbestos Remediation, Spores Environmental Sciences**

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 accepts the proposal dated April 11, 2018 from Spores Environmental Sciences, Garrison, NY, to

mitigate asbestos at Cedar Lane Park's Reuben House and adjacent greenhouse, conforming to 12 NYCRR part 56 guidelines for asbestos removal including all air monitoring and containment protocols, and to clear the Reuben House of rubbish, for a total contract price not to exceed \$10,000.

Supervisor Levenberg stated that last week, this Board approved the creation of a capital project in order to capture the money spent to remediate the Reuben House at Cedar Lane Park. Once upon a time we had hoped to fix up the building, but we have heard from multiple experts that it is too far gone and with a few small exceptions, needs to be completely demolished. Having this asbestos removal done will help us to move forward in getting the building to a safe condition so that we can decide how to proceed.

**Motion Carried: Unanimously**

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

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 accepts the following:

- Planning Board meeting minutes dated January 17, 2018
- Planning Board meeting minutes dated February 21, 2018
- Planning Board Application of Stony Lodge Hospital, Inc. and Glenco Group dated April 4, 2018

**Motion Carried: Unanimously**

#### **VIII.MONTHLY REPORTS**

Councilmember D'Attore 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 following reports for the month of April 2018:

- Town Clerk's Office
- Town Tax Receiver's Office
- Dale Cemetery
- Town Supervisor's Office

**Motion Carried: Unanimously**

#### **IX.VISITOR RECOGNITION**

Susanna Demic, 16 McCarthy Drive: objecting to the widened of McCarthy Drive and doesn't want curbs. She feels that it will change the character of the street and will impact people's lawns.

Supervisor Levenberg advised that she has spoken to Village Engineer Paul Fraioli as well as the Highway Superintendent Michael G. O'Connor. As a result we are analyzing how to get the road up to Town standards. We will make that decision and listen to the neighbors.

#### **X.ADJOURNMENT –EXECUTIVE SESSION-ADVICE OF COUNCIL**

Supervisor Levenberg stated that she hopes everyone is enjoying this beautiful weather—we look forward to seeing you next Tuesday in this very room, at the Courthouse on Spring Street, for our Work Session, where we will be discussing a variety of topics, including the River Knoll proposal for the Stony Lodge site. I

would like to remind folks that next week will be a Work Session, and the meeting will not include a public comment component. However, if you do have thoughts on the proposal, I encourage you to email this Board at [TC@townofossining.com](mailto:TC@townofossining.com) or send us a letter at 16 Croton Avenue care of the Supervisors Office.

At 8:24PM, Councilmember D'Attore motioned to enter Executive Session  
Councilmember Feldman seconded.

Motion Carried: Unanimously

At 9:26PM, Councilmember Wilcher motioned to leave Executive Session and  
Councilmember Shaw seconded.

Motion Carried: Unanimously

At 9:27PM, Councilmember Shaw motioned to adjourn and Councilmember  
Wilcher seconded.

Motion Carried: Unanimously

Approved:

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Mary Ann Roberts Town Clerk