



**TOWN BOARD
TOWN OF OSSINING
BIRDSALL-FAGAN POLICE/COURT FACILITY
86-88 SPRING STREET – OSSINING, NEW YORK
JULY 10, 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 July 10, 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, Elizabeth Feldman and Karen D’Attore. Also present were Town Counsel Christie Tomm Addona, Budget Officer Madeline Zachacz and Deputy Town Clerk Ann Marie Rocco.

II. PUBLIC HEARINGS IN THE MATTER OF:

- **Local Law #4-2018 -Regulating Use of Leaf Blowers within Unincorporated Town**

Donna Sharrett submitted the following letter to the Town Board:

Dear Supervisor Levenberg and Town Council members,

I regret that I will not be in attendance at tonight’s Public Hearing for the Leaf Blower Regulating Code. I hope that you will consider leaving the public hearing open until at least the next Town Board meeting. I submit the following written comments to be considered as part of the public hearing process:

Thank you for considering a leaf blower ban for our Town. With this ban we will join many other Westchester communities in a productive effort to minimize the negative impacts of leaf blowers on human health, soils, plants, waterways and our carbon footprint.

While the overall language of the proposed Local Law “Regulating Use of Leaf Blowers within Unincorporated Town” is fantastic, I do have comments/objections to the following:

1. I strongly object to Section 2.C.2.: As written an unlimited amount of leaf blowers could be used simultaneously during the permitted leaf blower usage period (October 1 – May 14) in the R-40 and R-30 residential districts. This is unacceptable. The landscaping service used by many of my neighbors has had 4 men with powerful back pack leaf blowers walking together blowing the same leaves at the same time. My house fills with the exhaust fumes and the noise is unbearable. This is completely unnecessary and a health hazard for the workers, residents, pets and wildlife. Many of the properties in my R-30 neighborhood are close to or under one acre, with the lawn areas greatly under one acre. Noting that mulch mowing would eliminate the need for the leaf blowers on the lawn areas, I strongly urge the Town Board to limit simultaneous leaf blower usage in the R-40/R-30 residential districts based on property size during the permitted period. One leaf blower per ½ acre property seems more than reasonable and would allow many leaf blowers simultaneously on the very few large estates within these districts.

2. I object to the Section 2.D. exemptions granted to schools, religious institutions, membership clubs, golf courses, hospital and retirement communities. These entities would benefit the most from mulch mowing. Our Parks department is an excellent example of this. The health issues associated with breathing emissions and particular matter and from noise for all the people and pets that utilize these entities is reason enough to prohibit their use of leaf blowers.

3. I recommend that the Leaf Blower usage be prohibited from May 1 – September 30. This allows ample time for both spring and fall clean-up – noting again that mulch mowing would eliminate leaf blower usage on the lawns and additionally the Leave Leaves Alone practice would eliminate the need for leaf blowers in garden areas. Both of these practices are strongly advocated by Green Ossining.

4. Section 1 states that “under certain circumstances leaf blowers still serve a necessary function that should be permitted”. Leaf blowers are not necessary under any circumstance. It is quite possible to manually perform any of the jobs for which leaf blowers are used. Just like plastic bags, leaf blower usage has been marketed to consumers for their “convenience”. That convenience has come at a very high cost to our environment, our health and our wellbeing. I urge the board to change this language to: “under certain regulated circumstances leaf blowers still should be permitted”

At the end of this section I would recommend that the practices of mulch mowing and Leave Leaves Alone be encouraged.

Suggested additional requirements:

1. No person shall operate or cause to be used in the Town of Ossining, a leaf blower that does not meet the EPA Phase 3 Exhaust Emissions Standards or which does not operate in accordance with the manufacturer’s instructions or specifications. (language similar to Westchester County legislation:

<https://consumer.westchestergov.com/images/stories/pdfs/LeafBlowerLaw2009.pdf>)

EPA Phase 3 Exhaust Emissions Standards: <https://www.epa.gov/regulations-emissions-vehicles-and-engines/regulations-emissions-small-equipment-tools>

[Regulations for Emissions from Small Equipment & Tools |](#)
[Regulations for Emissions from Vehicles and Engines | US EPA](#)

www.epa.gov

EPA regulations related to smog, soot, and other air pollution from small equipment and tools.

2. Excerpt from City of Rye Leaf blower ordinance § 133.7.B) <https://ecode360.com/6973644/>: The head of the Town of Ossining Highway (?) may permit the use of leaf blowers from May 1 to September 30 for a period of time not to exceed seven days after significant storm events or during other emergency situations circumstances.

3. Excerpt from Town of Rye Leaf blower ordinance: § 133-3A(3) : Lawn mowers, leaf blowers, and outdoor vacuum cleaners shall have a permitted intensity of 85 db(A); The permitted intensity in this subsection will apply to leaf blowers during months when the use of leaf blowers is permitted.

Additional information:

Leaf blower info and history from DEC: <https://www.dec.ny.gov/chemical/109428.html>

In closing,

Homeowners and lawn care companies use of best practice landscape maintenance methods, to include a leaf blower ban, will help protect workers, landscapes and our environment.

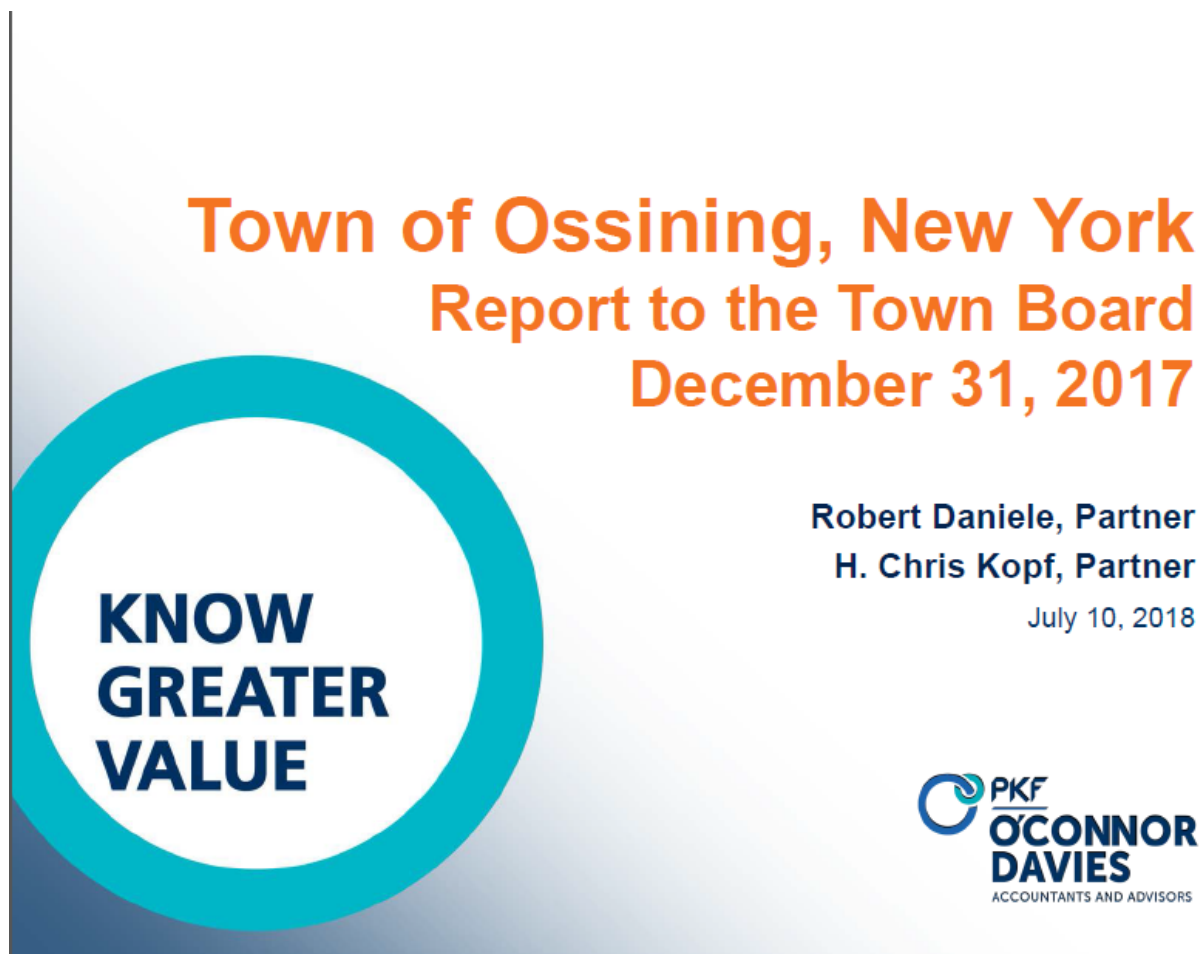
Thank you again for your work on this important issue and for allowing me to submit comments.

Donna Sharrett

*Cc: Mitzi Elkes, Chairperson EAC
Suzi Ross, Chairperson Green Ossining*

III. SPECIAL PRESENTATION

- 2017 Audit, Rob Daniele of O'Connor Davies



Summary Overview

General Fund

- 2017 Budget to Actual Summary
- Fund Balance Analysis – 3 Year Comparison
- Unassigned Fund Balance as a % of Total expenditures
- 2017 Budget to Actual – Revenues
- Major Revenues – 3-Year Comparison
- 2017 Budget to Actual – Expenditures
- Major Expenditures – 3-Year Comparison

Town Outside Villages Fund

- 2017 Budget to Actual Summary
- Fund Balance Analysis – 3 Year Comparison
- Assigned Fund Balance as a % of Total Expenditures
- 2017 Budget to Actual – Revenues
- Major Revenues – 3-Year Comparison
- 2017 Budget to Actual – Expenditures
- Major Expenditures – 3-Year Comparison

Other Considerations

2

- Fieldwork completed in April, follow-up and completion in May
- Deliverables
 - Independent Auditors' Report on the basic financial statements
 - Required communications to those charged with governance
 - Management letter
 - Town Justice Court audit report
- We did not identify control deficiencies that we consider to be material weaknesses or significant deficiencies concerning internal control over financial reporting
- No uncorrected differences
- Audit results – Independent Auditors' Report - PKFOD issued an unmodified opinion on the basic financial statements

3



General Fund – 2017 Budget to Actual Summary

Page 61 - Basic Financial Statements

	Original Budget	Final Budget	Actual	Variance with Final Budget Positive (Negative)
Total Revenues	\$ 5,372,710	\$ 5,391,996	\$ 6,322,034	\$ 930,038
Total Expenditures	4,935,225	4,954,511	4,909,703	44,808
Excess of Revenues Over Expenditures	437,485	437,485	1,412,331	974,846
Total Other Financing Uses - transfers out	(513,797)	(1,020,299)	(1,012,121)	8,178
Net Change in Fund Balance	(76,312)	(582,814)	400,210	983,024
Fund Balance - Beginning of Year	76,312	582,814	3,002,986	2,420,172
Fund Balance - End of Year	\$ -	\$ -	\$ 3,403,196	\$ 3,403,196

4



Fund Balance – General Fund Retrospective

Fund Balance Comparison General Fund

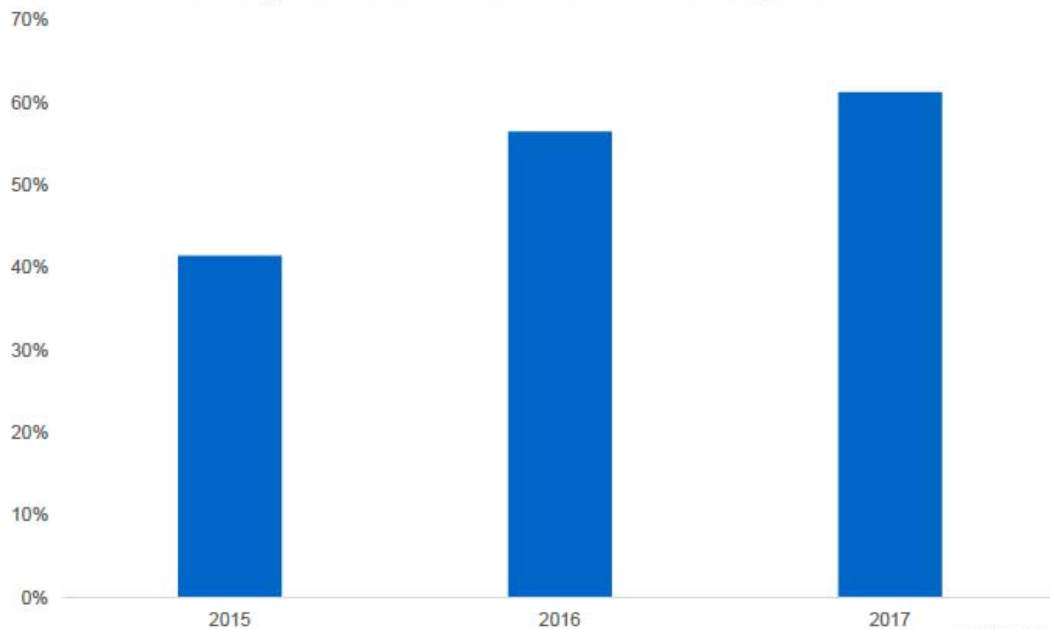
	Increase (Decrease) 2017 vs 2016	2017	2016	2015
<i>Nonspendable-</i> Prepaid expenditures	\$ 6,956	\$ 71,905	\$ 64,949	\$ 87,528
<i>Assigned-</i> <i>Purchases on order:</i> General government support	15,239	16,551	1,312	2,237
Home and community Services	5,331	5,331	-	-
Subsequent year's expenditures	(10,000)	65,000	75,000	53,880
Total Assigned Fund Balances	10,570	86,882	76,312	56,117
<i>Unassigned</i>	382,704	3,244,429	2,861,725	2,207,854
Total Fund Balances	\$ 394,899	\$ 3,403,216	\$ 3,002,986	\$ 2,351,499
<i>Unassigned</i> 2018 adopted Budget		3,244,429 5,545,182	=	58.5 %

5



Fund Balance Analysis – General Fund

Unassigned Fund Balance as a % of Total Expenditures



6

General Fund – 2017 Budget to Actual Revenues

REVENUES	Budget		Actual	Variance with Final Budget (Negative)	
	Original	Final			
Real Property Taxes	\$ 3,499,887	\$ 3,499,887	\$ 3,585,605	\$ 85,718	1
Other Tax Items	497,156	497,156	869,147	371,991	2
Departmental Income	38,000	38,000	47,972	9,972	
Intergovernmental charges	345,579	345,579	335,277	(10,302)	
Licenses and permits	3,000	3,000	6,987	3,987	
Use of Money and Property	40,600	40,600	47,639	7,039	
Fines and Forfeitures	200,000	200,000	149,459	(50,541)	3
Sale of property and compensation for loss	-	-	21,514	21,514	
State Aid	605,488	624,774	1,058,787	434,013	4
Federal aid	80,000	80,000	83,190	3,190	
Miscellaneous	63,000	63,000	116,457	53,457	
Total Revenues	\$ 5,372,710	\$ 5,391,996	\$ 6,322,034	\$ 930,038	

1. Real Property Taxes – Variance represents change in allowance for taxes and better than anticipated tax collections, inclusive of a slight increase in the collection of delinquent taxes.
2. Other Tax Items – Gain on sale of tax acquired property \$342,969, an item which is not budgeted by the Town. Interest and penalties on real property taxes of \$514,961, which exceeded the budget by \$29,961.
3. Fines (tickets) and forfeited bail revenues totaled \$149,459 as compared to the adopted budget of \$200,000.
4. State Aid – Variance represents mortgage tax revenues realized, \$411,386 better than budgeted.

Overall – Positive Budget Variance of \$930,038 or 17% of Revenues.

7



General Fund – Major Revenues – 3 Year Comparison

	2017	2016	2015
Real property taxes	\$ 3,585,605	\$ 3,480,984	\$ 3,469,254
Gain on sale of tax acquired property	342,969	194,306	-
Interest and penalties on real property taxes	514,961	501,741	566,126
Intergovernmental services - clerk	335,277	185,913	186,869
Fines and Forfeited Bail	149,459	73,238	141,319
State aid - Mortgage tax	852,160	621,644	498,753
All other categories	549,768	659,785	626,556
	<u>\$ 6,330,199</u>	<u>\$ 5,717,611</u>	<u>\$ 5,488,877</u>

8



General Fund – 2017 Budget to Actual Expenditures

	Budget		Actual	Variance with Final Budget - Positive (Negative)
	Original	Final		
EXPENDITURES				
Current:				
General Government Support	\$ 2,425,093	\$ 2,409,002	\$ 2,382,242	\$ 26,760
Economic opportunity and development	611,068	572,376	567,317	5,059
Culture and Recreation	617,787	756,593	748,389	8,204
Employee Benefits	1,273,661	1,208,924	1,204,139	4,785
Debt Service:				
Interest	7,616	7,616	7,616	-
Total Expenditures	<u>4,935,225</u>	<u>4,954,511</u>	<u>4,909,703</u>	<u>44,808</u>
OTHER FINANCING SOURCES (USES)				
Transfers in	-	-	8,165	8,165
Transfers out	(513,797)	(1,020,299)	(1,020,286)	13
Net Change in Fund Balance	(76,312)	(582,814)	400,210	983,024
FUND BALANCE				
Beginning of Year	<u>76,312</u>	<u>582,814</u>	<u>3,002,986</u>	<u>2,420,172</u>
End of Year	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 3,403,196</u>	<u>\$ 3,403,196</u>

Overall – Positive Budget Variance of \$44,808 or 0.9% of expenditures.

Total Budget, Revenues and Expenditures – Positive Budgetary Variance of \$983,024.

9





General Fund – Major Expenditures – 3 Year Comparison

	2017	2016	2015
General government support	\$ 2,382,242	\$ 2,298,207	\$ 2,395,859
Transportation support services	423,090	412,117	472,297
Parks	619,815	464,614	518,892
State retirement	294,750	278,483	334,143
Hospital and medical insurance	695,816	648,743	624,115
Transfers out			
Debt Service Fund	413,784	231,417	236,834
Capital Projects Fund	506,502	163,671	133,150
Special Purpose Fund	100,000	100,000	100,000
All other categories	493,990	468,872	510,594
	<u>\$ 5,929,989</u>	<u>\$ 5,066,124</u>	<u>\$ 5,325,884</u>

10



Town Outside Villages Fund – 2017 Budget to Actual Summary

Page 68 - Basic Financial Statements

	Original Budget	Final Budget	Actual	Variance with Final Budget Positive (Negative)
Total Revenues	\$ 3,622,523	\$ 3,626,649	\$ 3,927,161	\$ 300,512
Total Expenditures	<u>3,210,664</u>	<u>3,214,790</u>	<u>3,013,599</u>	<u>201,191</u>
Excess (Deficiency) of Revenues Over Expenditures	411,859	411,859	913,562	501,703
Total Other Financing Uses (Net)	<u>(411,960)</u>	<u>(499,460)</u>	<u>(421,144)</u>	<u>78,316</u>
Net Change in Fund Balance	(101)	(87,601)	492,418	580,019
Fund Balance - Beginning of Year	<u>101</u>	<u>87,601</u>	<u>2,630,735</u>	<u>2,543,134</u>
Fund Balance - End of Year	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 3,123,153</u>	<u>\$ 3,123,153</u>

11





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Fund Balance – Town Outside Village – Retrospective

Fund Balance Comparison Town Outside Villages Fund

	Increase (Decrease) 2017 vs 2016	2017	2016	2015
<i>Nonspendable-</i> Prepaid expenditures	\$ 39	\$ 3,616	\$ 3,577	\$ 3,554
<i>Restricted:</i> Tax certiorari	10,223	10,223	-	10,223
Cable Television Purposes	14,106	86,919	72,813	62,564
Total Restricted Fund Balances	24,329	97,142	72,813	72,787
<i>Assigned-</i> <i>Purchases on order:</i> General Government support	688	688	-	-
Public safety	18,958	19,059	101	101
<i>Unassigned/assigned major funds</i>	458,627	3,012,871	2,554,244	2,045,698
Total Fund Balances	\$ 502,641	\$ 3,133,376	\$ 2,630,735	\$ 2,122,140

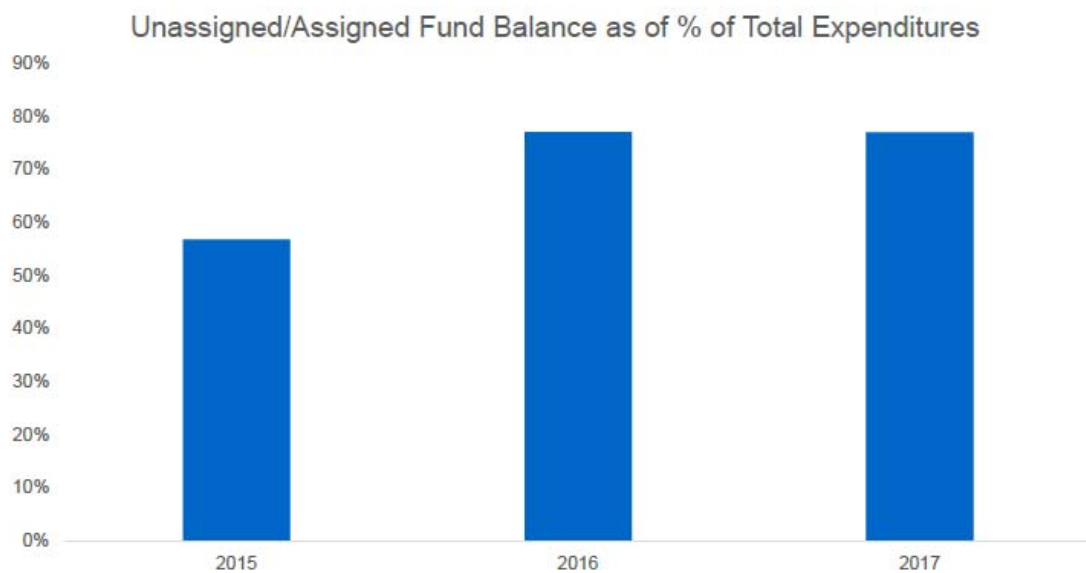
12

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Fund Balance Analysis – TOV Fund



13

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Town Outside Villages Fund – Budget to Actual Revenues

	Budget		Actual	Variance with Final Budget Positive (Negative)
	Original	Final		
REVENUES				
Real property taxes	\$ 2,627,056	\$ 2,627,056	\$ 2,627,056	\$ -
Other tax items	123,705	127,831	166,617	38,786
Non-property taxes	700,000	700,000	824,820	124,820 1
Departmental income	88,250	88,250	134,164	45,914 2
Use of money and property	5,000	5,000	7,426	2,426
Licenses and permits	-	-	3,320	3,320
State aid	78,512	78,512	163,723	85,211 3
Miscellaneous	-	-	35	35
Total Revenues	<u>\$ 3,622,523</u>	<u>\$ 3,626,649</u>	<u>\$ 3,927,161</u>	<u>\$ 300,512</u>

1. Non-property Taxes – Variance represents actual sales tax revenues which exceeded the budget by \$124,820.
2. Departmental income including building inspection, zoning and planning board fees exceeded the budget by \$45,914.
3. State aid – mortgage tax revenues exceeded the budget by \$85,211.

Overall – Positive Budget Variance of \$300,512 or 6.6% of Revenues.



14



Town Outside Villages Fund – Major Revenues – 3-Year Comparison

	2017	2016	2015
Real property taxes	\$ 2,627,056	\$ 2,781,930	\$ 2,790,045
Franchise fees	162,914	158,229	198,025
Non-property tax distribution from County	824,820	789,350	779,607
Departmental income - permit fees	134,164	80,600	71,815
Transfers In - Debt Service Fund	478,000	-	-
All other categories	<u>178,260</u>	<u>12,150</u>	<u>10,365</u>
	<u>\$ 4,405,214</u>	<u>\$ 3,822,259</u>	<u>\$ 3,849,857</u>



15



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Town Outside Villages Fund – 2017 Budget to Actual Expenditures

	Budget		Actual	Variance with Final Budget Positive (Negative)
	Original	Final		
EXPENDITURES				
Current				
General government support	\$ 358,734	\$ 338,043	\$ 317,435	\$ (20,608)
Public safety	2,032,358	2,056,163	2,033,160	(23,003)
Culture and recreation	345,518	346,530	346,529	(1)
Home and community services	48,250	48,250	23,135	(25,115)
Employee benefits	425,804	425,804	293,340	(132,464)
Total Expenditures	3,210,664	3,214,790	3,013,599	(201,191)
Excess of Revenues Over Expenditures	411,859	411,859	913,562	501,703
OTHER FINANCING USES				
Transfers in	504,000	504,000	478,000	(26,000)
Transfers out	(915,960)	(1,003,460)	(899,197)	104,263
Total Other Financing Uses	(411,960)	(499,460)	(421,197)	78,263
Net Change in Fund Balance	(101)	(87,601)	492,365	579,966
FUND BALANCE				
Beginning of Year	101	87,601	2,630,735	2,543,134
End of Year	\$ -	\$ -	\$ 2,630,735	\$ 2,630,735

Overall – Positive Budget Variance of \$305,454 or 7.2% of expenditures and transfers out.

Expenditure savings in all categories most notably in the area of hospital and medical insurance.



16



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Town Outside Villages Fund – Major Expenditures – 3-Year Comparison

	2017	2016	2015
General Government Support	\$ 317,435	\$ 332,430	\$ 230,056
Police	1,824,400	1,700,543	1,997,848
Building inspection	197,028	166,163	133,786
Intermunicipal Agreement with Village	346,529	342,758	342,415
Hospital and medical insurance	253,523	258,177	238,312
Transfers out			
Highway Fund	362,500	75,000	200,000
Debt Service Fund	536,697	364,729	361,997
Capital Project Fund	-	-	39,898
All other categories	74,684	73,864	58,752
	<u>\$ 3,912,796</u>	<u>\$ 3,313,664</u>	<u>\$ 3,603,064</u>



17



Other Considerations

- Highway Fund (pages 74-76) – remains strong. Ended the year with revenues that exceeded expenditures by \$106,631 resulting in ending fund balance of \$1,077,541 of which \$1,044,505 is considered assigned for highway purposes.
- Special Districts Fund – (pages 77-80) – is trending positively. Ended the year with expenditures that exceeded revenues by \$96,038 resulting in ending fund balance of \$894,849.
- Capital Projects Fund (pages 81-84) - Approximately 17 active projects. Fund deficit of \$1,274,033, supported by \$2,675,005 in bond anticipation notes outstanding.

2017 Fund Balance Comparison
Highway, Special Districts and Capital Projects funds

	Highway	Special Districts	Capital Projects
<i>Nonspendable-</i> Prepaid expenditures	\$ 33,036	\$ 715	\$ -
<i>Assigned:</i> Subsequent years expenditures Transportation	- 290,495	18,905 -	- -
<i>Unassigned/assigned major funds</i>	754,010	875,229	(1,274,033)
Total Fund Balances	\$ 1,077,541	\$ 894,849	\$ (1,274,033)



Other Considerations (Continued)

- Debt Service requirements (page 43-44) are approximately \$682,000 for next year, \$540,000 for 2019 and then drop below \$435,000 for the next 3 years.

Purpose	Year of Issue	Original Issue Amount	Final Maturity	Interest Rate	Amount Outstanding at December 31, 2017
Public Improvements	2000	\$ 1,561,000	June, 2020	5.500 %	\$ 270,000
Public Improvements	2003	4,736,000	May, 2018	4.000	225,000
Public Improvements	2007	1,695,000	April, 2027	4.125 - 4.25	430,000
Public Improvements	2012	2,425,000	February, 2032	2.000 - 3.00	1,715,000
Public Improvements	2014	1,693,947	September, 2026	2.000 - 2.50	1,305,000
					<u>\$ 3,945,000</u>
	Year Ended December 31,	Principal	Interest	Total	
	2018	\$ 585,000	\$ 96,919	\$ 681,919	
	2019	460,000	80,006	540,006	
	2020	365,000	69,656	434,656	
	2021	330,000	59,956	389,956	
	2022	255,000	54,406	309,406	
	2023-2027	1,410,000	165,118	1,575,118	
	2028-2032	540,000	38,112	578,112	
		<u>\$ 3,945,000</u>	<u>\$ 564,173</u>	<u>\$ 564,173</u>	



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Other Considerations (Continued)

- Consideration of Fraud
 - Procedures –
 - Inquiries of management and other personnel
 - Review of journal entries for reasonableness and reconciliation of entries to underlying documentation
 - Performed cancelled check review to ensure Town was adhering to check signing policy, compared payee to vendor list
 - Results –
 - No instances of fraud or potential fraud identified

20



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Contact Information

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300 Tice Boulevard
Woodcliff Lake, NJ 07677
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3001 Summer Street
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21



IV.ANNOUNCEMENTS

Supervisor Levenberg announced the following:

We had an incredible Independence Day Celebration last Tuesday night and I wanted to thank all of those who worked together to make it possible. First, I'd like to thank Maddi Zachacz and Victoria Cafarelli in my office for working to get all the food vendors permitted, getting the extra portajohns there in time for the 6,000 people who turned up, and dealing with the multiple calls that came in about the weather, plus a

whole lot more. Also big thanks to Chief Kevin Sylvester, Lt. Damiano, Lt. Montague and Sgt. Donohue for coordinating all of the traffic, people, and safety issues and making sure all our first responders were working as a team so we could have a wonderful event without worrying. The Chief also did such a great job with up-to-the-minute information for everyone who follows the OPD on social media. Especially with the touch and go weather, this was super helpful. They also had a table set up with info from the Ossining BASICS campaign just to remind everyone how important it is to talk to your babies so they can have as many words as possible when they get to pre-school. We were grateful also for the support of the Ossining Fire Dept and OVAC to help make it a great night. Our Parks crew was out there before and after the event and got the park ready for everyone to come enjoy it on Wednesday, the Fourth as well. They helped do the major clean up of the fireworks detritus, as well as had to keep the bathrooms up and running and supplied all night long, and they made sure the food vendors all had a place staked out. We also had help finding the awesome band, The Jon Bates Band, which was very well received and they kept the crowds happy, from Recreation Superintendent Bill Garrison. The Solar powered Homespun merry go round was also a big, big hit with the little kids! Noise free, very low to no carbon footprint, and free to riders, this was a new novelty we added and I think it was really appreciated.

As I mentioned at our last meeting, I had recently participated in a joint meeting with the Town of Cortlandt, Village of Croton and Town of Ossining to discuss issues of safety and oversight of the Croton River. Subsequent to that meeting, Cortlandt Town Supervisor Linda Puglisi shared the new DEC regulations for the NYS public forest land, called the Unique Area, which many people have been frequenting for access to the Croton River. Since we have gotten some questions, I wanted to share the exact list with you:

- No hunting is allowed here due to proximity to residential areas.
- No camping.
- Public use is limited to from sunrise to sunset only.
- The use of any type of fire is prohibited including the use of charcoal or gas grills.
- No possession or consumption of alcoholic beverages.
- No person shall play a musical instrument or audio device, including, but not limited to radios, tape players, compact disc or digital players, unless the noise is rendered inaudible to the public by personal noise-damping devices such as headphones or earbuds.

We know that there has been a lot of traffic there through Ossining over the past few weekends to access this area so we ask again that those who do choose to use the Croton River for recreation please be respectful of these regulations as well as the neighbors, *and* the environment so we can protect this area and enjoy it for many years to come.

Our Waterfront Concert Series at Engel Park continued this past Friday with Soul Projekt. After a few difficulties getting set up because of the late afternoon thunderstorm, the band drew a great crowd and once again it was a wonderful night. We hope everyone will come back again with even more friends this Friday night, July 13th for Taj Weekes, a very talented reggae band, who the Ossining Arts Project loved. Get your dancing shoes on, bring your picnic supplies or plan to eat at Gyro Uno, and we may even get the Homespun Merry Go Round back again. Thanks again to concert series sponsor, Westchester Bank, our big donors! Plus Sterling National and Greater Hudson Bank and Mike Risko Music for supporting the series. These concerts start at 7pm. Rain location is the Ossining Public Library.

This past Monday, the Summer Jazz series kicked off at Henry Gourdine Park on the Hudson, with Adam Nussbaum and the Lead Belly Project. Next up, on July 23rd you'll hear Souren Baronian's Taksim, the Ray Blue Quartet on Aug 6th, and the TK Blue Quartet Aug 20th. Concerts are from 6:30-8 with a rain location of the Community Center.

This Thursday night, July 12th at 7pm, Briarcliff Manor's Concert Series kicks off at the Law Park Field. Sponsored by the Briarcliff Chamber of Commerce, it continues for the

next three Thursdays, with food, wine, and beer available for purchase. Check out the Village of Briarcliff's website for more info.

Are you considering adding an electric car to your family's fleet? Check out the 2019 Jaguar I-Pace on Friday, July 13th-- you can catch this awesome all-electric vehicle on Main Street between 1:30PM and 3PM. This model has a 240 mile range, and don't forget-- you can charge it at Engel, Cedar Lane or Ryder Park (and the first 3 hours are free!)

On Saturday, July 14th, join the Ossining Historic Cemeteries Conservancy for a gravestone cleaning at Historic Sparta Cemetery between 9AM and 12 noon. No experience is necessary, just a desire to learn about Ossining's storied past and do some service to your community. For more information, email OHCC10562@gmail.com.

We are sorry to inform you that we heard earlier today that the Greater Ossining Chamber's Lobsterfest, scheduled for Saturday, July 14th, has been postponed. We will keep you posted on any updates we get for this exciting annual event.

On Sunday, July 15th, I invite anyone interested in a wonderful morning on the Hudson to join me for Women's Kayak Day at Shattemuc Yacht Club. Bring or borrow a kayak (they may have a few extra to loan if you let them know early), have a bagel and paddle the morning away while making new friends. The fun starts down on Westerly Road at 9AM.

Next Tuesday (July 17th) kicks off St. Augustine's Church's 41st Italian Festival—head down Tuesday through Sunday night between 6 and 11PM for rides, carnival games, music and dancing, and of course, some delicious food. Their annual fireworks spectacle is scheduled to take place on Wednesday evening, with a rain date of Thursday evening, and they always do a great job, so plan to make a night of it with family and friends!

Finally, mark your calendars for next Thursday, July 18th, when Assemblywoman Sandy Galef will be hosting her annual Senior Forum at Cortlandt Town Hall. Check out this free event between 9AM and 12 noon for some special presentations about issues facing seniors today, as well as some helpful tips for how to stay healthy and safe. For more information, call Sandy's Ossining office at 941-1111.

V.LIAISON REPORTS

VI.DEPARTMENTAL REPORTS

VII.PUBLIC COMMENT ON AGENDA ITEMS

VIII.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 June 26, 2018 minutes of the Regular Meeting as presented.

Motion Carried: 4-0-1
Ayes: Wilcher, Shaw, Feldman & Levenberg
Abstain: D'Attore

B. 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 July 10, 2018 in the amount of \$403,702.04

Motion Carried: Unanimously

C. Grant Application- Tree Inventory, Phase Two

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

Whereas, the Town of Ossining is interested in maintaining a healthy urban tree canopy which provides countless benefits to the community including storm water mitigation, carbon sequestration, and increased property values; and

Whereas, in an effort to better understand the status of Ossining's urban forest, the Town received grant funding to complete an inventory along selected roadways and parks in the Town of Ossining, but did not include all the roadways and parks in the unincorporated Town; and

Whereas, this initial phase provided the Town with useful data to assist in the maintenance and care of Ossining's street trees and would like to complete phase two of this inventory to include the remainder of the roadways and parks under the Town's care; now therefore be it

Resolved, that the Town Board of the Town of Ossining hereby endorses a grant application to the New York State Department of Environmental Conservation's Urban and Community Forestry program in the amount of \$50,000 with no local match;

Be it further Resolved, that the Town Supervisor's Office is directed to complete and submit this grant application to the Department of Environmental Conservation.

Supervisor Levenberg stated that we were successful with our first grant to take a look at the Trees in Engel Park, and along 133, 134 and N. State Rd in the Town. Now we'd like to capture the entire Town so we know which species of tree to recommend be planted, and to make sure we know which ones should be removed. Urban and community forests are essential features of responsibly developed municipalities, and require a considerable amount of planning and care. The environmental, as well as economic and social benefits, of a well-developed community tree canopy are numerous, including storm water mitigation, carbon sequestration, and increased property values. Conducting a tree inventory is the first phase in committing to the preservation of street trees, ensuring these many benefits to the community. We are pleased to have received letters of support for this grant from Assemblywoman Galef, Senator Carlucci, County Legislator Borgia, and Teatown, and to have Green Ossining partner with us again, to conduct a tree inventory of the Town's roadways and parks, which will help us communicate with the public to ensure a sustainable future for the Ossining community and the region.

Motion Carried: Unanimously

D. Personnel, Town Highway Department

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 increases the hourly rate of Town Highway Department part-time Intermediate Clerk Fern Quezada from \$13 per hour to \$16 per hour, effective July 11th, 2018.

Supervisor Levenberg stated that back in December of 2017, the Town Board appointed Fern to supplement Francine in our Highway Department office. Fern is

doing a great job helping us to be more efficient and organized, and she has some great ideas for how we can get even better moving forward. At the same time, Francine has decided to cut back her weekly hours, and Fern is picking up a lot of her responsibilities. We are so glad they are working as such a great team to the benefit of our residents.

Motion Carried: Unanimously

E. Calling for a Public Hearing- Local Law #5 of 2018- Changes to Accessory Apartment Regulations within the Unincorporated Town

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

Resolved, that the Town Board of the Town of Ossining hereby calls for a Public Hearing to be held on Tuesday, July 24th, 2018 at 7:30 p.m. at the Birdsall-Fagan Police/Court Facility, Ossining, NY in the matter of Local Law #5 of 2018, entitled “Changes to Accessory Apartment Regulations within the Unincorporated Town.”

Supervisor Levenberg stated that we have been considering making some changes to the Accessory Apartment law for some time now, and we are now planning to consider Local Law #5 of 2018 which would codify many of those changes in our Town Code. This is actually the second iteration—our Building Inspector had some comments which we shared with our Planner David Stolman. We agreed with John and so did David, so this version of the local law incorporates that commentary. Please be advised that we have already sent this local law to the Zoning Board of Appeals for their feedback, and, like the leaf blower local law, plan to hold the public hearing open for a few weeks in order to get feedback from all interested parties.

Motion Carried: Unanimously

F. Contract- Contractor for CFA Grant Application

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

Resolved, that the Town Board of the Town of Ossining authorizes the Supervisor to sign an agreement with Dynamic Energy Group, LLC of Charleroi, Pennsylvania to prepare a New York State Consolidated Funding Application for a Salt Shed Replacement under the Water Quality Improvement Project (WQIP) Program at a rate of \$75.00/hour, with the project length estimated at 24 hours or \$1,800.00.

Supervisor Levenberg stated that we have been actively working on how to maximize our grant applications to find help from the state for some of the capital projects that need to be addressed. One of those is the need to replace our Salt Shed which is at Cedar Lane Park. There is money available through the Water Quality Improvement Project (WQIP) Program so we are working with a consultant that was recommended to us and who has experience with the CFA grants to get this completed by the July 27th deadline.

Motion Carried: Unanimously

G. Contract- Contractor for CFA Grant Application

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 authorizes the Supervisor to sign an agreement with Dynamic Energy Group, LLC of Charleroi, Pennsylvania to prepare a New York State Consolidated Funding Application for a Parking Lot Green Paving Project under the Green Innovation Grant Program at a rate of \$75.00/hour, with the project length estimated at 16 hours or \$1,200.00.

Supervisor Levenberg stated that similarly, we have plans to repave three or the parking lots in our Town Parks, and in order to do a better job at protecting our fragile environment in our watershed, we are hoping to be able to do that with permeable surfaces or other biologically friendly treatments. This is a more expensive venture, but there are grants available to help communities ‘Green’ their spaces. To complete this as well as the other grants we are applying for, we have need of bringing in a consultant to help accomplish our goal. Through the Green Innovation Grant Program.

Motion Carried: Unanimously

H. Temporary Beer/Wine/Cider Permit for Facilities Rental- August 18th, 2018

Councilmember Feldman 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 the Landlord Authorization Form for the New York State Liquor Authority for a Temporary Beer/Wine/Cider license for Mr. Al Pielusko, who has filed an application for the rental of the Ryder Park Pavilion in the Town of Ossining on Saturday, August 18th, 2018; and

Be it further Resolved, that the applicant will provide proof of insurance and the letter of indemnity to the Town in a form acceptable to Counsel to the Town.

Supervisor Levenberg stated that we received an application for a high school reunion that is scheduled to take place in a Town Park later this summer. Thanks to the event organizer for doing his due diligence and making sure all proper paperwork is in order for the rental.

Motion Carried: Unanimously

I. Permission to Hold Special Event at Louis Engel Park- Saturday, July 14th, 2018

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

Whereas, the Town Board of the Town of Ossining has a permit in place for the rental of facilities in Town Parks; and

Whereas, for most events, the Superintendent of Recreation has the discretion to approve or reject an application, but larger events may be sent to the Town Board for formal approval; and

Whereas, an application was filed in March 2018 for use of the Engel Park Stage and Spectator Area for Saturday, July 14th, 2018 by Brian C. Johnson for the purposes of a music festival to take place between 3PM and 10PM, and this application was referred to the Town Board;

Resolved, that the Town Board of the Town of Ossining hereby authorizes the Superintendent of Recreation to accept this application, and ensuring that the proper insurance and applications are in place with the Department of Recreation.

Supervisor Levenberg stated that from 3-10 p.m. more than 30 musical performances are scheduled. Brian plans to work with us on this, his fourth event at Engel, to make sure the music is friendly to the public and everyone can enjoy the park. It is free to anyone who would like to attend. We need to approve it because they are anticipating 3-400 people

Motion Carried: Unanimously

IX. CORRESPONDENCE TO BE RECEIVED AND FILED

X.MONTHLY REPORTS

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 following monthly reports for the month of June 2018 from:

- **Town Clerk's Office**
- **Town Supervisor's Office**
- **Tax Receiver's Office**

Motion Carried: Unanimously

XI.VISITOR RECOGNITION

XII.ADJOURNMENT –EXECUTIVE SESSION-ADVICE OF COUNSEL

At 8:28 PM, Councilmember Feldman motioned to enter into Executive Session and Councilmember Shaw seconded.

At 9:08 PM, Councilmember Feldman motioned to leave Executive Session and Councilmember Wilcher seconded.

Motion Carried: Unanimously

At 9:09 PM, Councilmember D'Attore motioned to adjourn Executive Session and Councilmember Wilcher seconded.

Motion Carried: Unanimously

Approved:

Mary Ann Roberts Town Clerk