



**TOWN BOARD
TOWN OF OSSINING
BIRDSALL-FAGAN POLICE COURT FACILITY
86-88 SPRING STREET – OSSINING, NEW YORK
OCTOBER 23, 2018**

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 October 23, 2018 in the 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 Elizabeth Feldman, Karen D’Attore and Jackie G. Shaw were present. Councilmember Norther Wilcher, Jr. was absent. Also present were Town Counsel Christie Tomm Addona, Budget Officer Madeline Zachacz and Interim Town Clerk Victoria Cafarelli.

Supervisor Levenberg asked for all to remain standing as we observe a moment of silence for the loss of longtime Fire Department member James Drohan Sr who was with Holla Hose for just shy of 50 years before retiring a few years ago, as well as Reverend Lewter of Star of Bethlehem Church, the Pastor there for 20 + years. Reverend Lewter’s wake will take at Star, which is at 304 Spring Street, on Tuesday October 30th from 2-6pm with the funeral immediately following, starting at 6pm.

II. PUBLIC HEARINGS IN THE MATTER OF:

(Visitors shall be accorded one (1) three (3) minute opportunity to address the public hearing)

Supervisor Levenberg stated that we are continuing to accept public comments on these three local laws. We really haven’t made any substantive changes to the Leaf Blower draft local law since the last public hearing. After we hear comments tonight, we will plan another work session to address where the board wants to go with this.

At 7:31 pm, the Public Hearing was opened.

• **Public Hearing- Local Law #4- Leaf Blowers**

Donna Sharrett Morningside Drive spoke in favor of this legislation and feels schools and municipalities should lead by example. Encouraged the Town Board to pass this Local Law

Katy Mecklenburg Liberty Street spoke in favor of this legislation and feels that this is a thoughtful and sensible compromise. Numerous towns and city nearby by have taken similar steps to ban leaf blowers and landscaping businesses did not fold. Most importantly, the Board is able to act on our environment. Ms. Mecklenburg asked that we curb the use of these gas machines.

Suzie Ross submitted the following statement regarding this legislation.

Good morning all.

I hope you enjoyed the weekend.

Circling back to this issue, I wanted to share an interesting email conversation that Mayor Gearity had with the individual who spearheaded Yonkers successful campaign (and Westchester County's first, since 2007) to ban the use of Leaf Blowers during specific periods. With Mayor Gearity's permission, I am sharing this with you to help address the concerns that landscapers will suffer, but also to bring attention to experts that have concluded that it is a health risk.

See below please.
My best,
Suzie

Victoria Gearity <Gearity@villageofossining.org>

Last night the only person who spoke re leaf blowers was John Bell reading Suzie's letter on behalf of Green O. The Board has kept the Public Hearing open through our 10/17 Legislative Session.

Please have a look at the comments from Molly Roffman from her experience leading the leaf blower restrictions in Yonkers.

Victoria Gearity
Mayor, Village of Ossining
914-640-0575

Begin forwarded message:

From: Molly Roffman <molly@stepwisenow.com<mailto:molly@stepwisenow.com>>
Date: October 2, 2018 at 4:17:47 PM EDT
To: Victoria Gearity
<Gearity@villageofossining.org<mailto:Gearity@villageofossining.org>>
Subject: Re: Leaf Blowers

Hi Victoria,

Yonkers was the first municipality to pass the legislation based on the public health risks rather than noise and we then provided our letters of support to 10 other municipalities to help them pass their ordinances.

The claim that landscapers will suffer monetarily has never been substantiated. It's simply not true. On the contrary they save time by not doing what they don't (and by best practice) need to do in the first place.

We had very strong written and oral testimony from (the short list):

Dr. Allen Dozor, Chief, Pediatric Pulmonology, Allergy, Immunology and Sleep Medicine, Maria Fareri Children's Hospital, Valhalla, NY

Michael J. Spicer F.A.C.H.E. President and CEO St. Joseph's Medical Center Yonkers, NY

Philip J. Landrigan, M.D., M.Sc., (pediatrician and epidemiologist) Chair of the Department of Preventive Medicine: 1995 to 2015. He was named Dean for Global Health in 2010. All of the physicians in his preventive health department signed the letter of support.

Senior Policy Director of the New York State American Lung Association

President of the American Pediatric Association

Director of the Asthma Program for St. John's Hospital, Yonkers, NY

All of Westchester County's leading conservation groups also provided letters of support

and testimony.

The landscape industry in Yonkers is very well connected politically but we were able to show that the ordinance was based on landscape best practices as well as recommendations from respected physicians and public health institutions and conservation groups.

Yonkers has one of the highest childhood asthma rates in the country. As Dr. Dozor wrote in his letter: leaf blowers emit their toxic exhaust and particulate debris at stroller height.

Once the ordinance was passed we met with enforcement officials to be sure they understood the rationale for the ordinance and we worked with the city to launch an public awareness campaign. Our summers are quiet and the air is so much easier to breathe. I can't imagine what it would have been like in Yonkers this past summer if we had had leaf blowers going full tilt on every property with so many Air Quality Alert Days.

I'd be happy to provide you with the letters and speak with you by phone if you'd like. Unlike in 2007 when we passed our ordinances - there are now plenty of industrial quality battery powered lawn mowers, leaf blowers even chain saws available - all of which could become solar powered.

We will be advocating for the City of Yonkers to phase out all gas-powered landscape equipment by 2021.

Best!

Molly

Molly Olivia Roffman, PT MA CEEAA
Owner & Director
StepWISEnow Balance Fitness
325 South Highland Avenue, Suite 109
Briarcliff Manor, New York 10510
914.292.0602 (o) 914.486.8125 (c)

From: Victoria Gearity
<Gearity@villageofossining.org<mailto:Gearity@villageofossining.org>>
Sent: Tuesday, October 2, 2018 9:19:11 AM
To: Molly Roffman
Subject: Leaf Blowers

Really? Yes, I'm very interested in your experience with the leaf blowers. I was surprised that Yonkers was included in the communities with the ban. Most are small affluent villages.

The pushback we receive is from both landscapers and property owners. Village properties tend to be small. This means both that there aren't vast expanses of leaves to blow, and that everyone is very close to their neighbors.

Will we be deeply impacting the financial viability of local landscapers? (Ossining is home to many small companies and laborers). How are landscaping companies able to operate in communities with leaf blower restrictions? Is it more expensive for property owners to hire landscapers to work on their property?

Are you familiar the practice of blowing the sidewalks clear of pesticides following a treatment? This has been raised as a hazard that should be avoided anyway, but folks who prize their well manicured lawns don't like that idea.

The initiative has been championed by both homeowners who find the noise a serious

impediment to their quality of life, and Green Ossining who is concerned about the environmental impact of the noise and the blowing of pesticides.

We heard from a pediatrician and environmental scientist re the risk the noise poses for children and workers. Industry folks say that the data in these studies is dated and that today's equipment is no longer as loud.

I'm grateful for any insights from your experience.

Ideally, actions like this by local governments would push the electric power tool companies to improve the viability of their products for industrial use. If half the homes in Westchester ban leaf blowers for portions of the year, and this has a financial impact on landscapers' profitability, investing in new equipment would be a reasonable consideration. But my understanding is that none of the electric counterparts are strong enough for professional landscapers at this point.

Victoria Gearity
Mayor, Village of Ossining
914-640-0575

On Oct 1, 2018, at 4:08 PM, Molly Roffman
<molly@stepwisnow.com><mailto:molly@stepwisnow.com><mailto:molly@stepwisnow.com>> wrote:

Thank you, Victoria.

On another topic - I noticed that you're considering a leaf blower ordinance for Ossining. I happen to be the person who spearheaded that effort in Yonkers if you are interested to know how we passed it there. It's been very successful.

Best,
Molly
Molly Olivia Roffman, PT MA CEEAA
Owner & Director
StepWISEnow Balance Fitness
325 South Highland Avenue, Suite 109
Briarcliff Manor, New York 10510
914.292.0602 (o) 914.486.8125 (c)

molly@stepwisnow.com<mailto:molly@stepwisnow.com><mailto:molly@stepwisnow.com>

www.stepwisnow.com<<http://www.stepwisnow.com>><<http://www.stepwisnow.com>>

On Wed, Sep 26, 2018 at 11:13 AM suzie ross <suzie.e.ross@gmail.com> wrote:

Thank you Donna.

May I also add that we know that education is an important part of any change like this. The mulching conversation/education and chemical-free yards should be the other part of this so that people understand that we are not just taking something away and leaving them to figure out how to deal with what may now appear to be a problem.

We've had Ossining Lawnmower at the Earth Day Festival for the past three years demonstrating mulching mowers.

At almost every Green Ossining tabling opportunity we have been promoting chemical-free lawns with the help of resources such as the Great Healthy Yard project, and Cornell Cooperative Extension materials

- <http://tghyp.com/>

- <http://cce.cornell.edu/>

Green Ossining has been pushing "Leave Leaves Alone"/"Love'Em and Leave 'Em" which has resources for both residents AND Landscapers (to show them their options), and has now been adopted as a suggested practice by Westchester County.

- <http://www.leaveleavesalone.org/>
 - Their list of landscapers appears to be a work in progress, but there are testimonials from some that are already doing it that could be sought, and I would ask Ossining Lawnmower for a list of their known landscapers that are having equipment serviced/purchased through them. Ossining Lawnmower has a wide service area in Northern Westchester.
- <http://environment.westchestergov.com/yard-waste>

I believe that educating our community about alternative practices is important. We get change is hard. But this legislation, hand-in-hand with education opportunities, will not only end an environmental wrecking-ball, it actually can mitigate damage and have the fundamental ability to create a better planet by giving back to the soil.

I applaud all of you for considering this legislation and hope that you understand how important this is as leaders of our community.

My thanks,
Suzie

On Wed, Sep 26, 2018 at 10:41 AM Donna Sharrett <dsharrett@optonline.net> wrote:
I leave the Leaf Blower Public Hearings with a heavy heart. In a matter of a few decades, a flash in the timeline of humanity, the American society at large has become addicted to the goal of sterile landscapes heavily dependent on chemicals and leaf blowers.

It is beyond belief that limiting leaf blowers during the 4 months when they are least needed should be so difficult and so contested.

Non-toxic (leaf blower free) lawn care brochure from Cornell:
<https://ecommons.cornell.edu/bitstream/handle/1813/43857/lawn-care-no-pesticides-NYSIPM.pdf?sequence=1>

Early this morning a monarch butterfly emerged on the back wall of our house. Ken and I have created a chemical & leaf blower-free native wildlife refuge here (replete with acorns) for which we have been richly rewarded. For the beautiful new monarch I can only hope that he finds along his journey south enough non-toxic landscapes rich with fall blooming nectar plants to sustain him. Actually, this is his only hope.

My comments from last night's leaf blower public hearing:

It is not reasonable to impose the ban to certain residents and/or entities and not others. I am strongly opposed to the exemptions as currently listed # 130-7.1.B.(2), and ask the board to consider changing this to: "This provision does not apply to cemeteries or to the clean-up of any impervious surface areas when leaf blowers are used at half speed."

What are the negative impacts of leaf blowers:

1. one half hour use of a 2-stroke engine leaf blower produces the same hydrocarbon emissions as driving a Ford F-150 pickup truck 3,887 miles. Using a leaf blower for 5 minutes is equal to driving that same truck 648 miles – the distance to Wilmington NC.
2. Breathing the high levels of hydrocarbons, and pesticides, fertilizers, animal droppings and whatever else is blown into the air by leaf blowers is hazardous.
3. Leaf blowers, which have a velocity of up to 165 MPH, blow away essential organic matter from the soil surface and leads to soil compaction which facilitates stormwater runoff negatively impacting our Waterways and river.

Grass clippings and ground leaves left in place provide nutrients, and creates more resilient and drought tolerant lawns. Mulch mowing during leaf season would save tax dollars. How much money is spend on leaf collection and carting?

The big picture: Long term human existence is in part compromised by the fallacy that our properties need to be cleaned to the point of irreversible damage to our environment and our health.

The NYS extension soil scientist who is studying Ken and my lawn, flew to the Carolinas yesterday to assist with livestock composting. Millions of livestock died during Hurricane Florence. It is perhaps unknowable how many pets and wildlife also died during that storm, a storm intensified in size and duration by rising sea levels and warming ocean temperatures as a direct result of climate change. It is imperative that we make immediate, substantial changes that will reduce our contribution to climate change. Limiting leaf blower usage is a meaningful, responsible measure towards this goal.

Thank you for considering my comments and for your careful deliberation on this matter.

Donna Sharrett

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

At 7:49 p.m., Councilmember Feldman moved and it was seconded by Councilmember Shaw that the Public Hearing be adjourned to November 13, 2018.

At 7:37 pm, the Public Hearing was opened.

- **Public Hearing- Local Law #5- Accessory Apartments**

Supervisor Levenberg stated that we had left this public hearing open so we had to time to make sure we complied with all the notice requirements in General Municipal Law. The County provided comments to the Town suggesting that accessory apartments not be a special permit use, but it has been such for 20 years or more in the Town. Generally, we have not found that this has been onerous in the past. For the most part it seems to be a pretty streamlined process, and the board is opting to keep it that way. And we believe the public continues to be in favor of having oversight over where these accessory apartments are located. We will close this public hearing tonight unless there are many more comments.

At 7:39 p.m., Councilmember Feldman moved and it was seconded by Councilmember Shaw that the Public Hearing be closed.

At 7:39 pm, the Public Hearing was opened.

- **Public Hearing- Local Law #6-Solar Energy**

Supervisor Levenberg stated that we had made some substantive changes to the draft local law on Solar Energy before our last public hearing, particularly making Tier 3-solar farm siting a floating zone with criteria established to determine where a floating zone would best be located, favoring paved cleared land, then open cleared land, over undeveloped, uncleared parcels. We are interested in hearing public feedback on these changes this evening. We also plan to reduce the height from a maximum of 20' to a maximum of 15' which will be in the next version that we post.

Donna Sharrett Morningside Drive discussed the different tiers for the Solar Energy and did not understand how the screening would work.

Travis Scott Solar Vendor spoke about the slope and wetlands and explained that they are working with environmental engineers.

At 7:50 p.m., Councilmember Shaw moved and it was seconded by Councilmember Feldman that the Public Hearing be adjourned to November 13, 2018.

III. ANNOUNCEMENTS

This past week has been a challenging one as computer issues have plagued both Town and Village government. We are continuing to work through this and it is an opportunity for us to improve our back-up systems which we will work with the Village to do. We do apologize to anyone who may have had trouble getting serviced by our personnel due to these challenges.

We are hearing talk of some bad weather coming our way this weekend. All of our departments will do our best to prepare for this. Meanwhile, we are particularly concerned with the impact on our big event planned for this weekend which so much hard work had gone into. Since we know the weather and timing can be fickle, our plan right now is to move forward with the Friday night October 26th Haunted Hayride date, and make a decision midday Thursday if we will postpone Saturday's Hayride to the following week. Please stay tuned to the Town's website for the most up to date information and we will push it out to all associated media as well.

Yesterday was our deadline to respond to Phase One of Project Forward, the Survey we had sent out to everyone in the Town of Ossining to take the temperature of our residents about streamlining government services. We have received a nice response to date but are hopeful to get a few more, so we are extending the deadline till next Tuesday, October 30th. Following that, next week we anticipate receiving a report from our consultant about next steps, which would include additional public engagement.

October 30th is also the deadline for mailing in your application for an absentee ballot for the November 6th election. You have until Monday November 5th to apply in person at the Westchester County Board of Elections on Quarropas Street in White Plains.

There are several local races to learn about, in addition to congressional, gubernatorial, and attorney general races, before you get out to vote on Tuesday, November 6th. The Ossining Public Library will host a Candidate's Forum in the Budarz Theater beginning at 7PM this Thursday, October 25th-- come out to hear from the sitting, and hopeful, candidates and learn more about their platforms. Thanks to the Greater Ossining Chamber of Commerce and the League of Women Voters for organizing this informative session.

As I mentioned, aside from the upcoming elections, the event figuring most prominently in our minds is the Forest O' Fears Haunted Hayride, scheduled for this Friday (October 26th) and Saturday (October 27th). Tickets are still available at www.forestofears.org-- while tickets will be sold on site, purchasing them in advance allows you to get the discounted rate, while also letting you secure your choice of ride time (first ride is at 6:45PM, last one's at 10PM). I did a walkthrough of the event this morning, and let me be the first to tell you, it's super spooky, and you're going to love it! However, if the super spooky isn't for you (no judgement), you can purchase a "Field Access Only" ticket when you get to the gate--the Halloween Village will be filled with games, vendors, food, and music, not to mention the Homespun Merry-Go-Round and a fire show! Make sure to join in the fun at Cedar Lane Park this weekend.

There are several other Halloween activities on tap for the weekend! Also on Saturday, October 27th, the Greater Ossining Chamber of Commerce Uptown Alliance will host the 3rd Annual Ossining Howl-o-Ween Kids & Pet Parade on Upper Croton Avenue. The parade kicks off at 11AM outside the Elks Lodge at 118 Croton Avenue and heads up to the Mike Risko Music School at 44 Croton Avenue. After the parade, the fun doesn't stop! Stay for music, games, and prizes! I can't wait to see all of the great costumers out there, kids and canines alike.

For all of those watching our meeting live, tomorrow (Wednesday, October 24th), Good Choice Kitchen on Main Street will be hosting a very special event for World Acupuncture and Medicine Day. Between 10:30AM and 12:30PM, stop in and see Leah Schwartz of Lifted Heart Acupuncture who will answer all of your questions and give you some valuable information on how acupuncture can help you live a happier, calmer, healthier life. And when you're done, you'll be in a perfect spot to enjoy a delicious, fresh, local lunch! It's a win-win.

The Village of Briarcliff Manor will be holding their Ragamuffin Parade that morning as well-- co-sponsored by the Briarcliff Manor Fire Department, this march kicks off outside the Operating Engineers building on Pleasantville Road at 9:30AM. After you march, stay for goody bags and a magic show starting at 10AM.

Costumes not your thing? That's ok too-- the Ossining Public Library will hold an Adult Pumpkin Painting Workshop at 12PM-- kids can come too, but pre-registration is required for everyone. Call James Trapasso at 941-2416 ext. 327 or email him at jtrapasso@wlsmail.org to sign up for this free activity.

On Sunday, October 28th, Teatown has an excellent program scheduled for the animal lovers in our midst. On Sunday, October 28th, head on over for "[Animals Nobody Likes](#)," a program where you will get to know some of our local animals who get a bad rap, but are an important and exciting part of our ecosystem! You will even get to reach out and touch some of these misunderstood creatures-- I am sure you will change your mind! Make sure to pre-register for this one at Teatown.org

Next Tuesday, October 30th is a 5th Tuesday and the Town Board will not be meeting at our usual time (although we may need to make a morning meeting in order to pay bills). Lucky you, The Briarcliff Manor will be hosting the Halloween Bash that evening in support of Gullotta House. Come for live music, a buffet, a cash bar, and a costume contest! The fun starts at 6:30PM and goes til 10PM—for tickets, visit www.halloweenbashbriarcliffmanor.eventbrite.com.

On Saturday, November 3rd, the Ossining Public Library will be hosting "Mad for the Library," a 60s-themed fundraiser, in the Budarz Theater starting at 7PM. Make sure to dress for the occasion, and enjoy wine, snacks, dancing, and a silent auction, all while listening to live music courtesy of the Mike Risko Band. Proceeds will go to fund a World Music Concert Series at the library. Visit www.ossininglibrary.org for more information and to get your tickets.

Another great event coming up? The Ossining Rotary Club's Byington Memorial Scholarship fundraiser on the evening of Monday, November 5th. Proceeds from the evening help the Rotary support local students with scholarships towards their education, and we also get to celebrate the Employee of the Season from each of the municipalities and service organizations represented by Rotary. Tickets can be purchased ahead of time or at the door, email GRC10562@yahoo.com to secure your seat for this great annual community event, and yes, the Town has nominated an employee, fingers crossed!

Tickets are still available for the Sing Sing Swing—an up the river cruise leaving from Yonkers to benefit the Sing Sing Prison Museum. This year's event is on Sunday, November 18th and I can hardly wait. Vince Giordano and the Nighthawks will be there to get you on your feet with their big band sounds, so I hope you will join me for a night of dancing on the Hudson with proceeds going to a very important local effort.

Finally, I wanted to give everyone an update on the 2019 Budget. We are one week away from submitting the Supervisor's Budget, and from here, everything is looking pretty good for us to remain within the tax cap yet again. It is, however, a tedious process with a lot of small details to work out. I am grateful for the excellent work and leadership of both Deputy Comptroller Dale Ferreira and Budget Director Maddi Zachacz to get us through it, especially while we have had multiple computer hurdles to overcome. We are going to take every last minute this year to make sure

we get it all right. Some upcoming dates that of interest to you—Wednesday, October 31st, the Supervisor’s or Tentative Budget will be available on the Town of Ossining website, and also in hard copy in the Office of the Town Clerk and at the Ossining Public Library. We will be presenting the budget on Tuesday, November 20th as part of our weekly Board Meeting, and the public hearing will be held at the Courthouse, right here, on Tuesday, November 27th at 7:30PM. In the meanwhile, the Town Board will be taking time to review the submittals, meet with department heads, and make revisions. Those meetings will be open to the public. If you do care to join us, we will be on the 3rd floor of 16 Croton Avenue on Friday, November 9th starting at 12 Noon and ending around 5PM, and Wednesday, November 14th starting at 9:30AM and ending around 1:30PM. You can also email us at TC@townofossining.com or call my office at (914) 762-6001 and we will try our best to answer your inquiries!

IV. LIAISON REPORTS

Councilmember Feldman attended the Briarcliff Manor Fire Department inspection and thanked them for their service.

V. DEPARTMENTAL REPORTS

VI. BOARD RESOLUTIONS

A. North State Road MOGO Trail Plan Design

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

Resolved, that the Town Board of the Town of Ossining authorizes the Supervisor to sign a proposal from Sam Schwartz Engineers of New York, NY in the amount of \$65,000 for engineering and design services for the North State Road Bike Lane and Millwood Ossining Go! Trail Plan, pending review of Counsel to the Town as to form; and

Be it Further Resolved, that these professional services will be paid for by grant funding from the Hudson River Valley Greenway and the New York State Energy Research and Development Authority.

Supervisor Levenberg stated that We had received to grants to develop bike lanes in Ossining, one of which, the Hudson Valley Greenway Grant, requires that we make significant progress on it by year’s end. MOGO –Millwood Ossining Task Force had identified North State Road as low hanging fruit in our interest to connect the Village of Ossining to the North County Trailway for bicycles and pedestrians. We have identified one of the premier bicycle lane firms in the area to work with us with design and engineering, and public engagement, Sam Schwartz Engineers of NYC, and are excited to be working with them on this grant funded project. The total grant funding will come from both the Greenway and the New York State Energy Research and Development Authority (NYSERDA).

Motion Carried: Unanimously

B. Termination- Town Court

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

Resolved, that the Town Board of the Town of Ossining officially terminates the employment of part-time Court Attendant Corey Dawkins, effective September 28th, 2018.

Motion Carried: Unanimously

C. Peckham Road Corporation, Road Reclamation- Hawkes Avenue

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

Resolved, that the Town Board of the Town of Ossining hereby accepts the proposal from Peckham Road Corporation dated October 4th, 2018, for the full-depth reclamation of a section of Hawkes Avenue in the Town of Ossining, written to include milling, prep work, cutting joints, shimming, and cutting around driveways and catch basins, at a price not to exceed \$34,200; and

Be it Further Resolved, that the Town Board acknowledges that this price has been quoted as per the Columbia County Pavement Reclamation bid, which the Town Comptroller finds to be in compliance with Town of Ossining procurement regulations.

Supervisor Levenberg stated that as we discussed at our special meeting last week when we opened this capital project to repave Hawkes Avenue, we are asking for approval for a two part process. Peckham will be responsible for reclamation and utilizing the millings to repave. Then Rinaldi will do the final paving coat of a large section of Hawkes Avenue

The price for reclamation has been quoted per the Columbia County Pavement Reclamation bid, and Louis Rinaldi is the annual paving bidder for 2018. We are scheduled to pave Nov 13, 14th and complete the project on the 15th.

Motion Carried: Unanimously

D. Louis Rinaldi Inc., Road Repaving- Hawkes Avenue

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

Resolved, that the Town Board of the Town of Ossining hereby accepts the proposal from Town of Ossining annual paving bidder Louis Rinaldi Inc., dated October 1st, 2018, for the repaving of a section of Hawkes Avenue in the Town of Ossining, at a price not to exceed \$95,000.

Motion Carried: Unanimously

E. Contract— Flaming Barrel of Monkeys Entertainment

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

Resolved, that the Town Board of the Town of Ossining hereby authorizes the Supervisor to sign an agreement with Sean R. McGoey dba Flaming Barrel of Monkeys Entertainment for performing as outlined in the agreement for the 2018 Forest O' Fears Haunted Hayride, taking place on Friday, October 26th, 2018 and Saturday, October 27th, 2018.

Supervisor Levenberg stated that We are looking forward to once again have Sean R. McGoey of Flaming Barrel of Monkeys Entertainment to perform a show for our littlest attendees of the Forest O' Fears Haunted Hayride Halloween Village.

Motion Carried: Unanimously

F. Agreement- Completion of GASB 75 Report- FYE 2018 & 2019

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

Resolved, that the Town Board of the Town of Ossining hereby authorizes the Supervisor to enter into an agreement with USI Consulting Group, 95 Glastonbury Boulevard, Suite 102, Glastonbury, CT for the provision of a GASB 75 Valuation Report for Fiscal years 2018 and 2019 at a price contained within the proposal dated March 2018, subject to approval by Counsel to the Town as to form.

Supervisor Levenberg stated that every three years, we are required to provide an analysis for New York State of our post employment benefit exposure. USI Consulting has been doing this for the Town and Village of Ossining for many years to perform the GASB 75 Valuation Report for Fiscal years 2018 and 2019.

Motion Carried: Unanimously

G. Request for Bids- Delivery of Meals and Supplies for Nutrition Program

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

Resolved, that the Town Board of the Town of Ossining hereby authorizes the Town Clerk to advertise a Request for Bids for the delivery of meals and supplies for the Nutrition Program, located in the Ossining Community Center. Bids shall be submitted no later than 10:00AM on Monday, November 19th to the office of the Town Clerk.

Supervisor Levenberg stated that Our Senior Nutrition program is looking for a competitive provider of meals for the daily meals we offer, and as such we are issuing this Request for Bids for the Nutrition Program, located in the Ossining Community Center at 95 Broadway. Bids are due by 10:00AM on Monday, November 19th to the office of the Town Clerk.

Motion Carried: Unanimously

H. Contract— DualWave Entertainment

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

Resolved, that the Town Board of the Town of Ossining hereby authorizes the Supervisor to sign an agreement with Jeff Staples dba DualWave Entertainment for performing as outlined in the agreement for the 2018 Forest O’ Fears Haunted Hayride, taking place on Friday, October 26th, 2018 and Saturday, October 27th, 2018.

Supervisor Levenberg stated that we are so excited to once again have the phenomenal Jeff Staples involved in the lighting (and also sound!) for the Forest O’ Fears Haunted Hayride. Jeff’s lighting, in addition to all the volunteer hours that have gone in to converting Cedar Lane Park into a very spooky place, makes all that hard work really come to life at night.

Motion Carried: Unanimously

I. Resolution approving EIC Municipal Agreement Addendum – “Pay when Received PACE” Product

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

WHEREAS, the Town Board previously adopted Chapter 178 of the Town Code entitled “Sustainable Energy Loan Program” as authorized by Article 5-L of the

New York State General Municipal Law to establish a sustainable energy loan program using federal grant assistance, federal credit support or money from the state of New York or any state authority to make loans to the owners of real property located within the municipality to finance the installation of renewable energy systems and energy efficient improvements, related energy audits and renewable energy system feasibility studies, and the verification of the installation of such systems and improvements (the “Program”); and

WHEREAS, the Town Board previously authorized the Town to enter into agreements and subsequent amendments with the Energy Improvement Corporation (“EIC”), a local development corporation, fully organized under section fourteen hundred eleven of the Not-for-Profit Corporation Law, to act as the agent for the Participating Municipalities to carry out and handle the administration of the Program; and

WHEREAS, EIC is offering a new product referred to as “Pay When Received PACE”, which varies from the currently available products in that the municipality is not required to remit payments pursuant to paragraph 2(c) of the municipal agreement unless and until payment is received by the municipality from the owner of the benefitted property, and

WHEREAS, EIC’s position is that the addition of this new product does not require any further amendments to Chapter 178 of the Town Code as the Municipal Agreement and Addendum will control the terms under which the Municipality is required to make payments to EIC, and

NOW THEREFORE,

BE IT RESOLVED, the Town Board approves the EIC Municipal Agreement Addendum with the “Pay When Received PACE” Product and authorizes the Supervisor to execute the Agreement Addendum and any other documentation as may be required to facilitate the availability of this Product in the Town of Ossining.

Supervisor Levenberg stated that as discussed at a recent work session attended by Sarah Smiley and Mark Thielking from Energize NY, WHEREAS, the Town Board would like it make it possible to offer a new Pay when Received PACE financing product to make it easier for municipalities to offer options to businesses and organizations looking to take advantage of Property Assessed Clean Energy financing. This new product would not require the municipality to remit payments to Energize until payment has been received by the municipality from the owner of the benefitted property. We have been advised by EIC that this new product does not require any further amendments to Chapter 178 of the Town Code as the Municipal Agreement and Addendum will control the terms under which the Municipality is required to make payments to EIC.

Motion Carried: Unanimously

J. Resolution Approving Maintenance to Ossining Boat and Canoe Club

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

Resolved, that the Town Board of the Town of Ossining hereby acknowledges the request made by the Ossining Boat and Canoe Club, as per the letter sent by OBCC Commodore Dr. Michael Pavelcheck dated October 16th, 2018 regarding the installation of planters outside of the OBCC in order to protect the building and prevent washouts of the grounds surrounding the structure; and

Be it Further Resolved, that the Town of Ossining hereby approves this work, not to be considered it as a credit against the OBCC's annual in-kind maintenance contribution for 2018.

Supervisor Levenberg state that we have been approached by the Ossining Boat and Canoe Club which is hoping to move planters that are currently on one side of OBCC to the other, to help improve the aesthetics as well as the sustainability of these flower containers. We asked our Town Engineer, Paul Fraioli to review the request and he gave it the thumbs up. As such, we would like to formalize our approval. The Boat & Canoe club has said that the cost would not be considered as a credit against their maintenance contribution for 2018 since there are so many other more expensive projects they are taking on.

Motion Carried: Unanimously

VII. CORRESPONDENCE TO BE RECEIVED AND FILED

VIII. MONTHLY REPORTS

IX. VISITOR RECOGNITION

**X. ADJOURNMENT – EXECUTIVE SESSION FOR ADVICE OF COUNSEL,
PERSONNEL**

At 8:18 p.m., Councilmember Shaw moved and it was seconded by Councilmember Feldman to adjourn the meeting to Executive Session

Motion Carried: Unanimously

Approved:

Interim Town Clerk Victoria Cafarelli