



**TOWN BOARD  
TOWN OF OSSINING  
BIRDSALL-FAGAN POLICE/COURT FACILITY  
86-88 SPRING STREET – OSSINING, NEW YORK  
MARCH 12, 2019  
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 March 12, 2018 in the Police/Court Facility, 86-88 Spring Street in Ossining. The meeting was called to order at 7:32 p.m. by Supervisor Dana A. Levenberg. Members of the Board present were: Councilmembers Karen M. D’Attore, Elizabeth R. Feldman, Northern Wilcher Jr. and Jackie G. Shaw. Also present were Town Counsel Christie Tomm-Addona and Budget Officer Madeline Zachacz

**II. PUBLIC HEARINGS IN THE MATTER OF *Visitors shall be accorded one (1) four (4) minute opportunity to speak on each public hearing.***

At 7:35 pm, Councilmember D’Attore moved and it was seconded by Councilmember Feldman that all (3) three Public Hearings be re-opened.

Supervisor Levenberg stated that as a reminder, we have been looking into ways to streamline operations in the Town in order to save money and make service delivery more efficient. One of the lessons we learned from other municipalities is that making certain non-policy setting offices non-elected could give us more flexibility in staffing, budgeting and service delivery. We have detailed some of the information about how this might look on our Project Forward page which is accessible through the Town Website, right at the top. Also, as we have mentioned before, we had conducted a town wide survey to gauge public opinion. Our next step is to adopt local laws that would allow us to seek further public input through town wide referenda on each of the three elected offices we are considering converting to appointed offices. This will be the second week we have open public hearings on each of these local laws. We intend to keep these hearings open until the last possible moment to continue to solicit public input to determine if it makes sense to hold these votes. Please let us know, either tonight in person, or in writing, how you feel. We will open all of the public hearing simultaneously as they all relate to one another.

Town Counsel Christie Tomm-Addona stated that under state law this local law needs to be adopted at least 60 days prior the referendum. The date that is being considered is June 25, 2019. This would be a cost saving measure since there is already going to be a primary vote that day. We are looking at some time in mid-April to have the Board adopt these local laws to give more time to public comments.

- **Local Law #2 of 2019 – Abolishing the office of Elective Town Superintendent of Highways and creating the office of Appointive Town Superintendent of Highways subject to a mandatory referendum**

**At 7:45 p.m. Councilmember Feldman moved and it was seconded by Councilmember Wilcher that the Public Hearing be adjourned until March 26, 2019.**

- **Local Law #3 of 2019 – Abolishing the office of Elective Town Receiver of Taxes and creating the office of Appointive Town Receiver of Taxes subject to a mandatory referendum**

**At 7:45 p.m. Councilmember Wilcher moved and it was seconded by Councilmember D’Attore that the Public Hearing be adjourned until March 26, 2019.**

- **Local Law #4 of 2019 – Abolishing the office of Elective Town Clerk and creating the office of Appointive Town Clerk subject to a mandatory referendum**

**Keith Gordon Hawkes Avenue spoke in favor of these 3 local laws. Mr. Gordon feels that this will be a way to simplify our local government. Combining the Tax Receiver and Clerk makes a lot of sense and it is forward thinking. Mr. Gordon feels that the Board is working very hard to serve the public’s needs.**

**At 7:45 p.m. Councilmember Wilcher moved and it was seconded by Councilmember D’Attore that the Public Hearing be adjourned until March 26, 2019.**

### **III. SPECIAL PRESENTATION**

- **Ossining Environmental Club**

**Riverkeeper, Inc. was present to provide the Board with an overview and goals on the beach project at Louis Engle Park.**

**Councilmember Shaw questioned if there are any other municipalities that are doing pop up beaches?**

**Riverkeeper was not aware of any other pop up beaches. The hope is to get residents familiar with the area with this pop up beach.**

**Supervisor Levenberg questioned how much advanced notice do you need for the pop up beach?**

**Riverkeeper stated that they would like to do it around other events that go on in our community.**

**Councilmember Feldman questioned how long does it take for the test results to come back?**

**Riverkeeper explained that it would approximately 24 hours. They usually test during the summer. The environmental club take samples every week and the Riverkeeper samples monthly.**

**Councilmember D’Attore questioned the use of lifeguards.**

**Riverkeeper explained that this where we would partner with the recreation board and recreation center.**

**Ossining High School teacher Mr. Carlucci explained that this project is student driven.**

**Supervisor Levenberg suggested that they go to a Recreation Advisory meeting to provide them with an update.**

#### **IV. ANNOUNCEMENTS**

**Supervisor Levenberg announced the following:**

**Last Tuesday night, the Town board held a Town Hall meeting at the OPL to discuss the key points of the study we conducted on the Homestead option, which was commissioned in 2018, and recently delivered by the Benjamin Center at SUNY New Paltz. We had already heard a full presentation on this report at our Work Session in mid-February. Last week was an opportunity for the public to ask questions and comment on the study as well. We intend to have a follow up work session in early April to review the comments from that evening as well as the ones we have received in writing, so if you would like to send us anything additional, please feel free to do so at [tc@townofossining.com](mailto:tc@townofossining.com).**

**Last Thursday, we had what may have been a record-breaking Records Retention Day in the Town and Village of Ossining. We estimate that more than 200 boxes of expired records were destroyed, and that was no easy task—just ask the Town and Village staff who were lugging all those boxes to the truck! Special thanks to the Village Buildings Staff coordinated by John Heitman, as well as Mike Blanco, Juan Toribio and Vittorio Solla from the Town Highway Department for working up a sweat in 20 degree temperatures to help us out. Also, special thanks to the Town Clerk's Office for helping this process to run smoothly, and an extra special thanks to Confidential Secretary, and former Interim Town/Village Clerk Victoria Cafarelli for getting this long-awaited day set up.**

**This Thursday, March 14th, New York State Senator David Carlucci will be holding a Town Hall Meeting at the Ossining Community Center, beginning at 7pm. This Town Hall meeting will feature a few guest speakers and focus on voting reforms, women's reproductive health rights, and reducing gun violence. Contact Senator Carlucci's office at (914) 941-2041 or [carlucci@nysenate.gov](mailto:carlucci@nysenate.gov) for more information.**

**Reserve your spot now for this Saturday's Pancake Brunch at Teatown -- one of my favorite events of the year! On Saturday, March 16th, there will be seatings at 8:30AM, 9:45AM, 11AM and 12:15PM, for a hotcakes, sausage, coffee, and maple syrup produced right at Teatown. Every year, all four seatings sell out so make sure to secure your spot soon by calling (914) 762-2912 x110 -- tickets are \$13 per adult and \$7 for each child under 12, and tickets cost even less if you're a Teatown member!**

**On Thursday, March 21<sup>st</sup>, join your friends and neighbors at Mike Risko Music on Croton Avenue for Open Mic Night. Starting at 8PM, come to this free event and hear some Ossining locals rock out—you could be one of them, if you sign up in advance by calling 762-8757 or sending a note to [Mail@riskomusic.com](mailto:Mail@riskomusic.com).**

**April 15<sup>h</sup> is right around the corner, and you know what that means! If you need some help preparing your 2018 taxes, check out this program at the Ossining Public Library. You could also call IFCA at (914) 941-5252 to see if you qualify for their free VITA (Volunteer Income Tax Assistance) program.**

**Speaking of IFCA, congratulations to my colleague Councilwoman D'Attore, who also is the Executive Director of the Interfaith Council for Action. IFCA announced today that they won a grant for \$55,000 from the Wells Fargo Foundation to continue, and expand, their Financial Empowerment Program. We are incredibly fortunate to have an organization doing such great work in, and on behalf of, the Ossining community.**

**Finally, as you get a jump start on spring cleaning this weekend, don't forget to sign up for the Green Ossining Community-Wide Tag Sale on May 4<sup>th</sup>. For \$25, you will receive a double sided sign to advertise the sale, as well as a link to your home and the items you have for sale through the Green Ossining website, and inclusion in social media and Pennysaver promotion for the sale. Learn more at [www.greenossining.org](http://www.greenossining.org) – the deadline to register is April 19<sup>th</sup>!**

## **V. LIAISON REPORTS**

Councilmember Shaw announced that the Ossining Recreation Department opened their spring registration on March 11, 2019. We also have three new students that joined the Equity Task force.

Councilmember Feldman announced that the Ossining Boat and Canoe Club is having their first meeting on March 13, 2019. If you are interested in becoming a member of the Ossining Boat & Canoe club please visit [www.obcc.org](http://www.obcc.org). Also, on March 15, 2019 the public is invited to a free lecture about 100<sup>th</sup> anniversary lecture is at 7:30 p.m.

## **VI. DEPARTMENTAL REPORTS**

We are joined by Michael G. O'Connor, our Superintendent of Highways, who will be giving us a short update on what he and his staff have been up to so far in 2019. I do hope that, as part of his presentation, he will be predicting a "snow-free" remainder of March for the Town—I'd say we've had about enough for one season.

Highway Superintendent Michael G. O'Connor provided the Board with an update on the Highway Department. Highway Superintendent Michael G. O'Connor announced that he will be retiring a month from now.

Supervisor Levenberg thanked Michael G. O'Connor for his many years of public service and invited him back on April 9, 2019 to formally acknowledge his retirement. We are also very grateful for your highway crew.

## **VII. PUBLIC COMMENT ON AGENDA ITEMS**

## **VIII. BOARD RESOLUTIONS**

### **A. Approval of Minutes-Regular Meeting-February 26, 2019**

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

Resolved, that the Town Board of the Town of Ossining hereby approves the February 26, 2019 minutes of the Regular Meeting as presented.

Motion Carried: Unanimously

### **B. Approval of Minutes-Special Meeting-March 5, 2019**

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

Resolved, that the Town Board of the Town of Ossining hereby approves the March 5, 2019 minutes of the Special Meeting as presented.

Motion Carried: Unanimously

### **C. Approval of Voucher Detail Report**

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

Resolved, that the Town Board of the Town of Ossining hereby approves the Voucher Detail Report dated March 12, 2019 in the amount of \$26,401.47 for 2018 and \$629,457.01 for 2019, for a total of \$655,858.48

Supervisor Levenberg stated that a few particular items of interest here—we made our first of 6 payments to the Ossining Volunteer Ambulance Corps in this check run, along with one month of IMA payments to the Village of Ossining and our annual liability and auto insurance payment through NYMIR. We also paid for a replacement generator for a pump station at Fox Hill—at the recommendation of our Superintendent of Highways as well as our Water Superintendent and consulting engineers, we have begun the process of replacing the components of many of our sewer lift stations, including replacement pumps and backup power systems. While it isn’t something we think about on a daily basis, many of these systems are decades old and are reaching the end of their useful life. We look forward to replacing the components over the next several years so that we have a system that is essentially brand new by the year 2023.

Motion Carried: Unanimously

**D. Finance- 2018 Capital Project Budget Adjustment #2017-5205- Gerlach Park Revitalization**

Councilmember Wilcher 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 a budget adjustment for Capital Project 5205, Gerlach Park Revitalization for \$62,089, to restore restrooms, pavilion site work, drainage, re-pave around cement floor and service road be increased to \$96,500.93. The additional project budget amount of \$34,411.93 is funded through a transfer from General fund balance and Special Purpose In Lieu of Parklands funds.

Increase:	370050.503100.5205	\$11,911.93 – Gerlach Park Revitalization (Revenue)
Increase:	370050.503134.5205	\$22,500.00 – Gerlach Park Revitalization (Revenue)
Increase:	3707110.200.5205	\$34,411.93 – Gerlach Park Revitalization (Expense)
Increase:	100060.4795	\$ 11,911.93 – Fund Balance (Revenue)
Increase:	1009550.905	\$ 11,911.93 – Transfer to Capital (Expense)
Increase:	340060.4795	\$ 22,500.00 – Fund Balance (Revenue)
Increase:	34095537.905	\$ 22,500.00 – Transfer to Capital (Expense)

Supervisor Levenberg stated that The Gerlach Park Pavilion has never looked better after this renovation, and we are so excited to show it off to our residents and visitors this summer. Between the new LED light fixtures, the paved walkways, the updated bathrooms and improved ADA accessibility, our Parks Department did a tremendous job on this much-needed rehab. Thanks to Mario, Marco and Mark, not to mention some folks from the Highway crew, for a job well done.

Motion Carried: Unanimously

**E. Resolution- RFP for Urban Forestry Grant Phase II**

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

Resolved, that the Town Board of the Town of Ossining authorizes the Supervisor’s Office to issue a request for proposals for a project entitled “Town of Ossining Tree Inventory Phase II;” and

Be it further Resolved, that proposals must be returned to the Supervisor’s Office, 16 Croton Avenue, Ossining, NY by 4:30pm on Friday, March 29, 2019.

As you may recall, we received our second Urban Forestry Grant from the state, which will allow us to continue to identify and categorize the trees in the rest of the Town so we understand our baseline tree types that we have, what condition they are in, and how we can maintain those that are most effective in sustaining our environment and beautifying our public spaces, as well as providing shade and habitat for us and our animal friends. And with climate change and more storms, it helps to know which trees have the best chance for success. With this RFP we hope to find a good fit to help us complete our tree inventory of the Town.

Motion Carried: Unanimously

**F. Contract- Dolph Rotfeld Engineering, P.C.**

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 hereby authorizes the Supervisor to sign an agreement with Dolph Rotfeld Engineering, P.C., 200 White Plains Road, Tarrytown New York, to assist the Town with the preparation of the Annual Stormwater Report for Program Year 2018-19, for a contract amount totaling \$2,500.00.

Supervisor Levenberg stated that It’s hard to believe it’s that time again, but we are in the process of scheduling a meeting with our friends Mike Ritchie and Jim Maxwell to review the 2018-19 year in stormwater for the Town. We have been working with these folks for several years now as part of a consortium, and they always have fantastic guidance for how we can do better, including educating the public about keeping storm drains clean. Just last week, we installed some new shelving outside of the Town Clerk’s office to display stormwater bulletins and FAQs—the next time you come visit, please take a look at how you can help and respond accordingly.

Motion Carried: Unanimously

**G. Finance- Capital Project #2013-2183- Shinehouse Renovation**

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

Resolved, that the Town Board of the Town of Ossining adjust the budget to actual and closes Capital Project #2013-5183, entitled “Shinehouse Renovation” decreasing the project budget from \$227,205 to \$227,204.66, with the residual balance of .34 to be returned to the general fund.

Decrease:	3707110.5183	\$ .34 – Shinehouse Restoration (Expense)
Increase:	3709901.900.5183	\$ .34– Shinehouse Restoration (Expense)

Supervisor Levenberg state that my Board colleagues, along with folks from the former Board, will agree that closing this project is a relief. While it was a long haul, we ended up with a gorgeous re-purposed building that is serving our community once again, revived from its former life as the pool house for the Cedar Lane Pool and now functioning as a busy arts and ceramics center, with a room that offers swing space and is also usable by public and private groups for event space. Thanks to our Town Parks Department for doing such an outstanding job, and to the prior Board and Supervisor for imagining such an inventive project.

Motion Carried: Unanimously

**H. Contract M. Conte Consulting**

Councilmember Wilcher 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 sign an agreement with Michael Conte of M. Conte Consulting, 5157 Piazza Place, El Dorado Hills, CA, for the purpose of providing additional assistance towards building the Project Forward! Information campaign, as described in his proposal dated March 5<sup>th</sup>, 2019 and at a price not to exceed \$4500.**

**Supervisor Levenberg stated that as we continue to get your feedback about Project Forward and the 3 referenda previously discusses, we asked Michael, who consulted with my office and the Board on Part One of this process, to stay the course and help us to continue the dialogue. Mr. Conte's services to help us communicate with the public, will continue to be funded by the Department of State's Municipal Restructuring Fund grant that the Town and Village received back in 2018.**

**Motion Carried: Unanimously**

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

**Councilmember Wilcher 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 following meeting minutes:**

- **Planning Board Meeting minutes dated February 6<sup>th</sup> 2019**
- **Planning Board Meeting minutes dated January 16<sup>th</sup> 2019**

**Motion Carried: Unanimously**

#### **X.MONTHLY REPORTS**

**Councilmember Wilcher 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 following monthly reports for the month of February 2019:**

- **Town Supervisor's Office**
- **Town Clerk's Office**
- **Town Building Department**
- **Town Tax Receiver's Office**
- **Dale Cemetery**
- **G.E. Helicopter Report**

**Motion Carried: Unanimously**

#### **XI.VISITOR RECOGNITION**

**Representative from Senator Carlucci's office spoke about budgeting and funding in Albany. Also, residents from Dale Avenue and corner of William Street asking that the intersection be converted into a four way stop sign.**

#### **XII.ADJOURNMENT-EXECUTIVE SESSION-ADVICE OF COUNSEL**

**At 8:43 p.m., Councilmember Shaw moved and it was seconded by Councilmember Feldman to adjourn the meeting to Executive Session**

**Motion Carried: Unanimously**

**Supervisor Levenberg reminded residents that the next meeting will take place on Tuesday, March 19<sup>th</sup> at 16 Croton Avenue for our Work Session, beginning at 7:30 P.M.**

**At 9:35 p.m., Councilmember Feldman moved and it was seconded by Councilmember D’Attore to leave Executive Session.**

**At 9:36 p.m., Councilmember Feldman moved and it was seconded by Councilmember Wilcher to adjourn Executive Session.**

**Approved:**

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**Town Clerk Mary Ann Roberts**