



**TOWN BOARD
TOWN OF OSSINING
BIRDSALL-FAGAN POLICE/COURT FACILITY
86-88 SPRING STREET – OSSINING, NEW YORK
FEBRUARY 26, 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 February 26, 2018 in the 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 Karen M. D’Attore, Elizabeth R. Feldman, Northern Wilcher Jr. and Jackie G. Shaw. 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 *Visitors shall be accorded one (1) four (4) minute opportunity to speak on each public hearing.*

Supervisor Levenberg stated that we are beginning tonight with three public hearings all surrounding a similar issue. Local Laws #2-4 ask the public to consider putting three individual referenda on the June 2019 ballot in the Town of Ossining to convert the elected offices of Town Highway Superintendent, Town Clerk, and Receiver of Taxes to appointed positions. We received a grant from the Department of State’s Municipal Restructuring Fund to learn about the Ossining community’s appetite for finding efficiencies through departmental consolidation, a grant that was originally submitted with the Village of Ossining. What we agreed would be a viable place to start is to learn how Ossining residents would feel about two “proposals,” one to convert the position of Elected Town Highway Superintendent to an appointed position, and the other to convert the Clerk and Receiver positions to appointed ones and potentially into one combined title and shared office. Based on the pending retirements of two of the three elected officials who currently hold these seats, we saw this time as an opportunity to reflect on our delivery of services and how, if at all, we could improve them. We embarked on an information campaign with our consultant, who distilled the ideas into a website for the public to view and take a survey on their impressions of the scenarios we provided. Every Town parcel was mailed a postcard directing them to the site and asking them to participate in the survey. We received 177 responses, many of which were supportive of the concepts in theory and asking us to expound on them. We also held two “community conversations” at the Ossining Public Library to hear our residents’ thoughts and answer questions. Assuming there is any appetite from the community to bring these referenda to a vote, the next step was to craft 3 local laws and open the public hearings to continue getting feedback, which brings us to tonight. We are going to open all three together because we want the record for each to reflect the collective conversations around the topic. As with all public hearings, these local laws are still an open issue—we will continue to take public input for the next several weeks and no decisions have been made. There are, of course, pros and cons to both sides of the issue, and we are here to listen. If anyone is watching from home or on Youtube and would like to submit comments as part of the Public Hearing record, please email the Board at TC@townofossining.com.

At 7:31 pm, Councilmember Wilcher moved and it was seconded by Councilmember Feldman that the Public Hearing be opened.

- **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 7:54 pm, Councilmember Wilcher moved and it was seconded by Councilmember Feldman that the Public Hearing be adjourned until March 12, 2019.

At 7:31 pm, Councilmember Wilcher moved and it was seconded by Councilmember Shaw that the Public Hearing be opened.

- **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 7:54 pm, Councilmember Wilcher moved and it was seconded by Councilmember Feldman that the Public Hearing be adjourned until March 12, 2019.

At 7:31 pm, Councilmember Feldman moved and it was seconded by Councilmember Wilcher that the Public Hearing be opened.

- **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**

Andre Lamar Ossining resident had the following questions:

- **Since this is going to be a new system what are the qualifications of individual board members to be questioning who is going to be the best fit for these positions?**
- **What happens to the records that you are going to keep on the individuals that are going to be selected?**
- **Would the person who is going to be selected for any one of the three positions going to be a resident of our community such as the Village/Town of Ossining.**

Town Counsel Christie Tomm-Addona explained that there are record keeping rules that are in place and need to be followed and we can make regulations available on the Town website. The Town Board can also consider residency if and who they want to appoint to these positions when it comes to that time.

Budget Officer Madeline Zachacz spoke about Civil Service. Once the Highway Superintendent position is no longer elected it becomes the same name but just an appointed position and now there are qualifications and a civil service list. The Town does have the choice to take from the Westchester County list or local list if one exists.

Mindy Lamar Ossining resident questioned:

- **Why these three positions? Why not appoint school board positions? If we look at the people that are in these positions now, they are elected and tenured employees.**
- **What happens down the road with future administration?**
- **Why not let the residents decide? Why take the voting away from us?**

Budget Officer Madeline Zachacz explained that competitive titles do not apply to the Tax Receiver or the Town Clerk position. Since they are not competitive positions, they would be appointed by the Town Board.

Art Sullivan Ossining resident questioned the following:

- **If this is a cost savings matter, why are we holding a referendum in June?**
- **The Town and Village were talking about merging the Highway Departments. Is this first move of that?**

Town Counsel Christie Tomm-Addona explained that the Town Board would have to pass a local law abolishing these elected positions and creating the appointed positions and then sent to a mandatory referendum.

Supervisor Dana Levenberg stated that since there is a primary in June, we will not incur the cost of the election.

Kim Jeffery Ossining resident explained that she is concerned about abolishing these positions and not having them elected and she does not feel that this will not end up being a cost savings for the Town.

John Van Steen Ossining resident questioned the salaries that we have been paying these elected officials substantially less than what other communities pay for their civil service personnel. Mr. Van Steen stated that we have elected quality people in the past and feels that this will continue.

All members of the Board are in agreement with adjourning these public hearings until March 12, 2019.

At 7:54 pm, Councilmember Wilcher moved and it was seconded by Councilmember Feldman that the Public Hearing be adjourned until March 12, 2019.

II. ANNOUNCEMENTS

Supervisor Levenberg announced the following:

We are working our way into tax exemption season, and you may have heard some news about changes to some tax exemptions. Our Assessor's Office is always happy to help, and asked that I share the following message. As always, they can be reached at (914) 762-8274 if you have any questions.

“The New York State Department of Taxation and Finance reminded property owners age 65 and over who are applying or reapplying to receive the Enhanced STAR exemption in 2019 that they must now enroll in the Income Verification Program (IVP). Those already enrolled in the IVP don’t need to take any action to continue receiving their Enhanced STAR exemption. New IVP enrollees will likewise automatically receive the exemption each year they’re eligible.

In the first year of enrollment, the assessor will verify eligibility based on the income information provided by the homeowner. In subsequent years, the New York State Tax Department will automatically verify eligibility. As a result, homeowners will no longer need to renew the exemption or share income tax returns with their local assessor’s office.

This change applies only to seniors 65 or older applying for the Enhanced STAR exemption or those who have the exemption included in their property tax bills. This doesn’t affect those who receive a check for this exemption because New York State Tax Department already verifies income eligibility. If you already receive the Enhanced STAR exemption but aren’t yet enrolled in the IVP, you must renew your application for the Enhanced STAR exemption and enroll in the IVP. The forms

were already mailed to you, please submit as soon as possible but prior to May 1, 2019.

If you're also receiving the senior citizens exemption, you'll still need to annually renew that benefit with your assessor. The renewal application will be mailed to you the first week of February.

In the past, seniors who qualified for the senior citizens exemption were automatically granted the Enhanced STAR exemption. Beginning in 2019, you must apply separately for both exemptions.

The deadline for all exemption (Veterans, senior, disability, county firefighter, clergy, non-profit organizations, etc..) applications and renewals is May 1st 2019. Please call the Assessor's office if you have any questions at 914-762-8274."

A few weeks ago, we shared with you that the Village's Toilet Replacement Program would now be available to Town residents. The Village of Ossining has invited the Town to take part in a water saving initiative that could help you buy a high-efficiency toilet with a \$200 voucher. To see if your property is eligible, go to villageofossining.org, find the "Departments" tab and click on "Public Works" to find more information on the TRP program.

As a reminder, the deadline to apply to be a part of this summer's Concert Series is next Friday, March 1st. Please fill out the form on the Town's website to get in the running for next summer's line-up.

We have an exciting weekend coming up in Ossining, as we say hello to March and hopefully some spring temperatures. On Saturday, March 2nd, Todd Londagin's TL5 will perform at Westchester Collaborative Theater as part of their 2019 Jazz Masters Series—you do not want to miss Londagin on vocals and on trombone during a night of Dixieland tunes to warm you right up. Tickets are \$20 per person—doors open a 7PM for a 7:30 show. Visit wctheater.org to learn more.

Sunday, March 3rd will be a packed day here in town. Start off at Sing Sing Kill Brewery for a vegan brunch, hosted by our friends at Good Choice Kitchen, between 11AM and 2PM, in celebration of R. Wayne Reynolds' exhibition, "Crossing the Line: Art You Can Touch." While you chow down, check out and interact with R. Wayne Reynolds' artwork and order up a pint or two.

the Briarcliff Manor Scarborough Historical Society will host a talk as part of the "Revolutionary Westchester 250" lecture series at the Briarcliff Manor Public Library from 2PM to 3:30PM. "Adventures in the Neutral Ground" will delve into the critical role that Westchester County played throughout the entire 8 years of the Revolutionary War, as well as introduce you to the many players that helped put our area on the map. Pre-registration is strongly suggested—call 941-7072 to RSVP.

That same afternoon, the Maryknoll Sisters invite you to join them for "Music for the World" featuring the Hudson Valley Symphonic Wind Ensemble. Beginning at 3PM, come to 10 Pinesbridge Road in Ossining and enjoy a beautiful afternoon of music benefitting the Sisters Global Outreach Mission on behalf of the world's poor. Tickets are \$30 ahead and \$40 at the door—last year's concert sold out, so don't wait! Visit www.maryknollsisters.org/concert19 to save your seat.

Please be aware that Town and Village offices will be closed to the public next Thursday, March 7th for Records Retention Day. Although we will be closed to the public on that day, staff will be hard at work cleaning out files to archive records that need to be kept in perpetuity or for a few more years, and disposing of records that have met their legal retention deadline. Holding Records Retention days on a regular basis is an important aspect of maintaining a healthy records retention program in local government. Please be sure to plan ahead for this closure. Looking to do some records retention at home? Now is the time to get ready -- the Westchester County Mobile Shredder will be coming on Saturday, April 27th to the

Ossining Community Center at 95 Broadway from 10AM to 1PM. Visit the Westchester County events page (events.westchestergov.com) and select the April 27th event for more information about what is and isn't accepted by the Mobile Shredder.

Also on Thursday, March 7th, the Ossining Documentary and Discussion Series will be screening “She’s Beautiful When She’s Angry,” a film that chronicles the outspoken leaders behind the Women’s Movement from 1966 to 1971—many of the issues sound eerily familiar in today’s political climate, and the film goes on to address some of the challenges women still face today, including sexual violence and reproductive rights. The screening begins at 6:30PM in the Budarz Theater at the Ossining Public Library and will be followed by an expert panel for discussion after the film. All are welcome.

Finally, on Saturday, March 9th, Green Ossining’s Repair Café makes it return to the Joseph G. Caputo Community Center at 95 Broadway. Between 11AM and 3PM, bring your tired treasures to the experts and watch them breathe new life into textiles, ceramics, toys, costume jewelry and so much more (just no gas-powered appliances, please). Come down and check out how you can re-use instead of re-place.

III. LIAISON REPORTS

IV. DEPARTMENTAL REPORTS

- **Pete Connolly, Superintendent of Cemeteries**

Superintendent of Dale Cemetery Pete Connolly read the following:

- **The cottage on the property will have some repairs.**
- **Monument repair program is ongoing.**
- **Retaining wall that is separating and will need to be repaired this year.**
- **The Veteran’s flags have been set and will create a more uniform affect in the Spring.**
- **We are replacing our dump truck with a new dump truck with a plow.**
- **The Ossining Historical conservancy is having their bi-annual meet and greet on March 7, 2019 at the Elks at 7:00 p.m.**

V. SPECIAL PRESENTATION

- **McCarthy Drive Restoration Update, Dolph Rotfeld Engineering, P.C. Village Engineer Paul Fraioli and Superintendent of Water Andrew Tiess were also present.**

PLEASE BE ADVISED THAT THESE PLANS ARE NOT INTENDED TO SERVE AS FINAL CONSTRUCTION DOCUMENTS, AND THAT FINAL PLANS (ONCE COMPLETED) WILL BE AVAILABLE TO THE PUBLIC DURING THE PROJECT BIDDING PHASE; TENTATIVELY SCHEDULED FOR THIS SPRING.

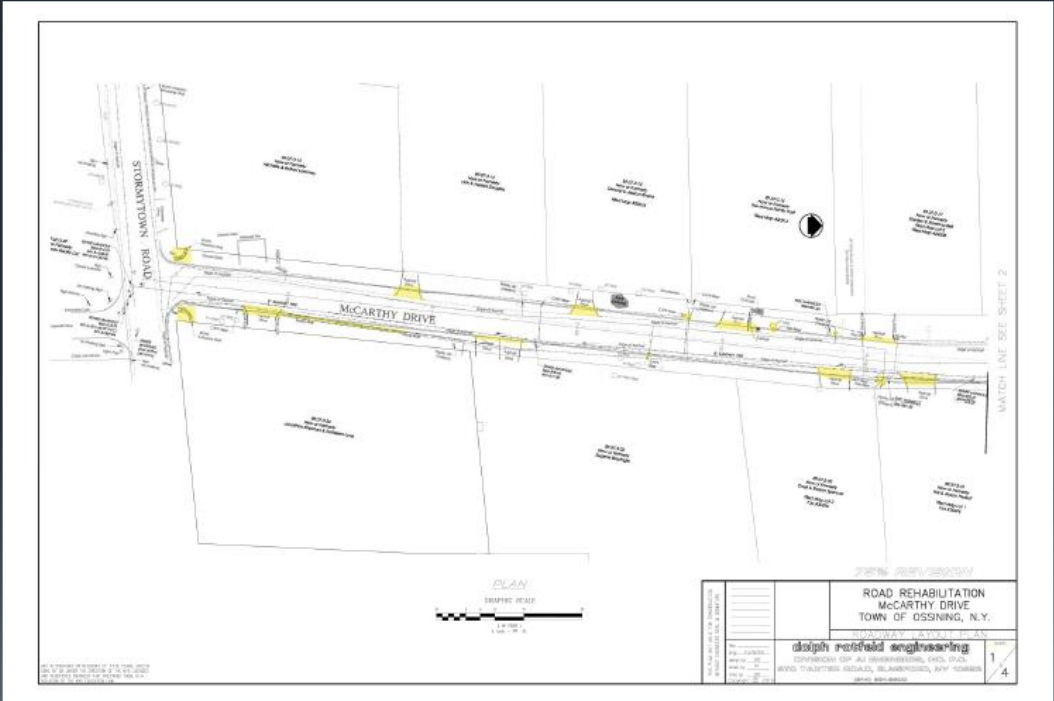
Mr. Fraioli explained the main scope of this project and the road is in need of major restoration.

Superintendent Andrew Tiess spoke about the water main replacement on McCarthy Drive.

McCarthy Drive Roadway Rehabilitation

Town of Ossining, N.Y.

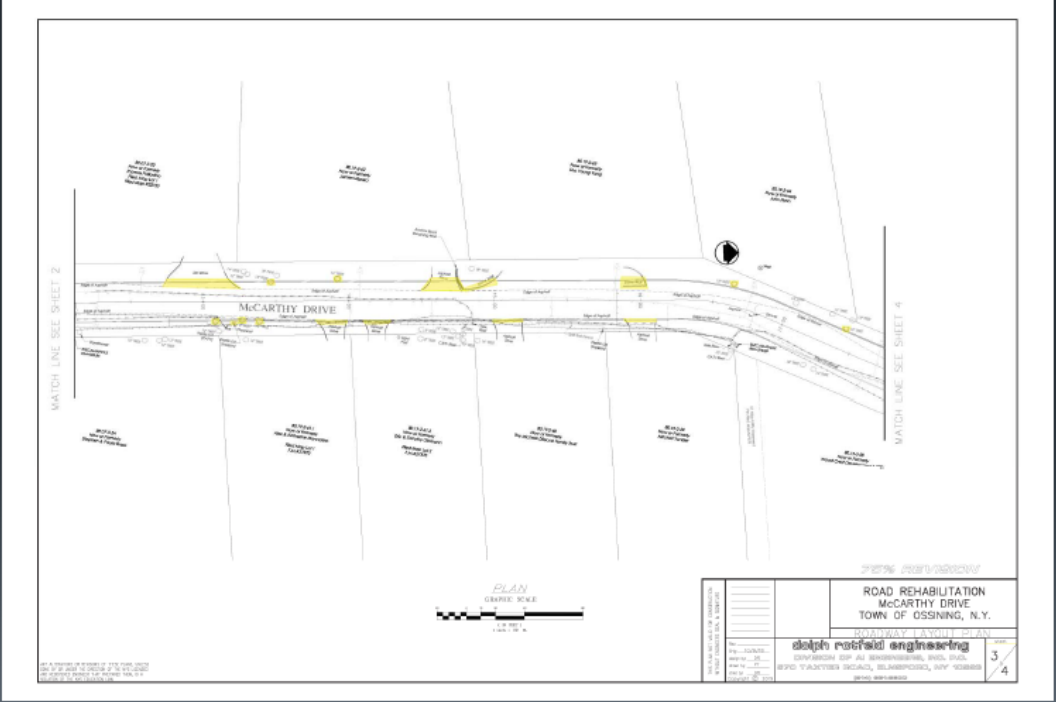
Roadway Layout Plan



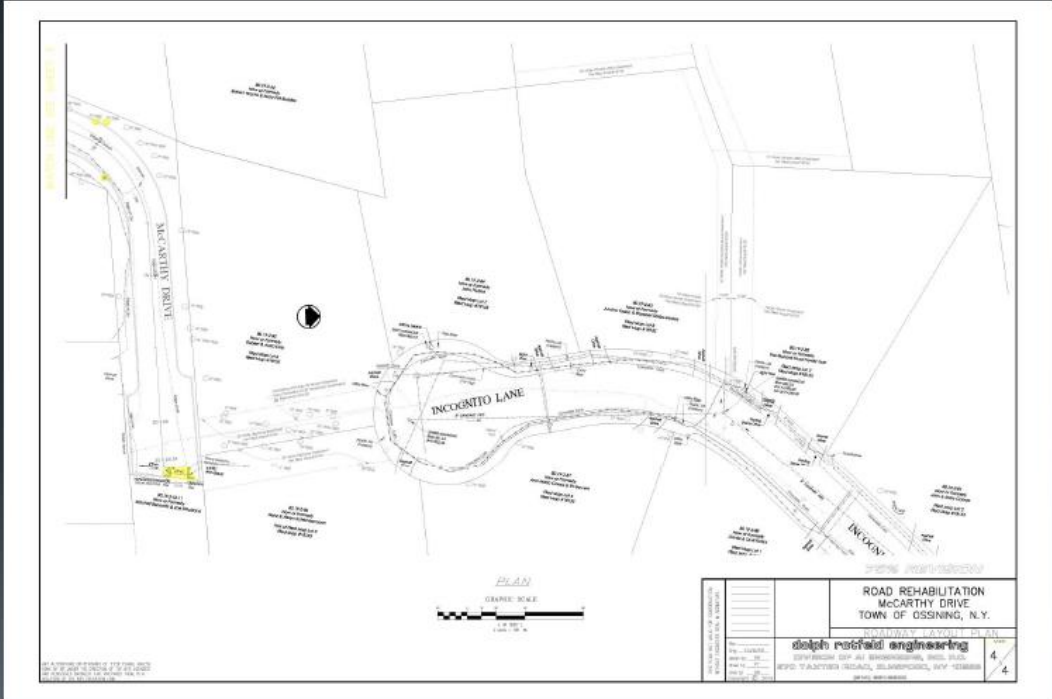
Roadway Layout Plan



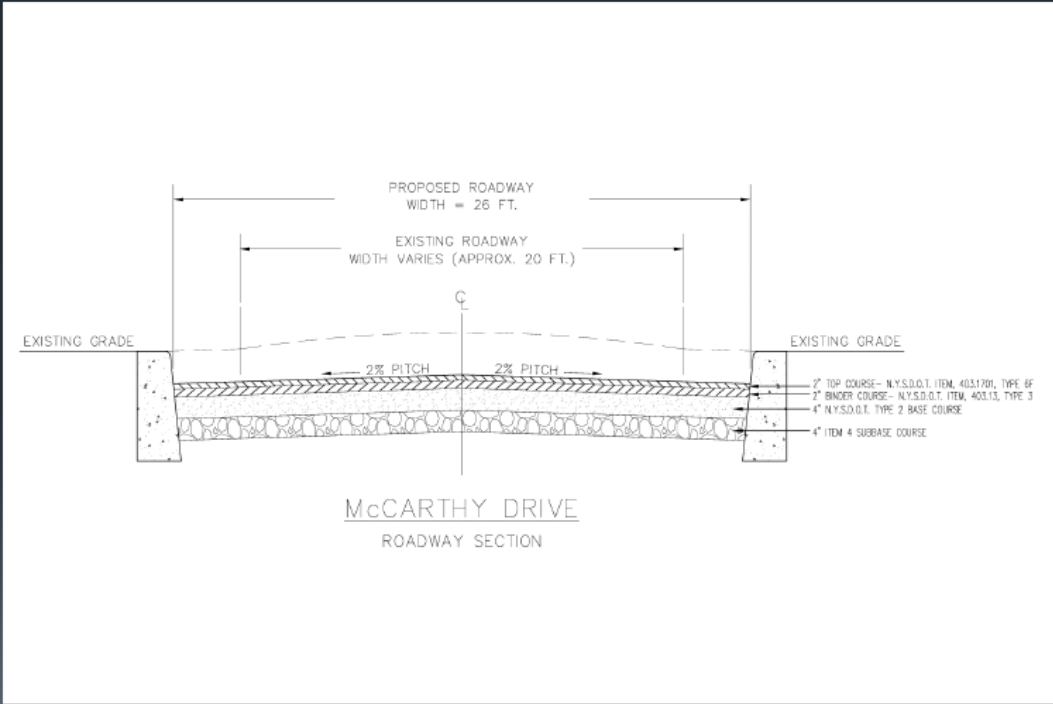
Roadway Layout Plan



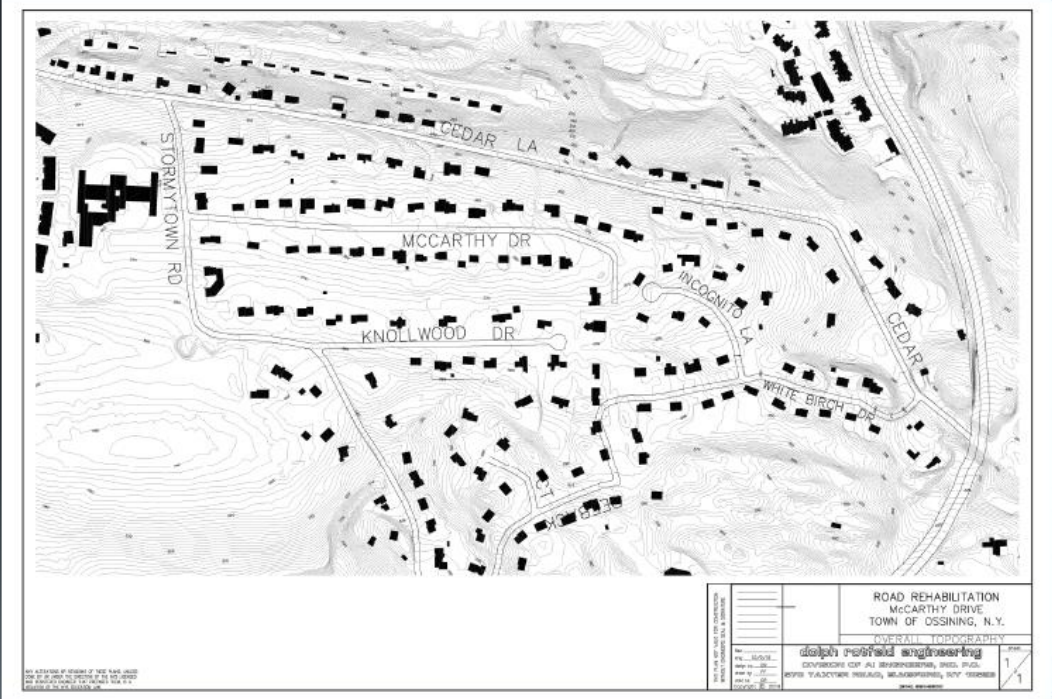
Roadway Layout Plan



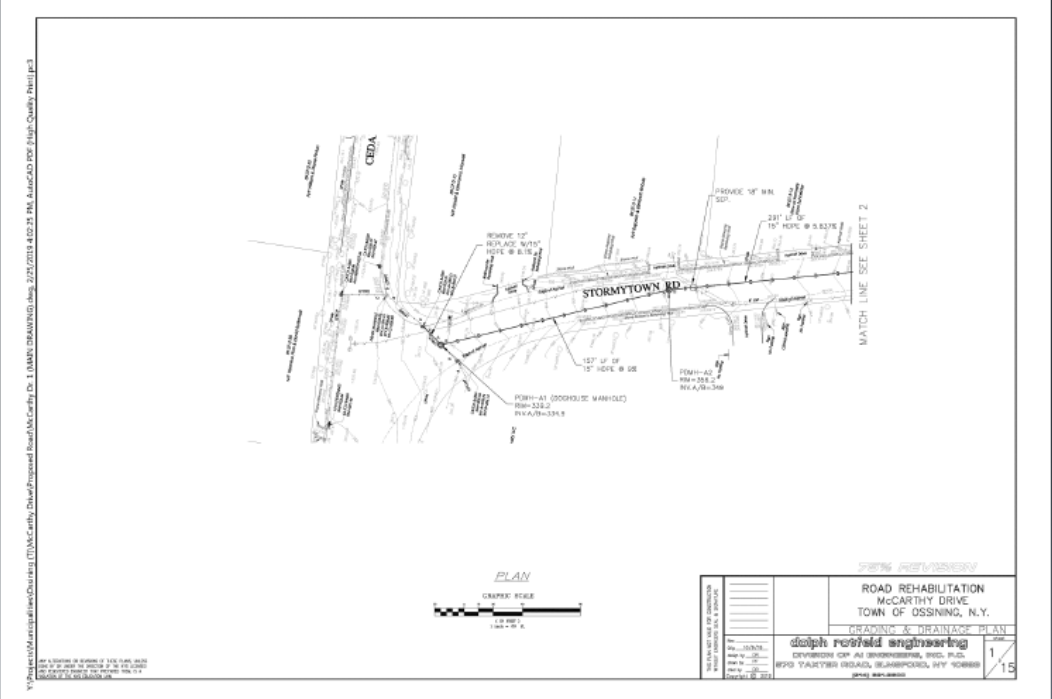
Roadway Section



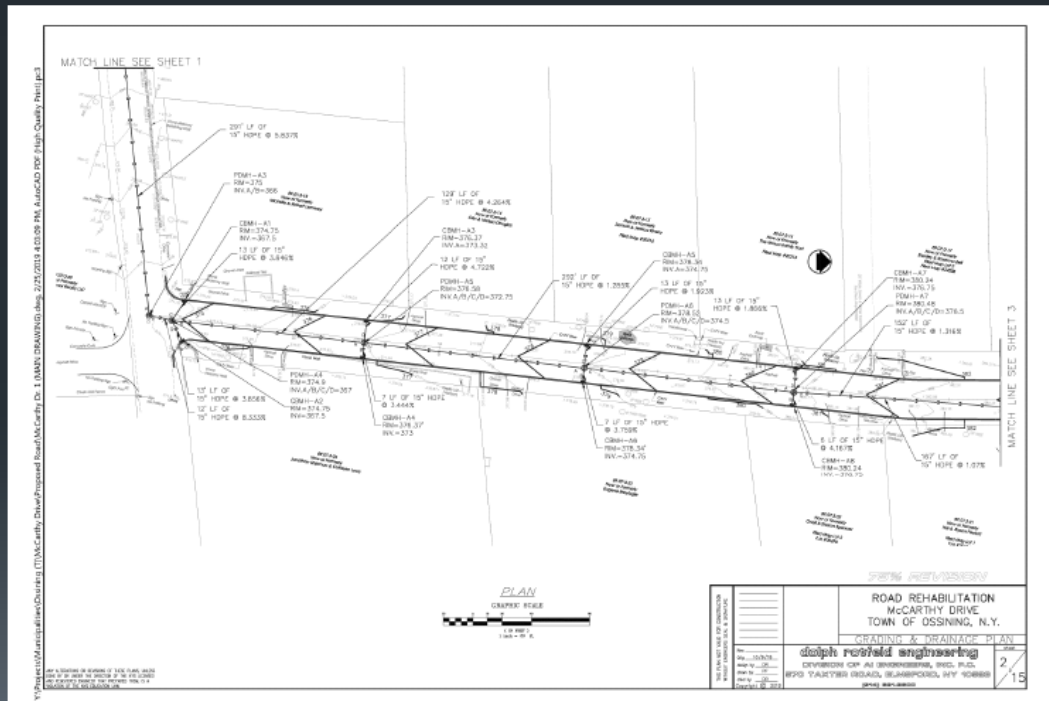
Overall Topography



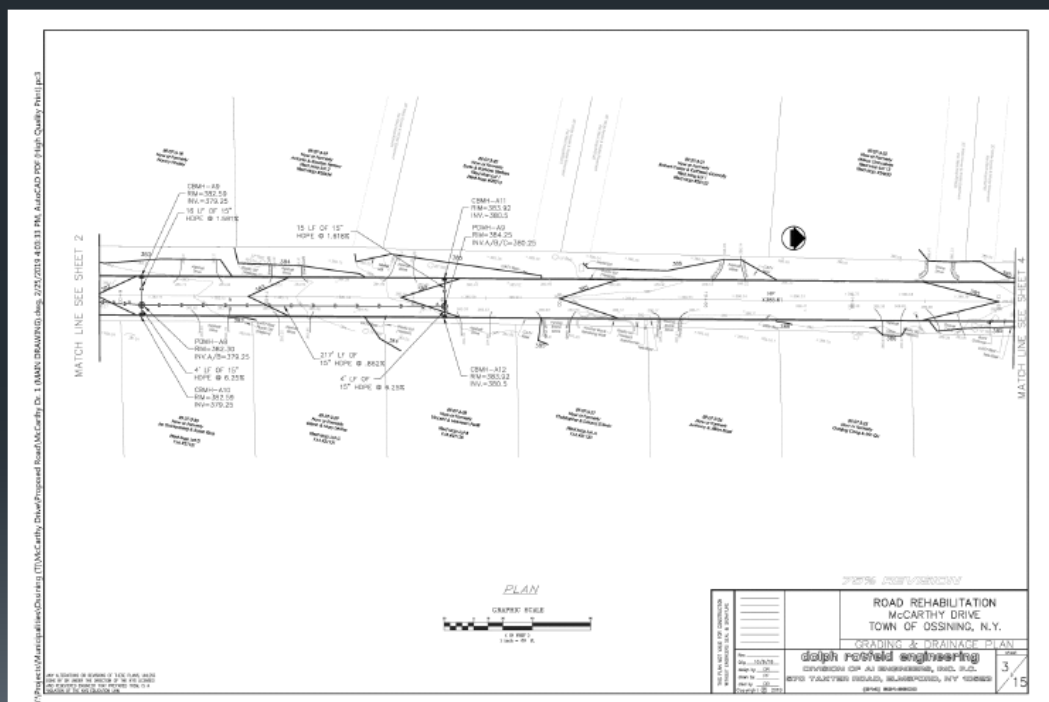
Grading and Drainage Plan



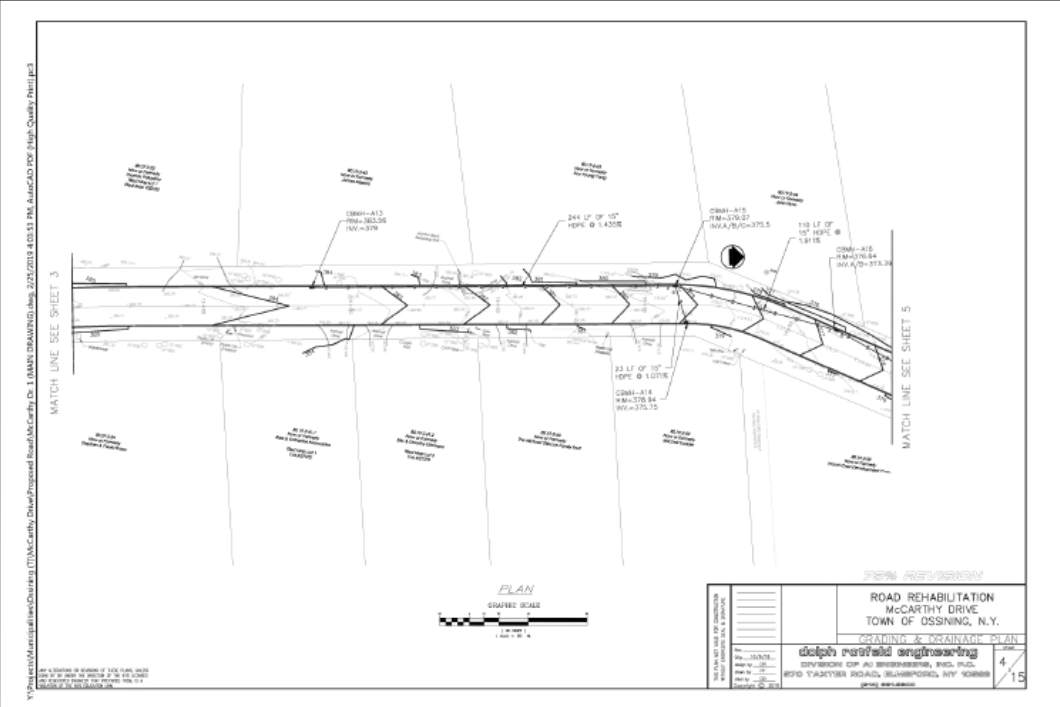
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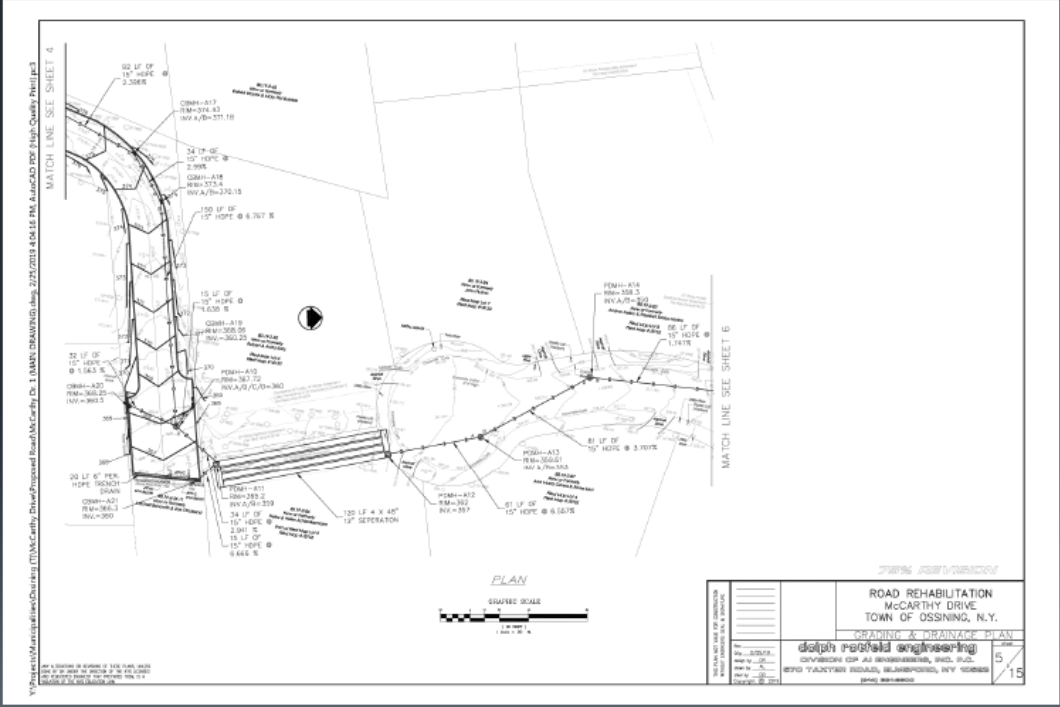
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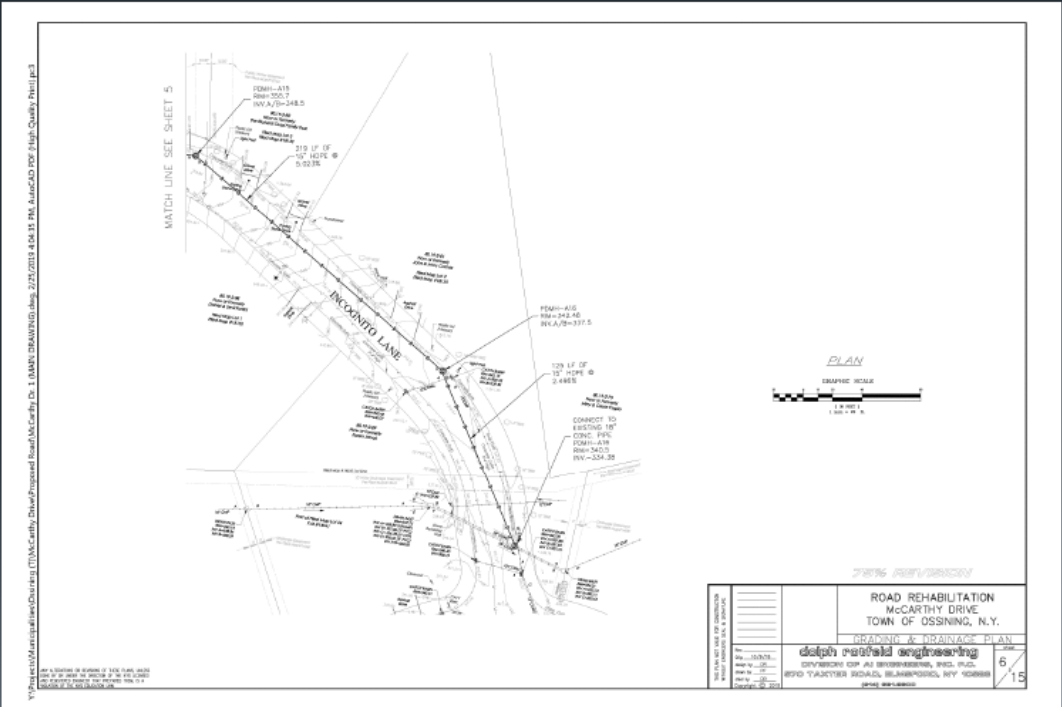
Grading and Drainage Plan



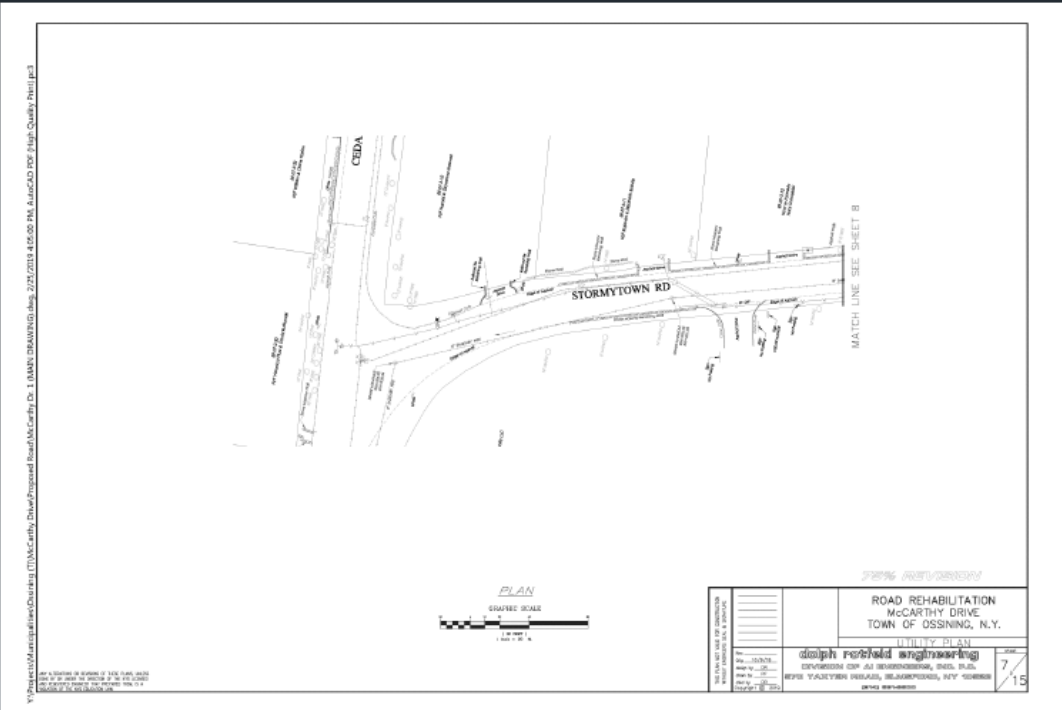
Grading and Drainage Plan



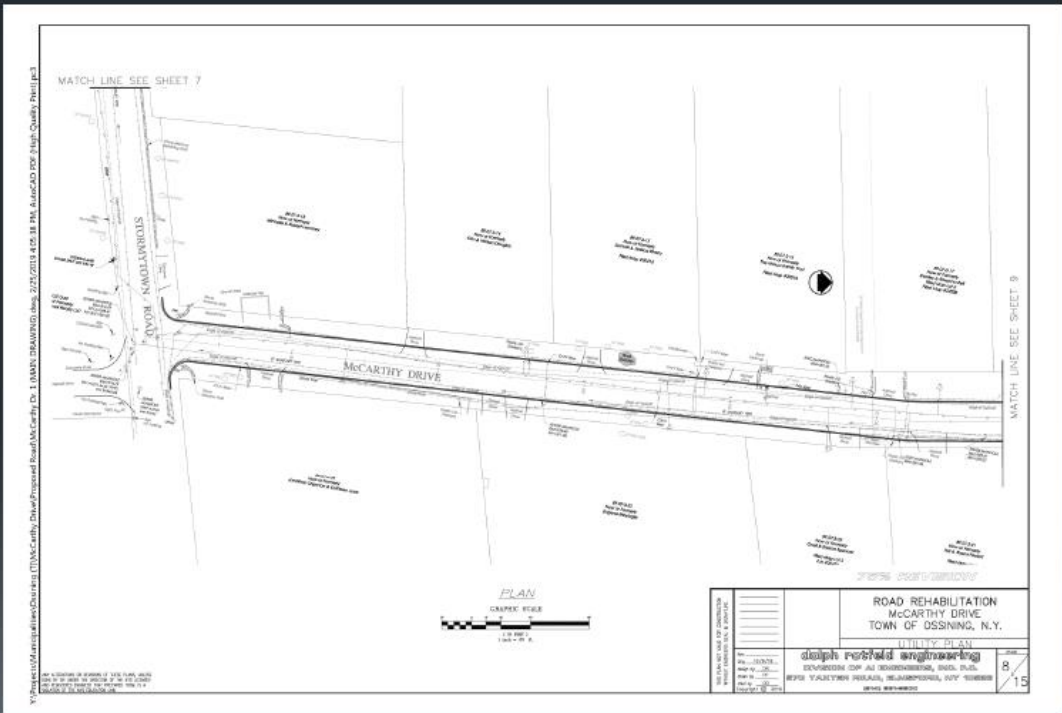
Grading and Drainage Plan



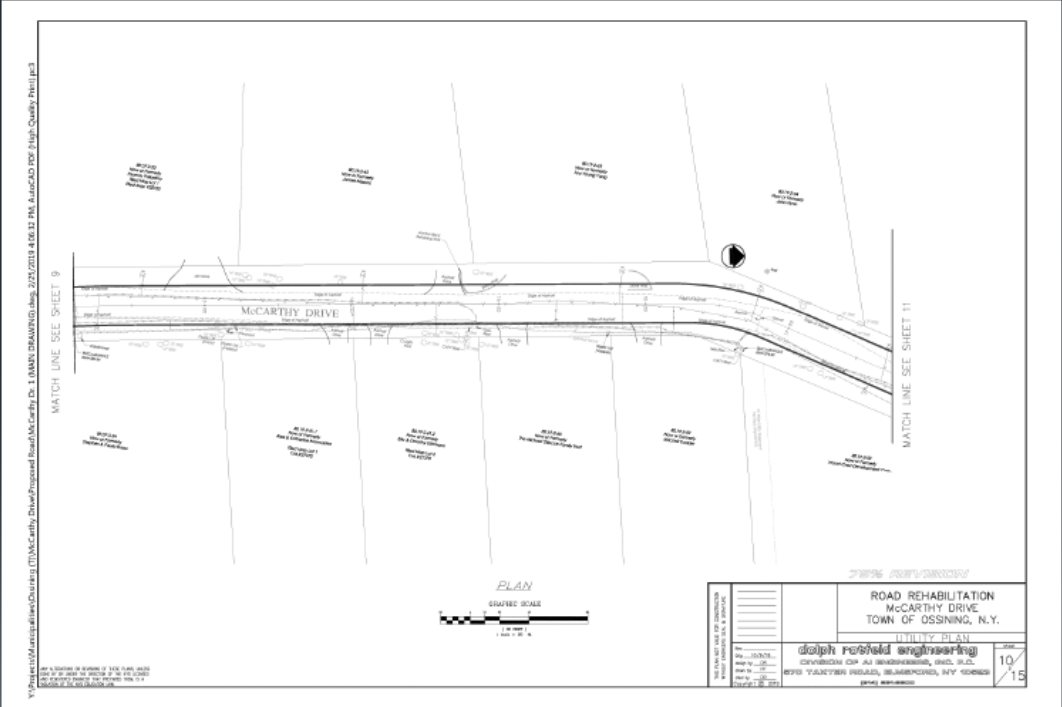
Utility Plan



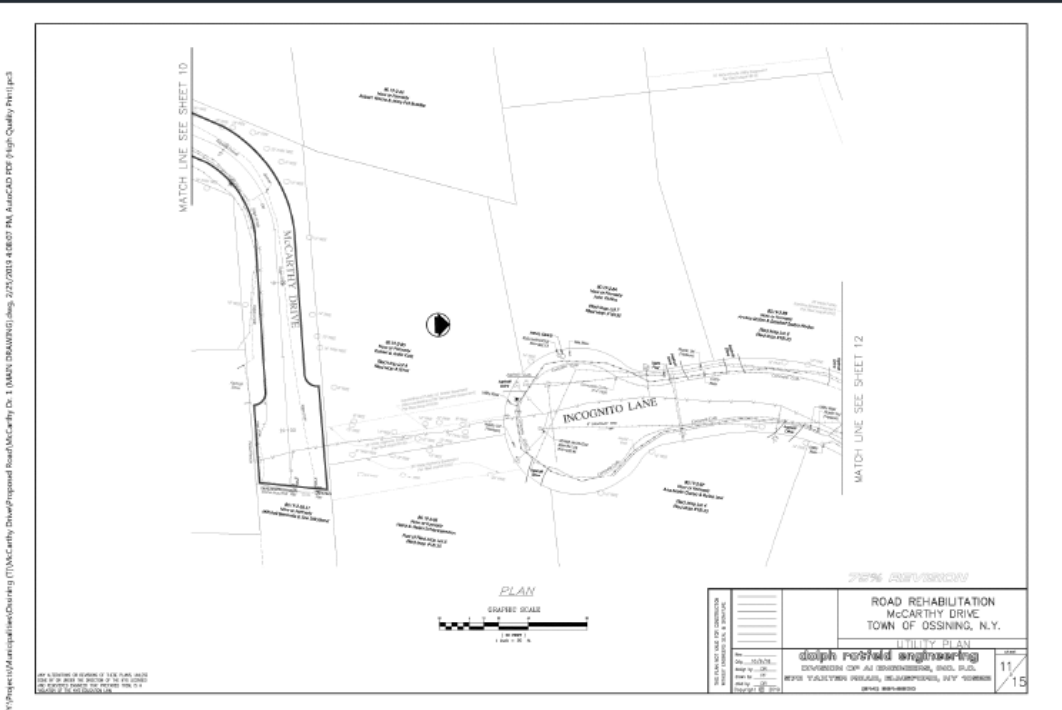
Utility Plan



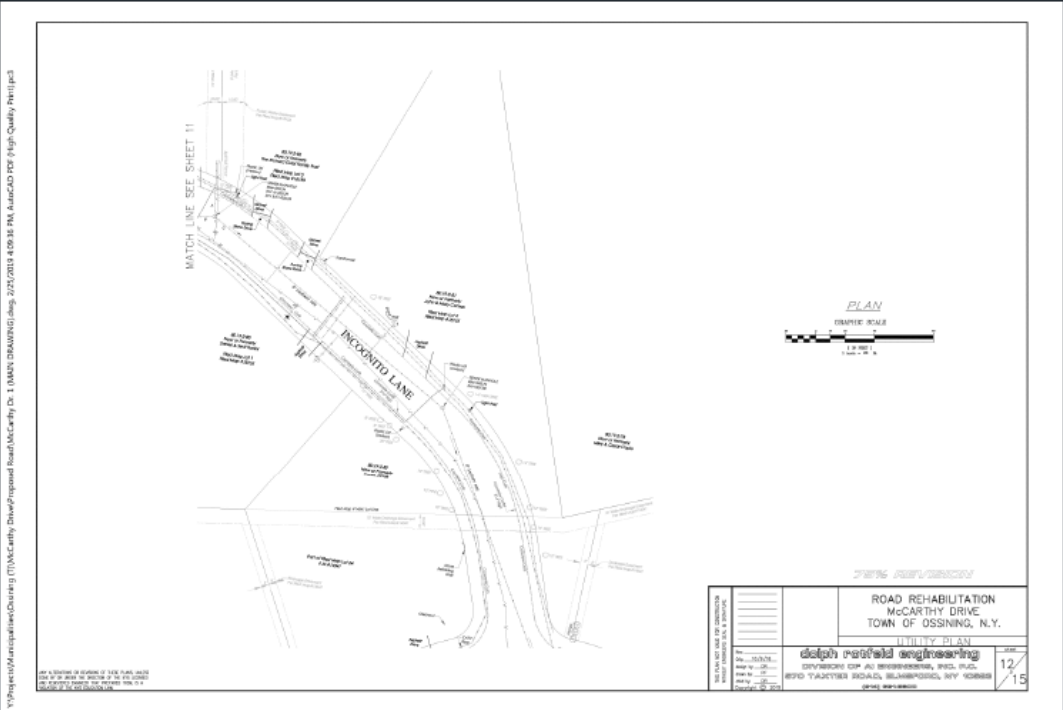
Utility Plan



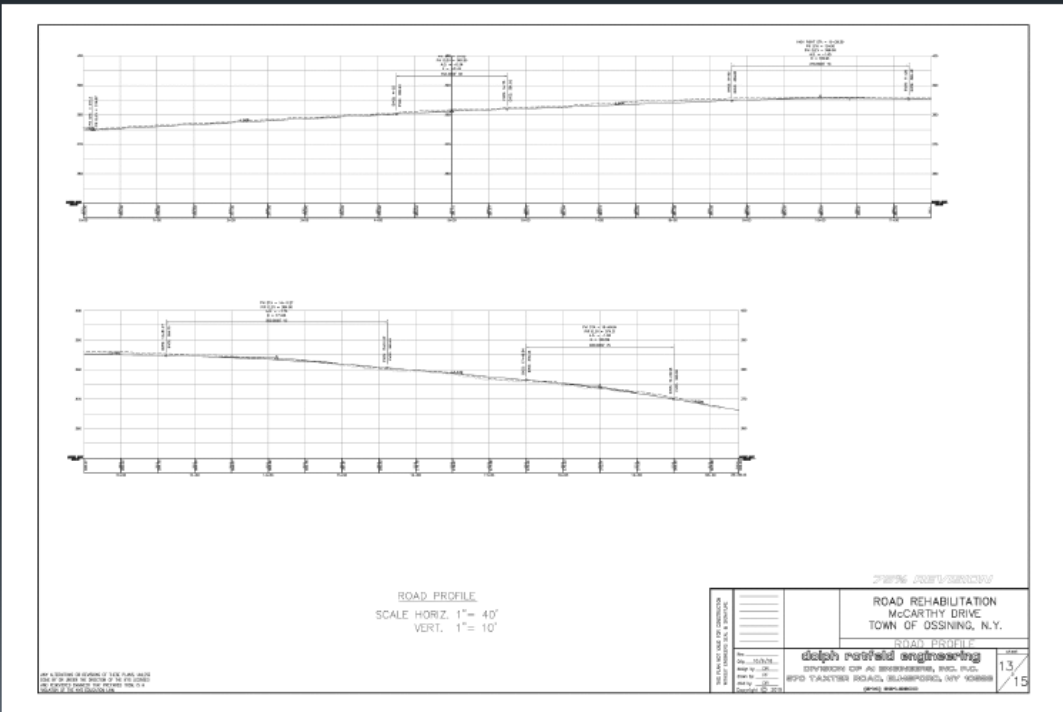
Utility Plan



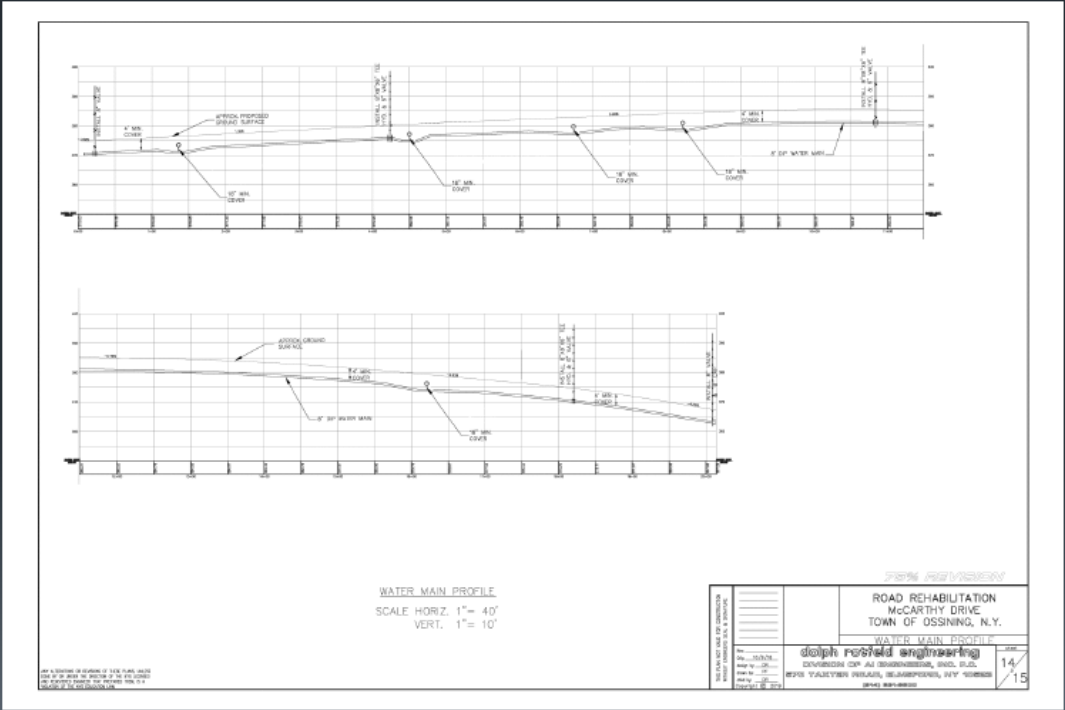
Utility Plan



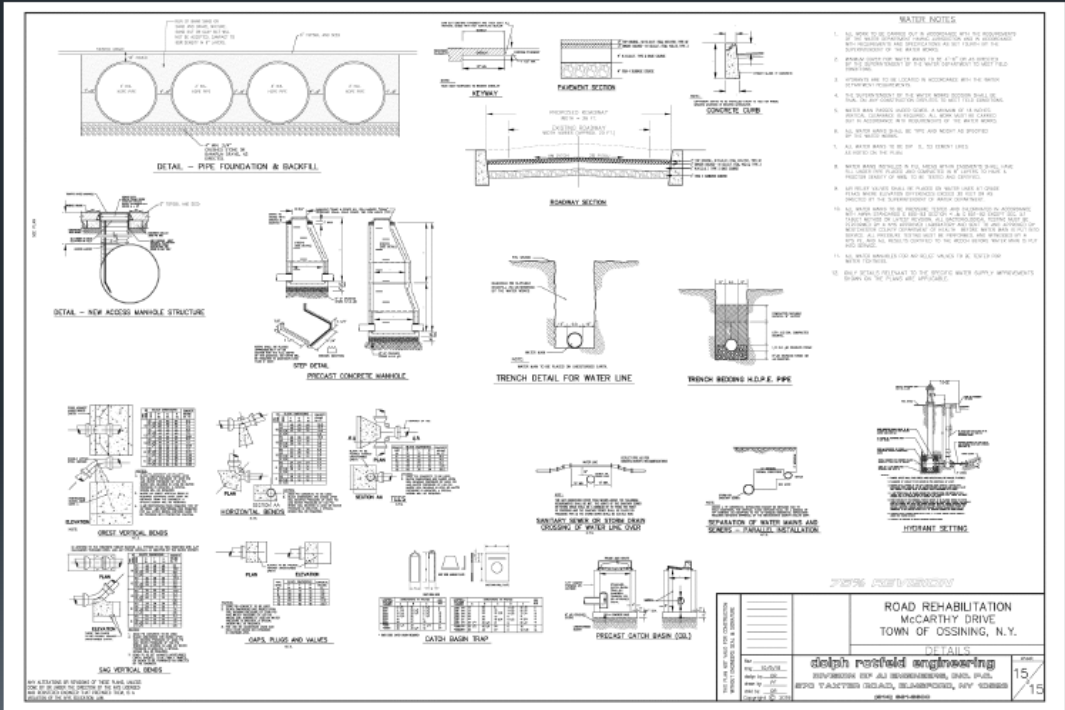
Roadway Centerline Profile



Water Main Profile



Details



Councilmember Feldman questioned what happened to Con Ed gas?

Town Supervisor Dana Levenberg explained that Con Ed now has a moratorium in place starting March 15, 2019.

Village Engineer explained that if the moratorium gets lifted, the intent right now is to have these designs get to construction document phase in the next few months and have construction commence this Summer.

Councilmember Wilcher question if the road would have to be lowered to accommodate a curb?

Engineer Paul Fraioli explained yes, this better storm water practices.

Bob Hooley McCarthy Drive resident questioned what is the width of the proposed roadway between the curbs?

Village Engineer Paul Fraioli explained it will be 21 to 24 feet.

Mitchell Yonkler McCarthy Drive is concerned about the end of the road because there is no way to turn around. Feels that this a dangerous situation.

Village Engineer Paul Fraioli explained that we are aware of the dangers and we are proposing a hammer head.

Bob Katz Incognito Drive:

- **Have you decided the positions of the catch basins where the dirt road begins?**

Village Engineer Paul Fraioli yes, drainage positions are in the plans.

- **What about the underground water way? What are the plans? What is the flow rate?**

Village Engineer Paul Fraioli explained that we know that there is a lot of water on the hill and will elevate with sub base and the water will make it out to the ground. The road will be impervious and it will enhance the water way.

- **Is the present plan not to take the easement into Incognito?**

Village Engineer Paul Fraioli no, we do not plan on connecting Incognito to McCarthy Drive.

Terrance Lennon White Birch Drive would like to request a hard copies of all the drawings.

Village Engineer Paul Fraioli explained that these drawings are not final.

Supervisor Dana Levenberg stated that our camera has zoomed in on these maps and you will able to view them on our Youtube presentation.

Ossining resident questioned:

- **Have you seen how many people have installed French drains due to the creek behind White Birch? This resident is concerned about getting water in her yard. She has spent \$20,000 in drain work.**

Ossining resident explained that her backyard is a lake. The water flows there from McCarthy Drive. Why are you stopping at McCarthy? There are other drainage issues.

Village Engineer Paul Fraioli explained that it would be premature to design any improvements. The Highway Superintendent will keep an eye on this system.

McCarthy Drive resident questioned:

- **Is it your intention to sit down with each property owner to go through their lot and discuss how things are going to work out?**
- **How will we be compensated for the work that needs to get done?**
- **Who pays for the 2 million dollars? Is this in the budget?**

Village Engineer Paul Fraioli explained that this part of a bond with the Town. There will be no residential cost to this project. Yes, we will have individual home owner meetings.

Dan Fortini Incognito questioned what are the plans for the tank? What is the schedule and how will it impact Incognito?

Village Engineer Paul Fraioli explained you might have intermittent access and you will be able to park near your residence. If you live on Incognito you will have access to your parcel at all time.

Marco Goncalves McCarthy Drive resident stated that Village Engineer Paul Fraioli saw no need for curbs or widening the road.

Village Engineer Paul Fraioli explained that curbs provide better storm water management and we are lower the road.

Catherine Manarino McCarthy Drive resident questioned what will this do to property taxes on McCarthy Drive?

Village Engineer Paul Fraioli feels that he doesn't believe that the Assessor cannot increase your taxes on a public improvement in the right of way. Our Town Supervisor will confirm this.

McCarthy Drive resident how wide will the road be during the construction?

Village Engineer Paul Fraioli explained the estimate will be based on the excavation.

McCarthy Drive resident questioned

- Are they proposing street lights?
- How many people to do you need to install gas?

Village Engineer Paul Fraioli stated that they are not proposing lights on this streets.

Supervisor Levenberg stated that we will look at the interest in the gas line.

VI.PUBLIC COMMENT ON AGENDA ITEMS

VII.BOARD RESOLUTIONS

A. Approval of Minutes-Special Meeting-February 15, 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 15, 2019 minutes of the Special Meeting as presented.

Motion Carried: Unanimously

B. Approval of Minutes-Special Meeting-February 19, 2019

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 approves the February 19 , 2019 minutes of the Special Meeting as presented.

Motion Carried: Unanimously

C. Approval of Voucher Detail Report

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 Voucher Detail Report dated February 26, 2019 in the amount of \$17,197.00 for 2018 and \$116,562.77 for 2019, for a total of \$133,759.77

Motion Carried: Unanimously

D. Town of Ossining Budget Modifications YE -12/31/2019

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

Resolved, that the 2018 year end budget is modified as described below:

Town of Ossining Budget Adjustments YE 12/31/2019

General Fund

Board	Transfer In	Transfer Out	
1001010.100 Personal Services	1.00		
1001010.409 Professional Dues/Meetings	807.00	808.00	1001330.407 Mnt/Repair Office Equip
	808.00	808.00	
Justice			
1001110.100 Personal Services	15311.00	2300.00	1001110.101 Overtime
1001110.104 Sick Pay Incentive	1000.00	10200.00	1001110.408 Constable Service
			1001110.453
1001110.110 Part Time	1610.00	2790.00	Stenographer/Translator
1001110.435 Uniforms	285.00	1880.00	1001110.446 Consulting Services
1001110.490 Books	645.00	1681.00	1001110.407 Mnt/Repair Office Equip
	18851.00	18851.00	
Traffic Violations Bureau			
1001130.400 Contractual	11365.00	11365.00	1001130.100 Personal Services
Supervisor			
1001220.100 Personal Services	4815.00	5000.00	1001130.408 Constable/Security
1001220.201 Equipment	1175.00	2000.00	1001130.110 Part Time
1001220.406 Office & Sppls. Exp	1175.00	165.00	1001220.110 Part Time
	7165.00	7165.00	
Tax Receiver			
1001330.110 Part Time	7575.00		
1001330.400 Contractual	4165.00		
1001330.452 Training Schl/Edctn	125.00	11865.00	1001330.100 Personal Services
	11865.00	11865.00	
Assessment			
1001355.100 Personal Services	1230.00		
1001355.400 Contractual	15635.00		
1001355.405 Printing/Postage	940.00	17805.00	1001355.446 Consulting Services
	17805.00	17805.00	

Clerk			
1001410.101 Overtime	3150.00	2700.00	1001410.100 Personal Services
1001410.110 Part Time	7900.00	1000.00	1001410.401 Publication Legal Notices
1001410.201 Equipment	600.00	900.00	1001410.407 Mnt/Repair Office Equip
1001410.400 Contractual	1325.00	1500.00	1001410.40901 Conferences
1001410.406 Office & Sppls. Exp	820.00	4700.00	1001355.201 Equipment
1001410.409 Profess.Dues/Mtg	10.00	4355.00	1001355.446 Consulting Services
1001410.452 Training Schl/Edctn	1350.00		
	15155.00	15155.00	
Law			
1001420.400 Contractual	700.00		
1001420.458 Special Legal Svcs	4950.00		
1001420.45801 Appraisals	8600.00	14250.00	1001990.400 Contingency
	14250.00	14250.00	
Engineer			
1001440.520 Inter Munic.Cont	1.00	1.00	1001990.400 Contingency
Elections			
1001450.406 Office & Sppls. Exp	120.00	160.00	1001450.43402 Election-Storage
1001450.43401 West.Cty Elect	691.00	651.00	1001450.452 Training School
	811.00	811.00	
Municipal Building			
1001620.409 Profess.Dues/Mtg	355.00	355.00	1001990.400 Contingency
Unallocated Insurance			
1001910.460 Other	2915.00	2915.00	1001910.427 General Liability Ins.
Taxes on Properties			
1001950.419 Taxes/Assmnt Prop	1310.00	1310.00	1001930.45802 Certioraris
Publicity			
1006410.413 Materials/Supplies	1800.00	1800.00	1001990.400 Contingency
Veterans Services			
100.6510.413 Materials/Supplies	2650.00	2650.00	1001990.400 Contingency
Nutrition			
1006770.406 Office & Sppls. Exp	65.00		
1006770.441 Contractual/Food	650.00	715.00	1006771.441 Contractual/Food
	715.00	715.00	
Transportation			
1006772.101 Overtime	560.00		
1006772.201 Equipment	101.00		
1006772.402 Telephone	2000.00		
1006772.455 Repairs to Auto	450.00	3111.00	1006772.110 Part Time
	3111.00	3111.00	
Parks			
1007110.101 Overtime	19000.00	14900.00	1007110.100 Personal Services
1007110.402 Telephone	3000.00	780.00	1007110.103 Out of Title

1007110.403 Electricity	5360.00	1000.00	1007110.104 Sick Pay Incentive
1007110.404 Heat	1.00	260.00	1007110.110 Part Time
1007110.435 Uniforms	310.00	1750.00	1007110.111 Custodial
1007110.446 Consulting Srvcs	6320.00	2600.00	1007110.201 Equipment
1007110.483 Water Charges	4775.00	2800.00	1007110.413 Materls&Sppls
1007110.484 Maint.Ball Fields	2500.00	8000.00	1007110.498 Tree Service
1007110.485 Rpr/Maint Parks	51000.00	30940.00	1001990.400 Contingency
		29236.00	1009010.800 Emp.Retirement
	92266.00	92266.00	
Youth Programs			
1007310.400 Contractual	5050.00	5050.00	1009070.800 Dental Insurance
Benefits			
1009050.800 Unemployment Insrnc	1210.00	1210.00	1009070.800 Dental Insurance
General Fund Total:			
	209458.00	209458.00	
TOV Fund			
Supervisor			
200.1220.110 Part Time	1225.00	1225.00	2001220.100 Personal Services
Law			
2001420.458 Special Legal Svcs	11305.00	1165.00	2001420.425 Labor Counsel
		10140.00	2001990.400 Contingency
	11305.00	11305.00	
Central Communications System			
2001650.400 Contractual	4500.00	4500.00	2001990.400 Contingency
Unallocated Insurance			
2001910.42701 Auto Liability	20.00		2001910.427 General Liability Insrnce
2001910.460 Other	1110.00	1130.00	
	1130.00	1130.00	
Judgements and Claims			
2001930.45802 Certioraris	4800.00	4800.00	2001910.427 General Liability Insrnce
Other General Govt Support			
2001989.446 Consulting Srvcs	34655.00	34655.00	2001990.400 Contingency
Control of Animals			
2003510.430 SPCA Fees	1.00	1.00	2001320.450 Contractual Auditor
Safety Inspection			
2003620.101 Overtime	505.00		
2003620.110 Part Time	410.00		
2003620.201 Equipment	55.00		
2003620.400 Trees-Contrctl	200.00		
2003620.407 Mnt/Repair Office Equip	500.00		
2003620.408 Constable/Security	60.00		
2003620.409 Prof.Dues/Meetings	180.00	1910.00	2008015.40901 Conferences
	1910.00	1910.00	

Planning			
2008020.405 Printing & Postage	1400.00		
2008020.409 Prof.Dues/Meetings	105.00	1505.00	200.8020.400 Contractual
	1505.00	1505.00	
Benefits			
2009070.800 Dental Insurance	1550.00		
2009080.80031 Life Insurance	1500.00	3050.00	2009080.800 Life Insurance
	3050.00	3050.00	
TOV Fund Total:	64081.00	64081.00	
Highway Fund			
3101910.42701 Auto Insurance	5100.00	5100.00	3101910.427 General Liability Ins.
3101910.460 Other	1050.00	1050.00	3101320.450 Contractual-Auditor
	6150.00	6150.00	
Judgements and Claims			
3101930.45802 Certioraris	4000.00	4000.00	3105010.110 Part Time
Street Administration			
3105010.100 Personal Services	170.00		
3105010.201 Equipment	270.00		
3105010.403 Electricity	1060.00		
3105010.406 Office & Sppls. Exp	810.00		
3105010.407 Mnt/Repair Office Equip	1310.00		
3105010.409 Prof.Dues/Meetings	300.00		
3105010.515 Capital Improvements	725.00	4645.00	3105010.110 Part Time
	4645.00	4645.00	
Street Maintenance			
3105110.101 Overtime	23500.00		
3105110.102 Longevity	775.00		
3105110.103 Out of Title	6600.00		
3105110.411 Unleaded Fuel	3000.00		
3105110.412 Diesel Fuel	5000.00		
3105110.439 Road Materials/Maint	2790.00		
3105110.483 Water Charges	270.00	41935.00	3105110.100 Personal Services
	41935.00	41935.00	
Highway Garage			
3105132.403 Electricity	230.00		
3105132.404 Heat	2500.00	2730.00	3105132.432 Maint/Repair Bldg&Grnds
	2730.00	2730.00	
Weeds and Brush			
3105140.201 Equipment	710.00	1070.00	3105140.435 Uniforms
3105140.499 Tree Planting&Maint	1200.00	840.00	3105140.456 Repair&Maint
	1910.00	1910.00	
Snow Removal			
3105142.413 Materials/Sppls	130.00		
3105142.415 Salt	8900.00	9030.00	3105142.101 Personal Services
	9030.00	9030.00	
Benefits			
3109060.800 Health Insurance	57250.00	23000.00	3109010.800 Employee Retirement

		7400.00	3109030.800 Social Security
		26850.00	3109040.800 Workers Comp
	57250.00	57250.00	
Bond Anticipation Notes			
3109730.600 Debt Srvc Principal	126063.00	126063.00	310060.4795 Fund Balance
Highway Fund Total:	253713.00	253713.00	
Dale Cemetery			
Unallocated Insurance			
3201910.42701 Auto Insurance	865.00	865.00	3201910.427 General Liability Ins
Cemeteries			
3208810.100 Personal Services	13780.00		
3208810.101 Overtime	4360.00		
3208810.404 Heat	1010.00		
3208810.406 Office & Sppls Exp	330.00		
3108110.411 Unleaded Fuel	2000.00		
3208110.435 Uniforms	265.00		
3208810.460 Trees	740.00		
3208810.483 Water Charges	1235.00	16000.00	3208810.110 Part Time
3208810.515 Capital Improvmnts	4850.00	12570.00	3208810.201 Equipment
	28570.00	28570.00	
Benefits			
3209040.800 Workers Comp	7580.00	7580.00	3209010.800 Employees Retirement
Bond Anticipation Notes			
3209730.417 Bond & Note Expense	402.00	402.00	3209010.800 Employees Retirement
Dale Cemetery Fund Total:	37417.00	37417.00	
Special Districts:			
Consolidated Sewer Fund			
Judgements and Claims			
4501930.45802 Certioraris	395.00	395.00	4508120.100 Personal Services
Sanitary Sewer System			
4508120.101 Overtime	6765.00	9000.00	4508120.100 Personal Services
4508120.110 Part Time	2675.00	1100.00	4509010.800 Employees Retirement
4508120.201 Equipment	107720.00	10000.00	4509040.800 Workers Comp
4508120.403 Electricity	2590.00	223190.00	450060.4795 Fund Balance
4508120.452 Repairs/Maintenance	123540.00		
	243290.00	243290.00	
Lighting District Fund			
Judgements and Claims			
6301930.45802 Certioraris	125.00	125.00	6305182.403 Electricity
Refuse and Recycling Fund			
Refuse Collections and Disposal			
6508160.405 Printing and Postage	950.00		
6508160.520 Inter Municipal Contrctl	2000.00	6300.00	6508160.524 Recycling&Envr Waste
6508160.522 Refuse County of Wstch	4300.00	950.00	6501930.45802 Certioraris
	7250.00	7250.00	

Ambulance District Fund

Ambulance

6604540.520 Inter Municipal Contrctl	285305	285305	6600204.2351 Ambulance Services
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Total Special Districts:	536365.00	536365.00
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Supervisor Levenberg stated that our Finance office is already working hard to prepare for the 2018 Town audit which will take place during the first week of April. While we still have a few 2018 bills trickling in, we are almost ready to close out the year, and these budget adjustments will help bring us even closer.

Motion Carried: Unanimously

E. Approval of 2019 Cabaret License – Maya Riviera Bar and Restaurant, 518 North State Road, Briarcliff Manor

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

Whereas, Maya Riviera Bar and Restaurant (the “Applicant”) has filed an application for a Cabaret License for the calendar year 2019; and

Whereas, in 2018 the Applicant requested extended hours during which it could play amplified music from 12:00 midnight to 1:00 a.m. on Fridays and Saturdays, which request the Town Board granted on a three-month provisional basis and then for the remainder of the 2018 calendar year; and

Whereas, the Town Board is authorized under Chapter 68 of the Town Code (Section 68-20(B)) to extend hours a cabaret may play music beyond what is permitted in the Code where it deems it appropriate and consistent with the public safety and welfare; and

Whereas, the Town Board has reviewed the 2019 application and attachments thereto, and has solicited input from involved departments, including the Police Department and Building Department; and

Whereas, on February 19, 2019, the Town Board opened a duly-noticed Public Hearing on the subject cabaret application, at which time no members of the public appeared to speak on the application, and the public hearing was closed on February 19, 2019; and

Now therefore,

Be it Resolved, that the Town Board of the Town of Ossining hereby approves the application of the Maya Riviera Bar and Restaurant, 518 North State Road Briarcliff Manor, in the Unincorporated Area of the Town of Ossining, for a Cabaret License for the 2019 calendar year, subject to the following limitations and conditions:

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

Be it further Resolved, that the Town Board finds that based upon the lack of complaints from the public or the Town’s departments and the positive role the Applicant’s establishment plays in the community that it is appropriate and consistent with the public safety and welfare to allow the Applicant to play amplified until 1:00 a.m. on Friday and Saturday nights, but reserves the right to revisit this determination in subsequent years and make any modifications to the

hours during which amplified music is permitted that the Town Board deems necessary based upon the circumstances presented at that time, and

Be it further Resolved, the conditions on this cabaret license are only for the 2019 calendar year and the Town Board reserves the right to modify, add to and/or eliminate any and all conditions when considering the Applicant's application for a cabaret license renewal for the 2020 calendar year in accordance with Chapter 68 of the Town Code.

Motion Carried: Unanimously

F. Resolution: Ossining Boat and Canoe Club Improvements 2019

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

RESOLVED, that the Town Board hereby authorizes the Ossining Boat and Canoe Club to undertake certain electrical work on the property as set forth in the proposal from Lightin Up Electric, Inc. dated October 10, 2018, which work will not be attributed to the annual maintenance, repair or capital improvements required pursuant to the License Agreement between the Town and OBCC.

Motion Carried: Unanimously

G. Contract: Matrix Imaging Solutions, LLC.

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 authorizes the Supervisor to enter into an agreement with Matrix Imaging Solutions, LLC., 6341 Inducon Drive East, Sanborn NY, to serve as the fulfillment center for the Town of Ossining tax bills, inclusive of formatting, printing, and mailing, effective March 1st, 2019.

Supervisor Levenberg stated that at the recommendation of our Receiver of Taxes, the Town will be moving to a new fulfillment center for our tax bills in 2019. I know Holly has been working very hard to find a company that will fill our needs at the best possible value, and we are excited to begin our work with Matrix on the upcoming Town/County bill, the rates for which we will begin to prepare next week.

Motion Carried: Unanimously

H. Contract- Group Life Insurance with First Reliance Standard Life Insurance Company

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 hereby authorizes the Supervisor to enter into an agreement with First Reliance Standard Life Insurance Company, 590 Madison Avenue, 29th Floor, New York, New York, for the provision of life insurance coverage for active full-time, elected and appointed employees of the Town effective October 1, 2018.

Supervisor Levenberg stated that she is excited to approve this resolution, as changing life insurance companies has allowed us to decrease our monthly insurance premiums by more than half. It took us some time to get sign-off from our experts on the contract itself, but the savings we will realize are well worth it.

Motion Carried: Unanimously

I. Authorizing Levy of Unpaid Water Charges on Town Tax Roll

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

WHEREAS, pursuant to an Inter-Municipal Agreement (“Water IMA”) dated January 1, 2002, the Village of Ossining supplies water to the Unincorporated area of the Town of Ossining (“Town Outside”) and directly bills consumers in the Town Outside for water supplied pursuant to the Water IMA, and

WHEREAS, pursuant to the Water IMA, any water charge that is delinquent for three or more months shall be levied against the delinquent property by the Town and shall be subject to penalty in the manner provided by law, in which event, upon collection by the Town, the Town shall remit the amount collected to the Village of Ossining; and

WHEREAS, pursuant to Section 198 of the Town Law, the Town of Ossining is authorized to levy unpaid water charges against delinquent properties;

NOW, THEREFORE, BE IT RESOLVED, that any water charges to a customer outside of the Village of Ossining corporate limits and in the Town of Ossining that is delinquent for three or more months shall be levied against the delinquent property and shall be subject to penalty in the manner provided by law.

AND BE IT FURTHER RESOLVED, that the Village Treasurer, on behalf of the Village Clerk of the Village of Ossining, shall file with the Supervisor of the Town of Ossining, as required by law, statements showing unpaid water charges to customers outside of the Village of Ossining corporate limits, but within the Town of Ossining, which are delinquent for three or more months and that such statements shall contain a brief description of the property upon which the water was used, the names of the persons or corporations liable to pay for the same and the amounts chargeable to each for the purposes of levy and enforcement under “Water Rents” and upon receipt of such statement, the Supervisor will transmit said statement of delinquent water charges to the Receiver of Taxes for levy against those delinquent properties.

Supervisor Levenberg stated that Last week, the Board received a memo from our Town Comptroller Tom Warren detailing this annual process, as well as giving us a list of delinquent parcels and balances due. These will be added to the aforementioned Town/County bill for those customers in the Unincorporated Town who have not paid their Village water bills timely. Tom was willing to join us tonight to answer any questions from the Board, but seeing as today is his birthday, we decided to let him play hooky tonight.

Motion Carried: Unanimously

J. Sewers - Approval of Ossining Consolidated Sewer District Extension – John T. Curvan & Caroline Ranald Curvan, 111 Hawkes Avenue

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

Whereas, a Petition for the extension of Ossining Consolidated Sewer District located at 111 Hawkes Avenue in the Town of Ossining, Westchester County, New York, dated January 8th, 2019 has been presented to the Town Board by John T. Curvan and Caroline Ranald Curvan; and

Whereas, an Order was duly adopted by the Town Board on January 22nd, 2019 reciting the filing of said Petition, and specifying February 12th, 2019 at 7:35pm in

the Police/Court facility, 86-88 Spring Street, Ossining, New York as the date, time and place where the said Board would hold a Public Hearing to consider the Petition and to hear all persons interested in the subject matter thereof concerning the same; and

Whereas, such Order was duly posted and published as required by law; and

Whereas, a public hearing on the matter was duly held by the Town Board on February 19th, 2019, as the meeting of February 12th, 2019 was canceled due to weather conditions, where discussion of the matter was had, and all persons interested were given the opportunity to be heard; and

Whereas, pursuant to Section 194 (6) of the Town Law, the approval of the State Comptroller is not required since the entire burden of the financing of the proposed extension is to be borne by the Petitioner, and there is to be no financing borne by the Town of Ossining, the Ossining Consolidated Sewer District, or any prior extensions thereof;

Now, Therefore, Be It Resolved (a) that the petition is signed and acknowledged as required by law; (b) that all the property and property owners within the proposed extension are benefited thereby; (c) that all the property and property owners benefited thereby are included and (d) that it is in the public interest to grant the relief sought; and it is further

Resolved, that the extension of the Ossining Consolidated Sewer District in the Town of Ossining, Westchester County, New York, as proposed in the Petition, be and the same is hereby approved, and that the said sewer district extension include the property as described in the said Petition; and it is further

Resolved, that the Town Clerk shall, within ten (10) days after adoption of this Resolution, file certified copies thereof in duplicate in the Office of the State Department of Audit and Control at Albany, New York, and record a certified copy in the Office of the Clerk of the County of Westchester.

Motion Carried: Unanimously

K. Finance- Capital Project #2015-2193 “2015 Street Paving Project 2193”

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 hereby adjusts and closes Capital Project #2015-2193, entitled “2015 Street Paving Project 2193” from \$448,430 to \$458,221.31 in accordance with revenues received, and transfers the balance of \$9990.27 to the “2018 Street Paving project”. The 2015 Street Paving project was funded by CHIPS, and Highway Funds with a transfer from TOV contingency and Highway fund balance.

	Original	Adjusted
	<u>Budget</u>	<u>Budget</u>
Decrease 3705110.200.5193 2015 Street Paving Project 2193 (Expense)	\$448,430	\$448,231.04
Increase: 3709905.200.5193 Inter Fund Transfer Capital (Expense)	\$0	\$ 9,990.27
Increase 0370030.3501.5193 CHIPS Funding (Revenue)	\$160,000	\$169,791.31
No Change: 0370050.5035.5193 Transfer from Highway Fund (Revenue)	\$288,430	\$288,430.00

Supervisor Levenberg stated that based on recommendations from our Finance team, we are closing this Capital Project and will be using the unspent funds to offset a slight overage on the Hawkes Avenue paving job from last year. Thank you, as always, to our Town Comptroller and Deputy Comptroller for staying on top of our capital projects, to our Town Engineer, our Highway Superintendent, and his team for working with our contractors to get excellent results on these projects while keeping the pricing reasonable.

Motion Carried: Unanimously

L. Finance- Capital Project #2018-5211 – Reclamation and Paving - Hawkes Avenue

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

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 adjusts and closes the 2018 Capital Project #2018-5211, entitled “Reclamation and Paving - Hawkes Avenue”, with an original project budget of \$135,000 increased to \$174,446.02 for milling, prep work, cutting joints, shimming around driveways/catch basins, and paving. The project is be funded from CHIPS/EWR/Pave NY funds, Capital residual balance transfer, and Highway Fund Balance.

	Original Budget	Adjusted Budget
Increase: 3705110.200.5211 Reclamation and Paving – Hawkes Avenue (Expense)	\$135,000	\$174,446.02
No Change: 370030.3501.5211 NY State CHIPS Funding (Revenue)	\$125,654	\$125,654.00
Increase: 370050.503131.5211 Transfer from Highway Fund Balance (Revenue)	\$9,346	\$38,801.75
Increase: 370050.5050.5211 Inter Fund Transfer in (Revenue)	\$0	\$ 9,990.27
Increase: 3109901.905 Transfer to Capital Fund (Expense)	\$9,346	\$38,801.75
Increase: 310060.4795 Transfer from Fund Balance (Revenue)	\$9,346	\$38,801.75

**Motion Carried:
Unanimously**

M. Agreement with Teatown Lake Reservation and Saratoga Cornell Cooperative Extension

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 does hereby agree to participate in the voluntary Boat Steward Program through Teatown Lake Reservation’s Watercraft Inspection Steward Program for the Lower Hudson Partnership for Regional Invasive Species Management (PRISM) in partnership with the Capital Mohawk PRISM, hosted by the Saratoga Cornell Cooperative Extension, in order to protect the Hudson River from invasive species; and

Be it further Resolved, that the Town Supervisor is authorized to sign any necessary paperwork to initiate the program for the boat launch and beach at Louis Engel Park, subject to approval by Counsel to the Town.

Motion Carried: Unanimously

N. Urban Forestry Grant Contract Approval

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

Resolved, that the Town Board of the Town of Ossining authorizes the Town Supervisor to enter into an agreement with the New York State Department of Environmental Conservation for a grant to the Town in the amount of \$50,000 to complete phase two of a tree inventory in the Town of Ossining, subject to approval by Town Counsel as to form.

Supervisor Levenberg stated that you may remember that last year we began the process of inventorying the street trees in the Town of Ossining, beginning with some of our main thoroughfares and commercial areas, namely North State Road, NYS Route 133, and NYS Route 134 and Louis Engel Park, funded by a grant from the New York State DEC Urban and Community Forestry Program. We recently received a second grant from the same program in the amount of \$50,000 to complete phase two of this inventory to include the remaining roadways in the unincorporated area and all town parks. The next step will be to issue a request for proposals to obtain quotes from vendors to complete the inventory with the grant funds we have received. This project will provide us with some more information about the benefits our street trees provide to the environment and will help inform future strategies to maintain a healthy community forest here in Ossining.

Motion Carried: Unanimously

VIII.CORRESPONDENCE TO BE RECEIVED AND FILED

IX.MONTHLY REPORTS

X.VISITOR RECOGNITION

XI.ADJOURNMENT-EXECUTIVE SESSION-PERSONNEL

At 10:05 p.m., Councilmember Feldman moved and it was seconded by Councilmember D’Attore to adjourn the meeting to Executive Session

Motion Carried: Unanimously

Supervisor Levenberg thanked everyone for sticking with us through this somewhat lengthy agenda. As a reminder, we will be at the Ossining Public Library next Tuesday, March 5th, for the Town Hall Meeting on the Homestead Study from the Benjamin Center. The meeting is scheduled to start at 7:30 PM.

At 10:37 p.m., Councilmember D’Attore moved and it was seconded by Councilmember Shaw to leave Executive Session.

Motion Carried: Unanimously

At 10:38 p.m., Councilmember Wilcher moved and it was seconded by Councilmember Feldman to Adjourn Executive Session.

Motion Carried: Unanimously

Approved:

Town Clerk Mary Ann Roberts