



**TOWN BOARD  
TOWN OF OSSINING  
BIRDSALL-FAGAN POLICE/COURT FACILITY  
86-88 SPRING STREET – OSSINING, NEW YORK  
FEBRUARY 27, 2018  
REGULAR MEETING  
7:30 P.M.**

**SUPERVISOR**  
**Dana A. Levenberg**

**COUNCILMEMBERS**  
**Karen M. D’Attore   Elizabeth R. Feldman**  
**Jackie G. Shaw   Northern Wilcher, Jr.**

**I. CALL TO ORDER-PLEDGE OF ALLEGIANCE-ROLL CALL**

The Regular Meeting of the Town Board of the Town of Ossining was held on February 27, 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 Elizabeth R. Feldman, Northern Wilcher Jr., Jackie G. Shaw and Karen D’Attore Also present were Town Counsel Christie Tomm Addona, Budget Officer Madeline Zachacz and Town Clerk Mary Ann Roberts was absent.

Supervisor Levenberg stated that since we have last gathered here, American families have had to endure yet another school shooting, this time killing 17 people, including 14 students and 3 staff members, and wounding countless others. Each time our nation suffers this unimaginable heartbreak, we hold on tight and swear it will be the last time, but somehow here we are again. I call on our elected officials in Washington to get serious about the safety and health of Americans, especially the most innocent among us, and implement common sense measures to keep artillery out of the hands of the mentally ill. Please join me for a moment of silence to remember the precious lives lost and for the lives forever changed by this unfathomable tragedy.

**II. PUBLIC HEARINGS IN THE MATTER OF**

- **2018 Cabaret License Renewal for Westchester Ballroom**

Kim Jeffrey, Morningside Drive, provided a recap from the initial public hearing which did not provide accurate information. The back door has a bar for emergency exit only. The base is the continual noise which is the problem. In September there was a situation where the noise level would increase continually and then there would be silence at 30 minute intervals. There seems to be an uptick at 12 midnight. We do not hear the noise from the parking lots. Please make sure to shut down the music when they are supposed to so that we do not have a repeat of New Year’s Eve when the music ended at 2:45 a.m. and again in September when it ended at 3 a.m. How much noise are you supposed to hear in the house? I have an app the records 28 decibels in my bedroom. Haven’t heard any noise recently. The Town Code is from 10 p.m. to 7 a.m.

Mark Hoefich, Morningside Drive, stated he was here for the children as they need their sleep. Spending only \$1000 for soundproofing not enough as it should be between \$20 and \$30,000.

Vincent Savino attorney for Westchester Ballroom stated that he has been trying to work with John Hamilton and the Police Department with the sound check being done during an event. The testing should be done this Friday evening as they will be having a party.

**Christie Tomm Addonna stated that John Hamilton should weigh in with the new material.**

**Jim Bossinas, Sunset has not weighed in thus far but did question how do we know the test volume will be at the usual level?**

**Supervisor Levenberg has requested that two officers be present during this testing with one in the ballroom proper and the other at the property line of the homes in question.**

**Christie Tomm Addonna has suggested that two dates should be chosen.**

**Mr. Savino stated that there will not be an event on a Saturday night until May.**

**Barbara Antes has been moving the Saturday night parties to other venues. I have been working very hard to make this work.**

### **III.Special Presentation**

- **Westchester County “Good Neighbor” Policy: County Executive George Latimer**

**Supervisor Levenberg stated that we have many special guests who will be joining us tonight, beginning with our newly-elected County Executive George Latimer. The County Executive has been making the rounds throughout Westchester to meet with municipalities and keep them in the loop about what the County is working on. He has visited Ossining several times as of late, including a tour of 1936 Power House and the 1825 Cell Block at Sing Sing followed by a press conference for the Sing Sing Prison Museum, and he visited our Community Center two weeks ago with County Legislator Catherine Borgia for Coffee and Conversation, where they were visited by nearly 100 local community members with questions about County policies and operations. He also visited the Village Board of Trustees at a meeting just last week. I don’t want to steal George’s thunder, so I will turn this over to him- Please join me in welcoming County Executive Latimer!**

**County Executive George Latimer explained that he has been in the process of visiting every Town and Village Board and City Council in the County. County Executive George Latimer shared the Executive Order that he has signed. This Executive Order is the good neighbor policy and it applies to all operating departments of the County Government. This order will change the nature of the relationship and will act in unilateral authority. If there is a significant proposed action that which a County Department intends to do they must first come to your Town Board and present that proposal that may exist and be able to answering any questions from the Public.**

**Below is the Executive Order No. 2 of 2018:**

EXECUTIVE ORDER NO. 2 of 2018

WHEREAS, the County intends to work cooperatively with local municipalities within Westchester to enhance the quality of life for all County residents; and


WHEREAS, prior to any significant actions taken by County government, particularly with regard to County land located within particular municipalities, such municipalities should be provided with the opportunity to review any such action and offer suggestions as appropriate; and

WHEREAS, such a Good Neighbor Policy enables Westchester municipalities and their residents to have input into the decision-making processes regarding the use of County land located within their borders;

NOW THEREFORE, I, George Latimer, County Executive of the County of Westchester, by virtue of the authority vested in me by the Laws of Westchester County, hereby order that the County institute a Good Neighbor Policy whereby prior to any significant proposed action on County land located within a municipality in Westchester:

1. Not inconsistent with any Federal, State, or County law, the County would be required to make a formal presentation of any such significant proposed action on County land at a regularly scheduled, televised meeting of the local governing body (City Council, Town Board or Village Board);
2. The local governing body would then have sixty (60) days after such presentation and before the action would be implemented:
  - a. to hold a local public forum to gather input regarding said proposed action from local residents; and
  - b. to submit a memorandum of support, neutrality, or opposition to the action before the County proceeds.
3. Any emergency action regarding County land located in a Westchester municipality required to be taken immediately to protect the health and safety of County residents shall be exempt from this policy.

RESOLVED, that this Executive Order shall take effect immediately and shall remain in effect until otherwise superseded or revoked.

  
\_\_\_\_\_  
GEORGE LATIMER  
County Executive

Dated: January 2, 2018  
White Plains, New York

- **Special Presentation: Eagle Scout Project at Cedar Lane Park: Ryan Skyler, Eagle Scout**

Supervisor Levenberg stated that our next guest is Eagle Scout hopeful Ryan Sayler. Ryan came to us in a bit of an unusual way—last year when our Parks staff was cleaning up Cedar Lane Pavilion, the far steps leading down to the football field were brought to my attention. The steps are made of wood, and while expertly constructed, are starting to look a little worn and in need of repair. The plaque nearby told us that Anthony Pili, an Ossining resident, worked on the steps as his Eagle Scout project many years ago, and go figure—we know Anthony from Greater Hudson Bank! Anthony got in touch with the local troops and found a scout to work on the project with us—Ryan is here tonight to discuss his proposed idea for a scope and hopefully get a thumbs up from the Board so he can continue to work out the details in collaboration with our Parks department, and get to work as soon as possible!

**Special Presentation: Eagle Scout Project at Cedar Lane Park: Ryan Salyer, Eagle Scout Ryan has been a member of Troop 49 since the 5<sup>th</sup> grade. In 2012 his Mother passed away and he has relied on the support of his sister, Step Father and troop. They have all been very supportive of him. He is planning on replacing the steps at Cedar Lane Park. Anthony Piele initially did the steps with railroad ties. Ryan plans are replacing with the same material but adding a wooden railing. He is fundraising and hope to break ground by July.**

**Councilmember D'Attore thanked Ryan for investing in the Town of Ossining relative to Cedar Lane Park.**

**Councilmember Wilcher questioned whether he has been working with Mario Santucci and Ryan responded that he has.**

**Councilmember Feldman commented that she too had a similar situation with the death of her Mom. Thank you for your efforts.**

**Councilmember Shaw commented that this was huge undertaking on your part.**

#### **IV.ANNOUNCEMENTS**

**Supervisor Levenberg announce the following:**

**The Town Board did not meet last week, as Councilwomen Feldman and Shaw joined me at the Association of Towns Annual Meeting in Times Square. In the short debriefings we've had thus far, it seems that everyone took a lot of lessons away from the Conference and we are excited to share them with you and with each other. At our Work Session on Tuesday, March 6<sup>th</sup>, we will be discussing this as an agenda item and I look forward to hearing about my colleagues' experiences and how we can apply these lessons to Town issues.**

**I also want to share that we recently heard back from the NYS Department of State Local Government Services division on an application for a shared services grant that will help us explore how the Town and Village of Ossining can make the most of our close relationship to maximize efficient delivery of services, specifically in the area of Parks, Highway and Public Works services. We still have a long way to go wrapping our arms around what this grant would require of us, and we plan to meet with the Village of Ossining soon to discuss potential next steps. Of course, as we move forward, we will keep the community involved and apprised of all of the steps in the process and what progress we hope to make towards saving your tax dollars.**

**I hope you will join us tomorrow at Cedar Lane Park for an exciting event. We will be unveiling, for the very first time, the new signage for the Cedar Lane Arts Center, which made from a design created by local artist and designer Brian Sheridan and crafted by our Town Parks staff and Art Center Director Keith Gordon using upcycled materials found in Cedar Lane Park. Students from Anne M. Dorner Middle School will also be featured in a show displaying their artwork. Make sure to join us for a fun afternoon in the sunny space beginning at 4:30PM tomorrow, Wednesday February 28<sup>th</sup>.**

**A reminder to anyone interested in applying to be a part of the Summer Concert Series – applications are due back by this Thursday, March 1<sup>st</sup> and are available on the left hand side of the Town of Ossining website. We have also sent out a letter and press release seeking sponsors for this popular series. If we are able to get enough support, we hope to offer additional nights.**

**On Thursday, March 1<sup>st</sup>, come see a screening of "Fix It—Healthcare at the Tipping Point" at the Ossining Public Library's Budarz Theater. This free screening begins at 7PM and will be followed by a discussion with Dr. Maria Schmidt. Don't miss this chance to talk about healthcare in our community sponsored by CCoHope, Indivisible of Croton on Hudson, Cortlandt Manor, Ossining & Peekskill.**

On Sunday, March 4<sup>th</sup> at 3PM, the Maryknoll Sisters will host “Music of the World” featuring the Hudson Valley Symphonic Wind Ensemble on the Maryknoll campus at 10 Pinesbridge Road. All proceeds will benefit the Sisters’ Global Outreach mission on behalf of the world’s poor. Tickets are available online at [www.maryknollsisters.org](http://www.maryknollsisters.org)-- make sure to buy in advance, the price goes up to \$40 at the door!

Finally, although this is a little farther down the calendar, please keep March 16<sup>th</sup> open, as the new Bethany Arts Community, housed in the former Maryknoll Brothers building on Somerstown Road, will be hosting their first Local Artists Exhibition. Come check out this beautifully restored space and meet the fantastic folks who have chosen to make Ossining their new home.

Councilmember D’Attore announced that the Vita Program (tax preparation) was underway and to call 941-5252 for an appointment.

## **V.LIAISON REPORTS**

## **VI.DEPARTMENTAL REPORTS**

- **Kathy Asaro, Senior Nutrition Program Director**

Supervisor Levenberg stated that tonight, we are joined by two of our Department Heads. We will begin tonight with Kathy Asaro, who manages our Senior Nutrition Program. Kathy and her staff are responsible for administering our Call-A-Cab program, which you’ll hear more about later as part of our regular meeting agenda, as well as serving meals to seniors at the Community Center and delivering nutritious meals to homebound seniors. We are always glad to see Kathy and hear from her about how programming is going and what sort of attendance we’re seeing in our dance, art and other programs.

Kathy Asaro, Senior Nutrition Program Director stated that the programs in her department are going well. Hot lunch is served at the Senior Center Monday-Friday at 12 noon in the dining room for a suggested donation of \$2.50. Please call to make a reservation.

Home Delivered meals are also available for eligible homebound seniors Monday-Friday. There is a suggested \$3.00 donation.

The R U OK program is going well with daily phone calls made every morning to check on our seniors between 8 and 9 a.m.

Seniors are taken to the Croton Shoprite every Wednesday at 12:30 p.m. after lunch for grocery shopping and then taken home.

Taxi Coupons are available to Ossining and Briarcliff seniors who are at least 70 or older with a limit of 15 coupons a month. The coupons are \$3 each with purchase at the Senior Center.

The Prescription Center come to the center the last Tuesday of every month from 11 a.m. to 12 noon to take blood pressure, sugar readings and to answer any prescription questions.

Bingo is every Monday, Thursday, and Friday at 12:45 p.m. in the dining room. It is \$1 per card.

Line Dancing takes place every Thursday at 10:45 to 11:45 in the dining room.

There is an exercise class every Wednesday, from 10 – 11 a.m. in the gym at a cost of \$35 for 8 classes.

Every Thursday from 1 – 3:15 p.m. there is an art class in the Art Room.

The Ossining Golden Age Club #1 meets Tuesday in the gym at 1 p.m.

Debbie Klein S.W. is available for information and referrals on Mondays, Wednesdays and Fridays from 8:30 a.m. to 1:30 p.m. Call 762-7655 to get assistance.

There are also additional programs available from time to time such as Alzheimer's Presentation, Shopping trips, Knitting, Medicare Minutes and the St. Patrick's Day Lunch on March 15.

Councilmember Feldman commented on some new scams focusing on seniors.

- Thomas Warren, Town Comptroller

Supervisor Levenberg stated that Thomas Warren, who serves a dual role in Ossining—he works for us as Town Comptroller and for the Village of Ossining as the Village Treasurer. Between Tom, his exceptional Deputy Dale Ferreira and the Finance Department staff, they keep good track of our revenues and make sure our vendors, and our Town employees, are paid timely. Tom is going to share some information with us about the annual water re-levy, and will also give us some up-to-date information about the Town's finances and fiscal health.

Town Comptroller Thomas Warren presented the following report:

**NYS Fiscal Monitoring System** – The NYS Office of the State Comptroller's (OSC) website posted the results from their statewide fiscal monitoring system for the 2016 fiscal year (the system was initially established in 2013) to identify local governments experiencing fiscal strain. I am pleased to report that for the fifth consecutive year, 2016, the Town has received “no designation” with regards to fiscal stress. The “no designation” status is the best rating and is similar to receiving negative assurance that the State Comptroller found no indication of fiscal stress upon review and analysis of our latest filed Annual Financial Report Update Document for the 2016 fiscal year. The review and analysis included rating indicators such as fund balance levels, revenues vs. expenditures, various cash ratios, debt levels and debt trends, personal service and employee benefits expenditures as a percent of revenues, and debt service expenditures as a percent of revenues. The 2016 fiscal stress score was actually a rating of 0.0% - indicative of no stress (same score as for 2015, and down from 1.7% in 2014).

There are also Environmental Indicators which shows a continuing very low rating trend over the past three years – which is a good thing – at 5.0 for 2016. These Environmental Indicators are not really in our control, and include things such as change in population, change in median age, child poverty rate, change in property values, unemployment rate, reliance on State and Federal Aid.

Of interest was the State Comptroller comparing the Town of Ossining's Fiscal Stress Score measurements and percentages (0.0% fiscal rate score – a very, very low rate) against all other towns in NYS (they were rated as 10.0%, much higher fiscal stress than Ossining), against all other Mid-Hudson regional towns (rated at 10.2% fiscal stress), and against medium downstate towns (rated as 11.7% fiscal stress score). It's very positive news that the Town of Ossining continues to have fared so well and so much lower against all of the different categories of towns.

**Moody's Investors Service** – The Town has not had a formal bond rating since August 2014, when the Town last issued a serial bond. At the time, the Town's bond rating was upgraded to Aa2, the second highest rating category (“Aa” group), and bonds rated as Aa2 are judged to be of high quality and are subject to very low credit risk. In the years since 2014, the Town issued one year Bond Anticipation Notes that did not require formal ratings.

However, Moody's has continued to monitor the Town's credit worthiness as a service to the bond-holders, and following a series of questions to the Town in October 2017, Moody's issued an "Issuer Comment" annual comment on the Town's credit worthiness. In the report, Moody's stated "Ossining Town's credit position is very high quality, and its Aa2 rating is slightly above the median rating of Aa3 for US cities. The notable credit factors include a robust financial position, a negligible debt burden and a small pension liability. The credit profile also reflects a strong wealth and income profile and a healthy tax base.

**Major Revenues** – As we close the Town's accounting records in preparation for the annual financial statement audit, I thought it would be good to review the three large revenues for the Town for the 2017 fiscal year. Following two years of stagnant sales tax distribution revenues – 2015 revenues of \$779,607 being about 1% less than the prior year, and 2016 revenues of \$789,350 being 1.25% more than 2015 revenues – I am pleased to report that the 2017 sales tax distribution revenues are up 4.49%, to \$824,820.

Mortgage Tax revenues have finally started to increase significantly. Following eight years of mortgage tax distribution in the \$500,000 to \$630,000 levels, with 2015 revenues at \$498,753 and 2016 revenues at \$621,644, I am pleased to report that the 2017 mortgage tax revenues were \$1,010,883. The last time that mortgage tax revenues exceeded \$1 million was in 2008 before the recession hit.

The other large major revenue is real property tax revenues, with the amount of recognized revenues dependent on an analysis of property tax collections and the amount of unpaid tax liens in the first sixty days of the 2018 year. Although we have not finished the sixty day window as yet (and I am anxiously awaiting Town Tax Receiver Holly Perlowitz's monthly report for February 2018), I am pleased with the decreasing level of tax liens between January 2017 and January 2018 (by \$234,167). For the 2016 prior year audit, the sixty day collection analysis resulted in added real property tax revenues recognition of \$125,113.

In response to a question about the effect of the large amount of pre-paid property tax collections at the end of December 2017, Mr. Warren stated that the prepayment of 2018 property taxes has no bearing on the amount of 2017 real property tax revenues recognition. They were just prepayments of their estimated 2018 property taxes.

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

## **VIII.BOARD RESOLUTIONS**

### **A. Approval of Minutes-Regular Meeting**

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

Resolved, that the Town Board of the Town of Ossining hereby approves the February 13, 2018 minutes of the Regular Meeting as presented.

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

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

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

**Resolved, that the Town Board hereby approves the Voucher Detail Report dated February 27, 2018 in the amount of \$37,506.07, for 2017 and \$416,330.28 for 2018. Grand total of \$453,836.35**

**Motion Carried: Unanimously**

**C.Approval of Provisional 2018 Cabaret License-Riviera Bar and Restaurant, 518 North State Road Briarcliff Manor, Town of Ossining**

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

**Whereas, the Maya Riviera Bar and Restaurant has filed an application for a Cabaret License for the calendar year 2018, requesting extended hours during which it can play amplified music on Friday and Saturday nights; and**

**Whereas, the Town Board has reviewed the application and attachments thereto, as well as reports from involved departments, including the Police Department and Building Department;**

**Whereas, on January 23<sup>rd</sup>, 2018, the Town Board opened a Public Hearing on the subject cabaret application, at which time all persons interested were given an opportunity to speak on behalf of or in opposition to the cabaret application, and the public hearing was closed on January 23<sup>rd</sup>, 2018; and**

**Whereas, the Town Board is authorized by the Town Code to extend the hours during which a cabaret can play amplified music where appropriate; and**

**Whereas, based upon the record before the Board on this application, the Board wishes to issue a provisional cabaret license extending the hours during which amplified music can be played on Friday and Saturday evenings from 12AM to 1AM for a three-month period, after which three-month period the Town Board will revisit the application; 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 provisional Cabaret License, 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 a trumpet 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- Saturday from 11:00 a.m. -1:00a.m.; and**

**Be it Further Resolved, after the three-month period, the Town Board shall hold another public hearing on this application at its May 15, 2018 meeting and either approve this license in its current form for the entirety of 2018 or make changes to the hours the applicant is authorized to play amplified music if the Town Board deems it appropriate based upon the information received at the public hearing.**

**Supervisor Levenberg stated that the folks from Maya Riviera had visited this Board a few weeks back and asked for a renewal of their Cabaret license. Upon closer inspection, we realized that they were asking for hourly permissions outside of the Town’s Cabaret License parameters. As the police, building department and neighbors were in support of the license, the Board agreed to give them a provisional Cabaret License with extended hours on weekends only. We will revisit this in May and see how it’s going—if everything looks good and we continue to get good feedback, it is likely that the new hours will be approved for the remainder of 2018.**

**Motion Carried: Unanimously**



**D.Resolution – Authorizing Levy of Unpaid Water Charges on Town Tax Roll**

Councilmember Wilcher moved and it was seconded by Councilmember Feldman the that the following 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 once these are approved, they will help our Receiver of Taxes and our Budget Director prepare the annual Town/County Bills, a process that will begin in earnest next week. Thanks again to Tom and Dale for putting this together for us and providing backup for the Board.

**Motion Carried: Unanimously**

**E.Contract- Interstate Fireworks**

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

Resolved, that the Town Board of the Town of Ossining hereby authorizes the Supervisor to sign an agreement with Interstate Fireworks Inc., PO Box 260, Rowland, Pennsylvania, to furnish a display of fireworks on July 3<sup>rd</sup>, 2018, for a contract amount totaling \$25,467.75.

Supervisor Levenberg stated that we are happy to work with Interstate again this year, you may say they give us a lot of bang for our buck. They have not raised their prices this year and will be setting off an amazing display for us on Tuesday, July 3<sup>rd</sup> at Louis Engel Park. Mark your calendar now! We will also be joined by some excellent local food trucks and will enjoy some festive music—I know how many of you are looking forward to this night, and we are right there with you! Rain date is scheduled for July 9<sup>th</sup>.

**Motion Carried: Unanimously**

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

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

Resolved, that the Town Board of the Town of Ossining hereby 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 2017-18, for a contract amount totaling \$2,500.00.

The Town has worked with Mike Ritchie and Jim Maxwell from Dolph Rotfeld Engineering since 2012 to complete our annual MS4, or Stormwater, report required by the Department of Environmental Conservation. This process requires a lot of detailed reporting, and Jim and Mike work with my office, the Superintendent of Highways and our Town Building Inspector to ensure that our activities and submissions are in compliance with New York State guidelines.

Motion Carried: Unanimously

**G. Highway - Westchester County Snow and Ice Agreement**

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

RESOLVED, that the Town Board of the Town of Ossining authorizes the Supervisor to execute an amended agreement with the County of Westchester for Snow & Ice removal from County Roads for the period covering October 1, 2015 through September 30, 2020 at a compensation to be determined in accordance with the schedules referenced in Schedules A & B of the aforesaid contract.

Supervisor Levenberg stated that this is an update to a prior contract that it appears will help us get a little more money for maintaining County roads in the Town of Ossining, and every little bit helps!

Motion Carried: Unanimously

**H.Agreement - Call a Cab**

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

Resolved, that the Town Board of the Town of Ossining hereby authorizes the Supervisor to sign an agreement with Ecua Taxi & Limo at 73 Croton Avenue in Ossining, Mommy's Taxi at 7 Fuller Road in Ossining, and Amigo's Taxi at 290 North Washington Street in Sleepy Hollow, NY ending December 31, 2018, with all coupons to be reimbursed at the rate of \$4.75 each.

Supervisor Levenberg stated that as of today, we have only had three local taxi companies apply to participate in our Call A Cab program, which allows senior citizens to purchase taxi cab vouchers at a reduced rate and use them to get around Ossining. We have had more companies take advantage of this program in the past, and we hope that more will come forward to provide this much-needed service to our seniors.

Motion Carried: Unanimously

**I.Sale of Surplus Equipment- Parks, Cemetery and Highway Departments**

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

Whereas, the Town Board of the Town of Ossining has made a concerted effort to lower the amount of Town-owned vehicles and equipment; and

Now therefore be it Resolved, that the Town Board of the Town of Ossining authorizes the following vehicles, no longer being used by the Parks, Cemetery, and Highway Departments, to be declared Surplus, and then to be sold on Auctions International to the highest approved bidder, following high bid approval by the Town Board.

Ex Mark, Serial #LHP23KA505 (Parks)  
2003 Ford Taurus, VIN #1FAFP58363A279516 (Parks)  
2005 Kubota, Serial #R4205-10461 (Parks)  
2003 Ford Explorer, VIN #1FMZU73W33ZA76750 (Parks)  
2004 Ford F-250, VIN #1FTNX21L64EC87150 (Parks)  
Leaf Vacuum Machine, Serial #691551 (Cemetery)  
2003 Jeep Liberty, VIN #1J4GL48K93W638696 (Cemetery)  
2002 Gem Electric Car, VIN #5ASAG474X2FO30294 (Cemetery)  
IDE Generator (Highway)  
1991 FMC, Serial #A322510 (Highway)  
1996 Monroe Spreader, Serial #96 11 7152 (Highway)  
1996 Monroe Spreader, Serial #96 11 7153 (Highway)  
1996 Chevrolet 3500, VIN #1GBJK34R6TE190133 (Highway)

Supervisor Levenberg stated that this resolution is a long time coming—between our Highway, Parks and Cemetery departments, we have a lot of equipment to sell, and this is the first step in that process. Once these have been declared surplus by the Town Board, we will auction them off and remove them from our insurance policy. Some will be replaced, but many of these items are no longer useful to us and will free up some space in our yards.

Motion Carried: Unanimously

#### **J.Sale of Surplus Equipment- Cedar Lane Arts Center**

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

Be it Resolved, that the Town Board of the Town of Ossining authorizes the following item to be declared Surplus:

- Donated Kickwheel at Cedar Lane Arts Center

Supervisor Levenberg stated that we were advised by our Art Center Director Keith Gordon that we do not have the need, or frankly the room, for one of the kilns that was generously donated to us before the opening of the Cedar Lane Arts Center. As a result, we have asked the Board to declare this item surplus so it can go on to help other artists hone their craft.

Motion Carried: Unanimously

#### **K.Adoption of Local Law #2-2018- Amendment to Town Code to Remove Ten-Year Limitation on Residential Real Property Tax Exemption for Cold War Veterans**

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

WHEREAS, the Town Board of the Town of Ossining has been considering the adoption of a proposed local law entitled “Amendment to Town Code to Remove Ten-Year Limitation on Residential Real Property Tax Exemption for Cold War Veterans,” which shall cause the tax exemption on specific residential properties to be extended past the ten year sunset period originally prescribed by state law; and

WHEREAS, in accordance with New York State Law, and after having provided all requisite notice thereunder, the Town Board conducted a Public Hearing on Introductory Local Law No. 2-2018 entitled “Amendment to Town Code to Remove Ten-Year Limitation on Residential Real Property Tax Exemption for Cold War Veterans” on February 13<sup>th</sup> at 7:30 p.m.at 86-88 Spring Street, Ossining, New York during which the public had the opportunity to be heard on such proposed local law; and

**WHEREAS, the proposed Local Law is a Type II action and does not require environmental review;**

**NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Ossining hereby adopts Local Law #2-2018, entitled “Amendment to Town Code to Remove Ten-Year Limitation on Residential Real Property Tax Exemption for Cold War Veterans” with such adoption to take effect as set forth in said Local Law and as otherwise required by law; and**

**BE IT FURTHER RESOLVED, that the Town Board directs said Local Law #2 of 2018 to be filed and/or distributed in accordance with applicable law.**

**Supervisor Levenberg stated that our Town Assessor brought this to our attention almost a month ago, and we are pleased to be able to extend this exemption to the brave folks who served our nation as veterans of the Cold War.**

**Motion Carried: Unanimously**

**L. YAI/National Institute for People with Disabilities-16 Waterview Drive**

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

**WHEREAS, the Supervisor received a letter dated February 5, 2018 from YAI/National Institute for People with Disabilities (“YAI”) advising that it intends to establish a supported Individualized Residential Alternative for six people with intellectual and developmental disabilities at 16 Waterview Drive, Ossining, New York; and**

**WHEREAS, YAI is one of the largest not-for-profit providers for individuals with intellectual and developmental disabilities in New York State, currently servicing more than 20,000 individuals and their families in over 450 community-based programs through the New York metropolitan area; and**

**WHEREAS, in accordance with New York State Mental Hygiene Law S. 41.34, the Town Board may provide a response within 40 days of the notice either: (1) approving the site recommended by YAI; (2) suggesting one or more suitable sites within its jurisdiction that could accommodate such a facility; or (3) objecting to the establishment of the facility because, among other things, to do so would result in such a concentration of community residential facilities for the mentally disabled in the municipality or in the area in proximity to the site selected that the nature and character of the areas within the municipality would be substantially altered; and**

**WHEREAS, pursuant to the statute, the Town Board is authorized to hold a public hearing prior to deciding if and how to respond to the proposal; and**

**NOW THEREFORE, BE IT RESOLVED, the Town Board hereby calls for a public hearing to be held at its regular meeting on Tuesday, March 13, 2018 at 7:30 pm at the Birdsall-Fagan Police/Court Facility, 86-88 Spring Street, Ossining NY, in order to receive comments from the public regarding the site of the proposed facility and other similar facilities in the area prior to deciding if and how to respond to the YAI proposal; and**

**BE IT FURTHER RESOLVED, based upon the discussion at the public hearing from the public and the Town Board, should the Town Board decide that it is appropriate to provide a response to YAI, that Counsel to the Town be directed to draft the response on behalf of the Supervisor for submission to YAI and the Commissioner.**

**Supervisor Levenberg stated that her office was notified by YAI, or the National Institute for People with Disabilities, that they intend to convert the single family home at 16 Waterview into a group home for six young people with intellectual and developmental disabilities, and this Board has decided to take community input on the project. As the resolution clearly lays out, the Town Board is only allowed to consider**

specific factors when taking this input, and we look forward to hearing from the public at the hearing on March 13<sup>th</sup>.

**Motion Carried: Unanimously**

**M.DASNY Disbursement Agreement- Cedar Lane Park Pond Rehabilitation Project**

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

**Resolved, that the Town Board of the Town of Ossining authorizes the Town Supervisor to enter into a grant disbursement agreement with the Dormitory Authority of the State of New York in the amount of \$85,000 for rehabilitation of the Cedar Lane Park Pond facilities, subject to approval by Town Counsel as to form.**

We are excited to get this disbursement agreement signed so that we can begin the next phase of the project, which will entail completing the path work around the pond as well as the new dock installation. We have done an awful lot at Cedar Lane Park over the past few years, and the pond really is a focal point—getting this project complete, along with some planned work at the Dog Park, will be the capstone to a multi-phase project to create a destination for Ossining residents and all of our human, and canine, visitors.

**Motion Carried: Unanimously**

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

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

**Resolved, that the Town Board of the Town of Ossining hereby accepts the approved resolution from the Planning Board Architectural Review Board for 64 Hawkes Avenue dated February 21, 2018.**

**Motion Carried: Unanimously**

**X.MONTHLY REPORTS**

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

**Resolved, that the Town Board of the Town of Ossining hereby accepts the following monthly reports for the month of January 2018:**

- Town Building Department

**Motion Carried: Unanimously**

**XI.VISITOR RECOGNITION**

Kim Jeffrey of Morningside Drive announced that Senator Carlucci provided the \$85,000 which was discussed under Resolution M (DASNY Disbursement Agreement – Cedar Lane Park Pond Rehabilitation Project). Also discussed was the replacement of the two retirees from the Highway Department. There was a grant applied for as a cost savings measure between the Village and Town of Ossining. Supervisor Levenberg stated that the approval was only for \$11,000 to move slowly with only preliminary discussions.

**XII.ADJOURNMENT –EXECUTIVE SESSION-ADVICE OF COUNCIL & PERSONNEL**

At 9:22 P.M., Councilmember D’Attore moved and it was seconded by Councilmember Feldman that the meeting be adjourned to Executive Session.

**Motion Carried: Unanimously**

**At 10:28 P.M., Councilmember D’Attore moved and it was seconded by Councilmember Wilcher to leave Executive Session.**

**Motion Carried: Unanimously**

**At 10:29 P.M., Councilmember Wilcher moved and it was seconded by Councilmember Feldman that the meeting be adjourned.**

**Motion Carried: Unanimously**

**Approved:**

**Mary Ann Roberts Town Clerk**