



**TOWN BOARD  
TOWN OF OSSINING  
OSSINING PUBLIC LIBRARY-BUDARZ THEATER  
53 CROTON AVENUE  
OSSINING, NEW YORK**

**MAY 24, 2016  
7:00 P.M.**

**SUPERVISOR  
Dana Levenberg**

**COUNCILMEMBERS**

**Karen M. D'Attore Elizabeth R. Feldman  
Kim L. Jeffrey 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 May 24, 2016 at the Ossining Public Library-Budarz Theater, 53 Croton Avenue in Ossining. The meeting was called to order at 7:00 p.m. by Supervisor Dana Levenberg. Members of the Board present were: Councilmembers Elizabeth R. Feldman, Kim Jeffrey and Northern Wilcher, Jr. Also present were Town Counsel Christie Tom Addona, Budget Officer Madeline Zachacz and Town Clerk Mary Ann Roberts.

**II. ANNOUNCEMENTS**

Welcome to the Regular Meeting of the Town Board of the Town of Ossining for May 24, 2016. Please rise and join me for the Pledge of Allegiance.

We have a couple of items on our regular meeting agenda this evening. We plan to adjourn the regular meeting into a Work Session at 7:30 or slightly later depending on if the Mayor of Ossining is able to make it here by then. We will discuss our historic Joint Work Session a little later. I do want to say that we may have to curtail some portions of our regular meeting so we make our mark to start the work session on time since that part of tonight's meeting has required quite a bit of coordinating.

For our regular meeting, we start off approving minutes and a voucher detail. Following that, we have an agreement for engineering services by Charles A. Manganaro. Andy Tiess, the Water Superintendent whom we contract with, will speak about that a little later. This work pertains to a project that the NYS DOT is undertaking to replace an oversized culvert at the Western side of 9A at Rt. 134/Croton Dam Rd. We have a sewer line there that will be impacted and we need to divert it. We will do the drawings and oversight of the work, but DOT will carry out the actual work to lay new pipes and divert the line while work is underway before the new lines are operational. We had started this work with our Planning Engineer several months back, as did the Village for the water transmission design component, but for personal reasons, he needed to take a step back from the project. Andy Tiess recommended we work with Manganaro, as the Village works with them frequently and has had great experiences working with them on past projects. The Village has contracted with them to perform the water system design services, and we plan to utilize their fine services as well for the Town portion of the sewer work.

The next resolution appoints a new laborer to work at Dale Cemetery for the summer months, the busiest season. I am happy to report the cemetery is looking good and doing well selling new plots. A shout out to our cemetery Superintendent,

**Pete Connolly and staff , for all their hard work getting the cemetery prepped for the various events coming up to recognize our veterans for Memorial Day. Following that, we have two resolutions that have to do with setting the standard work days for certain employees and elected officials as it pertains to the NYS Retirement fund reporting requirements. This resolution will be posted publicly for 30 days so that the public has a chance to review the work that your elected officials are being credited with doing.**

**We have a budget transfer from our fund balance in various funds to cover tax certioraris for the 2016 year, which have either already been negotiated or are anticipated. The good news is these are projected to be much lower than they have been, and have been coming down annually for the past several years, thanks to all the hard work in our Assessors office getting assessments up to market value, and to our deputy comptroller who has been working hard to make sure the payments are made timely. As a result, I am recommending that we do not borrow for these obligations, but instead use fund balance to pay for these refunds, as it not work that will last beyond this year. This is an appropriate and good use of fund balance to reduce costs for our taxpayers.**

**Next we have a resolution to approve our Tax Receiver and Deputy Tax Receiver to attend the 2016 New York State Association of Tax Receivers and Collectors Conference in Lake Placid, from June 12th through the 15th.**

**We are happy to report we finally had an interested party in our canvassing for a new member of the Board of Assessment Review, just in time for Grievance Day on June 21<sup>st</sup>. The following resolution would appoint Joseph Campanella to our BAR for a term of 5 years. Thank you to this community member for step up to serve as a volunteer on this board.**

**The final resolution is related to our joint work session discussion for this evening. We plan to adjourn back into our regular session from our work session if we are all in agreement to adopt the final resolution.**

**Since we have a packed agenda, I have just a few quick announcements to share about some upcoming events in our community.**

**There are still three days left to support the Ossining High School Interact Club and help them to fundraise for the Leukemia and Lymphoma Society. If you are up for a quick bite to eat following our meeting tonight, Pine and Oak on Main Street will be donating 15% of all sales made before 10PM to the Interact Club. The Landmark Diner will be doing the same between 9AM and 9PM tomorrow, May 25<sup>th</sup>, and Antipasti di Napoli on Studio Hill Road will round out the week on Thursday evening, donating 15% of all sales made between 5PM and 10PM. Please take this opportunity to “dine around” at some of Ossining’s greatest culinary treasures, all while supporting our students in their work to raise money for cancer research.**

**Mind Body Spirit Ossining continues this Saturday, where David Garcia of GEM Fitness will be teaching a class at 11AM in Nelson Park. Come learn about proper warm-up and cool-down techniques, and get in a great outdoor workout to start your weekend.**

**As this is Memorial Day Weekend, I want to remind everyone to celebrate the veterans among us, and honor those who have passed.**

**The Ossining Historic Cemetery Conservancy will be hosting a Veteran’s Gravestone Cleaning at Dale Cemetery on Saturday, May 28<sup>th</sup>, between 9AM and 12 noon. No experience is necessary and all volunteers will be trained.**

**The Memorial Day Parade will step off fat 9:30AM on Monday, May 30<sup>th</sup> from Croton Avenue at Calam, and will end at Nelson Park, where the Memorial Day ceremony will commence. Please join us for this annual tribute to those who serve and have served, so that we all may enjoy our families, friends and freedoms.**

Councilperson D'Attore announced an Ossining Lions Club event which will be held on Thursday, May 26, 2016 at the Ossining Elks Lodge which will be a lively discussion on "Housing for Today's Adult Singles – Hiding in Plain Sight" with Karen D'Attore, Executive Director of IFCA, as guest speaker. The event begins at 7:00 p.m.

### **III. LIAISON REPORTS**

Councilperson Jeffrey is liaison to the Recreation & Parks Advisory which meets the second Monday of each month. The parks are in need or repair especially the Ryder Park Tennis Courts. Discussion also took place relating to sports team and games on Sunday.

Councilperson D'Attore announced the IFCA Annual Meeting at which Thomasina Laidley Brown was presented with the August Gold Award and Jean Glassman with the Susan Brewster Eisemann Award. Both of these ladies have contributed much to our Community.

Councilperson Feldman is the liaison to the Ossining Fire Department as well as the Ossining Boat and Canoe Club. On Saturday the Fire Department will host their annual parade and on Sunday, the OBCC will host their Annual Commissioning Day. Hopefully we will not see any rain for either of these events.

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

### **V. BOARD RESOLUTIONS**

#### **A. Approval of Minutes**

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

Resolved, that the Town Board of the Town of Ossining hereby approves the May 10, 2016, Minutes of the Regular Meeting as presented.

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

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

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

Resolved, that the Town Board of the Town of Ossining hereby approves the Voucher Detail Report dated May 24, 2016 in the amount of \$110,649.71

Motion Carried: Unanimously

#### **C. Agreement for Professional Engineering Services – Charles A. Manganaro Consulting Engineers**

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

Resolved, that the Town Board of the Town of Ossining hereby authorizes the Supervisor to sign a proposal to provide professional engineering services with Charles A. Manganaro Engineers, Hawthorne, NY dated May 12, 2016 for design and construction management services for relocation of an existing eight-inch diameter sewer main and installation of new sanitary manholes within the Town

sewer distribution system, located at the intersection of Croton Dam Road (Route 134) and Kitchawan State Road for an amount not to exceed \$45,340.00.

Motion Carried: Unanimously

**D. Personnel – Dale Cemetery Appointment**

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 appoints Carmelo Ciccone, of Mount Kisco, to the seasonal position of laborer at Dale Cemetery, at an hourly rate of \$12.00, effective May 25, 2016.

Motion Carried: Unanimously

**E. Standard Work Day Resolution for Employees**

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

Resolved, that the Town of Ossining, Location code 30042, hereby establishes the following as standard work days for its employees and will report days worked to the New York State and Local Employees' Retirement System based on the time keeping system or the record of activities maintained and submitted by these members to the clerk of this body:

<b><u>Title:</u></b>	<b><u>Standard Work Day (Hours/Day):</u></b>
Budget Officer	7.00
Assessor	7.00
Court Attendant	7.00
Nutrition Site Manager	7.00

Motion Carried: Unanimously

**F. Standard Work Day and Reporting Resolution for Elected and Appointed Officials**

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

Resolved, that the Town of Ossining, Location code 30042, hereby establishes the following standard work days for these titles and will report officials to the New York State and Local Retirement System based on their record of activities:

Title	Standard Work Day (Hrs/Day)	Name	Social Security Number (Last 4 digits)	Registration Number	Current Term	Record of Activities Result
<b>Elected Officials</b>						
Supervisor	7.00	Dana Levenberg			Jan. 1, 2016 – Dec. 31, 2017	26.36
Council Member	7.00	Elizabeth Feldman			Jan. 1, 2016 – Dec. 31, 2019	9.00
Council Member	7.00	Karen D'Attore			Jan. 1, 2016 – Dec. 31, 2019	5.90
Town Justice	6.00	Mark Reisman			Jan. 1, 2016 – Dec. 31, 2019	7.60
Town Justice	6.00	Michael Tawil			Jan. 1, 2016 – Dec. 31, 2019	6.55



Be it further resolved, that the total cost of this conference not exceed \$1,270, and any additional expenses for meals and travel shall be reimbursed in accordance with the Business Expenses Policy of the Town of Ossining.

Motion Carried: Unanimously

#### I. Appointment- Board of Assessment Review

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 appoints Joseph Campanella, Ossining, to the Town of Ossining Board of Assessment Review to serve a five year term, set to expire on September 30<sup>th</sup>, 2020.

Motion Carried: Unanimously

#### VI. ADJOURNMENT –WORK SESSION

At 7:35 P.M., Councilmember Jeffrey moved and it was seconded by Councilmember D'Attore that the meeting be adjourned.

Supervisor Levenberg read the following statement:

This is an historic meeting, where we will bring together the Town, Village, School and Library boards to embark on a project together. Our focus tonight is to clarify why we believe that ours is truly one water system and, as such, we wish to leverage our collective assets for the greater good.

Ossining has long been a leader, state-wide, in crafting innovative ways to consolidate services. Even before there was a tax cap, the Town and Village shared more than a dozen resources, including a ambulance and fire services, Clerk's Office, finance staff, IT and recreation services, and more recently, police and engineering services and a consolidated court. In the same spirit of working more collaboratively for our entire community, we are now looking to continue on this path and unify what is, in fact, one water system so that we charge one, uniform water rate throughout the Town and Village and do not tax our water utilities. This is consistent with all of our other publically owned property, such as the schools, the library, etc...

Mayor Gearity explained that this opportunity came up when we were discussing our water We would like the financial system to reflect our approach to capital projects to ensure safe reliable drinking water.

Budget Office Madeline Zachacz explained that the Library Board also discussed this topic and the Library Board did voted unanimously on a resolution regarding this topic.

Village Engineer Paul Fraioli discussed the hydrolich and piping system with the Village and Town.

Treasurer Thomas Warren as Mr. Fraioli had mentioned we need to generate the same amount of revenue. The Town outside use 21% of the water and generate about 28% of the revenues. Trying to figure out how to keep a balanced budget without the water rates going through the roof if all of a sudden in one year both the village and town would pay the same. The plan would be to drop the water rates for the Town Outside to be equal to the Village residents.

Village Engineer Paul Fraioli explained that there are two projects underway sustainable water quality and the need not to depend on New York City water.

Thank you to everyone for all of the work that went into putting this analysis together, and thank you so much to the School and Library Boards for attending this meeting and participating in this process with us. I look forward to continuing this discussion and working together to achieve our collective community goals.

Next up, we will be hearing from Ben Syden, the Vice President of the Laberge Group. As everyone is aware, New York State has put a great pressure on municipalities to stay within the tax cap, while maintaining our capital assets and providing a high level of service to our constituents. We have made great strides in Ossining to share services whenever possible, but even with planning and foresight, we continue to face an uphill battle to fund staffing, services and projects.

New York State has offered incentives to consolidate services, and the Laberge Group has been enormously successful in securing grant funding to achieve this goal, specifically related to getting grant dollars for shared services studies and comprehensive planning. We are hoping to re-open the conversation of how best to perform government services in the Town of Ossining and within the Villages of Ossining and Briarcliff, while remaining conscious of the need to maintain our services and our identities. With that in mind, we look forward to hearing what Laberge has to offer.

## **VII. ADJOURNMENT OF WORK SESSION, RE-ENTER MEETING**

At 9:00 P.M., Councilmember Jeffrey moved and it was seconded by Councilmember D'Attore that the meeting reconvene.

### **J. Memorandum of Understanding with the Village of Ossining**

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

**WHEREAS, the Town of Ossining (Town) and Village of Ossining (Village) have entered into an Intermunicipal Agreement (IMA) regarding the distribution of water for the Town; and**

**WHEREAS, the IMA will be expiring in December 2016; and**

**WHEREAS, the Village and Town have had preliminary discussions regarding entering into a new IMA, when the current IMA expires, that provides a more equal allocation of costs between the Village and the unincorporated part of the Town; and**

**WHEREAS, in order to effectuate a more equitable distribution of costs, the Village is seeking an exemption from Town taxes for property owned by the Village (within the unincorporated Town) that are used to collect, contain, treat and distribute water; and**

**WHEREAS, the determination on the exemption request must, by State law, be rendered by May 31, which does not permit sufficient time to review and revise the entire IMA and provide for the exemption to take effect in the next tax year; and**

**WHEREAS, in the spirit of the discussions between the Town and Village, there is a desire to move the process forward; and**

**WHEREAS, the Town seeks assurance, through the adoption of a Memorandum of Understanding, that if the exemption is granted before the execution of a new IMA, that the Village will reciprocate in a like manner;**

**NOW THEREFORE, IT IS RESOLVED that the Supervisor is authorized to execute a Memorandum of Understanding in the form approved by the Town's Counsel, which provides that in return for granting the exemption requested by the Village, water rates for users in the unincorporated Town shall be reduced from 1.5 times the rate charged to Village users to a rate equal to the rate charged Village users, and**

**IT IS FURTHER RESOLVED** that upon the execution of the Memorandum of Understanding by the Town and Village, the Assessor is authorized to issue the exemption from Town Taxes requested by the Village.

**Motion Carried: Unanimously**

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

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

**Resolved, that the Town Board of the Town of Ossining hereby accepts the following:**

- **Planning Board Meeting Minutes dated April 20, 2016**
- **Town Planning Board –Grant Amended Resolution of Subdivision & Wetlands Permit Approvals**
- **Town Planning Board- Resolution of Subdivision Plat Approval**

**Motion Carried: Unanimously**

**IX. MONTHLY REPORTS**

**X. VISITOR RECOGNITION**

**XI. ADJOURNMENT**

**At 9:09 P.M., Councilmember D'Attore moved and it was seconded by Councilmember Feldman that the meeting be adjourned.**

**Approved:**

\_\_\_\_\_  
**Mary Ann Roberts, Town Clerk**