



**TOWN BOARD  
TOWN OF OSSINING  
BIRDSALL-FAGAN POLICE/COURT FACILITY  
86-88 SPRING STREET – OSSINING, NEW YORK  
MAY 14, 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 May 14, 2019 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, Northern Wilcher Jr. and Jackie G. Shaw. Councilmember Elizabeth R. Feldman was absent. Also present were Town Counsel Christie Tomm-Addona, Confidential Secretary Victoria Cafarelli. Budget Officer Madeline Zachacz was absent.

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

At 7:32 p.m., Councilmember Shaw moved and it was seconded by Councilmember Wilcher that the Public Hearing opened.

- **Local Law #5 of 2019 – Energize NY Open C-PACE Financing Program**

Supervisor Levenberg stated that we are glad to be considering this enhancement to the PACE financing program that the Town currently provides, and this amendment allows for the onus to be shifted from the Town back to Energize NY in the unlikely event that the property owner defaults. We are always on the lookout for additional tools to add to make energy improvements more cost effective for folks in Ossining, and this program does just that for our commercial properties. Thanks to Sarah Smiley from Energize NY for working with us on this project. We did just receive some additional documents this afternoon from the law firm representing Energize, so after hearing any comments from the public, I will ask to adjourn this public hearing to Tuesday, May 28<sup>th</sup>, our next scheduled legislative session, to give our counsel to the town more time to review these documents to make sure the Town is adequately protected.

At 7:33 p.m., Councilmember Shaw moved and it was seconded by Councilmember Wilcher that the Public Hearing be adjourned until May 28, 2019.

- **Local Law #6 of 2019- Establishing the Position of Alternate for the Town’s Land Use Boards**

At 7:33 p.m., Councilmember Wilcher moved and it was seconded by Councilmember Shaw that the Public Hearing opened.

Supervisor Levenberg stated that we had originally called for this public hearing to be held at our last legislative session in April, but after some consideration, it seemed appropriate that this law not only apply to the Planning Board, but also the Zoning Board and Architectural Review Board (which is actually comprised of the same members of the Planning Board). Thank you to Town Counsel Christie Tomm Addona for making this change to the proposed legislation. Based on public comment we get tonight, I anticipate we will discuss the language of this new local law at our Work Session next week.

At 7:34 p.m., Councilmember Wilcher moved and it was seconded by Councilmember Shaw that the Public Hearing be adjourned to May 28, 2019.

### III. ANNOUNCEMENTS

Supervisor Levenberg announced the following:

I would like to begin by reminding everyone that next week, May 18<sup>th</sup> through May 24<sup>th</sup> is Safe Boating Week. This past Saturday, Assemblywoman Sandy Galef and Senator David Carlucci's office held a press conference at Shattemuc Yacht Club proclaiming this week as Safe Boating Week in order to remind everyone of the importance of observing all safety regulations and being responsible while boating. This press conference was held just before a boating safety class held at Shattemuc, taught by the US Coast Guard Auxiliary. I thank Honorable Bob Daraio, past Ossining Village Trustee and Coast Guard Auxiliary member for bringing this important information to our attention. As a Hudson River waterfront community with many avid boaters, I encourage everyone to learn more about safe boating practices by attending a boating safety class which are also offered online, or visiting [www.safeboatingcampaign.com](http://www.safeboatingcampaign.com). I would also like to share with you a few boating safety tips:

- Always wear a life jacket when out on any craft on the water-- one that is US Coast Guard approved and fits properly
- Know state boating laws
- Make sure your boat is prepared with a Vessel Safety Check, offered free of charge with your local US Coast Guard Auxiliary or US Power Squadrons
- Know your boat's capacity
- Check the weather and the water temperature – and dress appropriately
- Always file a float plan with someone you trust – learn more at [www.floatplancentral.org](http://www.floatplancentral.org)
- Always follow navigation rules – learn more at [www.boatcourse.com](http://www.boatcourse.com)
- Don't drink while you boat – learn more at [www.operationdrywater.org](http://www.operationdrywater.org)
- Beware of carbon monoxide poisoning
- Keep in touch with at least two communication devices like satellite phones, emergency position indicating radio beacons, VHF radios, and personal locator beacons – no, cell phones are not reliable in emergency situations on the water

Please be sure to stay safe while you enjoy the many recreational opportunities the Hudson River offers us here in Ossining!

Here's a quick update on the Old Albany Post Road wall project in Crotonville from our Highway Superintendent Pete Connolly: The repairs consist of drainage improvements, repointing and resetting of the stones of two retaining walls along Old Albany Post Road. One of the walls, the northern wall, is almost complete, and the Town's contractor will now shift to the southern wall followed by drainage work for both walls to complete the project. The southern wall needs more TLC than the northern wall, so we now expect the project to last a few more weeks, most likely until the end of June or early July, especially if the weather continues to be as uncooperative as it has been these past few days. Highway Superintendent Pete Connolly and Town/Village Engineer Paul Fraioli

have been monitoring the progress, and checking in on the job site every day. You should continue to expect some traffic delays during weekdays for the duration of the work. Thank you for your patience as we complete this much needed infrastructure improvement.

At last Tuesday's Town Board Special Meeting, the Town Board issued a request for qualifications for professional services to establish a Local Waterfront Revitalization Plan in the Town of Ossining. The Town is seeking qualified firms or individuals to help complete a grant application for this year's Consolidated Funding Application and define a scope of work for developing the plan. Responses are due back to the Supervisor's Office this Friday, May 17th, so we are excited to hire a firm to start working on the grant application in advance of the July grant deadlines. The full request for qualifications is available on the Town's website at [townofossining.com](http://townofossining.com). Applying for this grant to write our Local Waterfront Revitalization Plan is a strategic choice – in future years, we will be better position to apply for and win additional funding to actually implement some of the projects identified in the plan once adopted.

Summer Camp Registration is open! Check out the [Recreation Catalog](#) at on the Village of Ossining's website at [villageofossining.org](http://villageofossining.org) and click on the Recreation tab to get to all the offerings and to register your child for summer camp. This year, Pre-K through 1st grade will be at Brookside, 2nd through 5th graders are either at Ryder Park (there's a waiting list for this option!) or Claremont School, and 6th through 9th graders will be at Veteran's Park. Through Ossining Recreation you can also access some of the amazing art programs we have to offer Cedar Lane Arts Center. Be sure to check it out!

There is a lot going on this weekend here in Ossining:

This Saturday and Sunday, May 18<sup>th</sup> and 19<sup>th</sup>, celebrate "Creative Ossining" at Henry Gourdine Park. Organized by the Ossining Arts Council and Ossining Arts Project, this event highlights historic and contemporary Creative Ossining with live music and more, and makes it easy for those going to the Garner Arts Festival by ferry to enjoy the arts in Ossining as well.

Ossining Recreation and Parks is looking for groups and individuals interested in taking on a small project as part of Stash the Trash this weekend. This is Ossining's annual effort to help clean-up and beautify the community taking place Saturday, May 18<sup>th</sup>. Projects will be supported by the Village of Ossining Parks Department and include cleaning up litter, flower planting, raking, and more. You can organize a group to take part in this community event on Saturday between 9AM and 12PM, or just show up for an assignment. Contact the Village of Ossining Parks and Recreation at 941-3189 for more information.

If you are in need of adding some sparkle into your daily reading time, come to the Ossining Public Library at 10AM this Saturday, May 18th and make your own Charm Bookmark with local artist Robin Larido. All materials will be provided and you will leave with a beautiful bookmark to give as a gift to your favorite voracious reader or, if you took Maddi and Victoria's book recommendations from last week, you ARE that voracious reader, keep it for yourself--no judgement! Be sure to register for the workshop in advance by calling James Trapasso at (914) 941-2416 ext. 327, or email him at [jtrapasso@wlsmail.org](mailto:jtrapasso@wlsmail.org).

Saturday evening, check out [Mala Waldron](#) at Westchester Collaborative Theater as part of their "Music in the Air Month." Mala, who is a vocalist and keyboardist, will be joined by Christopher Dean Sullivan on bass, Tani Tabbal on drums and Allen Won on sax and flute. Come down to Water Street for a

night of soulful jazz-- \$20 gets you in the door (which opens at 7, for a 7:30PM show).

Or right up the hill on Main Street, jazz trio Rio Nova will be playing at Good Choice Kitchen also beginning at 7:30PM. Check out Ossining resident Nancy Carmichael on vocals with guitarists/mandolinists Martin Aronchick and Richard Brooker who will share two sets. Make sure to call (914) 930-1591 in advance to reserve your seats-- there will be a \$5 cover charge to see the band, and the kitchen will be OPEN!

Finally, you can check out Aisling & Friends, coming to Theater O for their second Ossining performance starting at 8PM also this Saturday. This quartet will play an eclectic mix of covers, as well as two original pieces written and performed by Ossining resident Ellen Marzelli. There is a \$10 cover for this one, and space is limited-- be sure to reserve your spot in advance by emailing [olfmusic@optimum.net](mailto:olfmusic@optimum.net).

Also, the Ossining Boat and Canoe Club will hold their annual Commissioning Day and Veterans Memorial Ceremony on Sunday, May 19th at 11AM. Councilwoman Feldman, if you have anything to add about this annual event, please do elaborate.

**Very important: Please do not forget – next Tuesday, May 21<sup>st</sup> is our annual school and library vote on the Ossining School and library budgets and school and library board trustees, as well as on the Briarcliff School Budget and their school board trustees. Voting will take place at Ossining High School in the small gym from 7am to 9pm, and in the Todd Elementary School Cafeteria from 6am-9pm. Make sure to vote next Tuesday (or pick up an absentee ballot at any of the schools or Ossining Library if you anticipate being out of Town that day), and let your voice be heard!**

Councilmember Shaw announced that the absentee ballots are also on the schools website

#### **IV. DEPARTMENTAL REPORTS**

- Town Comptroller Thomas Warren presented the following report:

##### **Report by Town Comptroller - May 2019**

Town Comptroller Thomas Warren presented the following report:

**NYS Fiscal Monitoring System** – Earlier this year, the NYS Office of the State Comptroller’s (OSC) website posted the results from their statewide fiscal monitoring system for the 2017 fiscal year (the system was initially established in 2013) to identify local governments experiencing fiscal strain. The report is always issued a good year following the reported year – i.e., 2017 data reported in early 2019. I am pleased to report that for the sixth consecutive year, 2017, 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 2017 fiscal year, and other data available to OSC. 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 2017 fiscal stress score was actually a rating of 0.0% – indicative of no stress (same score as for 2016 and 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 20.0 for 2017. 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. The 20.0 rating for 2017 was attributed to a 6.05% decrease in property values, which was still a lower percentage than our Town peers in in the mid-Hudson towns (8.2% decrease) and medium-sized downstate towns (9.2% decrease).

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 for 2017 (they were rated as 5.2%, a higher fiscal stress than Ossining), against all other Mid-Hudson regional towns (rated at 5.4% fiscal stress), and against medium downstate towns (rated as 5.7% 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. So, good news once again, and a job well done by Town Supervisor Levenberg and the Town Board, and by town management and employees. And a shout-out to my Deputy, Dale Ferreira, for the great work that she does with management of Town finances.

The State Comptroller's Office has now started tabulating and analyzing the data filed in the 2018 Annual Financial Report Update Documents (AUD). The Town's AUD for 2018 was filed before the deadline date last month (April 2019).

**Financial Trends and Data for 2018** – The 2018 fiscal year audit was conducted during the first week in April 2019, and Deputy Comptroller Dale Ferreira completed the Management Discussion and Analysis narrative and charts, which is one of the final steps before the audited financial statements report is issued by the auditors. I don't want to duplicate the presentation that the auditors will be giving to the Town Board within the next 4 to 6 weeks, so I will keep my discussion high level. In the town-wide General Fund, fund balance remained fairly stable, with a fund balance decrease from 2017 of less than \$103,000, to \$3.3 million.

Real property tax revenues were about \$325,000 less than budget, due to an increase in deferred taxes from unpaid tax liens, many of which are in payment plans with the Town. As you know, the Town has to make the County and School Districts whole for their tax warrants, and has to enforce and collect all unpaid property taxes, which also includes unpaid Town taxes. Over a series of a few years, this variance of tax revenues swings positively and negatively, and is dependent on a calculation of unpaid taxes in the first 60 days following year-end, and will tend to net to zero in the long-term.

Also reflected in this fund balance decrease is a \$66,912 transfer to the Capital Projects Fund for needed Park Revitalization capital project improvements, including Ryder Park (\$40,000 for repairs and improvements to the Caretaker's house) and Gerlach Park (\$11,912 for park pavilion improvements).

Good news for the Town Outside Villages Fund, in the unincorporated area of Town, with find balance increasing by \$569,110 to almost \$3.7 million.

By comparison, the fund balance in the Highway Fund decreased by \$349,794 during 2018, and aggregated \$727,747 at 12/31/2018. However, there were good reasons for the fund balance decrease. Fund balance of \$286,014 from 2017 (the prior year) was committed for the purchase of a Freightliner dump truck and for a New Holland backhoe in 2018, instead of issuing debt. Also, an additional \$126,063 was used to pay off a portion of the Bond Anticipation Note (BAN) for the Old Albany Post Road dead-end capital project, instead of converting the BAN to a serial bond, which would have added additional costs on the financing. Also, the Highway Fund transferred \$38,802 to the road-paving capital project in 2018.

**Major Revenues – Aside from Real Property Taxes, other major revenues for the Town are Mortgage Tax and Sales Tax Distribution revenues.**

A year ago, I had reported the good news that Mortgage Tax revenues had finally started to increase significantly in 2017. Following eight years of mortgage tax distribution in the \$500,000 to \$630,000 levels, I reported that the 2017 mortgage tax revenues were \$1,010,883, and that the last time that mortgage tax revenues exceeded \$1 million was in 2008 before the recession hit. Mortgage Tax revenues in 2018 were still better than average – at \$660,907 for the year, which was \$114,626 (21.0%) more than the budget revenue estimate.

After stagnant Sales Tax Distribution revenues for 2015 and 2016, such revenues increased by 4.49% in 2017, and another 4.94% increase in 2018, to \$865,530 for the year, which was \$165,530 (23.6%) more than estimated in the budget. First quarter 2019 Sales Tax revenues were also up 4.16% over the amount received in the first quarter of 2018.

**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 a series of one-year Bond Anticipation Notes (BANs) 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 reflected a strong wealth and income profile and a healthy tax base. It seems that we have come full-circle in this report in talking about the Town's strong financial position!"

So, as mentioned, it has been five years since the last issuance of a serial bond. The remaining BAN debt of \$935,000 on the Old Albany Post Road dead-end capital project is nearing the end of its five year life as a BAN, and must be converted to serial bond debt this year in August 2019. It would also make sense to convert the other debt currently financed with BAN's to serial bonds. These projects include the Tax Reassessment project (\$240,000), LED street lighting project (\$120,000), Dale Cemetery improvements (\$338,000), Engle Park spray park (\$46,668 after receipt of the \$100,000 DASNY grant), and heavy equipment and machinery in 2017 (\$110,305). Also, earlier this year, the Town Board authorized bonds of \$504,772 for two Highway Department trucks, two Parks Department trucks, and a Dale Cemetery truck. In total, the serial bond may be about \$2.3 million, if all BANs are converted to long-term serial bonds.

Generally, a one-year Bond Anticipation Note (BAN) can serve as only temporary financing of capital improvements for renewed periods of up to five years. However, since a capital improvement can be bonded for the period of probable usefulness ("PPU", equivalent to the expected life) of the asset – often times with PPU's of ten, fifteen, twenty years, or longer – long-term financing to issue a serial bond is required. So, this is the normal progression of capital project financing – first, often a one-year Bond Anticipation Note (BAN) that may be renewed up to five years, then conversion to a long-term serial bond for the remaining life of the asset. Also, because of the need to use a fiscal advisor and bond counsel to access the financial markets, and usually a bond rating from Moody's Investors Service required for investors, it saves the Town money to periodically group BAN's together into a serial bond issue. Because of the five year limit on a BAN for the Old Albany Post Road dead-end capital project, this is just such a year to coordinate and convert the outstanding BAN's into a serial bond issue.

**V. LIAISON REPORTS**

Councilmember Shaw announced the following:

- This summer at the Recreation Department there will be a family entertainment series at Gourdine Park more details to follow.
- Acoustic music series will be on Wednesdays from 6:00 pm -8:00 pm

Supervisor Levenberg thanked Miram and Mike Risko for their help with coordinating the summer concert series.

**VI. PUBLIC COMMENT ON AGENDA ITEMS**

**VII. BOARD RESOLUTIONS**

**A. Approval of Minutes-Regular Meeting-April 23, 2019**

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

Resolved, that the Town Board of the Town of Ossining hereby approves the April 23, 2019 minutes of the Regular Meeting as presented.

Motion Carried: Unanimously

**B. Approval of Minutes-Special Meeting-May 7, 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 May 7, 2019 minutes of the Special Meeting as presented.

Motion Carried: Unanimously

**C. Approval of Voucher Detail Report**

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 Voucher Detail Report dated May 14, 2019 in the amount of \$1,383,928.16.

Motion Carried: Unanimously

**D. Contract- Davey Resource Group, Inc., Tree Inventory Part II**

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

Resolved, that the Town Board of the Town of Ossining authorizes the Supervisor to sign an agreement with Davey Resource Group, Inc. of Kent, Ohio in the amount of \$26,155 for the completion of a tree inventory and management plan of street trees in the unincorporated Town of Ossining and Town-owned properties, including parks and Dale Cemetery; and

Be it further Resolved, that this project is being funded by an Urban and Community Forestry Grant from the New York State Department of Environmental Conservation.

Supervisor Levenberg stated that as you may remember, the Town was awarded an Urban and Community Forestry Grant from the NYS DEC earlier this year to

complete a tree inventory along roadways in the unincorporated Town and all Town-owned properties, like our parks and Dale Cemetery. We issued a Request for Proposals, received two responses, and are happy to be accepting the more cost effective proposal to complete the project. We are excited to get the folks at Davey Resource Group out on the road to start inventorying our trees!

Motion Carried: Unanimously

**E. Personnel- Resignation**

Councilmember Shaw moved and it was seconded by Councilmember Wilcher that the following resolution be TABLED.

Resolved, that the Town Board of the Town of Ossining hereby accepts, with regret, the resignation of Town Councilwoman Karen D'Attore, effective May 14<sup>th</sup>, 2019.

Supervisor Levenberg announced last week, we are going to unfortunately have to accept Councilwoman and Deputy Supervisor Karen D'Attore's resignation from the Town Board tonight as she prepares for her new role as Village Manager. We are very sad to see her go, but she is not going far, so we look forward to working closely with her on many projects in the not too distant future. Councilwoman D'Attore has been such an asset to our community, and we anticipate that will not change at all in her new role. We are hoping to appoint a new board member soon to complete the remainder of Councilwoman D'Attore's term, which expires at the end of 2019. We recently went through the process of interviewing potential town board candidates when Councilwoman Kim Jeffrey had to step down. We met several qualified and impressive candidates, including our current Town Council Member Jackie Shaw. We have reached out to those we believe are best suited to make sure they were still interested and available to fill the remainder of the Board term. We intend to announce our decision at our May 28<sup>th</sup> legislative session. I would like to table this resolution to accept Councilwoman D'Attore's resignation until the end of the regular meeting tonight so we can have a fully constituted board to vote on the remaining resolutions.

Motion Carried: TABLED

**F. Permission to Sell Alcohol at Town of Ossining Independence Day Fireworks**

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

Resolved that the Greater Ossining Chamber of Commerce is hereby authorized to operate a concession stand during the Ossining Independence Day Fireworks event held on July 3rd, 2019 at the Louis Engel Waterfront Park in the Town of Ossining and to sell, for consumption by persons over 21 years of age, wine and hard cider; and

Be it further Resolved, that the Greater Ossining Chamber of Commerce will also obtain all necessary permits including an event permit from the New York State Liquor Authority and will provide proof of insurance and the letter of indemnity to the Town in a form acceptable to Counsel to the Town.

Supervisor Levenberg stated that we have been working closely with the Greater Ossining Chamber of Commerce as we prepare for the Independence Day Fireworks and Summer Concert Series. The Chamber is helping secure sponsorships and rolling out a new offering – Food Truck Fridays. The Chamber has requested to sell wine and hard cider at the fireworks, complementing the beer that will be sold by Sing Sing Kill Brewery. The Town Board needs to approve a landlord authorization form in order to allow them to sell alcohol on Town property at Engel Park.

Motion Carried: Unanimously

**G. Memorandum of Agreement- CSEA Employee Benefit Fund Retiree Vision**

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

Resolved, that the Town Board of the Town of Ossining hereby authorizes the Supervisor to sign a Memorandum of Agreement with CSEA Employee Benefit Fund for Retiree Vision Coverage, with all cost to be borne by individual retirees and none by the Town of Ossining, effective July 1, 2019.

Supervisor Levenberg stated that this program will allow retirees to opt to have vision coverage, at their expense. We are happy to offer this group benefit to our retirees, without incurring any expense on the part of the Town.

Motion Carried: Unanimously

**H. Resolution- Authorization to Sign Sierra Club Renewable Energy Pledge**

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

Resolved, that the Town Board of the Town of Ossining hereby authorizes the Supervisor to sign, on behalf of that Board, the “Ready for 100” positive, bi-partisan, non-binding pledge circulated by the Sierra Club, in recognition of the Town’s commitment to transitioning to 100% clean, renewable energy for the health, safety, well-being and continued resiliency of the Ossining community.

Supervisor Levenberg stated that the Sierra Club presented to us at our last work session on some of the good work going on in the state of New York, including right here in Ossining, in an effort to combat and prepare for climate change. Also at that time, they requested that I sign on behalf of the Town Board to affirm our commitment to transition to 100% clean, renewable energy and encourage other entities to do the same. This is an aspirational, non-binding resolution and since we have been working on so many Clean Energy Community initiatives with that in mind, it seems apropos that we set a goal in that direction.

Motion Carried: Unanimously

**I. Personnel- Highway Department- Seasonal Appointment**

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 appoints Percival Gilcrest, Ossining, to the seasonal position of Laborer in the Town Highway Department effective May 13<sup>th</sup>, 2019 at a rate of \$12.50 per hour.

Supervisor Levenberg stated that with some changes in our highway department, and one employee out on medical leave, the highway crew needs some additional person power this summer. Percy has worked seasonally for the Town in the past, and we are pleased to have him available again to pitch in for the next few months.

Motion Carried: Unanimously

**J. Personnel- Highway Department- Part Time Appointment**

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

Resolved, that the Town Board of the Town of Ossining hereby appoints Alicia Santucci, Ossining, to the part-time position of Intermediate Clerk in the Town Highway Department effective May 15<sup>th</sup>, 2019 at a rate of \$13.00 per hour.

Supervisor Levenberg stated that at the end of April, Francine Saltarelli, who had been working part-time in the Highway Department office since retiring from her full-time post a few years back, decided to stop working part-time and really enjoy her retirement! Now that position is vacant, we will be hiring Alicia Santucci to fill the role starting tomorrow.

Motion Carried: Unanimously

**K. Tax Payment Plan- 34 Eastern Avenue, Ossining**

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

Whereas, the Town of Ossining is required to collect Town, County and School taxes for the municipality, with the onus on the Town to make whole the County and School District for any uncollected taxes; and

Whereas, the Receiver of Taxes has been approached by a property owner requesting a short-term payment plan for the owner occupied property at 34 Eastern Avenue, Tax Parcel Designation ID# 89.19-3-7; and

Whereas, the Town Board, pursuant to Article 5 of the Ossining Town Code, as authorized by section 1184 of the New York Real Property Tax Law, before entry of a final judgment, may withdraw a parcel for which payment of real property taxes is delinquent, from a foreclosure proceeding and enter into an installment plan for payment of all delinquent taxes, as well as interest and penalties, and does occasionally grant such a plan and has the discretion to accept or reject any proposal by a residential or commercial property owner, providing the owner meets the eligibility requirements set forth in section 180-17 of the Town Code and the payment plan conforms to the requirements for such a repayment plan set forth in section 180-18 of the Town Code;

Now, therefore be it Resolved, that the Town Board of the Town of Ossining hereby grants the aforementioned payment plan, which terms comply with the Town Code, to this property owner, who has been determined to be eligible, with the understanding that this sets no precedent going forward for this or any other property in the future.

Supervisor Levenberg stated that occasionally, our Receiver of Taxes Holly Perlowitz will receive a request from homeowners whose property is scheduled to go to auction because they are delinquent on their tax payments, to enter into a payment plan to pay off their tax liens. This resolution and the next two following are for payment plans for three of these properties.

Motion Carried: Unanimously

**L. Tax Payment Plan- 50 ½ State Street, Ossining**

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

Whereas, the Town of Ossining is required to collect Town, County and School taxes for the municipality, with the onus on the Town to make whole the County and School District for any uncollected taxes; and

Whereas, the Receiver of Taxes has been approached by a property owner requesting a short-term payment plan for the owner occupied property at 50 ½ State Street, Tax Parcel Designation ID# 97.07-2-31; and

Whereas, the Town Board, pursuant to Article 5 of the Ossining Town Code, as authorized by section 1184 of the New York Real Property Tax Law, before entry of a final judgment, may withdraw a parcel for which payment of real property taxes is delinquent, from a foreclosure proceeding and enter into an installment plan for payment of all delinquent taxes, as well as interest and penalties, and does occasionally grant such a plan and has the discretion to accept or reject any proposal by a residential or commercial property owner, providing the owner meets the eligibility requirements set forth in section 180-17 of the Town Code and the payment plan conforms to the requirements for such a repayment plan set forth in section 180-18 of the Town Code;

Now, therefore be it Resolved, that the Town Board of the Town of Ossining hereby grants the aforementioned payment plan, which terms comply with the Town Code, to this property owner, who has been determined to be eligible, with the understanding that this sets no precedent going forward for this or any other property in the future.

Motion Carried: Unanimously

**M. Tax Payment Plan- 58 Camp Ground, Ossining**

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

Whereas, the Town of Ossining is required to collect Town, County and School taxes for the municipality, with the onus on the Town to make whole the County and School District for any uncollected taxes; and

Whereas, the Receiver of Taxes has been approached by a property owner requesting a short-term payment plan for the owner occupied property at 58 Camp Ground, Tax Parcel Designation ID# 90.09-2-55.0058; and

Whereas, the Town Board, pursuant to Article 5 of the Ossining Town Code, as authorized by section 1184 of the New York Real Property Tax Law, before entry of a final judgment, may withdraw a parcel for which payment of real property taxes is delinquent, from a foreclosure proceeding and enter into an installment plan for payment of all delinquent taxes, as well as interest and penalties, and does occasionally grant such a plan and has the discretion to accept or reject any proposal by a residential or commercial property owner, providing the owner meets the eligibility requirements set forth in section 180-17 of the Town Code and the payment plan conforms to the requirements for such a repayment plan set forth in section 180-18 of the Town Code;

Now, therefore be it Resolved, that the Town Board of the Town of Ossining hereby grants the aforementioned payment plan, which terms comply with the Town Code, to this property owner, who has been determined to be eligible, with the understanding that this sets no precedent going forward for this or any other property in the future.

Motion Carried: Unanimously

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

**IX.MONTHLY REPORTS**

**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 accepts the following monthly reports for the month of April 2019:**

- **Town Clerk's Office**
- **Town Tax Receiver's Office**
- **Town Supervisor's Office**
- **Town Building Department**
- **GE Helicopter Report**
- **Dale Cemetery**
- **Town Highway Department**

**Motion Carried: Unanimously**

- **Personnel- Resignation**

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

**Resolved, that the Town Board of the Town of Ossining hereby accepts, with regret, the resignation of Town Councilwoman Karen D'Attore, effective May 14<sup>th</sup>, 2019.**

**Motion Carried: 3-0-0**

**Ayes: Shaw, Wilcher & Levenberg**

**Abstain: D'Attore**

**Supervisor Levenberg appointed Councilmember Feldman as Deputy Supervisor.**

#### **X. ADJOURNMENT-EXECUTIVE SESSION-ADVICE OF COUNSEL – PERSONNEL MATTERS**

**At 8:38p.m., Councilmember Wilcher moved and it was seconded by Councilmember Shaw to adjourn to Executive Session.**

**Motion Carried: Unanimously**

**At 8:55 p.m., Councilmember Shaw moved and it was seconded by Councilmember Wilcher to enter into Regular meeting.**

**Motion Carried: Unanimously**

#### **XI.SPECIAL PRESENTATION:**

- **MS4 Storm Water Report 2018-19- Mike Ritchie of Dolph Rotfeld Engineering**

**Supervisor Levenberg stated that tonight we have Mike Ritchie from Dolph Rotfeld Engineering to present to us on our 2018-2019 MS4 Storm water Report. Mike has been working with the Town and a consortium of other municipalities on our storm water plans for quite a few years now. We are grateful to him and to Jim for their guidance and their work with our highway and building departments, and their thorough knowledge about and review of our town protections in place to keep our storm water as clean as it can be before it flows into our waterways.**

**Mike Ritchie provided the Board with an update on the MS4 Storm Water Report. Mr. Ritchie advised that once the report is compiled and the draft report complete and the Board is satisfied, the final report will be filed with DEC on June 1, 2019.**

**Supervisor Levenberg stated that our Highway Superintendent and Highway Department will help in any way they can to make sure storm drains are kept clean and free of debris.**

**Mike Ritchie advised that there will be training given to Municipalities over the summer throughout the County.**

**Supervisor Levenberg and Mike Ritchie thanked Budget Officer Madeline Zachacz for all her work on the MS4 Storm Water Report.**

## **XI. VISITOR RECOGNITION**

## **XII.ADJOURNMENT**

**At 9:30 p.m., Councilmember Shaw moved and it was seconded by Councilmember Wilcher to adjourn executive session.**

**Motion Carried: Unanimously**

**Approved:**

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**Town Clerk, Mary Ann Roberts**