



SPECIAL MEETING

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

**SEPTEMBER 20, 2016
9:00 P.M.**

**SUPERVISOR
Dana Levenberg**

COUNCILMEMBERS

**Karen M. D'Attore Elizabeth R. Feldman
Kim L. Jeffrey Northern Wilcher, Jr.**

Adjournment- At 9:04 p.m. Councilmember Jeffrey moved and it was seconded by Councilmember D'Attore that the Town Hall Meeting be adjourned to Special Meeting.

I. CALL TO ORDER – PLEDGE OF ALLEGIANCE – ROLL CALL

The Special Meeting of the Town Board of the Town of Ossining was held on September 20, 2016 at the Ossining Public Library-Budarz Theater, 53 Croton Avenue, in Ossining. The meeting was called to order at 9:05 p.m. by Supervisor Dana Levenberg. Members of the Board present were: Councilmembers Kim Jeffrey, Northern Wilcher, Elizabeth Feldman and Karen D'Attore. Also present were Town Counsel Christie Tomm Addona and Budget Officer Madeline Zachacz.

II. ANNOUNCEMENTS

Supervisor Levenberg read the following statement:

Good evening, everyone, and welcome to the September 20th, 2016 Town Hall meeting of the Ossining Town Board. Please stand and join me for the pledge of allegiance.

We have an exciting agenda tonight, so I will keep the announcement portion brief. We had a wonderful weekend in Ossining with a bunch of outdoor events, specifically events related to the Hudson River Valley Ramble. We had a crowd at Sparta Cemetery to hear famed storyteller Jonathan Kruk recount the story of Ossining's own Leatherman, which was followed by the dedication of a "Legends and Lore" sign marking his grave. We are so thankful to the Ossining Historic Cemeteries Conservancy for putting this great event together, and for everything they do to preserve and protect Ossining's history. Don't miss the fantastic Ramble events this coming weekend, including the chance to Hike with Your Senator, David Carlucci, who will be leading a hike at Teatown starting at 8AM this Saturday September 24th. Make sure to register for this chance to talk with your Senator about all the work he's doing in Ossining while enjoying our beautiful nature preserve. Registration is required; please call 914-941-2041 to reserve your spot.

We also hosted two Mind, Body, Spirit Ossining events at Engel Park this weekend, starting with a Boot Camp sponsored by Club Fit on Saturday and a football-themed "Sunday Fun-Day" workout with Enrique Rosario of ICU Fitness. Our programming for 2016 is coming to an end, so be sure not to miss this weekend's offerings. On Saturday, September 24th, Open Door will be hosting "Recess Rocks!" at Nelson Park at 9:30AM. Bring your kids to shake, rattle and roll with this fun, dynamic movement program for elementary school children. On Sunday the 25th, join Sue Radparvar of Studio95 for a Zumba Dance Party at Engel Park, kicking off at 3PM. We got a ton of great feedback about the programs this summer, and are eager to see what other community fitness groups will join us in 2017. We also plan to share the results of the first year of this initiative with you soon at an upcoming work session.

Also this weekend, the Maryknoll Fathers and Brothers will be hosting a Car Cruise and Drive-In showing of the 1973 film American Graffiti on Saturday, September 24th at 85 Ryder Road. The Car Cruise begins at 4PM and the movie starts at 7:15PM; make sure to arrive early to get a good spot, and bring some money for hot dogs, hamburgers and egg

creams, delivered to you via car hop! And of course, DJ Johnny G will be there supplying the tunes!

On Sunday the 25th, Shattemuc Yacht Club will be hosting the Ossining Food Pantry for their 28th Annual Celebration from 4 to 7PM. Tickets are \$50 each, and if you plan to attend, please park on the river side of the train station. Shuttles will be provided down to Shattemuc, there will be no parking on site.

Assemblywoman Sandy Galef and Senator David Carlucci will be hosting their Senior Fair NEXT Thursday, September 29th, between 10AM and 1PM at the Community Center. All are welcome to learn about services and resources available to our seniors and their caregivers.

Finally, Green Ossining's Fall tag sale is scheduled for October 1st between 10AM and 4PM. Now is just as good a time as any to clean out your garage and make room for your shovels this winter. To register your home on the Tag Sale list, visit www.greenossining.org/tagsale.

As for tonight, we have three exciting presentations to share with you. Our Ossining School Superintendent Ray Sanchez is here to present the Ossining Basics, a community-wide program designed to help get every child in our community from birth to age three the pre-literacy skills they need to thrive in school. This program, modeled on one recently rolled out in Boston, is a simple collective impact initiative with five basic messages for parents, caregivers, and anyone that interacts with children to know to help all of our littlest children ready to learn.

We also have Victoria Cafarelli from my office here tonight to present some more details on a project for which we have applied for several grants to fund. The most recent grant we applied to was a joint application between the Village and Town of Ossining and New Castle for a project that will connect open spaces to commercial corridors from the train station in Ossining all the way to the popular North County Trailway in Millwood via biking and walking trails. We have gotten a lot of local support for this project, and it's something we are hopeful will come to fruition soon for our collective benefit.

Finally, Julia Rivera from LiveOnNY is here to share a program that we're really excited about. October 6th will be Organ Donor Enrollment Day throughout much of New York State, and we want Ossining to lead the way and show what we're really made of, so we formed Team Ossining. We need to do our part to get NY State off of the bottom of the list of organ donor registrants. Right now we are 50th out of 50 states in the US—not something we like to brag about, especially since we have 120,000 people on the waiting list. Julia shared this presentation with us and with Mayor Gearity last week, and I believe you'll be as excited to participate as we are!

After all three presentations, we will be holding a Special Meeting to pass some resolutions clarifying the high bidders in our Foreclosure Auctions, and a resolution authorizing New York State DOT to relocate a Town sewer as part of a major project at Route 134 and 9A. However, we also have a resolution with some sad news. Our Planning Board Chair Ingrid Richards has resigned, and we have a resolution to formally accept that resignation, as well as a resolution to name an Acting Chair. Ingrid has long been a fixture in Ossining, and was ready and willing to step in when the Town needed help on the Planning Board. Ingrid is known for being strong, yet measured, decisive yet thoughtful, and she has been a valuable asset to the Town these past two years. Your new Town is lucky to have you and your wonderful family, and we will miss you dearly. Ingrid, please join us and be recognized.

III. PUBLIC COMMENT ON AGENDA ITEMS

IV. BOARD RESOLUTIONS

A. Planning Board- Resignation

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

Resolved, that the Town Board hereby accepts, with regret, the resignation of Town Planning Board Chair Ingrid Richards, effective September 7th, 2016.

Motion Carried: Unanimously

B. Planning Board- Temporary Appointment

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

Resolved, that the Town Board hereby appoints Ching Wah Chin, Ossining, to the position of Acting Chair of the Town Planning Board, effective September 21st, 2016.

Motion Carried: Unanimously

C. Acceptance of High Bid- Hunter Street Lot, Buyer Name Amendment

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

Whereas, the Town Board of the Town of Ossining passed a resolution on Tuesday, September 13th, 2016, accepting the high bid for the Hunter Street lot auctioned on August 10th, 2016; and

Whereas, the high bidder was named as Karl Dibble of KWD Realty Inc, Irvington NY, and would now like to be identified differently, as Hunter Lot LLC in all purchase documents for the property;

Now therefore be it Resolved, that the Town Board amends the resolution of September 13th, 2016 to read as follows:

“Whereas, pursuant to a judgment of foreclosure for unpaid taxes, entered by the Supreme Court of The State of New York, Westchester County, the Town of Ossining conducted an auction of foreclosed properties at 16 Croton Avenue at 1PM on August 10th, 2016, in order to sell off properties with delinquent taxes owed to the Town of Ossining, one of which was a vacant lot on Hunter Street, Tax ID# 97.7-2-70; and

Whereas, all present had the opportunity to register and become “Qualified Bidders” to bid on the three properties for sale, under the condition that the party offering the highest purchase price would be awarded the property, subject to a resolution approving such sale by the Town Board of the Town of Ossining; and,

Whereas, Mr. Karl Dibble of Hunter Lot LLC, was the successful bidder at a bid price of \$51,000; and

Now therefore, be it Resolved that the Town accepts the high bid of \$51,000 for the property at Hunter Street, submitted by Mr. Karl Dibble, the Town is authorized to accept a deed for the property from the Receiver of Taxes in a form approved by Counsel to the Town and The Town Supervisor is authorized to execute a deed as well as all required transfer documents in forms acceptable to Counsel to the Town, effectuating the sale of the premises to the high bidder upon receipt by the Town of the bid price.

Furthermore, upon conveyance of the property to the high bidder, the bidder will pay all real property taxes for the property, as adjusted from the date of conveyance, with all additional accrued interest and/or penalties that may have accrued against the property for unpaid taxes through the day of conveyance being hereby waived.”

Motion Carried: Unanimously

**D. RESOLUTION BY THE TOWN OF OSSINING WESTCHESTER COUNTY-
For Incorporating Municipal Work And Maintenance of Sewers**

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

A resolution authorizing the State of New York to incorporate the relocation of the existing 8 inch sanitary sewer facilities for the Town of Ossining (the Town) in the contract for the replacement of culverts PIN 8812.14/D262855, S.H. 768, County of Westchester (the contract).

WHEREAS, Section 10, Subdivision 27 of the New York Highway Law provides, in part, that the Commissioner of Transportation shall have the power, upon the request of the municipality, to perform for and at the expense of the State of New York, any work of construction or reconstruction, including the removal and relocation of facilities, and including the acquisition of permanent easements, provided the Commissioner of Transportation deems it practicable to perform such work in connection with the performance of any work of construction, reconstruction, or improvement; and

WHEREAS, the State of New York is presently preparing contract plans for the construction, reconstruction, or improvement of culvert replacements, which involves the relocation of sewer facilities and acquisition of permanent easements; and

WHEREAS, said construction, reconstruction, or improvement can be undertaken in conjunction with the construction of the aforesaid culvert replacement at a substantial ultimate savings to the Town of Ossining; and

WHEREAS, the Town will provide the New York State Department of Transportation with Westchester County Health Department approved plans for the relocation of the 8 inch sanitary sewer facilities; and

WHEREAS, pursuant to Section 10, Subdivision 24 of the Highway Law the Town of Ossining has requested the State will provide for the relocation of sewers, including acquisition of permanent easements, as shown on the contract plans relating to the project; and

WHEREAS, the service life of the relocated and/or replaced utilities has not been extended.

NOW, THEREFORE, BE IT RESOLVED that the Town of Ossining in regular meeting convened, petitions the New York State Department of Transportation as follows:

Petition 1. The State of New York is hereby authorized to proceed with the necessary arrangements to incorporate the relocation of the existing 8 inch sanitary sewer relocation as designed by the Town in the contract for the construction, reconstruction, or improvements of replacement of culverts with the cost of said construction and necessary work in connection therewith, in addition to the acquisition of permanent easements, to be borne by the State of New York.

Petition 2. The Town of Ossining will maintain said sewers subsequent to the construction thereof.

Petition 3. The Town of Ossining will accept the property rights acquired for the sewer relocation via a quit claim deed subsequent to the construction thereof and make accommodations for said acceptance.

Petition 4. This resolution shall take effect immediately.

BE IT FURTHER RESOLVED, that the Supervisor of the Town of Ossining is hereby authorized to execute all necessary agreements, certifications, deeds or documents on behalf of the Town of Ossining with the New York State Department of Transportation to accept said property rights.

BE IT FURTHER RESOLVED that the Clerk of this Board is hereby directed to transmit five (5) certified copies of the forgoing resolution to the New York State Department of Transportation.

Motion Carried: Unanimously

E. Acceptance of High Bid- 27 Secor Road, Buyer Name Amendment

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

Whereas, the Town Board of the Town of Ossining passed a resolution on Tuesday, September 13th, 2016, accepting the high bid for 27 Secor Road auctioned on August 10th, 2016; and

Whereas, the high bidder was named as Pedro Silva of I&P Realty Corp, Ossining, and would now like to be identified differently, as 27 Secor Corp. in all purchase documents for the property;

Now therefore be it Resolved, that the Town Board amends the resolution of September 13th, 2016 to read as follows:

“Whereas, pursuant to a judgment of foreclosure for unpaid taxes, entered by the Supreme Court of The State of New York, Westchester County, the Town of Ossining conducted an auction of foreclosed properties at 16 Croton Avenue at 1PM on August 10th, 2016, in order to sell off properties with delinquent taxes owed to the Town of Ossining, one of which was 27 Secor Road, Tax ID# 97.7-1-41; and

Whereas, all present had the opportunity to register and become “Qualified Bidders” to bid on the three properties for sale, under the condition that the party offering the highest purchase price would be awarded the property, subject to a resolution approving such sale by the Town Board of the Town of Ossining; and,

Whereas, Mr. Pedro Silva of 27 Secor Corp., was the successful bidder at a bid price of \$159,000; and

Now therefore, be it Resolved that the Town accepts the high bid of \$159,000 for the property at 27 Secor Road, submitted by Mr. Pedro Silva of 27 Secor Corp., the Town is authorized to accept a deed for the property from the Receiver of Taxes in a form approved by

Counsel to the Town and The Town Supervisor is authorized to execute a deed as well as all required transfer documents in forms acceptable to Counsel to the Town, effectuating the sale of the premises to the high bidder upon receipt by the Town of the bid price.

Furthermore, upon conveyance of the property to the high bidder, the bidder will pay all real property taxes for the property, as adjusted from the date of conveyance, with all additional accrued interest and/or penalties that may have accrued against the property for unpaid taxes through the day of conveyance being hereby waived.”

Motion Carried: Unanimously

F. Acceptance of Second Highest Bid- 18 Sarah Street

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

Whereas, pursuant to a judgment of foreclosure for unpaid taxes, entered by the Supreme Court of The State of New York, Westchester County, the Town of Ossining conducted an auction of foreclosed properties at 16 Croton Avenue at 1PM on August 10th, 2016, in order to sell off properties with delinquent taxes owed to the Town of Ossining, one of which was 18 Sarah Street, Tax ID# 89.15-4-50; and

Whereas, all present had the opportunity to register and become “Qualified Bidders” to bid on the four properties for sale, under the condition that the party offering the highest purchase price would be awarded the property, subject to a resolution approving such sale by the Town Board of the Town of Ossining; and,

Whereas, Mr. Willman A. Morocho, Ossining, NY, was the successful bidder at a bid price of \$70,000; and

Whereas, Mr. Morocho contacted the Receiver of Taxes and expressed that he is no longer interested in the sale and will default his \$2500 deposit; and

Whereas, the Receiver of Taxes contacted the second highest bidder, Mr. Mark Brown, Bronx, NY, who bid \$69,000 and who expressed that he would like to purchase the property;

Now therefore, be it Resolved that the Town accepts the high bid of \$69,000 for the property at 18 Sarah Street, submitted by Mr. Mark Brown, the Town is authorized to accept a deed for the property from the Receiver of Taxes in a form approved by Counsel to the Town and The Town Supervisor is authorized to execute a deed as well as all required transfer documents in forms acceptable to Counsel to the Town, effectuating the sale of the premises to the high bidder upon receipt by the Town of the bid price.

Furthermore, upon conveyance of the property to the high bidder, the bidder will pay all real property taxes for the property, as adjusted from the date of conveyance, with all

additional accrued interest and/or penalties that may have accrued against the property for unpaid taxes through the day of conveyance being hereby waived.

Motion Carried: Unanimously

G. RESOLUTION AUTHORIZING BUILDING INSPECTOR TO PROCEED IN ACCORDANCE WITH TOWN CODE CHAPTER 60 TO REMOVE HAZARDOUS CONDITION ON 67 OLD ALBANY POST ROAD PROPERTY.

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

WHEREAS, the Town Board has been advised by the Building Inspector that the property located at 67 Old Albany Post Road and shown on the Tax Map as Section 80.14, Block 1, Lot 12 (the "Property") is overgrown with weeds and grass that are spreading into the street and causing a hazard to drivers; and

WHEREAS, this has been an issue on this Property for more than one year as the Property's owner was previously issued a Court Appearance Ticket for this hazard but yet the hazardous condition remains on the Property; and

WHEREAS, the Building Inspector issued the Property's owner a Notice of and Order to Remedy Violation for this hazard and other illegal conditions on the Property on August 10, 2016, but the owner did not remedy the conditions within 30 days by September 10, 2016 as required by the Notice; and

WHEREAS, there continues to exist on the Property a hazardous condition that is only increasing and becoming more dangerous with time; and

NOW THEREFORE, BE IT RESOLVED, the Town Board authorizes the Building Inspector to send a notice to the property owner in accordance with Town Code § 60-2 to clean and remove the weeds and grass on the Property that are spreading into the street and causing a hazard to drivers within 15 days of the mailing of the notice and a copy of this Resolution shall be included with the notice; and

BE IT FURTHER RESOLVED, in the event the Property's owner does not cure the hazardous conditions within 15 days of the mailing of the notice by the Building Inspector, the Town Highway Department and/or an independent contractor, as determined to be appropriate and necessary by the Building Inspector, is hereby authorized to clean and remove the hazardous condition in accordance with Town Code § 60-3; and

BE IT FURTHER RESOLVED, the reasonable cost of doing the work necessary to remove the hazardous condition on the Property shall be charged to the Property, which cost shall be assessed and shall constitute a lien and charge on the Property in accordance with Town Code § 60-3.

Motion Carried: Unanimously

V. ADJOURNMENT

At 9:17 P.M., Councilmember Wilcher moved and it was seconded by Councilmember Feldman that the meeting be adjourned.

Motion Carried: Unanimously

Approved:

Mary Ann Roberts Village Clerk