



**TOWN BOARD
TOWN OF OSSINING
OSSINING MUNICIPAL BUILDING
16 CROTON AVENUE-1ST FLOOR BOARD ROOM
MARCH 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 March 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.

II.ANNOUNCEMENTS

Supervisor Levenberg announced the following:

Last week I had an opportunity to meet with over 70 county, state and municipal leaders to discuss how we can take an organized approach to utility companies such as ConEd and NYSEG's storm response. While we certainly didn't have it as bad in Ossining, there were many who were without power for over a week. How ConEd responds, communicates with the public, distributes resources, and is held to task by the PSC were all topics on the table. Assemblyman David Buchwald has taken the lead on coordinating our responses, so stay tuned for more as we work collaboratively to address these issues.

Saturday at 12:00 I was so proud to be in the audience to listen to students from Ossining, Briarcliff and Croton speak passionately about the need for all of us in government to come together to address gun violence in this country and specifically find ways to keep violent gun incidents from happening in our schools. These students were all so well spoken and inspiring. I am confident that we will be in good hands as they mature and are able to vote.

On Saturday night I had the pleasure of attending the Lincoln Society of Peekskill's annual dinner honoring Assemblywoman Sandy Galef with their Champion of History award. It was an honor to present her with a proclamation from the Town recognizing her for all the good work she has done throughout her Assembly district as a leader, mentor, and champion of history.

Last night I joined Neighbors Link at an event to honor all of their Volunteers. I am excited to announce they will be opening their doors in Ossining on Spring Street on April 9th (more info to come). I was humbled by all of the incredible work and training these volunteers do every day for this organization that helps immigrants not be taken advantage of and be part of our community. Ossining's own David Loretan who works with the HELP Committee at St. Ann's was instrumental in bringing this wonderful program to Ossining. I presented Dave with a proclamation congratulating him on being honored with Neighbors Link Above and Beyond award. We had wonderful representation from Ossining at the event.

Today I participated in a workshop sponsored by United Way of Northern Westchester and hosted by Westchester Library Systems work with the National Summer Learning Academy about a systematic approach to fill the Summer Learning deficit that exists when students are not in school. We have a number of Town programs that could be part of this effort and I am optimistic that additional resources may be available to work on improving our deliverables. As we continue to work with other agencies and organizations we may be able to work together to come up with some solutions.

We have an exciting week coming up between Passover, Good Friday and Easter Sunday. As a quick reminder—Town Offices will be closed beginning at noon on Friday, March 30th in observance of the holiday, so if you need to come see us, try to visit before lunchtime this Friday.

If you are not observing Good Friday or the first night of Passover this Friday night, join WCT at 23 Water Street for "Play in the Box," a chance to see WCT playwrights workshopping their plays. \$5 at the door gets you an evening of local theater and a peek behind the curtain of the creative process- the event begins at 8PM.

Speaking of Easter, bring your kids to this year's Eggstravaganza, this Saturday, March 31st --- at Ryder Park at 10AM and at Nelson Sitting Park at 12 Noon. Be sure to arrive 15 minutes early to get the best crack at the egg hunt, and make sure to bring your own basket or bag to gather up your special treats. You may even get a chance to pose with the Big Bunny. This event is appropriate for families with children aged Pre-K through 4th grade.

Ferry Sloops will kick off their 2018 lecture series on Wednesday, April 4th, when Ossining Village Historian Dana White will present "On the Ossining Waterfront: A Tangled Tale of Epic Change, Human Tragedy and Real Estate." Come learn about the rich history of our very own Ossining waterfront, including who called it home before us and how its usage has changed over time. If you've heard Dana White's lectures before, you know this is one you won't want to miss! Join us at Shattemuc Yacht Club at 7:30PM for this very special look back in time full of familiar names, faces and places.

IFCA's 50th Anniversary Award Luncheon takes place on Saturday, April 7th at The Briarcliff Manor at 12 Noon. Tickets are still available for this special event, and proceeds benefit one of the hardest working organizations in Ossining. As an added bonus, our Town Clerk Mary Ann Roberts will be honored at the lunch in recognition of her contributions as an IFCA Board Member as well as to our community. Contact IFCA at (914) 941-5252 for more information about the anniversary luncheon, silent auction and award ceremony, and thanks to Town Board Member Karen D'Attore, who also serves as IFCA's Executive Director, for all of her hard work benefitting our community through IFCA's fantastic programming and dependable resources.

Also on Saturday, April 7th, the Yorktown Grange will hold their 3rd Annual Seed Swap between 1:00 P.M. and 4:00 P.M.—find those seeds you have been searching for! Head over to 99 Moseman Road in Yorktown Heights and check out the selection-- there is a \$5 per person contribution at the door.

On Saturday, April 21st, we will be joining with the Village of Ossining to celebrate Ossining's 8th Annual Earth Day at Louis Engel Park. Organized by Green Ossining and led by the sustainable superstar Suzie Ross, the event begins at 10AM and goes until 5PM, and there will be plenty to do to keep you occupied! This year's theme is "Our Sustainable Community," and you will have a chance to check out artisanal vendors, local food including vegan & vegetarian fare, educational opportunities, and eco-demos and activities. Ossining's event has been arguably the best attended in Westchester for the past several years, so mark your calendar now for a beautiful down at the waterfront with several thousand of your friends and neighbors!

Finally, on Saturday, April 28th, the OHCC will be kicking off their grave cleaning season at 9:00 A.M. at Dale Cemetery. No experience is required, just a willingness to

get a little dirty and maybe a little damp. Follow the yellow arrows when you arrive and the OHCC will take it from there!

III.LIAISON REPORTS

IV.DEPARTMENTAL REPORTS/PRESENTATION

Supervisor Levenberg stated, we have two departments that are going to give short presentations to the Board. Our first will be Town Building Inspector John Hamilton. Among other things, John has joined us to discuss how we might handle ground mounted solar in our community, as it becomes a more popular money-saving improvement for business and homeowners. John, welcome.

Building Inspector John Hamilton reported the following to the Town Board:

Building Dept Activity January 1 through March 26, 2018
99 Building, Electrical, Plumbing Permits and Title Searches. 21 Fire and Accessory Apartment Inspections.
9 Complaints and 23 Building Permit Inspections
Fee Total \$133,198.00
116 of 362 Alarm Permit Renewals (Some Came In December)
Fee Total \$3,175.00
5 Alarm Permits Deemed No Longer Active Due to No Renewal.
Total Fees Collected \$136,373.00

Three Larger Projects Coming Before Building Department:

Parth Knolls - 86 Hawkes Ave - Permit issued for two foundations only at this time. (\$12,910.00)

Artis Property - 553 North State Rd - Just applied for a building permit - currently under review. (\$105,160.00)

Bethany Arts Center - Somerstown Rd. - About to be issued a CO with the exception of the kitchen as they are still waiting for their Board of Health approval.

V.PUBLIC COMMENT ON AGENDA ITEMS

Mr. Hoeflich spoke about resolution K- Cabaret License Renewal To Ballroom Studio Of Westchester.

Email received from Marc Hoeflich

March 27, 2018

To: Town Board of the Town of Ossining , Attention Dana Levenberg, Town Supervisor, and Council Members Karen, D'Attore, Elizabeth Feldman, Jackie Shaw and Northern Wilcher.

I know it's a little late it's the day of your town board meeting in which item K on the agenda is a resolution granting a cabaret license renewal to ballroom studio of Westchester.

At the last public meeting held in in the middle of February, it was discussed by the Council members of the board,, along with the Town of Ossining Police Department in addition to the Westchester Ballroom that on February 23, 2018, Friday evening that there was going to be a test of the sound system, in which the sound measurements were to take place in the evening. On that Friday night, the residences of Morningside drive that about the property were home awaiting the testing to occur. If everyone recalls that evening February 23, 2018 was a snow storm and the ballroom was closed. There was not meeting and or notification from the Town of Ossining that the test was being cancelled and or rescheduled. We the residences of Morningside Drive, that have expressed our concerns in the past at town meetings and or in email /letter format, are still awaiting that event to be rescheduled.

In addition Barbara the owner of Westchester ballroom send out a letter late last week, inviting the residences to come to a meeting at the ballroom to discuss options and or concerns. A few of the residences have scheduled a meeting with Barbara. I'm not sure if it's this weekend or next. Noting that this weekend the holidays of Good Friday, Passover and Easter all occur is not a great time.

But at least for better or worse they reached out to the residences to discuss the situation.

To see on your agenda that a meeting occurred on March 13, 2018 and that the hearing and public portion of this event was closed by the board on that date, without any resolution or more important testing of the sound system and the acoustic properties of the ballroom itself is a little concerning to myself. Again we have with all due respect expressed our concerns about a commercial enterprise adjacent to a residential housing and our concerns on noise levels.

Again to see that the Town Board is going to vote tonight on a resolution either yes or no, to me does not make sense. Again it was agreed to having a test done to monitor the noise levels at that meeting by all parties including the town board, the residences of Morningside Drive, the Ossining Police Department and the Westchester Ballroom.

I'm a little besides myself, and note sure if I need to hire on behalf of the residences of Morningside Drive outside council to address this situation.

We as residences of the Town of Ossining, respectfully request this hearing be re-opened and discussed in detail.

Respectfully

**Marc Hoeflich
98 B Morningside Drive
Ossining, New York, 10562
Also Member of the Planning Board of the Town of Ossining.**

Kim Jeffrey Morningside Drive spoke about resolution K. Cabaret License Renewal To Ballroom Studio Of Westchester (conditional license). Ms. Jeffrey feels that if we are taking away the DJ and Bands then maybe there won't be an issue with the sound. If we are not then we may have a sound proofing issue or maybe a bigger problem. When more testing is done in May would be able to get involved?

Supervisor Levenberg advised yes.

Ms. Jeffrey asked that the Board not pass this resolution yet until they look at the suggestions.

Mr. Vincent Savino-Attorney for Westchester Ballroom explained that they have reached out to the neighbors. The test determined that we were in compliance. Mr. Savino discussed the conditional license and had questions regarding why a list of dance instructors is needed.

Mr. Fred Suckle Morningside Drive explained that there is noise on Friday nights and if we hear loud noise in our house then that's a problem.

Town Counsel Christie Tom Addona suggested some options for the Board:

- Try to go forward and working with the information you have**
- Have further public discussion, discuss amongst yourselves and table this resolution and have a Work Session on April 3rd.**

All members of the Board were in agreement to Table resolution K and discuss at the next meeting on April 3rd.

VI.BOARD RESOLUTIONS

A. Approval of Minutes-Regular Meeting

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 approves the March 13, 2018 minutes of the Regular Meeting as presented.

Motion Carried: Unanimously

B.Approval of Voucher Detail Report

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

Resolved, that the Town Board hereby approves the Voucher Detail Report dated March 27, 2018 in the amount of \$12,237.53 for 2017 and \$496,180.99 for 2018. Grand total of \$508,418.52

Supervisor Levenberg stated that we are finally done with processing 2017 bills (although we had very few remaining), and the vast majority of this bill run is 2018 expenses, and some of them are significant. Besides the usual electric, worker’s comp and medical bills, we also made our first progress payment to the Village of Briarcliff Manor on the 9A/North State Road work, about half of which is being paid by a multi-modal grant secured for us by Assemblywoman Sandy Galef, and the other is a new Freightliner truck for our Highway Department. These trucks are significant investments, but generally last us about 20 years. I saw truck #58 at the Highway Garage last week and it is looking fine in Omaha Orange. We look forward to using it through many snowstorms to come, but not in 2018, please.

Motion Carried: Unanimously

C.Resolution Calling on Town of Ossining Residents and Business Owners to Adopt the “Think Differently” Initiative to Assist Individuals with Special Needs and Their Families

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

Whereas, the “Think Differently” initiative is about promoting awareness and acceptance of all people, and advocating for the inclusion of all individuals living on the Autism Spectrum and with special needs; and

Whereas, the Ossining community is demonstrably stronger because of our diversity and differences; and

Whereas, according to the Center for Disease Control (CDC), over 55 million people, or nearly 20% of Americans, have a type of disability or special need; and

Whereas, for some people with special needs, the very qualities that make them unique can also keep them on the sidelines, separate from those who may not understand their differences or uniqueness, which may cause families with special needs to feel excluded from the sense of community we work hard to cultivate here in Ossining; and

Whereas, it is important to promote and provide guidance to those with special needs on how to access publically supported services available to them within the community, such as NorthEast and Norwest Recreation Services, SPARC, Westchester ARC, Open Door Family Medical Services, the Special Education Parent Teacher Organization (SEPTO) in the Ossining Schools, accessible parking permits, affordable and supportive housing, and

Whereas, it is important to encourage and educate our community and our businesses on ways they can make facilities and services more accessible to, and on how to train staff to welcome and support, special needs customers and coworkers; and

Whereas, the goal of this initiative is to provide a supportive and inclusive environment for individuals of all abilities by supporting community events that expand family friendly opportunities for people with special needs and their families; and

Whereas, adopting the “Think Differently” initiative is an important statement that our Town officials, business owners and residents can make to show their support for Ossining’s differently-abled children and adults and their families;

Now, therefore be it Resolved, that the Town of Ossining hereby pledges to “Think Differently”, and encourages residents and business owners to adopt the “Think Differently” initiative so that all are better prepared to communicate with, provide for, and support those living on the Autism Spectrum and with special needs.

Supervisor Levenberg stated that you may recall that a few weeks ago, we discussed this concept at a Work Session, and my colleagues and I were firmly on board with passing this resolution to make Ossining even more inclusive. We encourage our residents and business owners to consider how they can “think differently” to the benefit of all in our community. If there is one thing in Ossining on which we can all agree, it’s that our diversity makes us stronger, and I know I speak for the Board when I say I am proud to pass this resolution tonight that affirms our values as a community.

Motion Carried: Unanimously

D. Finance- 2017 Capital Project Budget Adjustment #2017-5203- Cedar Lane Park Revitalization

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 authorizes a budget transfer adjustment and increase for Capital Project 5203 from \$95,254 to \$146,254, Cedar Lane Park Revitalization, to restore restrooms, pavilion site work, drainage, paving and charging stations. The special purpose project budget portion of \$73,116 is funded through a transfer from General fund balance replacing the transfer from In Lieu of Parklands, and the increase of \$51,000 is funded by a State Grant for the charging stations and General fund balance.

Increase:	3707110.200.5203	\$51,000-Cedar Lane Park Revitalization (Expenditures)
Increase:	370030.3089.5203	\$16,000-Cedar Lane Park Revitalization State Grant
(Revenue)		
Increase:	370050.503100.5203	\$35,000-Cedar Lane Park Revitalization I/F Transfer
(Revenue)		
Increase:	370050.503100.5203	\$ 73,116– Cedar Lane Park Revitalization (Revenue)
Decrease:	370050.503134.5203	\$ 73,116– Cedar Lane Park Revitalization (Revenue)
Increase:	100060.4795	\$ 108,116 – Fund Balance (Revenue)
Increase:	1009550.905	\$ 108,116 – Transfer to Capital (Expense)
Decrease:	340060.4795	\$73,116 – Fund Balance (Revenue)
Decrease:	34095537.905	\$73,116 – Transfer to Capital (Expense)

Supervisor Levenberg stated that as part of closing out the 2017 books, we needed to make sure that all of our active capital projects were tidied up. As you probably know, we have been doing a ton of work in all of our parks and at Dale Cemetery, and that work will continue in 2018. Between the electric vehicle charging stations, the Cedar Lane Park path, and the final improvements on the pavilions at Gerlach, Cedar Lane and Ryder parks, to say nothing of the structural work on the Caretaker’s Cottage at Dale Cemetery, we certainly have our work cut out for us this year. However, improving and expanding our facilities for the use of our residents and visitors is an investment in Ossining’s long term future, and part of our fiduciary responsibility to our residents, and I am excited to keep going this year.

Motion Carried: Unanimously

E. Finance- 2017 Capital Project Budget Adjustment #2017-5204- Ryder Park Revitalization

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 authorizes a budget transfer adjustment and increase for Capital Project 5204 from \$65,586 to \$81,586, Ryder Park Revitalization, to restore restrooms, pavilion site work, drainage, re-paving around cement floor, basketball court, connection to parking lot, and charging stations. The special purpose project budget portion of \$33,000 is funded through a transfer from General fund balance replacing the transfer from In Lieu of Parklands and the increase of \$16,000 is funded by a State Grant for the charging stations.

Increase:	3707110.200.5204	\$16,000-Ryder Park Revitalization (Expenditures)
Increase:	370030.3089.5204	\$16,000-Ryder Park Revitalization State Grant
(Revenue)		
Increase:	370050.503100.5204	\$ 33,000– Ryder Lane Park Revitalization (Revenue)
Decrease:	370050.503134.5204	\$ 33,000– Ryder Lane Park Revitalization (Revenue)
Increase:	100060.4795	\$ 33,000 – Fund Balance (Revenue)
Increase:	1009550.905	\$ 33,000 – Transfer to Capital (Expense)
Decrease:	340060.4795	\$ 33,000 – Fund Balance (Revenue)
Decrease:	34095537.905	\$ 33,000 – Transfer to Capital (Expense)

Motion Carried: Unanimously

F. Finance- 2017 Capital Project Budget Adjustment #2017-5205- Gerlach Park Revitalization

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 authorizes a budget transfer adjustment for Capital Project 5205, Gerlach Park Revitalization, to restore restrooms, pavilion site work, drainage, re-pave around cement floor and service road. The special purpose project budget portion of \$41,000 is funded through a transfer from General fund balance replacing the transfer from In Lieu of Parklands.

Increase:	370050.503100.5205	\$ 41,000– Gerlach Park Revitalization (Revenue)
Decrease:	370050.503134.5205	\$ 41,000– Gerlach Park Revitalization (Revenue)
Increase:	100060.4795	\$ 41,000 – Fund Balance (Revenue)
Increase:	1009550.905	\$ 41,000 – Transfer to Capital (Expense)

Decrease:	340060.4795	\$ 41,000 – Fund Balance (Revenue)
Decrease:	34095537.905	\$ 41,000 – Transfer to Capital (Expense)

Motion Carried: Unanimously

G. Finance- 2017 Capital Project Budget Adjustment #2017-5206- Engel Park Revitalization

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 authorizes a budget transfer adjustment and increase for Capital Project 5206 from \$47,011 to \$63,011, Engel Park Revitalization, to restore restrooms, picnic area site work, and charging stations. The special purpose project budget portion of \$30,884 is funded through a transfer from General fund balance replacing the transfer from In Lieu of Parklands and the increase of \$16,000 is funded by a State Grant for the charging stations.

Increase:	3707110.200.5206	\$16,000-Engel Park Revitalization (Expenditures)
Increase:	370030.3089.5206	\$16,000-Engel Park Revitalization State Grant (Revenue)
Increase:	370050.503100.5206	\$30,884– Engel Park Revitalization (Revenue)
Decrease:	370050.503134.5206	\$30,884– Engel Park Revitalization (Revenue)
Increase:	100060.4795	\$ 30,884 – Fund Balance (Revenue)
Increase:	1009550.905	\$ 30,884 – Transfer to Capital (Expense)
Decrease:	340060.4795	\$ 30,884 – Fund Balance (Revenue)
Decrease:	34095537.905	\$ 30,884 – Transfer to Capital (Expense)

Motion Carried: Unanimously

H. Finance- Capital Project #2016-2198- Sanitary Sewer Improvements-Croton Dam and Kitchawan Road

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

Resolved, that the Town Board of the Town of Ossining authorizes an increase to Capital Project 2198 from \$51,630 to \$60,873, Sanitary Sewer Improvements-Croton Dam and Kitchawan Road, for sewer main relocation and new manholes. The project budget increase of \$9,243 is funded by a transfer from Consolidated Sewer fund balance.

Increase: 3708120.200.5198 \$9,243 – Sanitary Sewer Improvements-Croton Dam and Kitchawan Road (Expense)		
Increase: 370050.503145.5198 \$9,243 – Sanitary Sewer Improvements-Croton Dam and Kitchawan Road (Revenue)		
Increase:	450060.4795	\$9,243 – Fund Balance (Revenue)
Increase:	4509950.0905	\$9,243 – Transfer to Capital (Expense)

Motion Carried: Unanimously

I. Finance- Capital Project #2015-2193- Cedar Lane Park Electric Restoration

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

Resolved, that the Town Board of the Town of Ossining authorizes Capital Project #2015-5193, entitled “Cedar Lane Park Electric Restoration” with a project budget of \$60,000 to be closed in 2017 and the remaining balance of \$8,165 to be transferred back to General Fund Balance.

Decrease: 3707110.200.5194	\$8165.00 – Cedar Lane Park Electric Restoration (Expense)
Increase: 3709901.900.5194	\$8165.00 – Cedar Lane Park Electric Restoration (Expense)

Motion Carried: Unanimously

J. Personnel: Highway Department- Appointment

Councilmember Feldman 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 Vittorio Solla, Ossining, to the probationary full-time position of Laborer in the Town Highway Department at an annual salary of \$59,760, effective April 2nd, 2018.

Supervisor Levenberg stated that we are very much looking forward to welcoming Vittorio to the Town team. Vittorio grew up in Ossining and is by all accounts an incredibly skilled craftsman and a hard worker—we are eager for him to get started with the Town Highway Department on Monday. Congratulations.

Motion Carried: Unanimously

K. Resolution Granting A Cabaret License Renewal To Ballroom Studio Of Westchester

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

WHEREAS, on or about December 15, 2017, Ballroom Studio of Westchester (“Applicant”) applied for a renewal of its cabaret license pursuant to Chapter 68 of the Town Code; and

WHEREAS, the Town Board opened a public hearing on the license renewal application at its January 23, 2018 meeting and continued the hearing at its meetings held on February 27, 2018 and March 13, 2018; and

WHEREAS, after hearing from the public and Town officials and obtaining supplemental information from the Applicant, the Board closed the public hearing at its March 13, 2018 meeting; and

NOW THEREFORE, BE IT RESOLVED, the Town Board hereby grants the Applicant a conditional cabaret license for the calendar year 2018 in the form annexed hereto.

Motion Carried: TABLED

Ayes: D’Attore, Wilcher, Shaw, Feldman & Levenberg

L. Finance -Budget Modifications

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

Resolved, that the 2017 year end budget is modified as described below:

TRANSFER TO G/L ACCOUNT	AMOUNT	AMOUNT	TRANSFER FROM G/L ACCOUNT
TOWN JUSTICE			
1001110.104 Sick Pay	2000.00	2225.00	1001355.104 Sick Pay
1001110.453 Stenographer/Transltr	225.00		
TRAFFIC VIOLATIONS BUREAU			
1001130.400 Contractual	4468.00	1000.00	1001130.104 Sick Pay
		580.00	1001130.406 Office/Sppls Exp
		250.00	1001130.407 Repair/Maint Off. Equip
		500.00	1001130.408 Constable/Secty Svcs
		245.00	1001130.453 Stenographer/Trsnltr
		1893.00	1009060.800 Employee Benefits
SUPERVISOR			
1001220.406 Office/Sppls Exp	1014.00	1014.00	1009060.800 Employee Benefits
TAX COLLECTION			
1001330.400 Contractual	127.00	1582.00	1009060.800 Employee Benefits
1001330.405 Printing/Postage	1455.00		
TOWN CLERK			
1001410.401 Publctn Legal Notices	163.00	554.00	1009060.800 Employee Benefits
1001410.406 Office/Sppls Exp	391.00		
TOWN ATTORNEY			
1001420.425 Labor Counsel	4904.00	226.00	1009060.800 Employee Benefits
1001420.458 Special Legal Svc	959.00	2465.00	1009050.800 Employee Benefits
		535.00	1009010.800 Employee Benefits
		2637.00	1001910.42701 Auto Liability
BUILDINGS			
1001620.405 Printing and Postage	565.00	1684.00	1009060.800 Employee Benefits
1001620.407 Maint/Repair Office Equip	263.00		
1001620.44601 Sustainability	267.00		
1001620.460 Other	589.00		
CENTRAL COMMUNICATIONS			
1001650.400 Contractual	1050.00	1812.00	1009060.800 Employee Benefits
1001650.402 Telephone	762.00		
VETERANS SERVICES			
1006510.413 Matrl/Supplies	275.00	275.00	1009060.800 Employee Benefits
NUTRITION C-2			
1006771.201 Equipment	322.00	322.00	1009060.800 Employee Benefits
SNAP			
1006773.406 Office/Sppls Exp	713.00	773.00	1009060.800 Employee Benefits
1006773.423 Food Supplies	60.00		
PARKS/RECREATION			
1007110.435 Uniforms	171.00	171.00	1009060.800 Employee Benefits
1007110.446 Consulting	575.00	575.00	1009060.800 Employee Benefits
1007110.455 Repairs/Auto	2546.00	2546.00	1009070.800 Employee Benefits
1007110.485 Rpr/Maint Park Facilities	4751.00	4291.00	1007110.411 Unleaded
1007110.498 Tree Services	3296.00	2900.00	1009070.800 Employee Benefits
		396.00	1009050.800 Employee Benefits
1007310.400 Contractual	3060.00	460.00	1007110.104 Sick Pay
		3060.00	1009070.800 Employee Benefits
EMPLOYEE BENEFITS			
1009030.800 Employee Benefits	1000.00	1000.00	1009070.800 Dental Insurance
TOTALS			
	35971.00	35971.00	
TRANSFER TO G/L ACCOUNT			
	AMOUNT	AMOUNT	TRANSFER FRM G/L ACCNT
INDEPENDENT AUDIT			

2001420.458 Special Legal Services	960.00	725.00	2001320.450 Contractual-Auditor
		235.00	2001420.425 Labor Counsel
CABLE ACCESS			
2001650.203 PEG Equipment	4126.03	4126.03	2000201.1289 PEG Access Fees
MTA EMPLOYER			
2001980.400 Contractual	113.00	113.00	2001950.419 Taxes&Assesmt/Prop
BUILDING			
2003620.104 Sick Pay	500.00		
2003620.201 Equipment	42.00		
2003620.402 Telephones	83.00		
2003620.408 Constable Srvc	48.00	673.00	2003620.46110 Blg Vehicle Parts
ZONING			
2008015.401 Publication/Legal Notice	<u>59.00</u>	<u>59.00</u>	2008015.405 Printing/Postage
TOTALS	5931.03	5931.03	

TRANSFER TO G/L ACCOUNT	TO ACCOUNT:	FROM ACCOUNT:	TRANSFER FRM G/L ACCNT
STREET ADMINISTRATION			
3105010.201 Equipment	178.00	2346.00	3105010.407 Maint/Rpr Office Equip
3105010.425 Labor Counsel	2168.00		
STREET MAINTENANCE			
3105110.432 Minat/Repair/Bldgs	30.00		
3105110.483 Water Charges	97.00	127.00	3105110.102 Longevity
MACHINERY			
3105130.461 Parts/Labor	3625.00	2713.00	3105110.411 Unleaded
		912.00	3105110.104 Sick Pay
GARAGE			
3105132.432 Maint/Rpr Building	175.00	175.00	3105132.404 Heat
WEEDS AND BRUSH			
3105140.456 Repairs/Maint.	329.00	329.00	3105140.201 Equipment
DEBT SERVICE			
3109901.700 Debt Svc Interest	<u>14.00</u>	<u>14.00</u>	3105140.201 Equipment
TOTALS	6602.00	6602.00	

TRANSFER TO G/L ACCOUNT	AMOUNT	AMOUNT	TRANSFER FROM G/L ACCOUNT
CEMETERIES			
3208810.402 Telephone	224.00	2444.00	3208810.110 Part Time
3208810.404 Heat	175.00		
3208810.432 Maint/Rpr Buildings	1130.00		
3208810.435 Uniforms	437.00		
3209030.800 Employee Benefits	<u>478.00</u>		
TOTAL	2444.00	2444.00	

TRANSFER TO G/L ACCOUNT	AMOUNT	AMOUNT	TRANSFER FRM G/L ACCNT
Ambulance District			
6604540.520 IMA	<u>8652.00</u>	<u>8652.00</u>	6600204.2351 Ambulance Srvc
TOTAL	8652.00	8652.00	

Supervisor Levenberg stated that with the passage of this resolution, we can officially say that we are done with 2017, and not a moment too soon—our auditors will arrive on Monday to take a look at our prior year. Big, big thanks to Deputy Comptroller Dale Ferreira for making sure we are in tip top shape for their visit.

Motion Carried: Unanimously

M. Tax Payment Plan- 48 Gordon Avenue, Briarcliff Manor

Councilmember Feldman moved and it was seconded by Councilmember Wilcher that the following 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 48 Gordon Avenue, Briarcliff Manor, Tax Parcel Designation ID# 90.15-2-38; 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

VII.CORRESPONDENCE TO BE RECEIVED AND FILED

VIII.MONTHLY REPORTS

IX.VISITOR RECOGNITION

X.ADJOURNMENT –EXECUTIVE SESSION-ADVICE OF COUNSEL-PERSONNEL

Supervisor Levenberg wished a very happy Passover and Easter to all those who celebrate.

At 8:33 P.M., Councilmember D’Attore moved and it was seconded by Councilmember Feldman that the meeting be adjourned to Executive Session in memory of Jimmy Gallery a 63 year plus member firefighter also the Father of Second Assistant Chief, Scott Gallery.

Motion Carried: Unanimously

At 9:49PM, Councilmember Shaw motioned to leave Executive Session and Councilmember Wilcher seconded.

At 9:50PM, Councilmember Wilcher motioned to adjourn and Councilmember Feldman seconded.

Approved:

Mary Ann Roberts Town Clerk

2018 CONDITIONAL CABARET LICENSE FOR WESTCHESTER BALLROOM

With respect to the Application by Ballroom Studio of Westchester (“Applicant” or “Ballroom”) for a renewal of its cabaret license pursuant to Chapter 68 of the Town Code, the Town Board hereby makes the following findings:

1. The Applicant operates a dance studio at 565 North State Road, Ossining, New York 10510 (the “Property”) for which it originally obtained a cabaret license in 2016.
2. The Applicant submitted an application for renewal of the cabaret license in accordance with Chapter 68 of the Town Code on December 15, 2017. The Town Board opened a public hearing on this application at its January 23, 2018 meeting and continued the public hearing at its meetings on February 27, 2018 and March 13, 2018, with the public hearing being closed on March 13, 2018.
3. During the public hearing, the Town Board heard comments from neighboring residents regarding noise at the Applicant’s property, including late at night, which on some occasions led to noise complaints being ade to the Police Department. The Town Board received records from the Police Department regarding those complaints.
4. At the Town Board’s request, the Applicant also did sound testing with the Ossining Police Department during an event held on the evening of Friday, March 9, 2018. The sound testing was recorded and the Board heard the results of the testing prior to the public hearing being closed.
5. Lieutenant Damiano appeared before the Town Board at the March 13, 2018 public hearing to discuss the results of the testing. He advised that he and the Applicant’s attorney went to the Property and could not hear any music from the parking lot outside. They entered the premises where the Ballroom was having an event with approximately 40-50 people and there was in fact music playing. The music was turned up and they went back outside to the parking lot but still could not hear the music. Lieutenant Damiano advised the traffic was louder than anything else they could hear. They then went to the prope ties on Morningside Drive where the majority of the complaints originated and could not hear any music. In addition, no members of the public spoke at the public hearing on March 13, 2018 after the noise testing had been done.
6. The Applicant’s attorney advised that this was a typical Friday night event. The Town Board understands that there are different events that are typically held on Saturdays that can be louder and/or larger and potentially cause disturbances for the neighbors. The Applicant advised that these types of events were not currently being held at the Property and had been moved to other locations. The public’s comments and police reports confirmed that there had not been any noise issues reported with respect to the Applicant’s Property since January 6, 2018. The Applicant advised that these types of events would not be held again until May. Accordingly, the Police Department was not able to do sound testing at this type of event and the Town Board was not able to consider the level of noise generated from these events in making its determination.
7. The Town Board also received comments from the Building Inspector expressing concern that the Applicant was renting out the venue to hold events not permitted by the cabaret license and that certain events may not be permitted under the Zoning Code.
8. In response to the Building Inspector’s comments, the Applicant submitted a revised application outlining the types of events being held on the property:
 - Dance classes
 - Public and private dance lessons
 - Dance parties
 - Fundraisers
 - Dance shows
 - Public and private parties
9. The Building Inspector reviewed this submission and advised that it was his interpretation that any use that did not include dance instruction would not be permitted under the Zoning Code. The Applicant confirmed that any use of the Property would include dance instruction.

10. The Building Inspector also recommended that certain conditions be placed upon this Cabaret License, which conditions were considered by the Board.
11. While the public hearing was open the Supervisor received an email from an employee of the Applicant advising that they were planning to invite the neighboring residents to a brunch at the Property to discuss everyone's respective concerns and come to a resolution. The Town Board looks favorably upon such direct and respectful communication between the various

Based upon the foregoing, the Applicant is granted a cabaret license for the calendar year 2018 subject to the following conditions:

1. To the extent the Applicant has not already done so, the Applicant shall pay the required fee for the license renewal as set forth in the Town's Fee Schedule prior to continuing operation.
2. The Applicant shall provide the Town Supervisor's Office with at least 7 days' notice of all events, classes and/or activities that will be held at the studio that will last past 8 p.m. and the name of the dance instructor(s) who will be present at the event. To the extent the Applicant relies upon email distribution list to provide this notice, the Applicant must ensure that the email notifications are sent out at least 7 days prior to the event.
3. The Applicant shall ensure compliance with the Town's Noise Code (Chapter 130) and require DJs and bands performing at the studio to sign a statement acknowledging the requirement to comply with the Noise Code.
4. The Applicant shall prohibit DJs from using their own sound equipment and require that only the house system (which the Town Board understands does not have subwoofers) be used.
5. In furtherance of the representations made by the Applicant's representatives during the public hearing process, the Applicant shall attempt to engage the neighboring property owners in an amicable dialogue to alleviate their concerns and develop a direct communication system with the neighboring residents who have noise complaints.
6. The Applicant may only hold the types of events listed in paragraph 8 of the findings above and any event shall include dance instruction.
7. At least 14 days prior to resuming its Saturday night events in May (as discussed in paragraph 6 of the findings above), the Applicant shall notify the Supervisor's Office and the Police Department of the event at least 14 days in advance and arrange for a police officer to attend the event and do sound testing. Based upon the results of the testing and/or noise complaints received from the neighbors with respect to these events, the
Town Board reserves the right to amend this license to put further restrictions on this use of the Property.
8. At any event/class/activity that will last after 8:00 p.m., Barbara Antes, Craig Streeter or another responsible employee of the Applicant, with the ability to contact Ms. Antes or Mr. Streeter in order to address complaints, shall be on-site for the entirety of the event/class/activity. Within 10 days of the date of this license, the Applicant shall provide the Supervisor's Office with contact information for a person that can be reached on-site in the event of a noise complaint. If the police are called as a result of a noise disturbance, immediately after being notified by the police, the sound level shall be reduced and shall not be increased during the remainder of such event/class/activity.
9. The Applicant shall ensure compliance with all requirements of the Town's Cabaret Code (Chapter 68), and specifically the Applicant shall ensure that no amplified music is being played after 11:00 p.m. Sunday through Thursday nights and 12:00 midnight on Fridays of Saturdays.
10. The Applicant shall not rent or sublet the space for any parties or events that are not run by the Applicant and/or do not include dance instruction.
11. Within 10 days of the date of this license, the Applicant shall provide the Supervisor's Office with the names and contact information of all of the dance instructors employed by the Applicant and the Applicant shall update the list accordingly.
12. The Applicant shall submit an application to the Town for renewal of its license for 2019 no later than November 1, 2018 to allow the Town Board adequate

opportunity to review the application, review compliance with the conditions herein and to receive public comment prior this current license expiring on December 31, 2018.

13. The Applicant shall make a good faith and every reasonable effort to comply with the conditions set forth above and multiple violations of these conditions may result in the Applicant's license being revoked or a renewal application being denied. The Applicant's compliance with the conditions herein and the requirements of the Code and ability to work with the neighbors and avoid noise complaints to the Police Department will be considered by this Board in considering any subsequent renewal applications submitted by the Applicant.
14. In the event the Applicant is found to be in violation of any of the conditions herein, the Town Board may, in its discretion, direct the Applicant to appear before the Board to discuss the violation, the reason for the violation and potential solutions. The Board also reserves all rights and remedies available to it under the Cabaret Code in the event the Applicant is in violation of this approval or the Code.

Town Board of the Town of Ossining

Dated March 27, 2018