



**TOWN BOARD
TOWN OF OSSINING
BIRDSALL-FAGAN POLICE/COURT FACILITY
86-88 SPRING STREET – OSSINING, NEW YORK
JANUARY 9, 2018
REORGANIZATIONAL 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 Reorganizational Meeting of the Town Board of the Town of Ossining was held on January 12, 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 Karen M. D’Attore, Elizabeth R. Feldman, Northern Wilcher Jr. and Jackie G. Shaw. Also present were Town Counsel Steven M. Silverberg, Budget Officer Madeline Zachacz and Town Clerk Mary Ann Roberts.

II. ANNOUNCEMENTS

Supervisor Levenberg announced the following:

On January 1st at the Ossining Inauguration, I was sworn into office for another two year term as Town Supervisor, along with Town Councilman Northern Wilcher Jr. and Jackie G. Shaw, who is with us tonight for her very first official Town Board Meeting. Also sworn in were our colleagues on the Village Board, our County Legislator Catherine Borgia, our Town Justice Nancy Quinn Koba, and our newly elected Receiver of Taxes Holly Perlowitz. At the inauguration, I gave a speech that focused on what has been a priority of mine during my first term—planning for health communities, whether that means working to find funds to get our residents moving, biking and walking, or improving our Town Parks into exciting spaces for recreational activities like the the Mind Body Spirit Ossining program. However, I did write a second speech, which focuses so much more on WHO we are in the Town of Ossining, and I am excited to share that speech with you tonight.

“Thank you so much, people of the Town of Ossining, for supporting me for a second term. Special thanks to Assemblywoman Sandy Galef for swearing me in, and to my incredible husband Stephen, and sons Caleb and Eli for your constant and unwavering support, and always to Catherine Borgia for being my original and continuing inspiration and guiding light.

To Thomasina Laidley Brown and the Democratic Committee, thank you for all the support you have given me, and do give to get strong candidates elected. Also a big shout out to the Village of Ossining, our new Village Manager Debbie McDonnell, and the Village staff for getting this event set up today, and partnering with the Town in so many ways. And of course to the wonderful Town staff and particularly the incredible Maddi Zachacz and Victoria Cafarelli in my office, my colleagues on the Town Board, and our department heads and Village IMA partners, for making the Town run so smoothly.

I am so proud of our special place here in the heart of the Hudson Valley. We are fortunate to live in a spot on this earth that is so scenic. I have truly enjoyed finding ways to help more people discover its natural beauty and find new ways to appreciate

it, while at the same time benefiting our Town's economic, physical, and environmental health.

On Inauguration Day 2015 I spoke about tapping into people's strengths and passions. I feel so lucky to serve at the helm of an organization that has so many passionate people working for it as either paid or elected staff or as volunteers, as well as passionate people we serve.

When I think about what we do in the Town every day and how we move forward as an organization, efficiently and effectively, I know it is truly all about these people that serve and that we serve that make it possible.

Most recently, you may have heard there were some changes a-brew in the way our federal government will allow us to file our taxes. Here in Westchester, many of us have counted on not having to pay taxes on our taxes. We scrambled, over Christmas weekend, to figure out how the Town could make it a little easier for our property taxpayers to deduct as much as possible of their property taxes before this new law went into effect. Neither our soon-to-be-newly-installed Receiver of Taxes Holly Perlowitz, nor our Assessor Fernando Gonzalez, nor our Deputy Comptroller Dale Ferreira, nor our Counsel to the Town Steve Silverberg said, "Leave me alone, it's a holiday weekend." Each one of them stepped up to figure out what they could do to help. And the week when most of us are cleaning our offices and preparing to start the new year fresh, that same Holly Perlowitz with Deputy Receiver Patti Cunningham served close to 300 people who came through the doors, offering extended hours to take people's checks and pre-paid 2018 taxes. They had help from Jerry Sullivan and Al Ciosi in the Assessor's office as well as Victoria and Maddi from my office who jumped in to pinch hit, answer phones and enter data to help as best they could. Local businesses we reached out to, First Village and Xquisite Coffee Plantation provided free coffee and donuts for taxpayers braving the lines. This is truly service, and passion.

Our Senior Nutrition Program, led by Kathy Asaro, works every day to make sure our seniors get nutritious meals provided to them, either at the Community Center, at home, or via a visit to the supermarket to buy their own. Seniors also get to dance, knit, do yoga and art and of course play bingo and share each others company, and get to their appointments with taxi vouchers, as a result of the loving and hard-working staff that is there for them year-round.

Our Town/Village Clerk Mary Ann Roberts, and her wonderful staff know more about this community than anyone! Issuing and processing Marriage Licenses, Birth and Death Certificates, Dog and Cabaret licenses, Freedom of Information requests, printing meeting agendas and keeping minutes, posting and receiving Requests for Proposals and everything in between, they are the heart and soul of local government, keepers of the records of our operations and how we serve the people. They do so with candy canes (at this time of the year) and smiles. They are the ones we turn to when we want to piece together how something came to pass in the Town, the keepers of the knowledge and the history. And they are often the first people anyone encounters when entering Village/Town Hall to do some business. They serve us all with big, big hearts.

A number of the years before I took office were spent discussing and deciding to move forward with a town-wide revaluation of properties. My predecessor, Honorable Susanne Donnelly, and her board were quite brave pursuing this action to bring greater transparency and equity to the Town assessment roll. Fernando Gonzalez, our assessor, and his staff worked tirelessly to bring this to fruition, and to juggle the many questions and emotions that accompanied and continue to be asked about the reval. They have been true leaders. And with the help of the all-volunteer Board of Assessment review they have worked to maintain that roll and the true values it represents. And they continue to work with passion for what they believe is right to achieve equity for all in taxes and assessments.

Our Highway Superintendent Michael G. O'Connor was recently honored at our staff meeting with the title Most Valuable Road Licker. I like to say that he makes sure the roads in the Unincorporated Town are licked clean. But that wouldn't happen if not for

his foreman, Johnny Martin and his team, who lose sleep thinking about maintaining our roads, sewers and sewer lift stations. Whether it's a holiday weekend, as the last two have been when it snowed, or a middle of the night call, these gentleman stand ready to serve. They are still picking up leaves, I believe, as the leaves have been so slow to fall this year.

Our beautiful parks are being overhauled stone upon stone under the expert oversight, leadership and vision of our Parks Foreman, Mario Velardo. Mario is passionate about "his" parks, and with his crew he has been steadily rebuilding pavilions, fixing up walking paths, transforming buildings, replacing grills and landscaping and sprinkler systems so we can all enjoy the natural beauty, the fields and playgrounds, community garden, courts, and the newly minted Cedar Lane Arts Center which our Town Parks have to offer.

With the help of our Recreation Superintendent and now Keith Gordon and Cathy Faiella, we have brought forth some amazing new art programs to our residents at Cedar Lane Arts Center. Just look at the Winter Recreation Brochure to see the possibilities that these two, who are so passionate about the arts, have worked to organize to offer at CLAC for art enthusiasts and those who just want to dabble. You will be amazed and inspired, I know I am!

Historic Dale Cemetery, which we as a Town inherited some years ago, has been transformed by the passion and desire and pride of place our Superintendent of Dale Cemetery Pete Connolly has displayed and the crew he leads. Pete has taken on his leadership role with gusto and every day works on ways to further improve Dale and Sparta Cemeteries. He has also been able to work collaboratively with the not for profit, all volunteer Ossining Historic Cemeteries Conservancy to find ways to highlight Dale and Sparta's history and beauty and attract people to step into these historic assets of the Town's.

For anyone who has wanted to build or develop or add on to property in the Unincorporated Town, you know you need to work with our Volunteer Planning and Zoning Boards, but also with our Building Inspector, John Hamilton and the Building Department Staff. You also know why we recently gave him his bobblehead with "The Enforcer" engraved on the front. John takes his job very seriously to ensure the safety and well being of those in Ossining. His passion and that of his staff is reliable and constant. He is always on call and at the ready to respond to emergencies, as well as to come up with new and innovative solutions to tricky problems. He is a true collaborator.

And speaking of safety, Ossining Volunteer Ambulance Corps Chief Nick Franzoso, Ossining Volunteer Fire Department Chief Angelo Mannichio, Briarcliff Manor Volunteer Fire Department Chief Michael King, and Ossining Police Department Chief Kevin Sylvester are there for us 24/7 365 days a year to respond to emergencies so we can sleep soundly at night knowing we are protected. Three of these gentlemen lead all or mostly volunteer organizations where many people sacrifice their lives and put their safety and well being on the line for us without monetary compensation. All of them are the embodiment of servant leadership and only got to where they are now because of their passion and dedication to our greater Ossining community.

We also have some helpers we utilize from the Village of Ossining who also serve us so well. Our Deputy Comptroller and Comptroller Dale Ferreira and Thomas Warren, Town Engineer Paul Fraioli, Village Water Superintendent Andy Tiess, and IT Director Craig Cooper are our go to people who help us manage our finances and our infrastructure, critical components of a healthy local government.

And as I mentioned at the beginning, the glue that holds it all together happens in my office with Victoria Cafarelli who has taken on grant writing and support for the Cemetery and Parks Department, and truly significant, the one and only Maddi Zachacz, budget director, personnel director, and might right and left arms, who is also the pep talker, ghost writer, presentation maker, negotiator and all around administrator that works tirelessly for the people.

Recently I was honored, alongside the Mayor of Ossining, Victoria Gearity, to be awarded the Groundbreaker's Award by the Pace Land Use Law Center. Pace recognized us for

some of the many efforts we have made in the last two years to shift the way we approach community problems and planning, and to think more collaboratively.

Whether it is working with the Village of Ossining, the Village of Briarcliff, our two School Districts, our volunteer boards like the Ethics, Recreation, or Environmental Advisory Boards, Green Ossining, the Open Door, Neighbors Link, IFCA, Gullotta House, Baker Collyer Christmas Cheer Fund, the Ossining Boat & Canoe Club, the Chambers of Commerce, the Rotaries and Lions and Elks Clubs, the many houses of worship, or any of the other wonderful organizations here, or listening to community members who come before the board at Town Hall Meetings or any other meeting, or call or email us any day of the week, we could not pursue ANY of our visions for a greater Ossining without these collaborations.

Health is a nexus between government and community life. I said in my inaugural speech two years ago that local government gives us the opportunity to step up and be what we believe we are and can be. Ossining Represent, Represent, Ossining! Governance should be aspirational. And building a community where everyone is able to live their best lives is a worthy goal for a town's leadership.

But at this moment, a healthy community is also an act of empowerment. The nature of our call as leaders to improve community health became particularly important as 2016 turned into 2017. So many of us, myself included, have been deeply worried about the direction our country and our politics has taken over this past year. For many of us, far too many of us, the mere act of existence, let alone the pursuit of equality, has somehow become a radical idea, rather than a simple expectation given our common humanity. The values of diversity and mutual respect, the aspirational goals our town government has pursued for so many years, feel under attack. Promoting community health in our little enclave, our little piece of the world which we call Ossining, is the first step to realizing the “for all” part of “liberty and justice”. And if working toward a healthy community is part of this larger fight, then it's our duty as leaders to keep fighting.

I am proud of what we have already achieved together with our staff and residents and stakeholder groups and partners to improve the health of our Ossining. I am excited for the continuation of the journey to really make Ossining a place that people feel good about, whether to make a home here, to work in, or to visit. We can and we will overcome challenges that impact us and make sure our Ossining remains a gem in the heart of the Hudson Valley. And we will keep fighting to make sure that the “our” in “our Ossining” truly extends to all residents.

Thank you again to all who challenge us and collaborate with us to make Ossining better—I look forward to our continued work together as we move forward into 2018 and 2019. So, back to work.”

Very quickly, before we get into the meat of our meeting, I want to make a few short announcements. First of all, I want to commend (again) all of our Highway and Parks employees for their work in last week's Snowstorm—the weather was truly worse than expected and it was many long hours for them away from their homes and families. Special thanks to Highway Foreman John Martin and MEO Rick Planamenta, who are both set to retire at the end of this month. Hopefully this was your last snowstorm, guys!

Another quick Town-related announcement—as many of you know, 16 Croton was filled with residents looking to pay their 2018 taxes during the last days of 2017. Holly and her staff did an exceptional job handling the rush of payments, and we have gotten nothing but positive feedback about the quick, friendly and attentive service they provided, so thanks to those ladies for sure. Also, special thanks to First Village Coffee and Xquisite Coffee for providing our taxpayers with some complimentary coffee and goodies while they waited—you truly went above and beyond for our residents, and I know they will remember it! I want to share with you the letter that Holly will be sending to folks who, unfortunately, overpaid by too much—either for their 2018 County Taxes or their 2018/19 School Taxes (for which we have no warrant).

“We received your check for 2018 Town/County Taxes. Under the Executive Order issued by the Governor we were only permitted to process payments made on or before December 31, 2017 (or postmarked on or before December 31, 2017) for 2018 taxes for which there was a warrant issued. While the Town issued a warrant and we accepted your payment for Town taxes based upon the 2017 tax bill, your payment exceeded that amount. The County of Westchester did not issue a warrant and therefore we are not permitted by law to accept any 2018 payments related to County taxes. The same applies to the School Districts which also did not issue warrants for their upcoming taxes for 2018/2019, which bills will be mailed to you in September. Second Half Installments of 2017/2018 School District taxes were acceptable to be paid.

Please see the attached “reconciliation” that is accompanying your refund. Please call me at 914-762-8790 or e-mail at hperlowitz@townofossining.com if you have any questions.” Holly and her office are ready to serve you if you have any questions on your payments.

Finally, one organization-related announcement—the Ossining Documentary and Discussion Series will be screening “Room to Breathe” on Thursday, January 18th. All are welcome for this free showing of a documentary that examines the potential successes of teaching “mindfulness” to our young people, depicted by filmmakers chronicling troubled students in a San Francisco middle school. The screening begins at 6:30 P.M. at the Ossining Public Library’s Budarz Theater, make sure to catch this one.

III. LIAISON REPORT

Councilmember Jackie Shaw provided a report from the Recreational Advisory Committee which met last evening where a Polar Bear Plunge was discussed. Also under discussion are memorial spots in various parks. This discussion is taking place with the Village who is working on guidelines for a general naming policy. Supervisor Dana Levenberg announced that she attended a Sing Sing Prison Meeting which will begin the year regarding the old powerhouse restoration. The DOT Empire State Trailway which will begin in Toronto to New York City is missing a few locations that are not included at this time but are being worked on. The Cooperative Scholarship Program will take place at the Ossining High School on Saturday, January 13th with a Martin Luther King Jr. Service on Monday, January 15th at the Star of Bethlehem Church.

Councilmember Northern Wilcher requested a list of all of the meeting nights for the various liaison positions.

IV. PUBLIC COMMENT ON AGENDA ITEMS

V. APPOINTMENTS

1. Deputy Supervisor

Supervisor Levenberg appoints Northern Wilcher Deputy Supervisor for the Town of Ossining effective January 1, 2018.

2. Supervisor’s Liaison Appointments

Dana Levenberg

**De-facto on all committees
Historic Hudson River Towns
Inter-Municipal Leadership Team
Westchester Municipal Officials Association
Ossining Communities That Care
Co-Liaison to Teatown Lake Reservation**

Karen D’Attore

Westchester County

**IFCA
IMA Committee
New York State
Co-Liaison to Ossining Historical Society
Co-Liaison to Briarcliff Chamber of Commerce
Co-Liaison to Ossining Chamber of Commerce**

Elizabeth Feldman

**Green Ossining Committee
Ossining Volunteer Ambulance Corps.
Ossining and Briarcliff Manor Fire Departments
Ossining Historical Society
Village of Ossining
Ossining Boat & Canoe Club
Liaison to Village of Ossining Water Department
Liaison to Ossining Arts Project Summer Concert Series Sub-Committee
Co-Liaison to Ossining Chamber of Commerce**

Jackie Shaw

**Recreation Advisory Board
Business Development Committee
Ossining and Briarcliff School Districts
Liaison to Highway Department
Village of Briarcliff Manor
Co-Liaison to Ossining & Briarcliff Manor Fire Departments**

Northern Wilcher

**Deputy Supervisor
OHCC
Ossining and Briarcliff Manor Chambers of Commerce
Liaison to Teatown Lake Reservation
Liaison to Village of Ossining Water Department
Co-Liaison to Recreation Advisory Board
Co-Liaison to Ossining Boat and Canoe Club**

3. Budget Officer/Personnel Director/Aide to the Supervisor

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

Resolved, that the Town Board hereby re-appoints Madeline Zachacz, Budget Officer for the Town of Ossining effective January 1, 2018 through December 31, 2019; and

Be It Further Resolved, that the duty of Aide to the Supervisor is in addition to her duties as Budget Officer.

Motion Carried: Unanimously

4. Deputy Superintendent of Highways- Appointment

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

Resolved, that the Town Board hereby appoints Peter Connolly, Town Superintendent of Cemeteries, to a second line title as Deputy Superintendent of Highways at an annual salary of \$1.00.

Supervisor Levenberg stated that it has come to our attention that the Highway Superintendent has the authority to appoint someone of his or her choice to the position of Deputy Superintendent of Highways to protect the department in the event that the Highway Superintendent would not be available to attend to his or her responsibilities. Pete Connolly has a lot of experience working in various positions throughout Ossining, and has done a bang-up job. Our Highway Superintendent Michael G. O'Connor believes that Pete would be a very responsible person to fill his shoes should the occasion arise—Pete and Michael have been working together in the Cemetery these past few years, where Michael has covered in Pete's absence, and they have a comfortable working relationship.

Motion Carried: Unanimously

5. Justice Court – Town Constables

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

Resolved, that the Town Board hereby re-appoints the following to the position of Town Constable, at an hourly rate of \$50.00, to serve at the pleasure of the Board during calendar year 2018:

Carlos Castro- Ossining, NY
Allen Gantz- Ossining, NY
Mario Conte- Ossining, NY
Franklin Jackson Jr.- Ossining, NY

Motion Carried: Unanimously

6. Justice Court- Court Attendants

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

Resolved, that the Town Board hereby re-appoints the following to the position of Town Court Attendants, at an hourly rate of \$20.00, to serve at the pleasure of the Board during calendar year 2018:

Mario Conte- Ossining, NY
John Simkins- Ossining, NY
Corey Dawkins- Irvington, NY
Sheila Lilley- Ossining, NY
Richard Fernandez- Cortlandt Manor, NY
Franklin Jackson-Ossining, NY -\$25.00

Supervisor Levenberg stated that in years past, we have appointed only two Constables for the Town each year, but we have gotten the chance to have a deeper bench in 2018 and we look forward to working with Mr. Jackson and Mr. Conte in their new role at Constable—thank you both for stepping up to the plate.

Motion Carried: Unanimously

V. ANNUAL RESOLUTIONS

A. Official Newspaper

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

Resolved, that the Town Board hereby designates The Gazette as the Official Newspaper and the Journal News as the Alternate Newspaper of the Town of Ossining for 2018.

Motion Carried: Unanimously

B. Town Council Monthly Meeting Schedule

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

Resolved, that the Town Board of the Town of Ossining hereby adopts the following Monthly Meeting Schedule for 2018:

**Regular Town Board Meetings – 2nd & 4th Tuesday – 7:30 p.m.
Birdsall-Fagan Police/Court Facility, 86-88 Spring Street**

**Work Sessions – 1st & 3rd Tuesday – 7:30 p.m.
16 Croton Avenue Board Room**

Town Hall Meetings-- Tuesday, 7:30p.m. on March 20th, May 1st, June 19th, October 16th, November 20th and December 18th at the Ossining Public Library.

There will be no Work Sessions held on:

Tuesday, February 20th, 2018

Tuesday, July 3rd, 2018

Tuesday, August 21st, 2018

Tuesday, September 4th, 2018

The Legislative Session scheduled for Tuesday, September 11th will be moved to Wednesday, September 12th in observance of Rosh Hashanah. The Work Session scheduled for Tuesday, September 18th will be moved to Monday, September 17th in observance of Yom Kippur. The Work Session scheduled for Tuesday, November 6th will be moved to Wednesday, November 7th due to Election Day. The Legislative Session scheduled for Tuesday, December 25th will be moved to Wednesday, December 26th in observance of Christmas Day.

Motion Carried: Unanimously

C. Setting Town Office Hours

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

Resolved, that the office hours of the Town Offices for 2018 will be Monday through Friday, 8:30 a.m. to 4:30 p.m.

Motion Carried: Unanimously

D. Town Historian

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

Resolved, that the Town Board hereby appoints Scott Craven Town Historian for 2018.

Supervisor Levenberg stated that after many years of very fine service, our Town Historian Martha Mesiti has opted not to continue in this role for 2018. We thought of Captain Craven right away as someone who has a longstanding love affair with the history of our community, and who never leaves our office without teaching us something new. We asked Scott to take on this role and he humbly accepted. Welcome, Scott, to the Town team.

Motion Carried: Unanimously

E. Resolution Retaining Attorneys to Represent the Town

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

RESOLVED: the Supervisor is authorized to execute an agreement retaining Silverberg Zalantis LLP to provide general legal services to the Town of Ossining for 2018.

Motion Carried: Unanimously

F. Resolution Retaining Special Counsel to Represent the Town

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

RESOLVED: the Town Supervisor is authorized to execute an agreement retaining Benjamin Leavitt of Leavitt Legal to provide prosecutorial services and tax certiorari assistance to the Town of Ossining for 2018.

Motion Carried: Unanimously

G. Mileage Allowance

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

Resolved, that wherever it shall be appropriate to compensate Town Officials and/or Town Employees for mileage, they shall be reimbursed at a rate of \$0.545 per mile to be paid upon claim voucher, after audit and approval, in accordance with IRS standards.

Motion Carried: Unanimously

H. Membership in the Association of Towns

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

Resolved, that pursuant to Article 8 of the Town Law, the Town of Ossining shall pay the Annual Membership Dues for membership in the Association of Towns of the State of New York for 2018 in the amount of \$1,500.

Motion Carried: Unanimously

I. Authorization for Attendance at Association of Towns Annual Meeting

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

Resolved, that the Town Board of the Town of Ossining hereby authorizes the following Town Personnel to attend the Annual Meeting of the Association of Towns to be held in New York City, February 19-21, 2018 subject to approval of their Department Heads, Town Supervisor and Members of the Town Board; Town Assessor; Building Inspector; Town Clerk and Deputy Town Clerk; Receiver of Taxes and Deputy Receivers of Taxes; Superintendent of Highways; Town Justices; Town Court Clerks; Budget Officer; Assessment Personnel; Chairman and Members of the Zoning Board; Chairman and Members of the Planning Board and Chairman and Members of the Environmental Advisory Board; and

Be it further Resolved, that attendance is voluntarily and no employees shall be eligible for overtime as a result of attending the Meeting.

Motion Carried: Unanimously

J. Delegate to the Association of Towns

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

Resolved, that the Town Board hereby designates Dana Levenberg, Supervisor, as Delegate to the Association of Towns Annual Meeting for 2018.

Motion Carried: Unanimously

K. Alternate Delegate to the Association of Towns

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

Resolved, that the Town Board hereby designates Madeline Zachacz, Budget Officer, as Alternate Delegate to the Association of Towns Annual Meeting for 2018.

Motion Carried: Unanimously

L. Animal Control-SPCA of Westchester

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

Resolved, that the Supervisor be and hereby is, authorized and directed to execute an agreement with SPCA of Westchester for the period January 1, 2018- December 31, 2018, providing for humane procedures for homeless and stray dogs and cats seized by dog control officers, animal control officers, police and other agents of the municipality.

Supervisor Levenberg stated that as the SPCA is expecting to do some extensive remodeling in the coming months, it was unclear as to whether they would be able to continue to service our community in 2019. I would like a motion to table this resolution until such time as we can speak with the Executive Director about their plans moving forward.

Motion Carried: TABLED
Ayes: Shaw, D'Attore, Wilcher,
Feldman & Levenberg

M. Renewal-Delta Dental Insurance Program

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

Resolved, that the Town Board of the Town of Ossining hereby acknowledges that the Town's dental insurance program with Delta Dental of New York will continue for the period January 1, 2018- December 31, 2018 for Group # 1576-0001 at a rate of \$68.84 per month per employee with no dependents and \$163.75 per month, per employee with family coverage; and be it further

Resolved, that Group # 1576-0002 shall be at a rate of \$74.32 per month per employee with no dependents and \$174.04 per month, per employee with family coverage.

Motion Carried: Unanimously

N. Approval of Compensation Plan for 2018

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

Resolved, that the Town Board hereby approves the following Compensation Plan for the year 2018:

TITLE OF POSITION	ANNUAL SALARY
<u>EXEMPT</u>	
ASSESSOR	\$147,566
BUDGET OFFICER/ AIDE TO THE SUPERVISOR	91,783
COURT CLERK (2)	67,187
DEPUTY RECEIVER OF TAXES (1)	56,703
DEPUTY RECEIVER OF TAXES (1)	50,087
DEPUTY TOWN CLERK	68,061
<u>UNCLASSIFIED</u>	
TOWN CLERK	\$96,058
COUNCIL MEMBER (4)	11,336
RECEIVER OF TAXES	80,000
SUPERINTENDENT OF HIGHWAYS	102,574
SUPERVISOR	73,869
TOWN JUSTICE (3)	47,173
RUOK WEEKEND RATE	18.00/HR
<u>NON-COMPETITIVE</u>	
MOTOR EQUIPMENT OPERATOR (3)	\$83,157
PARKS FOREMAN	86,573
HIGHWAY FOREMAN	89,989
ROAD MAINTAINER (3)	76,650
AUTOMOTIVE MECHANIC	86,778
AUTOMOTIVE MECHANIC HELPER/ROAD MNT.	78,184
<u>LABOR</u>	
PARK GROUNDSKEEPER (2)	\$76,650
PARK GROUNDSKEEPER (1)	69,011
CHAUFFEUR (2)	39,205
CHAUFFEUR (1)	34,707
FOOD SERVICE HELPER	39,205
BUS DRIVER	51,733
LEAD CEMETERY WORKER	39,830
CEMETERY WORKER	34,298
<u>COMPETITIVE</u>	
DEPUTY ASSESSOR	\$80,888
ASSESSMENT CLERK	65,764
ASSESSMENT ASSISTANT	56,626
SENIOR OFFICE ASSISTANT	58,811
OFFICE ASST AUTO SYSTEMS/ INT. CLERK	54,486
ASSISTANT COURT CLERK	53,562
NUTRITION SITE DIRECTOR	81,668
INTERMEDIATE CLERK (1)	47,466
INTERMEDIATE CLERK (1)	50,613
INTERMEDIATE CLERK SPANISH SPEAKING	51,470
PARALEGAL	36,445
SUPERINTENDENT OF CEMETERIES	52,000

PART TIME EMPLOYEES

<u>NAME</u>	<u>TITLE</u>	<u>HOURLY RATE</u>
Abreau Jr., Larry	PT, Parks	\$20.00/HR
Cafarelli, Victoria	PT, Confidential Sec.	\$23.00/HR
Conte, Mario	PT, Town Court	\$20.00/HR
Crawford, Vanessa	PTA, Tax Office	\$13.00'HR
Dawkins, Corey	PT, Town Court	\$20.00/HR
DelBourgo, Constance	PT, Nutrition	\$16.56/HR
Fernandez, Richard	PT, Town Court	\$20.00/HR
Hamilton, John	PT, Building Inspector	\$70.51/HR
Iorio, Carmelina	PTA, Tax Office	\$13.00/HR
Jackson Jr., Franklin	PT, Town Court	\$25.00/HR
Lilley, Sheila	PT, Town Court	\$20.00/HR
Lobue, Christina	PT, Clerk's Office	\$18.00/HR
Quezada, Fern	PT, Highway	\$13.00/HR
Saltarelli, Francine	PT, Highway	\$31.62/HR
Simkins, John	PT, Town Court	\$20.00/HR
Valentine, Arnestia	PT, Town Court	\$19.29/HR

ELECTION OFFICIALS

Coordinator/Liaison	\$2,700.00
Clerical Assistants	\$60.00

Motion Carried: Unanimously

O. Surety Bonds

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

Whereas, certain officers and/or employees of the Town of Ossining designated by law are required by law to file an undertaking which shall remain in full force and effect until the expiration of their term of office, the termination of their employment, or the further resolution of this Town Board, and

Whereas, the Town Board of the Town of Ossining by prior resolution has determined it is more beneficial and economical to provide the undertakings by a blanketed bond;

It is, therefore, Resolved, that all officers and/or employees of the Town of Ossining will be bonded by a blanket bond in the amount of \$500,000 except that the following position will carry an additional surety bond in the amount of \$100,000: Receiver of Taxes.

Motion Carried: Unanimously

P. Consulting Engineer

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

Resolved, the Town Supervisor is authorized to continue the inter-municipal agreement with the Village of Ossining to provide engineering services to the Town for the calendar year 2018, for a fee totaling \$88,840 (\$7,403 per month).

Supervisor Levenberg stated that for several years now, the Town has enjoyed our IMA with the Village of Ossining for engineering

services, and we are pleased to renew it for 2018. Special thanks to Village and Town Engineer Paul Fraioli, Water Superintendent Andy Tiess, and Village Deputy Treasurer/ Town Deputy Comptroller Dale Ferreira for all of their assistance in carrying our capital projects from the planning stage through to completion.

Motion Carried: Unanimously

Q. Planning Consultants

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

The Comptroller is authorized to pay F.P. Clark in accordance with the new fee schedule contained in the letter from F. P. Clark dated January 8th, 2018, for services otherwise authorized by the Town.

Motion Carried: Unanimously

R. Bond Counsel

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

Resolved, that the law firm of Orrick, Herrington & Sutcliff, LLP, 666 Fifth Avenue, New York, New York is hereby retained as Bond Counsel in accordance with the fees set forth in Sections 11 and 12 of the proposal received from Orrick dated December 26th, 2017.

Supervisor Levenberg stated that our Finance Office has been happy with service provided by this firm who assists us in preparing for municipal borrowing, and as their fees remain reasonable, we are glad to retain them for the 2018 year.

Motion Carried: Unanimously

S. 2018 Schedule of Fees

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

Resolved, that the Town Board of the Town of Ossining hereby approves the following Schedule of Fees for calendar year 2018:

TOWN FEE SCHEDULE- 2018

Type of Application, License or Permit/Code Chapter Reference		Fee
Sale of Codebook	Chapter 1	Publisher’s price
Access to Records	Chapter 45	
	Fees for copies of records not exceeding 8 ½ by 14 inches in size	\$0.25 per page
	Fee for reproducing records in excess of 8 ½ by 14 inches in size	Actual cost of reproduction
	Fee for PDF Copy of Tax Map on CD (Office of the Assessor)	\$150

Type of Application, License or Permit/Code Chapter Reference		Fee
Accessory Dwelling	Chapter 50	
	Initial application	\$300
	Each renewal	\$150
Alarms	Chapter 51	
	Annual registration	\$25
	Non Registration Fee	\$250
	False alarms:	
	1 st and 2 nd offense	Warning
	3 rd offense	\$50
	4 th offense	\$100
	5 th offense	\$200
	6 th offense	\$500
	Subsequent Offenses	\$500
Building Construction	Chapter 63	
	Certificate of occupancy, where the total value of the building is:	
	Less than \$10,000	\$75
	Greater than \$10,000 but less than \$20,000	\$75
	Greater than \$20,000 but less than \$50,000	\$75
	Greater than \$50,000 but less than \$100,000	\$75
	Greater than \$100,000 but less than \$150,000	\$75
	Greater than \$150,000	\$75
	Building permit issuance	
	Where the total value of the work is up to \$1,000	\$100
	For each additional \$1,000	\$15 additional per \$1000 of work value
	Renewal of building permit	½ of Original B.P. Fee
	Electrical permits	
	Per dwelling	\$100
	Alteration to commercial building	\$150
	New commercial construction	\$300
	Plumbing permit	
	House sewer and tie-in	\$100
	Installation of 1 – 3 fixtures, appliances or standpipe connections	\$100

Type of Application, License or Permit/Code Chapter Reference	Fee
Installation of 4 – 9 fixtures	\$150
Installation of 10 or more fixtures	\$200
Backflow Device	\$100
Gas certification	\$50
Plumbing permit if not listed	\$100
HVAC Permit HVAC Residential HVAC Commercial	Same as Building Permit Fee Same as Building Permit Fee
Erecting signs	Same as Building Permit Fee
Demolition permit	
For structure less than 1,000 square feet	\$100
For structure over 1,000 square feet	\$300
Title search (office assistance)	\$50 per property
Copies of certificates of occupancy and surveys	\$25 per copy
Inspection and letter in lieu of certificate of occupancy	\$100
Legalization of work performed without permits	All fees tripled
Failure to keep a scheduled 15pt. for an inspection	\$50
Same day inspection	\$50
Non-mandated inspection letter	\$50
Any type of Permit Not Listed necessary and requires inspections	Same fee structure as filing a Building Permit (based on estimated cost of project)
Cabaret	Chapter 68
Annual license fee	\$200
After July 1	\$100
Renewal application 30-day extension	\$5 per month
Credit Card Fees	Payment by Credit Card
	3% of Transaction
Dale Cemetery	Deed Change
	\$100 per change
Dog Fees	Chapter 74
License Fees:	
Spayed/ neutered:	\$15
Unspayed/ unneutered	\$23
Seniors over age 60 are exempt from local fee	
Redemption fees from impoundment of dogs	
First impoundment	\$20 first 24 hours; \$5 each additional 24 hours
Second impoundment	\$40 first 24 hours;

Type of Application, License or Permit/Code Chapter Reference		Fee
		\$10 each additional 24 hours
	Third impoundment	\$60 first 24 hours; \$15 each additional 24 hours
SEQR	Chapter 85	
	Environmental clearance form	No fee
	Application for preliminary environmental review	\$100
Street Opening	Chapter 87, Part 1	
	Simple Curb Cut	\$90
	Road opening less than 150 sq. ft	\$300
	Road opening 150 sq ft and greater	\$400
Deposit for all Street Openings	Deposit (in form of surety bond)	\$300 per square foot
Excavation of Topsoil or Gravel	Chapter 87, Part 2	
	For each 10 acres of property, or any portion thereof, proposed to be excavated	\$75
	Refund upon denial of application	\$25
	Permit renewal, for each 10 acres of property, or any portion thereof, proposed to be excavated	\$75
Filling and Grading	Chapter 92	
	Application for a filling and grading permit	
	For the first acre or part thereof	\$100
	For each additional acre or part thereof	\$30
	Application for a certificate of completion	
	For the first acre	\$50
	For each additional acre or part thereof	\$10
Floodplain Development	Chapter 102	
Filming	Per day	\$1400
	Permit application	\$200

Type of Application, License or Permit/Code Chapter Reference		Fee
Freshwater Wetlands	Chapter 105	
	Application review fee for permits issued by Building Inspector (see § 105-6)	Same fee structure as filing a Building Permit (based on estimated cost of project)
	Application review fee for permits issued by the Planning Board (see §105-7)	Included in site plan review fees
Parks	Chapter 138	
	Rental Fees	
	Pavilions (Ryder, Gerlach, Cedar Lane)	\$225 for 4 hours; \$25 for each additional hour
	Picnic Areas at Engel Park	\$75 for 4 hours; \$25 for each additional hour
	Fields/ Facilities (Ryder Park baseball fields or Football/ Soccer field; Cedar Lane Park Football/ Soccer Field; Engel Waterfront park Stage & Viewing/ Spectator Area)	Residents: \$50 for 2 hours, \$25 for each additional hour Non-Profits: \$50 for 2 hours, \$25 for each additional hour Non-Residents: \$150 for 2 hours, \$50 for each additional hour
	Fields/ Facilities with Lights (Gerlach Park Baseball or Soccer Field)	Residents: \$100 for 2 hours, \$50 for each additional hour Non-Profits: \$100 for 2 hours, \$50 for each additional hour Non-Residents: \$300 for 2 hours, \$100 for each additional hour
	Boat ramp	
	Daily	
	Residents	\$40
	Nonresidents	\$50
	Seasonal	
	Residents	\$80
	Nonresidents	\$150
Peddlers	Chapter 144	
	Annual license fee	\$100
	One Day Peddler's Permit	\$25
Police Fees	Vehicle Impound Release Fee	\$25
Steep Slopes	Chapter 167	
	Application and inspection fee, residential only	\$50
	Application and inspection fee, nonresidential	Included in site plan review fees

Type of Application, License or Permit/Code Chapter Reference		Fee
Streams and Watercourses	Chapter 169	
	Permit application	Same fee structure as filing a Building Permit (based on estimated cost of project)
Subdivision of Land	Chapter 176	
	Application review fee	
	Major	
	Preliminary plat	\$100, plus \$125 per lot
	Final plat	\$100, plus \$125 per lot
	Minor	\$100, plus \$125 per lot
	Recreation fee. However, in the case of multifamily developments, the Planning Board may adjust the recreation fee in relation to the recreational facilities provided within the subject development. Recreation Fee-Affordable Housing	\$7,500 per lot or dwelling unit. \$2,500 per lot or dwelling unit
	Inspection fee	3% of the Town Engineer's estimated cost for all utility and roadway improvements, plus \$100 for an engineering estimate
	Escrow account deposits	(See fees under "Zoning" below.)
Taxicabs and Limousines	Chapter 182	
	Fare within Town, or Between Town and Village	\$4.75
	For each taxicab or limousine owner's license, on initial application	\$100
	For each taxicab or limousine owner's license, for each annual renewal thereof	\$50
	For each taxicab or limousine owner's supplementary license	\$25
	For each vehicle licensed as a taxicab or limousine	\$25
	For each taxicab or limousine driver's license	\$10
	For each taxicab or limousine substituted	\$25
	For replacement of a lost or destroyed taxicab or limousine license or sticker	\$20
	For replacement of each driver's license or badge	\$5
Call-a-Cab Coupons		
	Cost to qualifying senior citizen	\$3.00 per coupon

Type of Application, License or Permit/Code Chapter Reference		Fee	
	Redemption by Town to participating taxi company	\$4.75 per coupon	
Senior Services	Contribution from Qualifying Senior Citizen		
	Congregate Meals	\$2.50	
	Home Delivered Meals	\$3.00	
Tax Foreclosure	Title Search	\$200.00	
	Legal & Publication Fees	\$700.00	
Tax Receiver	Administrative Re-Levy Fee for Unpaid Village water rents	\$100	
	Memo Bill Fee-Per Bill	\$5.00	
	Bounced Check Fee-Per Item Returned	\$20.00 \$35.00	
	Annual Tax File Subscription Charge for Tax Service Agencies	\$500.00	
Telecommunication	Chapter 182A		
	New telecommunications tower	\$5,000	
	Co-location of an existing telecommunications tower or high structure where no increase in height of the tower or structure is required	\$2,000	
Towing Services Agreement	Chapter 182B		
	Fees and services	Normal business hours Mon-Fri 8:00 a.m. to 5:00 p.m.	Sat/Sun/holidays and after 5:00 p.m. weekdays
	Light-duty straight Town (3 tons DVW)	\$94.50	\$120.75
	Light-duty service call	\$78.75	\$105
	Gate/yard	---	\$47.25
	Mileage, per mile	\$4.20	\$4.20
	2 nd truck	\$94.50	\$120.75
	Light-duty winching	\$94.50	\$120.75
	Storage, per day	\$50	\$50
Tree Removal	Chapter 183		
	Tree removal permit, residential only	\$50 \$100	
	Tree removal permit, nonresidential	Included in site plan review fees	
Zoning	Chapter 200		
	All appeals and applications made to the Board of Appeals	\$250	
	Special permit application	\$250	

Type of Application, License or Permit/Code Chapter Reference		Fee
	Site plan or conditional use permit	\$250
	Application review fee	\$250, plus \$25 per parking space
	Inspection fee	Same as application review fee
	Request for rezoning or zoning amendment review fee	\$1,000 plus \$50 per acre of property owned or controlled by the applicant to which the rezoning or zoning amendment pertains
	Environmental quality review. A full environmental assessment form review fee is required in all cases when this form is part of the application.	\$100
	Performance and maintenance bonds	The amount of all performance and maintenance bonds shall be established by the Planning Board, based upon a recommended amount as specified by the Town Engineer
	Each bond reduction request	\$100
	Escrow accounts	
	For subdivisions, based on number of lots	
	0 to 2	\$5,000
	3 to 10	\$10,000
	11 to 35	\$25,000
	More than 35	\$60,000
	For site plan, conditional use permits and special permits, based on square footage	
	0 to 3,000	\$5,000
	3,001 to 20,000	\$10,000
	20,001 to 50,000	\$25,000
	Greater than 50,000	\$60,000
	For minor applications (includes accessory apartments, wetland permits, filling and grading permits, etc.)	\$500
	Variances	As determined by the Zoning Board of Appeals
	Pre-application meetings to discuss conceptual proposals, per meeting	\$500
	After the fact application (Planning & Zoning)	Application Fee Tripled

Supervisor Levenberg stated that we have only two changes to the Town’s Fee Schedule this year, as recommended by our Town Department Heads. At the advice of our Building Inspector and as per our Tree Protection Law, we will be retaining an Arborist to provide recommendations on each tree removal permit, and his cost must be added into the permit fee (which is now \$100, up from \$50). We have also increased our Bounced Check fee from \$20 to \$35, so as to match with our neighbors in surrounding municipalities.

Motion Carried: Unanimously

T. Dale Cemetery Fee Schedule 2018

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

Resolved, that the Town Board of the Town of Ossining hereby approves the following Schedule of Fees for Dale Cemetery for calendar year 2018:

GRAVE PRICES (ALL SECTIONS)

Residents of the Town of Ossining:

- **Single Depth Grave: \$1900**
- **Double Depth Grave: \$2400**

Non Residents of the Town of Ossining:

- **Single Depth Grave: \$3000**
- **Double Depth Grave: \$3500**

SPECIALTY GRAVE PRICES

- **Child's Grave (2 1/2' x 5'): \$550**
- **Baby Grave (18" x 26"): \$350**
- **Niche in Above Ground Columbarium (Holds Two Urns): \$1400****
- **Bronze Name & Date Door Plate Installed: \$359 (Change according to supplier cost)**
- **Cremation Grave Space (3' x 3'): \$750**

****Includes original interment**

SECTION 12 PRICES

- **Opening/ Saturday Fee: \$1600/ \$750**
- **Cremation with Vault/ Saturday Fee: \$850/ \$400**

INTERMENT PRICES

- **Single Depth with Vault/ Liner: \$1300**
- **Single Depth with Casket: \$1375**
- **Double Depth with Vault/ Liner: \$1450**
- **Double Depth with Casket: \$1525**
- **Child's Grave (Up to 5' in Length): \$575**
- **Baby Grave (Up to 26" in Length): \$400**
- **Above Ground Columbarium Second Urn: \$150**
- **Bronze Name Plate Installed: \$150**
- **Bronze Date Plate Installed: \$70**
- **Cremated Remains: \$600*****

*****The price for direct cremated remains will be \$500.**

DISINTERMENT CHARGES

- **Disinterment remaining here (with vault)**
 - **Single Depth: \$2500**

- Double Depth: \$2900
- Disinterment remaining here (casket only)
 - Single Depth: \$2625
 - Double Depth: \$3050
- Disinterment to another cemetery (with vault): \$1700****
- Disinterment to another cemetery (casket only): \$2350****
- Disinterment of Cremains to be Removed from the Cemetery: \$850*
- Disinterment of Cremains to another grave site in Dale Cemetery on the same day as the disinterment: \$1350*
- Disinterment of Cremains to Somerset Columbarium: \$850*
- Saturday Fee: \$400

* Containers/urns must be supplied or additional charge will apply

****The above disinterment charges are for labor only. There will be additional charges if a new wood box or steel vault is necessary at time of removal. Concrete or vault company charges are additional.

INSCRIPTION FEES

- \$35

INDIGENT BURIAL

- \$600

ADDITIONAL CHARGES

- There are NO INTERMENTS on Sundays or Holidays.
- Burials must arrive by 2PM Monday through Friday, Saturday burials must arrive by 11:30AM. There will be a charge of \$125 per half hour for late arrivals.
- Dale Cemetery, Town of Ossining, must be notified by 12 noon on Friday if a burial is scheduled for the following Monday, otherwise there is a \$550 fee for weekend preparation.
- There will be a \$200 fee in winter if frost/ice/snow conditions exist.
- Saturday Interment Fee: \$550
- Saturday Cremains Interment Fee: \$250

Supervisor Levenberg stated that Dale Cemetery Fee Schedule 2018: We update this schedule periodically as situations arise within the Cemetery, and we thank our Superintendent of Cemeteries Pete Connolly for his guidance on these issues. We made several changes to this fee listing in 2017, and there are no further changes at this time.

Motion Carried: Unanimously

U. Records Management Officer

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

Resolved, that pursuant to Section 57.19 of the Local Government Records Law, the Town Board hereby appoints Mary Ann Roberts, Town Clerk, Records Management Officer of the Town of Ossining.

Motion Carried: Unanimously

V. Appointment of Marriage Officers

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

Resolved, that the Town Board hereby appoints Mary Ann Roberts and Dana Levenberg as Marriage Officers for the Town of Ossining for 2018.

Motion Carried: Unanimously

W. Finance-Investment Policy

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

**INVESTMENT POLICY
FOR THE TOWN OF OSSINING**

I. SCOPE

This investment policy applies to all moneys and other financial resources available for investment on its own behalf or on behalf of any other entity of individual.

II. OBJECTIVES

The primary objectives of the local government's investment activities are, in priority order,

- to conform with all applicable federal, state and other legal requirements (legal);
- to adequately safeguard principal (safety);
- to provide sufficient liquidity to meet all operating requirements (liquidity); and
- to obtain a reasonable rate of return (yield).

III. DELEGATION OF AUTHORITY

The governing board's responsibility for administration of the investment program is delegated to the Town Supervisor who shall establish written procedures for the operation of the investment program consistent with these investment guidelines. Such procedures shall include an adequate internal control structure to provide a satisfactory level of accountability based on a data base or records incorporating description and amounts of investments, transaction dates, and other relevant information and regulate the activities of subordinate employees.

IV. PRUDENCE

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the Town of Ossining to govern effectively.

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived.

All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

V. DIVERSIFICATION

It is the policy of the Town of Ossining to diversify its deposits and investments by financial institution, by investment instrument, and by maturity scheduling.

VI. INTERNAL CONTROLS

It is the policy of the Town of Ossining for all moneys collected by any officer or employee of the government to transfer those funds to the Finance Department and deposited in a designated Town of Ossining revenue account within one business day of receipt of the funds. The Town Supervisor's office shall receive a copy of the transaction record. Employees will receive a written receipt for any cash amounts forwarded to the Finance Department and should maintain original receipt(s) in department records and copies of the receipt(s) in personal records.

The Town Supervisor is responsible for establishing and maintaining an internal control structure to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management's authorization and recorded properly, and are managed in compliance with applicable laws and regulations.

VII. DESIGNATION OF DEPOSITORIES

The banks and trust companies authorized for the deposit of Town monies are:

<u>Depository Name</u>	<u>Officer</u>
J. P. Morgan Chase Bank	Betsy Davis
Wells Fargo Bank	Paul DeGrato
Sterling Bank	Judy Diamant
TD Bank	Ryan Fohl
Tompkins Mahopac Bank	Maria G. Lopez
Greater Hudson Bank	Rori Sagal

VIII. COLLATERALIZING OF DEPOSITS

In accordance with the provisions of General Municipal Law, §10, all deposits of the Town of Ossining, including certificates of deposit and special time deposits, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured:

1. By a pledge of "eligible securities" with an aggregate "market value," Or provided by General Municipal Law, §10, equal to the aggregate amount of deposits from the categories designated in Appendix A to the policy.
2. By an eligible "irrevocable letter of credit" issued by a qualified bank (or federal home loan bank) other than the bank with the deposits in favor of the government for a term not to exceed 90 days with an aggregate value equal to 140% (100% if federal home loan bank) of the aggregate amount of deposits and the agreed upon interest, if any. A qualified bank is one whose commercial paper and other unsecured short-term debt obligations are rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization or by a bank that is in compliance with applicable federal minimum risk-based capital requirements.
3. By an eligible surety bond payable to the government for an amount at least equal to 100% of the aggregate amount of deposits and the agreed upon interest, if any, executed by an insurance company authorized to do business in New York State, whose claims - paying ability is rated in the highest rating category by at least two nationally recognized statistical rating organizations.

IX. SAFEKEEPING AND COLLATERALIZATION

Eligible securities used for collateralizing deposits shall be held by (the depository and/or a third party) bank or trust company subject to security and custodial agreements.

The security agreement shall provide that eligible securities are being pledged to secure local government deposits together with agreed upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released and the events, which will enable the local government to exercise its rights against the pledged securities. In the event that the securities are not registered or inscribed in the name of the local government, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the Town of Ossining or its custodial bank.

The custodial agreement shall provide that securities held by the bank or trust company, or agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement should also describe that the custodian shall confirm the receipt, substitution or release of the securities. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitution of securities when a change in the rating of a security may cause ineligibility. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

X. PERMITTED INVESTMENTS

As authorized by General Municipal Law, §11, the Town of Ossining authorizes the Town Supervisor to invest monies not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following types of investments:

- Special time deposit accounts;
- Certificates of deposit;
- Obligations of the United States of America;
- Obligations guaranteed by agencies of the United States of America where the payment of principal and interest are guaranteed by the United States of America;
- Obligations of the State of New York;
- Obligations issued pursuant to LFL §24.00 or 25.00 (with approval of the State Comptroller) by any municipality, school district or district corporation other than the Town of Ossining;
- Obligations of this local government, but only with any moneys in a reserve fund established pursuant to GML, §6-c, 6-d, 6-e, 6-g, 6-h, 6-j, 6-k, 6-l, 6-m, or 6-n.

All investment obligations shall be payable or redeemable at the option of the Town of Ossining within such times as the proceeds will be needed to meet expenditures for purposes for which the moneys were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable at the option of the Town of Ossining within two years of the date of purchase.

XI. AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS

The Town of Ossining shall maintain a list of financial institutions and dealers approved for investment purposes and establish appropriate limits to the amount of investments which can be made with each financial institutions or dealer. All financial institutions with which the local government conducts business must be credit worthy. Banks shall provide their most recent Consolidated Report of Condition (Call Report) at the request of the Town of Ossining. Security dealers not

affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank, as primary dealers. The Town Supervisor is responsible for evaluating the financial position and maintaining a listing of proposed depositaries, trading partners and custodians. Such listing shall be evaluated at least annually.

XII. PURCHASE OF INVESTMENTS

The Town Supervisor is authorized to contract for the purchase of investments:

1. Directly, including through a repurchase agreement, from an Authorized trading partner.
2. By participation in a cooperative investment program with another authorized governmental entity pursuant to Article 5G of the General Municipal Law where such program meets all the requirements set forth in the Office of the State Comptroller Opinion No. 88-46, and the specific program has been authorized by the governing board (for example, NYCLASS – New York Cooperative Liquid Assets Securities System).
3. By utilizing an ongoing investment program with an authorized tracking partner pursuant to a contract authorized by the governing board.

All purchased obligations, unless registered or inscribed in the name of the local government, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to the Town of Ossining by the bank or trust company. Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law, §10.

The custodial agreement shall provide that securities held by the bank or trust company, as agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement shall describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

XIII. REPURCHASE AGREEMENTS

Repurchase agreements are authorized subject to the following restrictions:

- All repurchase agreements must be entered into subject to a Master Repurchase Agreement.
- Trading partners are limited to banks or trust companies authorized to do business in New York State and primary reporting dealers.
- Obligations shall be limited to obligations of the United States of America and obligations of agencies of the United State of America where principal and interest are guaranteed by the United States of America.
- No substitution of securities will be allowed.
- The custodian shall be a party other than the trading partner.

Appendix A Schedule of Eligible Securities

- (i) Obligations issued, or fully insured or guaranteed as to the payment of

principal and interest, by the United States of America, an agency thereof or a United States government sponsored corporation.

(ii) Obligations partially insured or guaranteed by any agency of the United States of America, at a proportion of the Market Value of the obligation that represents the amount of the insurance or guaranty.

(iii) Obligations issued or fully insured or guaranteed by the State of New York, obligations issued by a municipal corporation, school district or district corporation of such State or obligations of any public benefit corporation which under a specific State statute may be accepted as security for deposit of public moneys.

Supervisor Levenberg stated that Our Town Comptroller Tom Warren has reviewed this long-standing Town policy and made some non-substantive changes regarding depositories at some of the banks we use. Other than that, he feels we are in good shape for 2018.

Motion Carried: Unanimously

X. Finance-Debt Management Policy

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

RESOLVED, that the Town Board of the Town of Ossining hereby adopts the Debt Management Policy as follows:

The Comptroller will monitor the debt portfolio annually for refinancing opportunities through services of a financial advisor. This can be done in connection to the continuing disclosure process.

The minimum criteria for bond refunding are as follows:

1. Refunding should produce savings equal to 3% of bonds to be refinanced
2. Savings after insurance premium should be 2 ½ times underwriters discount and other costs of issuance.

Motion Carried: Unanimously

Y. Finance – Procurement Policy

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

WHEREAS, Section 104-b of the General Municipal Law requires the governing body of every municipality to adopt a procurement policy for all goods and services which are not required by law to be publicly bid, and

WHEREAS, comments have been solicited from all officers in the Town of Ossining involved in the procurement process, now, therefore, be it

RESOLVED, that the Town of Ossining does hereby adopt the following procurement process which is intended to apply to all goods and services which are not required by law to be publicly bid.

Purchases up to \$999

Town Department Managers may authorize purchase of not more than nine-hundred and ninety nine dollars (\$999) per purchase contract for materials, services, supplies or repairs provided that such purchase is made in conformance with the following procedure:

A. A standard Claim Voucher is to be completed and submitted to the Supervisor's Office with the following information:

- 1. Name and address of Vendor**
- 2. Date and vendor number**
- 3. Budget Account Codes**
- 4. Quantity, description and purpose of goods or services purchased**
- 5. Signature of Department Head**

B. The Claim Voucher must be accompanied by an original invoice and packing slip, if applicable.

Purchases between \$1,000-\$10,000

Department Managers may make purchases between \$1,000 and \$10,000 for materials, supplies and repairs provided that such purchase is made in conformance with the following procedure:

A. A Purchase Order is to be completed in order to encumber the expenditure for all purchases over \$1,000, including purchases made under State or local government contracts. This form shall be submitted to the Budget Officer with the following information:

- a. Name and address of recommended vendor**
- b. Date, Vendor Number, Budget Account Codes**
- c. Quantity, description and purpose of the purchase**
- d. Unit cost and total cost of proposed purchase**
- e. Purchase Order must be signed by the Department Manager**

B. Two verbal quotations are required for purchases between \$1,000-\$2,999. A verbal quotation form available in the Supervisor's Office must be used to document the quotes. Attach verbal quotation form to Purchase Order and submit to Budget Officer for approval.

C. Three written quotations are required for purchases between \$3,000-\$10,000. A written quotation form available in the Supervisor's Office must be used to document the quotes. Attach written bid requests to the Purchase Order along with documentation from vendor indicating cost and submit to Budget Officer for approval.

D. Approved purchases will be acknowledged to the Department Manager by copy of the signed Purchase Order signed by the Town Supervisor with a Purchase Order number assigned to it by the Finance Department.

E. Upon satisfactory receipt of the material, supply or repair, the Department Manager will submit to the Budget Officer the following:

- a. Purchase Order signed by the Department Manager to indicate approval for payment along with an invoice from the vendor attached to the Purchase Order.**

Any public works contract over \$10,000 must follow above procedures and obtain three written quotes. A Public Works Contract over \$30,000 is subject to competitive bidding.

A good faith effort shall be made to obtain the required number of proposals or quotations. If the purchaser is unable to obtain the required number of proposals or quotations, the purchaser will document the attempt made at obtaining the proposals. In no event shall failure to obtain the proposals be a bar to the procurement.

Purchases are subject to the availability of funds. Department Managers may not authorize purchases under this section when there are insufficient funds in the designated budget account. The Budget Officer distributes monthly budget expenditure reports showing the available funds in each department account.

Purchases of \$10,000 and over

All purchases of materials, supplies and repairs of equipment of \$10,000 or more and all public works contracts of \$30,000 or more requires competitive bidding subject to the laws of New York.

- A. The Town Supervisor and Clerk's office shall be responsible for the issuance of required documents, notices and advertisements required under the competitive bidding laws and for the receipt of such bids from vendors.
- B. Department Managers will be responsible for preparing information regarding the quantity, quality and specifications of the materials, supplies or work to be furnished.
- C. Capital Projects are defined as improvements to the Town's operations in excess of \$12,000 per project. Please consult with the Budget Officer in order to establish a Capital Project number and processing of Purchase Order.

General Provisions

1. Where possible, purchases should be made from New York State and Westchester County purchasing contracts. These purchases are exempt from the competitive bidding requirements of General Municipal Law Section 103. Information regarding these contracts is available online at www.ogs.state.ny.us. The NYS Contract number must be written on claim voucher or purchase order along with a print-out from the OGS website indicating the item is on NYS Contract.

In addition, purchases under any NYS county or local government contracts, or purchased through the Empire State Purchasing Group or National Joint Powers Alliance (NJPA), provided that the contract is let in a manner that constitutes competitive bidding consistent with NYS law and made available for use by other governmental entities and subject to the approval of the Town Supervisor.

2. Documentation is required of each action taken in connection with each procurement.
 3. Documentation and explanation are required whenever a contract is awarded to other than the lowest responsible offeror. This documentation will include an explanation of how the award will achieve savings or how the offeror was not responsible. A determination that the offeror is not responsible shall be made by the purchaser and may not be challenged under any circumstance.
- Z. As to the purchase of tires for Town-owned vehicles:
- a. Any supplier and/or distributor of tires to the Town must be on New York State and/or Westchester County contract.
 - b. Any supplier and/or distributor of tires to the Town must be able to provide all tires required and selected for any vehicle in the Town of Ossining fleet.
 - c. Whenever possible, a supplier/ distributor with a facility within the Town that otherwise meets all other criteria and requirements will be selected to supply tires to the Town.
 - d. Travel/ delivery time will be factors utilized in selecting a tire supplier/ distributor.
 - e. In selecting a tire supplier/ distributor, preference will be given, if and when possible, to purchase tires from American companies that manufacture tires within the United States.

AA. As to the use of tow companies and vehicle inspections for Town-owned vehicles:

- a. All tows of Town-owned vehicles are to be done by Town of Ossining businesses.**
- b. All automotive inspections of Town-owned vehicles are to be done by Town of Ossining businesses.**

BB. Pursuant to General Municipal Law Section 104-b(2)(f), the procurement policy may contain circumstances when, or types of procurement for which, in the sole discretion of the governing body, the solicitation of alternative proposals or quotations will not be in the best interest of the municipality. In the following circumstances, it may not be in the best interest of the Town of Ossining to solicit quotations to document the basis for not accepting the lowest bid:

- a. Professional services or services requiring special or technical skill, training or expertise. The individual or company must be chosen based on accountability, reliability or responsibility, skill, education, and training, judgment, integrity and moral worth. These qualifications are not necessarily found in the individual or company that offers the lowest price and the nature of these services are such that they do not readily lend themselves to competitive procurement procedures.**

In determining whether a service fits into this category, the Town of Ossining Town Board shall take into consideration the following guidelines: 1) whether the services are subject to state licensing or testing requirements; 2) whether substantial formal education or training is a necessary prerequisite to the performance of the services; and (3) whether the services require a personal relationship between the individual and municipal officials. Profession or technical services shall include but not be limited to the following: services of certified public accountant; investment management services; printing services involving extensive writing, editing, or art work; management of municipally owned property; and computer software or programming services for customized programs or services involved in substantial modification and customization of pre-packaged software.

CC. A Request for Proposal must be prepared for Professional Services. This section is adopted from the Office of the State Comptroller's Financial Management Guide, Subsection 8.3020. Requests for proposals are traditionally used as a means of obtaining many types of professional services. RFPs are used to obtain the services of: architects, engineers, accountants, lawyers, underwriters, fiscal consultants, and other professionals. The purpose of a request for proposal is to have an effective way to award contracts for professional services. RFPs and evaluation of the proposals can consider price plus other factors such as experience, staffing and suitability for needs and may include negotiations on a fair and equal basis. The award should be the most advantageous to the Town.

The overall process involves making a request for proposals from various firms or professionals, and then evaluating the proposals received. Depending on the complexity of the situation, you may prepare the RFP in house or a consultant could be obtained to help you prepare it. The Town Attorney will review all RFPs, contracts to be executed with the firm selected and any other needed items.

There should be a well planned solicitation effort in order to identify a sufficient number of qualified firms. This can be done by advertising in local trade journals, checking listings of professionals, talking to local officials, etc. A well planned solicitation effort can result in reduced costs through increased competition.

DD. Emergency purchases pursuant to Section 103(4) of the General Municipal Law. Due to the nature of this exception, these goods or services must be purchased immediately and a delay in order to seek alternative proposals may

threaten the life, health, safety and welfare of the residents. This section does not preclude alternative proposals if time permits.

9. **Sole Source.** Competitive bidding is not required under Section 103 of the General Municipal Law in those limited situations when goods or services are available from only one source. If a determination is made that a particular item is available only from one source so that no possibility of competition exists, competitive bidding may not be required for the procurement of the item. Department Managers must document the unique benefits of the item as compared to other items available in the marketplace; that no other item provides substantially equivalent or similar benefits; and that considering the benefits received, the cost of the item is reasonable, when compared to other products or services in the marketplace
10. **Purchases of surplus and second-hand goods from any source.** If alternate proposals are required, the Town of Ossining may purchase surplus and second-hand goods at auctions, through specific advertised sources, or from Town suppliers, if it can be determined that such purchase is at a fair market value, is in the best interests of the Town, and if approved by the Town Supervisor or Budget Officer. It is understood that it may be difficult to try and compare prices of used goods and that a lower price may indicate an older product.
11. **Goods or services under \$1,000.** The time and documentation required to purchase through this policy may be more costly than the item itself and would, therefore, not be in the best interests of the taxpayer. In addition, it is not likely that such de minimis contracts would be awarded based on favoritism.
12. **The Town Board must authorize and approve all change orders on capital construction projects by Town Board resolution.**
13. **The Town Supervisor and Budget Officer shall be the municipal officials responsible for providing guidance and making decisions as to application of this procurement policy.**

Supervisor Levenberg stated that this is another policy that the Board regularly updates. There are no immediate changes, but we have been asked by several of our department heads to change how we handle procurement thresholds, which is a topic we will be taking up later this year.

Motion Carried: Unanimously

Z.Reimbursement of Town Employee Business Expenses

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

WHEREAS, from time to time employees incur certain expense in connection with performing their duties, attending training, seminars and/or conferences; and

WHEREAS, The Town of Ossining has established guidelines which an employee may be legally reimbursed for expenses; now therefore be it

RESOLVED, that the Town of Ossining does hereby adopt the Reimbursement of Town Employee Business Expense Policy as follows:

Purpose of this Policy

The purpose of this policy is to establish the guidelines under which an employee of the Town of Ossining may be legally reimbursed for expenses related to the travel to and from, and attendance at, any event which has been recognized and authorized as an event related to Town business. The policy is adopted from the Office of the State Comptroller's Financial Management Guide, Subsection 8.1025. In the event of any misunderstanding or dispute, the Town Supervisor will make the final

determination as to whether an employee is entitled to reimbursement of any expense.

Prior Written Authorization Required

Authorization must be obtained in writing from the Town Supervisor prior to attending an event for which an employee expects reimbursement. In the event that such prior authorization was not obtained, the Town Supervisor, at his/her discretion may authorize reimbursement by written notice to the Budget Officer.

Claim Voucher Required

In order to receive reimbursement of an expense, an employee must submit to the Budget Officer a properly completed and signed Town form, including as attachments, a copy of the Town Supervisor's written authorization, a copy of the brochure or other literature describing the event, and any required receipts. The claim form, available in the Supervisor's Office, must clearly state the title of the event, the sponsoring association, the location and date(s) of the event, and an itemized list of the expenditure categories to be reimbursed. In the event of a conference or training seminar where certificates of completion are issued, said certificates should be provided to the municipality.

Use of Petty Cash for Employee Reimbursements

Petty cash should be used minimally for the reimbursements of employee expenses. It should be remembered that petty cash should require replenishment no more than once a month. Further, any reimbursement made of employee expenses through petty cash still requires appropriate receipts and authorization from the Town Supervisor. A monthly report of petty cash deposits and expenditures must be submitted to the finance departments and supervisor's office

Legal Authority

General Municipal Law 77-b generally authorizes reimbursement of actual and necessary expenses incurred in attending a meeting, convention, conference or school conducted for the betterment of the Town. Written authorization must be obtained in advance from the Town Supervisor before such attendance can be considered a proper Town expense. "Actual and necessary" means that the expenses were:

1. Actually made
2. Necessarily incurred for an authorized purpose
3. An amount no greater than necessary (Opn. St. Comp. 69-563).

Tax Exempt Certificate

The Town is exempt from federal, state and local taxes, including sales tax. As such, it is the responsibility of any employee authorized to attend an event to ascertain that they carry with them a copy the Town of Ossining Tax Exemption Certificate. Such certificates should be presented to places of lodging and dining, so that any amounts paid are exclusive of taxes. The Town retains the right to refuse reimbursement of sales and other taxes paid as part of an employee's expense.

Reimbursement will be made for the following business related expenses, but MUST be pre-approved by the Supervisor's Office:

- Transportation
- Meals
- Lodging
- Gratuities

Transportation

Transportation will be reimbursed for actual travel to and from an authorized event. Transportation will not be reimbursed for any personal travel incurred while away, or for normal commuting to and from home and Town Offices. Reimbursement will be made for:

- The amount spent using public transportation (bus, train, etc.) receipts are required.
- The amount spent for re-fueling a Town owned vehicle. Receipts are required.
- The standard mileage rate, as determined by the Town Board, when using a personal vehicle.
- The amount spent for tolls. Receipts are required.
- The amount spent for parking. Receipts are required.
- The amount spent for plane fare at the regular rate charged for a single coach fare, unless otherwise authorized in writing.

Meals

Meals will be reimbursed when the employee is attending an authorized event away from the regular work area for an extended period of time. If an employee is not attending an event which requires an overnight stay, breakfast and/or lunch will not be reimbursed. Expenditures for the purchase of alcoholic beverages or for guests will not be reimbursed. Receipts are required for all meal expenses.

Lodging

Lodging will be reimbursed at the usual cost of the single occupancy room rate for those nights which fall between the days of an authorized event. "Single occupancy room rate" means the regular room rate charged for a single occupant by the hotel, or the nearest available hotel to, where the event is held. Lodging will not be reimbursed for nights prior or subsequent to the days of an authorized event, unless authorized in advance in writing by the Town Supervisor. Receipts are required for all lodging expenses.

Registration, Tuition, Materials

Any other expenses required to participate in an authorized event, such as registration fees, tuition, books and supplies, will be reimbursed. Receipts are required for all such expenses.

Gratuities

Gratuities that are reasonable and actual may be reimbursed. Gratuities for meals may not exceed the greater of (\$1.00) dollar or fifteen (20%) percent of the cost for each meal, unless a mandatory minimum greater than this amount is required under the terms of the event

Periodic Review

This policy will be reviewed periodically by the Budget Officer. Any questions concerning this policy may be directed to the Budget Officer. The references cited above may assist employees in understanding this policy, and the basis for its contents.

Motion Carried: Unanimously

AA. Agreement-NYS Municipal Workers' Compensation Alliance

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

Resolved, that the Town Board of the Town of Ossining hereby continues its membership with the NYS Workers' Compensation Alliance for fiscal year 2018 to administer workers compensation claims at a cost not to exceed \$156,365, not including the NYS assessment fees.

Motion Carried: Unanimously

BB. Insurance Renewal-New York Municipal Insurance Reciprocal

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

Resolved, that the Town Board of the Town of Ossining hereby continues its insurance policies and coverage with the New York Municipal Insurance Reciprocal (NYMIR) effective January 1, 2018 through December 31, 2018 at an amount not to exceed \$126,428.34.

Motion Carried: Unanimously

REGULAR MEETING – BOARD RESOLUTIONS

I. BOARD RESOLUTIONS

A. Approval of Minutes-Regular Meeting

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

Resolved, that the Town Board of the Town of Ossining hereby approves the December 26, 2017, minutes of the Regular Meeting as presented.

Motion Carried: Unanimously

B. Approval of Voucher Detail Report

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

Resolved, that the Town Board hereby approves the Voucher Detail Report dated January 9, 2018 in the amount of \$47,736.43 for 2017 and \$156,180.89 for 2018. Grand total of \$203,917.32

Supervisor Levenberg stated that our first Voucher Detail Report of 2018 is squished in with the 2017 bills for this report, but have no fear, the Finance Office knows what's what. As some of the old timers may recall, we will have 2017 bills well into the month of February (though hopefully not beyond) so that we have time to properly close the 2017 books in time for our annual audit.

Motion Carried: Unanimously

C. Resolution adopting Local Law #1 of 2018 to enact Amendments to Chapter 178 of the Town Code – “Sustainable Energy Loan Program” and to authorize the Town Supervisor to enter into an amended agreement

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

WHEREAS, Article 5-L of the New York State General Municipal Law entitled “Municipal Sustainable Energy Loan Program” authorizes municipalities to adopt local laws to establish a sustainable energy loan program using federal grant assistance, federal credit support or money from the state of New York or any state authority to make loans to the owners of real property located within the municipality to finance the installation of renewable energy systems and energy efficient improvements, related energy audits and renewable energy system feasibility studies, and the verification of the installation of such systems and improvements (the “Program”); and

WHEREAS, in 2012 the Town Board of the Town of Ossining (“Town Board”) adopted a local law (L.L. No. 4-2012) enacting Chapter 178 entitled “Sustainable Energy Loan Program” as authorized by Article 5-L of the New York State General Municipal Law; and

WHEREAS, to date approximately forty municipalities through New York have enacted the Program (“Participating Municipalities”); and

WHEREAS, the Energy Improvement Corporation (“EIC”), a local development corporation, fully organized under section fourteen hundred eleven of the Not-for-Profit Corporation Law, acts as the agent for the Participating Municipalities to carry out and handle the administration of the Program, and the Town of Ossining entered into an agreement with EIC to this effect; and

WHEREAS, the State Legislature recently enacted certain amendments to Article 5-L of the GML as Chapter 320 of the 2017 Laws of the State of New York to seek to encourage net metered and community solar projects, to allow Ossining’s program to use monies available from the State or any State authority, and to permit a more flexible loan standard for commercial properties; and

WHEREAS, in order to be consistent with the recent amendments to the State Law, the Participating Municipalities must amend the local law and enter into an amended agreement with the EIC; and

WHEREAS, in order for EIC to be the servicer of the Program for the Participating Municipalities, the local laws and agreements must be substantively the same among all of the Participating Municipalities; and

WHEREAS, the EIC has submitted to the Participating Municipalities templates of the proposed amendments to Chapter 178 of the Town Code and proposed amended agreement; and

WHEREAS, the Town Board proposes Local Law #1 of 2018, formerly Local Law #7 of 2017, a copy of which is attached hereto and made a part of this resolution, to adopt the amendments to Chapter 178 of the Town Code as set forth in the template provided by EIC; and

WHEREAS, the Town Board held a public hearing at its regular meeting on Tuesday, December 26, 2017 at 7:30 p.m. at the Birdsall-Fagan Police Court Facility at 86-88 Spring Street, Ossining, New York on proposed Local Law #7 of 2017, and members of the public being able to attend and be heard, the public hearing was closed at the same meeting; and

NOW THEREFORE, BE IT RESOLVED, the Town Board finds that it is the policy of the Town to achieve energy efficiency and renewable energy goals, reduce greenhouse gas emissions, mitigate the effect of global climate change, and advance a clean energy economy and that continuing to implement the Program in accordance with State Law will serve as a means to satisfy this policy; and

BE IT FURTHER RESOLVED, the Town Board determines that this is a Type II action pursuant to the State Environmental Quality Review Act and therefore no further review is required; and

BE IT FURTHER RESOLVED, the Town Board hereby adopts Local Law #1 of 2018 (formerly Local Law #7 of 2017) to enact the proposed amendments to Chapter 178 of the Town Code; and the Town Clerk is directed to enter said local law in the minutes of this meeting into the local law book for the Town of Ossining; to publish said minutes in a newspaper published in the town, if any, or in such newspaper published in the county in which such town may be located having a circulation in such town, and affidavits of said publication shall be filed with the Town Clerk; and to file a copy of said local law with the Secretary of State of New York; and

BE IT FURTHER RESOLVED, the Town Supervisor is hereby authorized to enter into the proposed amended agreement with EIC, which is attached hereto and made a part of this resolution, subject to approval by Counsel to the Town as to form.

Supervisor Levenberg stated tht we had discussed this in a Work Session in late 2017 as an update to our existing PACE (Property Assessed Clean Energy) Financing legislation, which is meant to bring us in line with new state legislation that will, among other things, makes the program more accessible to different types of commercial properties and not for profit organizations. This is a fantastic program, and we hope that this change in law will help more Ossining businesses to take advantage.

Motion Carried: Unanimously

D.Hudson River Greenway Grant- Request for Extension

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

Resolved, that the Supervisor is authorized to sign a Memorandum of Understanding extension until March 29, 2019 with the Hudson River Valley Greenway for Compact Grant #CP-01-01-W in the amount of \$6,700 for the completion of a parks feasibility study in the Town of Ossining.

Supervisor Levenberg stated that this grant was originally secured by the Town back in 2010, and some of the money was spent prior to 2013 to develop a survey to get public input on our Town Parks. We conducted the survey back in 2016 and submitted the results to the folks at Greenway, but as it turns out, there was more that we needed to do to satisfy the grant requirements. We will be working on crafting and conducting the feasibility study in the time provided by this 2 year extension.

Motion Carried: Unanimously

E.Calling for a Public Hearing-Taxation of Converted Condominiums

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

Resolved, that the Town Board of the Town of Ossining hereby calls for a Public Hearing to be held on Tuesday, January 23rd, at 7:30 p.m. at the Birdsall-Fagan Police/Court Facility, 86-88 Spring Street, Ossining, NY in the matter of Local Law #2 of 2018, entitled “Taxation of Converted Condominiums.”

Supervisor Levenberg stated that as we discussed in our last Work Session in December, we have not to date chosen to adopt the Homestead Option, which would place condominiums in the residential class of properties—they are now classified as commercial properties, which means they are assessed and taxed using the income approach, as opposed to the full value approach used assess and tax to single family homes. As a Board, we are concerned that HOAs may seek to convert their property classification to the condo class in order to take advantage of the existing structure, which the Board feels could have an immediate and possibly long-lasting negative impact on our tax base as a whole. We look forward to hearing from the community about this issue, but I want to reiterate—this only applies to properties who, going forward, convert to condominium classification. This will not affect anyone who currently lives in a condo.

Motion Carried: Unanimously

F.Calling for a Public Hearing in the matter of the 2018 Cabaret License Renewal for Maya Riviera

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

Resolved, that the Town Board of the Town of Ossining hereby calls for a Public Hearing to be held on Tuesday, January 23, 2018 at 7:35 p.m. at the Birdsall/Fagan Police Court Facility, 86-88 Spring Street, Ossining NY 10562, in the matter of the 2018 Cabaret License for Maya Riviera Bar and Restaurant, 518 North State Road Briarcliff Manor, NY 10510.

Motion Carried: Unanimously

G. Calling for a Public Hearing in the matter of the 2018 Cabaret License Renewal for Westchester Ballroom

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

Resolved, that the Town Board of the Town of Ossining hereby calls for a Public Hearing to be held on Tuesday, January 23, 2018 at 7:40 p.m. at the Birdsall/Fagan Police Court Facility, 86-88 Spring Street, Ossining NY 10562, in the matter of the 2018 Cabaret License for Westchester Ballroom, 565 North State Road Briarcliff Manor, NY 10510.

Motion Carried: Unanimously

H. Sav-A-Tree Proposal-- Urban Forestry Grant Project

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

Resolved, that the Supervisor is authorized to approve the proposal submitted by Sav-A-Tree Consulting Group for the completion of a tree inventory for \$14,000 to be reimbursed by a New York State Department of Environmental Conservation Urban Forestry grant.

Supervisor Levenberg stated that in 2017, we received a grant develop an inventory and management plan for trees in the Right of Way along NS Road, Route 134, Route 133 and Louis Engel Park, the results of which will be shared with community in 2 events. Trees will be measured, their genus and species will be noted along with its gps location and coordinates. Each tree will be assigned a risk level, and we will examine types of risk mitigation and other management strategies for existing trees. We also will look into potential space for tree planning. I am excited to get to work on this project to help us understand the ecology of our community a bit better while planning for our transportation future.

Motion Carried: Unanimously

I. Resignation- Town Board of Ethics

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

Resolved, that the Town Board of the Town of Ossining hereby accepts, with regret, the resignation of Board of Ethics Chair Sandra Hirsch, effective January 8, 2018.

Supervisor Levenberg stated that earlier this week, we received the unexpected news that our Town Ethics Board Chair had to step down due to some personal circumstances, effective immediately. Sandy has been on our Board of Ethics since it was created back in 2009, and has proven to be a reliable, knowledgeable and thoughtful team member. We wish Sandy the best.

Motion Carried: Unanimously

II. CORRESPONDENCE TO BE RECEIVED AND FILED

III. MONTHLY REPORTS

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

Town Board of the Town of Ossining hereby accepts the following monthly reports:

- **Monthly reports (Nov & Dec) for Dale Cemetery**
- **Monthly report for December for Supervisor's Office**
- **Town Clerk's Office for December**
- **Town Tax Receiver's Report for December**
- **G.E. Helicopter Report for December**

Motion Carried: Unanimously

IV. VISITOR RECOGNITION

Scott Craven extended his thanks to the Board for the honor of serving as Town Historian for the year 2018. He has spent a great deal of his time in Ossining as a matter of fact he worked as a life guard for the Town in 1978. On February 10th the Teatown Eagle Fest will take place with history and the viewing of eagles at Croton Point.

VI. ADJOURNMENT –EXECUTIVE SESSION-PERSONNEL & CONTRACTS

At 8:36 P.M., Councilmember D'Attore moved and it was seconded by Councilmember Wilcher that the Regular Meeting be adjourned.

Motion Carried: Unanimously

Approved:

Mary Ann Roberts Village Clerk