



**TOWN BOARD
TOWN OF OSSINING
BIRDSALL-FAGAN POLICE/COURT FACILITY
86-88 SPRING STREET – OSSINING, NEW YORK
APRIL 9, 2019
REGULAR MEETING
7:30 P.M.**

**SUPERVISOR
Dana A. Levenberg**

**COUNCILMEMBERS
Karen M. D’Attore Elizabeth R. Feldman
Jackie G. Shaw Northern Wilcher, Jr.**

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

The Regular Meeting of the Town Board of the Town of Ossining was held on April 9, 2018 in the Police/Court Facility, 86-88 Spring Street in Ossining. The meeting was called to order at 7:32 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 Christie Tomm-Addona, Budget Officer Madeline Zachacz, and Confidential Secretary Victoria Cafarelli.

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

Supervisor Levenberg stated that Tonight, we are opening two Public Hearings on 2019 Cabaret licenses—The Briarcliff Manor is a renewal, and Club Fit is pursuing this license for the first time. Both of these applications have been vetted by our police and building departments, both of whom felt all was in order, but we are still looking for public and Board feedback on both.

At 7:32 pm, Councilmember Feldman moved and it was seconded by Councilmember Shaw that the Public Hearing opened.

- **2019 Cabaret License Renewal for The Briarcliff Manor**

No one came to speak on this public hearing.

At 7:34 p.m. Councilmember Wilcher moved and it was seconded by Councilmember Shaw that the Public Hearing be closed.

At 7:34 pm, Councilmember Feldman moved and it was seconded by Councilmember Wilcher that the Public Hearing opened.

- **2019 Cabaret License for Club Fit Briarcliff d/b/a/ Briarcliff Operations LLC.**

No one came to speak on this public hearing.

Town Counsel Christine Tomm-Addonna explained that because of the nature of this business and they do tend to open early. In the code it states that cabarets are not to be open between 3:00 a.m.-11:59 a.m. unless the liquor license authorizes. Town Counsel recommends that we adjourn the public hearing until April 23, 2019 and ask for a copy of their liquor license and then we can close the hearing at the next meeting and have a resolution prepared in advance on the agenda.

At 7:36 p.m. Councilmember Wilcher moved and it was seconded by Councilmember Feldman that the Public Hearing be adjourned until April 23, 2019.

III. SPECIAL PRESENTATION-RETIREMENT OF HONORABLE MICHAEL G. O'CONNOR-SUPERINTENDENT OF HIGHWAYS

Supervisor Levenberg stated that this is a very bittersweet week for us in the Town of Ossining, as we prepare to say “see you soon” to our Town Superintendent of Highways, Michael G. O'Connor. Michael has a long history with Town government and an even longer history of volunteer service to Ossining. After more than 13 years as our elected Highway Superintendent, Michael G. will donning his last neon jacket this Thursday before turning over the reins to his deputy, Pete Connolly. Michael has worked hard for this break, but we also know just how much he loves his job and considers his crew and office staff to be a second family. We are going to take a short break to honor Michael with some cake, but first, I would like the Board to join me in presenting Michael with a proclamation.

Supervisor Levenberg presented Michael G. O'Connor with a proclamation.

Michael G. O'Connor thanked the entire administration of the Town, all the employees and Department Heads for all their well wishes.

IV. ANNOUNCEMENTS

Supervisor Levenberg stated that Were you able to make it down to Westchester Collaborative Theater this weekend? Their new show, The Legend, debuted last week and we are hearing rave reviews. Head down to Water Street and check out what has been described as an "urban fairy tale" about a troubled young boxer and his ascent into the world of professional prize fighting-- tickets are \$25, and performances will continue throughout the next three weekends. Visit www.wctheater.org to pick a date for a night on the town.

Ossining is making big moves for the environment this spring. The Ossining Documentary and Discussion series is hosting two events, both with a focus on the Hudson River. This Thursday, April 11th at 6:30PM at the Ossining Public Library's Budarz Theater, watch “Source to Sea” and learn more about the Ossining Beach project you heard about a few weeks back from our OHS Environmental Club students, as well as some other ideas for Ossining's Riverfront! Then next Thursday, April 18th, ODDS will go on a field trip—the screening of a trio of documentaries about the Hudson River will take place at Sing Sing Kill Brewery on Spring Street—this one starts at 7:30PM. Learn more about these events at ossiningdocumentaries.org.

Green Ossining is also making moves—they are partnering with the Greenburgh Nature Center to offer 50% off rain barrels and composters through April 24th! [Once you've ordered](#), you can pick them up on Earth Day at the Ossining waterfront.

Speaking of which, Ossining's 9th Annual Earth Day will take place on Saturday, April 27th.) Westchester Magazine ranked it as a must-do event for 2019, and we expect more than 3000 people from around the region to heed that advice. Special thanks to Green Ossining and their fearless leader Suzie Ross for taking on this incredible (and increasingly important) endeavor.

Finally, don't forget to sign up for the Green Ossining Tag Sale-- last day to get your home on the map is April 19th! [Learn more here](#).

Looking for some family-friendly entertainment in town? Check out Friday Night Flix at the Ossining Public Library. This Friday at 7PM, bring the gang to the Budarz Theater for "A Dog's Way Home"-- enjoy this heartwarming "tail" and free popcorn and drinks. Doors open at 6:45PM.

This Saturday, April 13th, come on down to the Joseph G. Caputo Community Center for the Eggstastic Carnival with two sessions (10AM and 11AM). Come play games, win eggs, and be sure to bring a camera so you can pose for a photo with the big bunny. Annie and Safari Bob will also be there to provide entertainment. Be sure to register in advance for this program, as both sessions will fill up! Call 941-3189 to reserve your spot for Saturday. This event is best for families with children ages 2 to 9.

Not hopping out of your seat to meet the bunny? There are some other local animals who need your help! The SPCA on North State Road in Briarcliff will be hosting an invasive vine cutting workshop and “party” this coming Saturday (April 13th). Cornell Cooperative Extension Master Gardner Donna Sharrett will be on hand to tell you what needs to go, and then you will be “unleashed” to “Untangle the SPCA!” The fun starts at 11:30AM—make sure to bring your own gloves, hand pruners and garden loppers.

On Tuesday, April 16th, you are invited to attend “Biodiversity in the Suburbs” as part of the Pocantico River Watershed Alliance series at Teatown Lake Reservation, Beginning at 6:30PM, hear from Professor Michael Rubbo, PhD of Pace University who will present his recent work addressing conservation and stewardship in the watershed and how you can help. Dr. Rubbo did some of the research for this talk on Town property, so we will be interested to see what he uncovered.

On Tuesday, April 23rd, join Ossining Innovates at 7PM for an evening at Speak Easy Creative CoWorking at 127 Main Street, where the founder of Main Street Deli and the founder of Metro Pups will speak about their experience starting a business in Ossining. If you are considering taking the leap into entrepreneurship and have some questions to ask, this is the perfect opportunity to hear from the experts right in your own backyard. Don’t worry—the Town meeting that night will be recorded and posted the YouTube, so you won’t miss a beat, even if you skip the live version!

Finally, there is a lot going on for Saturday, May 4th, so mark your calendar now! Traditionally, the 1st Saturday in May is “I Love My Park” Day—register to spend your day at the Old Croton Aqueduct State Historic Park. There are 3 volunteer projects that could use some spare hands – lop vines and invasive plants and bushes, help to restore historic stone walls, or restore plantings along the trail. Be sure to register in advance, as some projects do fill up more quickly! Visit ptny.org/events and click on “I Love My Park Day” to learn more. Email DAldenPC@bestweb.net with any questions.

May 4th will also be the 2019 kickoff for OHCC’s gravestone cleanings—this one will take place at Historic Dale Cemetery at 104 Havell Street between 9AM and 12PM. No experience is necessary, the experts will show you how it’s done—just make sure to wear clothes you won’t mind getting wet or messy, and bring along a willingness to learn about Ossining’s important past.

Councilmember Feldman stated that the OBCC docks are in and are ready. On April 10th, 2019 there will be an OBCC membership meeting at 7:00 p.m. If you would like more information on this please visit www.obcc.org.

Councilmember Shaw announced that Veterans Park will be closed for the next few weeks for re-seeding and the recreation department is asking that the community stay off of the grass.

V. VISITOR RECOGNITION

Frank Faiella Ossining resident/Commander of American Legion Club provided the Board with a presentation/idea to have a flag posted on the Town streets that were named after Veterans that were killed during the war. The holder will be mounted on the street pole. The members of the Legion are willing to install these holders.

Michael G. O’Connor confirmed that there are approximately 22 streets in the unincorporated area.

Mr. Faiella stated that the unit will cost about \$60 each.

Supervisor Levenberg stated that the Board will need to do some research/homework regarding the installation.

Councilmember D’Attore stated that this is a great idea. This is good way to remember our Veterans.

The Town Board feels more comfortable if our Highway personnel installs the mounting/flags.

The Town Board unofficially will approve this project and will follow-up with a resolution at the next meeting. The goal is install the flags/mounts by Memorial Day.

VI. LIAISON REPORTS

VII. DEPARTMENTAL REPORTS

VII. PUBLIC COMMENT ON AGENDA ITEMS

VIII. BOARD RESOLUTIONS

A. Approval of Minutes-Regular Meeting-March 26, 2019

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

Resolved, that the Town Board of the Town of Ossining hereby approves the March 26, 2019 minutes of the Regular Meeting as presented.

Motion Carried: Unanimously

B. Approval of Minutes-Special Meeting-April 2, 2019

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

Resolved, that the Town Board of the Town of Ossining hereby approves the April 2, 2019 minutes of the Special Meeting as presented.

Motion Carried: Unanimously

C. Approval of Voucher Detail Report

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

Resolved, that the Town Board of the Town of Ossining hereby approves the Voucher Detail Report dated April 9, 2019 in the amount of \$360,165.05.

Supervisor Levenberg stated that there are not many bills of interest this time around—we paid our April IMA bill to the Village of Ossining, and also our 2nd

quarter Worker's Comp bill and annual Worker's Comp assessment fee. We also paid for the remainder of backup pumps we ordered for our sewer lift stations throughout the unincorporated town. We also made the first two (of 12) payments on our brand new Ford Fusion, which we will own for the bargain price of \$1 after a year.

Motion Carried: Unanimously

D. Resolution: Metro North Agreement- Earth Day Parking

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

Resolved, that the Town Board of the Town of Ossining hereby authorizes the Supervisor to sign an agreement with Metro North on behalf of the Town, whereby Metro North will extend permission to the Town of Ossining to use the parking area at Louis Engel Park for 2019 Earth Day, Saturday April 27th, 2019; and

Be it further Resolved, that all documents and certificates of insurance issued are subject to approval by Counsel to the Town.

Supervisor Levenberg stated that as I mentioned during my announcements, I hope you all will join us at Earth Day on Saturday, April 27th—special thanks to Metro North for being so accommodating and letting us spread out a little—it really helped last year, and I am certain that it will make the parking experience just as good in 2019.

Motion Carried: Unanimously

E. Resolution – Calling for Public Hearing on Local Law #5 of 2019 – Energize NY Open C-PACE Financing Program

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

WHEREAS, the Town Code Chapter 178 entitled Sustainable Energy Loan Program was enacted by the Town Board to allow certain property owners to obtain financing for the installation of renewable energy systems and energy efficiency measures, as permitted by State law; and

WHEREAS, as set forth in the existing local law and agreement with the Energy Improvement Corporation (“EIC”), a local development corporation acting as the agent for the Town to administer this program, the Town was required to put a lien on the property for the value of the financing and pay back the loan regardless of whether the property owner paid the bill; and

WHEREAS, a new program has been established whereby the EIC, as the agent for the Town, would be responsible for putting the lien on the property and collecting the repayment of the loan from the property owner, relieving the Town of that obligation; and

WHEREAS, a new local law is required in order to implement this new program, known as Energize NY Open C-PACE Financing Program; and

NOW THEREFORE,

BE IT RESOLVED, the Town Board of the Town of Ossining hereby calls for a Public Hearing to be held on Tuesday, April 23, 2019 at the Birdsall-Fagan Police/Court Facility located at 86-88 Spring Street, Ossining, NY 10562 in the matter of local law #5 of 2019 – Energize NY Open C-PACE Financing Program.

Supervisor Levenberg stated that we heard about this last week from Sarah Smiley from Energize NY and the consensus of the Board was that this is a good thing for municipalities to adopt because it gives another tool to commercial properties and

non for profits to finance energy improvements with a better product. We are happy to offer PACE financing to our community, but we will be even happier when the CPACE amendment takes the onus off of the Town collect in case of a delinquency.

Motion Carried: Unanimously

F. Resolution – Calling for Public Hearing on Local Law #6 of 2019 – Establishing an Alternate to the Planning Board

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

WHEREAS, the Town of Ossining Planning Board consists of five members who attend meetings and hear applications the Planning Board is authorized to consider under State Law and the Town Code; and

WHEREAS, on occasion and for a variety of reasons, a Planning Board member may not be able to attend a meeting, which could be detrimental to the operations of the Planning Board and the applications it is considering if there is not a quorum and/or there is not a full complement of the Planning Board present to vote on the applications; and

WHEREAS, the Town Board believes it would be beneficial to have an alternate member of the Planning Board appointed who would attend the Planning Board meetings, be familiar with the applications before the Planning Board, and be able to vote on the applications when there is not a full complement of the Planning Board present at the meeting; and

NOW THEREFORE,

BE IT RESOLVED, the Town Board of the Town of Ossining hereby calls for a Public Hearing to be held on Tuesday, April 23, 2019 at the Birdsall-Fagan Police/Court Facility located at 86-88 Spring Street, Ossining, NY 10562 in the matter of local law #6 of 2019 – Establishing an Alternate to the Planning Board.

Supervisor Levenberg stated that as the Planning Board has more regular meetings than an of our other Boards and time is often of the essence, it was suggested to us that a provision be made to allow for an alternate to be named in the event that one of the regular members must be absent.

Motion Carried: Unanimously

G. Resolution – Authorizing Cedar Lane Arts Center Clay Studio Membership Application

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

WHEREAS, the Town of Ossining’s Cedar Lane Arts Center has a clay studio, which is currently being used only for scheduled classes overseen by an instructor; and

WHEREAS, it has come to the Town Board’s attention that there are those in the Greater-Ossining and Westchester community who are experienced in clay, do not require instruction or supervision, and would be interested in using CLAC’s clay studio during times when classes are not scheduled; and

WHEREAS, the Town Board believes it would be beneficial to allow these individuals, after being assessed and evaluated by the Studio Manager to determine they are experienced and qualified to use the clay studio without supervision, to obtain a membership to CLAC in order to use the clay studio outside of scheduled class time; and

NOW THEREFORE,

BE IT RESOLVED, the Town Board hereby adopts the attached Cedar Lane Arts Center Clay Studio Membership Application form to be used by the Studio Manager in accepting and processing applications and setting forth the rules and regulations for members' use of the clay studio; and

BE IT FURTHER RESOLVED, the Town Board hereby adopts the fees set forth in the Application, which are based upon supplier cost and subject to change, and which fees shall be added to the current 2019 fee schedule:

Rental Fees

- Studio access w/o shelf space (all incomplete work must be taken home when leaving): \$300/quarter
 - Studio access with ½ storage unit: \$375/quarter
 - Studio access with 1 full storage unit: \$450/quarter
- 10% rental discount when you prepay six or more months in advance.

Use Fees

- Firing fee (includes both cone 05 bisque and cone 6 glaze): 5¢/cubic inch
- Clay (midrange stoneware): \$15/25-pound bag
- Reclaimed clay from bucket: \$10/25-pound bag
- Mid-range Porcelain clay: \$20/25-pound bag

Deposit for Key to Access CLAC

\$200

Supervisor Levenberg stated that we are excited to be able to offer the rental of studio space to local artists. Folks who wish to avail themselves of this opportunity will be vetted by Keith Gordon, our studio manager, and we are excited to hear how this program works out, AND to see some new artwork!

Motion Carried: Unanimously

H. Auctions International- Acceptance of High Bids

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

Whereas, the Town Board of the Town of Ossining declared, by resolution on March 19th, 2019, the below items Surplus and authorized them to be posted on Auctions International; and

Whereas, the auctions have closed and the Town Board is in receipt of the high bids for each item;

Now, therefore be it Resolved that the Town Board of the Town of Ossining does hereby accept these high bids and permit the sales of these items to the high bidders.

PARKS DEPARTMENT:

#23 2008 GMC 550 Dump body style VIN# 1GDE5C3918F407381: \$17,600.00

HIGHWAY DEPARTMENT:

**#82 2003 ELGIN PELICAN P9100S BODY STYLE VIN# PL4045T2778951:
\$4,550.00**

**#65 2001 DODGE 3500 UTILITY STYLE VIN# 3B6MF36541M560708:
\$1,450.00**

**#53 2003 INTERNATIONAL 7400 Dump body style VIN#
1HTWEADRO3J055866: \$6,500.00**

#62 1996 CHEVY 3500 Dump body style VIN# 1FBTK3HR7TE265017: \$520.00

#73 2001 JEEP CHEROKEE VIN# 1J4FF48S21L601376: \$750.00

**WESTERN PLOW 10FT: \$860.00
MOHAWK LIFT NO VIN: \$1,800.00**

BUILDING DEPARTMENT:

2007 CHEVY IMPALA 4DSA VIN# 2G1WT58K579202586: \$860.00

Supervisor Levenberg stated that we are incredibly pleased with the bid results—in fact, I think the only folks more please will be the Highway Department staff so we can start to move these vehicles off the yard and make room for the vehicles coming later this spring and summer. Thanks to Victoria Cafarelli in my office, as well as Gary Cecere and Fern Quezada at the Highway Department, for getting this project turned around so quickly.

Motion Carried: Unanimously

IX.CORRESPONDENCE TO BE RECEIVED AND FILED

X.MONTHLY REPORTS

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

Resolved, that the Town Board of the Town of Ossining hereby accepts the following monthly reports for the month of March 2019 from:

- Town Clerk's Office
- G.E. Helicopter Report
- Town Tax Receiver's Office
- Dale Cemetery
- Supervisor's Office
- Town Building Department

Motion Carried: Unanimously

XII.ADJOURNMENT

At 8:45 p.m., Councilmember Feldman moved and it was seconded by Councilmember Wilcher that the Regular Meeting be adjourned.

Supervisor Levenberg announced that our next Town Hall Meeting will be next Tuesday, April 16th at the Ossining Public Library beginning at 7:30 p.m.

Motion Carried: Unanimously

Approved:

Town Clerk Mary Ann Roberts