



**TOWN BOARD
TOWN OF OSSINING
BIRDSALL-FAGAN POLICE/COURT FACILITY
86-88 SPRING STREET – OSSINING, NEW YORK
JUNE 25, 2019
REGULAR MEETING
7:30 P.M.**

**SUPERVISOR
Dana A. Levenberg**

**COUNCILMEMBERS
Elizabeth R. Feldman Gregory G. Meyer
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 June 25, 2019 in the Police/Court Facility, 86-88 Spring Street in Ossining. The meeting was called to order at 7:30 p.m. by Supervisor Dana A. Levenberg. Members of the Board present were: Councilmembers Northern Wilcher Jr., Jackie G. Shaw and Elizabeth R. Feldman and Gregory G. Meyer. Also present were Town Counsel Christie Tomm-Addona, and Confidential Secretary Victoria Cafarelli Budget Officer Madeline Zachacz was absent.

Supervisor Levenberg stated that she would like remind everyone that there is a primary election at all of our polling places currently under way. Polls are open until 9:00 p.m. tonight for registered Democrats and Independence Party voters. Specifically on the ballot are two Westchester County Court judge positions.

Next, Supervisor Levenberg introduced new Ossining Town Board Member, Greg Meyer. We are so excited to get Greg started in this position – we are quite certain that his experience in government, in multiple offices at the State and County levels, and as a volunteer on some of our local Village boards, as well as his enthusiasm for serving our Ossining community, will serve him and our community well in this new role as Town Council Member. Welcome Greg!

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

Supervisor Levenberg stated that we continue the public hearings regarding the three local laws currently under consideration to be put to public referendum. They are to convert the elective offices of Town Superintendent of Highways, Receiver of Taxes, and Town Clerk to appointive offices. If the Town Board adopts any of these local laws, the public would vote on a separate referendum for each local law on the ballot at the November 2019 general election. These laws will only go into effect if approved by a majority of the voters in November. Last week, we posted some frequently asked questions about this important topic online, and some printed copies are available for you tonight. If you are having trouble accessing this document, please contact my office. The frequently asked questions document highlights why the Town Board wants to offer these options to the public, namely because we believe the passage of these pieces of legislation will save money, increase accessibility, standardize processes, allow us to work faster, modernize our systems, and promote flexibility. It is important to bear in mind that no decisions have been made -- the Town Board is considering these three pieces of legislation to allow you, the public, to ultimately decide on Election Day. We look forward to this ongoing discussion tonight with this continued public hearing.

At 7:32 p.m., the Public Hearing opened.

- **Local Law #4 of 2019 – Abolishing the office of Elective Town Superintendent of Highways and creating the office of Appointive Town Superintendent of Highways subject to a mandatory referendum***

At 7:41 p.m., Councilmember Feldman moved and it was seconded by Councilmember Shaw that the Public Hearing be adjourned until July 9, 2019.

- **Local Law #5 of 2019 – Abolishing the office of Elective Town Receiver of Taxes and creating the office of Appointive Town Receiver of Taxes subject to a mandatory referendum***

At 7:41 p.m., Councilmember Feldman moved and it was seconded by Councilmember Shaw that the Public Hearing be adjourned until July 9, 2019.

- **Local Law #6 of 2019 – Abolishing the office of Elective Town Clerk and creating the office of Appointive Town Clerk subject to a mandatory referendum***

Mindy Lamar Haymont Terrace stated that taking rights away from citizens is extremely disturbing. Ms. Lamar is in opposition of local laws 4, 5 & 6-2019.

Andre Lamar Haymont Terrace explained to the Board that this is a very busy time and is disappointed that this meeting was held when the public is unable to attend. Mr. Lamar spoke in opposition of local laws 4, 5 & 6-2019.

Town Council Christie Tomm-Addona explained that the Board could keep the hearing open until July 9, 2019.

At 7:41 p.m., Councilmember Feldman moved and it was seconded by Councilmember Shaw that the Public Hearing be adjourned until July 9, 2019.

At 7:41 p.m., the Public Hearing opened.

- **Local Law #7 of 2019- Amendments to Chapter 74 of the Town Code entitled “Dogs” to Regulate Registration for and Use of the Town’s Dog Parks**

Supervisor Levenberg stated that for the past few months, the Town Board has been discussing some changes to the chapter of the Town Code relating to dogs, dog licenses, and the dog park at Cedar Lane and dog run at Ryder Park. This local law will codify the rules and regulations for both dog parks and streamline the process by which residents obtain dog licenses and register their dogs for use of the dog parks. Based on our discussions at Work Sessions, Town Counsel has drafted this legislation to address some of the issues that have been brought to our attention by the public and the Recreation Advisory Board.

Town Counsel Christie Tomm-Addona explained that this is an amendment in addition to the existing chapter 74 of the code that deals with dogs. What’s being proposed by the Town Board is Article 3 which deals specifically with registration fees.

Mindy Lamar Haymont Terrace questioned who would enforce this law?

Supervisor Levenberg explained that people would report and we have a way to enforce it.

At 7:53 p.m., Councilmember Feldman moved and it was seconded by Councilmember Wilcher that the Public Hearing be adjourned until July 9, 2019.

- **Community Development Block Grant (CDBG) Applications, 2019-2021**

At 7:53 p.m., the Public Hearing opened.

Supervisor Levenberg stated that as you may remember, the Town applied for four grants under the 2019-2021 cycle for Community Development Block Grant funds from the Westchester County Department of Planning last year. Each year, we have the opportunity to update our applications, which we plan to do for our applications for 2020 and 2021. We plan on closing the public hearing tonight, so the Town Board can consider resolutions approving the budget changes for our application. This public hearing was continued from the last legislative session as we waited for budget numbers from our architect on proposed renovations to the Senior Nutrition Program.

Confidential Secretary, Victoria Cafarelli provided the Board with an update on the budget for this project.

At 7:56 p.m., Councilmember Wilcher moved and it was seconded by Councilmember Shaw that the Public Hearing be closed.

III. ANNOUNCEMENTS

Supervisor Levenberg announced the following:

As I mentioned earlier, and just in case you forgot, today is primary day in the state of New York! If you are a registered Democrat or Independent, please get out and vote. On the ballot are two judge seats on the Westchester County Court. Polls are open until 9pm, so you still have some time to get to your polling place!

Last week, we cancelled our Work Session on the topic of the River Knoll project due to a lack of quorum. We have rescheduled that meeting for Tuesday, July 16th here at the Courthouse, 86-88 Spring Street instead of our usual location of 16 Croton Avenue. As originally planned, we are devoting that Work Session to a Board discussion about the River Knoll project which has been proposed for the Stony Lodge site on Croton Dam Road, a project that is still before the Town Planning Board. We will begin at 7:30PM and, as an exception to our usual rule for Work Sessions, we will be allowing public comment. We hope you can join us-- if not, we will be filming the Work Session and it will be posted to the Town's YouTube channel the day following the meeting. We apologize for any inconvenience our unplanned cancellation may have caused.

Starting this week, arborists from Davey Resource Group have begun the process of inventorying street trees in the unincorporated Town and trees in our parks and cemeteries. They will be in Town for the rest of the week, and maybe a few days next week. They are wearing Davey Resource Group uniforms and high visibility vests, and only inventorying trees on Town-owned property. This inventory is being funded by a grant from the New York State DEC – we are excited to learn more about our trees and how they contribute so much to our environment! If you have any questions, please do not hesitate to contact the Supervisor's office at (914) 762-6001.

We are thrilled to announce Ossining Day at Playland this summer! The County is introducing Town Days this year, and we will happily share with the Village as well. On August 7th, Ossining residents will receive special discounts with proof of ID. These discounts include one free mini golf entry, one 2 for 1 ride admission, one free beach or pool admission, and \$1 off one food value meal. You will also get a \$5

discount off parking on a return visit to Playland. Stay tuned over the next few weeks for some more fun announcements about Ossining Day! Also, be sure to keep an eye out for Coaster -- or "Coastie" as we lovingly call him in the Supervisor's and Village Manager's office -- the Playland mascot around Ossining, as we prepare for a fun day at Playland later this summer!

Mind, Body, Spirit – Ossining continues this week with Recess Rocks from Open Door on Friday, June 28th at 3:30pm at Nelson Park. Celebrate the end of the school year by bringing your kids to Nelson Park to learn fun ways to stay active this summer! On Sunday, June 30th, head down to Engel Park for morning yoga with Club Fit Instructor Lauri Nemetz at 8am and stick around for SharQui, the Belly Dance workout, with Solarah Delphi at 11am also on Sunday—I can vouch for this being a great way to workout and you do NOT need to show your belly! Registration is FREE, and although not required, if you register in advance you will qualify for raffles and giveaways, and be able to be reached if a class needs to be cancelled due to weather. We are so pleased to announce that Club Fit and UMAC Briarcliff are offering raffle prizes for people that register for any Mind, Body, Spirit – Ossining programs all summer, including a gift card to Club Fit, a UMAC Birthday Party, or a free month of classes at UMAC. Drawings will be held in September! Thank you so much to our partners, especially Club Fit, UMAC Briarcliff, and Open Door Family Medical Center for their hard work at making this summer's classes such a success!

It's time to get ready for summer reading! The Ossining Public Library has a few events coming up this week to help you find some great books to dive into this summer. On Wednesday, June 26th, the Library is officially kicking off summer reading with a celebration at 3PM. Come to register for one of their summer reading programs, enjoy some delicious snacks, play games, and dance the afternoon away courtesy of a guest DJ! And Summer Reading is not just for kids -- the staff at the Ossining Library will be happy to help you find some great summer reading selections to read along with your kids, grandkids, and littlest neighbors. We can all do our part to set good examples for Ossining's students this summer by reading more and supporting our local library!

Tonight starts the annual St. Ann's Parish Festival, which runs every night until Sunday, June 30th. If you're watching with us live, you might still have some time to run over to enjoy the games, rides, and food selections celebrating St. Ann's multicultural parish for opening night. The St. Ann's festival is a great way to kick off summer with your family and friends.

Finally, It is hard to believe that the Fourth of July is next week! Join us Ossining's annual fireworks display next Wednesday, July 3rd, with music from the Jay Prince Band starting at 7PM. You are going to want to head down to Louis Engel Park a bit early around 5PM-- the Ossining Chamber has lined up a bunch of great food trucks, including our friends at [Abeetz](#) (who have recently added both a French Onion and a Clam Chowder pizza to their menu, reported to be out of this world delicious), The Blue Pig's locally sourced ice cream, Aji Limo with ceviche and wings and shakes, Lemon Love, Lonnie's Fish and Chips, Sloppy Joes, Sabor Bakery, Broken Bow Brewery and our very own Sing Sing Kill Brewery serving up their icy cold local craft beers. It should be quite a fantastic night! Food Truck Fridays and the Summer Concert Series will also officially kick off next Friday, July 5th with DJ Johnny J and a dance party. There will be lots to do for kids too. Thank you to the Greater Ossining Chamber of Commerce for their help this year organizing the series, and thank you to our other sponsors Speak Easy Creative Workspace, The Westchester Bank, Sterling National Bank, Matero Fine Jewelry, River Knoll, and Mark Seiden Real Estate for supporting this community favorite.

Councilmember Shaw congratulated the Ossining High School class of 2019. The Ossining School district will be sponsoring its first community block party on James Street on Wednesday, July 10th from 5:00 p.m. to 7:00 p.m.

Councilmember Gregory Meyer announced that the Lions Club will be holding a scholarship dinner on Thursday night at Grace Hall.

Councilmember Feldman announced that if residents are interested in joining the Boat & Canoe club please visit www.obcc.org. Fire department inspection will take place on Saturday, June 29th at Louis Engle Park.

IV. LIAISON REPORTS

V. DEPARTMENTAL REPORTS

- Town Assessor Fernando Gonzalez provided the Board with an update on the Assessor's office. Mr. Gonzalez spoke about the assessment calendar and June 1st is when we publish the tentative roll. Grievance day was June 18th and then September 15th is when the final roll is published. The Assessor's office needs to finalize the roll by September 15th. As a result of our reassessment the amounts of our refunds are a lot less. Mr. Gonzalez spoke about resolution –(G) Resolution- Circulation of Request for Proposal (RFP) for Revaluation Services. Mr. Gonzalez is very proud of his staff in the Assessor's Office and appreciates their hard work.
- Town Building Inspector John Hamilton provided a brief analysis of the activity and revenue in the Building Department from January-June 2019.

VI. PUBLIC COMMENT ON AGENDA ITEMS

VII. BOARD RESOLUTIONS

A. Approval of Minutes-Regular Meeting- June 11, 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 June 11, 2019 minutes of the Regular Meeting as presented.

Motion Carried: 3-0-2
Ayes: Shaw, Wilcher & Levenberg
Abstain: Feldman & Meyer

B. Approval of Voucher Detail Report

Councilmember Shaw 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 approves the Voucher Detail Report dated June 25, 2019 in the amount of \$ 368,424.59.

Motion Carried: Unanimously

C. Letter of Interest – Hudson River Estuary Program & Cornell Climate Adaptive Design Studio

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 authorizes the Supervisor's office to submit a letter of interest to the New York State Hudson River Estuary Program to become a host community for Cornell University's Climate Adaptive Design studio for the fall 2019 semester.

Supervisor Levenberg stated that Cornell University has a Climate Adaptive Design Studio, which allows landscape architecture students to evaluate Hudson River waterfronts and make recommendations for how communities can make these vulnerable areas more resilient to the impacts of climate change, flooding, and sea level rise. This fall semester, through a partnership with the Hudson River Estuary program, Cornell has offered up this program to communities through an application process. We are excited to be partnering with the Village to submit a letter of interest and hopefully be selected as the next host community for this innovative program.

Motion Carried: Unanimously

D. CDBG Application, 2019-2021 Cycle, Louis Engel Park Performance Space and Comfort Station Relocation and Improvements – Revised

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 endorses the Community Development Block Grant (“CDBG”) application entitled Louis Engel Park Performance Space and Comfort Station Relocation and Improvements with a revised total project cost of \$578,425-- \$250,000 requested from the CDBG program and \$328,425 provided as a local match by the Town of Ossining.

Supervisor Levenberg stated that these next two resolutions will revise our original Community Development Block Grant (or CDBG) request to the County for improvements to Louis Engel Park, including a contribution from the Town to go towards completing a plan for the park, with community input, to inform the specific improvements we will undertake. We are hoping that this contribution will illustrate the Town’s commitment to the project and we will be recommended for funding in 2021 to implement some improvements to the park, focused on the beach and playground areas, as well as the performance space and comfort station.

Motion Carried: Unanimously

E. CDBG Application, 2019-2021 Cycle, Louis Engel Park Beach and Playground Improvements – Revised

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 endorses the Community Development Block Grant (“CDBG”) application entitled Louis Engel Park Beach and Playground Improvements with a revised total project cost of \$640,425-- \$250,000 requested from the CDBG program and \$390,425 provided as a local match by the Town of Ossining.

Motion Carried: Unanimously

F. CDBG Application, 2019-2021 Cycle, Community Center Improvement Initiative: Kitchen Renovations for Senior Nutrition Program – Revised

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 endorses the Community Development Block Grant (“CDBG”) application entitled Community Center Improvement Initiative: Kitchen Renovations for Senior Nutrition Program with a revised total project cost of \$266,000, \$133,000 requested from the CDBG program and \$133,000 provided as a local match by the Town of Ossining.

Supervisor Levenberg stated that in addition to our requests for improvements to Engel Park in 2021, we are also asking the County for grant funds to support the renovation of the Senior Nutrition Program kitchen in 2020.

Motion Carried: Unanimously

G. Resolution- Circulation of Request for Proposal (RFP) for Revaluation Services

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 authorizes the Supervisor to circulate a Request for Proposal (RFP) for Reassessment/ Reappraisal Services for the 2020 Assessment roll, with work to be commenced no later than August 1st, 2019, with a submission deadline of Monday, July 22nd, 2019 by 10AM.

Supervisor Levenberg stated that in order to maintain our assessment roll at full value, it is necessary to undergo a full reappraisal every few years, and specifically, every four years as recommended by the State of New York Office of Real Property Tax Services. WE anticipate this reappraisal to be much less of a heavy lift than it was in 2014 and 15 when the Town hadn't reappraised properties in over 40 years. This will affect the 2020 roll and 2021 taxes. This resolution will authorize the Town to issue an RFP for these services. Thank you to Town Assessor Fernando Gonzalez for keeping us on schedule.

Motion Carried: Unanimously

H. Authorizing the Town to Enter into an Intermunicipal Agreement (IMA) to Enhance the Safety of the Croton River Area

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

Whereas, the Croton River traverses the Towns of Cortlandt and Ossining and the Village of Croton-on-Hudson (the "Communities"); and

Whereas, over the last few years, the use of the Croton River Gorge Park and other access points to the River have created safety concerns for the Park users as well as the residents whose properties abut the River; and

Whereas, the aforementioned Communities have worked collaboratively to provide more patrols to keep the area safe; and

Whereas, the Communities wish to continue this work and formalize their commitment;

Now therefore be it Resolved, that the Town Supervisor is authorized to enter into an IMA with the Village of Croton and the Town of Cortlandt to enhance the safety of the area surrounding the Croton River and have the Ossining Police Department increase their patrols along the Croton River in the area of the Ossining /Croton/ Cortlandt boundary line between May 15th and September 15th, 2019.

Supervisor Levenberg stated that for the past few months, I have been working closely with our partners in Cortlandt and Croton to find solutions to better patrolling the area alongside the Croton River, State owned forest land, known as the "unique area." This IMA will allow us to make this area safer by increasing patrols and appropriately targeting resources of the Ossining Police Department during the summer months, when recreation in the Croton River is most popular.

Motion Carried: Unanimously

I. Contract- Greater Ossining Chamber of Commerce, Summer Concert Series and Food Truck Fridays

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 enter into an agreement with the Greater Ossining Chamber of Commerce to host the 2019 Summer Concert Series and Food Truck Fridays in Louis Engel Waterfront Park under the terms and conditions provided in the contract, subject to approval by Counsel to the Town as to form.

Supervisor Levenberg stated that this year, we partnered with the Greater Ossining Chamber of Commerce to help organize the Independence Day Fireworks, Summer Concert Series, and Food Truck Fridays, and this contract will formalize this arrangement. We thank them for their help in bringing some new ideas to fruition this year!

Motion Carried: Unanimously

J. Permission to Sell Alcohol at Town of Ossining Independence Day Fireworks – Broken Bow Brewery

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

Resolved that the Broken Bow Brewery is hereby authorized to operate a concession stand during the Ossining Independence Day Fireworks event held on July 3rd, 2019, rain date July 8, 2019 at the Louis Engel Waterfront Park in the Town of Ossining and to sell, for consumption by persons over 21 years of age, Broken Bow Brewery craft beer; and

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

Supervisor Levenberg stated that the Chamber has lined up some great vendors for the Fireworks, including Broken Bow Brewery from Tuckahoe, which will be selling their craft beers, requiring the Town to sign a landlord authorization form. We are glad to see vendors from near and far joining us for this event!

Motion Carried: Unanimously

VIII.CORRESPONDENCE TO BE RECEIVED AND FILED

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

Resolved, that the Town Board of the Town of Ossining hereby accepts the following:

- Town Planning Board Meeting Minutes dated April 17, 2019
- Zoning Board of Appeals resolution 74 Croton Dam Road dated May 6, 2019
- Zoning Board of Appeals resolution 2 Bayden Road dated May 6, 2019
- Zoning Board of Appeals resolution 52 Old Albany Post Road dated February 11, 2019

Motion Carried: Unanimously

IX.MONTHLY REPORTS

X.VISITOR RECOGNITION- *Visitors shall be accorded one (1) four (4) minute opportunity to speak*

XI.ADJOURNMENT –EXECUTIVE SESSION-PERSONNEL-ADVICE OF COUNSEL COLLECTIVE BARGAINING

Supervisor Levenberg that we do have a work session currently scheduled for Tuesday, July 2nd, but given the difficulty of this holiday week, it is likely we will cancel it and schedule a short special meeting in the morning to approve a personnel appointment.

I would like to close this meeting in memory of parents of two Town staff members in our Tax Receiver’s office. Our Tax Receiver Honorable Holly Perlowitz lost her dad, Joseph Trachtenberg, this Sunday. He passed peacefully in his sleep at the grand old age of 93. Martha Quituisaca lost her mother, Bertha Tamay, unexpectedly last week, and much too soon, to cancer. We send out our deepest condolences to both women and their families.

At 8:55 p.m., Councilmember Feldman moved and it was seconded by Councilmember Shaw to adjourn executive session.

Motion Carried: Unanimously

At 10:05 P.M., Councilmember Shaw motioned to leave Executive Session and Councilmember Feldman seconded.

Motion Carried: Unanimously

At 10:05 P.M., Councilmember Shaw motioned to adjourn Executive Session and Councilmember, F seconded.

Motion Carried: Unanimously

Approved:

Town Clerk, Mary Ann Roberts