



**MINUTES**  
**TOWN BOARD**  
**TOWN OF OSSINING**  
**BIRDSALL-FAGAN POLICE/COURT FACILITY**  
**86-88 SPRING STREET – OSSINING, NEW YORK**  
**FEBRUARY 25, 2020**  
**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 February 25, 2020 in the Birdsall-Fagan 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 Jackie G. Shaw, Elizabeth R. Feldman, and Northern Wilcher Jr. Also present were Town Counsel Christie Tomm-Addona, Budget Officer Victoria Cafarelli, and Town Clerk Susanne Donnelly. Councilmember Gregory G. Meyer was absent.

Supervisor Levenberg said the following: We learned over the weekend that Marilyn G. Schwartz, a former Town Councilwoman and Supervisor of the Town of Ossining, passed away. Marilyn served the Town of Ossining starting in 1978 as a member of the Town Board, serving several terms through the 1980s and early 1990s. Marilyn even stepped into the role of Supervisor for six months in 1993, filling the unexpired term of former Supervisor Richard Wishnie. We thank Marilyn for her many years of service to the Town of Ossining, and extend our deepest condolences to her friends and family, especially her children Janet and Bill, during this sad time. Please join us in a moment of silence in memory of Marilyn Schwartz.

**II. PUBLIC HEARING**

At 7:30 p.m., the Public Hearing opened.

- Public Hearing in the matter of the 2020 Cabaret License Renewal for Maya Riviera

Town Counsel Christie Tomm-Addona spoke about the applicant asking for amplified music to be played Monday through Sunday until 1:000 AM. The Town Board has the digression to extend the hours that amplified music can be played.

At 7:33 p.m., Councilmember Feldman moved and it was seconded by Councilmember Wilcher that the Public Hearing be closed.

**III. ANNOUNCEMENTS**

Supervisor Levenberg announced the following:

Did you know that yesterday, Monday, February 24 was Paul Fraioli Day in the Town of Ossining? A big congratulations goes out to our Town/Village Engineer Paul Fraioli, P.E. who was honored last Thursday by the Westchester/Putnam Chapter of the New York State Society of Professional Engineers as Outstanding

**Engineer in Government at their annual National Engineers Week dinner. So many people came out from our Town and Village to recognize all of Paul's many years of committed work to our municipalities. We presented Paul a proclamation from the Town which we hope to give to him at the next board meeting he attends so we can celebrate in style. We hope you will take some time to reach out to Paul to congratulate him and thank him for so much of the infrastructure work that is in place, sturdily, for many years, because of him. Thank you Paul for all you do for the residents of the Village and Town of Ossining!**

**Tonight, I wanted to take the opportunity to recognize someone who has become a fixture at our Town Board meetings in recent months. Stanley Dorsainville, district representative for Senator David Carlucci, has religiously attended all of our Town Board legislative meetings since starting in this role last year. We have all grown quite fond of Stanley and greatly appreciate his dedication to the Ossining community, and thoughtfulness in his efforts to help make Ossining a place we all want to live, work and play. Stanley is moving on to his next challenge, so we thought it would be appropriate to send him off with a certificate of appreciation for his service to the Town of Ossining during his time working for Senator Carlucci. Thank you Stanley, we will miss you, and best of luck! Please keep in touch!**

**We started out this week with a press conference officially launching our food scrap recycling program here in the Town of Ossining! Along with our partners at Teatown Lake Reservation, Green Ossining, representatives from Village, Town, County, and State government, and other stakeholders, we cut the ribbon at our drop off site at Cedar Lane Park. You can now purchase your residential kit for \$20 at Cedar Lane Arts Center on Mondays, Wednesdays, and Saturdays from 9:30am to 4pm, or at Teatown from 9am to 5pm, seven days a week, and get started collecting! Food scraps that are dropped off at Cedar Lane Park will be recycled into compost at a commercial compost facility in Ulster County. This program is open to all Town of Ossining residents (yes, including those that live in the Villages of Ossining and Briarcliff!) so I hope everyone takes advantage of this exciting new offering. For more information, visit [www.ossiningcomposts.org](http://www.ossiningcomposts.org).**

**We are winding down to the end of February, so I would like to take the opportunity to recognize Black History Month and the importance of celebrating the diversity of the American experience. I had the opportunity to participate in some of the local events scheduled in Ossining in honor of Black History Month, and they were incredible ways to stop and reflect upon the more complicated and upsetting aspects of our nation's history. I encourage you to take time this week to learn more, and perhaps consider attending one of the programs the Ossining Public Library is offering this week, including an African Show presented by Rita Wagener, tomorrow, Wednesday, February 26 at 7pm in the Budarz Theater. This program will focus on the fashion, dance, and culture of Africa, led by Ms. Wagener, a native of Uganda. The art show, "Photographic: Memories" by the Westchester Photographic Society is also still on display until Friday, February 28.**

**As a reminder, we are less than one month away until all households will start receiving invitations by mail to participate in the 2020 US Census. Keep an eye out in your mailbox between March 12 and March 20 for the postcard that will provide you with the necessary information to participate in the census count. You will be able to respond using a smartphone, computer, or by calling. An accurate count is so important -- did you know that children under five years old were among the most undercounted during the last US Census? In 2010, nearly one million children, or about five percent of children under five, were not counted according to the US Census. Learn more about the upcoming 2020 Census at [www.census.gov](http://www.census.gov) so you will be prepared come March for your invitation.**

The New York State Plastic Bag Ban goes into effect next weekend on March 1! Start the habit now -- make sure you always have a reusable bag (or two!) with you when you go to the grocery store. Did you know that New Yorkers use over 23 billion plastic bags every year? WE are pleased that this new law will help limit the devastating impact they have on our environment. Learn more about the plastic bag ban online at [www.dec.ny.gov](http://www.dec.ny.gov).

The Ossining Public Library has started an online book club! Grab your copy of The Silent Patient by Alex Michaelides and start following #OPLReads on Facebook to participate in the discussion starting next Saturday, February 29.

On Saturday, February 29 at 6:30pm join the Ossining Arts Council for their Souper Supper Fundraiser at the Steamer Gallery, 117 Main Street. Tickets are \$25 for members/\$30 for non-members, for a homemade soup meal inside of a homemade ceramic bowl! There will also be live music by Deuces Child. Tickets can be purchased at [www.OssiningArtsCouncil.org](http://www.OssiningArtsCouncil.org).

The Village of Ossining’s Ossining Arts Project is hosting its next Artist Collaboration Network on Sunday, March 1 from 4pm to 6pm at El Manabita, 107 Main Street. Join in to mingle with other local artists, let people know what you are up to, and hear what other artists are creating, all with an eye towards creative collaborations! RSVP to the [ossiningartsproject@gmail.com](mailto:ossiningartsproject@gmail.com).

Councilmember Shaw made the following announcement: IFCA has the volunteer Income Tax Preparation program running until April 15<sup>th</sup>, 2020.

IV. DEPARTMENTAL REPORTS

- Town Receiver of Taxes Holly Perlowitz gave the Board an update on what has been happening in the Tax Receiver’s Office.

TOWN TAX OFFICE COLLECTIONS FOR 2019 WARRANTS OUTSTANDING TAXES AS OF 02/25/2020				
	TOTAL WARRANTS	COLLECTIONS MADE DURING 2019/2020	OUTSTANDING TAX RECEIVABLES (DELINQUENT)	% Collected
2019 TOWN AND COUNTY	\$ 32,215,597.98	\$ 31,944,710.66	\$ 270,887.32	99.16%
2019/2020 SCHOOLS/LIBRARY TAX	110,808,964.23	108,320,351.70	2,488,612.53	97.75%
TOTAL WARRANTS	\$ 143,024,562.21	\$ 140,265,062.36	\$ 2,759,499.85	A 98.07%
DELINQUENT TAX LIENS				
		2017	111,469.88	B
		2018	303,207.75	
		2019	630,450.43	
		TOTAL LIENS	1,045,128.06	
		TOTAL OUTSTANDING TAX RECEIVABLES	\$ 3,804,627.91	
A- Any balance remaining in July will become a Lien and the Lien will be filed in Westchester County Court in July, 2020. B- Properties associated with these tax liens will be auctioned in July/August unless the outstanding taxes are paid in full.				

- Parks Foreman Mario Velardo gave a presentation on projects the Park Department completed in 2019. He also went over projects the department is currently working on in 2020.

V. LIAISON REPORTS

VI. PUBLIC COMMENT ON AGENDA ITEMS

## **VII. BOARD RESOLUTIONS**

### **A. Approval of Minutes—Regular Meeting – February 11, 2020**

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 February 11, 2020 minutes of the Regular Meeting as presented.

Motion: Carried

### **B. Approval of Voucher Detail Report**

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

Resolved, that the Town Board of the Town of Ossining hereby approves the Voucher Detail Report dated February 25, 2020 in the amount of \$594,153.69

Motion: Carried

### **C. Appointment – Confidential Secretary to the Supervisor**

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

Resolved, that the Town Board of the Town of Ossining appoints Carina Scorgia, Ossining, to the position of Confidential Secretary to the Supervisor at a pro-rated annual salary of \$48,500, effective March 9, 2020.

Supervisor Levenberg said the following in regard to the resolution: We are happy to be welcoming someone new to the Supervisor's Office staff as Confidential Secretary, Carina Scorgia! Carina is an OHS grad and has remained actively involved in the community even after graduation and going away to college. We think she is going to be an excellent fit to our team and help us catch up on some important projects as well as increase our presence on social media and other community outreach strategies. Welcome Carina!

Motion: Carried

### **D. Resignation – Part-Time Food Service Helper**

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

Resolved, that the Town Board of the Town of Ossining accepts the resignation, with regret, of Constance Del Bourgo from the position of part-time Food Service Helper, effective January 14, 2020.

Supervisor Levenberg said the following in regard to the resolution: We recently learned that one of our long-term employees, Constance Del Bourgo, has decided to resign from her position as part-time food service helper in the Senior Nutrition Program to spend more time with her family. We thank Connie for her many years of service to the Town and wish her all the best!

Motion: Carried

### **E. Appointment – Board of Assessment Review**

**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 appoints Valerie Cascione to fill an unexpired term on the Board of Assessment Review, set to expire on September 30, 2024.**

**Supervisor Levenberg said the following in regard to the resolution: We are slowly but surely bringing all of our volunteer boards up to their full membership, including with tonight's appointment of Valerie Cascione to the Board of Assessment Review. Valerie is a resident of the unincorporated Town and has been a realtor in the Ossining area for many years. In addition to her professional career, she has been very involved in the Ossining Schools, various youth sports team, and as a board member of Torview Swim and Tennis Club. We think her experience and dedication to the community will make her an excellent addition to our Board of Assessment Review.**

**Motion: Carried**

**F. Approval of Contract – Title III-B Transportation Services Contract, 2020**

**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 authorizes the Supervisor to sign a contract with Westchester County Department of Senior Program and Services for Title III-B Transportation Services for program year 2020 in the amount of \$9,974, with Town of Ossining matching contribution not to exceed \$6,931.**

**Supervisor Levenberg said the following in regard to the resolution: This contract will allow us to receive grant funds through Westchester County to help fund the transportation offerings of our Senior Nutrition Program. Thanks to our director Kathy Asaro for keeping up with these numerous and often lengthy contracts that help to keep our Senior Nutrition Program up and running!**

**Motion: Carried**

**G. Finance 2019 Capital Project Transfer #2015-5195 – Munis Implementation and Establishment 2019 Capital Project #2019-5225 Edmunds Implementation**

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

**Resolved, that the Town Board of the Town of Ossining authorizes a 2019 budget adjustment to Capital Project #2015-5195, entitled “Munis Implementation” transferring the project budget balance of \$36,201.63 to Capital Project #2019-5225 titled “Edmunds Implementation” and closing project #2015-5195. Additionally, a budget adjustment is authorized for project 2019-5225 titled “Edmunds Implementation” to increase the project budget from \$36,201.63 to \$77,600.00 with the additional \$41,398.38 funded by a fund balance transfer from multiple funds as follows:**

Decrease: 3701680.200.5195	\$ 36,201.63 MUNS Implementation (Expense)
Increase: 3709901.200.5195	\$ 36,201.63 Transfer out-MUNIS Implementation (Expense)
Increase: 3701680.200.5225	\$ 77,600.00 Edmunds Implementation (Expense)
Increase: 370050.5050.5225	\$ 36,201.63 Transfer In-Capital Fund (Revenue)
Increase: 370050.503100.5225	\$ 15,584.30 Edmunds Implementation-Transfer from General (Revenue)
Increase: 370050.503120.5225	\$ 10,457.00 Edmunds Implementation-Transfer from Town Outside (Revenue)
Increase: 370050.503131.5225	\$ 7,308.21 Edmunds Implementation-Transfer from Highway (Revenue)
Increase: 370050.503132.5225	\$ 1,038.75 Edmunds Implementation-Transfer from Dale Cemetery (Revenue)
Increase: 370050.503145.5225	\$ 1,194.58 Edmunds Implementation-Transfer from Consolidated Sewer (Revenue)
Increase: 370050.503163.5225	\$ 241.89 Edmunds Implementation-Transfer from Lighting District (Revenue)
Increase: 370050.503164.5225	\$ 1,967.15 Edmunds Implementation-Transfer from Fire District (Revenue)
Increase: 370050.503165.5225	\$ 1,788.73 Edmunds Implementation-Transfer from Refuse & Recycling District (Revenue)
Increase: 370050.503166.5225	\$ 1,817.76 Edmunds Implementation-Transfer from Ambulance District (Revenue)
Increase: 1009901.0905	\$ 15,584.30 General Fund Transfer to Capital (Expense)
Increase: 100060.4795	\$ 15,584.30 General Fund Balance (Revenue)
Increase: 2009901.0905	\$ 10,457.00 Town Outside Fund Transfer to Capital (Expense)
Increase: 200060.4795	\$ 10,457.00 Town Outside Fund Balance (Revenue)
Increase: 3109901.0905	\$ 7,308.21 Highway Fund Transfer to Capital (Expense)
Increase: 310060.4795	\$ 7,308.21 Highway Fund Balance (Revenue)
Increase: 3209901.0905	\$ 1,038.75 Dale Cemetery Transfer to Capital (Expense)
Increase: 320060.4795	\$ 1,038.75 Dale Cemetery Fund Balance (Revenue)
Increase: 4509901.0905	\$ 1,194.58 Consolidated Sewer Transfer to Capital (Expense)
Increase: 450060.4795	\$ 1,194.58 Consolidated Sewer Fund Balance (Revenue)
Increase: 6309901.0905	\$ 241.89 Lighting District Transfer to Capital (Expense)
Increase: 630060.4795	\$ 241.89 Lighting District Fund Balance (Revenue)
Increase: 6409901.0905	\$ 1,967.15 Fire District Transfer to Capital (Expense)
Increase: 640060.4795	\$ 1,967.15 Fire District Fund Balance (Revenue)
Increase: 6509901.0905	\$ 1,788.73 Refuse and Recycling Transfer to Capital (Expense)
Increase: 650065.4795	\$ 1,788.73 Refuse and Recycling Fund Balance (Revenue)
Increase: 6609901.0905	\$ 1,817.76 Ambulance District Transfer to Capital (Expense)
Increase: 660060.4795	\$ 1,817.76 Ambulance District Fund Balance (Revenue)

**Supervisor Levenberg said the following in regard to the resolution: Tonight, we have a number of clean-up resolutions from our Finance staff as they prepare for our auditors when they come in late March/early April. This first resolution establishes a capital project for the new financial software we are planning to bring on line this year, Edmunds. As the resolution states, the funding will be coming from leftover funding from the set-up of our current financial software, Munis, plus fund balance from several of our funds detailed in the resolution.**

**Motion: Carried**

**H. Finance- 2019 Close Capital Project #2016-5198 - Sanitary Sewer Improvements-Croton Dam and Kitchawan Road**

**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 authorizes Capital Project 5198, Sanitary Sewer Improvements-Croton Dam and Kitchawan Road in the amount of \$60,873 for sewer main relocation and new manholes be closed, and the remaining balance to be transferred back to the Consolidated Sewer Fund.**

<b>Decrease:</b>	<b>3708120.200.5198</b>	<b>\$ .50 – Sanitary Sewer Improvements-Croton Dam and Kitchawan Road (Expense)</b>
<b>Increase:</b>	<b>3709901.900.5198</b>	<b>\$ .50 – Transfer Out-Sanitary Sewer Improvements (Expense)</b>

Supervisor Levenberg said the following in regard to the resolution: The next two resolutions are to close out two projects with less than a dollar remaining in unspent funds in the capital project. These two resolutions will return what’s remaining to the sewer fund and general fund.

Motion: Carried

I. Finance- 2019 Close Capital Project #2018-5211 – Reclamation/Paving Hawkes Avenue

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 authorizes Capital Project 5211, Reclamation and Paving of Hawkes Avenue in the amount of \$174,446.02 be closed, and the remaining balance to be transferred back to the General Fund.

Increase:	370030.3501.5211	\$ .96 – State Aid-Chips Reclamation/Paving Hawkes Avenue (Revenues)
Increase:	3709901.900.5211	\$ .96 – Transfer Out-General Fund (Expense)

Motion: Carried

J. Finance- 2019 Capital Project #2019-5219 Funding Adjustment – 2019 Chrysler Pacifica Van-Town Nutrition

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 authorizes adjusting the revenue funding for 2019 Capital Project #2019-5219, entitled “2019 Chrysler Pacifica Van” for the Town Nutrition Department, with a project budget of \$38,400. The project will be funded from a transfer from General Fund Balance of \$35,900 and NYS Grant Funds of \$2,500.

Increase:	370030.3089.5219	\$ 2,500.00 –NY State Grant Funds (Revenue)
Decrease:	370050.503100.5219	\$ 2,500.00 –Transfer from General Fund-(Revenue)

Supervisor Levenberg said the following in regard to the resolution: These next two resolutions adjust the capital projects for the purchase of the Chrysler Pacifica plug-in hybrids we made in 2019 to account for the \$2,500 rebate we received from New York State DEC for each vehicle.

Motion: Carried

K. Finance- 2019 Capital Project #2019-5220 Adjustment – 2019 Chrysler Pacifica Van-Town Nutrition

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 authorizes adjusting the revenue funding for 2019 Capital Project #2019-5220, entitled “2019 Chrysler Pacifica Van” for the Town Nutrition Department, with a project budget of \$38,400 to replace a Chevy Transit Van. The project will be

funded from a transfer from General Fund Balance of \$35,900 and NYS Grant Funds of \$2,500.

Increase:	370030.3089.5220	\$ 2,500 – NY State Grant Funds (Revenue)
Decrease:	370050.503110.5220	\$ 2,500 –Transfer from General Fund-(Revenue)

Motion: Carried

**L. Finance- 2019 Capital Project Budget Adjustment #2017-5205- Gerlach Park Revitalization**

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 authorizes a 2019 budget adjustment for Capital Project 5205, Gerlach Park Revitalization, to restore restrooms, pavilion site work, drainage, re-pave around cement floor and service road. An increase of \$56.19 to the current project budget of \$110,662.18 is funded through a transfer from General fund balance.

Increase:	370050.503100.5205	\$ 56.19 – Transfer In from General Fund - Gerlach Park Revitalization (Revenue)
Increase:	3707110.200.5205	\$ 56.19 – Gerlach Park Revitalization (Expense)
Increase:	100060.4795	\$ 56.19 – Fund Balance (Revenue)
Increase:	1009550.905	\$ 56.19 –Transfer to Capital (Expense)

Supervisor Levenberg said the following in regard to the resolution: Another few clean up resolutions – the capital project for restoration of Gerlach Park was over budget by a little over \$50, requiring the nominal amount to be transferred from General fund balance to complete the project.

Motion: Carried

**M. Finance- 2019 Capital Project #2018-5212 Adjustment – North State Road Bike Lane - Phase One**

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 authorizes increasing the 2018 Capital Project #2018-5212, entitled “North State Road Bike Lane – Phase One”, with a project budget of \$80,000 for planning and phase one implementation of a bike lane on North State Road to \$80,416.61 for additional signage costs. The project increase will be funded by a transfer from General fund balance.

Increase:	3705110.200.5212	\$ 416.61 – North State Road Bike Lane – Phase One (Expense)
Increase:	370050.503100.5212	\$ 416.61 – Transfer In from General Fund – North State Road Bike Lane (Revenue)
Increase:	100060.4795	\$ 416.61 – Fund Balance (Revenue)



Increase: 1009550.905 \$ 416.61 –Transfer to Capital  
(Expense)

Supervisor Levenberg said the following in regard to the resolution: Similarly, the capital project for the North State Road ended up costing us slightly over what was anticipated and had received in State grant funding in order to purchase the appropriate safety signage required for the North State Road Bike Lane Striping. The funds have been encumbered for this project already, and construction is anticipated to be completed in early spring.

Motion: Carried

N. Finance 2019 Capital Project #2015-5197 Resolution - LED Street/Park Lighting

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 authorizes a 2019 budget adjustment to Capital Project #2015-5197, entitled “LED Street Lighting” increasing the project budget of \$200,000 to \$230,784.62 modifying the 2017 budget adjustment to recognize actual expenditures and close the capital project. The increase to the project funded by the Lighting Fund of \$9,000 is for additional fixtures not contained in the original proposal, and LED street lighting for Gualtiere Lane. Additionally, the General Fund will be transferring the amount of \$21,784.62 to the capital project for poles, wiring, and LED fixtures for Cedar Lane and Ryder Park. In order to recognize the larger scope of the project the project name shall be modified from “LED Street Lighting” to “LED Street/Park Lighting”. Funding for the additional \$30,784.62 project increase is as follows:

Increase: 3705182.200.5197	\$ 30,784.62 LED Street/Park Lighting (Expense)
Increase: 370050.503163.5197	\$ 9,000.00 LED Street/Park Lighting (Revenue)
Increase: 370050.503100.5197	\$ 21,784.62 LED Street/Park Lighting (Revenue)
Increase: 1009901.905	\$ 21,784.62 Transfer to Capital Fund (Expense)
Decrease:1001990.400	\$ 21,784.62 Contingency (Expense)
Increase: 6309901.905	\$ 9,000.00 Transfer to Capital Fund (Expense)
Decrease:6305182.403	\$ 9,000.00 Electricity (Expenses)

Supervisor Levenberg said the following in regard to the resolution: In 2015 we established the original capital project for LED Street Lighting and in 2017 a resolution was adopted to increase the budget for the project, but was unfortunately not properly noted in our financial system. Tonight we are adopting this resolution to close the loop on this project, and the good news is that we actually ended up spending less than anticipated as we close out this project.

O. Tax Certiorari – Sherwood Fee 1 LLC, F/K/A Sherwood Townhomes, F/K/A Eagle Rock Advisors, as Contract Vendee vs. Town of Ossining

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

WHEREAS, proceedings pursuant to Article 7 of the Real Property Tax Law of the State of New York were instituted by Sherwood Fee I LLC, F/K/A Sherwood Townhomes, F/K/A Eagle Rock Advisors, As Contract Vendee against The Village of Ossining, Town of Ossining, New York to review the tax assessments made on Petitioner’s property located at 7 Sherwood Avenue and 135 Croton Avenue, Ossining, N.Y. 10562 and designated on the tax assessment map of The Town of Ossining as Section 89.16, Block 2, Lot 83( 7 Sherwood Avenue) and Section 89.16, Block 2, Lot 88(135 Croton Avenue)and for Tax Assessment Years 2016-2018, which proceedings are now pending in the Supreme Court of the State of New York, County of Westchester, under Index Nos. 63915/2016; 64569/17; and 64917/18; and

WHEREAS, the above Petitioner has agreed to a compromise and settlement of such proceedings, subject to the approval of the Town Board, correcting and reducing the assessed valuation of its real property and improvements, as follows:

Sherwood Fee I LLC, 7 Sherwood Avenue (SBL : 89.16-2-83) and 135 Croton Avenue(SBL :89.16-2-88) Ossining, N.Y. 10562

Section 89, Block 2, Lot 83 7 Sherwood Avenue, Ossining, N.Y. 10562

Assessment Year	Tax ID No.	Original Assessed Value	Reduction	Final Assessed Value
2016	89.16-2-83	\$2,064,300	\$0	\$2,064,300
2017	89.16-2-83	\$2,064,300	\$0	\$2,064,300
2018	89.16-2-83	\$2,375,900	\$303,100	\$2,072,800

Section 89, Block 2, Lot 88 135 Croton Avenue, Ossining, N.Y. 10562

Assessment Year	Tax ID No.	Original Assessed Value	Reduction	Final Assessed Value
2016	89.16-2-88	\$789,400	\$0	\$789,400
2017	89.16-2-88	\$789,400	\$0	\$789,400
2018	89.16-2-88	\$827,200	\$0	\$827,200

WHEREAS, any and all refunds necessitated by said settlement will be made without interest; and

WHEREAS, the Town Board, upon the recommendation of the Assessor, concurred by The Counsel to The Town, finds the proposed settlement appropriate and in the best interest of the Town of Ossining; now therefore it is

RESOLVED, that settlement of the proceedings, on the terms set forth herein, is hereby accepted and approved, subject to the approval of the Supreme Court, Westchester County, wherein such proceedings are pending; and it is further

RESOLVED, that The Counsel to The Town is hereby authorized and directed to procure and execute any documents necessary to effectuate such settlement; and it is further

RESOLVED, subject to the approval of the Supreme Court, Westchester County, that the Assessor is authorized and directed to make the changes

and corrections to the individual unit assessment on the tax assessment roll of the Town of Ossining, which will be ordered pursuant to the Consent Judgment to be entered in accordance with the terms of this settlement, and the Receiver of Taxes is authorized and directed to process and pay the refund of Town of Ossining taxes estimated to be \$291.61, which will be ordered pursuant to said Consent Judgment.

Supervisor Levenberg said the following in regard to the resolution: This tax certiorari was approved by the Westchester County Court sometime back, but was inadvertently never forwarded to the Town Board for approval. Tonight we are approving this tax certiorari with a reduction in value for 2018 on one of the lots, with an anticipated tax refund of less than \$300.

Motion: Carried

**P. Appointment – Zoning Board of Appeals Alternate**

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

Resolved, that the Town Board of the Town of Ossining appoints Tom Wills as an alternate member of the Town of Ossining Zoning Board of Appeals for a term to expire February 28, 2021.

Supervisor Levenberg said the following in regard to the resolution: This is the first appointment of an alternate to our land use boards since we approved legislation establishing these positions last year. Tom Wills has experience serving on similar boards from when he lived in Maine, so we believe his past experience and level headed approach to decision making will make him an excellent candidate for Zoning Board alternate.

Motion: Carried

**VIII. CORRESPONDENCE TO BE RECEIVED AND FILED**

**IX. VISITOR RECOGNITION**

*Visitors shall be accorded one (1) four (4) minute opportunity to speak*

Stanley Dorsainville from Senator David Carlucci’s Office thanked Town staff members and residents for making him feel welcomed in Ossining. The Student Advisory Council will meet on March 19, 2020 at the Ossining Public Library at 6:30 PM. Paul will be Ossining’s new District Representative.

**X. ADJOURNMENT**

At 8:55 P.M., Councilmember Feldman motioned to enter into Executive Session for advice of counsel, personnel, and contracts and Councilmember Shaw seconded.

Motion Carried: Unanimously

At 9:23 P.M., Councilmember Feldman motioned to leave Executive Session and Councilmember Wilcher seconded.

Motion Carried: Unanimously

At 9:23 P.M., Councilmember Feldman motioned to adjourn Executive Session and Councilmember Wilcher seconded.

Motion Carried: Unanimously