



**TOWN BOARD
TOWN OF OSSINING
BIRDSALL-FAGAN POLICE/COURT FACILITY
86-88 SPRING STREET – OSSINING, NEW YORK
JANUARY 10, 2017
REORGANIZATIONAL MEETING
7:30 P.M.**

**SUPERVISOR
Dana A. Levenberg**

**COUNCILMEMBERS
Karen M. D’Attore Elizabeth R. Feldman
Kim L. Jeffrey 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 10, 2016 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 Kim L. Jeffrey, Karen M. D’Attore, Elizabeth R. Feldman and Northern Wilcher Jr. Also present were Town Counsel Steven M. Silverberg, Budget Officer Madeline Zachacz and Town Clerk Mary Ann Roberts.

II. PUBLIC HEARINGS- Visitors shall be accorded one (1) three (3) minute opportunity to address this topic.

Supervisor Levenberg read the following statement:

We are starting our meeting tonight by opening the Public hearing on Local Law #1 of 2017, for the Purpose of Amending the Zoning and Cabaret Chapters of the Town Code. The Board realized, in about mid 2016, that the Town’s Comprehensive Plan recommended the review of 8 distinct topics as potential changes to the Town’s Zoning Code. As you are probably aware, the Town has seen a lot of applications for development in the recent past. Assuming this trend is going to continue, this Board wanted to get ahead of the curve, and to make sure that any new applications were in line with the development that our Comprehensive Plan had recommended. We have been hard at work on this project over the past several months while a moratorium on new development has been put into place, and we are committed to getting this right before we lift that moratorium. Before we begin, I want to remind everyone that this very important part of the process, hearing from our Boards and our residents and business owners, will not be rushed—we will be re-opening this Public Hearing next Tuesday at a Special Meeting at our Town Hall Meeting at the Library, and likely, several times after that. This is really the start of the public participation process, so we welcome and value your input. We have already gotten some correspondence from residents who are not able to attend the hearings in person, so if you are watching us on TV or on You Tube later this week and do not wish or are not able to join the conversation in person, please send your comments to me by email at DLevenberg@townofossining.com or by mail at 16 Croton Avenue in Ossining, and we will be sure your thoughts are added to the public record.

- Public Hearing in the Matter of Local Law #1-2017 for the Purpose of Amending the Zoning and Cabaret Chapters of the Town Code”

At 7:32 P.M., the Public Hearing was opened.

Ms. Donna Sharret-Morningside Drive read the following statement:

I am deeply disappointed and angered about the time restraints imposed at last night's Town Board Public Hearing. It is my sincerest hope that the Town Board consider my remarks and research in regard to the proposed code changes, in addition to their own research and do not just rely on blind faith in the planning consultant's recommendations. The demonstrated lack of understanding of our neighborhoods' & GB districts' topography and natural resources– or perhaps lack of concern – coupled with a history of disregard for our town's residents particularly in neighborhoods flanking the GB district – should be enough proof that research and verification is necessary – if in fact the Town Board holds as priorities the protection of our natural resources, protection of our residents properties and property values, and the ability for the residents to enjoy their properties.

After renovating 2 homes – with up to 5 hour daily work commutes – Ken and I finally had enough down payment to purchase a home in Westchester. Our Ossining home met our goals which included a shorter commute, a rural setting within a diverse community, and the ability to bike or walk to nearby shopping for basic provisions. For someone raised in the Pine Barrens of South Jersey and her husband with a degree in geology, the fact that the property also had a wetland and stream was nothing short of winning the lotto.

The despair and regret that now fills me for our decision to buy this property is tempered only by my strong belief that no one else would have fought as hard as I have to protect this wetland and stream. It remains to be seen if in fact my fight will have saved these treasures. Certainly I hope that the demolition of the asbestos sided house 13 feet from the wetland, the up to 6 foot slope created by 3,300 cubic yards of fill directed down to the wetland and stream, and the pesticide applications go without incident. (Again – the SEQRA document denies that pesticide will be used and omits any information about fill or demolition or the existence of a Pocantico River tributary (et al.)– and goes so far to state that the property will be preserved as much as possible.)

The difficulty of this battle was intensified by a unyielding refusal for truth and accuracy, and the obvious bias in favor of the developer - best exhibited by the town's postponement to consider at my request, by email dated February 26, 2014, for improved setbacks between GB and residential properties, until the approval of both the change to include assisted living as a GB zoning usage, first requested by Artis Senior Living in a letter dated May 23, 2014, and of their project.

Now 557 North State Road is on the market. The stream flows from that property into my property, circling around the wetland and then flows back onto that property along the border of the 553 NSR property. I anticipate yet another fierce battle with a clear understanding that there exists the utmost disregard for natural resources coupled with a baffling lack of understanding as to the urgent need to protect them. The Town of Ossining doesn't come close to being "green".

I have attached my prepared remarks for last night's Public Hearing. It is of course my hope that they will be seriously considered despite the fact that I was not permitted to read them into the record in their entirety as intended.

Re: Section 3.3:

Section 200-18.D. Setback and screening requirements for nonresidential uses that are contiguous to residentially used or residentially zoned lots.

Keep in mind that the residential neighborhoods and several of the homes in the neighborhoods which flank the GB district pre-date that district, a district that was unwisely created in a flood plain, and that has since had much of its tributaries culverted and most of its wetlands filled, to the detriment and great expense of our lower watershed neighbors. Bad planning.

One other note: I asked for increased buffer areas between the GB and residential properties months prior to Artis Senior Living's request to add Assisted Living as a usage in the GB district. Their zoning usage change and project has been approved.

Now we consider my request. Obviously, developers interests trump the best interests of residents.

Re: (1) nonresidential structure setbacks between these 2 zones: These setbacks should be increased to correspond to the increased screening area.

Re: (2) buffer area size and screening requirements between the GB and residential zones, and from parking areas and driveways.

My objections to the proposed language are based on issues of realistic ability to screen, tributary protection, and loss of environmental services to include habitat value and carbon sequestration.

1. Several of the GB zoned properties have or border Pocantico River tributaries. As the Wetland laws do not protect these tributaries, it is necessary to increase the buffer areas so to insure necessary protection of these threatened natural resources.

2. Re: fences and trees as screening of GB structures, parking areas and driveways: Note: Most of the adjacent residential properties are at much higher elevations than the GB district.

Re: Fences and walls: 6 ft walls or fences are inadequate to serve as screening and should not be an option for lower lying GB properties.

6 ft walls and/or fences will not screen light or noise, to include the sound from the Clay Bird and Campfire Gun Clubs. Note: light and noise negatively impact wildlife habitats.

Re: trees: Evergreens and coniferous trees are widest at their base with narrow top growth and will offer little screening to elevated residential properties. A planting of deciduous trees with their wide canopies and evergreen or coniferous trees will provide better screening than just evergreen and coniferous trees alone (in time).

Note: the trees to be planted as screening for Artis Senior Living will not in my lifetime screen that 35 ft high structure on an elevated grade of up to 6 ft.

We live in what was a deciduous hardwood forest. The existing wildlife evolved within that habitat. Native deciduous trees must be included in all landscape screening and mitigation requirements!!!! Only trees native to Westchester should be used. Re: <https://plants.usda.gov/java/>

3. Agreed: Proper maintenance of landscaping shall be a continuing requirement. Part of that requirement should be to ban improper pruning and mulching techniques. See: Briar Oaks condos landscaping at the corner of Chappaqua and North State Roads for vivid examples of damaging and visually hideous pruning and mulching.

Recap: No fences or walls for screening. Deciduous trees should be part of the screening plan.

Re: Bed-and-breakfast establishments and artist live/work spaces. See my email comments which I have sent to you.

Too reiterate my objections to the B & B proposed language: The max. number of guest rooms should be halved. As example, allowing 8 guests rooms in an owner-occupied residence could allow a 9+ bedroom/bathroom structure. Just too big!

D. Seating for food and beverage service shall be limited to the number of guests staying at the bed-and-breakfast establishment.

Food and beverage service should be limited to the guests staying at the bed-and-breakfast. Food and beverage service should be limited to a morning meal only.

Additionally, length of stay should be restricted to less than 2 weeks.

SECTION 6: CHAPTER 68, CABARETS, AMENDMENTS: § 68-20.

B. No cabaret shall have amplified music outdoors at any time

Ex: When Terra Rustica open the doors to their porch dining area during warm weather the sound can be heard from my house, even though the music is inside.

D. exterior lights Ex: Terra Rustica's spotlights??? It would be truly wonderful if businesses and the public could be educated as to the benefits of Dark Skies. Our night skies are dimming, a loss to star gazers and nocturnal species alike. Turning off lights at night is also a good plan when the not-soon-enough shuttering of Indian Point is considered.

**SECTION 7: CHAPTER 183, TREE PROTECTION, AMENDMENTS
REGULATED BUFFER ZONE -**

What trees at maturity fit within a 3, 5, 10 or 15 ft wide area?

Applicants should be required to choose appropriate plant materials, particularly in wetland/stream and their buffer areas. Existing naturally occurring trees native to Westchester should remain whenever possible, especially in wetland/streams and their buffer areas. We are in extreme danger of losing our natural history in the Town of Ossining.

Thank you for considering my comments, and for your work towards these code changes.

Ellen Kahan of Ganung Drive commented on the Cabaret Laws of the Town of Ossining which limits when they can have a function. There should be different hours of operation within a residential zone.

Fr. David A. Smith of Maryknoll read the following statement:

Maryknoll Fathers and Brothers
(Catholic Foreign Mission Society of America)
And
Maryknoll Sisters of St. Dominic
Maryknoll, New York 10545

January 10, 2017

Statement to be submitted to the Ossining Town Board

The Maryknoll Fathers and Brothers (Catholic Foreign Mission Society of America) and the Maryknoll Sisters of St. Dominic present their concern that the practical impact of the proposed rezoning will affect properties owned by both groups. At this time and into the foreseeable future both groups intend to use the properties for the purpose of their world-wide mission apostolate and the care of those missionaries who have served faithfully in our missions for decades and who now need health care.

For over 106 years Maryknoll has been a valued member of the Ossining community. About 300 Maryknoll priests, Brothers, and Sisters reside on our Ossining campus, many of them being retired. We provide over 500 employment opportunities for citizens of Ossining and the surrounding towns and villages, our members are active in local community groups such as BOMA, local food pantries and join in civic projects such as the annual town fair. In 2012 the Maryknoll Sisters granted a Conservation Easement of 42 acres of their property in collaboration with the Westchester Land Trust. To assist with efforts to provide affordable housing to Ossining residents, the Maryknoll Society has provided generous financial support to the Interfaith Council for Action (IFCA) throughout the past decade. We are committed to serve as a positive presence in the Ossining community into the future.

Therefore to enable us to be faithful stewards of our resources both for the members of our Communities and the benefit of the local community it is imperative that we remain assured that we are not placed at a financial disadvantage as a result of the proposed rezoning. We rely significantly on the generosity of our faithful donors and on how we safeguard the wide variety of resources we have acquired over the years. Our property in the Town of Ossining is a significant resource which we intend to use now and manage into the future in order to assure our ongoing mission and the care of all our members.

We believe that the proposed rezoning would significantly reduce the value of our property which could ultimately jeopardize our ability to continue our mission work around the world (including the United States), to care for our sick and elderly members and to remain a strong employer and an active civic supporter in the Town of Ossining and its neighboring communities.

We therefore respectfully ask your reconsideration by withdrawing these rezoning proposals at this time.

Fr. David A. Smith
Maryknoll Fathers and Brothers
(Catholic Foreign Mission Society of America)

1-10-17

CFO

Anastasia Jett
For Maryknoll Sisters of St. Dominic

10 January 2017

General Secretary

Town Counsel Silverberg responded relative to the Cabaret selling alcohol. This is a New York State Law.

Bruce Fiorito read the following statement:

ANTHONY L. FIORITO INC.

100 Croton River Road
Ossining NY 10562
Phone: 914-941-3300
Fax: 914-941-3317
Email baf500@aol.com

January 10, 2017

MEMBERS OF THE BOARD

RE: 39 Old Albany Post Road

In reference to a re-zoning proposal of 39 Old Albany Post Road (80.14-1-28), I would appreciate leaving this parcel AS IS (GB-1) for the following reasons:

1. I am currently the owner of one of the adjacent parcels. My parcel, in particular, has been subject to immense damage due to years of drainage issues being greatly impacted by insufficient road drainage which impacted #39 Old Albany Post Road and ultimately impacted my parcel. In the last 20 years I have spent in excess of \$100,000 installing drainage all the way to the river from my property. I have built a wall trying to hold back that property, but drainage issues continued compromising that wall. The previous owner abandoned the premises leaving immense damages and violations impacting my properties.
2. In order to salvage #39 Old Albany Post Road, a huge retaining wall needs to be built on MY property costing an estimated \$150,000.00.
3. The damage has been accrued over so many years that to build a retaining wall with #39's boundaries is financially and practically impossible.
4. The other two properties adjoining #39 are also zoned GB-1 making all 3 sides Industrial Working Properties.
5. In addition to already costing more than the value of the land, building housing between commercial properties would not produce a financially acceptable solution, cost being far more than the value, according to local Real Estate Experts.
6. Remaining Commercial also helps school funding without an impact.
7. I have spent substantial time with the Building Inspector, Mr. John Hamilton, going over this situation. There are numerous violations on the property which we will correct. Again, the cost of these are immense.
8. Enclosed also are letters from Dillion & Sarcone Attorneys dating back to 1999 when these issues started getting intolerable. Copies were sent to then Members of the Town Council, Village Manager, Building Dept. and neighbors. To date, we still carry the burden of total neglect.
9. Trying to acknowledge the value as well as sensitivity to the surrounding neighborhood, we would propose to build retail garages or stores with the roadside appearing more residential and garages facing the back or others sides. Attached are some pictures of adjoining property lines depicting a commercial setting.

We appreciate your consideration in this matter.



Bruce A. Fiorito, Pres.
Anthony L. Fiorito Inc.

Councilmember Jeffrey questioned would it be an issue of the present use of Maryknoll. David Stolman of F.P. Clark responded that there would be no issues. Town Counsel Silverberg stated that it was a legal non-conforming issue.

Jack Hughes stated that James Dam of 37A Old Albany Post Road has owned this property for 23 years and has been a roofing business for 20 years. He spent \$200,000 on a storage building which also provides parking to neighborhood residents. He depends on this business

Kevin Coral read the following statement:

Dana Levenberg, Town Supervisor
Town of Ossining
16 Croton Avenue
Ossining, NY 10562

+

January 6, 2017

Re: Town of Ossining Zoning Map, Local Law#1 of 2017

Dear Honorable Levenberg,

My name is Kevin Kouril, I am the president and owner of 2 Stanley Avenue Corporation. This five family house is located at 35 Old Albany Post Road in the Crotonville section of Ossining. My wife and I purchased this property sixteen years ago to help offset the future cost of our four kids college education. I have personally worked to repair this property since it was purchased.

I am at this location at least five times a week. I know the neighborhood well. In addition to being an Ossining volunteer firefighter, I have lived in Ossining for thirty-eight years. The Crotonville area has looked the same way my entire life. The only change remarkable, has been improvement. I cannot understand why there is a proposal to change the zoning of specific properties in my neighborhood, including my own. It will not change the current buildings in the area which are mostly already commercial. Starting at Route 9 to just past the stop sign in front of my property is commercial. On the other side of the street is General Electric which is zoned Business Educational. For anyone that is not familiar with the General Electric facility, it is a large commercial complex.

I checked in the Town of Ossining Building Department records and my property has been zoned Business District and Neighborhood Commercial since 1930, eighty-seven years! Why is there a need for a zoning change after all these years? If you want to rezone the entire area what is the reason for your exclusion of General Electric, and the other immediate commercial areas? What are you looking to gain at our expense?

My family and I are opposed to any zoning change. The only thing this change does is lower my property value and the designation that I purchased it as. I bought this building in a commercial zone so that I would not have problems in an exclusive residential neighborhood. I would like to know the reason and the persons behind this zoning change. It will not alter the look of the neighborhood unless you are further planning on retroactively enacting codes or laws unforeseen.

Just as you are looking towards the future plan of The Town of Ossining, we too purchased this property with the future of our family in mind. Do not take away what we have planned and worked so hard to keep.

Do not change the current zoning for me and my surrounding neighbors in this proposed area.

Sincerely,



Kevin Kouril

Donna Sharret stated that no fences or walls can be used for screening can guest rooms from a Bed and Breakfast as the rooms will be too high. There should only be a morning meal and a stay of not longer than 2 weeks. If Tierra Rustica is playing music inside you can still hear it outside. We must promote education to “dark skies”.

The members from Maryknoll present this evening stated that there should not be any concern regarding the continuing use of the facility as they are not entertaining a sale.

At 8:05 P.M., Councilmember Wilcher moved and it was seconded by Councilmember Jeffrey that the Public Hearing be adjourned until January 17th, 2017 at the Ossining Public Library.

II. ANNOUNCEMENTS

Supervisor Levenberg read the following statement:

I want to start by thanking so many of you for contributing to our Public Hearing process, both tonight and via email and letters. It is wonderful to see such a great turnout, and we are appreciative of your feedback, which will help us to improve this local law and the zoning in our community.

We had an exciting, and somewhat unexpected weather event this past Saturday, when a predicted inch of snow turned into a day-long weather event. Thank you to the Town and Village staff who really had to fight the elements to get our roads safe and clear for first responders. I want to remind everyone in the Town about the on-street parking law that applies this time of year—between October 31st and March 31st, no overnight parking is allowed on Town roads to ensure that roads can be cleared in the event of a snow storm. While we understand that this may be inconvenient, it is for the safety of our residents, our visitors and our first responders. I also want to remind folks to please not clear your cars in the road, or shovel into the street—it makes for a lot of extra work for our Highway staff, and it is also a safety issue. If you contract out for snow removal and see your contractor doing this, please tell them to keep the snow on the property.

This past Saturday evening, Councilwoman Feldman and I attended the Testimonial Dinner for OFD Chief Engineer Matt Scarduzio. Despite the tough weather, it was an excellent turnout, and I was glad to offer a proclamation to the outgoing Chief on behalf of the Town Board. Thank you to Matthew Scarduzio for your service and unwavering commitment to our Town and Village, and a special thanks to OFD Member JT Camp for ensuring mine and the mayor’s safe arrival during the snowstorm.

Earlier today, I attended Governor Cuomo’s State of the State at SUNY Purchase. I was pleased to hear some of the Governor’s priorities include a focus on building the Empire State Trail connecting NYC to the North Country and Albany to Buffalo with a trail that could be used for recreation and will be a great boon to the tourist industry. This dovetails nicely with our vision of a bike path/open space corridor here in Ossining to connect our trails and parks and link to business centers—I believe it will connect to the Empire State Trail segment that comes through Ossining, as well. Also, the Governor is focused on investing in clean drinking water which has the potential to help with our Village water dam improvement and filtration plan projects. The Governor is also proposing free college tuition to SUNY and CUNY schools, as I mentioned previously, for state residents who make \$125,000 or less which will help ensure a robust, educated population in our state and a continuation of the importance of our university system to help spur innovation and partner with business. Finally, the governor continues to look for ways to help communities bring property taxes down. One of the ways we had hoped to do that was through a shared services grant last year. Unfortunately, the overall vision for how that grant would be spent and what we would be looking at did not get the support I would have hoped for, so perhaps the Governor’s approach of taking it to the citizens will produce a different outcome.

We have some great events coming up this week that I hope you will be able to attend. On Thursday, January 12th, Assemblywoman Sandy Galef will be hosting a forum at the Croton Free Library to discuss the potential for replacing the Electoral College with a National Popular Vote. The Assemblywoman will be joined by her colleague, Assemblyman Jeffrey Dinowitz, along with Jeanne Zaino, a professor of Political Science at Iona College, and Hendrick Hertzberg, a political analyst for The New Yorker Magazine. The conversation begins at 6:30PM, I hope you can make it.

As the New Year begins, many of us look for ways to start on the right foot and look for ways to improve our wellness. The Ossining Library will be hosting “Addicted to Sugar and Gluten” at 11AM on Saturday, January 14th—come hear about how to take control over the carb crunch and our sugar addiction! This is a free event, but registration is required: call 941-2416 ext. 327 to learn more.

Also on Saturday, January 14th, the Ossining Elks Lodge at 118 Croton Avenue will host a night of live Latin Jazz, beginning at 7:30PM. All are welcome, and a \$10 donation at the door is greatly appreciated.

Beginning on January 19th, Theater O will be presenting “Snow Angel” at the Brandon Furniture store at 173 North Highland Avenue. Shows are scheduled for Thursday the 19th and Friday the 20th at 8PM, on Saturday the 21st at 3:00 P.M. and 8:00 P.M., and on Sunday the 22nd at 3PM. Visit www.theaterO.org for more information.

Make sure to mark your calendars now for January 28th, where the Ossining Recreation and Parks Department will be joined by Gullotta House, the Ossining Elks, the Ossining Rotary and Janet Brand of Houlihan Lawrence to host Ossining Family Fun Night with the Westchester Knicks at the Westchester County Center. Tickets are on sale now, \$22 for adults and the first 150 youth tickets are free, tickets are first come, first served. Stop by the Community Center to pick up tickets and to find out more about this awesome event for the youth of Ossining.

Finally, my office has heard from several of you who have been contacted by mail regarding a utility change, and we are working with Sustainable Westchester to clarify the message a bit. You may remember in Spring of 2016, the Town and Village of Ossining entered into an agreement for our residents to make a group power purchase for electricity through CCA, or Community Choice Aggregation, and the contract was awarded to ConEdison Solutions, who has been supplying us with 100% renewable energy at a lower rate than what we were paying to Con Edison. However, it appears as though ConEdison Solutions may have sold some of its contracts to a company called Constellation Energy, a subsidiary of Exelon Energy. Some of our residents have contacted us to find out if this is a legitimate mailing, and it is legitimate. A call placed to Sustainable Westchester earlier today clarified that the rates that were negotiated through CCA will remain in place, so we are still getting a great deal on 100% renewable energy, and are locked into our rate until the 2 year contract expires in mid-2018. It is not too late to opt into this if you would like to see if you can get a better deal on renewable energy supply costs. If you have another ESCO but would like to check out the CCA, go to westchesterpowers.org. Scroll all the way to the bottom for their phone number.

Councilmember Jeffrey announced that on Saturday, January 14, 2017, the Cooperative Scholarship will sponsor a tribute to Martin Luther King Jr. at the Ossining High School Auditorium from 3 to 5 p.m. The guest speaker is the Mayor of Mount Vernon. The admission is \$25 and \$15 for Seniors. On Sunday, January 15, 2017, a Martin Luther King, Jr. service will take place at the Star of Bethlehem Church beginning at 7 p.m.

Councilmember Feldman explain that her electric rate went from 9.3 cents to 7.6 cents. She recommends that residents look at their bill before making the change.

III. PUBLIC COMMENT ON AGENDA ITEMS

IV. APPOINTMENTS

1. Deputy Supervisor

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

Supervisor Levenberg appoints Kim Jeffrey Deputy Supervisor for the Town of Ossining effective January 1, 2017.

Motion Carried: Unanimously

2. Deputy Receiver of Taxes

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

In accordance with the appropriate provisions of law, Ms. Julie DiLoreto and Ms. Patti Cunningham is hereby re-appointed to the office by the Receiver of Taxes of the Town of Ossining for 2017, bearing the title and full responsibilities of Deputy Receiver of Taxes and serving at the pleasure of the Receiver of Taxes.

Motion Carried: Unanimously

3. 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
New York State
Village of Ossining
Co-Liaison to Ossining Historical Society

Elizabeth Feldman

Green Ossining Committee
Ossining Volunteer Ambulance Corps.
Ossining and Briarcliff Manor Fire Departments
Ossining Historical Society
Ossining Boat & Canoe Club
Liaison to Village of Ossining Water Department
Co-Liaison to Ossining & Briarcliff Manor Chambers of Commerce

Kim Jeffrey

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

Northern Wilcher
OHCC
Ossining and Briarcliff Manor Chambers of Commerce
Liaison to Teatown Lake Reservation
Co-Liaison to Recreation Advisory Board
Co-Liaison to Ossining Boat and Canoe Club

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

Councilmember D'Attore 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, 2017 through December 31, 2017; 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

5. Justice Court – Town Constables

Councilmember Wilcher moved and it was seconded by Councilmember Feldman 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 2017:

Carlos Castro- Ossining, NY
Allen Gantz- Ossining, NY

Motion Carried: Unanimously

6. Justice Court- Court Attendants

Councilmember Wilcher moved and it was seconded by Councilmember Jeffrey 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 2017:

Mario Conte- Ossining, NY
John Simkins- Ossining, NY
Allen Gantz- Ossining, NY
Richard Fernandez- Cortlandt Manor, NY
Franklin Jackson-Ossining, NY -\$25.00

Motion Carried: Unanimously

V. ANNUAL RESOLUTIONS

A. Official Newspaper

Councilmember Wilcher moved and it was seconded by Councilmember Feldman 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 2017.

Motion Carried: Unanimously

B. Town Council Monthly Meeting Schedule

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 adopts the following Monthly Meeting Schedule for 2017:

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 January 17th, March 7th, April 18th, June 6th, August 15th, October 3rd, November 21st and December 19th.

The Legislative Session scheduled for Tuesday, February 14th will be replaced by a 9AM Meeting at 16 Croton Avenue. There will be no Work Session on Tuesday, February 21st, 2017. The Legislative Session scheduled for Tuesday, April 11th will be moved to Wednesday, April 12th in observance of Passover. The Work Session scheduled for Tuesday, July 4th will be moved to Wednesday, July 5th. The Legislative Session scheduled for Tuesday, November 7th will be moved to Wednesday, November 8th due to Election Day.

Motion Carried: Unanimously

C. Zoning Board of Appeals Meeting Schedule

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

Resolved, that the start time of meetings of the Zoning Board of Appeals of the Town of Ossining is hereby changed to 7:30PM on the first and third Monday of the month, when meetings are convened.

Motion Carried: Unanimously

D. Setting Town Office Hours

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

Resolved, that the office hours of the Town Offices for 2017 will be Monday through Friday, 8:30 a.m. to 4:30 p.m.

Motion Carried: Unanimously

E. Town Historian

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

Resolved, that the Town Board hereby appoints Martha R. Mesiti, Town Historian for 2017.

Motion Carried: Unanimously

E. Mileage Allowance

Councilmember Jeffrey 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 \$0.535 per mile to be paid upon claim voucher, after audit and approval, in accordance with IRS standards.

Motion Carried: Unanimously

F. Membership in the Association of Towns

Councilmember Jeffrey moved and it was seconded by Councilmember Feldman 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 2017 in the amount of \$1,500.

Motion Carried: Unanimously

G. Authorization for Attendance at Association of Towns Annual 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 authorizes the following Town Personnel to attend the Annual Meeting of the Association of Towns to be held in New York City, February 20-22, 2017 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.

Motion Carried: Unanimously

H. Delegate to the Association of Towns

Councilmember Jeffrey 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 2017.

Motion Carried: Unanimously

I. Alternate Delegate to the Association of Towns

Councilmember Wilcher moved and it was seconded by Councilmember Feldman 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 2017.

Motion Carried: Unanimously

J. Animal Control-SPCA of Westchester

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

Resolved, that the Supervisor be and hereby is, authorized and directed to execute an agreement with SPCA of Westchester for the period January 1, 2017- December 31, 2017, 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.

Motion Carried: Unanimously

K. Renewal-Delta Dental Insurance Program

Councilmember Jeffrey moved and it was seconded by Councilmember Wilcher 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 at the same rates as 2016 for the period January 1, 2017- December 31, 2017 for Group # 1576-0001 at a rate of \$62.58 per month per employee with no dependents and \$148.86 per month, per employee with family coverage; and be it further

Resolved, that Group # 1576-0002 shall be at a rate of \$67.56 per month per employee with no dependents and \$158.22 per month, per employee with family coverage.

Motion Carried: Unanimously

L. 2017 Refuse/Recycle Collection

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

Whereas, the Town of Ossining entered into an agreement with Sani-Pro Disposal Services Corp, for the removal of refuse, garbage and commingled recyclables at residential properties within the Unincorporated Area of the Town of Ossining on December 21, 2012; and

Now, therefore be it Resolved, that the Town Board of the Town of Ossining hereby exercises its option to renew with Sani-Pro Disposal of 566 North State Road, Briarcliff Manor, NY for fiscal year 2017 at a cost not to exceed \$431,127.

Motion Carried: Unanimously

M. Approval of Compensation Plan for 2017

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

Resolved, that the Town Board hereby approves the following Compensation Plan for the year 2017:

TITLE OF POSITION

ANNUAL

<u>EXEMPT</u>	<u>SALARY</u>
ASSESSOR	\$144,672
BUDGET OFFICER/ AIDE TO THE SUPERVISOR	73,544
COURT CLERK (2)	65,869
DEPUTY RECEIVER OF TAXES (1)	50,591
DEPUTY RECEIVER OF TAXES (1)	47,688
DEPUTY TOWN CLERK	66,726

<u>UNCLASSIFIED</u>	
TOWN CLERK	\$94,174
COUNCIL MEMBER (4)	11,336
RECEIVER OF TAXES	95,725
SUPERINTENDENT OF HIGHWAYS	100,562
SUPERVISOR	73,869
TOWN JUSTICE (3)	47,173
RUOK WEEKEND RATE	18.00/HR

<u>NON-COMPETITIVE</u>	
MOTOR EQUIPMENT OPERATOR (3)	\$81,327
PARKS FOREMAN	84,668
HIGHWAY FOREMAN	88,009
ROAD MAINTAINER (3)	74,963
AUTOMOTIVE MECHANIC	84,868
AUTOMOTIVE MECHANIC HELPER/ROAD MNT.	74,963

<u>LABOR</u>	
PARK GROUNDSKEEPER (1)	\$74,963
PARK GROUNDSKEEPER (1)	67,492
PARK GROUNDSKEEPER (1)	59,981
CHAUFFEUR (3)	38,436
FOOD SERVICE HELPER	38,436
BUS DRIVER	50,718
LEAD CEMETERY WORKER	38,953
CEMETERY WORKER	33,543

<u>COMPETITIVE</u>	
DEPUTY ASSESSOR	\$78,230
ASSESSMENT CLERK	64,474
ASSESSMENT ASSISTANT	55,515
SENIOR OFFICE ASSISTANT	57,657
OFFICE ASSISANT AUTOMATED SYSTEMS	53,417
ASSISTANT COURT CLERK	51,439
NUTRITION SITE DIRECTOR	80,066
INTERMEDIATE CLERK (1)	45,062
INTERMEDIATE CLERK (1)	48,056
INTERMEDIATE CLERK SPANISH SPEAKING	47,688
PARALEGAL	35,818
SUPERINTENDENT OF CEMETERIES	29,999

<u>PART TIME EMPLOYEES</u>		
<u>NAME</u>	<u>TITLE</u>	<u>HOURLY RATE</u>
Cafarelli, Victoria	PT. Confidential Sec.	\$22.55/HR
DelBourgo, Constance	PT, Nutrition	\$16.56HR
Hamilton, John	PT, Building Inspector	\$69.97/HR
Lobue, Christina	PT, Clerk's Office	\$15.00/HR
Saltarelli, Francine	PT, Highway	\$31.00/HR
See, Mary	PT, Clerk's Office	\$24.28/HR

ELECTION OFFICIALS

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

Motion Carried: Unanimously

N. Surety Bonds

Councilmember Wilcher moved and it was seconded by Councilmember Jeffrey 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

O. Consulting Engineer

Councilmember Jeffrey moved and it was seconded by Councilmember Wilcher 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 2017, for a fee totaling \$87,098 (\$7,259 per month).

Motion Carried: Unanimously

P. Planning Consultants

Councilmember Wilcher moved and it was seconded by Councilmember D'Attore 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 December 22nd, 2016, for services otherwise authorized by the Town.

Motion Carried: Unanimously

Q. Bond Counsel

Councilmember D’Attore moved and it was seconded by Councilmember Feldman 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 21st, 2016.

Motion Carried: Unanimously

R. 2017 Schedule of Fees

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 approves the following Schedule of Fees for calendar year 2017:

TOWN FEE SCHEDULE- 2017

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
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

Type of Application, License or Permit/Code Chapter Reference		Fee
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
	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

Type of Application, License or Permit/Code Chapter Reference		Fee
	Inspection and letter in lieu of certificate of occupancy	\$100
	Legalization of work performed without permits	All fees tripled
	Failure to keep a scheduled appt. 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; \$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

Type of Application, License or Permit/Code Chapter Reference		Fee
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
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 for Pavilion (Ryder, Gerlach, Cedar Lane)	\$300 for 4 hours; \$25 for each additional hour
	Rental fees for Picnic Areas at Engel Park	\$150 for 4 hours; \$25 for each additional hour
	Boat ramp	
	Daily	
	Residents	\$40
	Nonresidents	\$50

Type of Application, License or Permit/Code Chapter Reference	Fee	
	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
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

Type of Application, License or Permit/Code Chapter Reference		Fee	
	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	
	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	
	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

Type of Application, License or Permit/Code Chapter Reference		Fee	
	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	
	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	
	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	

Type of Application, License or Permit/Code Chapter Reference		Fee
	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

Motion Carried: Unanimously

S. Dale Cemetery Fee Schedule 2017

Councilmember Jeffery 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 Dale Cemetery for calendar year 2017:

GRAVE PRICES

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

***Residents of Ossining are entitled to a reduction of \$100 on the grave price.**

****Includes original interment**

GRAVE PRICES SECTION NINE ONLY

- **Single Depth Grave: \$1600**
- **Double Depth Grave: \$1900**

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

- **Saturday Interment Fee: \$550**
- **Saturday Cremains Interment Fee: \$250**
- **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.**

Motion Carried: Unanimously

T. Records Management Officer

Councilmember Feldman moved and it was seconded by Councilmember Jeffrey 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

U. Appointment of Marriage Officers

Councilmember Wilcher moved and it was seconded by Councilmember Feldman 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 2017.

Motion Carried: Unanimously

V. Finance-Investment Policy

Councilmember Jeffrey 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	Betsy Davis
Wells Fargo	Paul DeGrato
Sterling Bank	Marissa Brett
TD Bank	Caren Roeder
Tompkins Mahopac National Bank	Maria G. Lopez

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.

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.

Motion Carried: Unanimously

W. Finance-Debt Management Policy

Councilmember D'Atto moved and it was seconded by Councilmember Wilcher 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.
3. Motion Carried: Unanimously

Motion Carried: Unanimously

X. Finance – Procurement Policy

Councilmember Wilcher moved and it was seconded by Councilmember Feldman 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.
- 4. As to the purchase of tires for Town-owned vehicles:
 - I. Any supplier and/or distributor of tires to the Town must be on New York State and/or Westchester County contract.
 - II. 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.
 - III. 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.
 - IV. Travel/ delivery time will be factors utilized in selecting a tire supplier/ distributor.
 - V. 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.

5. As to the use of tow companies and vehicle inspections for Town-owned vehicles:
 - I. All tows of Town-owned vehicles are to be done by Town of Ossining businesses.
 - II. All automotive inspections of Town-owned vehicles are to be done by Town of Ossining businesses.
6. 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.

7. 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.

8. 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.**

Motion Carried: Unanimously

Y. Reimbursement of Town Employee Business Expenses

Councilmember Wilcher moved and it was seconded by Councilmember Feldman 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 (15%) 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

Z. Agreement-NYS Municipal Workers' Compensation Alliance

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

Resolved, that the Town Board of the Town of Ossining hereby continues its membership with the NYS Workers' Compensation Alliance for fiscal year 2017 to administer workers compensation claims at a cost not to exceed \$156,365, not including the NYS assessment fees.

Motion Carried: Unanimously

AA. Insurance Renewal-New York Municipal Insurance Reciprocal

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 insurance policies and coverage with the New York Municipal Insurance Reciprocal (NYMIR) effective January 1, 2017 through December 31, 2017 at an amount not to exceed \$119,742.51.

Motion Carried: Unanimously

REGULAR MEETING – BOARD RESOLUTIONS

I. BOARD RESOLUTIONS

A. Approval of Minutes Regular Meeting -December 27, 2016

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 approves the Minutes of the December 27, 2016 Regular Meeting as presented.

Motion Carried: Unanimously

B. Approval of Minutes Special Meeting –January 3rd, 2017

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

Resolved, that the Town Board of the Town of Ossining hereby approves the Minutes of the January 3rd, 2017 Special Meeting as presented.

Motion Carried: Unanimously

C. Approval of Voucher Detail Report

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

Resolved, that the Town Board hereby approves the Voucher Detail Report dated January 10, 2017 in the amount of \$49,346.39 for 2016.

Motion Carried: Unanimously

D. Resolution Retaining Attorneys to Represent the Town

Councilmember Wilcher moved and it was seconded by Councilmember Feldman 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 2017.

Motion Carried: Unanimously

E. Resolution Retaining Special Counsel to Represent the Town

Councilmember Jeffrey moved and it was seconded by Councilmember Wilcher 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.

Motion Carried: Unanimously

F. Resolution: Greenway Compact Grant Application

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

Whereas, the Town of Ossining is applying to the Hudson Valley Greenway for a grant under the Greenway Communities Grant for a project entitled "Hiring a Planning Consultant to Assist the Five Municipalities in the Indian Brook/ Croton Gorge Watershed Develop Inter-Municipal Strategies to Protect the Watershed" to be located in the Indian Brook/ Croton Gorge watershed; and

Whereas, the grant application requires the applicant municipality to obtain the approval/endorsement of the governing body of the municipality or municipalities in which the project will be located;

Now therefore be it Resolved, that the Town Board of the Town of Ossining hereby does approve and endorse the application for a grant under the Greenway Communities Grant Program for the aforementioned project which is to be located partially within the Town of Ossining.

Motion Carried: Unanimously

G. Resolution Approving "Pavilion and Group Picnic Area Rental Application"

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

Resolved, that the Town Board of the Town of Ossining hereby accepts, and approves the use of, the "Pavilion and Group Picnic Area Rental Application" effective January 11th, 2017; and

Be it further Resolved, that the aforementioned application will replace the use of, and fees contained within, the "Application for Park Rental" currently being used by the Ossining Recreation and Parks Department for the rental of Town park facilities.

Motion Carried: TABLED

H. Personnel- Abolishment of Position

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

Resolved, that the Town Board of the Town of Ossining hereby abolishes the competitive position of Assessment/ Tax Aide effective December 31st, 2016.

Motion Carried: Unanimously

I. Personnel- Employee Hour Change

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

Resolved, that the Town Board of the Town of Ossining hereby appoints Jeremiah Sullivan, Yonkers, to the Full-Time position of Paralegal at an annual salary of \$35,818, effective January 1st, 2017.

Motion Carried: Unanimously

J. Stipulation of Settlement between Town of Ossining and CSEA Local 1000

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

Be it Resolved, upon recommendation of the Town Supervisor, that the Town Board hereby ratifies and approves the Stipulation of Agreement regarding Patricia Cunningham-Jay and Step 2 of the CSEA Salary Schedule for Deputy Receiver of Taxes between the Town and CSEA Local 1000, effective January 1st, 2017; and

Be it further Resolves that the Town Supervisor is authorized to execute said stipulation on the Town's behalf.

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:

Resolved, that the Town Board of the Town of Ossining hereby accepts the following monthly reports for the month of December 2016:

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

Motion Carried: Unanimously

IV. VISITOR RECOGNITION

V. ADJOURNMENT-EXECUTIVE SESSION-PERSONNEL

Councilmember Wilcher requested a moment of Silence for the young man in Georgia who committed the murders at the church as well as his family members.

At 9:23 P.M., Councilmember Jeffrey moved and it was seconded by Councilmember Feldman that the Regular Meeting be adjourned.

Motion Carried: Unanimously

At 9:51 P.M., Councilmember Jeffrey made a motion to leave Executive Session and it was seconded by Councilmember D'Attore.

At 9:52P.M., Councilmember Wilcher made a motion to adjourn and it was seconded by Councilmember D'Attore.

Approved:

Mary Ann Roberts Village Clerk