



**TOWN BOARD
TOWN OF OSSINING
86-88 SPRING STREET
BIRDSALL-FAGAN POLICE COURT FACILITY
OSSINING, NEW YORK**

**AUGUST 23, 2016
7:30 P.M.**

**SUPERVISOR
Dana Levenberg**

**COUNCILMEMBERS
Karen M. D'Attore Elizabeth R. Feldman
Kim L. Jeffrey Northern Wilcher, Jr.**

6:30 P.M. EXECUTIVE SESSION-LEGAL ADVICE

At 6:33 P.M., Councilmember D'Attore moved and it was seconded by Councilmember Wilcher that the Board enter into Executive Session.

At 7:25 P.M., Councilmember Jeffrey moved and it was seconded by Councilmember Wilcher that the Meeting be adjourned into Legislative Session

Motion Carried: Unanimously

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

The Regular Meeting of the Town Board of the Town of Ossining was held on August 23, 2016 at the Birdsall-Fagan Police Court/Facility, 86-88 Spring Street in Ossining. The meeting was called to order at 7:33 p.m. by Supervisor Dana Levenberg. Members of the Board present were: Councilmembers Elizabeth R. Feldman, Northern Wilcher, Jr., Karen D'Attore and Kim Jeffrey. Also present were Town Counsels Christie Tomm Addona, Budget Officer Madeline Zachacz and Deputy Town Clerk Ann Marie Rocco.

II. Public Hearing in the matter of the 2016 Cabaret License for Ballroom Studio of Westchester

At 7:31 p.m. the Public hearing was opened.

Supervisor Levenberg read the following statement:

Since we have been together last, the applicant has submitted a report, as per our request, detailing the sound levels at the property line while music is being played. However, our attorneys and our Building Inspector have suggested re-testing under more appropriate conditions, and also by using certified equipment. We have also received a couple of noise complaints from the neighbors suggesting that there has been some activity on the site that would normally be governed by a cabaret license, which is concerning to us, as a cabaret license has not yet been issued. We want this business to be successful, but we also want to make sure they are good neighbors, since this property is surrounded by a residential neighborhood. I am hopeful the applicant will also reach out to the Building Inspector to discuss the possibility of soundproofing and screening to help them be able to achieve their goals. Do any of my colleagues have any comments?

Councilmember Jeffrey had some clarification questioned and wanted to know what the Ballroom does.

Ms. Barbara Antes owner of the Ballroom stated that they have been in business 17 years. They teach lessons all day long 7 days per week. The parties that they have are geared towards senior citizens. They don't host wild events. Ms. Antes stated that they applied for a wine and beer license for a private club. The Building Inspector signed off on the cabaret application. The person who did the sound test did a comprehensive study. Ms. Antes would like her cabaret license approved because she would like to continue doing business.

Councilmember Jeffrey explained that there have been some noise complaints from the establishment between 11:00 p.m and 1:00 a.m. How do we balance your business with the surrounding residents?

Ms. Antes explained that she has spoken to businesses in her neighborhood and they have regularly received complaints about noise from these residents.

Supervisor Levenberg suggested that sound should be checked with certified equipment in the evening.

Co-owner explained that no one explained to them that the sound check should be checked at night. The problem is that the cabaret is linked to the liquor license.

Ms. Antes explained that they are making an effort to ensure that the noise level is not loud.

Supervisor Levenberg suggested a provisional cabaret license for three months and in the meantime work with the building inspector and are addressing the issues that we have discussed.

Ms. Antes was in agreement with this.

All members of the Board were in agreement with this.

At 7:47 p.m. Councilmember D'Attore moved and it was seconded by Councilmember Wilcher that the Public Hearing be closed.

Motion Carried: Unanimously

At 7:48 P.M., Councilmember Jeffrey moved and it was seconded by Councilmember D'Attore that the Public Hearing be opened

Motion Carried: Unanimously

Town Counsel Christie Tomm Addona advised that the Board can adopt the provisional license during the legislative session.

Supervisor Levenberg was in agreement.

Ms. Antes explained that she will continue to sound proof the establishment.

Supervisor Levenberg questioned the time of the Cabaret.

Ms. Antes said they would comply with what the Board wants.

At 7:51 p.m. Councilmember D'Attore moved and it was seconded by Councilmember Jeffrey that the Public Hearing be closed.

Motion Carried: Unanimously

III. ANNOUNCEMENTS

Supervisor Levenberg announced the following:

We have had an awesome summer here in the Town of Ossining, thanks in large part to our Ossining Waterfront Concert Series at Engel Park. Our last concert of the season will take place this Friday night. It will start a little early, at 6:00 pm with a musical showcase of students from the Mike Risko School of Music, followed at 7pm with Ossining's Own The Old Mill Singers and a DJ dance party at 8:30 with DJ Johnny G. Come down and say goodbye to Summer 2016 in style! A big thanks is due to Chris Soi, our Superintendent of Recreation, along with our fantastic Parks staff, for making these events possible and thinking fast in bad weather. We have plentiful recreation opportunities in Ossining year-round: please keep an eye out for the Fall 2016 Recreation brochure, which is posted on both the Village and the Town website.

After sending out our mailing on August 8th, we have received over 60 applications for the property tax "phase in". We sent a copy of the application to all 572 property owners who our Assessor believes, based on their change in assessment, may be eligible to apply. If you want to know more about the "phase in" you can find the application on the Town website, or hard copies at 16 Croton Avenue. If you plan to apply, please don't forget that the deadline for the application and all backup documents is September 15th, 2016 at 4:30 P.M. No applications will be accepted after this date.

I am proud to share that the Town held a very successful foreclosure auction on August 10th, where four properties were auctioned, with many of the successful bidders being current Ossining residents, with the closing set for September 27th. While auctioning off our foreclosed properties is not a pleasant point to reach, it is one that is necessary in order to protect all of our taxpayers. I want to thank our Receiver of Taxes Gloria Fried and her staff for doing their best to limit the number of properties we have to auction, and then getting good bidders in to cover all the unpaid taxes and expenses, and on a job well done. Gloria will be attending our September 6th Work Session to update the Board on the auction process. Also on September 6th, our Superintendent of Highways Michael G. O'Connor will be making a presentation about the roads throughout the Unincorporated Area that he believes should be next up for paving. The Town paved six roads in 2015, which was funded primarily by CHIPS funding and a small transfer from fund balance. However, that work exhausted most of our CHIPS reserves and we need to think of some creative ways to get some more roads done soon. We look forward to working together with Michael to develop a schedule for the roads that most need repaving, and we hope to start that process at the September 6th meeting.

I want to remind everyone that this Board will not be meeting next week, as August 30th is a 5th Tuesday. The Work Session on September 6th will take place at 16 Croton Avenue at 7:30PM.

Additionally, I want to mention about some very important upcoming events: We have an important notice for swimmers and boaters who visit the Croton River. Beginning at noon on Tuesday, August 30th, the DEC will be applying aquatic herbicide to stop the growth of hydrilla verticillata, an invasive species of aquatic plant that has become increasingly more prevalent in the Croton River. This pesticide application will last for 24 hours, during which time, fishing and/or fish consumption is prohibited. Swimming and bathing will be prohibited for 24 hours after the treatment ends, the irrigation or spraying of agricultural crops is prohibited for 7 days after the treatment ends, and livestock watering will be prohibited for 14 days after the treatment ends.

The Greater Ossining Chamber of Commerce is hosting Lobster Fest at Engel Park this Saturday, August 27th from 5-9. You can register on the Chamber's website. It has outgrown its previous location at the Ossining Boat and Canoe Club. It's a great

event on the beautiful Hudson so I encourage you to sign up early and show up early.

Another important event coming up is Senior Law Day on Monday, September 12th. The Ossining Public Library will host workshops between 10:00 A.M. and 1:00 P.M. to help our seniors and their caregivers to learn about Medicare (Spanish), housing options (English), scams and frauds that target seniors (English), and estate planning (Spanish). The workshop is free, but all participants must register by September 2nd. Please call the OPL at (914) 941-2416.

Finally, please mark your calendars for Westchester Collaborative Theater's 2016 fundraiser Summer Gala on September 17th, which will take place at Shattemuc Yacht Club between 7:00 P.M. and 10:00 P.M. Come down and support the arts in your community! Visit www.wctheater.org for more details.

IV. LIAISON REPORTS

V. DEPARTMENTAL REPORTS

Adjournment-Work Session at 8:04 p.m. Councilmember D'Attore moved and it was seconded by Councilmember Wilcher that the meeting be adjourned into work session.

Motion Carried: Unanimously

- **Donation by Briarcliff Little League for field clay at Ryder Park**

Supervisor Levenberg stated that we have four items on our Work Session agenda this evening, beginning with the consideration of an offer made by the Briarcliff Little League to donate a set sum for the purchase of clay and bases for the field that they primarily use at Ryder Park. We are not going to be voting on this tonight because we are still waiting to hear from Briarcliff regarding the price. Supervisor Levenberg stated that we need a clear understanding from Briarcliff and the Board will not be voting on this tonight.

All members of the Board were in agreement with this.

- **Discussion of Capital Project Priorities for Parks**

Supervisor Levenberg stated that the next item on our agenda takes a look back at a presentation we had in late July about capital projects in our Town Parks and Dale Cemetery. We presented several projects to the Town Board and it was a lot to digest, so we have asked everyone to take a look at what we've proposed so we can assemble a work schedule and plan for bonding for this much needed capital work to bring our parks back up to their initial grandeur. What we are proposing is dividing the work into 3 phases with common objectives, the first of which is restoring our pavilions and restrooms so that they can be rented by our residents or visitors, and that is the phase we want to discuss with you tonight. Once the Board reviews the scope of what we're calling "Phase 1" and get your blessing to dig deeper, we will get to work on developing price quotes for materials and contractors, which we will hopefully be ready to review with you in early October.

Budget Office Madeline Zachacz presented the following to the Board:

Pavilion Work

- **Engineering of ADA Ramp at Gerlach Park and Cedar Lane from Restrooms to Pavilion**
- **Gerlach Retaining Wall Reconstruction**
- **Excavation of all 3 pavilion floors and Ryder Basketball Court; pour new concrete floors at all 3 pavilions and pour slabs for grills at Gerlach and Cedar Lane**
- **Install drainage around all 3 pavilions**

- **Reconstruct steps at Ryder Pavilion; install new grills at all 3 pavilions and at Engel Park**
- **Paving around pavilions (plus service road and ADA ramp at Gerlach)**

Restroom Work

- **Purchase new prefab restroom for Cedar Lane Pavilion**
- **Purchase new toilets, sinks and urinals for all park restrooms**
- **Purchase electric hand driers for all park restrooms**
- **Plumbing and electrical work at Gerlach Park restroom**
- **Install 3 remote locking doors and new windows at Gerlach Park restroom**

Dale Cemetery Work

- **House/ Office Rehabilitation**
- **Stone Wall Repairs**
- **Section Signs (complete project)**

Equipment

- **Excavator (Parks & Highway Split)**
- **Bobcat Skid Steer for Parks**
- **New Vehicle for Cemetery Superintendent**
- **Rock Hammer for Cemetery Excavator**
- **60 Inch Tiger for Parks (Trade in oldest Exmark mower)**
- **Plate compactor with water tank for Parks**

Councilmember Jeffrey wanted confirmation of pricing on the equipment.

Supervisor Levenberg spoke with Deputy Comptroller who suggested possibly compacting the pricing and then phase in the borrowing depending on the needs. Our goal would be to phase this in over the next three years.

Councilmember Jeffrey suggested that we consult with the Rec Advisory Committee regarding the various projects such as the dog park and lighting issue.

Councilmember D'Attore suggested that we put this on the Town website and advice the public of these projects. We may be able to get more civic engagement.

Councilmember Feldman suggests that we have Mario seal the cracks in the pavement. This will extend the life of the pavement.

All members of the Board are in favor of pricing these projects out.

- **Coast Guard Request for Anchorage Areas in the Hudson River**

Supervisor Levenberg stated that our next topic pertains to a request made to the US Coast Guard from the Maritime Association to delineate 2400 acres of the Hudson River Estuary as an anchorage site for barges. There has been a lot of discussion about this among our residents, on social media, and also between the governing bodies of our neighboring communities. Historic Hudson River Towns brought to our attention, as did Mayor Mike Spano of Yonkers, that we would be most effective by working together to address this topic, which will mean at the very least ensuring that public hearings are held to ensure all sides are heard on this important issue, and also asking for the deadline for public comment to be extended from the September 7th deadline for an additional 90 days. While this is a complex issue, at this point, it seems like the approval of these anchorages would take us backwards in terms of cleaning up our river and realizing successful economic development along it. We are asking the Board to approve a resolution in opposition of this request that would give me the authority to write to our elected officials in Congress as well as to the Coast Guard asking for an extension of the public comment period as well as requesting public hearings.

All members of the Board are in agreement with voting in opposition of this request.

• **Next Steps in Zoning & Planning Analysis**

Finally, as many of you are aware, we instituted a temporary development moratorium in the Town of Ossining that began in early June 2016 that is expected to last four months. We enacted this legislation to give this Board the opportunity to wrap our hands around the recommendations in the Town's Comprehensive Plan through a Planning and Zoning analysis conducted by our Planner, David Stolman of Frederick P. Clark Associates. Mr. Stolman looked at eight potential recommendations from our comprehensive plan and reported back to the Board about which items seemed worthy of pursuing at this time, and the Board directed him to begin composing the Local Law to turn these recommendations into code. Mr. Stolman was unable to join us this evening, but he did provide us with a partial draft to review and discuss as of yesterday.

Supervisor Levenberg suggested that we table this topic until Mr. Stolman is able to discuss this at another meeting.

All members of the Board were in agreement with this.

Adjournment-Legislative Session at 8:54 p.m. Councilmember Feldman moved and it was seconded by Councilmember Jeffrey that the meeting be adjourned into Legislative Session.

VI. PUBLIC COMMENT ON AGENDA ITEMS

VII. BOARD RESOLUTIONS

A. Approval of Minutes

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

Resolved, that the Town Board of the Town of Ossining hereby approves the August 8, 2016, Minutes of the Regular Meeting as presented.

Motion Carried: 3-2-0
Ayes: D'Attore, Feldman & Wilcher
Abstain: Jeffrey & Levenberg

B. Approval of Voucher Detail Report

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 Voucher Detail Report dated August 23, 2016 in the amount of \$314,189.49.

Motion Carried: Unanimously

C. Resolution in Support of Greenway Grant Application

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

WHEREAS, the Town of Ossining is applying to the Hudson River Valley Greenway for a grant under the 2016 Greenway Conservancy Trail Grant Program for a project entitled, Planning for Open Space/Bike Lane/Commerce Connectivity Corridor, to be located in the Town of Ossining, the Town of New Castle, and the Village of Ossining,

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 governing board of the Town of Ossining hereby does approve and endorse the application for a grant under the 2016 Greenway Conservancy Small Grant Program, for a project known as Planning for Open Space/Bike Lane/Commerce Connectivity Corridor and located within this community.

Supervisor Levenberg stated that as you know, we have applied through the CFA process for grant money to help with planning of the Bike/Pedestrian/Open Space Corridor to help connect our communities and our parks to one another to make them more bikeable and more friendly to ecotourism. The Hudson Valley Greenway Grant is another opportunity for us to seek grant funding. We have reached out to the Town of New Castle and the Village of Ossining to partner with us on this grant, and so far have heard back and New Castle is on board. The Greenway requires we pass a resolution to identify the board's approval of the Town applying for this grant.

Motion Carried: Unanimously

D. Resolution of the Town Board of the Town of Ossining in Opposition to Proposed Rule 2016-13701

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

WHEREAS, the U.S. Coast Guard is considering designating 2,400 acres of Hudson River Estuary as new anchorage areas for commercial barges along the Hudson River shoreline from Yonkers to Kingston and has proposed a rule establishing such new anchorage grounds; and

WHEREAS, there are three proposed anchorage grounds in the Hudson River adjacent to the Hudson River shoreline in Westchester County and Rockland County and those locations are known as Yonkers Extension, Montrose Point and Tompkins Cove; and

WHEREAS, the only notification that has been provided by the Coast Guard regarding the proposed anchorage grounds is through the publication in the Federal Register; and

WHEREAS, despite requests from several public interest organizations and local, state and federal elected officials, including U.S. Senators Charles Schumer and Kirsten Gillibrand, to hold public hearings on the new proposed anchorage grounds, to date the Coast Guard has declined to schedule any public hearings and will only be accepting written comments until September 7, 2016; and

WHEREAS, Scenic Hudson and Riverkeeper, as well as many municipalities, have voiced their concern and opposition to establishing these new anchorage grounds; and

WHEREAS, the designation of these new anchorage grounds, which would become water-based parking areas for commercial barges on the way to and from the ever-busier Port of Albany, portends an increase in barge traffic on the Hudson River; and

WHEREAS, the proposed anchorage sites abut the main shipping channel of the river, which will increase congestion on the river, and may lead to collisions and create additional homeland security issues along the riverfronts; and

WHEREAS, such efforts by the Coast Guard would serve to re-industrialize the Hudson River in areas undergoing transformation, coastal revitalization and adaptive reuse away from commercial and industrial uses and toward residential and recreational uses, and which re-industrialization would be inconsistent with the local long-term waterfront goals and regional initiatives toward Hudson Valley tourism; and

WHEREAS, the establishment of these anchorages will cause noise and light pollution, produce river bed scarring of delicate river bottom habitat through the use of heavy ground tackle and congregate dangerous material, such as crude oil, directly adjacent to the shoreline; and

WHEREAS, large anchoring equipment used by commercial vessels disturbs bottom sediment and can damage wildlife habitats, including those of endangered species that live in and abut the river; and

WHEREAS, the anchoring of ships and barges poses health, safety and welfare concerns from possible oil and fuel spills; and

WHEREAS, the Town of Ossining, along with many other municipalities within Westchester County, is a participating community under the Hudson River Valley Greenway Act, part of the intent of which is to establish a cooperative effort to advance the State's commitment to preserve, enhance and develop the world-renowned scenic, natural, historic, cultural and recreational resources of the Hudson River Valley; and

WHEREAS, the Town of Ossining has a high population of recreational boaters, who will be required to bypass the nearby proposed anchorage sites and navigate the increased commercial traffic on the Hudson River, which may create health, safety and welfare issues; and

WHEREAS, the Town of Ossining has already expended large sums of taxpayer money to clean up contaminated areas within the Town and is concerned about the increased likelihood of such future contamination from the increased commercial traffic and risk of spills from the ships that would utilize the proposed anchorage sites; and

WHEREAS, the Town of Ossining has a population of fisherman who utilize the river as a source of sustenance and who may be harmed by the increased contamination caused by the proposed anchorage sites; and

WHEREAS, the Town of Ossining is in the process of evaluating the potential of opening up its shoreline and beaches to the public in certain locations, and the impacts that may result from the proposed anchorage sites may cause the Town of Ossining to have to reevaluate this plan, to the detriment of its residents and the public; and

WHEREAS, the foregoing potential impacts of the new anchorage grounds have not been adequately studied or addressed, including identifying all impacts from the proposed anchorage grounds; and

WHEREAS, the Coast Guard's proposal does not indicate which agency(ies) will be responsible for overseeing and/or maintaining the proposed anchorage sites and the anticipated impacts that will result from such; and

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Ossining does hereby register its opposition to the proposed rule and urges its disapproval; and

BE IT FURTHER RESOLVED that the Board calls upon the Coast Guard to increase the ability for public comment by scheduling and actively promoting

additional public forums that are easily accessible throughout the affected area so that the community concerns over this complex proposal can be heard and integrated into the rulemaking process as early as possible; and extend the public comment period no shorter than 90 additional days.

BE IT FURTHER RESOLVED that the Town Board of the Town of Ossining urges residents to voice their concerns on the proposed new anchorage locations identified as Docket ID USCG-2016-0132 at <http://www.regulations.gov> by September 7, 2016; and

BE IT FURTHER RESOLVED that this resolution be distributed to U.S. Senator Charles Schumer, U.S. Senator Kristen Gillibrand, U.S. Congresswoman Nita Lowey, U.S. Congressman Eliot Engel, Governor Andrew Cuomo, N.Y.S. Secretary of State Rossana Rosado, N.Y.S. Senator David Carlucci and N.Y.S. Assemblywoman Sandy Galef; and

BE IT FURTHER RESOLVED, the Town Board authorizes the Town Supervisor to execute any and all correspondence conveying the Town's concerns as set forth herein or as may become known in the future based upon further review of the proposal.

Supervisor Levenberg stated as mentioned, there is a proposal before the US Coast Guard to consider setting up anchorages for barges along the Hudson River, specifically off Yonkers and Montrose Point. I attended a meeting in Yonkers yesterday with other municipal elected officials and staff to identify how we can work together to oppose what many of us believe will be working at odds with what the rivertowns have worked so hard to achieve—i.e. to get away from industrialization of the river and steer towards tourism, recreation, and natural beauty.

Motion Carried: Unanimously

E. Proposal: Cleaning Services at the Town Court

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 proposal dated August 16th, 2016 from Arco Cleaning, Mt. Kisco, for bi-weekly cleaning services of the Town Court Offices at a rate of \$500 per month.

Supervisor Levenberg stated as you know, the Town court acts as a consolidated court serving both the Village and Town of Ossining. As such, we have an intermunicipal agreement with the Village that outlines services provided. In the appendix to the IMA, there is a lease agreement for the Town Court offices. We were made aware, recently, by the Village that the agreement does not include cleaning services. Although the Village staff has been cleaning the Town Court since it was consolidated, this arrangement is not longer acceptable to the Village and they have asked the Town to contract separately. As such, we are asking you to approve a contract with Arco cleaning to clean the court offices twice a week.

Motion Carried: Unanimously

F. Stipulation of Agreement: Denise Awerdick

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

BE IT SO RESOLVED, that the Town Board of the Town of Ossining hereby ratifies and approves the Stipulation of Agreement between the Town of Ossining and Denise Awerdick; and

IT IS FURTHER RESOLVED, that the Town Board hereby authorizes the Town Supervisor to execute the Stipulation of Agreement on behalf of the Town.

Supervisor Levenberg stated that this resolution is to authorize me to sign an agreement on the Town's behalf with one of our employees in relation to a personnel issue.

Motion Carried: Unanimously

G. Provisional 2016 Cabaret License Approval-Ballroom Studio of Westchester

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

Resolved that the Town Board of the Town Ossining Extends a Provisional Cabaret License for a period of three months from August 23, 2016 through November 23, 2016 to the Ballroom Studio of Westchester from Sunday through Thursday until 10:00 P.M. and Friday and Saturday until 12:00 A.M. (midnight).

Therefore be it Resolved that this is subject to the conditions of the provisional license. The Town Board of the Town of Ossining authorizes the Town Clerk to issue this provisional license.

Motion Carried: Unanimously

VIII. CORRESPONDENCE TO BE RECEIVED AND FILED

IX. 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:

- **Tax Receiver's Office-July 2016**

Motion Carried: Unanimously

X. VISITOR RECOGNITION

Mr. Adam Stolorow was present on behalf of his client Cynthia Manacharian to address the issue on the Sunshine Children's Home. Here to ask the Board for their support on opposing the negative declaration that New Castle Zoning Board of Appeals is going to issue for the request to expand the home by 222 beds. At the July 25th ZBA meeting it looked like they were going to approve the resolutions. There was a notice that came out that the next action day for ZBA will be September 28th. Mr. Stolorow stated that this is the Town Board's last opportunity to share their opinion before the ZBA votes on this topic. Mr. Stolorow has also submitted a FOIL request regarding flow records.

Ms. Kaja Gam read the following statement:

August 23, 2016

To the Town of Ossining and the Village of Ossining

I was present at the New Castle Zoning Board Meeting on July 25th where a green light was given to the Sunshine home expansion.

I have followed the trail of water since Late November 2015, when Town of New Castle and Village of Ossining were discussing the Purchase of Water in connection with the Indian Brook Water Treatment Plant renovation. Some in this room may recall the push by New Castle for a separate Spring Valley Road water district, and of course, the reason for this request: The Sunshine Nursing Facility Expansion.

I want speak out to the damage and devastating effect the blasting is going to have on the watershed and the wetlands. They will be blasting rock and granite. More than two acres of it. Think about the dust that creates. Think about the silt it creates. Then add the fact that we now know the rock is irradiated. We will for sure have silt in our drinking water and in the wetlands including Cedar Lake Pond. The best we can hope for is that the rock they blast is not radiated.

Indian Brook Reservoir and the Croton Watershed are important and critical environmental areas and designated as such by the NYS DEC in 1990. In 2008 the municipalities surrounding the area got together and with the support of the Westchester County Department of Planning and the NYSDEC Hudson River Estuary Program Initiated the Indian Brook-Croton Gorge Watershed Conservation Plan. The 83-page document can be found on their website westester.gov/planning. Town of Cortlandt, Village of Croton-on-Hudson, Town of Ossining, Village of Ossining and Town of New Castle.

We tend to forget about these initiatives and the follow through that is needed to stick to the promises. We fall back into caring only about our own duck pond, we put on blinders on. The consequence is that we neglect to pay attention to decisions that are

made outside our own municipality area that will impact all of us, and that may even be in disagreement with decisions we are mutually bound by.

But we are all in this together - we share the nature around us and the consequences of what is done to it. Artificial municipal boundaries do not mean that I will not enjoy Cedar Lane Park or the Croton River, because I live in the Village of Ossining.

Ossining, Town and Village alike- should also consider the pressure on the water filtration system with added silt at a time when Ossining is upgrading its water filtration system. Are the effects of the Sunshine construction and blasting going to add additional cost for both the village and the Town-

Has the Town considered this? And can the Town sewer system even handle the silt? Who is going to foot that bill? Are there any NYS regulations that require approval from affected municipalities when another municipality stirs up the mud - so to speak?

These are all questions that need to be answered. It has the potential to be an environmental disaster, and we need an EIS.

Kaja Gam

55 Wolden Road

XI. ADJOURNMENT – EXECUTIVE SESSION-LEGAL ADVICE

9:24 P.M., Councilmember D’Attore moved and it was seconded by Councilmember Jeffrey that the Meeting be adjourned.

Motion Carried: Unanimously

10:09 P.M., Councilmember Wilcher moved and it was seconded by Councilmember D’Attore that the Board leave Executive Session.

Motion Carried: Unanimously

10:10 P.M., Councilmember Jeffrey moved and it was seconded by Councilmember D’Attore that the Meeting be adjourned.

Motion Carried: Unanimously

Approved:

Mary Ann Roberts Village Clerk