

MINUTES
TOWN BOARD
TOWN OF OSSINING
IN PERSON AT THE
BIRDSALL-FAGAN POLICE/COURT FACILITY
86-88 SPRING STREET – OSSINING, NEW YORK
AND VIA VIDEO CONFERENCING

February 13, 2024
REGULAR MEETING
7:30 P.M.

SUPERVISOR
Elizabeth R. Feldman

COUNCILMEMBERS
Gregory G. Meyer Angelo A. Manicchio
Jennifer Fields-Tawil Matthew J. Weiss

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

The Regular meeting of the Town Board of the Town of Ossining was held on February 13, 2024 at the Birdsall-Fagan Police/Court Facility 86-88 Spring Street – Ossining, New York, 10562 and via video conference. The meeting was called to order at 7:30 PM by Supervisor Elizabeth R. Feldman. Members of the Board present were: Councilmembers Gregory G. Meyer, Jennifer Fields-Tawil, Matthew J. Weiss and Angelo A. Manicchio. Also present were Town Counsel Christie Tomm-Addona and Budget Officer Martha C. Quituisaca.

II. SUPERVISOR AND TOWN BOARD ANNOUNCEMENTS

Supervisor Feldman said the following:

- Congratulations to our brand new restaurant at 512 North State Road -- 512 Bistro. We attended the ribbon cutting last Friday and got to see their fabulous renovation, and got to sample some of their amazing food as well. I hope everyone gets a chance to stop by and support them in their new venture.
- Band applications for the 2024 Ossining RiverJam are now available at the Town's Recreation and Parks webpage. The application window is open until February 16th.
- We hope everyone gets a chance to see the amazing Black History Month exhibit "Black Presence – Profound Influence" at Bethany Arts Community curated by Historian Joyce Sharrock. The exhibit runs through March 8th.
- Ossining Public Library is hosting a Roblox Tournament on Friday at 4:30 for kids between 6 and 12 years old.
- Friday night at Hudson Valley Books for Humanity, come out to hear Spencer Smith perform love songs.
- Saturday night at Sing Sing Kill Brewery will have "Song and Tell" hosted by Ossining's own Ro Moran.
- Next Wednesday, February 21st, Hudson Valley Books for Humanity will host a unique event called "Human Story Swap." Check out their website for details.
- As always, our Ossining Public Library will be hosting a bevy of events including Pokemon Club, Chess with Chavez, Mahjong, sewing workshops and more. Please see their website at ossininglibrary.org.
- The Ossining Youth Bureau is beginning a program called OYES – Ossining Youth Engaged in Success – a program that creates a safe environment that builds and strengthens skills to enhance academics and social-emotional learning. For more information call 914.941.3189.

- Need help with your winter utility bills? Go to the New York State Department of Public Services at www.dps/ny.gov/winter .
- If you know of someone who needs food and shelter as we enter the coldest days of the season, they should meet at the Open Door in Ossining daily at 8:00pm and look for the white van. Open Door is located at 165 Main Street. More information by calling 914.645.1482.
- Westchester County Job Fair will be held at the Westchester County Center in White Plains on February 8th, and April 30th.

There are many fun and interesting events being held locally, and you can look at my weekly Supervisor's Update on the Supervisor's webpage to see them.

III. LIAISON REPORTS

IV. PUBLIC COMMENT ON AGENDA ITEMS

V. BOARD RESOLUTIONS

A. Approval of Minutes - January 23, 2024

Councilmember Meyer moved and it was seconded by Councilmember Weiss that the following resolution be approved.

Resolved, that the Town Board of the Town of Ossining hereby approves the January 23, 2024 minutes of the Regular Meeting as presented.

Motion: Carried

B. Approval of Voucher Detail Report

Councilmember Meyer moved and it was seconded by Councilmember Weiss that the following resolution be approved.

Resolved, that the Town Board of the Town of Ossining hereby approves the Voucher Detail Report dated February 13, 2024 in the amount of \$614,545.87.

Motion: Carried

C. Personnel – Appointment – Highway Department - Office Assistant (Automated Systems)

Councilmember Meyer moved and it was seconded by Councilmember Weiss that the following resolution be approved.

Resolved, that the Town Board of the Town of Ossining appoints Diane DiDomenico, Ossining, to the full-time position of Office Assistant (Automated Systems) in the Highway Department effective February 7, 2024 at an annual salary of \$54,155.

Motion: Carried

D. Resolution – Authorization of Fireworks Contract

Councilmember Meyer moved and it was seconded by Councilmember Weiss that the following resolution be approved.

BE IT RESOLVED, the Town Board hereby authorizes the Supervisor to enter into an agreement with Legion Fireworks Co., Inc. to provide a fireworks display for the Town's Independence Day celebration at Louis

Engel Park on July 3, 2024 (with a rain date of July 5, 2024) at an amount not to exceed \$25,000, which agreement shall be in a form acceptable to the Town's counsel and insurance advisers.

Motion: Carried

E. Agreement – Congregations Sons of Israel of Briarcliff Manor

Councilmember Meyer moved and it was seconded by Councilmember Weiss that the following resolution be approved.

BE IT RESOLVED, the Town Board hereby authorizes the Supervisor to execute a revocable license agreement to permit Congregations Sons of Israel of Briarcliff Manor ("CSI") to access the CSI Cemetery through Dale Cemetery and to make certain authorized improvements to the southern portion of Dale Cemetery to improve access and handicap accessibility to those visitors to the CSI cemetery.

Motion: Carried

F. Contract – Tyler Technologies

Councilmember Meyer moved and it was seconded by Councilmember Weiss that the following resolution be approved.

Resolved, that the Town Board of the Town of Ossining authorizes the Supervisor to sign an agreement with Tyler Technologies, Moraine, OH 45439 for Appraisal Services for 2024 at a cost not to exceed \$25,000 subject to approval by Counsel to the Town as to form.

Motion: Carried

G. Approval of Renewal Agreement – CAI Technologies

Councilmember Meyer moved and it was seconded by Councilmember Weiss that the following resolution be approved.

Resolved, that the Town Board of the Town of Ossining authorizes the Supervisor to sign a renewal agreement for 2024 with CAI Technologies, Littleton, NH 03561 for GIS Internet Services, at an annual cost of \$8,500.

Motion: Carried

H. Participation Agreement – Trepp, INC.

Councilmember Meyer moved and it was seconded by Councilmember Weiss that the following resolution be approved.

Resolved, that the Town Board of the Town of Ossining authorizes the Supervisor to sign an agreement with Trepp, INC, New York, NY 10020 for data information on properties for three years as per a license being issued through Westchester County.

Motion: Carried

I. Contract – Hudson Engineering & Consulting, P.C.

Councilmember Meyer moved and it was seconded by Councilmember Weiss that the following resolution be approved.

Resolved, that the Town Board of the Town of Ossining authorizes the Supervisor to sign the proposal dated February 9, 2024 from Hudson Engineering & Consulting, P.C., 45 Knollwood RD, Suite 201, Elmsford, NY 10523 for professional engineering services for the Engel Park Bathroom Facilities Project.

Motion: Carried

J. 2024 Cabaret License – Maya Riviera Bar and Restaurant

Councilmember Meyer moved and it was seconded by Councilmember Weiss that the following amended resolution be approved.

Whereas, Maya Riviera Bar and Restaurant, 518 North State Road, Briarcliff Manor (the “Applicant”) has filed an application for a Cabaret License for the calendar year 2024; and

Whereas, in 2018 the Town Board authorized the Applicant to play amplified music until 1 a.m. on Fridays and Saturdays on a provisional basis, and in 2020 the Town Board also authorized the Applicant to play amplified music until 1 a.m. on Sundays through Thursdays on a provisional basis; and

Whereas, the Applicant again requests to be able to play amplified music until 1 a.m. every night; and

Whereas, the Town Board is authorized under Chapter 68 of the Town Code (Section 68-20(B)) to extend hours a cabaret may play amplified music beyond what is permitted in the Code where it deems it appropriate and consistent with the public safety and welfare; and

Whereas, the Town Board has reviewed the 2024 application and attachments thereto, and has solicited input from involved departments, including the Police Department and Building Department, both of which recommended granting the application; and

Whereas, the Town Board held a duly noticed public hearing at its regular meeting on Tuesday, January 23, 2024, and after members of the public having the opportunity to speak on the application, the public hearing was closed on January 23, 2024; and

Now therefore,

Be it Resolved, that the Town Board hereby approves the application of the Maya Riviera Bar and Restaurant for a Cabaret License for the calendar year 2024, subject to the following limitations and conditions:

The music played on site will consist only of (a) a Mariachi Band consisting of 3-5 members using guitars, trumpets, drums and/or other mariachi band instruments or (b) a DJ using a Karaoke Machine.

Amplified music shall be allowed from 11:00 a.m. to (a) 1:00 a.m. Fridays and Saturdays and (b) 12:00 a.m. Sundays through Thursdays.

Amplified music shall only ever be allowed indoors.

Be it further Resolved, the Town Board finds that based upon the positive role the Applicant’s establishment plays in the community and the favorable recommendations from the Building Department and the Police Department, but while also balancing the interests of the neighboring residential community, it is appropriate and consistent with the public safety and welfare to allow the Applicant to play amplified until 1:00 a.m. on Fridays and Saturdays, but reserves the right to revisit this determination in subsequent years and make any modifications to the hours during which amplified music

is permitted that the Town Board deems necessary based upon the circumstances presented at that time, and

Be it further Resolved, the conditions on this cabaret license are only for the 2024 calendar year and the Town Board reserves the right to modify, add to and/or eliminate any and all conditions when considering the Applicant’s application for a cabaret license renewal for the 2025 calendar year in accordance with Chapter 68 of the Town Code.

Motion: Carried

K. 2024 Cabaret License – Flames Bar and Grill LLC

Councilmember Meyer moved and it was seconded by Councilmember Weiss that the following resolution be approved.

Whereas, Flames Bar and Grill LLC, 533 North State Road, Briarcliff Manor (the “Applicant”) has filed an application for a Cabaret License for the calendar year 2024; and

Whereas, the Town Board has reviewed the 2024 application and attachments thereto, and has solicited input from involved departments, including the Police Department and Building Department, both of which recommended granting the application; and

Whereas, the Town Board held a duly noticed public hearing at its regular meeting on Tuesday, January 23, 2024, and after members of the public having the opportunity to speak on the application, the public hearing was closed on January 23, 2024; and

Now therefore,

Be it Resolved, that the Town Board hereby approves the application of the Flames Bar and Grill LLC for a Cabaret License for the calendar year 2024, subject to the following limitations and conditions:

1. The music played on site will consist at any given time only of (a) recorded music, (b) disc jockey, (c) live single singer or (d) self-accompanied piano player.
2. Amplified music shall only be played between the hours of 4:00 pm and (a) 10:00 pm Tuesdays and Thursdays, (b) 11:00 pm Fridays and Saturdays and (c) 9:00 pm Sundays.
3. Amplified music shall only ever be allowed indoors and any existing amplification that is outdoors shall be immediately removed.

Be it further Resolved, the conditions on this cabaret license are only for the 2024 calendar year and the Town Board reserves the right to modify, add to and/or eliminate any and all conditions when considering the Applicant’s application for a cabaret license renewal for the 2025 calendar year in accordance with Chapter 68 of the Town Code.

Motion: Carried

L. Finance- Capital Project #2024-5251 – 2024 Dale Cemetery Retaining Wall-Cemetery

Councilmember Meyer moved and it was seconded by Councilmember Weiss that the following resolution be approved.

Resolved, that the Town Board of the Town of Ossining authorizes opening a 2024 Capital Project #2024-5251, entitled “2024 Dale Cemetery Retaining Wall” for Dale Cemetery Fund, with a project budget of \$100,000. The

project will be funded from a transfer from Dale Cemetery funded from General Fund balance.

Increase Capital Projects Fund Appropriations:

<u>Account No.</u>	<u>Account Name</u>	<u>Amount</u>
370 8810.200.5251	2024 Dale Cemetery Retaining Wall	<u>\$100,000.00</u>

Total Increases to Capital Projects Fund Appropriations \$100,000.00

Increase Capital Projects Fund Estimated Revenues:

<u>Account No.</u>	<u>Account Name</u>	<u>Amount</u>
370 0500.503132.5251	I/F Transfer-Dale Cemetery	<u>\$100,000.00</u>

Total Increase to Capital Projects Fund Estimated Revenues \$100,000.00

Increase General Fund Estimated Expenditures:

<u>Account No.</u>	<u>Account Name</u>	<u>Amount</u>
100 9902.932	I/F Transfer to Dale Cemetery Fund	<u>\$100,000.00</u>

Total Increase to General Fund Estimated Expenditures \$100,000.00

Increase General Fund Estimated Revenues:

100 0600.4795	General Fund Balance	<u>\$100,000.00</u>
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Total Increase to General Fund Estimated Revenues \$100,000.00

Increase Dale Cemetery Fund Estimated Expenditures:

<u>Account No.</u>	<u>Account Name</u>	<u>Amount</u>
320 9901.905	I/F Transfer to Capital Fund	<u>\$100,000.00</u>

Total Increase to Dale Cemetery Estimated Expenditures \$100,000.00

Increase Dale Cemetery Fund Estimated Revenues:

320 0280.5031	I/F Transfer-General Fund	<u>\$100,000.00</u>
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Total Increase to Dale Cemetery Fund Estimated Revenues \$100,000.00

Motion: Carried

VI. CORRESPONDENCE TO BE RECEIVED AND FILED

Councilmember Meyer moved and it was seconded by Councilmember Weiss that the following correspondence be received and filed. As amended.

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

- **Transcript - Bonnie Rogers. 13 Tappan Ter. August 07, 2023**
- **Transcript - Abel Magana. 512 N. State Rd. June 26, 2023**
- **Transcript – Illisaca. 21 Hillcrest. April 17, 2023**

Motion: Carried

VII. MONTHLY REPORTS

Councilmember Meyer moved and it was seconded by Councilmember Weiss that the following resolution be approved.

Resolved, that the Town Board of the Town of Ossining hereby accepts the following monthly reports for the month of January 2024:

- **Supervisor’s Office**
- **Highway Department**
- **Tax Receiver**
- **Clerk’s Office**

Motion: Carried

VIII. VISITOR RECOGNITION

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

IX. ADJOURNMENT

At 7:48 P.M., Councilmember Meyer motioned to adjourn to Executive Session for personnel, legal advice of counsel, and contracts, and Councilmember Weiss seconded.

Motion Carried: Unanimously

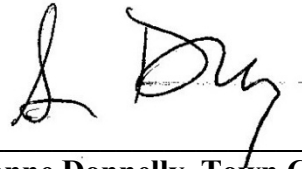
At 9:58 P.M., Councilmember Meyer motioned to leave Executive Session and Councilmember Manicchio seconded.

Motion Carried: Unanimously

At 9:58 P.M., Councilmember Meyer motioned to adjourn the Regular Meeting and Councilmember Manicchio seconded.

Motion Carried: Unanimously

Approved:



Susanne Donnelly, Town Clerk