

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

May 28, 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 May 28, 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, and Angelo A. Manicchio. Also present were Town Counsel Christie Tomm-Addona, and Budget Officer Martha C. Quituisaca.

II. DEPARTMENTAL REPORT

- **P.E. Village Engineer Paul Fraioli.**
Departmental report updates were given by P.E. Village Engineer Paul Fraioli.
- **Superintendent of Water/Sewer Andrew Tiess**
Departmental Report updates were provided by Superintendent of Water/Sewer Andrew Tiess.

III. SUPERVISOR AND TOWN BOARD ANNOUNCEMENTS

- **The Spray Park at Louis Engel Waterfront Park is now open on weekends (Saturday and Sunday) through the end of school. Beginning on June 27th the Spray Park will be open every day through Labor Day Weekend. Hours are 12:00 noon – 7:00pm.**
- **A Traffic Advisory – Pinesbridge Road between Brookside Lane and the Town of Yorktown will have alternating lanes of traffic for milling and paving. The expected hours of disruption are 9:00am-3:30pm. This is expected to last through Friday, June 7th.**
- **There will be a Juneteenth Flag Raising event in Market Square at 9:30am on Saturday, June 1st.**
- **The Ossining Pride Flag Raising will be Wednesday, June 5th at 4:00pm in Market Square.**
- **The Westchester County Pride Flag Raising is Sunday June 2nd at 11:30am at the Michaelian Office Building in White Plains.**
- **New York State has announced a new service -- their Address Confidentiality Program or ACP. It allows residents who have experienced domestic violence, stalking, sexual offenses, human trafficking, and reproductive healthcare services (including patients, volunteers, providers and their employees) to get a free Albany PO Box. This PO Box is secure and can be your official mailing address. New York State will privately forward your**

mail to your home address. See the New York State Department of State website for more information.

- The MTA has begun running the Haverstraw to Ossining Ferry 9:30am-9:30pm on the weekends at discounted fares. Check the MTA website for more details.
- Bethany Arts Community is hosting a Mosaic Jewelry Workshop on Wednesday from 7-9.
- The Bee Line Bus will have “Seniors Ride Free Day” on Thursday, May 30th. This is for ages 65+.
- The Briarcliff Manor Recreation Department is hosting an outdoor concert featuring the Mike Risko Band at 6:30pm in Law Memorial Park this Friday. There will be food trucks.
- Hudson Valley Books for Humanity will host “Sound Immersion: A Vibrational Journey” on /Friday at 7:00pm. They will also host Blind Tiger Improv Comedy on Saturday at 8:00pm.
- The Katonah Museum Artists’ Association All Member Show opening reception will be at Bethany Arts Community on Saturday at 4:00pm.
- The Old Mill Singers will be performing this weekend at the Julie Harris Theater – Clearview School in Briarcliff Manor. The shows are Saturday at 7pm and Sunday at 3pm.
- The Gullotta House 9th Anniversary Party will be Sunday June 9th, 2-5pm at J.P. Doyles Beer Garden in Sleepy Hollow. Check the Gullotta House website for more details.
- Calling all musicians and venues. June 21st will be Make Music Day, presented by Mike Risko Music. If you are interested in performing or hosting, get in touch with them at 914.762.8757.
- The New York State Department of State Office for New Americans has released a free English language learning tool called Cell-Ed that helps new Americans learn English at their own pace and on their own time. Simply Google “New York State Cell-Ed.”
- As always, our Ossining Public Library will be hosting a bevy of events including movies, craft events, meditation, tutoring and homework help, yoga, book clubs and more. Please see their website at ossininglibrary.org.
- 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.

IV. LIAISON REPORTS

V. PUBLIC COMMENT ON AGENDA ITEMS

Visitors shall be accorded one (1) four (4) minute opportunity to address the Board on any of the resolutions on the agenda.

VI. BOARD RESOLUTIONS

A. Approval of Minutes – May 14, 2024

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

Resolved, that the Town Board of the Town of Ossining hereby approves the May 14, 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 Manicchio that the following resolution be approved.

Resolved, that the Town Board of the Town of Ossining hereby approves the Voucher Detail Report dated May 28, 2024 in the amount of \$220,359.95.

Motion: Carried

C. Resolution – Request for Special Law for Hotel Occupancy Tax

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

WHEREAS, the unincorporated portion of the Town of Ossining consists primarily of residential properties and does not have many commercial properties to contribute to its tax base; and

WHEREAS, there is opportunity for certain properties within the unincorporated Town to be developed or repurposed to include a hotel use, including one property that was formerly owned by General Electric for a corporate conference center use and was recently sold to an entity that is considering implementing a hotel use utilizing the existing dormitories; and

WHEREAS, in order to implement a hotel occupancy tax in the Town a special law is required from the State, which legislation has previously been passed for several neighboring municipalities, including the City of Peekskill and the Towns of Greenburgh, Mount Pleasant and North Castle – as well as many of the Villages therein; and

WHEREAS, Assemblywoman Dana Levenberg has proposed Bill A10405 to allow the Town to adopt a local law to implement a hotel occupancy tax of 3%, which percentage is consistent with the other neighboring municipalities ([Bill Search and Legislative Information | New York State Assembly \(nyassembly.gov\)](https://www.nyassembly.gov)); and

NOW THEREFORE,

BE IT RESOLVED, for the reasons set forth above, the Town Board hereby expresses its full support for Bill A10405 and requests that the State Legislature and Governor take prompt action in enacting a special law to this effect; and

BE IT FURTHER RESOLVED, the Town Board hereby authorizes the Supervisor to send a letter to Assemblywoman Levenberg to this effect.

Motion: Carried

D. Personnel – Assessor’s Office – Appointment

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

Resolved, that the Town Board of the Town of Ossining hereby appoints Sierra Champagne, North White Plains, to the position of Assessment Clerk in the Assessor’s Office effective retroactively to May 21, 2024 at an annual salary of \$65,765.

Motion: Carried

E. Personnel—Park Seasonal Laborer – Appointment

Councilmember Meyer moved and it was seconded by Councilmember Fields-Tawil that the following resolution be approved.

Resolved, that the Town Board of the Town of Ossining appoints Patrick Meudt, Ossining, to the seasonal position of Laborer in the Town Parks Department at an hourly rate of \$17, effective June 24, 2024.

Motion: Carried

**F. New York State Liquor Authority Special Event Permit Application—
RiverJam Summer Concert Series and Fireworks Celebration**

Councilmember Meyer moved and it was seconded by Councilmember Fields-Tawil that the following resolution be approved.

Resolved that the Town Board of the Town of Ossining hereby authorizes the Supervisor to sign the Landlord Authorization Form for the New York State Liquor Authority Special Event Permit Application made by Sing Sing Kill Brewery, LLC, for the craft beverage corral at the RiverJam Summer Concert Series and Fireworks Celebration at Louis Engel Park on Fridays, July 3, 12, 19, & 26, and August 9, 16, & 23, 2024 with rain dates of July 5, 2024, August 30, 2024, and September 6, 2024; and

Be it further Resolved, that the applicant will provide proof of insurance and the letter of indemnity to the Town in a form acceptable to Counsel to the Town.

Motion: Carried

**G. A RESOLUTION AUTHORIZING THE RECONSTRUCTION AND
RESURFACING OF ROADS, IN AND FOR THE TOWN OF OSSINING,
WESTCHESTER COUNTY, NEW YORK, AT A MAXIMUM
ESTIMATED COST OF \$1,400,000 AND AUTHORIZING, SUBJECT TO
PERMISSIVE REFERENDUM, THE ISSUANCE OF \$1,400,000 SERIAL
BONDS OF SAID TOWN TO PAY THE COST THEREOF.**

Councilmember Meyer moved and it was seconded by Councilmember Fields-Tawil that the following resolution be approved.

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Town Board of the Town of Ossining, Westchester County, New York, as follows:

Section 1. The reconstruction and resurfacing of roads, including sidewalks, curbs, gutters, drainage, landscaping and other incidental improvements, in and for the Town of Ossining, Westchester County, New York, is hereby authorized, subject to permissive referendum, at a maximum estimated cost of \$1,400,000.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$1,400,000 serial bonds of said Town hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen years, pursuant to subdivision 20(c) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Town of Ossining, Westchester County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. To the extent not paid from other sources, there shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.

Motion: Carried

Ayes: Levenberg, Feldman, Meyer, Manicchio, & Fields-Tawil

H. Finance- 2024 Capital Project #2024-5257 – 2024 Street Paving-Highway

Councilmember Meyer moved and it was seconded by Councilmember Fields-Tawil that the following resolution be approved.

Resolved, that the Town Board of the Town of Ossining authorizes creating the 2024 Capital Project #2024-5257, entitled “2024 Street Paving” for the Town Highway Department, with an original project budget of \$1,400,000 for paving of Ganung Drive and Cul-de-sacs, Decker Road, Tuttle Drive, Robin Drive, Sleater Drive and Parker Lane. The project will be funded from Debt Service and NYS CHIPS/EWR/Pave NY Grant Funds.

Increase Capital Projects Fund Appropriations:

<u>Account No.</u>	<u>Account Name</u>	<u>Amount</u>
370 5110.200.5257	2024 Street Paving	\$ 1,400,000.00

Total Increases to Capital Projects Fund Appropriations \$ 1,400,000.00

Increase Capital Projects Fund Estimated Revenues:

<u>Account No.</u>	<u>Account Name</u>	<u>Amount</u>
370 0600.571000.5257	BAN/Serial Bond Debt	\$ 1,244,187.20

370 0300.350100.5257	NYS CHIPS/EWR/Pave NY	\$ 155,812.80
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Total Increase to Capital Projects Fund Estimated Revenues \$ 1,400,000.00

Motion: Carried

VII. VISITOR RECOGNITION

Visitors shall be accorded one (1) four (4) minute opportunity to address the Board on issues not relating to the agenda, but of relevance to the common good of the Town.

VIII. ADJOURNMENT.

At 7:58 P.M., Councilmember Meyer motioned to adjourn to Executive Session for Contract and Pending Litigation, and Councilmember Fields-Tawil seconded.

Motion Carried: Unanimously

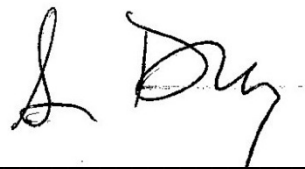
At 9:06 P.M., Councilmember Meyer motioned to leave Executive Session and Councilmember Manicchio seconded.

Motion Carried: Unanimously

At 8:54 P.M., Councilmember Meyer motioned to adjourn the Regular Meeting and Councilmember Manicchio seconded.

Motion Carried: Unanimously

Approved:



Susanne Donnelly, Town Clerk