

**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**

**October 10, 2023**  
**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 October 10, 2023 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, Angelo A. Manicchio, Jennifer Fields-Tawil, Matthew J. Weiss. Also present were Town Counsel Christie Tomm-Addona, Budget Officer Martha C. Quituisaca and Town Clerk Susanne Donnelly.

**II. SUPERVISOR AND TOWN BOARD ANNOUNCEMENTS**

Town Supervisor said the following:

In collaboration with affected counties, New York State has developed this online form allowing residents to self-report damages to their homes and/or businesses from the most recent rainfall flooding event. The purpose of this form is solely to collect information that may help State and local officials identify damages and to develop requests by the State for federal disaster recovery assistance programs. This form is NOT an application for disaster relief programs.

Here are the events happening around town this week:

- Tomorrow, Wednesday, October 11, at 6:30 PM, there will be a showing of "Mama" at the Budarz Theatre as part of their Spanish film series.
- On Friday, October 13, there will be a Poetry, Spoken Word, and Music Open Mic from 7:30 PM to 8:30 PM.
- On Saturday, October 14, there will be a Bilingual Community Dance Workshop from 12 PM to 2 PM at the Bethany Arts Community Center.
- This Sunday, October 15, from 12:00 PM to 7:00 PM, Ossining Padres Hispanos invites you to the Hispanic Festival at the Ossining Market Square.
- Also on Sunday, October 15, from 2 PM to 4 PM, come enjoy a Jazz Picnic hosted by the Ossining Historic Cemeteries Conservancy at Dale Cemetery.
- On Thursday, October 19, at 7 PM, OTown Reads presents "An Immense World," a community book club event at Hudson Valley Books for Humanity.

- The Blues Fest will take place at Cedar Lane Park on Saturday, October 21st, from 12 PM to 6 PM.
- The Spooktacular Fall Fest will take place on October 28th from 12 PM to 5 PM at Ryder Park.
- The Ossining Recreation and Parks Department will be hosting the annual Trunk or Treat on October 31st from 6 PM to 8 PM.

**III. LIAISON REPORTS**

**IV. PUBLIC COMMENT ON AGENDA ITEMS**

**V. BOARD RESOLUTIONS**

**A. Approval of Minutes—Regular Meeting – September 26, 2023**

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 September 26, 2023 minutes of the Regular Meeting as presented.

Motion: Carried

**B. Approval of Minutes—Special Meeting – October 3, 2023**

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 October 3, 2023 minutes of the Regular Meeting as presented.

Motion: Carried

**C. 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 October 10, 2023 in the amount of \$657,602.33.

Motion: Carried

**D. Personnel – Resignation – Highway Department – Intermediate Clerk (Part Time)**

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 accepts the resignation of Christie Maley from the position of Intermediate Clerk in the Highway Department effective October 2, 2023.

Motion: Carried

**E. Personnel – Appointment – Town Court – Assistant Court Clerk (Spanish Speaking)**

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 appoints Fernanda Lilley, Ossining, to the position of Assistant Court Clerk (Spanish Speaking) in the Town Court effective October 2, 2023 at an annual salary of \$56,267.

Be it further resolved, that this appointment is provisional and a probationary appointment of Mrs. Lilley to the position of Assistant Court Clerk (Spanish Speaking) is subject to Mrs. Lilley's successful completion of the written civil service exam and approval of Westchester County Civil Service.

Motion: Carried

**F. Resolution – Payment in Lieu of Taxes Agreement with Ossining Energy Storage 1, LLC**

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

WHEREAS, on April 27, 2021, the Town Board adopted a local law applying the Tier 2 Battery Energy Storage System Floating Zone to the property located at 381 North Highland Avenue, for the purposes of constructing a standalone battery energy storage system on a portion of the property that would be used to supplement power to the local power grid at peak hours by utilizing New York State's Value of Distributed Energy Resources (VDER) mechanism; and

WHEREAS, as a condition of the resolution adopting the local law, the Town Board required the applicant to enter into a Payment In Lieu of Taxes ("PILOT") Agreement pursuant to NY Real Property Tax Law § 487 related to the assessed value of the improvements related to the battery energy storage system; and

NOW THEREFORE,

BE IT RESOLVED, the Town Board authorizes the Supervisor to enter into a PILOT agreement with Ossining Energy Storage 1, LLC for a 15-year term with the Town receiving an annual payment of 80% of \$1,500 per megawatt of energy capacity with a 2% annual escalation, subject to approval by Counsel to the Town as to form; and

BE IT FURTHER RESOLVED, the Town Board hereby authorizes all applicable Town officers, staff and consultants to take any and all action reasonably necessary to facilitate the objective of the PILOT agreement.

Motion: Carried

**G. Proposal – Sparc Fire Protection Engineering, LLC**

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 sign a proposal by Sparc Fire Protection Engineering, LLC to review the proposed battery energy storage system at 381 N. Highland Avenue for fire protection and operational safety.

Motion: Carried

**VI. MONTHLY REPORTS:**

**Resolved, that the Town Board of the Town of Ossining hereby accepts the following monthly reports for the month of September 2023:**

- **Town Supervisor Department**
- **Dale Cemetery**
- **Tax Receiver**
- **Town Building Department**
- **Town Clerk**

**VII. VISITOR RECOGNITION**

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

**VIII. ADJOURNMENT**

**At 7:40 P.M., Councilmember Weiss motioned to Adjourn Work Session and Councilmember Meyer seconded.**

**Motion Carried: Unanimously**

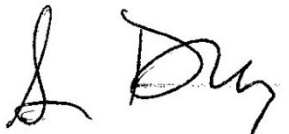
**At 8:46 P.M., Councilmember Weiss motioned to adjourn to Executive Session and Councilmember Meyer seconded.**

**Motion Carried: Unanimously**

**At 08:46 P.M., Councilmember Weiss motioned to adjourn Executive Session, and Councilmember Meyer seconded.**

**Motion Carried: Unanimously**

**Approved:**

  
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**Susanne Donnelly, Town Clerk**