



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

December 12, 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 December 12, 2023 at the Birdsall-Fagan Police/Court Facility 86-88 Spring Street – Ossining, New York And Via Video Conferencing. 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, and Jennifer Fields-Tawil. Also present were Town Counsel Christie Tomm-Addona, Budget Officer Martha C. Quituisaca and Town Clerk Susanne Donnelly.

II. PUBLIC HEARING

- **40 Croton Dam RD Zone Change Application**

Public Hearing Open at 7:31 pm

The following residents spoke at the Public Hearing for 40 Croton Dam Rd. Zone Change Application.

- **Christie Tomm Addona. Board Attorney.**
 - **The Town’s Planner and I prepared a memorandum addressing the comments raised at the November 28 public hearing. The memo was posted in the Google Drive for tonight’s meeting and also on the Planning Board’s project webpage.**
 - **As the memorandum is lengthy and dense, to avoid taking up the speaking time of the members of the public who are here, I will just briefly summarize a few points.**
 - **This property has been before the Planning Board for review pursuant to the State Environmental Quality Review Act (“SEQRA”) for nearly ten years, and for over three years on this proposed project.**
 - **Under State law, only once the Planning Board has completed the SEQRA process can applications be considered by other agencies with approval authority. That is why the zoning application was not before the Town Board sooner in the process.**
 - **As part of its SEQRA review, the Planning Board analyzed numerous environmental areas – including traffic, wetlands and wildlife, steep slopes, community impacts (such as schools, police, fire and emergency services), consistency with the 2022 comprehensive plan, zoning, community character and historic**

and archeological elements. The memo provides greater detail on these analyses and where the SEQRA documents that contain even more detailed information can be located. These studies and analyses were reviewed by the Town's consultants before the SEQRA process was completed. This zoning application would not be before the Town Board otherwise.

- The zoning being proposed is limited to this specific project and this specific property because of its unique size, location and historical use. As the Planning Board's SEQRA review focused on this project and this property, the Town Board could not consider or approve zoning under any other circumstances – whether for a different project or a different property. That would be contrary to State law.
- It is also important to remember this is private property. The Town does not own this property, nor does it have the resources to acquire, convert and maintain this property. The Town also cannot preclude redevelopment of the property in its entirety. The Town Board is considering the application that is before it.
- As noticing concerns were raised at the November 28 public hearing, I will briefly address them:
- First, notice of this public hearing was sent to everyone within 500 feet of the property, based upon information maintained by the Town Assessor, on December 1, 2023. While the Town does not believe the mailing requirement applied based upon the language of the Code, the Town Board encouraged the mailing to ensure as much public awareness and participation as possible.
- Second, the General Municipal Law § 239-m referral was sent to the Westchester County Planning Board on November 20, 2023. The Town received a response yesterday, December 11. As this referral is a statutory requirement, I will read the response into the record now.
- Lastly, as for tonight's continuation of the public hearing, the Town Board is here to listen and will not engage in a back and forth with members of the public. Please limit your comments to four minutes each. The Town Board will also be receiving written comment to the Supervisor's Office, 16 Croton Avenue, Third Floor, Ossining NY 10562 and via email to tc@townofossining.com.
- The Town Board is not going to close the public hearing tonight. So there will be another opportunity for public comment after the holidays in January.

- Memorandum - Zoning Map Amendment.

The development proposal has been under consideration by the Town since 2014, with an initial proposal for the site reviewed under a Draft Environmental Impact Statement (DEIS), to which we provided comments in a letter dated March 30, 2018. A Draft Supplemental Environmental Impact Statement (DSEIS) was then submitted that reduced the size of the initial development to its current state and added the senior restriction, to which we provided comments in a letter dated July 25, 2022. A final EIS was later drafted, and the Town adopted a findings statement dated October 18, 2023, which permitted the applicant to move forward with this zoning map amendment application.

We have reviewed this zoning application under the provisions of Section 239 L, M and N of the General Municipal Law and Section 277.61 of the County Administrative Code. The concept of redeveloping a former hospital site with new multifamily housing is generally consistent with the County Planning Board's long-range planning policies set forth in Westchester 2025—Context for County and Municipal Planning and Policies to Guide County Planning, adopted by the Board on May 6, 2008, amended January 5, 2010, and its recommended strategies set forth in Patterns for Westchester: The Land and the People, adopted December 5, 1995. Yet, we maintain our position as stated in our previous letter that large, two-and-a-half-story townhomes restricted to seniors is an inadequate use for this site.

As we stated in our comment letter for the DSEIS, two- and three-bedroom townhouses are needed across all age cohorts in Westchester's population, and we point out that the removal of the age restriction will not preclude any seniors from living in this development. In order to correct housing inequalities exacerbated by the past zoning practices of the Town, demonstrated in the Comprehensive Plan through the stark economic, age, and racial disparity between Unincorporated Ossining and the Village of Ossining, effort should be taken by the Town to provide more housing opportunities available to all peoples.

Please inform us of the Town's decision so that we can make it a part of the record. Should the zoning amendment be approved, we await a future referral of the site plan application.

Thank you for calling this matter to our attention.

Respectfully,
WESTCHESTER COUNTY PLANNING BOARD

By: 

BPL/MV

Blanca P. Lopez Commissioner

- James May. 61 Narragansett Ave. Ossining, NY 10562. Objected to the Proposed Development and Rezoning of 40 Croton Dam. Rd. Ossining. Give option for other project that could be done in this place and mentioned that opinions and needs from the community are ignored. He asked the Board to listen the citizens.
- Olivia Evanko. 61 Narragansett Ave. Ossining, NY 10562. Mentioned that in 2019 neighbors and citizens told the board they do not want a large development and an area zone for single family homes. This type of projects doesn't match the Town of Ossining Comprehensive plan. This type of projects opens the door to other large multifamily developments. This project will involve a heavy construction process that will affect the neighborhood and will also affect the life wild, animals, birds, etc. that are not being considered.
- Rocco Trapasso, Jr. 43 Persking Ave. Ossining, NY. 10562. Traffic will become an issue. Traffic there is much more than we should be able to handle in that area. Also, if this project could offset some of the taxes but as community, he thinks they will be hit with heavier taxes which a lot people in Ossining don't want it. Taxes are higher already.
- Michael A. Starvaggi. 1 Blue Hill Plaza, Pearl Rives, NY 10919. Represents Antonio Santucci, Raymond Santucci and Marisa Caruso. In opposition to the proposed zoning. He referred to memorandum dated December 8th, 2023. He referred to objective of the Housing Development and Preservation section of the plan is to maintain the existing character of the Town's neighborhoods and to ensure that the development is not in conflict with local identity. The local identity of this neighborhood is single family residential and the proposed project is out of character for the area, therefore it is fundamentally inconsistent with the plan.
- Marisa Caruso. 2 Redway Rd. Ossining, NY 10562. She sent to written comments and concerns to Board. She addressed the memorandum published on December 28th 2023. This project should be considered from scratch since is a different project and a completely different entity, original applicant Glen Co Group and now Hudson Park since is a completely new application it should be considered as such.
- Steven Rudemer. 56 1st Ave. Ossining, NY 10562. Having our house surrounded by single family homes was unbelievable our sense of community and the way we all care for each other is incredible. Unfortunately, property at Stony Lodge will now threaten our serene evenings, disrupt our quiet neighborhood. There will be lawn mowers

and leaf blowers outdoors at all hours and our view of the neighborhood will now be dominated by multifamily homes sitting on top of the hill. Will also affect taxes.

- **Aaron Spring. 64 Meadow Rd. Ossining, NY 10562. Referred to democracy word. Starts in Ancient Greece, word Demos means of the people meaning citizens could make decisions by directly participating in government then later on in Roman times came the notion of a republic which is Latin for Republican which means public Affair people are elected to serve people. By the end he mentioned the elected officials when they make their decisions should also be looking at whether they have consent from those that are governed which is us the people and listen to the people. He also referred to a statement from Thomas Jefferson one of our founding fathers.**

At 8:01 PM Councilmember Meyer moved and it was seconded by Councilmember Manicchio that the Public Hearing be adjourned to January 9, 2024.

III. SUPERVISOR AND TOWN BOARD ANNOUNCEMENTS

Supervisor Feldman said the following:

- **There is a Winter Coat Drive going on now with collection points at the OPH Family Resource Center (located at 109 Croton Avenue) and Bethany Arts Center. They are collecting coats, jackets, hoodies, hats, mittens and gloves.**
- **The Westchester County Bee-Line Busses will be free for all residents December 16th-January 1st.**
- **Westchester County Job Fair will be held at the Westchester County Center in White Plains on January 18th, February 8th, and April 30th.**
- **Westchester County Police are currently hiring Seasonal Park Rangers. Go to publicsafety.westchestergov.com.**
- **Also, the MTA is hiring Bus Operators. Go to mta.info/busoperator.**
- **Westchester County has a grant program available to assist with removal of lead-based paint from homes in the county. For more information, search “lead safe Westchester”.**
- **Need help with your winter utility bills? Go to the New York State Department of Public Services at www.dps/ny.gov/winter .**
- **The Ossining Boat & Canoe Club’s annual toy drive with drop-off boxes located at the following locations:**
 - **Mike Risko Music**
 - **Penny & Ting Toy Store**
 - **Hudson Valley Books for Humanity**
 - **Ossining Post Office (Main Street)**
 - **Sing Sing Kill Brewery**
 - **Ossining Volunteer Ambulance Corps**
 - **Ossining Fire Department Headquarters**
 - **Here Coffee + Beer**
 - **Fred’s Auto Body on North State Road**
 - **Value Drug – Briarcliff Manor**
 - **Ossining Elks Club – Croton Avenue**
- **As always, our Ossining Public Library will be hosting a bevy of events including laser tag, book groups, and films. Please see their website at ossininglibrary.org.**
- **A presentation called “Health and Sustainability of Trees Part II: Including Tree Program Grant Funding Opportunities for Municipalities” will be held tomorrow evening at Teatown Carriage House – 1600 Spring Valley Road. It starts at 6:30pm.**
- **Also, tomorrow night, the Ossining Recreation Center is hosting a Special Needs Kids Holiday Night Out from 6:30-8:30pm.**

- Friday December 15th we are cutting the ribbon on our new playground at Gerlach Park. Join us out there at 11:00am. The Park is at 91 Quaker Bridge Road.
- The Candy Cane Run will be this Sunday, December 17th starting at 9:00am at St. Augustine's.
- Sing Sing Kill Brewery hosts NFL Sundays every Sunday throughout the season. The fun starts at 1:00pm each week.

IV. DEPARTMENTAL REPORT

- Town Assessor Michael Fouassier.
Town Assessor Michael Fouassier presented aa Zoom departmental report.

V. LIAISON REPORTS

VI. PUBLIC COMMENT ON AGENDA ITEMS

VII. BOARD RESOLUTIONS

A. 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 December 12, 2023 in the amount of \$206,425.33

Motion: Carried

B. Resolution – Authorizing Grant Contract to Improve Engel Park Performance Space

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

BE IT RESOLVED, the Town Board hereby authorizes the Supervisor and any other applicable Town officials, staff and/or contractors to execute a Master Grant Contract and all associated documents with NYS Department of State as part of the Downtown Revitalization Program for a \$600,000 grant to upgrade the Louis Engel Waterfront Park Performance Space at a total initially anticipated cost of \$1.2 million, with the difference to be paid by the Town.

Motion: Carried

C. Resolution – Authorizing Grant Agreement to Replace Roof at Cedar Lane Art Center

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

BE IT RESOLVED, the Town Board hereby authorizes the Supervisor and any other applicable Town officials, staff and/or contractors to execute a Grant Disbursement Agreement and all associated documents with the Dormitory Authority of the State of New York for a \$50,000 grant to replace the roof at the Cedar Lane Arts Center.

Motion: Carried

D. Resolution – Municipality

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

WHEREAS, the Town Board noticed a request for proposals for a “highly reliable electronic technology platform to facilitate and streamline building energy code compliance plan review and inspection processes to assist the Building Department” to be received by and opened on October 17, 2023 at 10:00 a.m. by the Town Clerk; and

WHEREAS, the funding for this initiative will come from a grant from the New York State Energy Research and Development Authority (“NYSERDA”) and therefore the proposals must comply with the grant; and

WHEREAS, there were three bidders that responded but only one – ICC Community Development Solutions, LLC – presented a proposal under their Muncity platform that provided the scope of services needed by the Town and required by the grant; and

NOW THEREFORE,

BE IT RESOLVED, the Town Board hereby accepts the bid of ICC Community Development Solutions, LLC based upon the best value method, which takes into consideration cost as well as other technical or non-cost factors, pursuant to State Finance Law S. 163(4)(d); and

BE IT FURTHER RESOLVED, the Town Board hereby authorizes the Supervisor to execute a three-year contract with ICC Community Development Solutions, LLC for the Muncity platform and related services at a total cost for the three years not to exceed \$88,774, plus any incidental costs or costs related to necessary changes in Muncity services to achieve these stated objectives.

Motion: Carried

E. Resolution – Village of Ossining Engineering IMA

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

BE IT RESOLVED, the Town Board hereby authorizes the Supervisor to execute a one-year Intermunicipal Agreement with the Village of Ossining effective January 1, 2024 for engineering and related services that will be consistent with the existing Intermunicipal Agreement between the parties with a 2.5% increase for a total annual cost of \$107,923.26 to be paid in monthly installments of \$8,993.61.

Motion: Carried

F. Agreement Renewal: Flexible Spending Accounts for Town Employees

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 the Budget Officer to sign the Flex Plan Administration Fee Schedule/Renewal Acceptance with Stirling Benefits, Inc., Milford, CT for the purposes of administering flexible spending accounts for health care and dependent care for Town of Ossining employees for plan year January 1, 2024-December 31, 2024.

Motion: Carried

G. Board of Assessment Review- Re-Appointment – Paul Mazzilli

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

Resolved, that the Town Board hereby re-appoints Paul Mazzilli, Ossining, to a five-year term on the Board of Assessment Review, retroactive to October 1st, 2023 and set to expire on September 30th, 2028.

Motion: Carried

H. Recreation Advisory Board Appointment – Re-Appointment – Pamela Nelson

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

Resolved, that the Town Board appoints Pamela Nelson, Unincorporated Town of Ossining, to the Recreation Advisory Board for a three-year term to expire on December 31, 2026.

Motion: Carried

I. Recreation Advisory Board Appointment – Re-Appointment – Brooks Cowan

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

Resolved, that the Town Board appoints Brooks Cowan, Unincorporated Town of Ossining, to the Recreation Advisory Board for a three-year term to expire on December 31, 2026.

Motion: Carried

J. Appointment of Town of Ossining Climate Smart Communities Coordinator

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 appoints Paige Flanagan, Supervisor’s Office, to the role of Climate Smart Communities Coordinator.

Motion: Carried

K. Appointment – Town Clerk's Office – Intermediate Clerk (PT)

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 Jessica Salinas, Ossining, to the part-time position of Intermediate Clerk in the Town Clerk's Office, 17.5 hours per week, \$18 per hour, effective January 2, 2024.

Motion: Carried

VIII. CORRESPONDENCE TO BE RECEIVED AND FILED

IX. MONTHLY REPORTS

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

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

- Highway Department
- Town Building Department
- Town Clerk’s Office
- Tax Receiver

- Dale Cemetery

Motion: Carried

X. VISITOR RECOGNITION

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

- Robert Harvey. 27 Gordon Ave. Ossining, NY 10562. New resident in Ossining. Concerned about significant large pipes, no going into his property but adjacent to it. When he inspected there were two pipes one galvanized and one plastic VP. installed in front his house, his backyard and backyard beyond. The problem is actually a flood it came in to our backyard into our garage, it did damage we lost 2 big trees.

XI. ADJOURNMENT.

At 8:30 P.M., Councilmember Meyer motioned to adjourn to Executive Session for Legal advice of Counsel, and Contracts and Councilmember Fields-Tawil seconded.

Motion Carried: Unanimously

At 9:41 P.M., Councilmember Meyer motioned to leave Executive Session and Councilmember Fields-Tawil seconded.

Motion Carried: Unanimously

At 9:41 P.M., Councilmember Meyer motioned to adjourn the Regular Meeting and Councilmember Fields-Tawil seconded.

Motion Carried: Unanimously

Approved:



Susanne Donnelly, Town Clerk