



**MINUTES**  
**TOWN BOARD**  
**TOWN OF OSSINING**  
**HELD VIA VIDEO CONFERENCING ONLY**

**FEBRUARY 8, 2022**  
**REGULAR MEETING**  
**7:31 P.M.**

**SUPERVISOR**  
**Dana A. Levenberg**

**COUNCILMEMBERS**  
**Elizabeth R. Feldman**  
**Angelo A. Manicchio**                      **Gregory G. Meyer**

**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 8, 2022 via video conference, pursuant to Chapter 417 of the Laws of 2021 signed into law on September 2, 2021 by Governor Hochul. The meeting was called to order at 7:31 PM by Supervisor Dana A. Levenberg. Members of the Board present were: Councilmembers Elizabeth R. Feldman, Gregory G. Meyer (entered Zoom room at 7:32 PM), and Angelo A. Manicchio. Also present were Town Counsel Christie Tomm-Addona, Budget Officer Victoria Cafarelli, and Deputy Town Clerk Martha C. Quituisaca.

A moment of silence was held for Aristan Garandean, an EMT for the Ossining Volunteer Ambulance Corps, as well as Cortlandt and Peekskill VACs, who tragically passed over the weekend.

**II. PUBLIC HEARING**

- **Local Law to amend Chapter 47 of the Town Code (“Residency Requirements”) with respect to Town Constable position**

At 7:32 PM, the Public Hearing opened.

Supervisor Levenberg said the following: First on our agenda we have a public hearing on our second local law of 2022, which formally aligns the residency requirements for the position of Town Constable with those set in our code for Court Attendants. Since we often seek to hire individuals who can serve in both titles, this seemed like a natural change.

At 7:34 PM Councilmember Feldman moved and it was seconded by Councilmember Meyer that the Public Hearing be closed.

**III. SUPERVISOR AND TOWN BOARD ANNOUNCEMENTS**

Supervisor Levenberg said the following:

I hope you will join me in suiting up for the 5th Annual Gullotta House Escape from Sing Sing Polar Plunge, scheduled for Saturday, February 12th at 11am. Visit [www.GullottaHouse.org](http://www.GullottaHouse.org) to donate, sponsor a plunger like me, or register. Right now the weather forecast is predicting temperatures in the 50s – I don’t know, maybe we need to reschedule for a colder day? The proceeds from this very very coool annual event support Westchester County families in need and scholarships for high school students.

This Saturday, February 12 at 2pm, the Ossining Public Library will be hosting a special screening of Amend, a docuseries that highlights the fight for equal

rights in America, through the lens of the US Constitution's 14th Amendment. Robe Imbriano, one of the producers of the series, will join Ossining Village Historian Joyce Sharrock Cole in conversation at this special screening. What a great way to learn and reflect during Black History Month. If you can't join in the screening on Saturday, there are many other events scheduled right here in Ossining during this important month to celebrate the contributions of Black Americans. We have a dedicated page as part of my Supervisor's Update and on the Town website of ways to celebrate Black History Month. If there are any events or programs we are missing, please do send them our way so we can share with the community!

Today, Tuesday, February 8 is Child Tax Credit and Earned Income Tax Credit Day of Action! Thank you to the Biden Administration for sharing this important day of action with our office, and other units of local government across the country through their Intergovernmental Affairs Office. The Child Tax Credit and Earned Income Tax Credit are large tax refund payments that people can receive when they file a tax return. The 2021 American Rescue Plan expanded who can receive these payments and increased the amount of money available to many families and individuals. For families with kids, the 2021 Child Tax Credit is \$3,000-\$3,600 per kid, based on their age. And this year, for the first time, the Earned Income Tax Credit can be worth up to \$1,500 for some workers without kids at home, nearly triple what the credit was in 2020. Most people need to file a tax return before April 18, 2022 to receive their full payment this year. We know many families are still struggling financially as we recover from the pandemic, so please do make sure to file your taxes soon to get the full benefit you deserve. If you need assistance, visit [www.ChildTaxCredit.gov](http://www.ChildTaxCredit.gov). We also have more income tax related content scheduled for our social media channels this week, so keep your eyes peeled for additional assistance available to our community during this critical income tax filing period.

The Ossining Youth Bureau is seeking local Grandpas to mentor youth ages 7-18. In addition to mentoring, participating Grandpas have an opportunity to build a support system for themselves, share stories of their experiences, and give back to the local community in a dynamic, and creative way. For more information, call 914-260-4211 or e-mail [grandpasunited@villageofossining.org](mailto:grandpasunited@villageofossining.org). Tomorrow night, Wednesday, February 9, the Ossining Youth Advisory Board will be holding an information session at 6pm via Zoom. We have posted the Zoom information on our "Other Government Updates" page if you are interested in learning more about our local youth development programs and getting involved.

#### **IV. ADMINISTRATIVE REPORT ON TOWN OPERATIONS**

Supervisor Levenberg said the following:

We received some very exciting news yesterday – the Town of Ossining has once again received Tree City designation by the Arbor Day Foundation! 2021 will be our 22nd year receiving this designation and we are so proud of our efforts to care for our most precious natural resources year in and year out. This year, we were able to include as part of our application the introduction of the Ossining Town Parks Habitat Stewards Program, which in its first year, helped restore part of the natural habitat at Ryder Park by the pond. We look forward to growing this program in the years to come! Huge shout out to Mitzi Elkes and our Environmental Advisory Committee for serving as our tree board and always advocating for these important initiatives.

Thank you for your patience this weekend as we navigated a full update to our Town e-mail system. The transition is still in process, and we hope it will be fully complete sometime this week. If you sent us an e-mail, and haven't heard back, please do follow up as your message may have slipped through the virtual

cracks during the upgrade. We are hopeful our new e-mail system will help prevent outages in the future and be more resilient against cybersecurity attacks.

At the end of January, I met with Highway Superintendent Pete Connolly, Recreation Superintendent Bill Garrison, Parks Foreman, Mario Velardo, Water Superintendent Andy Tiess, Town Engineer Paul Fraioli, Comptroller Dale Brennan, Deputy Comptroller Liz Naccari, and Budget Officer Victoria Cafarelli to discuss our capital projects planning for 2022. We closely reviewed the adopted 2022 Capital Plan, and started to determine priorities for the year. This is still not set in stone, but in our parks, we are hoping to prioritize new fencing at our ballfields, upgraded LED field lights at Gerlach Park, relocating the Engel Park comfort station, as well as a few other smaller projects and equipment purchases. For the Highway Department, it seems our greatest needs are to replace a few aging pieces of equipment. Following this meeting, we asked our department heads to pull together more concrete budget numbers so plans for financing can be presented to the Town Board for approval in the coming weeks. Much much more to come on this, but we wanted to give the Board and the public a taste of what is on our plate for 2022.

## V. LIAISON REPORTS

Councilmember Manicchio spoke about attending the Recreation Advisory Board meeting and discussing the DRI grant money that will help the Community Center.

Councilmember Meyer announced that on February 10, 2022 the Westchester Senate Delegation will be hosting a virtual meeting from 2 PM to 5 PM to review the governor's budget.

## VI. DEPARTMENTAL REPORT

Tax Receiver Holly Perlowitz said the following:

### 2021 School Tax Bill – 2nd Half

- Just finished on 1/31/2022 – at midnight – thanks to our online system!!!!
- Thus far we have collected 96.9% of the warrant.
- The collection went very smoothly – even with some bad weather sprinkled in.
- We have a smooth process working in our satellite office in the Clerk's Office and did nicely working side by side with the Village Office who was collecting Village Taxes. What a team!!!

### 2021 Town Tax Bills

- Thus far we have collected 99.4% of the warrant.

### Take Aways

- Our Collections on both active warrants are in really good shape.
- Every month we chip away at the outstanding liens and get some payments. Look at the chart – as the liens age – the number of properties involved get fewer and fewer as people move towards resolving.
- I just requested title reports on 11 properties that are possibly going to foreclosure and auctioned if the taxes are not paid in full.
- The 8 payment plans are working and I know we all feel really good about those!

Tax Receiver Holly Perlowitz presented on the following:

TOWN TAX OFFICE COLLECTIONS  
OUTSTANDING TAXES AS OF 2/8/2022

	TOTAL WARRANT	OUTSTANDING TAX RECEIVABLES	COLLECTIONS	% OF WARRANT COLLECTED
2021 TOWN AND COUNTY	\$ 32,393,515.14	\$ 204,521.05	\$ 32,188,994.09	99.4%
2021/2022 SCHOOL/LIBRARY TAX WARRANT				
1st INSTALLMENT	\$ 58,173,581.52	\$ 812,812.03	\$ 57,360,769.49	98.6%
2nd INSTALLMENT	58,173,495.71	2,777,252.65	55,396,243.06	95.2%
TOTAL SCHOOL/LIBRARY TAX	\$ 116,347,077.23	\$ 3,590,064.68	\$ 112,757,012.55	96.9%
TOTAL 2021 WARRANTS *	\$ 148,740,592.37	\$ 3,794,585.73	\$ 144,946,006.64	97.4%
DELINQUENT TAX LIENS				
2016		948.50	1 PROPERTIES	
2017		56,068.80	7 PROPERTIES	
2018		69,965.27	7 PROPERTIES	
2019		113,179.63	16 PROPERTIES	
2020		352,875.89	35 PROPERTIES	
2021		820,626.45	78 PROPERTIES	
TOTAL DELINQUENT TAX LIENS		1,413,664.54		
TOTAL OUTSTANDING TAX RECEIVABLES		\$ 5,208,250.27		

\* 2021 OUTSTANDING TAXES RELATED TO 2021 WARRANTS WILL BECOME LIENS IN JULY 2022

**VII. PUBLIC COMMENT ON AGENDA ITEMS**

**VIII. BOARD RESOLUTIONS**

**A. Approval of Minutes— Reorganizational & Regular Meeting – January 11, 2022**

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 January 11, 2022 minutes of the Reorganizational & Regular Meeting as presented.

Supervisor Levenberg said the following: We have a few sets of minutes we are adopting tonight, some of which we adopted already, but there were a few minor errors that were not noticed in the first drafts. We are correcting that tonight!

Motion: Carried

**B. Approval of Minutes— Special Meeting – January 18, 2022**

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

Resolved, that the Town Board of the Town of Ossining hereby approves the January 18, 2022 minutes of the Special Meeting as presented.

Motion: Carried

**C. Approval of Minutes—Regular Meeting – January 25, 2022**

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

Resolved, that the Town Board of the Town of Ossining hereby approves the January 25, 2022 minutes of the Regular Meeting as presented.

Motion: Carried

**D. Approval of Voucher Detail Report**

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

**Resolved, that the Town Board of the Town of Ossining hereby approves the Voucher Detail Report dated February 8, 2022 in the amount of \$173,202.07 for 2021 and \$283,005.87 for 2022 for a grand total of \$456,207.94.**

**Supervisor Levenberg said the following: We are still operating in two years – making sure all of our payments due from 2021 are accounted for and starting the new year.**

**Motion: Carried**

**E. Resolution – Local Law # 1 of 2022 – Increase Real Property Tax Exemption Available to Veterans**

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

**WHEREAS, State law permits taxing jurisdictions to provide for certain levels of real property tax exemptions to different categories of eligible veterans; and**

**WHEREAS, the Town currently does not offer certain real property tax exemptions and does not provide for other tax exemptions at the highest possible level; and**

**WHEREAS, the Town Board values and appreciates the service of veterans and desires to provide them with the greatest opportunity for real property tax exemptions available under State law; and**

**WHEREAS, the Town Board held a duly noticed public hearing at its regular meeting on Tuesday, January 25, 2022 via videoconferencing in accordance with Chapter 1 of the Laws of 2022 of the State of New York, and members of the public having the opportunity to attend and be heard, the public hearing was closed on January 25, 2022; and**

**WHEREAS, a Short Environmental Assessment Form, Part 1 was prepared pursuant to the State Environmental Quality Review Act (“SEQRA”); and**

**WHEREAS, said local law has been on the desks of the members of the Town Board of the Town of Ossining for at least seven days, exclusive of Sunday, prior to the adoption of this resolution, and**

**NOW THEREFORE,**

**BE IT RESOLVED, the Town Board hereby determines this action is not subject to SEQRA as it will not affect the environment, but to the extent it has been determined that this action may affect the environment, the Town Board adopts a Negative Declaration determining this action does not have the potential to have any significant adverse environmental impacts as the State Legislature has already authorized these exemptions and the Town Assessor provided a fiscal analysis to demonstrate that while the potential benefits to eligible Town veterans could be substantial, the offset to other Town residents would be minimal; and**

**BE IT FURTHER RESOLVED, the Town Board, after due deliberation, finds that it is in the best interest of the Town to adopt said local law, and the Town Board hereby adopts Local Law # 1 of 2022 entitled Amendments to Chapter 180 (“Taxation”) of the Town Code to Increase the Real Property Tax Exemptions Available to Veterans; and**

**BE IT FURTHER RESOLVED**, the Town Clerk is directed to enter said local law in the minutes of this meeting into the local law book for the Town of Ossining; to publish said minutes in a newspaper published in the town, if any, or in such newspaper published in the county in which such town may be located having a circulation in such town, and affidavits of said publication shall be filed with the Town Clerk; and to file a copy of said local law with the Secretary of State of New York.

Supervisor Levenberg said the following: We are hopeful this local law will provide additional relief to our deserving veterans, with a limited impact to the rest of the community. Thank you to our Assessor Fernando Gonzalez for bringing this issue to our attention.

**Motion: Carried**

**Aye: Levenberg, Feldman, Manicchio, & Meyer**

**F. Resolution – Local Law # 2 of 2022 – Residency Requirements for Town Constables**

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

**WHEREAS**, due to the stringent qualification requirements established by Westchester County for the Court Attendant position, the Town has found it difficult to find qualified individuals for this position who reside within the Town of Ossining, and

**WHEREAS**, as a result, the Town Board amended the Town Code in 2020 to expand the permitted residency for the Court Attendant position beyond the Town of Ossining in order to ensure the Town can hire qualified individuals to serve in this important position to protect the Justice Court staff and members of the public visiting the Justice Court; and

**WHEREAS**, for personnel consistency and efficiency, the Town desires to hire individuals to serve in the Town Constable position who can/do also serve in the Court Attendant position; and

**WHEREAS**, the Town Board held a duly noticed public hearing at its regular meeting on Tuesday, February 8, 2022 via videoconferencing in accordance with Chapter 1 of the Laws of 2022 of the State of New York, and members of the public having the opportunity to attend and be heard, the public hearing was closed on February 8, 2022; and

**WHEREAS**, a Short Environmental Assessment Form, Part 1 was prepared pursuant to the State Environmental Quality Review Act (“SEQRA”); and

**WHEREAS**, said local law has been on the desks of the members of the Town Board of the Town of Ossining for at least seven days, exclusive of Sunday, prior to the adoption of this resolution, and

**NOW THEREFORE**,

**BE IT RESOLVED**, the Town Board hereby determines this action is not subject to SEQRA as it will not affect the environment, but to the extent it has been determined that this action may affect the environment, the Town Board adopts a Negative Declaration determining this action does not have the potential to have any significant adverse environmental impacts as this action will improve the environment by ensuring the Town can hire qualified individuals to protect the Justice Court staff and members of the public visiting the Justice Court; and

**BE IT FURTHER RESOLVED**, the Town Board, after due deliberation, finds that it is in the best interest of the Town to adopt said local law, and the Town Board hereby adopts Local Law # 2 of 2022 entitled Amendment to Chapter 47 of the Town Code with respect to Town Constable residency; and

**BE IT FURTHER RESOLVED**, the Town Clerk is directed to enter said local law in the minutes of this meeting into the local law book for the Town of Ossining; to publish said minutes in a newspaper published in the town, if any, or in such newspaper published in the county in which such town may be located having a circulation in such town, and affidavits of said publication shall be filed with the Town Clerk; and to file a copy of said local law with the Secretary of State of New York.

Supervisor Levenberg said the following: As I shared earlier in the meeting, this new local law will make it clear going forward the residency requirements for constable, and enable the Town to draw on its existing personnel to serve this important function.

**Motion: Carried**  
**Aye: Levenberg, Feldman, Manicchio, & Meyer**

**G. 2022 Cabaret License – Maya Riviera Bar and Restaurant**

Councilmember Feldman moved and it was seconded by Councilmember Meyer that the following 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 2022; 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 2022 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 25, 2022 via videoconferencing in accordance with Chapter 1 of the Laws of 2022 of the State of New York, at which time no members of the public appeared to speak on the application, and the public hearing was closed on January 25, 2022; and

Whereas, based upon the record before the Board on this application, the Board wishes to, and determines it is appropriate to, allow the Applicant to continue to play amplified music until 1 a.m. for the calendar year 2022; and

Now therefore,

Be it Resolved, that the Town Board of the Town of Ossining hereby approves the application of the Maya Riviera Bar and Restaurant, 518 North

State Road Briarcliff Manor, in the Unincorporated Area of the Town of Ossining, for a Cabaret License for the calendar year 2022, subject to the following limitations and conditions:

1. 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
2. Amplified music shall be allowed every day of the week from 11:00 a.m. to 1:00 a.m.

Be it further Resolved, the Town Board finds that based upon the lack of complaints from the public or the Town's departments and the positive role the Applicant's establishment plays in the community that it is appropriate and consistent with the public safety and welfare to allow the Applicant to play amplified until 1:00 a.m., 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 2022 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 2023 calendar year in accordance with Chapter 68 of the Town Code.

Supervisor Levenberg said the following: We are glad to see our local businesses getting back to some normalcy with their operations, and Maya Riviera come before the Board with their 2022 request.

Motion: Carried

#### **H. Finance – Ambulance District Budget Amendment**

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

Whereas, in response to the COVID-19 pandemic, the Ossining Volunteer Ambulance Corps (OVAC) established a community paramedicine program to provide additional healthcare services to residents in the Town of Ossining, and Westchester County as a whole, including COVID-19 testing and vaccinations; and

Whereas, OVAC provides these services free of charge with funding coming from various sources, including New York State and the Town of Ossining via an appropriation of \$50,000 from Ambulance District Fund Balance in November 2021 for COVID-19 molecular test kits; and

Whereas, during the months of December 2021 and January 2022, the Ossining community and the surrounding New York metropolitan area experienced a sharp increase in COVID-19 cases as a result of the Omicron variant and OVAC administered nearly 6,000 tests to the community during that time period alone; and

Whereas, as a result of the exponential increase in demand for COVID-19 tests in the late fall and winter of 2021-2022, the \$50,000 appropriation from the Town was expended faster than anticipated; and

Whereas, the Town Board recognizes that free, molecular testing provided by OVAC continues to be essential to the Ossining community's response to the ongoing COVID-19 pandemic; and

Whereas, the Town’s Ambulance District Fund currently has \$ 83,431.94 in fund balance accumulated at 2021 year end; and

Whereas, the Town wishes to transfer \$30,000 from the Ambulance District Fund Balance to the Contractual Services expenditure account for payment of up to \$30,000 of costs incurred by the Ossining Volunteer Ambulance District for COVID-19 testing and supplies, so molecular tests can continue to be provided to members of the community at no charge, now therefore be it

RESOLVED, the revenue and expenditure accounts are amended as follows:

<b><u>Increase Ambulance District Fund Appropriations (2021):</u></b>		
<b><u>Account No.</u></b>	<b><u>Account Name</u></b>	<b><u>Amount</u></b>
660 4540.520	Ambulance – Services	<b><u>\$ 30,000.00</u></b>
<b>Total Increase Ambulance District Fund Appropriations</b>		<b>\$ 30,000.00</b>
<b><u>Increase Ambulance District Fund Estimated Revenues (2021):</u></b>		
<b><u>Account No.</u></b>	<b><u>Account Name</u></b>	<b><u>Amount</u></b>
660 0600.4795	Ambulance – Fund Balance	<b><u>\$ 30,000.00</u></b>
<b>Total Increase Ambulance District Fund Estimated Revenues</b>		<b>\$ 30,000.00</b>

Supervisor Levenberg said the following: As discussed at our last Work Session, we are allocating an additional \$30,000 from Ambulance District Fund Balance to support the community testing operations at OVAC. This free testing offering has been a critical aspect of our community’s COVID-19 response and serves as model to communities near and far for how to ensure everyone can access free and easy testing opportunities in this pandemic. Thank you Chief Franzoso for all of your hard work!!

Motion: Carried

**I. Personnel – Assistant Automotive Mechanic**

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

Resolved, that the Town Board of the Town of Ossining hereby appoints Allan Sanchez, Ossining, to the probationary position of Assistant Automotive Mechanic in the Town Highway Department, at a pro-rated annual salary of \$65,323, effective February 14, 2022.

Supervisor Levenberg said the following: We are very pleased to be appointing Allan Sanchez, an OHS grad and resident of the unincorporated Town, to the Assistant Auto Mechanic position starting this Monday, February 14. Gary Cecere left some very large shoes to fill, so hopefully Allan and Chuck as a pair will be able to get close to doing so. Welcome Allan!

Motion: Carried

**J. Contract – Removal of Snow and Ice from County Roads**

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

Resolved, that the Town Board of the Town of Ossining authorizes the Supervisor to sign First Amendment to Agreement No. 15-958 with Westchester County for the Removal of Snow and Ice from County Roads.

Supervisor Levenberg said the following: It came to our attention that the Town Board neglected to approve the Snow and Ice agreement with the County in 2018. This agreement actually ensures the County pays the Town for the snow and ice removal on County roads. So it is very important that we get this signed and backdated, and get our money!

Motion: Carried

**K. Call For Public Support For Immediate Action By New York State To Repair Defective Conditions And Design And Execute Safety Enhancements To Route 9a In The Town Of Ossining And Passage Of NYS Senate Bill S2988 And NYS Assembly Bill A11126**

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

WHEREAS the Town Board of the Town of Ossining, in its capacity to represent the best interests of all the residents of the community, and protect the non-residents who pass through our community, recognizes the unsafe conditions existing on the portion of New York State Route 9A within the Town of Ossining; and

WHEREAS, the Town Board, mourns those who have lost their lives or have been seriously injured traveling this dangerous stretch of roadway, including recent accidents that have occurred at the intersection of Routes 9A and 134 in the Town of Ossining; and

WHEREAS, the Mayor and Board of Trustees of the Village of Briarcliff Manor, which is largely located within the Town of Ossining, through earlier mailings and emails, have documented the dangerous conditions and design defects of Route 9A, which have led to loss of life, damage to property, and a strain on municipal emergency services and the Town Board thanks the Village of Briarcliff for their efforts to document these conditions and advocate for improvements; and

NOW THEREFORE,

BE IT RESOLVED that the Town Board hereby issues this Resolution to the Governor of the State of New York, the Commissioner of the New York State Department of Transportation and the Westchester County Executive as further evidence of the Town's concern and steadfast determination to improve these defective conditions and strongly expresses the Town Board's continuing alarm with the obsolete design and ongoing deterioration of Route 9A, together with the concomitant accidents and tragedies; and be it

FURTHER RESOLVED that the Town Board does hereby urge and formally request that immediate plans be made to design, cause to execute safety enhancements, and effect appropriate travelling conditions on Route 9A and that priority be given for immediate, determined action; and be it

FURTHER RESOLVED that the Town Board fully supports NYS Senate Bill S2988 Co-Sponsored by Senators Peter Harckham and Elijah Reichlin-Melnick and Assembly Bill A11126 Sponsored by Assemblywoman Sandra Galef authorizing the NYS Department of Transportation to conduct a study pertaining to proposed improvements of State Route 9A in the towns of Ossining and Mount Pleasant; and be it; and be it

FURTHER RESOLVED that the Town Board directs Town Staff to send copies of this resolution to State and County elected officials urging their support of the legislation.

Supervisor Levenberg said the following: Our colleagues on the Village of Briarcliff Board of Trustees adopted a similar resolution recently, and we thank them for their advocacy on this important issue. The condition of 9A is a critical issue in the Town of Ossining, and I have also been advocating to NYSDOT and our state legislators to seek grant funding to remediate some of the safety and flooding resilience issues along this roadway. We will forward this resolution to our legislators and NYSDOT so hopefully this roadway can be improved soon.

Motion: Carried  
Abstain: Meyer

**L. Resolution – Authorizing demolition of the Reuben House in Cedar Lane Park**

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

**WHEREAS, the Reuben House is located in Cedar Lane Park and has been uninhabited for many years; and**

**WHEREAS, in addition to being an eyesore, the Reuben House also presents a safety hazard as the Building Inspector has deemed it uninhabitable but yet individuals have trespassed in the structure; and**

**WHEREAS, the Town has been advised that to use the structure for anything but a residential purpose (which would not be conducive to its location in Cedar Lane Park) would require an entire rebuild, which is cost-prohibitive without grant funding that the Town has not been able to obtain; and**

**WHEREAS, a Short Environmental Assessment Form, Part 1 was prepared pursuant to the State Environmental Quality Review Act (“SEQRA”) for the proposed demolition of the Reuben House; and**

**WHEREAS, the Town can perform the demolition with its own staff in order to reduce the cost to approximately \$15,000; and**

**NOW THEREFORE,**

**BE IT RESOLVED, the Town Board hereby adopts a Negative Declaration pursuant to SEQRA determining this action does not have the potential to have any significant adverse environmental impacts as the structure no longer serves a functional purpose, is a hazard to Town staff and park patrons, and is a drain on municipal resources; and**

**BE IT FURTHER RESOLVED, the Town Board hereby authorizes the funding of the demolition of Reuben House with the remaining \$5,000 from the Town’s 2018 capital project being exhausted first and the remainder of the cost coming from the Town’s operating budget; and**

**BE IT FURTHER RESOLVED, all applicable Town staff and consultants shall coordinate in preparing for, notifying the public of and executing the demolition using best practices to ensure the demolition is conducted in a safe manner and there are no hazards to Town staff or the public; and**

**BE IT FURTHER RESOLVED, to the extent practicable, the Town shall preserve the stone foundation and chimneys for potential future development/park use.**

Supervisor Levenberg said the following: We are very sorry to have to be adopting this resolution tonight, but unfortunately, we have finally reached

the point where we have to approve the demolition of the Reuben House at Cedar Lane Park. As the resolution states, the house is in a severe state of disrepair, and we have been unsuccessful at securing funding to renovate or rebuild the house. We also brought in our building experts, including a restoration architect and our building inspector, who advised that if we wanted to use the house as anything other than a residential home, it would require an extensive rebuild anyway due to certain codes and requirements for public buildings. The restoration architect also advised that the most historically significant parts of the structure are the stone foundation and chimney. The Town remediated the house for asbestos a few years ago and we asked our planner, Valerie Monastra with Nelson Pope Voorhis, to complete a short environmental assessment form to ensure we are being cognizant of environmental concerns as well prior to demolition. We hope there will be a bright future ahead for the site of the former Reuben House, but until that can happen, we do, unfortunately, need to move forward with demolition. We are planning to complete demolition hopefully within the month of February, before the park gets busy in the spring and our community gardeners get their seeds in the ground.

**Motion: Carried**

#### **IX. MONTHLY REPORTS**

Councilmember Meyer moved and it was seconded by Councilmember Feldman 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 2022:

- Dale Cemetery
- Town Highway Department
- GE Helicopter
- Tax Receiver
- Town Clerk
- Supervisor's Office

**Motion: Carried**

#### **X. VISITOR RECOGNITION**

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

#### **XI. ADJOURNMENT**

At 8:18 P.M., Councilmember Feldman motioned to adjourn to Executive Session for advice of counsel, personnel, and pending litigation and Councilmember Meyer seconded.

**Motion Carried: Unanimously**

At 9:55 P.M., Councilmember Feldman motioned to leave Executive Session and Councilmember Meyer seconded.

**Motion Carried: Unanimously**

At 9:55 P.M., Councilmember Feldman motioned to adjourn the Regular Meeting and Councilmember Meyer seconded.

**Motion Carried: Unanimously**

**Approved:**

  
\_\_\_\_\_  
**Susanne Donnelly, Town Clerk**