



MINUTES
TOWN BOARD
TOWN OF OSSINING
JANUARY 26, 2021
REGULAR MEETING
7:31 P.M.

THIS MEETING WAS HELD VIA VIDEO CONFERENCING ONLY
Pursuant to Governor's Executive Order 202.1 dated March 12, 2020

SUPERVISOR
Dana A. Levenberg

COUNCILMEMBERS
Elizabeth R. Feldman Gregory G. Meyer
Jackie G. Shaw Northern Wilcher, Jr.

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

The Regular Meeting of the Town Board of the Town of Ossining was held on January 26, 2021 via video conference, pursuant to Governor's Executive Order 202.1 dated March 12, 2020. The meeting was called to order at 7:31 p.m. by Supervisor Dana A. Levenberg. Members of the Board present were: Councilmembers Jackie G. Shaw, Elizabeth R. Feldman, Northern Wilcher, Jr., and Gregory G. Meyer. Also present were Town Counsel Christie Tomm-Addona, Budget Officer Victoria Cafarelli, and Deputy Town Clerk Martha C. Quituisaca.

II. PUBLIC HEARING

At 7:32 p.m., the Public Hearing opened.

- Local Law 1-2021 to Amend Chapter 200 of the Town Code, Zoning, to Create Beekeeping Regulations in the Town of Ossining

Supervisor Levenberg said the following: Tonight, we are reopening two public hearings for proposed legislation we have been working on for a few months relating to beekeeping and battery energy storage. We have resolutions on our agenda for later in the evening to adopt these two laws, anticipating little to no comments this evening. After quite a few months of talking and researching bee keeping, we feel we have a solid draft to move forward to adoption. As we have mentioned before, our hope is to make it legal to keep bees in Ossining as we understand there are people who have been keeping them for some time. We utilized local laws from neighboring or like communities to draft our version, and tried to come up with a compromise to address input we received from various Town residents and entities. We are hoping this is a good starting point.

Town Planner Valerie Monastra commented that the Local Law was a good compromise.

Dona Sharrett thanked the Town Board for their work on the Local Law.

At 7:36 p.m., Councilmember Shaw moved and it was seconded by Councilmember Wilcher that the Public Hearing be closed.

At 7:37 p.m., the Public Hearing opened.

- Local Law 2-2021 to Amend Chapter 200, Zoning, of the Town Code to regulate Battery Energy Storage Systems

Town Planner Valerie Monastra commented that the Local Law is based off of a model law from NYSERTA

At 7:38 p.m., Councilmember Shaw moved and it was seconded by Councilmember Wilcher that the Public Hearing be closed.

III. ANNOUNCEMENTS

Supervisor Levenberg announced the following:

First things first, I would like to extend our thanks to the Highway, Parks, and Cemetery Departments, for their work today and I am sure tonight with the snow. The weather report is never a sure-thing, but our crews are ready regardless of whether we are getting a light dusting or a few feet. Thank you to Highway Superintendent Pete Connolly and Foreman Kevin Moore and the entire team for their work in the storm.

On a similar note, I would like to highlight some of the changes taking place at Sally Swope Sitting Park. Our Parks Foreman Mario Velardo and his crew Department have been undertaking the restoration of the park, removing invasive species and adding drainage and paths that will make it easier to maintain on a regular basis. They worked with Teatown to discuss the best plan and best options for the paths in order to have the most successful long term impact. We are hopeful it will be ready for a spring reopening as we know how much everyone is taking advantage of all our public open spaces. However to meet this ambitious goal, the parks team has braved the cold for the past few weeks. I am excited to see the appreciation for our departments circulating on social media. The Town of Ossining has over 130 acres of parkland and we are so proud of the work they do daily to keep our favorite green-spaces beautiful, our fields, courts, buildings, and pavilions maintained too.

Another Town department update comes from our Tax Receiver: the second half of 2020/2021 School Tax Bills is due by January 31, 2021 - but since that is a Sunday, payment can be made by February 1st without penalty. Taxpayers can pay online through the Xpress pay option on the Town website. You can also pay by mail or drop off your envelope (with a stamp!) at the dedicated Tax Office mail slot at the Ossining Post Office. If you would like to pay in person, you are welcome to come to the municipal building at 16 Croton Avenue in Ossining during our public office hours: 9am to 2:30pm, Monday through Friday. The Honorable Holly Perlowitz and her staff are very helpful if you have any questions. You can call them at (914) 762-8790 e-mail taxreceiver@townofossining.com. Make it a double play and pay your Village of Ossining first half taxes at the same time. They are also due on Jan 31st but accepted until Monday, Feb 1st.

Do you have high heating bills this winter? Join the EnergySmart Homes Ossining & Briarcliff Webinar this Thursday January 28th from 7:00pm – 8:30.

You can discover customized clean heating and cooling solutions for your home, understand how energy efficiency can save you money and energy, plus learn about financial incentives and rebates offered by NYSERDA and ConEd. Join the webinar on Thursday, January 28th to meet the contractors and hear from some of our neighbors who have happily reduced their energy bills with geothermal, mini-splits and insulation! Save money while saving the earth. To RSVP to the webinar to <https://sustainablewestchester.org/webinar> or call (914) 242-4725 ext. 122

EnergySmart Homes Ossining + Briarcliff is a collaboration between the Town of Ossining, Villages of Ossining and Briarcliff, and wonderful local volunteers from Green Ossining, the Briarcliff Sustainability Committee all in partnership with Sustainable Westchester.

Unfortunately, we cannot have announcements these days without discussing COVID-19. Last week, we passed the first anniversary of a COVID-19 case being diagnosed in the US. On January 20, 2020 a test came back positive from a patient in Washington State. It wasn't until March 1st that the virus was diagnosed in New York. It is heart wrenching to think of all that has happened since that time. As we begin to pass these anniversaries – the dates Broadway shut down, our second round of quarantined birthdays – I ask all residents to remain hopeful and vigilant. Ossining is a wonderful, friendly community and we are in a unique position because of the respect we have for one another. Local groups have organized book drives, food distributions, drive-in movies, car parades, mini food pantries, virtual events, and so much more. Let's all commit to continue to support our neighbors as we work through this. Wear your masks, even double up! Wave hello, call and text your friends, and ask for help if you need it. We still cannot hug each other, but we are here for each other, and we are all in this together.

I know a lot of people are concerned about the vaccines. The President has indicated that the new administration is prioritizing ramping up production, but it will take some time for supply to catch up with demand. We did hear an announcement late today the goal is to have the entire population vaccinated by this summer. As soon as we can help with distribution, we will. We have been speaking with the County and we know that we, along with so many of our Westchester communities are ready to help when the supply is at hand. We are considering a lot of different methods of reaching our residents, and we hope to be ready to go as soon as more vaccines are allocated to New York State.

Luckily, testing availability has not been impacted. Appointments are available for testing on Sundays at the Community Center. You can register through the Westchester Medical Center website. Star of Bethlehem Church is offering testing on Wednesdays, Fridays, and Saturdays from 9am to 4pm. You can schedule an appointment on their website: StarBethBC.org. Residents can also use the New York State website feature called "Find a test site near you" to help residents schedule appointments at Open Door, CVS, Health Smart Pharmacy, and many other local sites.

IV. LIAISON REPORTS

Councilmember Shaw provided the Town Board with an update on the Police Reform and Reinvention Collaborative project. The Police Reform and Reinvention Collaborative Working Committee will present a draft of the project to the Village Board at their work session. After that the committee will host public hearings to garner public feedback. After that, the project will go through its final draft.

V. PUBLIC COMMENT ON AGENDA ITEMS

VI. BOARD RESOLUTIONS

A. Approval of Minutes—Reorganization and Regular Meeting – January 12, 2021

Councilmember Wilcher moved and it was seconded by Councilmember Shaw that the following resolution be approved.

Resolved, that the Town Board of the Town of Ossining hereby approves the January 12, 2021 minutes of the Reorganization and Regular Meeting as presented.

Motion: Carried

B. Approval of Voucher Detail Report

Councilmember Wilcher 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 Voucher Detail Report dated January 26, 2021 in the amount \$181,397.77.

Motion: Carried

C. A Resolution Authorizing The Improvements To Mccarthy Drive In And For The Town Of Ossining, Westchester County, New York, At A Maximum Estimated Cost Of \$2,350,000 And Authorizing, Subject To Permissive Referendum, The Issuance Of \$2,350,000 Serial Bonds Of Said Town To Pay The Cost Thereof.

Councilmember Feldman moved and it was seconded by Councilmember Wilcher 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. Improvements to McCarthy Drive in and for the Town of Ossining, Westchester County, New York, including widening, sidewalks, curbs, gutters, drainage, landscaping and other incidental improvements is hereby authorized, subject to permissive referendum, at a maximum estimated cost of \$2,350,000.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$2,350,000 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 specific object or purpose is fifteen years, pursuant to subdivision 20 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.

Supervisor Levenberg said the following in regard to resolution: We heard from our Town/Village Engineer Paul Fraioli last week on the McCarthy Drive project, which has been in the works for quite some time. The project was bid in December of last year, and the lowest bidder came in at \$2.4 million. This is a major capital improvement project, and it makes sense for the Town to borrow funds at the current low rates to pay for this huge project over time, so this resolution is authorizing the Town to issue bonds associated with this project. A portion of the project is the replacement of the water main in the road. Per the Town and Village’s Water IMA, this cost will be paid for by the Village of Ossining’s Water Fund reducing the Town’s cost burden to \$1.8 million. We also anticipate \$150,000 in construction administration, and built in some contingency, bringing up the level of the bonds to the \$2.35 million we have included in this resolution. There are a few other resolutions relating to this project on our agenda tonight as we lay the groundwork for getting this project finally off the ground.

Aye: Levenberg, Feldman, Meyer, Shaw, & Wilcher
Nay:
Motion: Carried

D. A Resolution Authorizing The Purchase Of An Electric Bus For The Nutrition Program In And For The Town Of Ossining, Westchester County, New York, At A Maximum Estimated Cost Of \$207,311 And Authorizing The Issuance Of \$132,311 Serial Bonds Of Said Town To Pay Part Of The Cost Thereof.

Councilmember Shaw moved and it was seconded by Councilmember Wilcher 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 purchase of an electric bus for the nutrition program in and for the Town of Ossining, Westchester County, New York, is hereby authorized at a maximum estimated cost of \$207,311.

Section 2. It is hereby determined that the plan for the financing of the aforesaid maximum estimated cost is as follows:

- (a) By the issuance of \$132,311 bonds of the Town, hereby authorized to be issued therefor, pursuant to the provisions of the Local Finance Law; and
- (b) By the application of grant monies to be received in connection therewith, presently estimated in the amount of \$75,000.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is five years, pursuant to subdivision 29 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 not 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. There shall annually be levied on all the taxable real property in 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 bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor of said Town, 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 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 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 designated 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 takes effect immediately.

Supervisor Levenberg said the following in regard to resolution: We received a Community Development Block grant last year through the County’s Urban County Consortium to purchase a fully electric bus for our Senior Nutrition Program. Unfortunately, this grant only pays for \$75,000 towards the cost of the bus. We had hoped to get some additional grant funding to contribute to the purchase, but unfortunately, we did not qualify for any of the other grant opportunities we learned about. So, we will be borrowing for the remainder of the cost of the bus, and we hope to get this bus on the road very soon!

Aye: Levenberg, Feldman, Meyer, Shaw, & Wilcher
Nay:
Motion: Carried

E. Finance- Capital Project #2021-5228 – 2021 McCarthy Drive Road Rehabilitation-Town Highway

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

Resolved, that the Town Board of the Town of Ossining authorizes opening a 2021 Capital Project #2021-5228, entitled “2021 McCarthy Drive Road Rehabilitation” for the Town Highway Department, with a project budget of \$2,350,000. The project will be funded from debt obligations.

Increase:	3705110.200.5228	\$2,350,000 – 2021 McCarthy Drive Road Rehabilitation-Town Highway (Expense)
Increase:	3700600.571000.5228	\$2,350,000 – Bond Proceeds (Revenue)

Supervisor Levenberg said the following in regard to resolution: Next resolution on McCarthy Drive is to establish a capital project. This sets up the project properly in our books, another step towards awarding the bid and getting shovels in the ground!

Motion: Carried

F. Finance- Capital Project #2021-5229 – 2021 Nutrition Electric Bus-Town Nutrition

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

Resolved, that the Town Board of the Town of Ossining authorizes opening a 2021 Capital Project #2021-5229, entitled “2021 Nutrition Electric Bus” for the Town Nutrition Department, with a project budget of \$207,311. The project will be funded from debt obligations and CDBG Grant Funds.

Increase:	3706772.200.5229	\$207,311 – 2021 Nutrition Electric Bus-Town Nutrition (Expense)
Increase:	3700600.571000.5229	\$132,311 – Bond Proceeds (Revenue)
Increase:	3700400.498900.5229	\$ 75,000 – CDBG Grant Funds (Revenue)

Supervisor Levenberg said the following in regard to resolution: Another resolution on our bus, also establishing the capital project for this purchase.

Motion: Carried

G. Resolution – Local Law # 1 of 2021 – Beekeeping Regulations

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

WHEREAS, currently beekeeping is not permitted in the Town Code, but recognizing that these activities can be beneficial to the environment and that property owners may desire to engage in them, the Town Board considered adopting a Local Law to permit these activities while also implementing regulations to ensure they are done in a safe and reasonable manner that does not present a hazard or inconvenience to the property owner, its neighbors, the community or the environment; and

WHEREAS, in furtherance of this objective and in consideration of the Local Law the Town Board opened a duly noticed public hearing at its regular meeting on Tuesday, September 22, 2020, which public hearing was duly continued to several subsequent meetings, via videoconferencing in accordance with the Governor’s Executive Orders 202.1 and 202.15, as subsequently extended, and members of the public having the opportunity to attend and be heard, the public hearing was closed on January 26, 2021; and

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

WHEREAS, pursuant to New York General Municipal Law the Local Law was referred to the Westchester County Planning Board, which responded by letter dated October 2, 2020 that said local law was a matter for local determination in accordance with the Town’s planning and zoning policies; and

WHEREAS, said local law has been on the desks of the members of the Town Board 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 adopts a Negative Declaration pursuant to SEQRA determining this action does not have the potential to have any significant adverse environmental impacts as the Local Law will permit the environmentally beneficial activity of beekeeping while including regulations to ensure there are no adverse impacts to the property owners, the neighbors, the community or the environment; and

BE IT FURTHER RESOLVED, the Town Board, after due deliberation, finds that in the furtherance of the safety, health and well-being of the persons and property in the Town, it is in the best interest of the Town to adopt said local law, and the Town Board hereby adopts Local Law # 1 of 2021 entitled Amendment to Town of Ossining Zoning Code to Allow and Regulate Beekeeping; 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 in regard to resolution: As I stated earlier, in anticipation of few if any comments on the final draft of our local law, and after many months of discussions, we are very excited to be adopting this legislation this evening. As with every piece of legislation, it is not perfect, but we feel it is a solid start that will hopefully address most of the needs of beekeepers and concerns of the community. Thank you to our Town Planner, Valerie Monastra, for all her hard work on this local law, and of course to our resident beekeeper on “Team Town,” our Assessor Fernando Gonzalez for all of his help too!

Aye: Levenberg, Feldman, Meyer, Shaw, & Wilcher
Nay:
Motion: Carried

H. Resolution – Local Law # 2 of 2021 – Battery Energy Storage Systems Regulations

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

WHEREAS, as communities look for new ways to create and store energy, the Town Board is aware that battery energy storage systems are becoming more prevalent and that while serving a benefit to the community, they must be regulated to ensure they are constructed and operate in a safe and reasonable manner that does not present a hazard or inconvenience to the property owner, its neighbors, the community or the environment; and

WHEREAS, in furtherance of this objective, the Town Board considered a Local Law to regulate battery energy storage systems within the Town of Ossining; and

WHEREAS, in consideration of the proposed Local Law the Town Board opened a duly noticed public hearing at its regular meeting on Tuesday, December 22, 2020, which public hearing was duly continued to the Town Board’s regular meeting on Tuesday, January 26, 2021, via videoconferencing in accordance with the Governor’s Executive Orders 202.1 and 202.15, as subsequently extended, and members of the public having the opportunity to attend and be heard, the public hearing was closed on January 26, 2021; and

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

WHEREAS, pursuant to New York General Municipal Law the Local Law was referred to the Westchester County Planning Board, which responded by letter dated January 14, 2021 that said local law was a matter for local determination in accordance with the Town’s planning and zoning policies; and

WHEREAS, said local law has been on the desks of the members of the Town Board 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 adopts a Negative Declaration pursuant to SEQRA determining this action does not have the potential to have any significant adverse environmental impacts as the Local Law is to regulate the environmentally beneficial use of battery energy storage systems to ensure there are no adverse impacts to the property owners, the neighbors, the community or the environment; and

BE IT FURTHER RESOLVED, the Town Board, after due deliberation, finds that in the furtherance of the safety, health and well-being of the persons and property in the Town, it is in the best interest of the Town to adopt said local law, and the Town Board hereby adopts Local Law # 2 of 2021 for the Purpose of Amending Chapter 200, Zoning, of the Town Code with Respect to Battery Energy Storage Systems; 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 in regard to resolution: Our second local law resolution tonight is for our Battery Energy Storage local law. This is also the product of many months of work, both behind the scenes and in public hearings. Increasing battery energy storage will help New York State meet its renewable energy goals, as battery storage increases the available energy from renewable energy systems like solar. Additionally, it can help communities become less reliant on the larger energy grid, and focus more locally.

Aye: Levenberg, Feldman, Meyer, Shaw, & Wilcher
Nay:
Motion: Carried

I. Resolution Recognizing Sustainable Westchester’s Energysmart Homes Program To Bring Clean, Sustainable Heating And Cooling Alternatives To Residences And Businesses In Our Community

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

WHEREAS, the Town of Ossining has been designated by the New York State Energy Research and Development Authority (NYSERDA) as a Clean Energy Community and Climate Smart Community; and

WHEREAS, the Ossining Community Climate Action Plan calls for supporting energy efficient designs and clean heating and cooling technology projects, as well as reducing the volume and impact of energy consumption in the Town of Ossining and reducing the Town’s carbon footprint; and

WHEREAS, NYSERDA estimates heating and cooling in buildings represent 37% of statewide net energy consumption and contribute 32% of New York State’s combustion-related greenhouse gas emissions; and

WHEREAS, clean heating and cooling technologies, such as cold-climate air source heat pumps, and ground source heat pumps (also known as geothermal heat pumps), have the potential to contribute significantly to reducing greenhouse gas emissions of the heating and cooling sector; and

WHEREAS, other benefits to those using clean heating and cooling technologies include energy bill savings and increased comfort levels and health benefits compared to conventional heating and cooling technologies; and

WHEREAS, high energy burdens are part of a complex of economic, health, and housing issues.

WHEREAS, Sustainable Westchester’s EnergySmart Homes Ossining + Briarcliff is a non-profit, volunteer, initiative in the Town of Ossining helping people switch to clean heating and cooling technologies and energy efficiency upgrades; and

WHEREAS, EnergySmart Homes is an initiative of the Sustainable Westchester and has received funding and support from NYSERDA to administer a campaign; and

WHEREAS, EnergySmart Homes is one of eighteen similar community outreach programs in New York State.

WHEREAS, EnergySmart Homes is modeled after successful Solarize and Energize campaigns.

WHEREAS, clean heating and cooling technologies are already proven to work in Westchester including projects at the Ossining Public Library and numerous residences; and

WHEREAS, a successful EnergySmart Homes Ossining + Briarcliff campaign will help jumpstart a nascent market and drive increased capacity and interest in installing such systems; and

WHEREAS, the installation of heat pump systems helps protect our environment by reducing the use of fossil fuels used to heat and cool our buildings and provides and creates new jobs in this emerging market; NOW, THEREFORE,

BE IT RESOLVED, that the Town of Ossining recognizes the EnergySmart Homes Ossining + Briarcliff initiative bringing clean heating and cooling and energy efficiency technologies to the residents and businesses in the Town of Ossining; and

BE IT FURTHER RESOLVED, that the Town of Ossining will continue to take and support initiatives to create a Sustainable Ossining.

Supervisor Levenberg said the following in regard to resolution: As I shared in my announcements, we are excited to be participating in the EnergySmart Homes initiative through Sustainable Westchester, which kicks off this week. Please tune in to the webinar launch this Thursday night at 7:00 to learn more about making your home more comfortable, reducing your energy costs, and reducing carbon emissions at the same time.

Motion: Carried

J. Personnel – Appointment

Councilmember Wilcher moved and it was seconded by Councilmember Shaw that the following resolution be approved.

Resolved, that the Town Board of the Town of Ossining appoints Jeaneth Guinansaca, Cortlandt Manor, to the part-time position of Intermediate Clerk in the Town Clerk’s Office at an hourly rate of \$15, effective February 7, 2021.

Supervisor Levenberg said the following in regard to resolution: Jeaneth has been working on a seasonal basis in our Town Clerk’s office, and she has become such an asset in our Town Clerk’s office. With her seasonal appointment coming to a close, we are happy to be making her a more permanent addition to our team. Thank you, Jeaneth, for all your hard work!

Motion: Carried

K. Acceptance of Proposal – General Code

Councilmember Wilcher moved and it was seconded by Councilmember Shaw that the following resolution be approved.

Resolved, that the Town Board of the Town of Ossining authorizes the Supervisor to accept a proposal by General Code for Enhanced Supplement Services for the Town Code Book at a cost of \$2,885.

Supervisor Levenberg said the following in regard to resolution: Our Clerk's office works with General Code to maintain both the electronic version and paper version of our Town Code books. For 2021, our Town Clerk has streamlined the number of paper copies we maintain, as the electronic version is much easier to navigate for most of the Town staff, and this proposal addresses these changes.

Motion: Carried

L. Acceptance of Proposal – Daniel G. Vincelette, PC

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

Resolved, that the Town Board of the Town of Ossining authorizes the Supervisor to accept the proposal by Daniel G. Vincelette, PC, Albany, NY dated January 18, 2021 for legal services related to the tax certiorari proceedings filed against the Town of Ossining challenging the assessed value of real property owned by Cedar Manor Acquisition I, LLC.

Supervisor Levenberg said the following in regard to resolution: One of our pending tax certiorari cases is going to trial, and we require special counsel to assist in that process. Mr. Vincelette has worked with us in the past, and has been an asset in a very complex process.

Motion: Carried

M. Contract – Tyler Technologies

Councilmember Wilcher moved and it was seconded by Councilmember Shaw 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 for Appraisal Services through July 31, 2021 at a cost not to exceed \$20,000, subject to approval by Counsel to the Town as to form.

Supervisor Levenberg said the following in regard to resolution: This resolution approves our 2021 contract with Tyler Technologies for our annual reassessment. Although we are not undertaking another reappraisal this year, we still will need to engage Tyler for the annual process required to maintain our roll at full value.

Motion: Carried

N. Contract – Dolph Rotfeld Engineers

Councilmember Wilcher moved and it was seconded by Councilmember Shaw that the following resolution be approved.

Resolved, that the Town Board of the Town of Ossining authorizes the Supervisor to sign an agreement with Dolph Rotfeld, and AI Engineers

Company, Elmsford, NY for Construction Administration Services on the McCarthy Drive Road Rehabilitation and Water Main Replacement, with hourly rates for necessary personnel set forth in the proposal dated December 23, 2020 at an estimated total cost of \$150,800, subject to approval by Counsel to the Town as to form.

Supervisor Levenberg said the following in regard to resolution: Our last McCarthy Drive resolution for the evening is to enter into a contract with Dolph Rotfeld Engineers for construction administration. This firm developed the plans, and will be on hand full time to monitor the construction and ensure this complex project goes off without a hitch.

Motion: Carried

O. Town Planning Consultant – Nelson, Pope & Voorhis, LLC.

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

Resolved, the Town Supervisor is authorized to execute an agreement retaining Nelson, Pope & Voorhis, LLC. as the Town’s Planning Consultant for 2021.

Supervisor Levenberg said the following in regard to resolution: Our Town Planner, Valerie Monastra, comes from the firm of Nelson, Pope, and Voorhis. In Valerie’s first year on board, she has proven herself to be extremely valuable, helpful and hardworking, and we look forward to another year with Valerie!

Motion: Carried

VII. VISITOR RECOGNITION

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

VIII. ADJOURNMENT

At 8:25 P.M., Councilmember Shaw motioned to adjourn to Executive Session for personnel, advice of counsel, and contracts and Councilmember Wilcher seconded.

Motion Carried: Unanimously

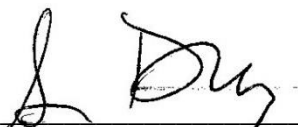
At 9:01 P.M., Councilmember Shaw motioned to leave Executive Session and Councilmember Wilcher seconded.

Motion Carried: Unanimously

At 9:01 P.M., Councilmember Wilcher motioned to adjourn the Regular Meeting and Councilmember Shaw seconded.

Motion Carried: Unanimously

Approved:



Susanne Donnelly, Town Clerk