

MINUTES
TOWN BOARD
TOWN OF OSSINING
HELD IN PERSON AT
TOWN MUNICIPAL BUILDING
1st FLOOR CONFERENCE ROOM
16 CROTON AVE – OSSINING, NEW YORK
AND VIA ZOOM

APRIL 26, 2022
REGULAR MEETING
7:30 P.M.

SUPERVISOR
Dana A. Levenberg

COUNCILMEMBERS
Elizabeth R. Feldman Gregory G. Meyer
Angelo A. Manicchio Jennifer Fields-Tawil

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

The Regular Meeting of the Town Board of the Town of Ossining was held on April 26, 2022 in the Town Municipal Building, 16 Croton Ave in Ossining, and via video conference, pursuant to Chapter 417 of the Laws of 2021 signed into law on September 2, 2021 by Governor Hochul and Executive Order 11.5. The meeting was called to order at 7:30 PM by Supervisor Dana A. Levenberg. Members of the Board present were: Councilmembers Elizabeth R. Feldman, Gregory G. Meyer (came in at 7:43 PM), Angelo A. Manicchio, and Jennifer Fields-Tawil (attended the meeting virtually via Zoom). Also present were Town Counsel Christie Tomm-Addona, Budget Officer Victoria Cafarelli, and Town Clerk Susanne Donnelly.

II. PUBLIC HEARING

- **Town Draft Comprehensive Plan**

At 7:31 PM, the Public Hearing opened.

Supervisor Levenberg said the following: Tonight, we are re-opening our public hearing on the draft Comprehensive Plan. A revised draft of the plan was posted and shared with the public on April 11, and we have had the public hearing open since our March 22 meeting with members of the public being able to appear in person or via Zoom.

At 7:32 PM, Councilmember Feldman moved and it was seconded by Councilmember Manicchio to close the public hearing.

Councilmember Meyer was not present for the Public Hearing.

- **Proposed LL #3 of 2022 Prohibiting Balloon Releases**

At 7:32 PM, the Public Hearing opened.

Supervisor Levenberg said the following: Next, we have another public hearing on a proposed local law to prohibit the release of balloons and sky lanterns in the Town of Ossining. We showcased this law – and some alternatives to releasing balloons – at the Earth Day festival on Saturday and heard some great feedback from the community on this important legislation.

At 7:35 PM, Councilmember Feldman moved and it was seconded by Councilmember Manicchio to close the public hearing.

Councilmember Meyer was not present for the Public Hearing.

III. SUPERVISOR AND TOWN BOARD ANNOUNCEMENTS

Supervisor Levenberg announced the following:

First, I need to give a huge shout out to Green Ossining, especially Suzie Ross, and her festival team for putting together an amazing event this past Saturday. The in-person return of Green Ossining's Earth Day festival after a two year hiatus due to the pandemic was well worth the wait! It was a beautiful day, with great food, great vendors, great organizations sharing information on how we can take steps to protect our Earth from climate change. It was an all-around excellent community event. Our Town Parks Department – Mario Velardo, Mark Gallagher, Alban Sylaj, and Larry Abreau – worked very hard leading up to, during, and after the event to make sure everything ran smoothly. We also had some of our board members there, and Councilwoman Feldman joined Victoria Cafarelli from my office at our Town tent to discuss alternatives to balloons for celebrations and memorials. Also at the tent we had Marcus da Silva talking about our Food Scraps Recycling and sold our compost kits, as well as highlighted our upcoming Compost give back day in June. We also shared information about our draft Comprehensive Plan as well as the work with Ossining Village on the Climate Adaptive Design project at the waterfront. Finally, right next door we had Sustainable Westchester. Many of you may have received a postcard in the mail from the Village and Town talking about how you can save money by reducing your energy usage during peak usage hours by signing up for Grid Rewards. So far, 304 Ossining ConEd customers have signed up for this money saving program. It's not too late. You have until April 30th to get in on the savings action. Sustainablewestchester.org/gridrewards has all the info you need to sign up. All of this to say, the Earth Day festival was a great way to kick off the spring season, think about our environment, and getting back to some semblance of normalcy!

The Town and Village of Ossining are celebrating all things trees this week, as Friday, April 29 is Arbor Day. In partnership with the Ossining Public Library, there is a Story Stroll at Nelson Park happening now, enjoy a walk in the park with your little ones and a book, too! We are also planning a tree planting at Ossining High School this year. We are grateful to our incredible community partners who are helping us celebrate Arbor Day this year.

The Village of Ossining will be holding a community meeting this Saturday, April 30 from 12noon to 3pm on the Downtown Revitalization Initiative at the Community Center. Join this meeting to learn more about the DRI proposed projects and share your feedback! One of the proposed projects was submitted by the Town for a new performance space at Louis Engel Park. We look forward to hearing your feedback on this project and more!

Also on Saturday, April 30 from 11am to 3pm, there will be a youth career expo at the Ossining High School Small Gym, organized by ENU Builds. Come to brainstorm your business career, take part in culinary career cooking classes, make sure you are job ready for summer employment, plan your financial wellness for tomorrow, and even register to vote!

Saturday, May 7 is I Love My Parks Day, Riverkeeper's Sweep, Compost Give Back Day, and the Green Ossining Town-wide Tag Sale! A lot of important environmental work continues to go on here in O-Town – you can learn more about all of these events by visiting the "Green Living" section of my Supervisor's Update. Most of these events require that you sign up in advance, so make your plans now and sign up!

Town/County Tax collection is coming to a close. To avoid penalties, you can pay through Monday, May 2nd (since April 30th is a Saturday). The Tax office will be open until 6pm this Friday, April 29th and on Saturday, April 30th from 9-12. You may on line at Townofossining.com and click on Tax Receiver's office to find the link. The post office also has a dedicated box and if you use it, anything dropped in it before 5pm will be postmarked that day. These are your best bets at this point to avoid penalties.

IV. ADMINISTRATIVE REPORT ON TOWN OPERATIONS

Supervisor Levenberg said the following:

We have spent a good deal of time over the past few weeks preparing for the Earth Day festival and the Town's booth at the festival. If you weren't able to stop by our booth, we have posted to the Town's website a "virtual" booth. The link to our virtual booth is posted in the Supervisor's Update, be sure to check it out!

We had our first meeting to discuss our upcoming Summer Concert Series and Food Truck Fridays with our community partners: The Greater Ossining Chamber, Mike Risko Music, and Sing Sing Kill Brewery. We are so looking forward to our kick off with Independence Day Fireworks on Friday July 1st, and then every Friday night following with a line of great bands soon to be announced.

Just after our last legislative session, Con Ed visited Town/Village hall for their annual muni liaison site visit. It was a great opportunity to learn more about their storm hardening efforts and work to improve communication with municipalities and other agencies during storms and also on "blue sky days" for scheduled projects. We are hopeful that these new improvements will facilitate better coordination with Con Ed for our residents and businesses.

V. LIAISON REPORTS

Councilmember Feldman announced that on Friday April 29, 2022 Scott Craven will be speaking about his new book at the Ossining Boat and Canoe Club at 7 PM.

VI. PUBLIC COMMENT ON AGENDA ITEMS

VII. BOARD RESOLUTIONS

A. Approval of Minutes—Special Meeting – April 5, 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 April 5, 2022 minutes of the Special Meeting as presented.

Motion: Carried

B. Approval of Minutes—Regular Meeting – April 12, 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 April 12, 2022 minutes of the Regular Meeting as presented.

Motion: Carried

C. 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 April 26, 2022 in the amount of \$177,966.16.

Motion: Carried

D. New York State Liquor Authority Special Event Permit Application – Ossining Fire Department Inspection

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 authorizes the Supervisor to sign the Landlord Authorization Form for the New York State Liquor Authority Special Event Permit Application made by the Ossining Fire Department for the Ossining Fire Department Inspection on June 25, 2022 at Louis Engel Park; and

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

Supervisor Levenberg said the following: The Ossining Fire Department is gearing up for their inspection dinner on June 25, and they have requested that the Town allow them to serve alcohol at that event, as they do annually.

Motion: Carried

E. Contract – CGI Communications, Inc.

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 an agreement with CGI Communications, Inc. D/B/A CGI Digital, Rochester, NY for a Community Video Program for the Town of Ossining.

Supervisor Levenberg said the following: We have worked with CGI Communications a few times in the past to develop video content for the Town's website. This project is funded by local sponsors, so we will be asking CGI to come to a Work Session to address this phase of the project as it gets underway.

Motion: Carried

F. Contract – Corporate Plans, Inc.

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 an agreement with Corporate Plans, Inc. D/B/A CPI-HR, Syracuse, NY for consulting services relating to the Town's Affordable Care Act Reporting requirements.

Supervisor Levenberg said the following: CPI-HR assists the Town with our reporting requirements under the Affordable Care Act. We are appreciative

of their assistance, and looking for another year under their careful advisement!

Motion: Carried

G. Personnel – Appointment – Part-Time Laborer

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 appoints Nicholas Ferrao, Ossining, to the part-time (20 hours per week) position of Laborer in the Town Highway Department at an hourly rate of \$15, effective April 25, 2022.

Motion: Carried

H. Personnel – Appointment – Seasonal Laborer

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 appoints Brian Zhinin Sanchez, Ossining, to the seasonal position of Laborer in the Town Highway Department at an hourly rate of \$15, effective April 25, 2022.

Motion: Carried

I. Resolution – Town boards to hold meetings via videoconferencing

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

WHEREAS, recently there has been an increase in the number of COVID-19 cases in New York and Westchester County; and

WHEREAS, in accordance with Chapter 1 of the Laws of 2022 and the Governor’s Executive Order 11 declaring a disaster emergency in New York due to COVID-19, as subsequent extended, municipal boards subject to Article 7 of the NY Public Officers Law (the Open Meetings Law) can hold meetings via videoconferencing subject to certain requirements; and

WHEREAS, as part of the 2022-2023 State budget, the Legislature authorized remote meetings to continue for the longer of 60 days or as long as there is a State or local disaster emergency in effect; and

WHEREAS, in the interest of the health, safety and welfare of the public, the Town Board and Town staff, and in accordance with State authority, the Town Board desires for the Town Board and the Town’s land use boards to hold their meetings via videoconferencing as long as permitted by State law; and

NOW THEREFORE,

BE IT RESOLVED, effective immediately, the Town Board, Planning Board, Zoning Board of Appeals and Architectural Review Board, and any other Boards subject to the Open Meetings Law, shall hold their meetings via videoconferencing as long as authorized by State law to do so and shall comply with all applicable requirements; and

BE IT FURTHER RESOLVED, the Town Board reserves the right to revisit this matter in the future and modify this resolution as it deems appropriate under the circumstances; and

BE IT FURTHER RESOLVED, the Town Clerk and all applicable Town staff are hereby directed to notice said meetings as required by law.

Supervisor Levenberg said the following: As we discussed at last week's Work Session, with the public hearing on the Comp Plan closing tonight, we are going to resume holding our Town Board meetings via Zoom videoconferencing once again in May, as long as State authority allows us to do so. In the meantime, we are also going to be exploring adopting a local law to allow for videoconferencing meetings in the future, when the COVID-19 state of emergency ends, in accordance with a new law adopted at the State level.

Motion: Carried

J. Call for Public Hearing – The Briarcliff Manor Cabaret License 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 calls for a Public Hearing to be held in the matter of the 2022 Cabaret License for The Briarcliff Manor, 25 Studio Hill Road, Briarcliff Manor, NY 10510, on Tuesday, May 10, 2022 at 7:30 p.m. held via videoconferencing only in accordance with State authority, with the log-in information available on the Town's website in advance of the meeting.

Supervisor Levenberg said the following: The Briarcliff Manor's cabaret license has been reviewed by our Building Department and Police Department, we will be holding a public hearing next week on the application.

Motion: Carried

K. Senior Services - Awarding Bid of Nutrition Program

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

Whereas, the Town solicited bids for the Senior Nutrition Program Meal service, to be opened in the Office of the Town Clerk on April 7, 2022; Therefore be it Resolved, that the Town Board of the Town of Ossining hereby awards the bid of "Meals for the Elderly Nutrition Program" to the lowest responsible bidder, namely Hubbard's Cupboard, 6 North Pearl Street, Port Chester, NY 10573, in the amount of \$5.45 per meal.

Supervisor Levenberg said the following: A few weeks ago, we held a bid opening for our senior nutrition program caterer. We only had one bidder, Hubbard's Cupboard, who has been our caterer for several years now. The price has increased, but we expected that, and budgeted accordingly in 2022.

Motion: Carried

L. Revised Contract – Participation in the Short-Term Westchester Power Extension Contract for Communities in Con-Ed Service Territory

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 the revised version of a memorandum of understanding with Sustainable Westchester, Inc. for the Town to participate in the short-

term Westchester Power Extension Contract for communities within the Con Edison Service Territory, with a price-not-to-exceed of 13.9 cents/kilowatt-hour, subject to approval of Counsel to the Town as to Form.

Supervisor Levenberg said the following: Sustainable Westchester requested that all municipalities agree to a new MOU with a revised price not to exceed of 13.9 cents per kilowatt hour, up from the previous price of 12.5 cents per kilowatt hour, for this short term agreement. The energy market continues to be volatile, so the price in the agreement needed to be adjusted. The reason for this short term contract is to avoid high costs in a longer term contract, to allow time for the energy market to adjust and hopefully for prices to go back in the down direction.

Motion: Carried

VIII. CORRESPONDENCE TO BE RECEIVED AND FILED

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 accepts the following correspondence:

- Town Planning Board Resolution - Borrego Solar Battery Storage Facility at St. Augustine Property**

Motion: Carried

IX. VISITOR RECOGNITION

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

X. ADJOURNMENT

At 7:56 P.M., Councilmember Feldman motioned to adjourn to Executive Session for advice of counsel and personnel and Councilmember Meyer seconded.

Motion Carried: Unanimously

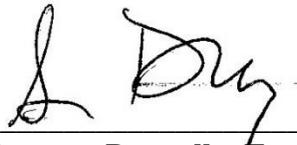
At 9:05 P.M., Councilmember Feldman motioned to leave Executive Session and Councilmember Meyer seconded.

Motion Carried: Unanimously

At 9:05 P.M., Councilmember Feldman motioned to adjourn the Regular Meeting and Councilmember Meyer seconded.

Motion Carried: Unanimously

Approved:



Susanne Donnelly, Town Clerk