



**AGENDA**  
**TOWN BOARD**  
**TOWN OF OSSINING**  
**MAY 11, 2021**  
**REGULAR MEETING**  
**7:30 P.M.**

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

Members of the public can view the meeting via computer or mobile app:  
<https://us02web.zoom.us/j/84351349192?pwd=N1cySVFpcll5eS9SZ1phUGcydFZvUT09>

Members of the public can listen to the meeting by dialing in via phone: +1 929 205 6099

Meeting ID: 843 5134 9192  
Passcode: 546102

**\*\*Please note that by dialing in, your phone number will be visible to the host, participants, and attendees of the meeting.\*\***

**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**
- II. PUBLIC HEARING**
  - **Local Law 4-2021: Regulations for Boat Launch at Louis H. Engel, Jr. Park**
  - **Local Law 5-2021: Adding provisions for a local energy code under Chapter 63 (Building Construction) of the Town Code**
  - **Local Law 6-2021: Adopting a new Chapter 166 (Special Events, Parades and Public Gatherings) of the Town of Ossining Code**
  - **Community Development Block Grant 2022-2024 Application Cycle**
- III. PRESENTATION**
  - **Town of Ossining 2020-2021 Draft Stormwater Annual Report, Mike Ritchie, Dolph Rotfeld Engineers**
- IV. DEPARTMENTAL REPORT**
  - **Town Building Inspector John Hamilton**
- V. ANNOUNCEMENTS**
- VI. LIAISON REPORTS**
- VII. PUBLIC COMMENT ON AGENDA ITEMS**
- VIII. BOARD RESOLUTIONS**
  - A. Approval of Minutes—Regular Meeting – January 26, 2021**

**Resolved, that the Town Board of the Town of Ossining hereby approves the January 26, 2021 minutes of the Regular Meeting as presented.**

**B. Approval of Voucher Detail Report**

Resolved, that the Town Board of the Town of Ossining hereby approves the Voucher Detail Report dated February 9, 2021 in the amount of \$220,639.52

**C. Approval of Contract – Village of Croton on Hudson EMS**

Resolved, that the Town Board of the Town of Ossining authorizes the Supervisor to sign an agreement between the Mid-Hudson EMS District and the Village of Croton-on-Hudson for the provision of Emergency Medical Technicians to supplement Croton EMS, 24 hours per day at an hourly rate of \$25, effective June 1, 2021 through May 30, 2022.

**D. Approval of Contract – Village of Sleepy Hollow EMS**

Resolved, that the Town Board of the Town of Ossining authorizes the Supervisor to sign an agreement between the Mid-Hudson EMS District and the Village of Croton-on-Hudson for the provision of Emergency Medical Technicians to supplement Sleepy Hollow EMS, 12 hours per day at an hourly rate of \$25, effective June 1, 2021 through May 30, 2022.

**E. Approval of Contract – Corporate Plans, Inc.**

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 for consulting services to the Town with respect to Patient Protection and Affordable Care Act reporting requirements, effective April 15, 2021 through April 14, 2022, at a rate of \$8,075 for the contract year.

**F. Resolution – Local Law # 4 of 2021 – Boat Ramp Local Law**

WHEREAS, the Town owns Louis H. Engel, Jr. Park, which includes a boat ramp that provides access and entry for watercrafts to the Hudson River; and

WHEREAS, while this boat ramp is a benefit to Ossining residents and the public in general, given the extensive use of the boat ramp to access the River and the limited parking available in the Park for those vehicles trailering recreational watercrafts, the Town Board believes it is a reasonable exercise of the Town Board's police powers to protect the health, safety and welfare of its residents and the public to regulate use of the boat ramp; and

WHEREAS, in consideration of the proposed Local Law the Town Board opened a duly noticed public hearing at its regular meeting on Tuesday, April 27, 2021, which public hearing was duly continued to the Town Board's regular meeting on Tuesday, May 11, 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 May 11, 2021; 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 the State Environmental Quality Review Act determining this action does not have the potential to have any significant adverse environmental impacts as the Local Law will regulate the longstanding use of

the boat ramp and associated parking to ensure it is only used by those with the proper permits; 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 # 4 of 2021 entitled Regulations for Boat Ramp at Louis H. Engel, Jr. Park; 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.

**G. Resolution – Local Law # 5 of 2021 – Amendments to Chapter 63 (Building Construction) of the Town Code to add provisions for a local energy code.**

**WHEREAS**, to prevent a statewide patchwork of stricter energy codes, the New York State Energy Research and Development Authority (NYSERDA) developed the NYStretch Energy Code – 2020 (NYStretch);

**WHEREAS**, a stretch energy code is simply an energy code that is more stringent than the minimum base energy code that can be voluntarily adopted by local jurisdictions. NYStretch is a model stretch code that will be ten to twelve percent (10-12 %) more efficient than the minimum requirements of the base energy code, the 2020 Energy Conservation Construction Code of New York State (2020 ECCCNY);

**WHEREAS**, some New York State municipalities have adopted stricter energy standards to ensure reduced energy costs for its residents and businesses;

**WHEREAS**, under NY Energy Law § 11-109, the Town of Ossining is authorized to adopt a local energy code more stringent than the 2020 ECCCNY;

**WHEREAS**, the Town Board recognizes the importance of clean and renewable energy and has recently adopted local regulations regarding solar energy and battery energy storage, and believes it is appropriate to protect and promote the public health, safety, and welfare of its residents by mandating energy efficient building standards; and

**WHEREAS**, the Town Board is considering a local law to amend Chapter 63 (Building Construction) of the Town Code to adopt the NYStretch Energy Code, while exempting those projects that have already obtained permits or approvals prior to this local law being adopted and going into effect; and

**WHEREAS**, in consideration of the proposed Local Law the Town Board opened a duly noticed public hearing at its regular meeting on Tuesday, April 27, 2021, which public hearing was duly continued to the Town Board's regular meeting on Tuesday, May 11, 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 May 11, 2021; 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, as the only involved agency, is declared Lead Agency for the purposes of environmental review with respect to the proposed local law, in accordance with Article 8 of the Environmental Conservation Law of the State of New York, and the regulations promulgated thereunder at 6 NYCRR 617 (collectively, “SEQRA”); and**

**BE IT FURTHER RESOLVED, the proposed action meets the criteria of a Type II Action under SEQRA and therefore no further environmental review is required; but even if it were determined this is an Unlisted action subject to environmental review, there will be no significant adverse environmental impacts from this local law as this local law is adopting a more stringent and efficient energy code than that required by the State; 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 # 5 of 2021 entitled Amendments to Chapter 63 (Building Construction) of the Town Code to add provisions for a local energy code; and  
AND BE IT RESOLVED, that the Town Clerk is hereby directed to publish the following Notice of Adoption:**

**NOTICE OF ADOPTION**

**TAKE NOTICE THAT AFTER A DULY-NOTICED PUBLIC HEARING WAS HELD BY THE TOWN BOARD OF THE TOWN OF OSSINING ON APRIL 27, 2021 AND MAY 11, 2021, THE TOWN BOARD, AT ITS MEETING ON MAY 11, 2021, ADOPTED LOCAL LAW NO. # 5 OF 2021 AS FOLLOWS: “A LOCAL LAW AMENDING CHAPTER 63 (BUILDING CONSTRUCTION) OF THE TOWN CODE TO ADD PROVISIONS FOR A LOCAL ENERGY CODE”**

**SUMMARY OF LOCAL LAW**

**THESE CODE PROVISIONS MAKE THE TOWN CODE CONSISTENT WITH REVISIONS TO THE NEW YORK STATE ENERGY CONSERVATION AND CONSTRUCTION CODE AND ADOPT MORE STRINGENT REGULATIONS AS THEY RELATE TO NEW CONSTRUCTION OR SUBSTANTIAL RENOVATION PROJECTS.**

**COPIES OF THE PROPOSED LOCAL LAW SPONSORED BY THE TOWN BOARD ARE ON FILE IN THE TOWN CLERK’S OFFICE FOR PUBLIC INSPECTION UPON REQUEST.**

**AND BE IT FURTHER RESOLVED, appropriate Town officers, staff and consultants are authorized to execute and circulate any documentation reasonably necessary to facilitate the implementation of this Local Law and to secure any grant funding associated with the adoption of this Local Law.**

**H. Resolution Scheduling Town Board Meeting for May 24, 2021**

**WHEREAS, the Office of Community Renewal administers the Community Development Block Grant (“CDBG”) program for the State of New York and provides financial assistance to eligible municipalities and not-for-profits to develop viable communities by providing decent, affordable housing, and suitable living environments, as well as expanding economic opportunities, principally for persons of low and moderate income; and**

**WHEREAS, in order to be eligible for CDBG funding, not-for-profits must present their proposed funding requests at a public meeting of the municipal board in which they operate; and**

**Whereas, the Town Board desires to hold a joint meeting with the Village of Ossining Board of Trustees to hear these presentations by not-for-profits that operate within the Town and Village of Ossining; and**

**Now therefore,**

**Be it Resolved, the Town Board hereby schedules a meeting to be held on Monday, May 24, 2021 at 7:30pm via Zoom video conferencing in accordance with the Governor's Executive Order 202.1 dated March 16, 2020 and subsequently extended, for the purpose of hearing presentations from not-for-profit organizations for CDBG funding; and**

**Be it further Resolved, the Town Clerk is hereby directed to notice said meeting as required by law.**

**IX. CORRESPONDENCE TO BE RECEIVED AND FILED**

**Resolved, that the Town Board of the Town of Ossining hereby accepts the following correspondence:**

- **Planning Board & Architectural Review Board Resolutions of Approval for Terra Rustica – April 7, 2021**
- **Planning Board Minutes – March 17, April 7, and April 21, 2021**

**X. MONTHLY REPORTS**

**Resolved, that the Town Board of the Town of Ossining hereby accepts the following monthly reports for the month of April 2021:**

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

**XI. VISITOR RECOGNITION**

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

**XII. ADJOURNMENT**