



**AGENDA**  
**TOWN BOARD**  
**TOWN OF OSSINING**  
**JUNE 21, 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/81574458366?pwd=TGtuajh3UnZobWUzdjV2aE9PUetJUT09>

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

Meeting ID: 815 7445 8366  
Passcode: 166389

**\*\*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
  - Proposed Community Development Block Grant Applications
- III. WORK SESSION
  - Letter to Town of Cortlandt Planning Board regarding proposed Hudson Wellness Project
- IV. ANNOUNCEMENTS
- V. LIAISON REPORTS
- VI. DEPARTMENTAL REPORT
  - Highway Superintendent & Cemetery Superintendent Pete Connolly
  - Town/Village Engineer Paul Fraioli & Water Superintendent Andy Tiess
- VII. PUBLIC COMMENT ON AGENDA ITEMS
- VIII. BOARD RESOLUTIONS
  - A. Approval of Minutes—Regular Meeting – May 25, 2021

Resolved, that the Town Board of the Town of Ossining hereby approves the amended May 25, 2021 minutes of the Regular Meeting as presented.
  - B. Approval of Minutes—Special Meeting – June 1, 2021

Resolved, that the Town Board of the Town of Ossining hereby approves the June 1, 2021 minutes of the Special Meeting as presented.

**C. Approval of Minutes—Regular Meeting – June 8, 2021**

Resolved, that the Town Board of the Town of Ossining hereby approves the June 8, 2021 minutes of the Regular Meeting as presented.

**D. Approval of Voucher Detail Report**

Resolved, that the Town Board of the Town of Ossining hereby approves the Voucher Detail Report dated June 21, 2021 in the amount of \$339,295.31

**E. Personnel – Appointment – Court Attendant**

Resolved, that the Town Board of the Town of Ossining appoints Raymond Mena, Yonkers, to the part-time position of Court Attendant in the Town of Ossining Justice Court at an hourly rate of \$25, effective June 21, 2021.

**F. Personnel – Promotion – Office Assistant (Automated Systems)**

Resolved, that the Town Board of the Town of Ossining promotes Patricia Berrezueta, Ossining, to the full-time probationary position of Office Assistant (Automated Systems) in the Town of Ossining Senior Nutrition Program at a pro-rated annual salary of \$51,031, effective June 21, 2021.

**G. Personnel – Resignation – Court Attendant**

Resolved, that the Town Board of the Town of Ossining accepts, with regret, the resignation of Franklin Jackson, Jr. from the position of Court Attendant in the Town of Ossining Justice Court, effective June 29, 2021.

**H. Donation – NewYork-Presbyterian Hudson Valley Hospital**

Resolved, that the Town Board of the Town of Ossining accepts a \$1,000 donation from NewYork-Presbyterian Hudson Valley Hospital Community Initiatives Program for the Town of Ossining Senior Nutrition Program.

**I. Letter of Intent – Westchester County Hazard Mitigation Plan Update**

Resolved, that the Town Board of the Town of Ossining authorizes the Supervisor to sign a letter of intent dated June 11, 2021 for the Town of Ossining to participate in the Westchester County Multi-jurisdictional Hazard Mitigation Plan update.

**J. Contract Amendment – Pace University**

Resolved, that the Town Board of the Town of Ossining authorizes the Supervisor to sign a contract amendment between the Town and Pace University extending the contract end date from June 30, 2021 to December 30, 2021 for services relating to the Town of Ossining Healthy Communities Initiative.

**K. Contract – Nexus Creative**

Resolved, that the Town Board of the Town of Ossining authorizes the Supervisor to sign an agreement with Nexus Creative, Tarrytown, NY for design development, contract documents, and construction administration for the Renovation of the Community Center Kitchen, at a proposed fee of \$26,500, subject to approval by Counsel to the Town as to form.

**L. Fee Schedule – Rental of Louis Engel Park Spray Park**

Resolved, that the Town Board of the Town of Ossining hereby adopts the following fee schedule for the rental of the Louis Engel Park Spray Park:  
Rental of Louis Engel Park Spray Park: \$75/hour

**M. Stormwater Facilities Maintenance Agreement – SPCA of Westchester, Inc.**

WHEREAS, as a condition of the site plan approval granted by the Planning Board, SPCA of Westchester, Inc. is required to enter into a stormwater facilities maintenance agreement with the Town to ensure the stormwater management system approved by the Planning Board is constructed and installed by the Applicant in accordance with the approved project documents and all applicable NYSDEC regulations, standards and guidelines for the project and thereafter is maintained, cleaned, repaired, replaced and restored in perpetuity by the Applicant to ensure optimum performance; and

NOW THEREFORE,

BE IT RESOLVED, the Town Board hereby authorizes the Supervisor to execute a Stormwater Management System Maintenance and Easement Agreement with SPCA of Westchester, Inc. and

BE IT FURTHER RESOLVED, the Supervisor is authorized to sign all documents reasonably necessary to have the agreement recorded with the County Clerk.

**N. CDBG Application, 2022-2024 Cycle, Louis Engel Park Bathroom Relocation Phase 1**

Resolved, that the Town Board of the Town of Ossining endorses the Community Development Block Grant (“CDBG”) application entitled Louis Engel Park Bathroom Relocation Phase 1, at a total project cost of \$145,000, with \$72,500 requested from the CDBG program and \$72,500 provided as a local match by the Town of Ossining.

**O. CDBG Application, 2022-2024 Cycle, Louis Engel Park Bathroom Relocation Phase 2**

Resolved, that the Town Board of the Town of Ossining endorses the Community Development Block Grant (“CDBG”) application entitled Louis Engel Park Bathroom Relocation Phase 2, at a total project cost of \$575,000, with \$287,500 requested from the CDBG program and \$287,500 provided as a local match by the Town of Ossining.

**P. CDBG Application, 2022-2024 Cycle, Louis Engel Park Fishing Pier Rehabilitation**

Resolved, that the Town Board of the Town of Ossining endorses the Community Development Block Grant (“CDBG”) application entitled Louis Engel Park Fishing Pier Rehabilitation, at a total project cost of \$300,000, with \$150,000 requested from the CDBG program and \$150,000 provided as a local match by the Town of Ossining.

**Q. CDBG Application, 2022-2024 Cycle, Bathroom at North End of Louis Engel Park**

Resolved, that the Town Board of the Town of Ossining endorses the Community Development Block Grant (“CDBG”) application entitled Bathroom at North End of Louis Engel Park, at a total project cost of \$150,000, \$75,000 requested from the CDBG program and \$75,000 provided as a local match by the Town of Ossining.

**R. Memorandum of Understanding – Westchester County Climate Action Planning Institute**

Resolved, that the Town Board of the Town of Ossining authorizes the Supervisor to sign a Memorandum of Understanding with Westchester County, the Cities of Peekskill and White Plains, the Villages of Irvington, Ossining, Pelham, and Tarrytown, and the Hudson Valley Regional Council, Inc. for the Town to participate as a partner in the Westchester County Climate Action Planning Institute and participate in a project funded by a grant from the New York State Department of Environmental Conservation, subject to approval by Counsel to the Town as to form.

**S. Finance- Capital Project #2021-5230 – 2021 Parking Lot and Road Paving- Town Parks**

Resolved, that the Town Board of the Town of Ossining authorizes opening a 2021 Capital Project #2021-5230, entitled “2021 Parking Lot and Road Paving-Parks” for the Town Parks Department, with a project budget of \$160,612 for paving at Gerlach and Cedar Lane Parks. The project will be funded from debt obligations.

Increase: 3707110.200.5230 \$160,612 – 2021 Parking Lot and Road Paving-Parks (Expense)

Increase: 3700600.573000.5230 \$160,612 – BAN Proceeds (Revenue)

**T. A Resolution Authorizing The Issuance Of \$160,612 Bonds Of The Town Of Ossining, Westchester County, New York, To Pay The Cost Of Various Purposes In And For Said Town.**

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 following are hereby authorized in and for the Town of Ossining, Westchester County, New York:

- a) Paving of the Gerlach Park Parking Lot/Driveway, at a total maximum estimated cost of \$32,362, being a specific object or purpose having a period of probable usefulness of ten years pursuant to subdivision 20(f) of paragraph a of Section 11.00 of the Local Finance Law; and
- b) Paving of the road in Cedar Lane leading to the Dog Park, at a maximum estimated cost of \$128,250, being a specific object or purpose having a period of probable usefulness of fifteen years pursuant to subdivision 20(c) of paragraph a of Section 11.00 of the Local Finance Law.

**Section 2.** The total maximum estimated cost of the aforesaid objects or purposes is \$160,612, and the plan for the financing thereof is by the issuance of \$160,612 bonds of said Town hereby authorized to be issued therefor pursuant to the Local Finance Law, to be allocated in accordance with the maximum estimated costs set forth in Section 1 hereof.

**Section 3.** It is hereby further determined that the maximum maturity of the bonds herein authorized will not exceed five years.

**Section 4.** SEQR DETERMINATION: It is hereby determined that the aforesaid purposes constitutes a Type II action as defined under regulations of the State of New York, promulgated under the State Environmental Quality Review Act, which, by definition, will not have a significant adverse impact upon the environment.

**Section 5.** 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 6.** 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 7.** 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 8.** 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 9.** 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 10.** 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 11.** This resolution takes effect immediately.

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

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

- Town Planning Board Minutes – May 19, 2021

**X. MONTHLY REPORTS**

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

- Dale Cemetery

**XI. VISITOR RECOGNITION**

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

**XII. ADJOURNMENT**