



MINUTES
TOWN BOARD
TOWN OF OSSINING
MARCH 23, 2021
REGULAR MEETING
7:30 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 March 23, 2021 via video conference, pursuant to Governor's Executive Order 202.1 dated March 12, 2020. The meeting was called to order at 7:30 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.

Supervisor Levenberg said the following: Please rise and join me for the Pledge of Allegiance and please remain standing for a Moment of Silence for the victims of the two – yes two – senseless mass shootings that have taken the lives of 18 people since our Town Board meeting last Tuesday. Thank you. It is unimaginable – and yet, all too imaginable – that this country has suffered two mass shootings just since our Town Board meeting adjourned last Tuesday. First in Atlanta, with eight victims, six of whom were of Asian descent. Then, yesterday afternoon in Boulder, Colorado, with ten victims, including the first police officer responding to the scene. As we begin to close the book on the COVID-19 pandemic, we face again the tragic epidemic of gun violence that has plagued this Country for far too long. “Back to normal” cannot mean this. We are somehow not safe in our everyday lives – not at school, work, movie theaters, massage parlors, or even grocery stores. It is past time for our nation's leaders to take action on gun violence, and I urge them to reflect on the horror of the past week and finally take up this issue that is killing far too many of us. Our thoughts and prayers are with the victims and their families, as well as the communities of Atlanta, Georgia and Boulder, Colorado.

II. ANNOUNCEMENTS

Supervisor Levenberg announced the following:

Continuing with the solemn tone from our moment of silence, the incidents of the past week, particularly the shooting in Atlanta, highlight the wave of violence against Asian Americans and Pacific Islanders that has increased over the past year. We in the Town of Ossining reject these hateful actions, and continue to strive to make our community a welcoming place for all. If you have been a victim of a bias or prejudice, you can call the Westchester County Human Rights Commission at 914-995-7710 or by email at HumanRights@westchestergov.com. To report a hate crime or bias incident you can also call the Westchester County District Attorney at 914-995-TIPS. And it is also important to recognize that there are resources available for all of us and our mental health. New Yorkers

can call the emotional support hotline for mental health counselling, and can even request regular appointments, by calling 1-844-863-9314.

In some better news, New York State expanded eligibility for the COVID-19 vaccine to all residents 50 and older today. You can schedule an appointment through the New York State website. Pharmacies are now allowed to administer vaccines to residents over 60, teachers, or those with co-morbidities. I got my vaccine on Saturday as a front-facing public employee and I am proud to report the process was quick and easy, and no side effects. Many other front-facing employees of the Town also received their first vaccination this weekend and had similar, very positive reports. The vaccine is free and you can prove eligibility by displaying an employee ID card, a letter from an employer or affiliated organization, a pay stub, a driver's license, passport, or any legal document showing your date of birth and residency. It is exciting to know we are one step closer to beating this pandemic.

The Ossining Angels are continuing to help seniors get appointments for vaccines. If you know a senior who wants an appointment, but has not been able to get one, contact the group at OTownVaccineAngels@gmail.com or call 914-236-4567. Last week, my office coordinated with Westchester County to connect homebound seniors with Johnson & Johnson vaccines through a travelling vaccination unit, and the Angels played a vital role in that effort. We are hoping to bring this option back to our community soon, so if you are a homebound senior or know someone who is and wants a vaccine, please contact my office at 914-762-6001. I am pleased to see this initiative growing.

Every Tuesday in March, the Ossining PTA is partnering with local businesses for their Take Out Tuesday fundraiser. So as I have encouraged you at our other March meetings, pick up your phone and go the Ossining PTA Facebook Page to put your order in now. I believe you only have until 8:00, and it's already late, so do not wait! The money raised will go to support the senior class of 2021. What a great way to support our students as well as our local businesses! Do not forget to mention the senior class of 2021 when you order.

This past Sunday I had the honor of joining Mayor Rika Levin, Honorable Michael G. O'Connor of Centralized Committee of Organized War Veterans of Ossining, OPD, OVAC, friends, neighbors and family to honor and recognize Mr. Jay Beverly Opie on his 100th Birthday, right on Grandview Avenue, his home for many years. Jay or Bev grew up in Ossining and graduated, at 80, with his GED from OHS. His high school education was cut short when he was drafted and served in the Air Force in WWII, but he never gave up. A friend of mine from growing up, Chris Halliday, saw the post about our recognition ceremony and shared with me that, and I quote, "During Operation Desert Storm in 1990-91, I was flying a USAF C-141 in what was known as the largest Airlift-or as the new and media started calling it and 'air bridge'—since the China-Burma Airlift in WWS (also known as "Flying the Hump" to those brave pilots) Guys like [Mr. Opie] created a legacy of long haul flyers like me half a century later. We talked about those guys all the time while we were doing our major global airlift from the USA to Saudi Arabia to prepare to push Saddam Hussein's Army back to Iraq, much like the Army Air Corp did against the Japanese Imperial forces in the early to mid 1940s.... Their generation is almost gone... and they should be recognized, and truly deserve the honor of being called 'the greatest generation!'" If you drive by 12 Grandview, please give a gentle honk to acknowledge Mr. Opie's service to our country and our Ossining pride. March 21st is now known as Jay Beverly Opie day in both the Town and Village of Ossining.

Tomorrow, Wednesday, March 24, you can join the Sing Sing Prison Museum for their presentation on the history of female inmates at the prison as part of their Women's History Month commemoration. Many people do not know that women were a part of the Sing Sing prison population for nearly 40 years. To register for this 6pm Justice Talks event, visit the Sing Sing Prison Museum website.

The deadline is fast approaching for people looking to become police officers in Westchester County. The exam to kick-start this process is only available every couple of years, so sign up now if you would like to begin a career in law enforcement. The Ossining Police Department has released a series of videos to help people learn how to sign up for the exam and you can even visit the police station lobby to use their internet access at their dedicated “application station.” Sign-ups for the exam are allowed until the end of March. The exam will be administered in mid-May.

The Town of Ossining’s public workshop on Sustainable Ossining, our new Comprehensive Plan, is scheduled for April 8th. Help shape the future of land use in Ossining by sharing ideas and providing feedback on our current draft goals. Get involved with this plan by joining us on Zoom. The meeting information is available on our website and Facebook page.

April is full of some exciting events, including a PTA fundraiser with food trucks, a weeklong list of Earth Day activities coordinated by Green Ossining, and more - so stay tuned!

Councilmember Feldman announced that OVAC has COVID-19 testing available by appointment only.

III. LIAISON REPORTS

IV. DEPARTMENTAL REPORT

Assessor Fernando Gonzalez said the following:

In the Town of Ossining and in particular the Village of Ossining, the COVID-19 pandemic has escalated buyer demand to an unparalleled degree, causing a year-over-year rise in median sale prices and with the lack of inventory this trend is likely to continue.

The Town of Ossining reassesses every year in order to maintain the roll at 100% of market value. Assessments are adjusted by neighborhood based on the prior year’s sales trend. This coronavirus uptick will span several assessment roll years. The following facts/dates are applicable.

- 1. The valuation date for the assessment roll (2021) Roll is July 1st, 2020**
- 2. Sales from July 1st 2019 to June 30th, 2020 will be utilized to determine the adjustment.**
- 3. Taxable Status Date is May 1st, meaning the condition as of this date also deadline for exemption applications.**
- 4. June 1st – The Tentative 2021 Assessment Roll is published. Change of Assessment Notices will be mailed prior to June 1st.**
- 5. Grievance Day is the 3rd Tuesday in June. June 15th, 2021**

Many properties are been sold for a lot higher price than assessed value, this is not only attributed to the market conditions but also due to inaccurate inventory. Such as square footage, condition, number of bathroom, etc.

Keep in mind that a change in your property’s assessment does not necessarily indicate a similar percentage change in your taxes. Your tax liability will be affected by several factors, including: changes to school/county/municipal budgets, changes to assessments of other properties, changes to exemptions applicable to your property, and apportionment of school and/or county taxes among multiple municipal segments.

V. PUBLIC COMMENT ON AGENDA ITEMS

VI. BOARD RESOLUTIONS

A. Approval of Minutes—Regular Meeting – March 9, 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 March 9, 2021 minutes of the 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 March 23, 2021 in the amount of \$365,409.70

Motion: Carried

C. 2020 Year End Budget Adjustments

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

Resolved, that the Town Board of the Town of Ossining approves the following budget adjustments for year end 2020:

Town of Ossining Budget Adjustments YE 12/31/2020

General Fund

		<u>Transfer In</u>	<u>Transfer Out</u>		
100-1110-402000	TELEPHONE/INTERNET	620.00			
100-1110-408000	CONSTABLE/SEC.SVCS	330.00			
100-1110-446000	CONSULTING SERVICES	6,970.00			
100-1420-458000	SPECIAL LEGAL SVCS	3,667.00			
100-7110-201000	EQUIPMENT	2,643.00			
100-7110-485000	REPAIR/MAINT PARK FAC.	6,004.00	20,234.00	100-9010-800000	EMPLOYEE BENEFITS
		<u>20,234.00</u>	<u>20,234.00</u>		

TOV Fund

200-3620-402000	TELEPHONE	220.00			
200-8020-446020	CONSULTING SVCS	30.00	250.00	200-9010-800000	EMPLOYEE BENEFITS
		<u>250.00</u>	<u>250.00</u>		

Highway Fund

310-5010-406000	OFFICE AND SUPPLIES EXPESE	85.00	85.00	310-9010-800000	EMPLOYEE BENEFITS
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Dale Cemetery

320-8810-402000	TELEPHONE	450.00			
320-9730-417000	BOND & NOTE EXPENSE	330.00	780.00	320-8810-460000	TREES
		<u>780.00</u>	<u>780.00</u>		

Refuse&Recycling District Fund

650-8160-524000	RECYCLING&ENVIR.WASTE DISPOS	80.00	80.00	650-8160-520000	INTER MUNICIPAL CONTRACTUAL
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Total All Budget Adjustments		21,429.00	21,429.00		
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Supervisor Levenberg said the following: We have more budget adjustments this evening both in our regular operating lines and capital project accounts as our Finance Office closes the books on 2020 in anticipation of our auditors visiting next week.

Motion: Carried

**D. 2020 Finance Capital Budget Adjustment – 2014 Capital Project #2014-2190-
Spray Park Recirculation**

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 Capital Project #2014-2190, entitled “Spray Park Recirculation” with a project budget of \$220,000 be closed, and the remaining balance be transferred to Debt Service.

Decrease:	3707110.200.5190	\$ 35,912.13 - Spray Park Recirculation (Expense)
Increase:	3709936.200.5190	\$ 35,912.13 - Transfer out/Debt Service (Expense)

Supervisor Levenberg said the following: This first resolution closes out the Engel Park Spray Park project, which closed at a budget of \$220,000 and the remaining funds transferred to debt service.

Motion: Carried

**E. 2020 Finance Capital Budget Adjustment - 2019 Capital Project #2019-5219
Funding Adjustment – 2019 Chrysler Pacifica Van-Town Nutrition**

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

Resolved, that the Town Board of the Town of Ossining authorizes adjusting the project budget for 2019 Capital Project #2019-5219, entitled “2019 Chrysler Pacifica Van” for the Town Nutrition Department, with a project budget of \$38,400 to \$38,401 recognizing final payment and the project closed. The project will be funded from a transfer from General Fund Balance of \$35,901 and NYS Grant Funds of \$2,500.

Increase:	370050.503100.5219	\$ 1.00 – Transfer from General Fund (Revenue)
Increase:	3706772.20000.5219	\$ 1.00 – 2019 Chrysler Pacifica Van-(Expenditure)
Increase:	1009901.0905	\$ 1.00 - General Fund Transfer to Capital (Expense)
Increase:	100060.4795	\$ 1.00 - General Fund Balance (Revenue)

Supervisor Levenberg said the following: The next two budget adjustments increase the capital project budgets for the purchase of our Chrysler Pacifica Hybrids by \$1 each – these were “leases to purchase” and the cost to purchase at the end of the lease was \$1, and yes, we still need to account for this very, very small price increase. Good deal!

Motion: Carried

**F. 2020 Finance Capital Budget Resolution - 2019 Capital Project #2019-5220
Adjustment – 2019 Chrysler Pacifica Van-Town Nutrition**

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

Resolved, that the Town Board of the Town of Ossining authorizes adjusting the project budget for 2019 Capital Project #2019-5220, entitled “2019 Chrysler Pacifica Van” for the Town Nutrition Department, with a project budget of \$38,400 to \$38,401 recognizing final payment and the project be closed. The project will be funded from a transfer from General Fund Balance of \$35,901 and NYS Grant Funds of \$2,500.

Increase:	370050.503100.5220	\$ 1.00 – Transfer from General Fund (Revenue)
Increase:	3706772.20000.5220	\$ 1.00 – 2019 Chrysler Pacifica Van-(Expenditure)
Increase:	1009901.0905	\$ 1.00 - General Fund Transfer to Capital (Expense)

Increase: 100060.4795 \$ 1.00 - General Fund Balance (Revenue)

Motion: Carried

G. 2020 Finance Capital Budget Resolution - Capital Project #2019-5213 – 2019 Freightliner-Town Highway

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 Capital Project #2019-5213, entitled “2019 Freightliner” for the Town Highway Department, with a project budget of \$218,032 be closed, and the remaining balance be transferred to Debt Service.

Decrease: 3705110.200.5213 \$.94 – 2019 Freightliner-Town Highway (Expense)
Increase: 3709936.200.5213 \$.94 - Transfer Out/Debt Service (Expense)

Supervisor Levenberg said the following: The next five resolutions are budget adjustments for recent vehicle purchases in our Highway, Parks, and Cemetery departments, where the cost of the vehicles ended up very slightly less than the budget for the capital projects. Now that we have these vehicles in hand and accounted for, we can close out these projects at the true amount of the purchase.

Motion: Carried

H. 2020 Finance Capital Budget Resolution - Capital Project #2019-5214 – 2018 Dodge Ram 3500 -Town Highway

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

Resolved, that the Town Board of the Town of Ossining authorizes Capital Project #2019-5214, entitled “2018 Dodge Ram 3500” for the Town Highway Department, with a project budget of \$71,518 be closed, and the remaining balance be transferred to Debt Service.

Decrease: 3705110.200.5214 \$.50 – 2018 Dodge Ram 3500-Town Highway (Expense)
Increase: 3709936.200.5214 \$.50 – Transfer Out/Debt Service (Expense)

Motion: Carried

I. 2020 Finance Capital Budget Resolution - Capital Project #2019-5215 – 2018 Dodge Ram 3500 -Town Parks

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 Capital Project #2019-5215, entitled “2018 Dodge Ram 3500” for the Town Parks Department, with a project budget of \$56,112 be closed, and the remaining balance be transferred to Debt Service.

Decrease: 3707110.200.5215 \$.50 – 2018 Dodge Ram 3500-Town Parks (Expense)
Increase: 3709936.200.5215 \$.50 – Transfer Out/Debt Service (Expense)

Motion: Carried

J. 2020 Finance Capital Budget Resolution - Capital Project #2019-5216 – 2018 Dodge Ram 4500 -Town Parks

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

Resolved, that the Town Board of the Town of Ossining authorizes Capital Project #2019-5216, entitled “2018 Dodge Ram 4500” for the Town Parks Department, with a project budget of \$96,081 be closed, and the remaining balance be transferred to Debt Service.

Decrease:	3707110.200.5216	\$ 20.25 – 2018 Dodge Ram 3500-Town Parks (Expense)
Increase:	3709936.200.5216	\$ 20.25 – Transfer Out/Debt Service (Expense)

Motion: Carried

K. 2020 Finance Capital Budget Resolution - Capital Project #2019-5217 – 2018 Dodge Ram 4500 -Town Cemetery

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 Capital Project #2019-5217, entitled “2018 Dodge Ram 4500” for the Town Cemetery Department, with a project budget of \$63,029 be closed, and the remaining balance be transferred to Debt Service.

Decrease:	3708810.200.5217	\$.97 – 2018 Dodge Ram 3500-Town Cemetery (Expense)
Increase:	3709936.200.5217	\$.97 – Transfer Out/Debt Service (Expense)

Motion: Carried

L. Calling for a Public Hearing in the matter of the 2021 Cabaret License Renewal for The Briarcliff Manor Restaurant and Catering Corporation

Councilmember Feldman moved and it was seconded by Councilmember Wilcher 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 on Tuesday, April 13th, 2021 at 7:30 p.m. via videoconferencing only, pursuant to the Governor’s Executive Orders 202 and 202.1-202.96, in the matter of the 2021 Cabaret License for the Briarcliff Manor Restaurant and Catering Corporation, 25 Studio Hill RD, Briarcliff Manor, NY 10510.

Supervisor Levenberg said the following: It is cabaret license season again! We received a request from the Briarcliff Manor for their annual cabaret license for 2021, and this resolution is setting the public hearing on this request for our next legislative session.

Motion: Carried

M. Agreement to Participate in the Aquatic Invasive Species (AIS) Watercraft Steward at Ossining Boat Launch

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

Resolved, that the Town Board of the Town of Ossining does hereby agree to participate in the voluntary Aquatic Invasive Species (AIS) Watercraft Steward program at the Ossining boat launch during the 2021 boating season, via the Capital Region Partnership for Regional Invasive Species Management’s (PRISM) Aquatic Invasive Species Spread Prevention Program (AISSPP), hosted by the Cornell Cooperative Extension of Saratoga County, in order to protect the Hudson River from invasive species; and

Be it further Resolved, that the Town Supervisor is authorized to sign any necessary paperwork to initiate the program for the boat launch and beach at Louis Engel Park, subject to approval by Counsel to the Town.

Supervisor Levenberg said the following: Each year, we receive a request from the Cornell Cooperative Extension of Saratoga County to participate in the voluntary Aquatic Invasive Watercraft Steward Program at Louis Engel Park. We are happy to be continuing this relationship again for 2021 and doing all we can to prevent the spread of invasive species in the Hudson River Valley.

Motion: Carried

N. Acceptance of Donation: Little Free Library at Gerlach Park

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 accepts the donation of a pre-constructed Little Free Library and post to be installed at Gerlach Park, valued at approximately \$460, from a group of families in the Greater Teatown Area.

Supervisor Levenberg said the following: A few weeks back, we heard from a few neighbors in the Gerlach Park area who were interested in donating a Little Free Library to be installed at Gerlach Park. We have a great spot picked out near the parking lot, so this library will be accessible even when lots of snow blankets the rest of the park. Thank you to these families for their generous donation, let's get reading!

Motion: Carried

O. Personnel -- Promotion – Nutrition Site Manager

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 hereby promotes Lynn Muller to the part-time (30 hours per week) position of Nutrition Site Manager in the Town of Ossining at a pro-rated annual salary of \$62,143, effective April 1, 2021; and be it further

Resolved, that this appointment is provisional and a probationary appointment of Ms. Muller to the position of Nutrition Site Manger is subject to Ms. Muller's successful completion of the written civil service exam and approval of Westchester County Civil Service.

Supervisor Levenberg said the following: We are very happy tonight to be appointing Lynn Muller into the position of Nutrition Site Manager. Kathy Asaro, who held this position for many years, retired at the end of 2020, and Lynn has been "acting" in this role pretty much since January. Lynn has worked in the program for 20-plus years, loves all of our seniors, and we know, she will do an excellent job. Congratulations Lynn on this much deserved promotion!

Motion: Carried

P. Personnel – Change in Salary – Park Attendant

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 increases the salary of Anthony Greene, part-time availability Park Attendant in the Town of Ossining Parks Department, to \$15/hour, effective April 1, 2021.

Supervisor Levenberg said the following: The rental requests for our pavilions are coming in fast and furious, and we are going to be welcoming back our part-time availability Park Attendant, Anthony Greene, this season. But, since he last worked for the Town in the fall – minimum wage has increased to \$15 per hour, so we need to increase his hourly rate before he gets back to work.

Motion: Carried

Q. Contract – Approval and Extension

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

Resolved, that the Town Board of the Town of Ossining authorizes the Supervisor to sign an initial contract for contract term April 1, 2016 through March 31, 2019, and contract extension, to extend contract term to March 31, 2020, with the New York State Department of State for the purposes of receiving \$22,445 in grant funding through the Local Government Efficiency Program.

Supervisor Levenberg said the following: A few years ago, the Town and Village received grant funding through the Local Government Efficiency grant to explore ways to do just that – make our local governments more efficient! This project resulted in three referenda on the ballot in November 2019 to change the positions of Highway Superintendent, Tax Receiver, and Town Clerk from elected to appointed. Although we still believe these actions would have paved the way for increased efficiency across the Board, the referenda failed. As such, it is time for us to close out this project and receive our reimbursement from the State for the costs incurred up until that point. But first, we need to get the contracts settled and ensure the term covers the November 2019 election and associated costs. We hope this State Program will continue to be a resource to the Town and both Villages into the future and are grateful to the State for this assistance as we work to make our local governments more efficient and work better for all of us.

Motion: Carried

R. Adoption of Town of Ossining Public Employer Public Health Emergency Plan

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

Whereas, in accordance with New York State Labor Law, Article 27-c, public employers, including towns, are required to adopt a plan for operations in the event of a declared public health emergency involving a communicable disease by April 1, 2021; and

Whereas, a plan was drafted by the Town of Ossining addressing operations in the event of a declared public health emergency and circulated to the CSEA and Teamsters units on February 4, 2021 for their review; now therefore be it

Resolved, that the Town Board of the Town of Ossining hereby adopts the “Public Employer Health Emergency Plan for the Town of Ossining” in accordance with the requirements of New York Labor Law, Article 27-c; and be it further

Resolved, that following this adoption the plan will be conspicuously posted, accessible on the Town of Ossining website, and published in the Town of Ossining Employee Handbook in accordance with the requirements of New York Labor Law, Article 27-c.

Supervisor Levenberg said the following: As the resolution states, the Town was required to develop this plan in order to be prepared in the future, should any public health emergencies arise like the COVID-19 pandemic. The plan was presented to this Board in February, shared with our Unions for their review and input, and now we are prepared to adopt the final version of the policy prior to the April 1 deadline.

Motion: Carried

S. Resolution Of Town Board Of Town Of Ossining Adopting A “Complete Streets” Policy

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

WHEREAS, the Town of Ossining strives to be the most livable town in America; and

WHEREAS, livability includes the safe movement of people and goods along all public rights-of-way; and

WHEREAS, the Town can be a leader for the State, setting a precedent for making streets safe and friendly for users of all kinds with a focus on health benefits; and

WHEREAS, Complete Streets is a national movement to plan, design and construct comprehensive, integrated roads that provide for safe and convenient travel along and across the street network by all users: walkers, bicyclists, drivers of various types of vehicles, and riders of public transportation, of all ages and abilities, including children and youth, older adults, and persons with disabilities; and

WHEREAS, the Town has a rich heritage of active (non-motorized) transport and believes that a street environment, streetscape, and sidewalks provide for transportation choice and help establish and retain the Town's remarkable scenic character and the physical setting of its neighborhoods, districts and locales; and

WHEREAS, streets are crucial public spaces, representing major Town infrastructure and a large part of its total land area, and these street environments influence business opportunities and public welfare, shape resident, visitor and shopper experiences, and are a platform for community development; and

WHEREAS, walking and biking on Town streets should be a pleasant and safe activity, and pedestrian traffic is essential to civic life, commerce, and the tourist experience; and

WHEREAS, the Town wishes to encourage walking, biking and public transit as essential forms of transportation that promote public health and independence for all and contribute to overall community economic development; and

WHEREAS, connectivity is essential to link all residents to community resources, such as open space, parks, healthy food, and healthcare services; and

WHEREAS, the equitable supply of safe, alternative means of travel will positively affect the daily lives of the many Town residents who do not drive, or choose not to drive, including older adults, low-income people, people of color, people with disabilities, and children; and

WHEREAS, the planning and design of pedestrian, bicycle, and transit infrastructure offers economical personal transportation and long-term cost savings for the Town; and

WHEREAS, increased pedestrian activity will aid the vitality of the Town's commercial districts and reduce traffic congestion; and

WHEREAS, the Town acknowledges that Complete Streets increases community well-being by addressing the challenges of air and water contamination, stormwater, climate change, traffic congestion, civic and economic renewal, and sprawl; and

WHEREAS, the Town recognizes the public safety benefits of Complete Streets, where more people walking and bicycling on our streets means more "eyes on the streets"; and

WHEREAS, many walking and biking injuries and fatalities are preventable and the rates of severe injuries and deaths would likely decrease using a Complete Streets approach; and

WHEREAS, limited opportunities to integrate exercise into daily activities contributes to increased obesity and correlates with adverse health consequences like diabetes, heart disease, stroke, asthma, low self-esteem, depression, and other debilitating diseases; and

WHEREAS, the Town is committed to reversing the childhood obesity epidemic by facilitating environmental change and improvements so that children throughout the Town can readily travel to schools and parks. Increasing the number of children walking to school will also reduce traffic congestion; and

WHEREAS, Complete Streets enhances safe walking and bicycling options for school-age children, in recognition of the objectives of the National Safe Routes to School Program and the Centers for Disease Control and Prevention's Physical Activity Guidelines; and

WHEREAS, local focus on Complete Streets is consistent with the State and Federal policies to integrate pedestrian and bicycle facilities more fully in overall transportation planning, implementation and operations; and

WHEREAS, Complete Streets is supported by the Institute of Traffic Engineers, American Planning Association, American Association of Retired Persons, and many other transportation, planning and public health professionals and organizations;

NOW, THEREFORE, BE IT RESOLVED, that the Town recognizes the importance of creating Complete Streets that enable safe travel by all users, including pedestrians, bicyclists, public transportation riders and drivers, and people of all ages and abilities, and it is a Town goal to foster transportation choices and the corresponding health benefits by developing a Complete Streets program, initiated by the Town Board in coordination with Town staff and boards and with guidance from designated Town committee(s);

BE IT FURTHER RESOLVED, that the Town supports education about Complete Streets and its benefits through events, programs, outreach, and incentives; and

BE IT FURTHER RESOLVED, that it is the intent of the Town's Complete Streets Policy to recognize that pedestrians, bicyclists, transit riders and people with disabilities are as important as motorists in the planning and design of street and bridge construction, reconstruction and upgrades and as part of new street development within the Town; and

BE IT FURTHER RESOLVED, that the Town considers each transportation plan and project as an opportunity to explore the potential to improve safety, access, and mobility for all travelers and to position bicycling, walking, and transit as integral elements of the local transportation system; and

BE IT FURTHER RESOLVED, that the purpose of the Complete Streets program will be to explore the potential to advance the Town's adoption of Complete Streets practices by forming complementary recommendations. The Complete Streets program will coordinate the Town staff and boards with local non-profits and civic organizations, such as walking, biking and recreation clubs, local schools, health organizations, business groups, arts organizations, and other interested parties, to:

- Through the comprehensive plan, explore goals, rationales, and indicators for Complete Streets and active transport;
- Inventory and evaluate how well the streets and transportation network of the Town are serving each category of users;
- Inventory and evaluate existing land use and zoning codes, regulations, policies and procedures;
- Review and update land-use policies and regulations as necessary and appropriate to incorporate Complete Streets and smart growth principles, which may include a mix of land uses, compact design, housing diversity, walkability, open space and natural resource preservation, and development that fosters a variety of transportation options and economic and sustainable development;
- Support transit use, create a sense of enclosure at the pedestrian scale that encourages walking, and develop design guidelines (both natural and hardscape landscaping) and definitions to balance the needs of all users for different street types including residential, parkway, commercial corridor, arterial and bridges;
- Identify desired projects and redesigns and options for achieving a quality community and street environment, including improved accessibility;
- Identify and prioritize resources and funding for Complete Streets initiatives and policies that promote easy access to jobs, services, and amenities, including maintenance and enforcement of these assets;
- Create training and educational opportunities, including for transportation officials; and
- Assess opportunities to integrate, accommodate, and balance the needs of all users in street and bridge projects and address potential obstacles to implementing Complete Streets practices in the Town of Ossining.

BE IT FINALLY RESOLVED that the Town Board intends for Ossining to achieve Complete Streets over time, project by project, and drawing on all possible funding sources to attain the financial flexibility necessary to implement Complete Streets.

Supervisor Levenberg said the following: If you joined us for our Work Session last week, we heard from Jessica Bacher from Pace Land Use Law Center about this policy and how it was amended to reflect input from the Comprehensive Plan Steering Committee. As a reminder, by adopting this policy, we are meeting one of our tasks in a grant funded project we are working on with Pace Land Use Law Center. But ultimately, we are putting into writing some legislative and policy priorities that have really been in place for quite some time. We always strive to make our streets more accessible for all users, and hope this resolution will continue to keep us focused on that goal.

Motion: Carried

T. Resolution Scheduling Town Board Meeting for March 30, 2021

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

Whereas, the Town does not have a police agency operating with police officers and currently contracts with the Village of Ossining to provide police services to the Town; and

Whereas, the Village has engaged in the process required by the Governor’s Executive Order 203 to establish a plan to improve police practices; and

Whereas, the Town Board understands that the Village Board will consider ratifying/adopting the plan at its March 24, 2021 meeting; and

Now therefore,

Be it Resolved, the Town Board hereby schedules a meeting to be held on Tuesday, March 30, 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 considering a resolution to ratify the plan should it be adopted by the Village Board at its March 24, 2021 meeting; and

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

Supervisor Levenberg said the following: Even though next week is a Fifth Tuesday, we are scheduling a special meeting specifically to consider ratifying the Village of Ossining’s Police Reform and Reinvention Plan. As I am sure most of you remember, Governor Cuomo enacted an Executive Order in June mandating all police departments across the State take part in this important effort aimed at improving police practices in response to calls across the Country to improve the safety and lives of people of color, specifically as it relates to interactions with police. Failure to do so could result in loss of State funding. As the Town has not had its own police force since 2011 and currently contracts with the Village of Ossining for these services, we believe it makes the most sense to recognize the work the Village has undertaken with the community task force and ratify their plan to assure compliance with the Exec Order. To do so in advance of the April 1st deadline, but after the Village has ratified this plan, we will see you on a fifth Tuesday, next week, after all!

Motion: Carried

U. Public Hearing on Local Law to amend Zoning Map regarding Battery Energy Storage Systems

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

WHEREAS, an application was made by Borrego Solar Systems Inc. (the “Applicant”) to construct a standalone battery energy storage system that would be used to supplement power to the local power grid at peak hours by utilizing New York State’s Value of Distributed Energy Resources (VDER) mechanism (the “Proposed Project”), on property owned by the Archdiocese of New York (St. Augustine Church) located at 381 North Highland Avenue, Ossining, New York and shown on the Town of Ossining tax map as Section 81.18, Block 2, Lot 1 (the “Property”); and

WHEREAS, the Proposed Project is a Tier 2 Battery Energy Storage System as defined in Zoning Code § 200-53.A and subject to the regulations of Zoning

Code § 200-31.4, which would require the Town Board to adopt a local law to amend the Town’s Zoning Map to include the Property in the Tier 2 battery energy storage system floating zone; and

WHEREAS, should the Town Board grant the above-referenced amendments to the Zoning Map, the Proposed Project will also require site plan approval and a conditional use permit from the Town of Ossining Planning Board (“Planning Board”); and

WHEREAS, the Applicant previously appeared before the Town Board at a work session to discuss the Proposed Project and provide additional information to the Town Board; and

WHEREAS, the Planning Board served as lead agency for a coordinated review pursuant to the State Environmental Quality Review Act, and at its meeting on March 17, 2021, the Planning Board adopted a Negative Declaration finding the Proposed Project does not have the potential for any significant adverse environmental impacts and also recommended approval of the floating zone by the Town Board in accordance with Zoning Code § 200-52; and

NOW THEREFORE,

BE IT RESOLVED, the Town Board hereby calls for a public hearing to be held on April 13, 2021 at 7:30 p.m. via videoconferencing in accordance with the Governor’s Executive Orders 202.1 and 202.15 as subsequently extended, to consider a local law applying the Tier 2 battery storage energy system floating zone to the Property; and

BE IT FURTHER RESOLVED, the Town Board hereby directs the Town Clerk to provide notice of said public hearing as required by law.

Supervisor Levenberg said the following: A few weeks ago, we heard from the folks at Borrego Solar about a proposed Battery Energy Storage System proposed to be sited on property owned by the Archdiocese via St. Augustine’s Church on North Highland Avenue. The project has now completed SEQR review before the Planning Board, and the Town Board needs to consider adding this property to the newly created battery energy storage zone for these types of projects, before it heads back to the Planning Board for final site plan approval. This is done by local law, so the first step will be to hold a public hearing on April 13 on this change.

Motion: Carried

VII. VISITOR RECOGNITION

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

VIII. ADJOURNMENT

At 8:45 P.M., Councilmember Shaw motioned to adjourn to Executive Session for personnel, advice of counsel, and contracts and Councilmember Feldman seconded.

Motion Carried: Unanimously

At 9:29 P.M., Councilmember Wilcher motioned to leave Executive Session and Councilmember Shaw seconded.

Motion Carried: Unanimously

At 9:29 P.M., Councilmember Feldman motioned to adjourn the Regular Meeting and Councilmember Wilcher seconded.

Motion Carried: Unanimously

Approved:



Susanne Donnelly, Town Clerk