



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

March 28, 2023
REGULAR MEETING
7:30 P.M.

SUPERVISOR
Elizabeth R. Feldman

COUNCILMEMBERS
Gregory G. Meyer Angelo A. Manicchio
Jennifer Fields-Tawil Matthew J. Weiss

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 28, 2023 at the Municipal Building, 16 Croton Ave, Ossining, NY 10562 AND via video conference. The meeting was called to order at 7:30 PM by Supervisor Elizabeth R. Feldman. Members of the Board present were: Councilmembers Gregory G. Meyer, Angelo A. Manicchio, Jennifer Fields-Tawil, Matthew J. Weiss also present were Town Counsel Christie Tomm-Addona, Budget Officer Martha C. Quituisaca, and Town Clerk Susanne Donnelly.

II. DEPARTMENTAL REPORT

- **Town Clerk Susanne Donnelly.**
 - **The First Quarter has bought some changes to the Clerks office with Martha C. Quituisaca moving up to the Supervisor's Office. Jeaneth V. Guinansaca has taken over the role of Deputy Town Clerk. Jennifer Criollo is becoming an asset to the office as our part timer.**
 - **We have been very busy in both the Town and Village functions.**
 - **Fishing seasons starting on Saturday April 1st. We have been selling plenty fishing licenses to those who want to start off this season correctly.**
 - **Vital record which is a Town function is very busy this quarter with marriages, deaths and I believe we have two births in Ossining. Since we do not have a hospital in Ossining, we rarely have births.**
 - **Getting ready for Boat Ramps launch season.**
 - **Dog Licensing during the month of May with a June 1st start. We want to remind everyone that their Dog must be registered and licensed with the Town. It is a yearly license that starts on June 1st of every year, even if you got your license recently in the past few months you must renew your license again during the month of May-June. All dogs must be licensed if they are older than fourth months old and they have had their Rabies shot. If your dog is lost and taken to SPCA you must prove you have a license and if not the process of getting your dog back takes longer because you have to license you dog before he/she can be released. If there is not rabies certificate, the SPCA will have to administer it before the dog is released it is for everyone's protection as well as the health and well-being of your dog.**

- Laserfiche is there with it's electronic filing cabinet for the Town and Village. We will be using to maintain files for every Department including the Town Court. This will not happen overnight and we are looking for Grands to scan in at least the past three years. We thank the Town Board members and the department Staff who attended the training and they will be responsible for scanning files for the future generations so it is easier to access.
- As of today March 28, 2023 a law went into effect actually with San Diego Law. It is a One Day Marriage officiant license that will take effect if you having an officiant other than a Clerk or marriage officiant from a Town or Village. They must go to the place where you purchased your marriage license and either come in or ask us to mail the form. The cost \$25.00. if the forms are done in front of us, it does not need to be notarized.
- Village and Town of Ossining have passed a legislation for Firefighter exemption. We're getting them in again for the Town if you sign it in front of us with your driver's license you don't have to get notarized but if it come to us by mail, it must be notarized.
- Postcard. Everyone in the Village and the Town got a postcard about saving on your taxes especially if you are Senior citizen. We want to stress everyone that if you got the postcard and it does not apply to you, please don't come in this is only for Senior Exemption program. Please call 914-762-8428 if there are questions, we will direct you to the Assessor's office maybe you could make an appointment to come in and avoid the waiting process at the office.

III. SUPERVISOR AND TOWN BOARD ANNOUNCEMENTS

A moment of silence for the victims of the senseless gun violence that occurred yesterday at Nashville Elementary School

The Town of Ossining is excited to announce the appointment of our new Tax Assessor Michael Fouassier. Michael comes to us from the NYC Department of Finance Office of Real Property and Tax Operations. We look forward to him officially joining our team in April.

- **Please keep an eye out for a senior citizens exemption postcard that the Assessor's office will be mailing out to seniors who may qualify for this exemption if you have any questions, please reach out to the Assessor's office or online at the town of Ossining webpage**
- **This Thursday, March 30th the Youth Bureau will be at the Ossining High School Cafeteria holding a summer youth employment program from 12:30 – 4:00 PM.**
- **This Thursday Gullotta House will be serving free hot meals at 4:30 PM at the Stop and Shop parking lot.**
- **As the Tax deadline approaches the AARP is still having tax aid at the Budarz theater until April 3rd please call ahead at 914-810-3384 to make an appointment**
- **Tomorrow the Sing-Sing Kill Brewery will be having a women's history trivia featuring town historian Caroline Curvan 7:00 PM -9:00 pm.**
- **Mike Risko will be holding their Rock Band Showcase night tomorrow at the Maya Riviera Bar & Restaurant.**
- **This Friday the Boat & Canoe club will be having a Fish, Swim, Drink in Ossining about the progress toward meeting Clean Water Act goals in the Act's 50th anniversary year talk led by Mr. Dan Shapley starting at 7 PM.**
- **This Saturday, April 1st the easter bunny will be visiting Ossining on a fire truck starting at 9:30 AM.**
- **Bethany Arts is also still taking applications for the young artist residency program for artists ages 21-30 applications will be due April 26, 2023.**

- Join us for Green Ossining’s 13th annual Earth Day festival Saturday, April 22nd from 10:00 AM – 5:00 PM at the Louis Engel waterfront park.

IV. LIAISON REPORTS

V. PUBLIC COMMENT ON AGENDA ITEMS

VI. BOARD RESOLUTIONS

A. Approval of Minutes—Regular Meeting – March 14, 2023

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

Resolved, that the Town Board of the Town of Ossining hereby approves the March 14, 2023 minutes of the Regular Meeting as presented.

Motion: Carried

B. Approval of Minutes—Special Meeting – March 21, 2023

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

Resolved, that the Town Board of the Town of Ossining hereby approves the March 21, 2023 minutes of the Special Meeting as presented.

Motion: Carried

C. Approval of Voucher Detail Report

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

Resolved, that the Town Board of the Town of Ossining hereby approves the Voucher Detail Report dated March 28, 2023 in the amount of \$283,956.73.

Motion: Carried

D. Finance- 2022 Adjust and Close Capital Project #2020-5226 – 2020 Comprehensive Plan-Planning

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

Resolved, that the Town Board of the Town of Ossining authorizes adjusting the 2020 Capital Project #2020-5226, entitled “2020 Comprehensive Plan” for the Town Planning Department, with an original project budget of \$143,000 to an adjusted project budget of \$143,239.91, and adjusting funding allocations. The additional project amount due from the Town of \$19,737.23 will be funded from a transfer from General Fund Balance of \$2,368.47 and TOV Fund Balance of \$17,368.76 and NYS Grant funds reduced to \$80,502.68.

Adjusted Capital Projects Fund Appropriations:

<u>Account No.</u>	<u>Account Name</u>	<u>Amount</u>
370 8020.200.5226	2020 Comprehensive Plan	<u>\$143,239.91</u>

Total Capital Projects Fund Appropriations	\$143,239.91
--	--------------

Adjusted Capital Projects Fund Estimated Revenues:

<u>Account No.</u>	<u>Account Name</u>	<u>Amount</u>
370 0300.308900.5226	NYS Grant Funds	\$ 80,502.68
370 0500.503100.5226	I/F Transfer General	7,528.47
370 0500.503120.5226	I/F Transfer TOV	<u>55,208.76</u>

Total Capital Projects Fund Estimated Revenues	\$143,239.91
--	--------------

Increase General Fund Appropriations:

<u>Account No.</u>	<u>Account Name</u>	<u>Amount</u>
100 9550.905000	Transfer to Capital	<u>\$ 2,368.47</u>

Total Increases to General Fund Appropriations	\$ 2,368.47
--	-------------

Increase General Fund Estimated Revenues:

<u>Account No.</u>	<u>Account Name</u>	<u>Amount</u>
100 0600.4795	General Fund Balance	<u>\$ 2,368.47</u>

Total Increase to General Fund Estimated Revenues	\$ 2,368.47
---	-------------

Increase Town Unincorporated Fund Appropriations:

<u>Account No.</u>	<u>Account Name</u>	<u>Amount</u>
200 9901.905000	Transfer to Capital	<u>\$ 17,368.76</u>

Total Increases to Town Unincorporated Fund Appropriations	\$ 17,368.76
--	--------------

Increase Town Unincorporated Fund Estimated Revenues:

<u>Account No.</u>	<u>Account Name</u>	<u>Amount</u>
200 0600.4795	TOV Fund Balance	<u>\$17,368.76</u>

Total Increase to Town Unincorporated Fund Estimated Revenues	\$17,368.76
---	-------------

Motion: Carried

E. Finance- 2023 Adjust Capital Project #2022-5235 – 2022 Freightliner Packer Truck-Highway

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

Resolved, that the Town Board of the Town of Ossining authorizes adjusting the 2022 Capital Project #2022-5235, entitled “2022 Freightliner Packer Truck” for the Town Highway Department, with an original project budget of \$200,000, adjusted to \$296,669.57 representing final cost proposal. The additional capital project amount of \$96,669.57 will be funded from a transfer from Highway Fund Balance.

Increase Capital Projects Fund Appropriations:

<u>Account No.</u>	<u>Account Name</u>	<u>Amount</u>
370 5110.200.5235	2022 Freightliner Packer Truck	<u>\$96,669.57</u>

Total Increases to Capital Projects Fund Appropriations	\$96,669.57
---	-------------

<u>Increase Capital Projects Fund Estimated Revenues:</u>		
<u>Account No.</u>	<u>Account Name</u>	<u>Amount</u>
370 0500.503131.5235	I/F Transfer from Highway Fund	<u>\$96,669.57</u>
Total Increase to Capital Projects Fund Estimated Revenues		\$96,669.57

<u>Increase Highway Fund Estimated Expenditures:</u>		
<u>Account No.</u>	<u>Account Name</u>	<u>Amount</u>
310 9901.905	I/F Transfer to Capital Fund	<u>\$96,669.57</u>
Total Increase to Highway Fund Estimated Expenditures		\$96,669.57

<u>Increase Highway Fund Estimated Revenues:</u>		
<u>Account No.</u>	<u>Account Name</u>	<u>Amount</u>
310 0600.4795	Highway Fund Balance	<u>\$96,669.57</u>
Total Increase to Highway Fund Estimated Revenues		\$96,669.57

Motion: Carried

F. Resolution in Opposition to the Discharge of Contaminated Water into the Hudson River

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

WHEREAS, the company decommissioning the Indian Point nuclear power plant has announced its intention to release water from onsite radioactive fuel waste pools into the Hudson River; and

WHEREAS, to date there has been no specific reporting of the radionuclide contents of this water which is heavily contaminated from the storage of the nuclear fuel waste; and

WHEREAS, pre-release filtration to remove these isotopes has been presented as a solution to reduce the content of these carcinogenic contaminants to a level “as low as reasonably achievable;” and

WHEREAS, the National Academy of Sciences has indicated that there is no verifiable safe level of these isotopes when they are ingested or inhaled; and

WHEREAS, such pre-release treatment would not remove tritium, also carcinogenic, from the water; and

WHEREAS, any contaminants in the Hudson present the risk of entering the food chain; and

WHEREAS, there are community members who depend on fish from the river as a food source; and

WHEREAS, in addition, there are seven communities upriver who source their drinking water from the Hudson; and

WHEREAS, since the River is an estuary that flows from south to north as well as from north to south, this fact must be considered; and

WHEREAS, the river also serves as a source of recreational activities and represents an economic resource that will be endangered by this reckless action; now therefore be it

RESOLVED, that the Town of Ossining strongly opposes the plan to release over a million gallons of contaminated water from the Indian Point Nuclear Power Plant site into the Hudson River.

Motion: Carried

G. Permission to Sell Alcohol at Town of Ossining Earth Day

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

Resolved, that the Captain Lawrence Brewing Company, 6 Degrees or Less Brewery, and Sing Sing Kill Brewery are each authorized to operate a concession stand during the Earth Day Event held on April 22, 2023 at the Louis Engel Waterfront Park in the Town of Ossining and to sell, for consumption by persons over 21 years of age, at the event the companies' beer products. Captain Lawrence Brewing Company, Six Degrees or Less Brewery, and Sing Sing Kill Brewery will obtain, with consent from the Town, all necessary permits including an event permit from the New York State Liquor Authority and will provide proof of insurance and the letter of indemnity to the Town in a form acceptable to Counsel to the Town

Motion: Carried

H. Tax Payment Plan – 258 South Highland Avenue

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

WHEREAS, the Town of Ossining is required to collect County and School District taxes with the onus on the Town to make these taxing jurisdictions whole for any uncollected taxes; and

WHEREAS, the Town Board, pursuant to Chapter 180, Article 5 of the Town Code, as authorized by New York Real Property Tax Law Section 1184, may enter into an installment plan for payment of all delinquent taxes, as well as interest and penalties, and the Town Board does occasionally, and its sole discretion, grant such a plan, provided the owner, the property and the payment plan meet the requirements of the Town Code and State Law;

WHEREAS, the Receiver of Taxes has been approached by a property owner requesting a short-term payment plan for delinquent taxes on the property at 258 South Highland Avenue, Tax Parcel ID 97.19-1-46 which proposed payment plan complies with the Town Code and State Law; and

NOW THEREFORE,

BE IT RESOLVED, that the Town Board hereby grants the aforementioned payment plan to the owner of the property at 258 South Highland Avenue, with the understanding that this sets no precedent going forward for this or any other property in the future.

Motion: Carried

I. Contract – Fifth Asset, Inc., D/B/A Debtbook

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

Resolved, that the Town Board of the Town of Ossining hereby authorizes the Supervisor to sign an agreement with Fifth Asset, Inc., D/B/A Debtbook, PO Box 667950, Charlotte, NC 28266, to can enter all lessee/lessor transactions to populate future values to be compliant with GASB 87 (2022), and GASB 96 requirements (2023).

Motion: Carried

J. Resolution – Authorization of Fireworks Contract

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

BE IT RESOLVED, the Town Board hereby authorizes the Supervisor to enter into an agreement with Legion Fireworks Co., Inc. to provide a fireworks display for the Town’s Independence Day celebration at Louis Engel Park on July 3, 2023 (with a rain date of July 7, 2023) at an amount not to exceed \$25,000, which agreement shall be in a form acceptable to the Town’s counsel and insurance advisers.

Motion: Carried

K. Resolution – Stormwater Control Facility Maintenance Agreement

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

WHEREAS, as a condition of the subdivision approval granted by the Planning Board for 39 Stormytown Road, Chocolate Sky LLC (as the Applicant) is required to enter into a Stormwater Control Facility Maintenance Agreement to ensure the applicant constructs, maintains, repairs and/or replaces, as necessary, stormwater management and erosion control facilities that are part of the subdivision; and

NOW THEREFORE,

BE IT RESOLVED, that the Town Board authorizes the Supervisor to execute the Stormwater Control Facility Maintenance Agreement with Chocolate Sky LLC and any other documents reasonably necessary to facilitate the objectives of this Agreement, including recording this Agreement with the County Clerk.

Motion: Carried

L. Resolution – Declaring boat as surplus

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

WHEREAS, in 2018, a member of the public donated to the Town a 21-foot 1984 Freedom 21 sailboat for the Ossining Recreation Department Sailing Program (the “Boat”); and

WHEREAS, while the Town is very appreciative of this donation, the Boat, which was already over 30 years old when it was acquired by the Town, has served its useful life and can no longer provide the services needed for the Sailing Program; and

WHEREAS, there are no other Town Departments that could feasibly utilize the Boat; and

NOW THEREFORE,

BE IT RESOLVED, the Town Board hereby declares the 21-foot 1984 Freedom 21 sailboat as surplus property for which the Town has no use.

Motion: Carried

M. Resolution – Contract with AllPaid

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

BE IT RESOLVED, in furtherance of the resolution adopted by the Town Board on February 28, 2023 regarding entering into a contract with Fundamental Business Service, Inc. for the issuing, processing and collecting of parking tickets within the Village of Ossining that are adjudicated in Town Court, the Town Board hereby authorizes the Town Supervisor to enter into a contract with AllPaid, Inc. to administer the payment of the parking ticket fees, with no money to be paid by the Town and AllPaid’s fees to be a percentage of the ticket, which agreement shall be subject to approval by Counsel to the Town as to form.

Motion: Carried

N. Standard Work Day and Reporting Resolution for Elected and Appointed Officials

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

BE IT RESOLVED, that the Town of Ossining/30042 hereby established the following standard work days for these titles and will report the officials to the New York State and Local Retirement based on their record of activities:

Name	Social Security Number	NYSLRS ID	Title	Current Term Begin & End Dates	Standard Work Day	Record of Activities Result	Not Submitted	Pay Frequency	Tier 1
Elected Officials:									
Jeffrey W. Gasbarro	2944	R11953732	Town Justice	1/1/21-12/31/24	7	8.16	<input type="checkbox"/>	Biweekly	<input type="checkbox"/>

Motion: Carried

VII. CORRESPONDENCE TO BE RECEIVED AND FILED

VIII. MONTHLY REPORTS:

Councilmember Meyer moved and it was seconded by Councilmember Weiss that the following monthly report be received.

- Town Clerk, February 2023

IX. VISITOR RECOGNITION

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

X. ADJOURNMENT

At 8:07 P.M., Councilmember Meyer motioned to adjourn to Executive Session for advice of counsel and personnel contract, and Councilmember Meyer seconded.

Motion Carried: Unanimously

At 9:00 P.M., Councilmember Meyer motioned to leave Executive Session and Councilmember Weiss seconded.

Motion Carried: Unanimously

At 9:00 P.M., Councilmember Meyer motioned to adjourn the Regular Meeting and Councilmember Weiss seconded.

Motion Carried: Unanimously