

MINUTES
TOWN BOARD
TOWN OF OSSINING
HELD VIA VIDEO CONFERENCING ONLY

FEBRUARY 22, 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 February 22, 2022 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 11.3 which continues the suspension and modification of the Open Meetings Law through March 16, 2022. 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, Angelo A. Manicchio, and Jennifer Fields-Tawil. Also present were Town Counsel Christie Tomm-Addona, Budget Officer Victoria Cafarelli, and Deputy Town Clerk Martha C. Quituisaca.

II. SUPERVISOR AND TOWN BOARD ANNOUNCEMENTS

Supervisor Levenberg said the following:

Ossining's celebration of Black History Month continues, with many events scheduled around town through the end of the month – and into March, too! Bethany Arts Community will be holding a Paint and Poetry Jam this Friday, February 25 from 7pm to 9pm with spoken word artists and paint artists creating art together, bringing each other's works to life. The Ossining Public Library is celebrating Black Superheroes this week and next with a showing of Black Panther tomorrow, Wednesday, February 23 at 6pm in the Teen Room (I hear there will be pizza!) and their first Black Superheroes Showcase in the Children's Room on Monday, February 28 at 4:15pm. There will be graphic novels, comics, and artwork featuring lesser known superheroes as well as trivia, a scavenger hunt, and much more! Also tonight, as in right now, the Ossining branch of the NAACP is hosting the fourth in a series of 4 special zoom events. This and even more events are featured in my Supervisor's Update under "Celebrating Black History Month" if poetry, paint, or superheroes are not your faves.

Tomorrow afternoon, Wednesday, February 23 at 5pm, our representative to the County Board of Legislators, Catherine Borgia – who happens to now be the Chair of the Board of Legislators, congratulations Catherine! – will be sitting down with Westchester County Executive George Latimer for a virtual chat on the Westchester County Facebook page. Submit your questions in advance to communications@westchestergov.com or via the Facebook Live comments during the event. The Westchester County Facebook page is public, so you do not need a Facebook account to participate in the event – just visit www.facebook.com/westchestergov at 5pm tomorrow.

We are happy to report that the Ossining Boat & Canoe Club's Friday Talks are back with a presentation this Friday, February 25 at 7:30pm. This Friday's

theme is “The State of the Hudson River Fish” led by Dr. George Jackman, Senior Habitat Restoration Manager from Riverkeeper.

III. ADMINISTRATIVE REPORT ON TOWN OPERATIONS

Supervisor Levenberg said the following:

Last week, the Parks Department began the demolition of the Reuben House at Cedar Lane Park. We were sad to see the Reuben House go, but unfortunately, the house was in an advanced state of disrepair, so it was the only viable option and has been so for some time. The Parks Department completed the bulk of the demolition last week, but work continues this week. Please note the Dog Park is closed again tomorrow and Thursday from 7am to 5:30pm while the Parks department continues this project.

At last Tuesday’s Town Hall meeting, we had a presentation on the draft of our new Comprehensive Plan, Sustainable Ossining. Later on in tonight’s agenda, we have a resolution to open the public hearing on our Comprehensive Plan at our next legislative session, March 8. But no need to wait! It is not too early to start submitting your comments! A comment form will be open on the project website, www.SustainableOssining.com, through the end of this week (February 25), so please do take the time now to review the draft and start submitting comments.

Yesterday and today, Town staff members have been participating in the annual Association of Towns Conference, which is being held virtually for the second year in a row due to COVID. At this conference, we heard from elected officials at other levels of government including US Senators Chuck Schumer and Kirsten Gillibrand, NYS Governor Kathy Hochul, NYS Attorney General Letitia James, NYS Comptroller Tom DiNapoli, and NYS Senator Liz Krueger regarding funding and programs for local governments. It is great to hear that at the federal and state levels, there is unprecedented funding available to municipalities through programs like ARPA, AIM, CHIPS, and more. These funding programs are critical to improving our infrastructure, while limiting our local tax burden. At this year’s conference, there were programs relevant to many of our Town departments on topics ranging from cannabis regulations, procurement, and the latest law updates for Town Clerks, Tax Receivers, and more. We are looking forward to taking what our staff learned at this conference and putting our new knowledge into practice in the coming months.

Speaking of cannabis regulations, our Town Attorney Christie Tomm Addona, Town Planner Valerie Monastra, and Victoria Cafarelli from my office participated in a meeting last week with the NYS Office of Cannabis Management. This meeting was one of many virtual conversations held around the State in anticipation of the cannabis regulations being released in the coming months. We are still quite a ways away from actual licenses being issued by NYS to operate dispensaries, but it is good to hear that the state is carefully crafting regulations with public health and equity at the forefront. We will be continuing the conversation locally with regard to zoning regulations in the coming months as well. But, something important to note is that although the consumption of cannabis is legal in NYS, sales are not legal yet. So please be wary of any establishments or individuals claiming to sell legalized cannabis in NYS, because the state has not started issuing licenses. The products being sold are therefore not being regulated, and could be dangerous. For information regarding regulations and licenses, please visit cannabis.ny.gov or follow the Office of Cannabis Management on Twitter at @nys_cannabis.

IV. LIAISON REPORTS

Councilmember Manicchio spoke about the Recreation Advisory Board. He joined the RAB to visit and look over Ryder Park. He spoke about updating the fencing at the park and having it be a capital project.

Councilmember Feldman spoke about the Ossining Boat & Canoe Club’s Friday Talks Series returning after a two year hiatus. People can learn about joining the OBCC and becoming new members the second Wednesday of every month.

V. PUBLIC COMMENT ON AGENDA ITEMS

Jaimie Black, Ossining, asked questions about the kitchen at the Senior Center.

VI. BOARD RESOLUTIONS

A. Approval of Minutes—Regular Meeting – February 8, 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 February 8, 2022 minutes of the Regular Meeting as presented.

Motion: Carried
Abstain: Fields-Tawil

B. Approval of Minutes— Special Meeting – February 15, 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 February 15, 2022 minutes of the Special Meeting as presented.

Motion: Carried
Abstain: Fields-Tawil

C. Approval of Voucher Detail Report

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

Resolved, that the Town Board of the Town of Ossining hereby approves the Voucher Detail Report dated February 22, 2022 in the amount of \$184,876.74 for 2021 and \$592,977.73 for 2022 for a grand total of \$777,854.47.

Supervisor Levenberg said the following: We have another hefty voucher run this week, as we true up our IMAs with the Village of Ossining for 2021, and also make our monthly payments on 2022 IMAs and health insurance.

Motion: Carried

D. Ossining Volunteer Ambulance Corps Agreement 2022-2024

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

Resolved, following the approval of the Mid-Hudson Ambulance District (MHAD) Board, the Town Board of the Town of Ossining hereby authorizes the Supervisor to sign the emergency medical transport agreement with the Ossining Volunteer Ambulance Corps, Inc., on behalf of the MHAD, effective January 1, 2022 through December 31, 2024.

Supervisor Levenberg said the following: At its last meeting, the Board of the Mid Hudson Ambulance District approved another four year contract with OVAC as the operator of emergency medical transports for the district. As

is past practice, the Ossining Town Supervisor signs the agreement on behalf of the district, so this resolution will authorize me to do so.

Motion: Carried

E. Planning Board – Resignation

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, with regret, the resignation of Jesus Lopez from the Town Planning Board, effective February 4, 2022.

Supervisor Levenberg said the following: We are sorry to see Jesus Lopez go, but we are grateful for him stepping up first as alternate and then as a full member when Ching Wah Chin resigned last year. We understand that volunteering on a board like the Planning Board is a big time commitment, so we appreciate Jesus stepping down as a result of other time commitments he has.

Motion: Carried

F. Proposal for Assistance in Preparation of the MS4 Annual Stormwater Report for Program Year 2021-2022

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 accepts the proposal from AI Engineers, Dolph Rotfeld Engineering Division, Elmsford, NY for Assistance in Preparation of the MS4 Annual Stormwater Report for Program Year 2021-2022, at a fee of \$3,000.

Supervisor Levenberg said the following: The Town is required to complete an annual Stormwater report, and every year we have turned to the experts at Dolph Rotfeld Engineering to help us in the development of our annual report. We are grateful for their expertise, and look forward to preparing another stellar report.

Motion: Carried

G. Additional Services for 2022 – Dolph Rotfeld Engineers – McCarthy Drive Construction Administration

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 an additional expenditure of \$60,000 for Construction Administration Services on the McCarthy Drive Road Rehabilitation and Water Main Replacement with AI Engineers Company, Dolph Rotfeld Engineering Division, Elmsford, NY with hourly rates for necessary personnel set forth in the proposal dated December 23, 2020.

Supervisor Levenberg said the following: Dolph Rotfeld Engineers have also been overseeing the construction administration on the McCarthy Drive project. As this project continues into 2022, we need to approve an additional expenditure of \$60,000 for these very important services. We are still more than covered in our capital project line with what we borrowed to account for these additional services.

Motion: Carried

H. Proposal – TriMark Food Service Equipment, Supplies, and Design

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 accepts the proposal dated February 4, 2022 from TriMark Food Service Equipment, Supplies, and Design for kitchen equipment for the Senior Nutrition Program, with pricing established by Sourcewell Contract #091918-TMK, for a price not to exceed \$184,545.00.

Supervisor Levenberg said the following: The Town received a grant to renovate the Senior Nutrition Program kitchen through the Community Development Block Grant program, which is a federal grant administered by Westchester County. In order to meet our grant deadlines, we need to spend down our grant by purchasing the required kitchen equipment for the renovation. Since we are able to order this equipment off of the Sourcewell Purchasing Consortium, we are confident we are getting competitive pricing without needing to undergo additional administrative steps. Once the equipment arrives – which we anticipate will take at least another few months – we will get started on construction.

Motion: Carried

I. Resolution – Draft Comprehensive Plan

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

WHEREAS, for more than two years, the Town Board, with the assistance of the Steering Committee comprised of Town residents, stakeholders and officials, has been preparing a new comprehensive plan with public input and participation; and

WHEREAS, a draft comprehensive plan has been completed entitled Sustainable Ossining dated January 27, 2022; and

WHEREAS, the Town Board is the only involved agency pursuant to the State Environmental Quality Review Act (“SEQRA”) for the review and adoption of the comprehensive plan; and

WHEREAS, the Town’s consultant planners have prepared a SEQRA Full Environmental Assessment Form, Part 1; and

WHEREAS, the Town Board desires to circulate the draft comprehensive plan to other interested agencies and begin the public hearing process; and

NOW THEREFORE,

BE IT RESOLVED, the Town Board hereby declares itself lead agency pursuant to SEQRA; and

BE IT FURTHER RESOLVED, pursuant to General Municipal Law 239-m, applicable Town staff shall circulate notice of the Town Board’s consideration of the draft comprehensive plan and all applicable documents and information to the Westchester County Planning Board and those municipalities abutting the Town; and

BE IT FURTHER RESOLVED, the Town Board hereby calls for a public hearing to be opened on the draft comprehensive plan at its legislative session on March 8, 2022 at 7:30 p.m. via Zoom videoconferencing in accordance with Chapter 1 of the Laws of 2022 and Executive Order 11.3; and

BE IT FURTHER RESOLVED, in addition to being available on the Town’s website (www.sustainableossining.com), a copy of the draft comprehensive

plan shall be available in the Town Clerk's Office for review and inspection during normal business hours.

Supervisor Levenberg said the following: As I shared earlier in my Administrative Update, we heard last week from our Comprehensive Plan Consultant, WXY, at our Town Hall meeting about the current draft. The public hearing will open at our next legislative meeting, but we are accepting online comment now. Please read the draft and get commenting! We are excited to hear your feedback.

Motion: Carried

VII. 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:

- Mark Picucci, 51 Croton Dam Road – ZBA Resolution and Transcript (2/07/2022)
- Town Planning Board Minutes 1/19/2022

Motion: Carried

VIII. VISITOR RECOGNITION

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

IX. ADJOURNMENT

At 8:01 P.M., Councilmember Feldman motioned to adjourn to Executive Session for advice of counsel, personnel, and contracts and Councilmember Meyer seconded.

Motion Carried: Unanimously

At 8:10 P.M., Supervisor Levenberg left the Executive Session.

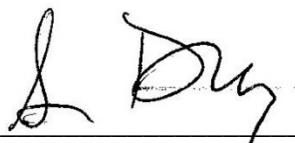
At 8:27 P.M., Councilmember Meyer motioned to leave Executive Session and Councilmember Manicchio seconded.

Motion Carried: Unanimously

At 8:28 P.M., Councilmember Manicchio motioned to adjourn the Regular Meeting and Councilmember Meyer seconded.

Motion Carried: Unanimously

Approved:



Susanne Donnelly, Town Clerk