



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

Members of the public can view the meeting via computer or mobile app:
<https://us02web.zoom.us/j/82765302435>

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

Meeting ID: 827 6530 2435

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

APRIL 12, 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
- II. PUBLIC HEARING – Draft Comprehensive Plan
- III. SUPERVISOR AND TOWN BOARD ANNOUNCEMENTS
- IV. ADMINISTRATIVE REPORT ON TOWN OPERATIONS
- V. LIAISON REPORTS
- VI. PUBLIC COMMENT ON AGENDA ITEMS
- VII. BOARD RESOLUTIONS

A. Approval of Minutes—Regular Meeting – March 22, 2022

Resolved, that the Town Board of the Town of Ossining hereby approves the March 22, 2022 minutes of the Regular Meeting as presented.

B. Approval of Minutes—Special Meeting – April 5, 2022

Resolved, that the Town Board of the Town of Ossining hereby approves the April 5, 2022 minutes of the Special Meeting as presented.

C. Approval of Voucher Detail Report – April 12, 2022

Resolved, that the Town Board of the Town of Ossining hereby approves the Voucher Detail Report dated April 12, 2022 in the amount of \$730,641.09

D. Agreement – CSEA Employee Benefit Fund

Resolved, that the Town Board of the Town of Ossining authorizes the Supervisor to sign a renewal agreement with CSEA Employee Benefit Fund, Latham, NY 12110 for vision benefits for Town of Ossining employees and dependents, from January 1, 2022-December 31, 2026.

E. Contract – Westchester County Department of Senior Program and Services

Resolved, that the Town Board of the Town of Ossining authorizes the Supervisor to sign an agreement with the Westchester County Department of Senior Program and Services for the purposes of receiving grant funds not to exceed \$49,309 under the Expanded In-Home Services for the Elderly Program, program year 2021, beginning April 1, 2021 through December 31, 2021.

F. Contract Extension – Community Center Kitchen Renovations

Resolved, that the Town Board of the Town of Ossining authorizes the Supervisor to sign the second amendment to an agreement with Westchester County for renovations to the Joseph G. Caputo Community Center Kitchen to extend the expiration date from February 25, 2022 to July 31, 2022.

G. Calling for a Public Hearing in the matter of a Local Law known and cited as Prohibition on Release of Balloons and Sky Lanterns

Resolved, that the Town Board of the Town of Ossining hereby calls for a Public Hearing to be held on Tuesday, April 26, 2022 at 7:30 p.m. in the First Floor Boardroom at the Ossining Municipal Building, 16 Croton Avenue, Ossining, NY 10562 and via Zoom videoconferencing (which information will be available at www.townofossining.com), in the matter of a Local Law known and cited as Prohibition on Release of Balloons and Sky Lanterns.

H. RESOLUTION REGARDING NY-NJ Watershed Protection Act: H.R. 4677

WHEREAS, New York Congressman Tonko has proposed the NY-NJ Watershed Protection Act, a unique federal investment program to authorize \$50 million of federal funds to protect and restore all watersheds, including the Hudson River Watershed, that flow into New York-New Jersey Harbor and

WHEREAS, The Act has unanimous support among the Hudson Valley's Congressional delegation; and,

WHEREAS, the Act would provide benefits to diverse stakeholders such as the protection of fisheries and wildlife, conservation of natural resources and public and private lands, critical urban greenspaces, ocean and coastal resources, and various opportunities to improve the quality of life for community members throughout the region; and

WHEREAS, Town of Ossining is part of the most densely populated and economically important regions in the country, the proposed NY-NJ Watershed Act will provide enormous economic and environmental benefits locally, regionally and nationally; and

WHEREAS, watersheds provide drinking water, tourism and outdoor recreation, economic opportunities, as well as sustain fisheries, critical wildlife and provide vital infrastructure from flooding and rising sea levels; and

WHEREAS, the Act would provide matching funds to achieve the goals of New York State Department of Environmental Conservation's Hudson River Estuary Program, a state program that has greatly benefitted Hudson Valley communities; and

WHEREAS, the Act would fund shoreline management and restoration within the watersheds; and

WHEREAS, as an elected body tasked with protection and safeguarding irreplaceable water-connected resources and nature-based flood hazard mitigation measures that are essential to protect human life and infrastructure; and

WHEREAS, this Act would direct the Secretary of the Interior to enhance collaboration and coordinate restoration activities at all levels of government to protect fish and wildlife habitats, endangered species, improve water quality, increase public access to the estuary, mitigate flood risks, and develop public outreach and educational activities; and

WHEREAS, many residents of the region of the NY-NJ Watershed live in communities lacking environmental justice, where access to and enjoyment of fish, wildlife, clean water, and other natural resources have been impaired or compromised, federal funding is necessary to mitigate these long overdue environmental and social issues; and

WHEREAS, the Town of Ossining would benefit from the Act as it would establish beneficial programs and award grants to help fund valuable restoration projects in our local community; and

WHEREAS, the Hudson River is a cornerstone in which its residents depend on and the region relies on for its resources to provide prosperity throughout the state, therefore, the Town of Ossining must uphold its duty to protect the community's access to drinking water and natural resources; and

WHEREAS, the Town of Ossining has an opportunity to be a social and environmental leader of the state, by supporting the NY-NJ Watershed Protection Act, we may lead by example and facilitate much needed change; and

NOW THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Ossining supports the passing of the NY-NJ Watershed Protection Act.

I. Resolution - Briarcliff Manor Partners LLC Agreements

WHEREAS, as a condition of the Site Plan Approval granted by the Planning Board on December 19, 2018 to develop and operate a daycare and early child development center, Briarcliff Manor Partners LLC, the owner of the property located at 530 North State Road, is required to enter into a Landscape and Wetland Mitigation Plantings Maintenance Agreement and Stormwater Management System Maintenance and Easement Agreement with the Town to ensure the property is properly managed and maintained in accordance with the approved plans; and

**NOW THEREFORE,
BE IT RESOLVED, the Town Board hereby authorizes the Supervisor to execute the Landscape and Wetland Mitigation Plantings Maintenance Agreement with Briarcliff Manor Partners LLC dated March 7, 2022; and**

BE IT FURTHER RESOLVED, the Town Board hereby authorizes the Supervisor to execute the Stormwater Management System Maintenance and Easement Agreement with Briarcliff Manor Partners LLC dated April 1, 2022.

J. Resolution – 381 North Highland Avenue Battery Energy Storage System

WHEREAS, on April 27, 2021 the Town Board granted a zoning map amendment application 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 (the “Property”); and

WHEREAS, as a condition of the approval the Town Board required the Applicant to enter into a payment in lieu of taxes (“PILOTS”); and

WHEREAS, the Property is currently tax exempt due to its longstanding charitable religious use; and

WHEREAS, solar energy systems and battery energy storage systems are by default exempt from real property taxation under Real Property Tax Law § 487; and

WHEREAS, the Town Code exempts from the requirements to enter into PILOTs solar energy systems that have a capacity of less than one megawatt; and

WHEREAS, the Town Board has been advised that the Proposed Project will have a capacity of less than one megawatt; and

WHEREAS, the Town Board finds the Proposed Project to be a positive contribution to the community; and

NOW THEREFORE,

BE IT RESOLVED, consistent with the current tax status of the Property and the Town’s law regarding solar energy systems, the Town Board determines not to require the Applicant to enter into a PILOT for the Proposed Project; and

BE IT FURTHER RESOLVED, the Town Board reserves the right to revisit this matter and require the Applicant to enter into a PILOT if circumstances change such that the capacity of the Proposed Project exceeds one megawatt.

VIII. MONTHLY REPORTS

Resolved, that the Town Board of the Town of Ossining hereby accepts the following monthly reports for the months of March 2022:

- Dale Cemetery
- Tax Receiver
- Town Clerk
- Town Supervisor
- GE Helicopter

IX. VISITOR RECOGNITION

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

X. ADJOURNMENT