



MINUTES
TOWN BOARD
TOWN OF OSSINING
IN PERSON AT THE
BIRDSALL-FAGAN POLICE/COURT FACILITY
86-88 SPRING STREET – OSSINING, NEW YORK
AND VIA VIDEO CONFERENCING

January 28, 2025

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 January 28, 2025 at Birdsall-Fagan Police/Court Facility 86-88 Spring Street – Ossining, New York, 10562 and via video conference. The meeting was called to order at 7:30 PM by Deputy Supervisor Gregory G. Meyer. Members of the Board present were: Councilmembers Jennifer Fields-Tawil, Angelo A. Manicchio, and Matthew J. Weiss. Also present were Town Counsel Christie Tomm-Addona, Budget Officer Martha C. Quituisaca and Deputy Town Clerk Jeaneth V. Guinansaca. Supervisor Feldman was not present at the meeting.

II. SUPERVISOR AND TOWN BOARD ANNOUNCEMENTS

Deputy Supervisor Meyer said the following:

- Tomorrow, January 29th is the start of the Lunar New Year! We would like to wish all who celebrate a happy, healthy and prosperous new year.
- The Westchester County Executive Special Election is going to be held on Tuesday February 11th. There are early voting options available starting on February 1st. Please visit the Westchester County website for more information.
- Teatown's annual Eagle Fest will be held on Saturday February 1st at Croton Point Park. The program includes live bird shows, heated tents filled with educational displays and games for children.
- February 8th is the date for the Gullotta House Polar Plunge! Meet up at the Louis Engle Park Beach at 9:15am.
- Bethany Arts Community will be opening their art workshops for older adults' programs. Please visit their website at Bethanyarts.org for more information.
- Neighbors Link is a great source for information and community resources for our immigrant population. Please visit their website www.neighborslink.org and click Resources to register to attend informational webinars about Knowing Your Rights in English and in Spanish and to find contact information for trusted professionals.
- Please don't forget to apply for the Home Energy Assistance Program (HEAP), to help cover your heating costs. For assistance, contact the Westchester County Department of Social Service at 914-995-3333.
- As always, our Ossining Public Library will be hosting many events including movies, craft events, meditation, tutoring, yoga, book clubs and more. Please see their website at ossininglibrary.org for more information.
- The Loft LGBTQ+ Community Center has everything from events and programs to resources and presentations all dedicated to providing support

to everyone who is a part of the LGBTQ+ Community, including many virtual and in person support groups and clubs for a multitude of different topics. Please check out their website at loftgaycenter.org for more information.

- There are many fun and interesting events being held locally, and you can look at the weekly Supervisor’s Update on the Supervisor’s webpage to see them.

III. LIAISON REPORTS

IV. PUBLIC COMMENT ON AGENDA ITEMS

Visitors shall be accorded one (1) four (4) minute opportunity to address the Board on any of the resolutions on the agenda.

V. BOARD RESOLUTIONS

A. Approval of Minutes – January 14, 2025

Councilmember Manicchio moved and it was seconded by Councilmember Weiss that the following resolution be approved. Councilmember Fields-Tawil abstain.

Resolved, that the Town Board of the Town of Ossining hereby approves the January 14, 2025 minutes of the Reorganizational Meeting as presented.

Motion Carried
Abstain: Fields-Tawil

B. Approval of Voucher Detail Report

Councilmember Manicchio 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 January 28, 2025 in the amount of \$483,049.66

Motion Carried: Unanimously

C. Resolution – Tax Certiorari Settlement – State Road LLC

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

BE IT RESOLVED, at the recommendation of the Town Assessor and the Town Special Counsel and finding it to be in the best interest of the Town, the Town Board approves the settlement of the tax certiorari proceedings pending as State Road LLC v. The Assessor and/or the Department of Assessment of the Town of Ossining et al. (Westchester County Supreme Court No. 69466/2024) for the property located at 557 North State Road (Section 90.15-1-46) as set forth in the proposed consent judgment with no refund required; and

BE IT FURTHER RESOLVED, the Town Supervisor, Town Assessor, Town Receiver of Taxes, Town Comptroller, Town Special Counsel and other relevant staff are authorized to take the necessary and appropriate actions to execute, file, process and modify the 2024 assessment roll in furtherance of the aforementioned settlement.

Motion Carried: Unanimously

D. Resolution – Authorization of Fireworks Contract

Councilmember Manicchio 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 fireworks display for the Town's Independence Day celebration at Louis Engel Park on July 3, 2025 (with a rain date of July 11, 2025) 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: Unanimously

E. Proposal – GASB 74/75 Actuarial Valuation Services

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

Resolved, that the Town Board of the Town of Ossining retroactively accepts the proposal by USI Consulting Group, Glastonbury, CT dated February 2024 for GASB 74/75 actuarial valuation services for fiscal years 2024 and 2025 in the amount of \$5,900; and

Be it further Resolved, that additional projects, including estimates of the effects of plan changes, will be billed at an hourly rate of \$385.

Motion Carried: Unanimously

F. Town Zoning Board of Appeals – Resignation (Alternate Position) – William Boyd

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

Resolved, that the Town Board hereby accepts the resignation of William Boyd, Ossining, from his one-year term to the Alternate Position on the Town Zoning Board of Appeals.

Motion Carried: Unanimously

G. Town Planning Board/Architectural Review Board – Appointment – William Boyd

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

Resolved, that the Town Board appoints William Boyd, Ossining, to the Town Planning Board/Architectural Review Board for a five-year term set to expire on December 31, 2029.

Motion Carried: Unanimously

H. Calling for a Public Hearing in the matter of a local law known and cited as Regulations regarding Rental of Town Park Areas

Councilmember Manicchio 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 calls for a Public Hearing to be held on Tuesday, February 11, 2025 at 7:30 p.m. at the Birdsall-Fagan Police/Court Facility, 86-88 Spring Street, 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 Regulations regarding Rental of Town Park Areas.

Motion Carried: Unanimously

I. Personnel – Longevity Rates for Elected Officials and Appointed Officers/Employees

Councilmember Fields-Tawil moved and it was seconded by Councilmember Weiss that the following resolution be approved.

WHEREAS, by duly enacted resolution dated November 21, 2012, the Town Board adopted the “Employee Handbook for Town Non-Union Personnel”; and

WHEREAS, the Handbook set forth the terms and conditions of employment for elected officials and appointed officers/employees, including among other things, longevity payments; and

WHEREAS, the Handbook’s provision regarding longevity mirrored the longevity benefit set forth in the collective bargaining agreement the Town and the CSEA at the time and was intended to prospectively do so as the longevity benefit changed in the CSEA collective bargaining agreement; and

WHEREAS, it is unclear whether the Town ever formally ratified the changes in the longevity rates to correspond to the CSEA collective bargaining agreement from 2012 to the present;

NOW, THEREFORE, BE IT SO RESOLVED, that upon the recommendation of the Town Supervisor, the Town Board hereby retroactively approves the longevity schedules attached hereto as Exhibit A, nunc pro tunc, effective January 1, 2012.

Motion Carried: Unanimously

J. Personnel – Appointment – Court

Councilmember Fields-Tawil moved and it was seconded by Councilmember Weiss that the following resolution be approved.

Resolved, that the Town Board of the Town of Ossining appoints John Naccari, Ossining, to the position of Court Attendant in the Town of Ossining Justice Court at an hourly rate of \$25, effective February 3, 2025.

Motion Carried: Unanimously

K. 2025 Cabaret License – The Briarcliff Manor Restaurant & Catering Corp.

Councilmember Fields-Tawil moved and it was seconded by Councilmember Weiss that the following resolution be approved as amended.

Whereas, The Briarcliff Manor Restaurant & Catering Corp. has filed an application for a Cabaret License for the calendar year 2025 for its leased property located at 25 Studio Hill Road, Briarcliff Manor, NY 10510; and

Whereas, the Town Board has reviewed the application and attachments thereto, as well as reports from involved departments, including the Police Department and Building Department; and

WHEREAS, the Town Board held a duly noticed public hearing at its regular meeting on Tuesday, January 14, 2025, and members of the public having the opportunity to attend and be heard, the public hearing was closed on January 14, 2025; and

Now therefore,

Be It Resolved, that the Town Board of the Town of Ossining hereby approves the application of The Briarcliff Manor Restaurant & Catering Corp., 25 Studio Hill Road, Briarcliff Manor, in the Unincorporated Area of the Town of Ossining, for a Cabaret License through December 31, 2025 to have a Bands/DJs with no more than 6 performers at one time from 12:00 p.m. to (i) 11:00 p.m. Sunday through Wednesday nights and (ii) 12:00 a.m. Thursday through Saturday nights, and

Be It Further Resolved, the Town Board hereby directs the Applicant to ensure strict adherence with all requirements of the Town Code and State Law, and specifically the Town Board determines it is necessary in order to protect the health, safety and welfare of the residents of the Town of Ossining to expressly condition this approval upon the Applicant’s adherence with the following:

- **The Applicant must ensure the back doors are kept closed at all times except when being used for ingress/egress**
- **The Applicant shall not play amplified music outdoors at any time**
- **The Applicant shall not use amplification of any kind outdoors at any time**
- **The Applicant shall utilize sound meters to monitor the sound levels when amplified music is playing**

Be it further Resolved, the conditions on this cabaret license are only for the 2025 calendar year and the Town Board reserves the right to modify, add to and/or eliminate any and all conditions when considering the Applicant’s application for a cabaret license renewal for the 2026 calendar year in accordance with Chapter 68 of the Town Code; and

Be It Further Resolved, the Town Clerk is hereby directed to send the Applicant a certified copy of this Resolution.

Motion Carried: Unanimously

L. 2025 Cabaret License – Maya Riviera Bar and Restaurant

Councilmember Fields-Tawil moved and it was seconded by Councilmember Weiss that the following resolution be approved.

Whereas, Maya Riviera Bar and Restaurant, 518 North State Road, Briarcliff Manor (the “Applicant”) has filed an application for a Cabaret License for the calendar year 2025; and

Whereas, for its 2024 cabaret license, the Town Board authorized the Applicant to play amplified music until 1:00 a.m. on Friday and Saturday nights and 12:00 a.m. all other nights; and

Whereas, the Town Board is authorized under Chapter 68 of the Town Code (Section 68-20(B)) to extend hours a cabaret may play amplified music beyond what is stated in the Code where it deems it appropriate and consistent with the public safety and welfare; and

Whereas, the Town Board has reviewed the 2025 application and attachments thereto, and has solicited input from involved departments, including the Police Department and Building Department; and

Whereas, the Town Board held a duly noticed public hearing at its regular meeting on Tuesday, January 14, 2025, and after members of the public having the opportunity to speak on the application, the public hearing was closed on January 14, 2025; and

Now therefore,

Be it Resolved, that the Town Board hereby approves the application of the Maya Riviera Bar and Restaurant for a Cabaret License for the calendar year 2025, subject to the following limitations and conditions:

1. The music played on site will consist only of (a) a musical duo, Mariachi Band or other bands consisting of 3-5 members using guitars, trumpets, drums and/or other mariachi band instruments or (b) a DJ using a Karaoke Machine.
2. Amplified music shall be allowed from 11:00 a.m. to (a) 1:00 a.m Friday and Saturday nights and (b) 12:00 a.m. all other nights.
3. Amplified music shall only ever be allowed indoors.

Be it further Resolved, the Town Board finds that based upon the positive role the Applicant's establishment plays in the community and the favorable recommendations from the Building Department and the Police Department, but while also balancing the interests of the neighboring residential community, it is appropriate and consistent with the public safety and welfare to allow the Applicant to play amplified until 1:00 a.m. on Fridays and Saturdays, but reserves the right to revisit this determination in subsequent years and make any modifications to the hours during which amplified music is permitted that the Town Board deems necessary based upon the circumstances presented at that time, and

Be it further Resolved, the conditions on this cabaret license are only for the 2025 calendar year and the Town Board reserves the right to modify, add to and/or eliminate any and all conditions when considering the Applicant's application for a cabaret license renewal for the 2026 calendar year in accordance with Chapter 68 of the Town Code; and

Be It Further Resolved, the Town Clerk is hereby directed to send the Applicant a certified copy of this Resolution.

Motion Carried: Unanimously

M. 2025 Cabaret License – Flames Bar and Grill LLC – amended

Councilmember Fields-Tawil moved and it was seconded by Councilmember Weiss that the following resolution be approved as amended.

Whereas, Flames Bar and Grill LLC, 533 North State Road, Briarcliff Manor (the "Applicant") has filed an application for a Cabaret License for the calendar year 2025; and

Whereas, the Town Board has reviewed the 2025 application and attachments thereto, and has solicited input from involved departments, including the Police Department and Building Department; and

Whereas, the Town Board held a duly noticed public hearing at its regular meeting on Tuesday, January 14, 2025, and after members of the public having the opportunity to speak on the application, the public hearing was closed on January 14, 2025; and

Now therefore,

Be it Resolved, that the Town Board hereby approves the application of the Flames Bar and Grill LLC for a Cabaret License for the calendar year 2025, subject to the following limitations and conditions:

1. The music played on site will consist at any given time only of (a) recorded music, (b) disc jockey, (c) live single singer or (d) self-accompanied piano player.

2. Amplified music shall only be played between the hours of 4:00 pm and (a) 10:00 pm Tuesdays through Thursdays, (b) 11:00 pm Fridays and Saturdays and (c) 9:00 pm Sundays.
3. Amplified music shall only ever be allowed indoors.

Be it further Resolved, the conditions on this cabaret license are only for the 2025 calendar year and the Town Board reserves the right to modify, add to and/or eliminate any and all conditions when considering the Applicant's application for a cabaret license renewal for the 2026 calendar year in accordance with Chapter 68 of the Town Code; and

Be It Further Resolved, the Town Clerk is hereby directed to send the Applicant a certified copy of this Resolution.

Motion Carried: Unanimously

VI. MONTHLY REPORTS

Councilmember Fields-Tawil moved and it was seconded by Councilmember Weiss that the following monthly reports be accepted.

Resolved, that the Town Board of the Town of Ossining hereby accepts the following monthly reports for the month of December 2024:

- Dale Cemetery
- Building Department

Motion Carried: Unanimously

VII. VISITOR RECOGNITION

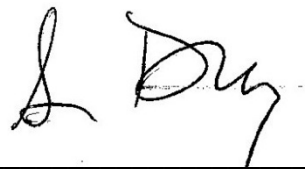
Visitors shall be accorded one (1) four (4) minute opportunity to address the Board on issues not relating to the agenda, but of relevance to the common good of the Town.

VIII. ADJOURNMENT

At 7:48 P.M., Councilmember Fields-Tawil motioned to adjourn the Regular Meeting and Councilmember Weiss seconded.

Motion Carried: Unanimously

Approved:



Susanne Donnelly, Town Clerk