



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

June 11, 2024
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 June 11, 2024 at the 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 Supervisor Elizabeth R. Feldman. Members of the Board present were: Councilmembers Gregory G. Meyer, 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.

II. DEPARTMENTAL REPORT

- Highway Superintendent/Cemetery Superintendent Pete Connolly
Superintendent Pete Connolly updated the board on Highway and cemetery.
- Park Foreman Mario Velardo.
Departmental report was given by Park Foreman Mario Velardo.

III. SUPERVISOR AND TOWN BOARD ANNOUNCEMENTS

- Yesterday, Westchester County announced that swimming can safely resume at Croton Point Park Beach and Philipse Manor Beach Club, and boaters can resume recreational activities in the Hudson River, as the Westchester County Department of Health has lifted its Hudson River advisory. The advisory was put in place during sewer main repairs on a force main in Ossining, which were completed Friday evening. The advisory was lifted Monday so that ample tidal movement would allow the partially treated sewage that had been released into the river to be adequately diluted.
- The Spray Park at Louis Engel Waterfront Park is now open on weekends (Saturday and Sunday) through the end of school. Beginning on June 27th the Spray Park will be open every day through Labor Day Weekend with exceptions. Normal hours are 12:00 noon – 7:00pm. Wednesday, July 3rd the Spray Park is closed for fireworks setup. The Spray Park will be open 3:00pm-7:00pm on the following Wednesdays – July 10th, 17th, 24th, 31st and August 7th.
- RiverJam is coming! We kick off with Fireworks and two bands on Wednesday, July 3rd and then have a series of Friday concerts. There will be food trucks, the craft beverage corral, and plenty of fun. Check our website at www.OssiningRiverJam.com.

- The MTA has begun running the Haverstraw to Ossining Ferry 9:30am-9:30pm on the weekends at discounted fares. Check the MTA website for more details.
- Hudson Valley Books for Humanity and Bethany Arts Community will co-host a special Open Mic event for LGBTQ+ Pride including poetry, spoken word, and music. This will be Friday June 14th at 7:30pm at the Hudson Valley Books for Humanity bookstore.
- Westchester Collaborative Theater will play host to the sounds of Sara Carbone with A Little This N That on Friday at 7:30pm.
- Calling all cyclists – Sing Sing Kill Brewery is hosting a Brewery Bike Tour where they will visit 7 breweries, covering 56 miles on Saturday, June 15th. Check the SSKB website for details.
- For children, Hudson Valley Books for Humanity will have a special Read Aloud event with author Karen Clark as she reads her new book, “Justin’s Tea Party” on Saturday morning at 11:30am.
- Every 2 seconds someone in the United States needs blood. There will be a Red Cross Blood Drive on Monday, June 17th at Hudson Valley Books for Humanity. Donors can visit between 1pm and 6pm.
- Calling all musicians and venues. June 21st will be Make Music Day, presented by Mike Risko Music. If you are interested in performing or hosting, get in touch with them at 914.762.8757.
- The New York State Department of State Office for New Americans has released a free English language learning tool called Cell-Ed that helps new Americans learn English at their own pace and on their own time. Simply Google “New York State Cell-Ed.”
- New York State has announced a new service -- their Address Confidentiality Program or ACP. It allows residents who have experienced domestic violence, stalking, sexual offenses, human trafficking, and reproductive healthcare services (including patients, volunteers, providers and their employees) to get a free Albany PO Box. This PO Box is secure and can be your official mailing address. New York State will privately forward your mail to your home address. See the New York State Department of State website for more information.
- As always, our Ossining Public Library will be hosting a bevy of events including movies, craft events, meditation, tutoring and homework help, yoga, book clubs and more. Please see their website at ossininglibrary.org.
- There are many fun and interesting events being held locally, and you can look at my weekly Supervisor’s Update on the Supervisor’s webpage to see them.

IV. LIAISON REPORTS

V. 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.

VI. BOARD RESOLUTIONS

A. Approval of Minutes – May 28, 2024

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 May 28, 2024 minutes of the Regular Meeting as presented.

Motion Carried: Unanimously

B. Approval of Minutes – June 04, 2024 – Special Meeting

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 June 4, 2024 minutes of the Special Meeting as presented.

**Motion: Carried
Abstain: Weiss**

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 June 11, 2024 in the amount of \$202,392.92.

Motion Carried: Unanimously

D. Intermunicipal Agreement – Westchester County Municipality Youth Sports Education Program

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 retroactively authorizes the Supervisor to sign an inter-municipal agreement with Westchester County for the purposes of receiving \$7,100 in funding to support the Municipality Youth Sports Education Program entitled “KIDS POUND”.

Motion Carried: Unanimously

E. Proposal for Assistance in Preparation of the MS4 Annual Stormwater Report for Program Year 2024-2025

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 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 2024-2025, at a fee of \$7,500.

Motion Carried: Unanimously

F. Approval of Memorandum of Understanding – Sustainable Westchester, Inc. AS AMENDED

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 the Supervisor to sign a Memorandum of Understanding with Sustainable Westchester, Inc. to allow the Town of Ossining to participate in the Westchester Power Community Choice Aggregation Program, commencing November 1, 2024.

BE IT FURTHER RESOLVED, if 100% green energy becomes available and is within \$.01 of the 50/50 default option, the Supervisor is authorized to execute an agreement opting for the 100% green energy option.

Motion Carried: Unanimously

G. Resolution – Public Hearing on Zoning Petition for BE Zoning District

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

WHEREAS, Crotonville Owner LLC (“Applicant”), the owner of 1 Albany Post Road in the unincorporated Town of Ossining (the “Property”), submitted a Zoning Petition and a Full Environmental Assessment Form, Part 1 to the Town Board proposing certain zone text amendments to the BE (Business Education) zoning district in which the Property is located; and

WHEREAS, the Applicant is not proposing any changes to the bulk regulations in the BE District, but only to introduce the potential for additional uses already conducive to the Property as developed; and

WHEREAS, the Town Board understands the Applicant will also be submitting a site plan application to the Planning Board for site plan approval to repurpose certain existing structures on the Property in accordance with the proposed zone text amendment; and

WHEREAS, this is a Type I action under the State Environmental Quality Review Act (“SEQRA”) that requires a coordinated review; and

NOW THEREFORE,

BE IT RESOLVED, the Town Board hereby declares its intent to be lead agency under SEQRA; and

BE IT FURTHER RESOLVED, the Town Board hereby directs that this proposed legislation be circulated to the Planning Board for its review and comment; and

BE IT FURTHER RESOLVED, the Town Board hereby calls for a public hearing to be opened at its legislative session on July 9, 2024 on the Zoning Petition; and

BE IT FURTHER RESOLVED, the Town Clerk, the Town’s Counsel, the Town’s Planner and any other applicable Town staff/consultants are directed to circulate all notices and referrals as required by law.

Motion Carried: Unanimously

H. Resolution – Public Hearing on Code Text Amendment for Indian Brook-Croton Gorge Inter-Municipal Watershed Protection Overlay District

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

WHEREAS, the Towns of Cortlandt, New Castle, and Ossining, and the Villages of Croton-on-Hudson and Ossining have coordinated to prepare legislation for each municipality known as the Indian Brook-Croton Gorge Inter-Municipal Watershed Protection Overlay District

WHEREAS, the intent of this legislation is to protect the health and welfare of residents living within the boundaries of the Indian Brook–Croton Gorge Watershed by minimizing the potential for groundwater and surface water

contamination and taking steps to limit the severity of resource degradation;
and

WHEREAS, this is an unlisted Action under the State Environmental Quality Review Act (“SEQRA”) and the Town’s Planner has prepared a short Environmental Assessment Form, Part 1; and

NOW THEREFORE,

BE IT RESOLVED, the Town Board hereby declares itself lead agency under the SEQRA as it is the only involved agency for this legislation as it relates to the unincorporated Town; and

BE IT FURTHER RESOLVED, the Town Board hereby directs that this proposed legislation be circulated to the Planning Board for its review and comment; and

BE IT FURTHER RESOLVED, the Town Board hereby calls for a public hearing to be opened at its regular legislative session on July 9, 2024 on the zoning petition; and

BE IT FURTHER RESOLVED, the Town Clerk, the Town’s Counsel, the Town’s Planner and any other applicable Town staff/consultants are directed to send all applicable notices and referrals as required by law.

Motion Carried: Unanimously

I. Resolution – Hudson Valley Stream Conservancy Water Quality Study

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

WHEREAS, in 2021, the Hudson Valley Stream Conservancy (HVSC), a local not-for-profit organization, partnered with the Town of Ossining to conduct a water quality study at the Louis Engel Park beach and nearby areas with the purpose of exploring the feasibility of opening the beach to permitted public swimming and understanding the relative contributions from various nearby potential pollution sources; and

WHEREAS, the resulting report was submitted to the Westchester County Department of Health and they indicated that more than one season’s data would be needed for any permitting determination; and

WHEREAS, HVSC conducted another study in 2023 and has offered to conduct another study in 2024 with no labor cost to the town; and

WHEREAS, there are costs associated with the samples being tested by the certified Westchester County laboratories, as well as other incidental materials needed such as reagents for the HVSC laboratory analysis of additional samples for this study, ice for sample transporting, fuel for transport to the lab, etc.; and

WHEREAS, the Town Board recognizes the benefit of exploring the feasibility of permissible public swimming in conjunction with the Town’s ongoing process of envisioning future usage of the Ossining waterfront, and the value of HVSC procuring the samples at no cost to the Town; and

NOW THEREFORE,

BE IT RESOLVED, as part of the water quality study, the Town Board hereby authorizes the Town to pay Westchester County Laboratories for the sample testing in an amount not to exceed \$5,000 and to reimburse Hudson Valley

Stream Conservancy and its President, Gareth Hougham, for incidental costs actually incurred up to \$1,000 (with adequate documentation provided to substantiate those costs).

Motion Carried: Unanimously

J. Resolution – Assessment Agreement with Crotonville Owner LLC

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 Crotonville Owner LLC to set the assessed value of the property known as 1 Old Albany Post Road at \$44.2 million for the 2024 assessment roll (for 2025 real property taxes), subject to approval by Counsel to the Town as to form.

Motion Carried: Unanimously

VII. MONTHLY REPORTS:

Councilmember Meyer 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 May 2024:

- Dale Cemetery
- Highway Department
- Tax Receiver
- Town Building Department
- Town Clerk
- Town Supervisor

Motion Carried: Unanimously

VIII. 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.

IX. ADJOURNMENT

At 8:10 P.M., Councilmember Meyer motioned to adjourn to Executive Session for Contract and Advice of Counsel, and Councilmember Weiss seconded.

Motion Carried: Unanimously

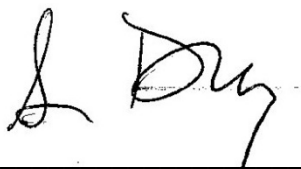
At 8:45 P.M., Councilmember Meyer motioned to leave Executive Session and Councilmember Manicchio seconded.

Motion Carried: Unanimously

At 8:45 P.M., Councilmember Meyer motioned to adjourn the Regular Meeting and Councilmember Manicchio seconded.

Motion Carried: Unanimously

Approved:



Susanne Donnelly, Town Clerk