

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

September 24, 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 September 24, 2024 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 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. PUBLIC HEARINGS

- **Zoning Petition for BE Zoning District.**

Public Hearing opened at 7:32 PM

The following people commented at the Public Hearing:

In Person.

- **David Steinmetz – Law Firm Zarin and Steinert**

Online Comments

- **Jamie Black, 35 Quakerbridge Rd. Ossining.**

At 7:49 PM Councilmember Meyer moved and it was seconded by Councilmember Weiss that the Public Hearing be closed.

III. DEPARTMENTAL REPORT

- **Tax Receiver Holly Perlowitz**
A departmental report was given by Tax Receiver Holly Perlowitz.

TOWN TAX OFFICE COLLECTIONS OUTSTANDING TAXES AS OF 9/24/2024				
	OUTSTANDING TAX			
	TOTAL WARRANT	RECEIVABLES	COLLECTIONS	% OF WARRANT COLLECTED
2024 TOWN AND COUNTY	\$ 34,260,821.78	\$ 308,530.52	\$ 33,952,291.26	99.1%
2024/2025 SCHOOL/LIBRARY TAX WARRANT				
1st INSTALLMENT	\$ 60,960,417.56	\$ 43,173,075.59	\$ 17,787,341.97	29.2%
2nd INSTALLMENT	60,960,329.32	58,595,380.58	2,364,948.74	3.9%
TOTAL SCHOOL/LIBRARY TAX	\$ 121,920,746.88	\$ 101,768,456.17	\$ 20,152,290.71	16.5%
TOTAL 2024 WARRANTS *	\$ 156,181,568.66	\$ 102,076,986.69	\$ 54,104,581.97	34.6%
DELINQUENT TAX LIENS				
2017		2,738.30	1 PROPERTIES	TITLE ISSUE BEING ADDRESSED BY THE TOWN/VILLAGE
2018		3,832.73	1 PROPERTIES	1 ON A PAYMENT PLAN- 2 PAYMENTS TO GO!
2019		16,531.53	3 PROPERTIES	1 ON PAYMENT PLAN, 1 FORFEITING, 1 - WE HAVE JUDGEMENT
2020		86,279.83	8 PROPERTIES	2 ON PAYMENT PLAN, 1 FORFEITING, 1 - WE HAVE JUDGEMENT
2021		193,003.57	17 PROPERTIES	4 ON PAYMENT PLAN, 1 FORFEITING, 1 - WE HAVE JUDGEMENT
2022		229,219.90	26 PROPERTIES	1 ON PAYMENT PLAN, 1 FORFEITING, 1 - WE HAVE JUDGEMENT
2023		407,041.51	42 PROPERTIES	DOWN FROM 96 SINCE 7/1/2023, 1- WE HAVE A JUDGEMENT
2024		839,634.90	81 PROPERTIES	DOWN FROM 111 SINCE 7/1/2024, 1- WE HAVE A JUDGEMENT
TOTAL DELINQUENT TAX LIENS		1,778,282.27		
TOTAL OUTSTANDING TAX RECEIVABLES		\$ 103,855,268.96		
NOTE: IN THE LIEN SECTION, WE SHOULD BE GETTING PAID ON 38-40 LINCOLN PLACE (\$108,772.83) IN THE NEXT FEW MONTHS				

- **Town Highway Superintendent Peter Connolly**
- **Cemetery Superintendent Peter Connolly**
A departmental report for Town Highway and Cemetery were given by Superintendent Peter Connolly.

IV. SUPERVISOR AND TOWN BOARD ANNOUNCEMENTS

- **The Ossining School District Bond Vote is occurring today, September 24th. Please go to ossiningufsd.org for more information.**
- **This month is National Hispanic Heritage month. There are going to be many community events celebrating this month.**
- **The Tax Receiver would like to remind everyone that the 1st half of the school taxes are due by Monday, September 30th. They are going to have extra hours on Saturday the 28th and on Monday the 30th to help accommodate as many people as possible.**
- **The Project MOVER E-Bike program has fully launched. If you are interested in learning more about Project MOVER and how to use the e-bikes, please visit projectmoverbikeshare.com**
- **The Town of Ossining Historian is going to be hosting a Historical Presentation on sailing the South Pacific at the Budarz Theater on the 25th at 7PM**
- **There will be a walking tour of the Old Croton Aqueduct on Saturday September 28th at 1PM, starting at the Joseph J. Caputo Community Center.**
- **The Greater Ossining Chamber of Commerce will be welcoming “Just Eyes Optometry” to their new Ossining village location on Saturday September 28th.**
- **The Ossining Boat & Canoe Club is hosting a family fun fishing day on Sunday September 29th at noon.**
- **Westchester Collaborative Theatre is starting their Fall classes. Please visit the website wctheater.org for the schedule and more information.**
- **Green Ossining is running a repair café on September 28th from 11:00 AM to 3:00 PM at the community center. They can help fix broken but beloved items for free!**
- **Bethany Arts Community is beginning preparations for the Artoberfest! It is currently set for October 5th from 11:00am-4:00pm.**
- **The Jazz Picnic at Dale Cemetery will be held on Sunday, October 6th from 2-4PM. This event is hosted by the Ossining Historic Cemeteries Conservancy.**
- **Teatown will be hosting the Westchester-Putnam chapter of the North American Butterfly Association meeting. The meeting will include reports of butterfly sightings by members and discussions of other areas of interest. All are welcome and non-members are especially encouraged to attend.**

- On October 9th Westchester County will be hosting the Diverse Abilities Job Fair at the Westchester County Center. There is a QR code to register as either a job seeker or provider on my supervisor's update.
- The Community Center in collaboration with Westchester Collaborative Theatre will be running the Haunted Kill on Friday October 18th from 6-10PM. Attractions include the "Trail of Terror" and live music!
- As always, our Ossining Public Library will be hosting a bevy of events including movies, craft events, meditation, tutoring, yoga, book clubs and more. Please see their website at ossininglibrary.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.

V. LIAISON REPORTS

VI. 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.

Online Comments

- Jamie Black, 35 Quakerbridge Rd. Ossining.

VII. BOARD RESOLUTIONS

A. Approval of Minutes – September 10, 2024

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 September 10, 2024 minutes of the Regular Meeting as presented.

Motion Carried: Unanimously

B. 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 September 24, 2024 in the amount of \$483,796.63.

Motion Carried: Unanimously

C. Resolution – Crotonville Owner LLC, 1 Albany Post Road, SEQRA Determination

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 Applicant submitted a site plan application to the Planning Board to repurpose the Property to accommodate a conference center, event venue and hotel, but is not proposing any physical changes to the Property; and

WHEREAS, the Town Board has served as lead agency for a coordinated review pursuant to the State Environmental Quality Review Act (“SEQRA”); and

WHEREAS, the Town Board opened a public hearing at its July 9, 2024 meeting and continued the public hearing to multiple subsequent meetings; and

WHEREAS, the Planning Board reviewed the application under SEQRA and submitted a memorandum to the Town Board dated July 22, 2024; and

WHEREAS, the Town Board adopted an EAF, Part 2 at its August 13, 2024 meeting; and

WHEREAS, the Applicant has responded to the EAF Part 2 by identifying mitigation measures, specifically related to parking management; and

NOW THEREFORE,

BE IT RESOLVED, the Town Board hereby adopts the SEQRA negative declaration dated September 24, 2024 for the reasons set forth therein.

Motion Carried: Unanimously

D. Resolution – Local Law # 3 of 2024 – Zone Text Amendments to BE District

Councilmember Meyer moved and it was seconded by Councilmember Weiss that the following amended 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 Applicant submitted a site plan application to the Planning Board to repurpose the Property to accommodate a conference center, event venue and hotel, but is not proposing any physical changes to the Property; and

WHEREAS, the Town Board has served as lead agency for a coordinated review pursuant to the State Environmental Quality Review Act (“SEQRA”); and

WHEREAS, the Town Board opened a public hearing at its July 9, 2024 meeting and continued the public hearing to multiple subsequent meetings, and members of the public having the opportunity to attend and be heard, the public hearing was closed on September 24, 2024; and

WHEREAS, the Planning Board reviewed the application as it relates to the zone text amendments and submitted a memorandum to the Town Board dated July 22, 2024, which the Applicant adequately responded to; and

WHEREAS, the Town Board adopted a SEQRA negative declaration at its September 24, 2024 meeting ending the SEQRA process; and

WHEREAS, given this Property is already fully-developed in pristine condition for the uses proposed by the Applicant and the Applicant has demonstrated the Property can sufficiently accommodate those uses as developed, the Town Board believes this proposal is the least impactful to the community, as opposed to a potential redevelopment of the Property that could result in more impervious coverage, more traffic and intrusion into the watershed; and

WHEREAS, while the zone text amendment incorporates the potential for senior housing and assisted living, the Applicant is not proposing those uses at this time and if they are proposed in the future they would require additional SEQRA and site plan review; and

WHEREAS, the Town Board believes a hotel would be beneficial to the community in bringing visitors to the area where they can frequent local establishments and help support small business in Ossining; and

WHEREAS, the Town Board believes it is important to keep this Property on the tax roll as, for one property, it constitutes a relatively large portion of the unincorporated Town’s tax base and having it come off the tax roll would negatively impact all of the other smaller residential and commercial property owners; and

NOW THEREFORE,

BE IT RESOLVED, the Town Board, after due deliberation, finds that in the furtherance of the safety, health and well-being of the persons and property in the Town, it is in the best interest of the Town to adopt said local law, and the Town Board hereby adopts Local Law # 3 of 2024; and

BE IT FURTHER RESOLVED, as a condition of this approval the Applicant must continue to provide monthly reports to the Town (by the 15th of every month) of any helicopter activity and must comply with all laws related to such use; and

BE IT FURTHER RESOLVED, the Applicant shall enter into an agreement with the Town regulating the use of the helipad in a manner that aligns with the previous agreement between the Town and GE from 1984; and

BE IT FURTHER RESOLVED, any additional development of the Property or change of use to incorporate uses not included in the zoning petition, negative declaration and site plan shall be submitted to the Town in advance for the appropriate review; and

BE IT FURTHER RESOLVED, the Town Clerk is directed to enter said local law in the minutes of this meeting into the local law book for the Town of Ossining; to publish said minutes in a newspaper published in the town, if any, or in such newspaper published in the county in which such town may be located having a circulation in such town, and affidavits of said publication shall be filed with the Town Clerk; and to file a copy of said local law with the Secretary of State of New York.

Motion Carried: Unanimously

E. Acceptance of Donation – Ossining Arts Council, INC

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

BE IT RESOLVED, the Town Board hereby accepts the donation by the Ossining Arts Council, Inc. for two mobile clay water recycling systems and eight roller blinds for the theater room windows.

Motion Carried: Unanimously

F. Personnel—Appointment—Seasonal Laborer

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 appoints Jonathan Ayora, Ossining, to the seasonal position of Laborer in the Town Highway Department at an hourly rate of \$17, effective September 30, 2024.

Motion Carried: Unanimously

G. Resolution – Contract to Hold Foreclosure Auction

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

WHEREAS, by Judgment dated and filed with the County Clerk on February 7, 2023, the Supreme Court (Hon. Joan B. Lefkowitz, J.S.C.) authorized the Town Receiver of Taxes to convey all right title and interest in the property known as 38-40 Lincoln Place (97.7-6-54) (the “Property”) to the Town as a result of significant outstanding real property tax liens; and

WHEREAS, the Town afforded the owner, the tenant and their respective representatives ample time and opportunity to resolve the outstanding tax liens, but without success; and

WHEREAS, the Town held an auction facilitated by Maltz Auctions, Inc. d/b/a Maltz Auctions and the bidding closed on September 18, 2024 with the high bid being \$481,000 by Anton Rukaj, 1020 Fifth Avenue, New York, NY 10028; and

WHEREAS, the Town Board desires to accept this bid and facilitate the sale to Mr. Rukaj; and

NOW THEREFORE,

BE IT RESOLVED, the Town Board hereby accepts the bid by Anton Rukaj for \$481,000 to purchase the property known as 38-40 Lincoln Place; and

BE IT FURTHER RESOLVED, the Town Board authorizes the Town Supervisor, Town Receiver of Taxes, Town Counsel and any other relevant Town officials or employees to execute any documentation reasonably necessary to convey the property to the Town, convey the property to Mr. Rukaj and facilitate this transaction.

Motion Carried: Unanimously

VIII. MONTHLY REPORTS

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 accepts the following monthly reports for the month of August 2024:

- Dale Cemetery

Motion Carried: Unanimously

IX. 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.

X. ADJOURNMENT

At 8:21 P.M., Councilmember Meyer motioned to adjourn to Executive Session for matters of Advice of Counsel, and Personnel and Councilmember Weiss seconded.

Motion Carried: Unanimously

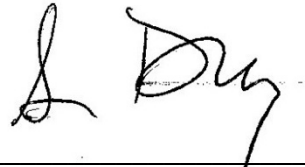
At 9:28 P.M., Councilmember Meyer motioned to leave Executive Session and Councilmember Weiss seconded.

Motion Carried: Unanimously

At 9:28 P.M., Councilmember Meyer motioned to adjourn the Regular Meeting and Councilmember Weiss seconded.

Motion Carried: Unanimously

Approved:



Susanne Donnelly, Town Clerk