

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

November 26, 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 November 26, 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. DEPARTMENTAL REPORT

- Ossining Police Department – Police Chief Aaron Zimmerman & Lt. Andrew Maiorana

Police Chief Aaron Zimmerman and Lt. Andrew Maiorana were unable to attend meeting.

III. SPECIAL PRESENTATION

- PILOT Project 138-140 Croton Ave.

Special presentation was given by the following people:

- Diana Bunin Kolev – DelBello Donnellan Weingarten Wise & Wiederkehr, LLP
- Jaclyn Tyler – Project Architect from Nexus Creative Design.
- Joseph Papacela – Executive VIP of Macquesten Development LLC

IV. SPECIAL RECOGNITION

Special recognition was given by Supervisor Elizabeth Feldman and NYS District Assembly Dana Levenberg to: Michael G. O'Connor, David Margulis and David Krieger.

V. SUPERVISOR AND TOWN BOARD ANNOUNCEMENTS

- The Project Mover E-Bike program is going on a winter pause starting Monday December 9th. The E-Bikes will return after the winter season. The program has been extremely successful so far and has plans on expanding to the surrounding communities.

- The Tree Lighting at Market Square will be held on Friday, December 6th starting at 6PM. There will be musical performances and Santa himself will be making an appearance.
- The Menorah Lighting will also be held at Market Square; however, this event will begin running at 6PM on Thursday, December 26th.
- The Ossining Boat & Canoe Club is running a Holiday Toy Drive. They are many available locations that are participating in this event, please check their Facebook page for a detailed list of locations and more information.
- The Village of Ossining train station parking permit renewal has begun for next year. Current permit holders have until December 16th, 2024 to renew their parking permits. Permits will open to those on the waitlist as of December 17th. Please check the Village of Ossining website or Facebook page for more information.
- Hudson Compost is a new company that will pick up compost at your door! New customers can join for free through 2024! For more information, please visit their website at Hudsoncompost.com
- The Town has completely switched over to the Recycle Coach app. This free app can be downloaded to a phone or viewed on the Town website. For more information and the scannable QR code, please refer to my Supervisor's Update.
- The Town is moving forward with the Downtown Revitalization Initiative to replace the existing stage at Louis Engel Waterfront Park. We are looking for your input on this process. We will be posting flyers with QR Code links to a survey that will help us determine in what way this new stage shall be formed. This survey can also be found on my Supervisor's update and on the Town of Ossining Website. Please complete the survey by November 28th.
- Westchester Collaborative Theater is presenting the world premiere of the musical "Gladys Day"! For showing information, please visit their website at wetheater.org.
- The Briarcliff Manor Sustainability Advisory Committee is going to be running the Holiday Swap event the weekend of December 7th. Please visit the Briarcliff website for more information.
- Hudson Halley Books for Humanity is running many great events these upcoming weeks. For more information, please visit their website at hvbooksforhumanity.com
- The Ossining Parks and Rec. Dept. will be hosting Breakfast with Santa on Saturday December 7th. They will have two seating's that day, one starting at 9AM and the next starting at 10:30AM. You must register in advance on-line or in person at the recreation office. For more information, please visit the Ossining Recreation website.
- Bethany Artists Community is opening up their early registration for the 2025 Kids Create Camp. For more information about this fun and creative summer camp please check out their website at bethanyarts.org
- 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.
- I would like to shout out the Loft LGBTQ+ Community Center. They have 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, for example on Thursday November 28th at 10AM there is a virtual event called "A Thanksgiving Conversation" which allows people to relax and connect after a potentially stressful holiday. 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.

VI. LIAISON REPORTS

VII. 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.

VIII. BOARD RESOLUTIONS

A. Approval of Minutes – November 12, 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 November 12, 2024 minutes of the Regular Meeting as presented.

Motion Carried: Unanimously

B. Approval of Minutes – November 19, 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 November 19, 2024 minutes of the Special Meeting as presented.

Motion Carried: Unanimously

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 November 26, 2024 in the amount of \$1,121,245.98.

Motion Carried: Unanimously

D. Adoption of 2025 Budget

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 2025 Budget for the Town of Ossining. Total appropriations for the 2025 entire Town (100) Fund are \$6,451,743. Total appropriations for the Unincorporated (200) Area Fund are \$4,795,896 and total appropriations for the Highway (310) Fund are \$3,344,520. Total appropriations for the Water and Sewer Funds are \$495,391 Total appropriations for the Fire/Light/Refuse Funds are \$1,712,781. Total appropriations for the Ambulance District are \$1,237,918. Total appropriations for the Cemetery Fund are \$552,864.

Motion Carried: Unanimously

Ayes: Meyer, Manicchio, Fields-Tawil, Weiss, Feldman

E. Senior Services – Awarding Bid of Nutrition Program

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

Whereas, the Town solicited bids for the Senior Nutrition Program Meal service, to be opened in the Office of the Town Clerk on November 1, 2024;

Therefore, be it Resolved, that the Town Board of the Town of Ossining hereby awards the bid of "Meals for the Elderly Nutrition Program" to the lowest responsible bidder, namely Hubbard's Cupboard LLC, 6 North Pearl Street, Port Chester, NY 10573, in the amount of \$7.00 per meal, subject approval by counsel to the Town as to form.

Motion Carried: Unanimously

F. Personnel – Resignation – Town Court – Court Attendant

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 resignation of Corey Dawkins from the position of Court Attendant in the Town Court effective November 14, 2024.

Motion Carried: Unanimously

G. Small Business Saturday – November 30, 2024

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

Whereas, the Town of Ossining, celebrates our local small businesses and the contributions they make to our local economy and community; and

Whereas, according to the United States Small Business Administration, there are 34.7 million small businesses in the United States, small businesses represent 99.7% of firms with paid employees, small businesses are responsible for 61.1% of net new jobs created since 1995, and small businesses employ 45.9% of the employees in the private sector in the United States, and

Whereas, 68 cents of every dollar spent at a small business in the U.S. stays in the local community and every dollar spent at small businesses creates an additional 48 cents in local business activity as a result of employees and local businesses purchasing local goods and services; and

Whereas, 59% of U.S. consumers aware of Small Business Saturday shopped or ate at a small, independently owned retailer or restaurant on Small Business Saturday 2023; and

Whereas, Town of Ossining, supports our local businesses that create jobs, boost our local economy, and preserve our communities; and

Whereas, advocacy groups, as well as public and private organizations, across the country have endorsed the Saturday after Thanksgiving as Small Business Saturday.

Now, Therefore, the Town of Ossining hereby proclaims, November 30, 2024, as *SMALL BUSINESS SATURDAY*

And urge the residents of our community, and communities across the country, to support small businesses and merchants on Small Business Saturday – celebrating its 15th year in 2024 – and Shop Small throughout the year.

Motion Carried: Unanimously

H. Resolution Authorizing Supervisor to Execute Agreements Related to Payment In Lieu of Taxes for 138-140 Croton Avenue

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

WHEREAS, Crescent Manor Owner LLC and Crescent Manor Senior Housing Development Fund Corporation (collectively, “Crescent Manor”) propose to redevelop the parcel of land known as 138-140 Croton Avenue in the incorporated Village of Ossining and shown on the tax roll as Section 89.16, Block 7, Lot 80.1 (the “Property”); and

WHEREAS, Crescent Manor has received all necessary land use approvals from the Village to improve and develop the Property with a 3.5-story building containing (i) 73 units of affordable, senior multi-family residential rental units (33 studios and 40 one-bedroom units) set at 40%, 50% and 60% of area median income and one two-bedroom superintendent’s unit, (ii) 3,500 square feet of planned retail and flexible community space, and (iii) two levels of parking for residents and retail customers totaling 79 parking spaces, (collectively, the “Project”); and

WHEREAS, in order to facilitate the objectives of this Project, Crescent Manor has requested that the Westchester County Industrial Development Agency (the “IDA”) acquire an interest in the Property and then lease or sublease the Property back to Crescent Manor, which allows Crescent Manor to avail itself of the ability to make annual payments in lieu of taxes instead of paying real property taxes based upon the assessed value; and

WHEREAS, as the assessing and collecting jurisdiction, the Town is being asked to execute the following:

- **PILOT Agreement between the IDA and Crescent Manor – as an acknowledgement but not as a party to the agreement**
- **PILOT Mortgage between the IDA and Crescent Manor, as Mortgagors, with the Town’s acknowledgement, as Mortgagee, to secure Crescent Manor’s obligation to make the PILOT and the Town’s (and the Village’s, County of Westchester’s and Ossining Union Free School District’s) interest in receiving same**
- **Subordination and Intercreditor Agreement and Consent to Encumber between the IDA, U.S. Bank Trust Company, N.A., the County of Westchester, Crescent Manor and the Town**

collectively, the “Proposed Agreements”; and

WHEREAS, the PILOT will be \$57,623 during the construction phase and \$129,562 for Year 1 (beginning, at the latest, upon the completion of construction of the Project) and increase annually to a payment of \$305,321.34 in Year 30; and

WHEREAS, under the Proposed Agreements, Crescent Manor will be responsible for paying the annual PILOT to the Town and the Town will be responsible for distributing to all of the applicable taxing jurisdictions their respective proportionate share of the PILOT; and

WHEREAS, while the Town has been designated as a mortgagee, this is solely for the purpose of Crescent Manor providing the Town with a secured interest in the PILOT on behalf of all of the applicable taxing jurisdictions, but the Town will not be providing any money or other resources to fund the Project; and

WHEREAS, the other applicable taxing jurisdictions also have the right and ability to enforce the PILOT Agreement and PILOT Mortgage as third-party beneficiaries and the Town is under no obligation to do so; and

WHEREAS, should the Town not receive a PILOT in any given year, the Town shall have no obligation to disburse its own funds to compensate the other applicable taxing jurisdictions for the amounts owed; and

WHEREAS, while the Town’s PILOT Mortgage is subordinate to certain mortgage loans Crescent Manor is receiving to fund the Project, the PILOT has priority right of payment over all other mortgage loans; and

WHEREAS, Crescent Manor shall immediately notify the Town when the event(s) provided in the PILOT Agreement occur such that Year 1 of the PILOT commence; and

NOW THEREFORE,

BE IT RESOLVED, the Town Board hereby authorizes the Supervisor to execute the Proposed Agreements in a form consistent with this Resolution and in a form satisfactory in substance to the Town Counsel and the Town Supervisor; and

BE IT FURTHER RESOLVED, the Town Board hereby authorizes the Supervisor, Town Counsel and any other applicable Town officers, employees and/or agents to execute any documents necessary to facilitate recording the executed agreements with the County Clerk.

Motion Carried: Unanimously

IX. CORRESPONDENCE TO BE RECEIVED & FILED

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 correspondence:

- **ARB Resolution - 549 N State New Restaurant 10.16.24**
- **PB Resolution - 549 N State New Restaurant Site Plan 10.16.24**
- **PB Resolution - Crotonville Owner 10.16.24**

Motion Carried: Unanimously

X. 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 October 2024:

- **Highway Department**
- **Town Clerk**
- **Town Building Department**
- **Dale Cemetery**

Motion Carried: Unanimously

XI. 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.

XII. ADJOURNMENT

At 8:25 P.M., Councilmember Meyer motioned to adjourn to Executive Session for matters of Advice of Counsel and Councilmember Weiss seconded.

Motion Carried: Unanimously

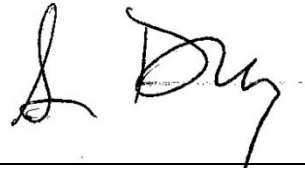
At 8:25 P.M., Councilmember Meyer motioned to leave Executive Session and Councilmember Weiss seconded.

Motion Carried: Unanimously

At 9:07 P.M., Councilmember Meyer motioned to adjourn the Regular Meeting and Councilmember Weiss seconded.

Motion Carried: Unanimously

Approved:

A handwritten signature in black ink, appearing to read "S. Donnelly", written over a horizontal line.

Susanne Donnelly, Town Clerk