

Town of Ossining Board Legislative Session

May 18, 2021

Meeting Transcript

Video Recording of Meeting: <https://www.youtube.com/watch?v=beI5AVm-SRg>

Attendance: Supervisor Dana Levenberg, Councilmember Elizabeth Feldman, Councilmember Jackie G. Shaw, Councilmember Gregory Meyer, Councilmember Northern Wilcher, Municipal Attorney Christie Addona, Budget Officer Victoria Cafarelli, Tax Receiver Holly Perlowitz

1 Dana Levenberg: [It] is in fact 7:30, so I'd like to say, good evening and
2 welcome to the Town Board of the Town of Ossining work session for
3 Tuesday, May 18, 2021. Please rise and join me for the pledge of
4 allegiance.

5 All: I pledge allegiance to the flag of the United States of America and to
6 the Republic for which it stands, one nation, under God, indivisible, with
7 liberty and justice for all.

8 Dana Levenberg: So first up I'm going to start with some announcements
9 and as many of you know polls are open until 9pm tonight at the Todd
10 School and Ossining High School. On the ballot for Briarcliff there's a bond
11 proposition related to infrastructure improvements, the school district
12 budget, and candidates for the Board of Education. Ossining's ballots have
13 a proposition to purchase a building adjacent to the current Ossining High
14 School campus. Ossining voters will also cast votes for the school district
15 budget.

16 Elizabeth Feldman: [UNCLEAR].

17 Dana Levenberg: Hi Liz, we can hear you. Public Library budget,
18 candidates for the Board of Election, and candidates for the Library Board.
19 Local elections are your chance to make your voice heard, so if you haven't
20 done your research yet or voted, you only have a few more hours to do so,
21 please do take this opportunity to get out and vote. There has been some

22 big news on the COVID front these past few days, if you haven't heard over
23 37% of the country is now vaccinated including 49% of Ossining residents
24 and 64% of Briarcliff Manor residents. We're off to an excellent start.
25 Vaccines are now available to all residents 12 years old and up. The
26 Ossining Volunteer Ambulance Corps - OVAC - is holding a pop up vaccine
27 clinic today until 8pm. And will host another one on Thursday from 10am to
28 8pm. Walk ins are welcome, and you can also reserve your appointment
29 time online. OVAC's a great place to get a vaccine if you're nervous or
30 have any questions about the safety of that vaccine it's great to have a
31 friendly Ossining face at your vax appointment.

32 Over 150 million people in the United States have had at least one dose of
33 the vaccine and 196 of them did so at the Ossining train station pop up last
34 week. So put on your calendar to call OVAC or your pharmacist or a
35 healthcare provider, if you haven't yet gotten yours and get your questions
36 answered and sign up.

37 There have been a lot of questions this week about when and where
38 people are required to wear masks. New York state adopted the CDC has
39 guidance yesterday, stating that vaccinated people no longer need to wear
40 masks in most settings. If you are unvaccinated or have an underlying
41 immune condition you're still required to wear a mask. Of course, everyone
42 is still required to mask up in schools, hospitals, on public transit, and a few
43 other communal settings. But I do want to stress one area in particular,
44 which is that businesses can require masks in their establishments. This is
45 the right of the businesses, so please be respectful of their requests.

46 Town and Village offices at 16 Croton Avenue and the John Paul
47 Rodriguez Operation Center will be expanding in person office hours for the
48 public starting June 1 and will remain open from 9am to 4:30pm - which is
49 two hours additional from what we currently have. We are still requiring
50 visitors and employees to wear masks in shared spaces like hallways,
51 restrooms, and counters. And visitors will be limited to conducting business
52 on the first floor of 16 Croton Avenue. All Town departments at these
53 locations will be available to visitors during these hours, but if you require a
54 more detailed or lengthy visit, please call the departments in advance to
55 make an appointment or to conduct a meeting virtually. Thank you for your

56 cooperation through this entire pandemic, as we do all of our very best now
57 to remain accessible and safe during these changing times.

58 And now back to a little fun. This week is Hudson Valley Restaurant Week
59 so call ahead and find out which of your favorite spots are offering great
60 meals and deals. Our restaurants, like many of our small businesses, had a
61 very rough 2020, as we all know, so please support our local gems talk
62 them up to friends and leave them positive reviews online. Also today we
63 met - we had the launch of the mid-Hudson Region Envir... Environmental
64 Development Corporation? Oh now I can't even remember... Economic
65 Development Corp - Corporation, this is all the regions have different local
66 regions. We're in the mid-Hudson region, and this was the launch of the big
67 grants from New York State. They skipped them pretty much last year and
68 they're open up this year. I think they're all the applications for these grants
69 are due at the end of July. Except there are some will be rolling, so we will
70 be talking more about what opportunities we have ahead of us and which
71 grants we will be applying for in the not too distant future.

72 Finally, I am going to repeat an announcement from last week, this is for
73 residents on McCarthy Drive and surrounding streets. This week the
74 Town's contractor for the road rehabilitation project at McCarthy began to
75 prepare the site for construction. The Town has been in touch with most of
76 the impact of neighbors and via an email distribution list with more specific
77 updates and also our project leader Paul Fraioli was out there today the
78 project and yesterday and the project team held a zoom meeting with
79 impacted residents last week. If you live on McCarthy Drive or the
80 surrounding streets that are being impacted by the construction and would
81 like to be on the distribution list, please contact my office by sending an
82 email to dlevenberg@townofossining.com, or you can call us at 914-762-
83 6001 and we will add you to the list. Do my work colleagues have anything
84 to add? We lost one of our Board colleagues. Is she in the....

85 Victoria Cafarelli: I believe Councilwoman Feldman's having some Internet
86 connection problems.

87 Dana Levenberg: Alright, well anybody else have anything that they wanted
88 to add, there was - I will say yesterday was Manny DaCruz Day in the
89 Town of Ossining. Manny was testimonialized - is that a thing? The
90 testimonial dinner for that the Fire Department, he was the outgoing Chief,

91 and that was supposed to take place in January. Maybe it was supposed to
92 take place before that, but in January it didn't take place because of COVID
93 and we were happy to sing his praises on Saturday night and - and thank
94 him for all the good work that he did for the Town which definitely involved
95 in the Chief while we had some very large fires on Cedar Lane. Actually, a
96 couple of them and then one even in the park. And I think he presided over
97 at least a couple of those so we're very grateful for all of the fire department
98 and certainly for the Chief and - the outgoing Chief so thank you.

99 And I'm just sort of dragging my feet a little hoping that Councilman
100 Feldman can join us again. Is there anything else that we can talk about If
101 not, I think we're going to go to our first item on the agenda, which is our
102 wonderful Tax Receiver Holly Perlowitz with her departmental report.
103 Welcome Honorable Holly Perlowitz.

104 Holly Perlowitz: Thank you Dana and thank you everybody for putting up
105 with the discussion of taxes, I know it's not always the most popular
106 subject, but I have great news. The April Town/county tax collection went
107 extremely well.

108 [SCREENSHARE BEGINS]

109 Holly Perlowitz: Thank you Victoria, sharing your screen with you right now,
110 so the top line is the 2021 Town and County taxes. And you can see, as of
111 today, we are at 97.8% of the warrant. Which is very, very good and our
112 [UNCLEAR]. Town Council Feldman just came back up. So I'm glad. I
113 started - we started this without you. So I just wanted to say that our again
114 our web usage was great and people are using it more and more, and
115 which is terrific. And we also were open late, until seven o'clock on the last
116 day. Collection was a Friday and we've sort of made the decision by talking
117 to some of our taxpayers and figuring out the issues that when a tax
118 collection ends on either Monday, Tuesday, or Wednesday we're going to
119 stay open the Saturday before. But when it ends on a Thursday or Friday it
120 doesn't make sense to do that because it's a full week before the tax is
121 due. And it has a lot to do with when people get paid and get – get you
122 know government assistance and all that. So I I'm comfortable with the
123 decision so Monday, Tuesday, and Wednesday when a collection ends
124 we'll stay open on that Saturday before. On Thursday or Friday we won't.
125 But we'll see always stay open late until seven o'clock on the last on the

126 last day. And we did get some activity that - that night as well. So that's it
127 for the 2021 - and our delinquency letters just went out last week and I
128 know that people are starting to call and there's a lot of, and I know we've
129 all been through this once, you know 'oh my God I forgot.' And people are
130 you know are saying that they're going to mail a check or they're going to
131 pay online. So I think when I think the collection will just continue and will
132 and will do okay.

133 Moving down and just going to the total 2020 warrants. Which are still, you
134 know, I consider them still active collections because it's not until July when
135 they will become liens. So we're continuing to collect and but, yet you can
136 see that we're 99.5% on the Town and County from the year before and
137 99% on the school. So again, I think we're doing well on the on that. And
138 these - these ones to 2020 warrants I just want to repeat it again will
139 become liens - 2021 leans in July. So in June I'll send out one more sort of
140 'okay, please, please pay' when sort of letter and anyone who hasn't and
141 then it turns into a lien.

142 The next group are all the delinquent tax liens and I wanted to identify the
143 number of properties associated with each year, so you can see that
144 they're become less than less. And I can also say that one of my personal
145 things that I look for every month is to make sure that we're at least doing
146 some collections on the on the tax liens every month. And we are, we
147 always - always are. We still have 11 active payment plans, it's really nine
148 taxpayers. Because one has a couple of - has three - three properties. But
149 we've also had a four of the payment plans pay off successfully so far this
150 year so that's again something that I think is - is working really well. I
151 wanted to mention that if you just sort of focus on the 2020 liens it started
152 out that we had 133 properties. So you can see that the 2020 lien, which is
153 about 60% of our total leans. You know it's - it's less than half less than half
154 - it's that's you know the expectation I have is that about 60% of them will -
155 we will get paid on before the end of the year, and you know people call
156 and I understand you know, some people just - just can't we do have two
157 large commercial properties in that 2020 lien. Paradise Oil and Red - Red
158 Line Apartments which have liens both in 2020 and 2019. And I'm not
159 getting a lot of communication about those. So we'll - we'll see. Anyway, so
160 I guess the - the takeaways to summarize all these numbers, the
161 takeaways is - is that our collection for the 2021 Town and County tax

162 warrant went really well. I actually spoke with a whole bunch of our Tax
163 Receivers in the County today at the Westchester Tax - the tax receivers
164 and collectors meeting and you know there's some Towns did - did well
165 some better than others, but mostly everybody feels like things are starting
166 to just feel a little bit more back to normal. People have new procedures in
167 place and everyone sort of settling in. But I'm happy for us because I think
168 we did okay on that. Again chipping away at the liens from the last from the
169 last time that I spoke with you, we did get payment on the Research Center
170 and that was about a half million dollars so we're down considerably on
171 that. And I'll take any questions that you may have, I also wanted to you
172 know, to say that, you know, on a continuing basis, I like to have a dialogue
173 with our taxpayers and just get a sense of anything that would make - make
174 things easier for them, and I am getting you know, good feedback on the
175 email communication that I have as a reminder. And it's the, you know, it's -
176 it's really the only thing I have to respond to people when they call and say
177 'oh, my God I didn't pay late, but I paid I paid on - on my God I forgotten I
178 paid late, but I paid for the last 40 years I've been in this House can't you
179 waive the penalty,' and you know, obviously I can't. But to sign them up for
180 the email reminders is always a way to just assure that this won't happen
181 again. And I am also seeing that and - and I relate very much because I'm
182 the mother of a 92 year old, there are a lot of kids who were taking over the
183 payments for their parents. And they're out of State, so they are so
184 delighted to have this as a - an option for them as well. But you know
185 talking to our taxpayers is something that I enjoy doing and I think that it's -
186 it's always a way of trying to improve the process in any way that we can to
187 make things easier. And taxes is not a very exciting subject to most,
188 although I - I shared with Victoria this morning, it shocks me because I find
189 it very exciting. But anyway, any questions from anybody anything you -

190 Dana Levenberg: Do you want to get a bit of an update as to where we
191 stand with the auction? I think we're going to actually get to go to option on
192 a couple of properties.

193 Holly Perlowitz: Yes. Yes, right now, it's one property. And Christie is has I
194 guess the last - Christie wants to jump in but the last rendition of the
195 agreement has to go back out to Malts - the people who are going to
196 manage it - and I'm hoping, they said that they need, you know just three or

197 - three weeks of lead time. So once we get the agreement we should be
198 good to go. Christie did you want to add anything?

199 Christie Addona: No, I mean we - we had had some discussions internally
200 about what that would look like in the current landscape with COVID. I think
201 the goal was to do them - Malts offers to do it electronically. So that's
202 something that the Town hasn't done in the past, I believe. They've usually
203 been held in person, so that would be different. It would also allow for a lot
204 more advertising so that you get as many people informed as possible.
205 They're an established company, this is what they do so, they would be
206 able to reach out to all of their networks. So you know, hopefully, that would
207 also be a benefit. And this is something that that the Town would recoup all
208 of the costs through the sale of the property. So there's - there's no
209 downside to the Town from doing this.

210 Dana Levenberg: Are there any questions from my Board Colleagues?
211 Besides just 'thank you Holly' for robust collection and thank you to the
212 taxpayers for stepping up even in this very difficult time, you know how
213 hard it is. We've all been struggling and you know, obviously, things are
214 coming back now, which is great news, but that doesn't mean that there
215 aren't pieces to pick up from the whole entire year. So we're very grateful
216 for able to make their payments and working with - with Holly if, in fact, you
217 know you'd have to deal with any kind of late payment. So does anybody
218 else want to say anything?

219 Elizabeth Feldman: I've had a few residents come and tell me how lovely
220 she was to work with. And a couple of that we're very happy with Patti in
221 her office as well. They had questions, you know Holly and Patti were both
222 helpful informative and I've gotten a lot of positive feedback in the last
223 couple months, so thank you.

224 Holly Perlowitz: Thanks, thank you.

225 Dana Levenberg: Always. Yeah.

226 Holly Perlowitz: [UNCLEAR].

227 Christie Addona: Sorry, just one more thing on the auction just to make it
228 clear. These are related to default on the tax payments that significantly
229 predate COVID.

230 Dana Levenberg: Absolutely, yes that's very -

231 Christie Addona: and there's current legislation and effects that regulates
232 what can be done now, with respect to foreclosures. So just for the Board
233 and the public's information.

234 Dana Levenberg: Very important.

235 Holly Perlowitz: Thank you, thank you.

236 Dana Levenberg: Anybody else have anything or wonderful tax receiver?

237 Northern Wilcher: Just to thank you.

238 Dana Levenberg: We'll take them.

239 Holly Perlowitz: My pleasure, I - I really love, what I do.

240 Northern Wilcher: Well I'm glad.

241 Holly Perlowitz: Crazy as it is.

242 Northern Wilcher: Then its not a problem to you.

243 Holly Perlowitz: Now that at all. Not - not at all. We - and we really live in a
244 wonderful community. People are really, really wonderful here.

245 Dana Levenberg: Thank you.

246 Holly Perlowitz: Glad I settled here.

247 Dana Levenberg: We are too. Okay well without further ado, in that case I
248 think we're going to go on to the next topic on our Work Session agenda,
249 which is to talk a little bit about the recommendation coming for the
250 Comprehensive Plan Steering Committee on communicating the
251 Comprehensive Plan Goals and process of which - by which we do those to
252 the Town Land Use Boards and the Town Board. As the Town is in the
253 process of developing a new Comprehensive Plan. We have heard from
254 some residents asking if the Town would consider adopting a moratorium
255 as plan has been completed. This is a complex issue and a decision that
256 the Board does not take lightly. So, at the beginning of the year, the Town
257 Board requested that the Comprehensive Plan Steering Committee with
258 guidance from experts at Pace Land Use Law Center consider the question
259 of adopting a moratorium and come back to the Town Board with a

260 recommendation. The Steering Committee participated in a learning
261 session with Professor John Nolan from Pace Land Use Law Center in
262 February and based upon what they learned considered this question and
263 presented the Town Board the letter, a few weeks ago with their
264 recommendations. Although the Steering Committee did not come to a
265 consensus on implementing a full scale moratorium, they did recommend
266 that the Town Board direct the Town's Land Use Boards to take in consider
267 - into consideration goals recommendations and strategies presented in the
268 current draft of the Comprehensive Plan to the extent that they have been
269 released to the public when deliberating over land use decisions.
270 Additionally, should a moratorium be considered by the Town Board the
271 Steering Committee recommended it be limited to development
272 applications that were seeking additional density beyond what is currently
273 permitted under the existing zoning. The Town Board and our Counsel to
274 the Town Christie Tomm Addona, have had an opportunity to review the
275 recommendations. From the Steering Committee and tonight we will be
276 discussing these recommendations, and I think I speak for the entire Board
277 when I say that we very much appreciate the Steering Committee's
278 thoughtful deliberation and continued volunteerism on behalf of Town
279 during the development of the Comprehensive Plan. Before I open it up for
280 the Board for the discussion we do have our Town planner Valerie
281 Monastra from Nelson Pope Vorhees here with us tonight, who helped to
282 facilitate the Steering Committee is discussions on this topic. Valerie do
283 you have anything to add?

284 Valerie Monastra: Well I'm happy to summarize or read the paragraph on
285 the Steering Committee's letter, if you'd like. Or if you'd like to just begin the
286 discussion we can do that as well, I know the Steering Committee itself
287 they really did take a long hard look at this particular topic. And while they
288 were not able to come to a full consensus of moratorium, they did have
289 some additional recommendations specifically dealing with - if the Board
290 were to consider moratorium what their recommendation would be in the
291 limitations of the moratorium. But also, in addition, I think the
292 Comprehensive Plan Committee really one had concerns with the Town
293 Board expressing to the other land use Boards. To take into consideration
294 as much as possible the draft – any draft goals or recommendations or
295 strategies as they look at the various land use applications before the

296 Boards. Especially in consideration that ultimately the month of
297 Comprehensive Plan is adopted on our projects within the Town will need
298 to be consistent with the Comprehensive Plan.

299 Dana Levenberg: Right. I mean, I think we both summarized the letter, but
300 if you would like to read it, I you know I think we kind of just both said the
301 same thing, but go ahead and just read -

302 Valerie Monastra: I don't know if you want to do me to read the exact the
303 letter itself. It's short and then that way its [UNCLEAR]-

304 Dana Levenberg: Sure. Yeah.

305 Valerie Monastra: Okay. So, based upon comments received by the public
306 and concerns raised by the Comprehensive Plan Committee regarding the
307 need for moratorium on development until the Comprehensive Plan
308 processes concluded. The Town were requested a comprehensive
309 planning committee to provide a recommendation on the subject. The
310 Comprehensive Planning Committee met with Joan - John Nolan a
311 distinguished Professor of Law from Pace University for a question and
312 answer session to learn about a moratorium, it's use within local
313 government, the adoption process, and legal requirements. The committee
314 debated and contemplated, the issue of the development moratorium and
315 could not come to a consensus on a recommendation for the Town to
316 adopt a full scale moratorium. However, the Committee did find consensus
317 on the following recommendation: If the Town Board were to consider a
318 moratorium that it be limited to development applications seeking additional
319 density beyond what is currently submitted under the existing zoning. The
320 Committee recommends that the Town Board directs the Town's land use
321 Boards to take into consideration the goals, recommendations, and
322 strategies presented in the current drafts of the Comprehensive Plan to the
323 extent that they have been released the public when deliberating land use
324 approval decisions. The current draft goals - well 'were' - attached to this
325 letter and they're also actually I believe they're posted on - on the Town's
326 website as well. And the Comprehensive Planning Committee appreciates
327 the opportunity to weigh in on this complex issue and we'd be happy to
328 further discuss our thoughts in the matter with the Town Board.

329 Dana Levenberg: Alrighty, so to kick it off. Would anybody like to comment
330 on what your thoughts are on the subject?

331 [SILENCE]

332 Elizabeth Feldman: [coughs] Sorry.

333 Dana Levenberg: We have a couple options. I think that they're - they're
334 both interesting. I - just in terms of timing do you want to talk a little bit
335 about timing for the Comprehensive Plan and a little bit about - Valerie
336 maybe why you think the - there wasn't consensus on the moratorium
337 recommendation.

338 Valerie Monastra: So I think - maybe I think it would be - before we go into
339 timing on the Comprehensive Plan I think it'd be helpful for the public and
340 maybe the Town Board for Christie to walk you know the Town Board
341 through the process of adoption of a moratorium, and then we can talk
342 about how that right dovetail into the Comprehensive Plan process.

343 Dana Levenberg: Alright.

344 Elizabeth Feldman: I think it's worth taking a look at. A moratorium in the
345 properties that - or, at least in the cases where it's going to go density
346 beyond. I agree with that. Or at least I'd like to see what that looks like.

347 Dana Levenberg: Alright, so Christie, did you want to take us through what
348 it would - would - adopting a moratorium would look like -

349 Christie Addona: Sure, so... I mean I could also - we'll talk about the
350 moratorium, but then we can come back to the - to the committee's other
351 recommendation.

352 Dana Levenberg: Sure.

353 Christie Addona: As far as a moratorium, this would have to be done by
354 local law, you would basically be amending the code temporarily to modify
355 what is currently permitted pending an outcome of the Comp Plan adoption
356 and then any zone texts amendments that may derive from what is in the
357 Comp Plan. So it would have to be done by local law, which would have the
358 law would have to be drafted, it have to be noticed, you would have to hold
359 a public hearing. And it would also because it's a local law on a zoning
360 amendment, it would have to be referred to the County Planning Board for
361 them to review and weigh in on under General Municipal Law. So that's the
362 process you're looking at as far as adopting this. So it's not just something
363 where next week, you could just adopt a resolution, just for context. And

364 then there are certain substantive issues that would have to be discussed
365 and addressed by the Board prior to and then during the public hearing
366 process to be included in the law. For instance, while it is reasonable and
367 it's pretty well established that review and of - the Comp Plan and potential
368 [UNCLEAR] text amendments are valid basis for a Comprehensive Plan,
369 excuse me for a moratorium, you have to do it for a reasonable period of
370 time. So you can't just say 'okay, for two years we're going to put this into
371 effect.' Generally, what we would see is maybe six to eight months, and
372 then you have to show that you're continuing to make progress in the
373 direction which is I guess where Valerie will come in in her discussion of
374 the continuation of the Comprehensive Plan and any zoning texts
375 amendments that may come out of that. If you have to subsequently put
376 additional extensions of time, that's permissible. It would have to go
377 through the same process, it would also have to be done by local law. So
378 that's just something to keep in mind in terms of timing and how long it
379 would remain in effect than other aspects that would have to be
380 contemplated for inclusion and local law. Will current applications be
381 exempt? If not, can the process for those applications continue? They just
382 cannot get approvals, while the moratorium remains in effect. The Board
383 did do a moratorium, a few years ago. So I believe it did exempt current
384 applications, but we could go back and take a look at what was done in that
385 instance. Generally, you would include a provision for a process to get a
386 hardship waiver for property owners or developers who may be in - have
387 unique circumstances, for some reason or another, to try to obtain relief
388 from the moratorium. I believe this was also in the last one, but I'll double
389 check that and that's - that's a pretty standard provision to include.
390 Because a moratorium does implicate constitutional property rights. So
391 that's something to consider as well, and then the issue that came up in in
392 the context of the Comp Plan Committee's recommendation is 'what do you
393 actually want to be included in the moratorium.' And so that's obviously
394 something that would have to be spelled out pretty clearly in the local law
395 itself. If - if density is a concern there, there are a lot of ways to increase
396 density under the current zoning codes so. You know you have an
397 accessory apartment law, you have subdivision regulations, you can do
398 zoning text moments or rezoning so there's - there's a lot of aspects of that.
399 And so we would need to talk about what it would look like if that's the
400 issue of what what's going to be included to address that.

401 Dana Levenberg: Okay.

402 Christie Addona: So typically there's a lot there you don't just you don't just
403 get up one day and say you know moratorium there's - there's a lot that has
404 to go into it.

405 Dana Levenberg: Got it.

406 Jackie Shaw: Christie, could you just give us an idea of what the timing
407 would look like? Is it a month, is it two months, if you were if we were going
408 to do something like that? Just an idea?

409 Christie Addona: um. I'd say at the earliest your - your second legislative
410 session in June, possibly into July. By -

411 Elizabeth Feldman: So it would be a similar process, the one we went
412 through a few years ago.

413 Christie Addona: [UNCLEAR]. I'm sorry.

414 Elizabeth Feldman: It would be a similar process to the one we went
415 through a few years ago?

416 Christie Addona: Yeah and it's a similar process to really any local law that
417 you do. You know you - something's drafted, I mean generally you look at it
418 at a work session. We make changes, if there are any changes to be made,
419 notice the public hearing, send it out for GML review, and then, and then
420 tear with the public has to say and then, if there are any changes that
421 needs to be made based upon what the public says.

422 Elizabeth Feldman: And one of the reasons I'm leaning toward a
423 moratorium. Is because I always feel not so good telling another Board
424 what to do so. I'm always leery when you know the Town Board is
425 suggesting another Board make a decision, or I mean, can you talk about
426 that?

427 Christie Addona: It are you saying in the context of the other
428 recommendation that came -

429 Elizabeth Feldman: Right.

430 Christie Addona: Sure. I don't think it's necessarily a bad idea for the Land
431 Use Boards, I mean, I think, at this point they - they are mostly aware of it,

432 but for land use Boards and the public and applicants to know that this
433 process is happening, because it - and Valerie will get into it when - when
434 we talk about which talks about the timing of the Comp Plan. But if this is
435 going to be done in the next few months, it's likely that an applicant that is
436 currently before any of the Law Use Boards or may become - becoming
437 before landing imminently is going to be bound by whatever zoning texts
438 amendments may come out of the Comprehensive Plan. Unless you're
439 vested in the prior zoning - vested is like the legal concept - and being
440 vested is a very stringent and difficult standard. Its substantial construction
441 and substantial completion. So just getting an approval, even just getting a
442 building permit is usually not enough to vest you. So it wouldn't be to the
443 benefit of the Land Use Boards. And the applicants to be aware of this and
444 taking into consideration, because it doesn't benefit anyone to spend time
445 and effort going through these reviews only to then down the line, have the
446 application no longer comply with zoning, based upon amendments that
447 were derived from the Comp Plan.

448 Dana Levenberg: But you're saying that with that's true without having a
449 moratorium in place. That just the Land Use Boards should be aware that
450 we were in the process of overhaul in our Comp Plan - are developing a
451 new Comprehensive Plan - and therefore the direction should be such that
452 the applicants are taking, taking into account what is going on in in public,
453 with the Comprehensive Plan.

454 Christie Addona: I think it would be to their benefits do that and I don't think
455 there would be anything wrong with - with telling - with making applicants
456 and the Boards aware of that. But it - until it's actually in the zoning it's yeah
457 there's nothing to specifically enforce it. Its more keeping in mind what
458 could come out of the - the Comp Plan in the way of zoning that could
459 render these projects down the line, potentially, no longer conforming. But
460 yes that's - that's true, regardless of whether you were to put a moratorium
461 into effect. That's just how I see the other avenue that was proposed by the
462 Comp Plan Committee - excuse me - potentially being beneficial for - for
463 the overall process that's that would be happening before Land Use Boards
464 right now.

465 Dana Levenberg: Got it.

466 Elizabeth Feldman: I just don't want to see somebody going down, you
467 know, going down a road and - and surprised that, if we change the zoning
468 or have any legal reason to complain that 'oh, you know, I was doing this
469 and you change the zoning to that.' I mean they - they should be aware, I
470 mean, whatever legal means and if the moratorium is that we make them
471 aware, then you know that the things going forward until this is processes
472 done or the zoning will be potentially changed and that they should be very
473 well aware of that so there's no surprises later.

474 Dana Levenberg: Valerie -

475 Jackie Shaw: Since we're in the - I'm sorry go ahead, Dana.

476 Dana Levenberg: No, I was just gonna ask Valerie to talk a little bit about
477 the timing now for the Comp Plan so we could talk about like - sort of see
478 how the two are aligning right? The Comp Plan versus the timing for to put
479 in place a moratorium. Jackie, I thought that was where you were going but
480 I'm not sure.

481 Jackie Shaw: That's where I was going.

482 Valerie Monastra: Okay, so we have - there are - right now there are draft
483 overarching goals that have been put forth in the public. And the
484 Comprehensive Plan consultants WXY are developing draft
485 recommendations and objectives. And those are anticipated to - the draft is
486 to be released within like the next week to the internal - for internal review
487 from the Steering Committee. And then will ultimately be released to the
488 public, within the next few weeks. I believe sometime in June. From there,
489 once we have the draft goals, then there'll be finishing up the actual - and
490 draft, excuse me, draft recommendations and objectives - we'll be finishing
491 up the Comprehensive Plan itself. And once the Comprehensive Plan is
492 completed at that point, the Town Board is going to make determinations
493 as to what, if any zoning recommendations, you will like to pursue at that
494 point. It is not anticipated at this point in time to have zoning changes take
495 place, along with the Comprehensive Plan adoption, but any zoning
496 changes will take place afterwards and then there'll be done systematically
497 based upon prioritization of the Town Board and what you're interested in
498 pursuing. So that that will add on a number of months after the
499 Comprehensive Plan process I would assume based on the trajectory that
500 this Comprehensive Plan process is taking I would assume that a draft

501 Comprehensive Plan will be completed by the end of the summer
502 beginning of fall, with adoption sometime in the fall.

503 Dana Levenberg: Okay, so if in fact [what] Christie's saying is June/July, for
504 when a moratorium would be in place. And then we're saying late summer
505 early fall till we'd have the Comp Plan theoretically approved and adopted.
506 At the earliest rate or at the latest or at sometime -

507 Valerie Monastra: I feel comfortable with that. You know I think that's its
508 maybe give or take a month or so, but -

509 Dana Levenberg: And then there's one other issue, which is the North
510 State Road recommendations which is kind of happening simultaneously.
511 Looking at North State Road, and that's also been something that the
512 Steering Committee has been taking a look at simultaneously that would
513 have some kind of zoning recommendations on [UNCLEAR].

514 Valerie Monastra: Right, so those will ultimately have - those will be zoning
515 - not like zoning recommendations but actual zoning for the Town Board to
516 adopt. But again we're anticipating that coming following the
517 Comprehensive Plan process.

518 Dana Levenberg: Okay. Okay, so now Councilman Shaw, did you want to
519 say something in terms of timing?

520 Jackie Shaw: Valerie pretty much covered it. I just think it's one of the
521 issues I'm having with the moratorium is that we put it in and then we're
522 done in say September so what's the point so that's what I'm kind of
523 struggling with it. But you know Valerie pretty much covered timing-wise
524 and so did Christie.

525 Elizabeth Feldman: Right but we would have to - then after we're done with
526 the Comprehensive Plan start looking at the zoning changes which will take
527 another four or five months, which brings us right to that six month window
528 that Christie was talking about for a moratorium.

529 Valerie Monastra: Right, and let me just touch [UNCLEAR] the one the
530 zoning recommendations. So theoretically, you know we don't know at this
531 point in time, what the zoning recommend - what the final zoning
532 recommendations are going to be. But I you know, based upon the overall
533 goals and based upon where the community has you know the discussions

534 we heard from the community. Unlike other Comprehensive Plan
535 processes, I don't anticipate major wholesale changes to zoning coming
536 from the Conference Plan process. I think, to some extent, for example,
537 with North State Road there might be more of design and building form,
538 you know recommend zoning - recommendations that might come forth or
539 some other recommendations that might look at certain or suggest looking
540 at zoning districts, determine like tweaking some bulk regulations that type
541 of thing. Unlike some other you know zoning - you know other zoning
542 recommendations that could come out of a Comprehensive Plan, which
543 would be like create overlay districts or replace new you know zoning
544 districts and I don't anticipate that necessarily at this point in time, based on
545 everything we have heard from the public, so far, as well as seen
546 throughout the public process That being said, we're still in the middle of a
547 Comprehensive Plan so you know that is still, yeah that has not been
548 finalized by any stretch of the means, but I'm just letting the Town Board
549 know that is what I see so far coming through this Comprehensive Plan
550 process.

551 Dana Levenberg: Council – Councilman Meyer, did you have anything you
552 wanted to say?

553 Greg Meyer: Yeah I've gone back and forth on a bit and - and, ultimately, I
554 just don't think that it's necessary to have a moratorium at this point. You
555 know, I understand your point Councilwoman Feldman, as far as applicants
556 are concerned. But I think they should be aware that this process is
557 ongoing and if they choose to proceed, they choose to proceed. But I don't
558 think a moratorium is necessary.

559 Dana Levenberg: Councilman Wilcher?

560 Northern Wilcher: No, I think you covered all of it. It's been covered with
561 me.

562 Dana Levenberg: Okay.

563 Northern Wilcher: Thank you.

564 Dana Levenberg: So... I am on the fence. I think - I'm leaning sort of away
565 from moratorium, because it doesn't seem like it makes a lot of sense in
566 terms of the timing. I know that we spent a lot of time in a moratorium again
567 earlier, you know what five years ago or so and I'm not sure that it achieved

568 our goals, except for that it stopped a lot of applicants from proceeding on
569 anything and maybe it wasn't narrowly enough drawn. My thought would be
570 that we ask our professionals to perhaps draft something for us to take a
571 look at. What could a very narrow moratorium look like? Maybe that's
572 something that we could look at and see if it's something that we feel like
573 makes sense to maybe achieve something. But I'm also hearing that - it
574 sounds to me like the majority of the Board - I'm thinking Councilman
575 Wilcher that you were not leaning in favor of moratorium. But I'm not
576 hundred percent sure, but it sounds to me like the Board is not in - leaning
577 in that direction, so I don't know what everybody thinks about just sort of
578 taking a look at what a limited moratorium would even look like to consider.
579 Is that something I don't even want to do?

580 Jackie Shaw: I'm willing to take a look at it. Sure.

581 Northern Wilcher: Yeah if I could see it, I think it'd be better. I'll take a look
582 at it.

583 Dana Levenberg: Okay. That. Councilman Meyer, you're still opposed?
584 You don't care? Like 'no, okay I don't.'

585 Greg Meyer: [UNLCEAR] think it's necessary. That's kind of my position so-

586 Dana Levenberg: Right, and I mean, I have a feeling that that's again,
587 where the Steering Committee was sort of on the fence and also in terms of
588 just 'is it necessary? Is it really going to achieve the goals?' I mean I
589 certainly think that it would be helpful to at the very least, to have a letter
590 drafted that would address the former recommendation about you know,
591 giving direction to the land use boards in a way that is seems like it would
592 be helpful. And actually achieved the goal that that that part of their
593 recommendation was hoping to achieve so maybe we could look at both of
594 those options and then come back and talk about them and see where we
595 stand. Does that make sense to everybody?

596 Northern Wilcher: Good idea.

597 Dana Levenberg: Okay, alright, fantastic. Okay, well, again I want to thank
598 our comprehensive plan Steering Committee and also I'd like to thank
599 Christie and Valerie for all of your help guiding the Board in this. And with
600 that I think we're going to move on to the next topic, which is really fun and
601 I don't think Valerie, were you staying on for this, or are you happily leading

602 us at this moment? Unless did you have anything else you guys wanted to
603 add before we close? Or questions for the Board before we send you off
604 with this idea of putting together something for us to review and get back to
605 us with?

606 Christie Addona: You know it's not it's not uncommon in our practice. And I
607 think Councilman Wilcher makes a good point that you know if you're
608 looking at something tangible it's sometimes easier than when you're
609 talking about it in the abstract. So there's not - I'm not going to be able to
610 [UNCLEAR] with Valerie I'm not going to be able to decide a lot of those -
611 those sub divisions, for you, but I can lay out what the law would look like
612 and what your potential options are. And then it might at least help - help
613 the Board decide either you know you know we don't want to go in this
614 direction, or it may facilitated dialogue as to what direction you would want
615 to go in.

616 Dana Levenberg: Sure. I mean, obviously we want to protect the Town. We
617 don't want to be putting ourselves in a position of lawsuits and things of that
618 nature, so all of those are considerations that we need to make as well. So
619 hopefully whatever you draft you're going to be thinking about that it's top of
620 your mind their Counsel Tomm Addona. I know you well so -

621 Christie Addona: That's always at the top of my mind.

622 Dana Levenberg: And that will be - that - I think that actually is would be
623 very helpful for us.

624 Valerie Monastra: And we'll use the recommendation from the
625 Comprehensive Plan Steering Committee as the basis of our starting point
626 for discussion.

627 Dana Levenberg: Absolutely.

628 Valerie Monastra: Okay.

629 Dana Levenberg: Alright fantastic, alright. So with that can we move on to
630 our next topic which is so much fun, we are looking at our draft local on
631 number six of 2021: special events policy. So we're getting close to
632 finalizing the local law - and bye Valerie if you're leaving us - on a special
633 events policy in the Town of Ossining there are a few remaining items to
634 discuss. Counsel Addona can you highlight those areas of law that you

635 would like to get some additional feedback on from the Board? And then
636 hopefully - we have heard - we've sent this out to all of the relevant
637 department heads and gotten back a little bit of input from our insurance
638 agent. But we will reach out to them again and make sure that they didn't
639 miss the email, and they had a chance to take a look and - and weigh in on
640 anything that they think might be helpful for the Town to consider as we
641 look to adopt a special events policy that is somewhat informed - very
642 much informed, I would say, by the Village of Ossining's special events
643 policy that they adopted. And the reason that we did want to look at that
644 very closely, is because these applications usually go through the
645 Recreation and Parks Superintendent Bill Garrison and - and his
646 department, since we share him. And we think it would make it easier for
647 people to understand what the process would be if it were similar to that of
648 the Village's, instead of having two separate - completely separate policies.
649 But we do have some different considerations and therefore we have
650 tweaked our local law in fact we're not self-insurance so our insurance
651 agent has given us some different insurance requirements that we wanted
652 to make sure that we referred to in this without being too specific, because
653 they do change and we want to make sure that - I think that they're broad
654 enough that we're we feel like we're covered, but we're not hamstringing
655 ourselves with a local law that has to change, every time you know... limits
656 are changed or recommendations for limits change. So there are some in
657 here now but I think again we're going to consider if you know that's
658 something that's referred to outside that we point to the policy points to. So,
659 as I said, with that Christie Tomm Addona take it away.

660 Christie Addona: So, as you explained, I think the reason for the
661 outstanding items: it's basically because the starting off point of the Town
662 and Village were different, and considering this. And so, a lot of the - I think
663 all - all of the remaining items have to do with either fees or fines. So the
664 monetary aspect of the law. One issue that came up - and I think Victoria
665 may be able to help out with the exact numbers. I'm sorry to put you on the
666 spot - I can also pull it up.

667 Dana Levenberg: I think I have it. Which one?

668 Christie Addona: The easiest and most straightforward is just setting the
669 application fee. So just for the Board's recollection we're doing this by local

670 law. The fees will go in the fee schedule which can be amended - which
671 can be set an amended from time to time by resolution but because we're
672 trying to get this implemented for this season, it would be beneficial to have
673 those numbers in place at the time of the local laws adoption. So that's kind
674 of why we're looking at this now, so the first is to set an application fee and
675 probably just be beneficial to mirror what the Village did for administration
676 purposes.

677 Victoria Cafarelli: You want me to pull up the Village's fee schedule, so I do
678 have it here?

679 Christie Addona: Sure, if that's helpful to the Board.

680 Dana Levenberg: Sure.

681 Victoria Cafarelli: Okay.

682 [SCREENSHARE BEGINS]

683 Victoria Cafarelli: Can you see it all?

684 Dana Levenberg: Yeah.

685 Victoria Cafarelli: Okay good.

686 Dana Levenberg: Okay, so, the block party application fee: zero. The
687 special event application fee: \$25. Banner application fee - which I don't
688 think we really have a whole lot of banners that go up in the Town, most of
689 the time they go up in the Village, so I would think that that would still be
690 something that would be set by Village - \$25 nonrefundable fee, if the event
691 is in Ossining, \$50 non refundable fee if the event is outside of Ossining.
692 Street closing of parking spots and municipal parking spots, again I don't
693 think that's relevant. Event Level one is up to 299 in attendance: \$200 per
694 event, this is relevant. Event Level two: 300 to 499 in attendance is \$500
695 for - per event. Level Three: attendance exceeds 500: \$700 per event and
696 a security deposit unless otherwise specified. \$200 for Level one, \$500 for
697 Level two, and \$700 for Level three. So basically just double whatever the
698 actual permit cost is in that is what you're paying. So that's again, for
699 special events of that size, which would for the most part be on public
700 property, but could be on private property, depending on how its defined.
701 Correct?

702 Christie Addona: Yes.

703 Dana Levenberg: So if somebody wanted to erect a tent and have an event
704 that would be 300 to 499 and attendance that would cost them \$500. We
705 can think of some of those events that I don't believe we've charged for in
706 the past. I'm sure a few of us could come up with those in our heads. And
707 that would be new. So I cannot see everybody now are we done staring at
708 these numbers now?

709 Christie Addona: One thing I'll just also say –

710 [SCREENSHARE ENDS]

711 Christie Addona: - is that we are treating block parties differently than the
712 Village. The Village exempted all block parties from the special event
713 permit. The Town Board had discussed only exempting it for block parties
714 on dead end streets. So there - there would be conceivably... If there was a
715 block party proposed to be held in the unincorporated Town on a non-dead
716 end street they would have to make an application so - so you might want
717 to think about if you want there to be a fee for that or if you just want it to be
718 a zero dollar fee, like the Village. The other thing is that the Village does
719 provide for a street closing fee so that would go hand in hand, really, with a
720 block party. Because you're [not] necessarily I would think closing access
721 to the street if you're holding a block party, so those fees may be relevant
722 to the Board's discussion.

723 Dana Levenberg: Okay.

724 Victoria Cafarelli: [UNCLEAR].

725 Elizabeth Feldman: So we could easily switch it from a street closing fee to
726 a block party – block party fee?

727 Victoria Cafarelli: I –

728 Christie Addona: [UNCLEAR].

729 Victoria Cafarelli: Sorry, I just I don't want to speak for the Village Board,
730 but I think the intent of those street closing fees is really for if you're taking
731 up municipal parking, which we don't have in the Town. So the idea of
732 paying \$10 per space is for recouping the meter fees that they normally
733 would be getting if that was open parking during the day. So it may not be

734 as relevant to the Town as it was for the Village, just want to throw that out
735 there.

736 Dana Levenberg: But now isn't there a cost for if you need police presence
737 for closing a street or you know, making sure that you have barricades?
738 No, I guess not.

739 Victoria Cafarelli: No because then it just becomes a special event and
740 you're paying for that via your event level.

741 Dana Levenberg: I see. So would still be for the block party if it was over,
742 whatever - it's up to two 990 pay \$200. What was it - two, five, and seven, I
743 believe right. So...

744 Elizabeth Feldman: I thought we were exempting the block party?

745 Christie Addona: Only if they're on a dead end street, is the way it's
746 currently drafted.

747 Dana Levenberg: Right, but the question is, I think now I'm a little confused
748 because I - if somebody's having a block party or they have an event and
749 now we're asking them to pay an event fee?

750 Christie Addona: Yes. [UNCLEAR] like - on a dead end street.

751 Dana Levenberg: So if it's on the dead end street it's not considered an
752 event.

753 Christie Addona: That that's the way the law currently stands, based upon
754 the prior discussions. Yes.

755 Dana Levenberg: Okay.

756 Elizabeth Feldman: I don't really think –

757 Jackie Shaw: [UNCLEAR] put that in because the street would have to be
758 blocked if it wasn't a dead end street. I vaguely remember our discussion.

759 Christie Addona: And it could interfere with traffic.

760 Jackie Shaw: Right. So that was the reason for a need for a fee there
761 because there would have to be possibly police involvement to block the
762 street or something like that.

763 Christie Addona: And the other thing about the street closing fee is that, I
764 understand why it was probably originated in the Village, but it – it - it was
765 referenced in the villages version of the law. So because the Village had
766 block parties as being exempt from the special event policy they - they kind
767 of delineated their own separate process for - for handling block parties.
768 And it included paying a street closing fee. So the street closing fee the
769 way it's contemplated here would only be for the dead end street block
770 parties that are currently exempt as drafted exempt from the special event
771 permit. But if you need a special event permit, then you submit the
772 application, just like anyone else holding a special event and it's treated the
773 normal way as the - as the - as the other special events. Not like the
774 exempted dead end street block parties.

775 Dana Levenberg: Pretty sure my head is spinning right now. What... Okay, I
776 want to have a party and I live on a dead end street. You guys know I know
777 but.

778 Christie Addona: Is it a block party?

779 Dana Levenberg: Well, you know, most of the people that are coming are
780 going to be, you know people who live on the block. But then I have some
781 extra friends I'm inviting to so there's probably going to be at least you
782 know with the kids and everything I say you know there's going to be 75
783 people.

784 Christie Addona: But, are you having it on your property or are you closing
785 the road?

786 Dana Levenberg: Well, I definitely want to close the road, because I want
787 the kids to be able to ride on tricycles on the street.

788 Christie Addona: Okay, that it's exempt if it's on a dead end street.

789 Dana Levenberg: So, even though I'm having a party - I'm sorry I'm now
790 having 300 people. It's still exempt or is it now a party?

791 Christie Addona: No. Block parties are exempt they're their own - the way
792 we use the Villages law as our starting off point -

793 Dana Levenberg: Right.

794 Christie Addona: - and the Village had it was 'block parties are exempt.' We
795 discussed that and the Town Board to assess carving out from that
796 exemption, block parties that are not on dead end streets.

797 Elizabeth Feldman: Can we not charge for the party, not call it an event but
798 charge if an officer is needed to help close the street?

799 Dana Levenberg: I mean that makes sense to me. So I would say that
800 makes more sense - I don't know if - I thought that's what we were thinking
801 about actually -

802 Elizabeth Feldman: I thought that's what we were thinking. Yeah.

803 Dana Levenberg: I thought we were thinking if we need police to be
804 involved with a dead end street you put a little barricade up its no biggie,
805 but if you have a through street you could put a barricade up, we probably
806 might need some help also. And if you need help, that's going to cost
807 money and if it costs money -

808 Christie Addona: And then it's a special event. And then you're going
809 through the normal process.

810 Dana Levenberg: But it's not a special event, it's a block party.

811 Victoria Cafarelli: It's a block party - it's a block party on a through street.
812 Which, in the Town, this law applies. In the Village it doesn't.

813 Dana Levenberg: Okay. Alright so -

814 Victoria Cafarelli: So yes, you are paying for the police. You're paying for
815 whoever -

816 Dana Levenberg: Okay, so if – so if its a block party on a cul de sac it's not
817 gonna cost you anything. If it's a block party then - then – on a through
818 street, it rises to the level of special event. And then you have to pay a fee
819 based on the use. Correct?

820 Christie Addona: The only thing - the only thing I would clarify about that is
821 that the way the laws currently drafted is that if it's on a cul de sac, which I
822 guess we're saying is the equivalent of a dead end street, then under those
823 circumstances that contemplates paying the street closing fee.

824 Dana Levenberg: Okay, which is –

825 Christie Addona: That's the way the Villages was.

826 Dana Levenberg: [UNCLEAR].

827 Christie Addona: The Village also had all block parties being exempt.

828 Elizabeth Feldman: I feel like I've watched all block parties exempt.

829 Dana Levenberg: Except you just said you want them to pay a fee for - to
830 close the through - through Street.

831 Elizabeth Feldman: If - if there's an officer needed there should be a fee for
832 that.

833 Victoria Cafarelli: So, then you don't want them exempt - exempt means
834 they don't pay a fee, in this world.

835 Elizabeth Feldman: Okay.

836 Victoria Cafarelli: So...

837 Dana Levenberg: Right.

838 Jackie Shaw: If there's a through street there needs to be some kind of
839 intervention - police intervention. So there would be some kind of fee - yeah
840 I'm totally confused too. But –

841 Dana Levenberg: Yes, I think –

842 Jackie Shaw: - basically if you have to close off the street, and there has to
843 be police intervention if it's a through story. So there has to be some kind of
844 fee.

845 Dana Levenberg & Victoria Cafarelli: Here's the -

846 Elizabeth Feldman: And then they have to go through that whole form.

847 Dana Levenberg: Right.

848 Victoria Cafarelli: Here's the thing [UNCLEAR] you had less than 300
849 people would be \$200 more than \$500 that's a fee you're paying just like if
850 you were doing it in another public space.

851 Dana Levenberg: I think we're – I'm - I think we're all having some trouble
852 here, which is there is 'special events' and then there's the 'block party.'
853 And the block party is either a special event or it's not. So it becomes a

854 special event when you have to close off two streets but it's still really is a
855 block party, so I think we're now saying - are we going to just come up with
856 what the cost would be to close off both ends of the street and that's what
857 we're going to charge for a block party that is [UNCLEAR] -

858 Christie Addona: That is a street closing.

859 Dana Levenberg: A street closing fee.

860 Elizabeth Feldman: Okay.

861 Dana Levenberg: And then other events are treated differently. So a block
862 party is treated one way. If it's on a cul de sac you got nothing, you don't
863 pay anything. If it's on through street, you have to pay it a street closing
864 fee.

865 Christie Addona: But - but it's not going to be a special event.

866 Dana Levenberg: Correct, right, that's what everybody is saying.

867 Jackie Shaw: Yes.

868 Elizabeth Feldman: Yes.

869 Dana Levenberg: Okay. We're good with that?

870 Jackie Shaw: Yes.

871 Dana Levenberg: Okay. Great, anything else? So now - I don't think
872 Christie's happy but okay. Um okay so - so I think that's what- what -
873 maybe we just didn't understand last time around, because I think it was
874 maybe a little confusing so... I think that makes more sense for - otherwise
875 it seems - it doesn't make sense, why should a block party be a special
876 event when it's on a through street versus not? It's - its -

877 Christie Addona: Then why would - why would a special event on private
878 property be... what's the difference?

879 Dana Levenberg: So I think what the difference is and I'm not I'm not 100%
880 sure, but I'm going to say on private property its one event that people are
881 being invited to somebody's home, versus a block party, where the whole
882 block's involved. So it's more likely that you're going to be disturbing all
883 your neighbors if you're having an event on private property, then, if you're
884 having a block party where all your neighbors are invited.

885 Christie Addona: Okay.

886 Dana Levenberg: I don't know that's the only thing I can come up with that
887 makes sense as to why block party isn't considered an event.

888 Northern Wilcher: I'm going - I'm going to get an aspirin.

889 Dana Levenberg: Well, if it's on a through street that'll cost you, but if it's if
890 it's just on a dead end you don't have to pay for it. I'm just telling you.

891 Victoria Cafarelli: Maybe, perhaps we should have an offline conversation
892 with Chief Sylvester or perhaps somebody from the Village about what the
893 thinking was behind this because I think that's also maybe what's confusing
894 us a little bit is I think they spent a lot of time thinking about this and we
895 haven't necessarily done that. So perhaps it might clarify some things –

896 Dana Levenberg: Okay.

897 Victoria Cafarelli: - offline.

898 Christie Addona: We're also going to need a number. Right? If the whole
899 intent is to have all block parties be exempt but you have this street closing
900 fee. I – what was a \$25 or something in the Village's fee schedule - is that
901 really -

902 Victoria Cafarelli: Is still says um it says \$10 per spots still. So that I'm also
903 a little confused about so we'd have to sort of structure it differently,
904 because we don't really have parking spots in the Town in the same way,
905 so -

906 Dana Levenberg: Here's what I'm going to say I'm going to say that I think
907 it should loosely be based on the amount of time that we would need a
908 police presence to be there. If that's something that we're going to need for
909 the through traffic to be closed, so based on the length of time of the event
910 that through street is going to be closed, we would come up with fee based
911 on approximately an average cost.

912 Christie Addona: So that could - that could conceivably be more than an
913 application for a special event.

914 Dana Levenberg: That's possible.

915 Greg Meyer: I think after the year we've had, the less fees the better. Let
916 people enjoy themselves.

917 Dana Levenberg: Well we can always -

918 Jackie Shaw: But the other question is how many parties are there in the
919 Town on through streets?

920 Dana Levenberg: I don't think it's worth the time that we're taking to talk
921 about it.

922 Jackie Shaw: That's where I'm headed. That's exactly what I'm saying.

923 Dana Levenberg: [UNCLEAR] are there any? Do we know of any? I think
924 that's how we probably got him got to this whole point is that we don't think
925 that there are a lot of block parties, but if somebody decided that they want
926 to have a block party on a through street. So, again is this just a waste of
927 time to get into this? And, like what - can we just leave it as it is and say
928 fine it's - it's considered an event, if it's on the three street and then you can
929 pay 200 bucks. I'm sure that - I'm sure that the block can come up with two
930 hundred dollars for - for it if needed. And that would personally offset
931 whatever cost might be involved, if that even ever happens. Remember it's
932 not going to even happen, probably. We can always change the fee
933 schedule also. Or we could -

934 Christie Addona: So no fee and no special event for block parties on dead
935 end streets and have it still be treated as a special event for through
936 streets.

937 Jackie Shaw: I think that's the easiest way to do it for something that I've
938 never heard of happening. The only block parties I know of were on a cul
939 de sacs. And I've lived here a while.

940 Dana Levenberg: Okay. I'm okay with that. Basically because I don't think
941 that there's a lot of these block parties and [UNCLEAR] unless if you know
942 again if we want the only other thing we could do is say no fee for block
943 parties unless police presence required. And if that's the case, then we
944 could come up with a fee. And we could just -

945 Elizabeth Feldman: And call it a special event. If a police presence is
946 required.

947 Dana Levenberg: Okay fine, that's all. Sounds good, and then you pay by
948 the - by the amount of people that you're expecting. Okay so we're going
949 back to that. Okay let's go on to the next item for discussion. Do we want to
950 keep going? Christie do you want to keep going? I think you started. I don't
951 know if you started at the bottom or the top.

952 Christie Addona: Yeah I was just - I just sorry - I just went back to look at
953 the other criteria for what makes something a special permit. So – excuse
954 me a special event. The closing of a public street is number one, so...
955 Okay, so I'll - I'll play around with that and I'll - I'll circulate something to the
956 Board, I think I have an understanding of the direction you want to go in
957 now. So that was one of the issues, the block parties and street closing fee.
958 Jim Duffy looked at the insurance and indemnity, so unless anyone has any
959 issues with that we can incorporate his comments. The application fee,
960 does the Board just want to mirror what's in the Village's fee schedule for
961 the tiers?

962 UNCLEAR: I think we should.

963 UNCLEAR: Yeah.

964 Dana Levenberg: That's - that's where it gets too confusing in my opinion, if
965 we start changing all those around. So I'm good with that.

966 Christie Addona: Okay, then the last thing –

967 Dana Levenberg: [UNCLEAR]

968 Christie Addona: Oh I'm sorry, were you done. Were - was there something
969 else?

970 Dana Levenberg: No.

971 Christie Addona: Okay, then the last thing was the fines. And the Village's
972 fines ranged from \$500 to \$2000 for a first offense. And when the Board
973 discussed this - what feels like a million years ago now - there was
974 discussion about potentially lowering that to 250 and 1000 - so basically
975 cutting in half what the Village had. I don't know that that's as much of an
976 issue as far as administration, because that would be handled by the police
977 department and the courts. The point of not having it be exactly the same
978 as what the Village has.

979 Dana Levenberg: Again, I don't know. I mean it – why - while I think that the
980 fines here seem kind of high to me, the - do we want to go rogue here or
981 should we just try to make it easier and stick with the - the Village's?
982 [UNCLEAR] again this is something that we can change. That true or is that
983 not true?

984 Christie Addona: You can change whatever you want.

985 Dana Levenberg: No, I mean, do you get to go through a whole local law
986 thing or is that something that we reference -

987 Christie Addona: Generally - generally fines and penalties for violations do
988 go in the law itself.

989 Dana Levenberg: Okay, so then it's not something that's easy to change.
990 Okay whose gonna - we'll just go back around again. Everybody, what do
991 you think? Greg, I'm gonna start with you. Councilman Mayer, sorry.

992 Greg Meyer: Yeah I'm fine just using the same.

993 Dana Levenberg: Councilman Feldman?

994 Elizabeth Feldman: It's gonna get confusing if we don't use the same.

995 Jackie Shaw: Agreed.

996 Christie Addona: It's also - sorry I don't mean to interrupt but just - just also
997 keep in mind that, in practice, you know the police's practices is
998 informational at first. So you know, unless it's something quite egregious
999 there's probably just going to be a 'hey you know you really need to get a
1000 permit for this,' the first time, anyway.

1001 Dana Levenberg: Correct. And, to a certain extent, I think that these are
1002 supposed to be scare tactics. Right? They're supposed to scare people into
1003 doing the right thing, knowing that there's a fee attached, if you don't follow
1004 the rules.

1005 Elizabeth Feldman: Or punish a habitual offender, in which case –

1006 Christie Addona: Right.

1007 Elizabeth Feldman: They'll fight the fine.

1008 Dana Levenberg: Exactly.

1009 Christie Addona: Right.

1010 Dana Levenberg: Okay so we'll leave as is. Then we'll keep with the
1011 Village. Council – Councilman Wilcher are you agreement with that?

1012 Northern Wilcher: With - with the Village.

1013 Dana Levenberg: Okay, alright. Is that everything? Other - I mean, I think
1014 you changed the funeral procession - procession definition per our
1015 discussion. You changed wherever it said Town or Village to municipal
1016 where needed, or made sense. Omitted legally operating restaurants and
1017 venues from special event definition. And I think... was that the main... \

1018 Christie Addona: Basis to deny a special event. If there are two –

1019 Dana Levenberg: Yeah.

1020 Christie Addona: - there is already an application that's been submitted for -
1021 for a location in close proximity, I think this came up in the context of the
1022 parks by the waterfront.

1023 Dana Levenberg: Yes.

1024 Christie Addona: Now - that if there's already one in one, it might be too
1025 close. Even though it's technically a separate sort of venue and the
1026 resources may not be there to accommodate another larger event in such
1027 close proximity.

1028 Dana Levenberg: Yes, and we think that Village should add that in too.
1029 Yes. That's good. That that looks good. We good?

1030 Jackie Shaw: Yup.

1031 Dana Levenberg: Alright fantastic. Thank you all. Counsel Tomm Addona,
1032 thank you for your patience with this Board. And Board thank you for
1033 patience -

1034 Christie Addona: I said dead ends more in the last 20 minutes than I have
1035 in my whole life.

1036 Dana Levenberg: Okay um I don't know I grew - I never even knew cul de
1037 sac. That's some fancy term. When I was growing up, we just called it a
1038 dead end - it's a dead end that's what it was. I mean maybe it didn't have
1039 that fancy round thing you know where I lived, but in any case um... I think

1040 that's it for this evening um... Could I have a motion to adjourn to executive
1041 session for advice of counsel and personnel?

1042 Elizabeth Feldman: So moved.

1043 Jackie Shaw: Second.

1044 Dana Levenberg: All those in favor?

1045 Board Members: Aye.

1046 Dana Levenberg: You have 15 - 16 minutes left to vote in the school district
1047 and library votes this evening. Don't be late. Todd school or the [Ossining]
1048 High School. And with that thanks for joining us tonight, please join us next
1049 week for our Town Board legislative session on Tuesday, May 25 at
1050 7:30pm via zoom. The Executive Order, most recently put out, which was, I
1051 think, yesterday, allows for zoom meetings to be extended once again
1052 through June 16 this time. So we likely be continuing in this format for the
1053 foreseeable future. However, we recognize that we are sort of getting back
1054 to pre-pandemic normal so we'll be starting discussion soon on how to
1055 transition back to in person meetings in the coming months. I know that
1056 we're all really looking forward to being back together with each other
1057 without our masks. But we're also not necessarily looking forward to
1058 traveling around so much because we've got kind of used to just like you
1059 know eating dinner in one room and going into the Board Meeting in the
1060 other room. So that's going to be another change for all of us and we're
1061 going to have to adapt. We'll look forward to hopefully be back together in
1062 the not too distant future. So stay tuned and don't forget to vote. Have a
1063 great night everybody.