Town of Ossining Board Regular Meeting

May 26, 2020

Meeting Transcript

Video Recording of Meeting: https://www.youtube.com/watch?v=ZkbtdQtbeYQ

In Attendance: Supervisor Dana Levenberg, Councilmember Liz Feldman, Councilmember Jackie G. Shaw, Councilmember Northern Wilcher, Jr, Councilmember Gregory Meyer, Municipal Attorney Christie Addona, Budget Officer Victoria Cafarelli, Deputy Clerk Martha Quituisaca, Ossining Police Chief Kevin Sylvester

- SUPERVISOR DANA LEVENBERG: So here we go. Good evening and
- welcome everyone to the town board of the Town of Ossining regular
- meeting for May 26 2020. Please rise and join me for the Pledge of
- 4 Allegiance and remain standing for a moment of silence and recognition of
- 5 Memorial Day.
- 6 **ALL**: I pledge allegiance to the flag of the United States of America and to
- the Republic for which it stands, one nation, under God, indivisible, with
- 8 liberty and justice for all.
- 9 **SUPERVISOR DANA LEVENBERG**: I realized, as I've been getting ready
- 10 for these meetings I haven't been wearing my town pin so I want to make
- sure I did that, especially as we are and I forgot to stay standing for this
- moment of silence. That's exactly what I wanted everybody to do, but I
- wanted to just let everybody know that this year we are unable to gather
- together as we usually do to recognize the members of our community who
- have given everything and service to our country. I would like to take a
- moment now to remember the service men and women. We have lost the
- battle and also in their return home, including those who have waged wars
- against PTSD chronic illnesses and yes, even COVID. Memorial Day is
- always a meaningful time to pause and remember the bravest among us
- 20 and perhaps even moreso during this incredibly difficult time. So please join
- 21 me in a moment of silence.
- 22 [MOMENT OF SILENCE]
- 23 **SUPERVISOR DANA LEVENBERG**: Thank you.

- 24 SUPERVISOR DANA LEVENBERG: It really was bittersweet not being
- able to be there, together with everybody this weekend. So we thank our
- legions and our central committee organized veterans, for having held
- ceremonies with smaller groups and for placing wreathes, on behalf of the
- Town. I am going I guess we were going to start with our roll call. Do we
- 29 have... Yes, we do.
- 30 **DEPUTY CLERK MARTHA QUITUISACA**: So Councilmember Feldman.
- 31 COUNCILMEMBER ELIZABETH FELDMAN: Present.
- 32 **DEPUTY CLERK MARTHA QUITUISACA**: Councilmember Shaw?
- 33 COUNCILMEMBER JACKIE SHAW: Present.
- 34 **DEPUTY CLERK MARTHA QUITUISACA**: Councilmember Meyer?
- 35 COUNCILMEMBER GREGORY MEYER: Present.
- 36 **DEPUTY CLERK MARTHA QUITUISACA**: Councilmember Wilcher?
- 37 COUNCILMEMBER NORTHERN WILCHER: Present.
- 38 SUPERVISOR DANA LEVENBERG: And Supervisor Levenberg? Here I
- 39 **am**.
- SUPERVISOR DANA LEVENBERG: Okay, just make sure that I am in
- right place the right time. I think we're going to announcements next, it's
- very hard for me to manage all these things without my written content, is
- that correct announcements are next?

44

- 45 SUPERVISOR DANA LEVENBERG: Okay, so this weekend we heard
- 46 from Governor Cuomo that the mid-Hudson region, including Westchester
- Rockland, Putnam, Duchess, Sullivan, Ulster, and Orange Counties have
- met the criteria for phase one reopening as of today Tuesday, May 26
- 2020. This means that only Phase One businesses, specifically those in the
- construction, agriculture, forestry, fishing, hunting, contactless retail,
- manufacturing, and wholesale trade industries are eligible to reopen.
- Businesses in these industries that are seeking to reopen must first
- develop a written business safety plan, which hopefully they've been
- working on. And must read and affirm industry specific guidelines, the

- business safety plan must be conspicuously posted at the businesses
- premises and available upon inspection by the New York State Department
- of Health, or local safety and health authorities. Template safety plans and
- 58 guidelines are available on the New York forward website at forward.ny.gov
- 59 **SUPERVISOR DANA LEVENBERG**: But you can't just print out the
- templates and reopen there are specific questions that each business
- owner must consider carefully.
- SUPERVISOR DANA LEVENBERG: And answer regarding practices that
- they will put in place when open to protect employees, visitors, and
- customers from exposure to COVID-19. And make sure that we do not
- exacerbate the spread by not paying attention to these very important
- protocols. Please do not mistake this Phase One reopening as the
- floodgates opening for all businesses and everything goes back to normal.
- Business is not included within the specific industries listed for phase one
- are not yet eligible for reopening and that's plenty. There's plenty of
- businesses. As part of New York forward Governor Cuomo has indicated
- that there will be at least two weeks between phases to sufficiently evaluate
- how the phase reopening will impact the number of cases in each region.
- 73 **SUPERVISOR DANA LEVENBERG**: So then if they start seeing numbers
- spiking in any of the regions, then we're going to have to go backwards.
- Phase Two will bring us professional services more retail administrative
- support hair salons. Whoo hoo. We can finally get those haircuts we've all
- been waiting for, and real estate slash rental and leasing.
- 78 **SUPERVISOR DANA LEVENBERG**: Phase three will include restaurants
- and food service and finally phase four will bring back the arts,
- entertainment, recreation and of course importantly education. So if you fit
- into any of these categories. You are not eligible for reopening if you're in
- any of the two, three and four categories. The virus is not going away.
- 83 Instead, our social distancing ever ever efforts have gone a long way to
- 84 flatten the curve. And we now have a sufficient handle on the infrastructure
- necessary, including the number of hospital beds ICU beds and a robust
- contact tracing effort to better control positive cases of COVID-19.
- SUPERVISOR DANA LEVENBERG: So for the rest of us that are not in
- ss construction agriculture, forestry, fishing, hunting, curbside retail,
- manufacturing or wholesale trade industries. All existing restrictions of New

- 90 York PAUSE for remain in effect other non-essential businesses remain
- closed non-essential employees shall continue to work remotely and we
- must remain vigilant in our efforts to socially distance and wear masks went
- 93 out in public.
- 94 SUPERVISOR DANA LEVENBERG: Of course we did just find out that the
- courts are permitted to bring full staff back in to work behind the scenes.
- But no, not open to the public, yet so stay tuned for more information about
- our courts. If you do have any questions regarding this news that you
- cannot find on the New York forward website, please feel free to reach out
- to my office at 914-762-6001. If you have questions that are specific to
- construction in the unincorporated town of rationing, you should reach our
- building department at 914-762-8419 or their respective departments in the
- Villages of Ossining and Briarcliff.
- SUPERVISOR DANA LEVENBERG: We also continue to have available
- some cloth facemasks for distribution to local businesses, but please get
- them while we still have them. You can submit your request and schedule a
- time slot for contactless pickup by calling Carina Scorcia here in my office
- at 762-6002. We have now been told, we can distribute some of these cloth
- mass to members of the public, which we will be doing via the weekly
- Feeding Westchester food distributions. Our stock remains limited, so we're
- still unable to distribute outside of these categories.
- SUPERVISOR DANA LEVENBERG: But we have some resources on our
- website to help you make your own masks and we have introduced
- hashtag mask mask Mondays, please share your selfies with your
- handmade creations via Instagram or Facebook. We would love to see
- 115 them.
- SUPERVISOR DANA LEVENBERG: As we begin this transition to our new
- normal. We have to reevaluate many of the public events and gatherings.
- We have all come to enjoy so much. We have discussed at the past few
- work sessions plans to reimagine the Independence Day fireworks and
- summer concert series at Lewis Engel Park through the lens of social
- distancing. I'm sorry to announce tonight that we will be canceling or
- 122 Independence Day fireworks celebration. That was scary. Given what you
- know about New York Forward. I think that that's fireworks happening now
- in response to my comment, given what we know now about here forward

- it's highly unlikely that will be able to safely gather for our fireworks display
- this July. We are also following to with our Westchester County colleagues
- who recently announced that they would be canceling both county
- sponsored Independence Day celebrations.
- SUPERVISOR DANA LEVENBERG: That being said, we are happy to
- share that we have been working closely with our friends at the Greater
- Ossining Chamber of Commerce. Mike and Miriam Risko of Mike Risko of
- music and Sing Sing Kill Brewery to schedule, at least for virtual concerts
- on Fridays in July. There is still a bit of coordinating to do but we hope to
- 134 feature some local musicians and find ways to support local business
- owners at the same time by encouraging audience members to grab some
- local takeout while they enjoy a show on Friday nights will be sharing more
- details in the coming weeks. So stay tuned.
- SUPERVISOR DANA LEVENBERG: We also are looking at our parks and
- public spaces and are reminded that everyone needs to continue to respect
- those areas that are still closed. Such as our playground equipment, where
- we hear people continue to tear down the caution tape which we put up
- weekly to remind people that these areas are closed. Why are they closed?
- Because we don't believe that we have protocols in place that are where
- we were able to keep them safe. So please respect the areas that are
- 145 closed.
- SUPERVISOR DANA LEVENBERG: And I wanted to let everyone know
- something that I had shared in my update on Friday, and that is that New
- York State, at the request of our State Assembly woman and State Senator
- Pete Harckham as well as some of the local officials that border the area –
- the unique area the unique area has been closed for the season. As sad
- as it is for us to have to close public spaces, especially those that offer a
- reprieve from the heat, over the last several years as community groups
- work in partnership with multiple bordering municipalities we know that the
- state forrest property along the river has become completely overcrowded
- and very difficult to control.
- SUPERVISOR DANA LEVENBERG: Many of us who have worked at
- putting appropriate restrictions in place to protect the area while making it a
- safe place for the public to enjoy were very concerned, now more than ever
- that this area would have been a breeding ground for spread with the

- increased popularity it has seen. So we're very grateful that the Governor's
- Office responded and decided to close this area for this season.
- SUPERVISOR DANA LEVENBERG: We hope that with other efforts in
- place next year it will be up and running again with an active stewardship
- program in place. Meanwhile, please help share with others, that it is
- closed through Labor Day 2020.
- SUPERVISOR DANA LEVENBERG: The School District Budget and
- Board Of Education elections for both the Ossining and Briarcliff school
- districts will be conducted entirely via absentee ballot this year. All qualified
- voters within the Ossining and Briarcliff school districts will be receiving a
- ballot directly via mail probably this week. No need to apply this time for
- that ballot, you get the ballot versus an application for the ballot.
- SUPERVISOR DANA LEVENBERG: You must complete your ballot, it
- must be received in the mail by 5pm on Tuesday, June night, no one
- person voting or voter registration will be allowed. Please remember that if
- you live in the Ossining School District you will also be asked to vote on the
- Ossining Public Library Budget and Trustee elections for library and school
- district as well. Both school districts and the Ossining Library have
- additional information regarding the proposed budgets and board
- candidates on their websites. If you have any questions you can reach the
- Ossining School District clerk at IOrtiz@OssiningUFSD.org. And the Briar -
- 181 Briarcliff school district clerk by calling 914-432-8130.
- SUPERVISOR DANA LEVENBERG: Finally of course it would not be my
- Announcements if I were not to mention the census. Yes, it's true. We still
- have a long way to go to get to 100%. And we need everybody to make
- sure that they do their part to make sure they their neighbors and friends -
- are all counted. That way, we have a much better chance of getting the
- funding that we deserve based on the number of people that live here.
- Memorial Day reminds us that the data from the census helps support
- veteran and military programs shaping the future of this important
- community in our country. And of course it also helps our schools. So
- 191 please fill out your census today at 2020census.gov. The simple
- questionnaire will go a long way to help our entire community.
- SUPERVISOR DANA LEVENBERG: Do any of my board colleagues have
- other announcements.

- SUPERVISOR DANA LEVENBERG: We'll see... I'm not seeing any
- hands. Yeah, if you want to just wave your hand if you do have anything
- and seeing... and hearing none. We will continue on with our departmental
- report this evening. We are very pleased to be hosting when our favorite
- departments. Okay, don't get jealous other departments, we love you also
- our Ossining Police Department and we're joined by our Ossining Police
- 201 Chief Kevin Sylvester for a report from him.
- SUPERVISOR DANA LEVENBERG: Chief you and your amazing team
- 203 have been working tirelessly day in and day out during this crisis to ensure
- that our community remain safe. So we thank you so much for all that you
- 205 and your end your department has been doing. And thank you, of course,
- 206 also for joining us tonight.
- 207 POLICE CHIEF KEVIN SYLVESTER: Good evening, Madam Supervisor
- members of the Council, ordinarily when I come, I like to give an update on
- all of the different things happening around the police department,
- obviously, with coronavirus and all that comes with that it's- it's a sort of
- unique time our operational tempo has been changed over the past two
- 212 months or so, we've had reduced staffing numbers in the town remain the
- same, our minimum staff each stays the same but we've reduced the
- number of people that are coming into work much the same as other offices
- have in order to prevent the spread of disease, which has worked out to our
- advantage. And that we've had nobody that's tested positive within the
- department. So that's, that's a big deal for us it's helped us to keep our
- staffing levels up sufficient that we don't go into crisis mode.
- POLICE CHIEF KEVIN SYLVESTER: Some different things we've been
- working on while this is going on: birthday parades. A good deal of our time
- has been taken up with going house to house celebrating people's birthday,
- which is just what every cop signs up for, um, you know, just to be aware,
- we're doing as many of those as possible. We get an overwhelming
- number of requests and we're trying to hit as many as we can.
- POLICE CHIEF KEVIN SYLVESTER: For those that we can we do for
- those that we can't we always let people know it's impossible for us predict
- what call volume is going to be tomorrow. So working together with OVAC
- we've had many of those as we can. As you'd mentioned the Unique Area
- has been closed down and we're thankful for the partnership we get with

- New York State and Westchester County this year to sort of take the
- pressure off of us during this time because while we're trying to keep the
- parks closed that certainly presented a challenge.
- POLICE CHIEF KEVIN SYLVESTER: In terms of our parks, our officers
- continue to patrol those you know there's a lot of questions about how
- we're handling social distancing and all the regulations in the park. You
- know, the reality is, is that our strategy is discretion, our staff has been
- charged with with going out and speaking to people and explaining and
- influencing and doing the best we can to get people to comply, rather than
- have to write summonses. I'm not aware of any agency in Westchester
- 240 County so far that's actually written tickets for violations of social distancing
- rules and associated with an association with the Executive Orders. But I
- can tell you that we certainly stop a number of people each day for
- everything from being without masks when to close, to playing in the park
- some places they're not supposed to be. It's challenging, but it's certainly
- something that we continue to do and you know it's it's a worthy cause.
- POLICE CHIEF KEVIN SYLVESTER: June 1 we are going to be returning
- our full staff to work. As our staff is all essential but without cars on the road
- there wasn't as much use for parking enforcement. So those are the folks
- are some of them have been assigned to home for a while. On June 1 our
- full staff will be coming back at which point, you'll start to see more of our
- bike patrols and our foot posts and traffic posts and parking enforcement
- 252 and all of those kind of things coming back. So long before everybody else.
- l think gets back to full speed. We're looking for a return to normalcy to be
- prepared for more people on the road.
- POLICE CHIEF KEVIN SYLVESTER: With that in mind, one of the things
- that we're going to be doing is increased traffic enforcement, we're going to
- be talking about that across all of our all of our social media channels over
- the next couple of days, next couple of weeks, quite a few people while
- driving have figured out that with less cars on the road or have decided
- with less cars on the road they think that that means the open road
- belongs to them. And we've certainly seen an increase in speeding so
- we're going to be sending a strong message to those folks to make sure
- that everybody understands. Obviously our main goal is voluntary
- 264 compliance where that does not work enforcement comes in. But certainly

- we need to slow things down before everybody gets back on the road and things get back to normal because we want to prevent accidents.
- POLICE CHIEF KEVIN SYLVESTER: Our department is continued with
- training. We've already completed for this year, right before this happened,
- we'd finished with all of our first aid and Infectious Disease Control and last
- week we finished our first have firearms qualification. A couple of weeks
- back, you may have seen that we completed the or we assisted with the
- Ossining school district teacher parade.
- POLICE CHIEF KEVIN SYLVESTER: And we're excited to be helping with
- 274 graduation and a senior parade. So, June 8, 9, and 10 if you live around
- Ossining High School expect some traffic there. They're They have a
- whole program for graduation, where they're going to do in person
- 277 graduation stage out over three days. And that is much more conversation
- for Dr. Sanchez and information for him to share. I don't want to steal his
- thunder on that. But you can expect some traffic on those days will be there
- assisting with that. And also we have planned for June 19 around the town
- and village to have a Senior Parade and I'm not exactly sure what that's
- going to look like we're still in planning phases for that. We want to make
- sure that to safe as possible. With a bunch of seniors driving their cars, but
- we intend to help and make that happen because we certainly are
- understanding and empathetic, that the Senior Class of 2020 is not getting
- their their due from everybody else. So we're looking forward to that.
- POLICE CHIEF KEVIN SYLVESTER: And hopefully with next quarter.
- We're going to have a little bit more action and some some more
- normalcy back here. So I look forward to... We're not going to have our
- regular summer calendar this year, but we are working with the school
- district to try and find as many ways to connect with kids as possible. So
- we've got some plans in the work, but nothing solidified yet. I don't think
- block parties are going to be back for quite some time, but uh we're looking
- forward to finding a way to still connect with people and make those
- 295 connections.
- SUPERVISOR DANA LEVENBERG: Wonderful. Oh well, again, thank you
- so much, because we know that it's a troubling time right now. And yes, I
- think we actually put up I think the signs are up now on North State Road
- for the new lowered speed limit. Have you I didn't give you a heads up, so

- don't expect you to actually know any numbers, but I'm just wondering if
- that's going to be an interesting place to enforce speeding restrictions or,
- you know, speeding period.
- POLICE CHIEF KEVIN SYLVESTER: Yeah so, our plan for a lot of that.
- Sure. So for North State Road where the speed changed. We're not going
- to be doing a whole lot of enforcement just yet, as we roll into that has
- we're still working on our officers on how we're going to be interacting with
- people on traffic stops. Certainly we're still doing traffic stops, I think I do
- five a week myself. One of the things that we do when we have a change in
- traffic ordinances, is that we'll go out, we'll make traffic stops and the first
- few days, a few weeks are a whole lot of warnings.
- POLICE CHIEF KEVIN SYLVESTER: The reality is, is that most people
- won't notice those signs when they're driving past and, you know, the goal
- here is not to harm people but again it's voluntary compliance and we want
- people to be driving under the speed limit. So we're going to do a lot of
- talking about that once we start a formalized program to introduce people
- to that. There'll be a bunch of warnings and then they'll be allowed clear
- message that the warnings are up the tickets are going to start getting
- issued so, you know, not a terribly difficult task. But, uh, you know, one that
- we're going to wait to be able to make a little bit more of a formal
- announcement about once we've set everybody free for traffic
- 321 enforcement.
- 322 SUPERVISOR DANA LEVENBERG: Great. And then my other two
- questions, or just that we've been getting most of the, you know, most of
- the complaints we get our quality of life issues. May 30 our gas leaf blower
- ban goes into effect. And I know we've been getting a lot of calls about, you
- know, noise and leaf blowers and gas leaf blowers. We're going to try to do
- our best just to let some of the local shops that service these machines
- remind them to remind their businesses. So just wanted to, you know, I
- assume you're getting complaints about that as well. Just want us to make
- sure that everybody is aware that this this week that goes into effect.
- POLICE CHIEF KEVIN SYLVESTER: Yeah. So generally what we'll do is
- on on the day that goes into effect will do a public message that day and
- say 'this is your last day.' Our staff gets updates on ordinances daily and
- weekly through our briefings and roll call. Um, you know, I don't know how

- many homeowners, really, to be honest, get their leaf blower service, but
- it's definitely a good way to connect with the landscapers -
- 337 **SUPERVISOR DANA LEVENBERG**: That's what I meant, the landscapers.
- POLICE CHIEF KEVIN SYLVESTER: You know, like I said, like, like
- everything else we drive around looking for it in the first few days when it's
- you know when it's the new change over because a lot of people won't be
- willfully violating. It's just a, you know, a lot of people may not realize that's
- the date and there's definitely some confusion between the Town and
- Village where those two differ sometimes. No problem. We're on it. We
- haven't heard many complaints about that yet. Most of the noise complaints
- we've gotten the last couple of weeks have been loud music and people
- out in their yard and we're helping neighbors to get along with one another.
- But, uh, so far so so good.
- 348 **SUPERVISOR DANA LEVENBERG**: And then another another complaint
- that flashed by me, but it was it was a Village complaint, but I'm just
- wondering again, if you're seeing more of these. With somebody who
- complains [to] the county about a local restaurant being open or is that
- anything that you've been going to hearing about going around giving
- mornings if businesses aren't complying and as we're in Phase One. Now, I
- assume most of that is going to be for our building department to contend
- with, but you know, I think you probably certainly allowed to go in and talk
- to businesses, if they're not complying with certain protocols.
- POLICE CHIEF KEVIN SYLVESTER: You know, we're certainly checking
- on these things regularly. You know, a lot of complaints that we're getting
- our people who drive by or pass by and see something that's momentary. A
- lot of the complaints of social gathering that we respond to tend to be
- families where people may not realize that people are from the same
- household and we're not really necessarily separating those folks if their
- family and they're out in public. With the restaurants. I know that our staff
- was asked over the last couple days to go down and check on the
- boathouse. Or rather, that one came in today. So they're down checking
- tonight. I'm... In general, we're really not finding a lot of the complaints that
- are coming in, you know... With the restaurants a lot of them are people
- that are waiting to pick up food and they just end up with a line outside and

- people by human nature crowd because lines make people anxious and
- that's a lot of what we see.
- POLICE CHIEF KEVIN SYLVESTER: So, you know, it we're not seeing a
- whole lot of people that are willfully violating laws. We're seeing human
- nature at play. And people that are just being themselves and doing the
- things that they do every day and you know, if you're waiting for your food
- outside of place like the boathouse where the patio and then the parking
- lot. People tend to move in away from the cars and eventually conversation
- start with friends they haven't seen in a while. And that's how it goes. It
- really hasn't most people that we've interacted with has been quite
- 379 cooperative
- SUPERVISOR DANA LEVENBERG: Sure. Awesome. So I just want to ask
- any more colleagues. If anybody has any questions for the Chief.
- 382 **SUPERVISOR DANA LEVENBERG**: Hearing and seeing none, although I
- will say that some of you are frozen maybe all of you are frozen. If you do
- have anything to say. Could you actually raise your hand, just so I know or...
- I don't see anybody. Everybody's frozen. Okay. I don't know why but okay
- you can all hear me. So thank you so much, Chief. I think that's that were
- great. And once again, please give a big shout out from our town board to
- your entire staff. We are so appreciative of everybody and everything that
- everybody's doing and just being around the clock for our community. At
- this time, do whatever you can to make it a more positive experience,
- which is what you're so good at and, you know, just being watching having
- our backs every day. We're very appreciative.
- POLICE CHIEF KEVIN SYLVESTER: Thank you for that.
- 394 **SUPERVISOR DANA LEVENBERG**: Thank you so much.
- 395 **SUPERVISOR DANA LEVENBERG**: Okay, so, and that was nobody had
- anybody have any questions, and I just missed because everybody's
- frozen for a minute and now they're not
- COUNCILMEMBER NORTHERN WILCHER: Just, just, just a thank you.
- POLICE CHIEF KEVIN SYLVESTER: Appreciate that.
- 400 COUNCILMEMBER ELIZABETH FEDMAN: Yeah, thanks. It's very nice to
- hear that none of the officers have come down with it. That's great to hear.

- SUPERVISOR DANA LEVENBERG: Yes testament to you, Chief.
- SUPERVISOR DANA LEVENBERG: All right. Well, with that, thank you
- again chief and we are going to move into liaison reports are there any
- 405 from my colleagues?
- SUPERVISOR DANA LEVENBERG: No. No? Okay. If, for whatever
- reason, I don't see that you want to speak and just if you just do you guys
- all see if you click on participants and you can raise your hand? If you want
- to just do that in a little sidebar, just do that in case or just wave like that.
- Just in case I don't, we don't catch you soon enough. So now I would ask if
- there is any comment from the public on any of the agenda items? Agenda
- items only. And Hearing none, we will move into our the rest of our
- 413 resolutions.
- SUPERVISOR DANA LEVENBERG: Our Deputy Clerk Martha Quituisaca
- 415 please.
- DEPUTY CLERK MARTHA QUITUISACA: Approval of Minutes Regular
- 417 Meeting May 12 2020 resolved that Town Board of the Town of Ossining
- hereby approves the April 20, 2020 minutes of the regular meeting, as
- presented. I'm sorry, I should say May 12th, my apologies.
- SUPERVISOR DANA LEVENBERG: May 12th. Okay, so do I have a
- 421 Motion?
- 422 COUNCILMEMBER NORTHERN WILCHER AND COUNCILMEMBER
- 423 JACKIE SHAW: So moved.
- SUPERVISOR DANA LEVENBERG: Okay. And is there a second?
- 425 **COUNCILMEMBER NORTHERN WILCHER:** Second.
- SUPERVISOR DANA LEVENBERG: All those in favor?
- 427 **ALL**: Aye.
- SUPERVISOR DANA LEVENBERG: Anybody opposed?
- 429 **SUPERVISOR DANA LEVENBERG**: Okay.
- DEPUTY CLERK MARTHA QUITUISACA: Okay. Approval of voucher
- detail report. Resolved that the Town Board of the Town of Ossining hereby

- approves the bachelor detail report dated May 26, 2020 and the amount of
- 433 \$357,830 and 95 cents.
- 434 **SUPERVISOR DANA LEVENBERG**: Do I have a motion?
- 435 COUNCILMEMBER NORTHERN WILCHER: So moved.
- 436 COUNCILMEMBER LIZ FELDMAN: Second.
- SUPERVISOR DANA LEVENBERG: Any questions? Discussion?
- 438 COUNCILMEMBER ELIZABETH FEDMAN: The truck had to get paid for
- 439 **now**, huh?
- SUPERVISOR DANA LEVENBERG: Yes, but we borrowed for that so...
- 441 COUNCILMEMBER ELIZABETH FEDMAN: I know.
- SUPERVISOR DANA LEVENBERG: I mean, not that. It's great. But yes,
- we it. We've been waiting a year and a half, and finally of course the truck
- came in now. But yes, the good news is that we we have plans for that
- well in advance, so that's that's the only good news. I mean, the good
- news is that we are going to will be well positioned for excellent plowing in
- uh, and uh making brine and using it and spreading it in the winter. It's
- hard to imagine right now. But it will it will serve us well and our trucks have
- a useful life and they have exceeded it. And when they do, unfortunately,
- we have to keep up with the keep up with that otherwise, we're not in a
- position to make sure that our town roads are safe. So we want to make
- 452 sure we can do that.
- SUPERVISOR DANA LEVENBERG: Okay. So, all those in favor?
- 454 **ALL**: Aye.
- SUPERVISOR DANA LEVENBERG: Anybody opposed?
- 456 **DEPUTY CLERK MARTHA QUITUISACA**: Contract with
- SeamlessDocs.com to provide services to the Clerk's Office. Resolved that
- the [UNCLEAR] of the Council to the Town, the Supervisor [is] authorized
- to sign the May 8, 2020 proposal with SeamlessDoc.com, 30 Dandom
- Street, New York, New York 113 for SeamlessDocs.com, to provide
- software and services to the Clerk's Office which also serves as a Village of
- Ossining's Clerk per an intermunicipal agreement for a three year

- subscription commencing on or about June 1, 2024 \$11,595 year one,
- \$10,000 year two and \$10,000 for year three or the cost to be shared
- equally between the Town of Ossining and the Village of Ossining.
- SUPERVISOR DANA LEVENBERG: Do I have a motion?
- 467 **COUNCILMEMBER JACKIE SHAW**: So moved.
- 468 **SUPERVISOR DANA LEVENBERG**: And the –
- 469 COUNCILMEMBER NORTHERN WILCHER: Second.
- SUPERVISOR DANA LEVENBERG: second? So, from time to time –
- 471 COUNCILMEMBER NORTHERN WILCHER: Second.
- SUPERVISOR DANA LEVENBERG: Thank you. Got it. So, from time to
- time our Clerk will I'm sorry, I'm actually on the wrong on the resolution -
- our a few weeks back our Town Clerk Sue Donnelly presented to the
- Town Board a proposal to engage Seamless Docs to allow for remote
- services through our Clerk's Office. After a thorough review thanks to
- Counsel Tama Donna, we are ready to sign this contract and begin the
- process of bringing many more services online. I know that our Clerk,
- Suzanne Donnelly, had made this one of her goals was to bring make,
- make her office more efficient and [it] couldn't have come at a better time.
- Obviously, we need to do as much as we can, online to reduce the amount
- of time we have to actually have contact, in-person contact with people at
- this time. So this worked out very well. That it just kind of said it just worked
- right into her goals. So we're excited that the we've gotten the contract to
- a good place and that the Village is also anxious to do this at the same time
- so that we can reduce our expenses overall to both Town and Village. And
- that's good for all our taxpayers.
- SUPERVISOR DANA LEVENBERG: So in other words, if we hadn't just do
- this on our own we would've had to pay the full \$11,000 but by sharing it
- with the Village, we can actually reduce the cost by half. All those in favor?
- 491 SUPERVISOR DANA LEVENBERG, COUNCILMEMBER JACKIE SHAW,
- 492 COUNCILMEMBER NORTHERN WILCHER, COUNCILMEMBER LIZ
- 493 **FELDMAN, COUNCILMEMBER GREG MEYER**: Aye.
- 494 **SUPERVISOR DANA LEVENBERG**: Anybody opposed?

- 495 **DEPUTY CLERK MARTHA QUITUISACA**: Tax payment plan oh.
- SUPERVISOR DANA LEVENBERG: Was there any [UNCLEAR]
- DEPUTY CLERK MARTHA QUITUISACA: No. Oh okay. Tax payment
- plan 159-161 Croton Avenue whereas the Town of Ossining is required to
- collect Town, County, and school taxes for the municipality; the onus on the
- Town to me, call the County School District for any on collect taxes; and,
- 501 **DEPUTY CLERK MARTHA QUITUISACA**: Whereas the Receiver of
- Taxes has been approached by property owner requesting a short time
- payment plan for the property at 159 through 161 Croton Avenue tax parcel
- designation ID number 89.16-3-85.1; and,
- 505 **DEPUTY CLERK MARTHA QUITUISACA**: Whereas the Town Board
- pursuant to Article 5 of the Ossining Town Code authorize this Section
- 1184 of the New York real property tax law before entry the final judgment
- new withdraw parcel for which payment of the real property taxes is
- delinquent and from a foreclosure proceeding and entrance an installment
- plan for payment of all delinquent taxes as well as interest and penalties
- and those occasionally grant such a plan has a discretion to accept or
- reject any proposal by residential property owner providing the owner
- 513 means the eligibility requirements set forth in Section 180.17 of the Town
- Code. And the payment plan confirms with requirements are such a
- repayment plan assess forth in section one at dash 180-1 of the Town
- 516 Code.
- 517 **DEPUTY CLERK MARTHA QUITUISACA**: Now, this would be resolved
- that the Town Board of the Town of Ossining hereby grants the
- aforementioned payment plan which terms complying with the Town Code
- to this property owner who has been determined to be eligible, but the
- 521 understanding that this is no proceed and going forward for this or any
- other property in the future.
- SUPERVISOR DANA LEVENBERG: Do I have a motion?
- 524 **COUNCILMEMBER LIZ FELDMAN**: So moved.
- 525 COUNCILMEMBER NORTHERN WILCHER: Second.
- 526 **SUPERVISOR DANA LEVENBERG**: So, from time to time our Tax
- Receiver will receive a request from a property owner to enter into a

- payment plan for uncollected taxes. Recently received a request from the
- property owners at 159 161 Croton Avenue and 14 Fuller Road both
- property owners qualify under the current local and state regulations
- governing payment plans so we will be voting on both requests tonight. Is
- there any discussion [on] the first one of these payment plans?
- SUPERVISOR DANA LEVENBERG: Hearing none, all those in favor?
- 534 COUNCILMEMBER LIZ FELDMAN, COUNCILMEMBER NORTHERN
- 535 WILCHER, COUNCILMEMBER JACKIE SHAW, COUNCILMEMBER
- 536 GREG MEYER, SUPERVISOR DANA LEVENBERG: Aye.
- 537 **SUPERVISOR DANA LEVENBERG**: Anybody opposed? Any abstentions?
- 538 Thank you.
- DEPUTY CLERK MARTHA QUITUISACA: Okay. Tax payment plan 14
- Fuller Road. Whereas the Town of Ossining is required to collect
- Town/County and school taxes for the municipality with the onus on the
- town to make whole the County and the School District for any uncollected
- 543 taxes; and
- DEPUTY CLERK MARTHA QUITUISACA: Whereas the Receiver of
- Taxes has been approached by property owner requesting a short-term
- payment plan for the property of 14 Fuller Road tax parcel designation ID
- 547 number 97.11-2 -25; and
- DEPUTY CLERK MARTHA QUITUISACA: Now, therefore, be it resolved
- that the Town Board of the Town of Ossining hereby grants the
- aforementioned payment plan, which terms comply with the Town Code, to
- this property owner who has been determined to be eligible with the
- understanding that this sets no precedent going forward for this or any
- other property in the future.
- 554 SUPERVISOR DANA LEVENBERG: Motion?
- 555 COUNCILMEMBER ELIZABETH FEDMAN: So moved.
- 556 **COUNCILMEMBER JACKIE SHAW:** [UNCLEAR]
- 557 SUPERVISOR DANA LEVENBERG: Second. All those in favor?
- 558 **ALL**: Aye.

559	SUPERVISOR DANA LEVENBERG: An	y or	oposed? An	y abstentions?
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- 560 Awesome. Thank you.
- DEPUTY CLERK MARTHA QUITUISACA: Okay. Amending payment plan
- for delinquent taxes for 108 Croton Avenue. Whereas due to the COVID-19
- epidemics and the related restrictions on business operations, many
- taxpayers are suffering financial hardships due to the loss of employment
- and other income; and
- DEPUTY CLERK MARTHA QUITUISACA: Whereas as a result of the
- federal and New York State governments have extended the deadline for
- finally income tax returns, and if applicable extending the outstanding
- amount owed to July 15 2020, and the New York State in Westchester
- 570 County governments have eliminated or substantially reduced the penalties
- on late payment of Town and County real property taxes for payments
- received by July 15 2020; and
- DEPUTY CLERK MARTHA QUITUISACA: Whereas pursuant to real
- property tax law statute 1184 in Town Code chapter one at Article five, the
- 575 Town is authorized to enter into agreements the taxpay taxpayer –
- taxpayers delinquent on their real property taxes and requires monthly
- payments in order to satisfy the outstanding real property tax obligations;
- 578 and
- DEPUTY CLERK MARTHA QUITUISACA: Whereas the Town Board
- previously authorized the Town Receiver of Taxes to encourage a payment
- plan with the owner of 108 Croton Avenue in Ossining New York (the
- property) for the payment of delinquent real property taxes; and
- DEPUTY CLERK MARTHA QUITUISACA: Whereas, the property owner
- con con contacted the Town Receiver of Taxes and advised they're
- suffering financial hardship due to [the] COVID-19 pandemic and requested
- a modification of the payment plan to deliver to delete the deadline have
- plans to be made under the plan; and
- 588 [PHONE RINGING]
- DEPUTY CLERK MARTHA QUITUISACA: Whereas, while the Town does
- not generally entertain modifications to payment plans, it is now obligated -
- 591 [PHONE RINGING]

- DEPUTY CLERK MARTHA QUITUISACA: Hold on, give me one second...
- DEPUTY CLERK MARTHA QUITUISACA: Whereas, while the Town does
- not generally entertain modifications that payment plans, it is now obligated
- to do so under law due to the extraordinary proceeding circumstances
- surrounding the economic impact of the COVID 19 pandemic and the fact
- that action has been taken out the federal, state, and county level to
- eliminate or substantially reduce the burden on the taxpayers to pay
- income and real property taxes until July 15, 2020, the Town Board
- believes it is appropriate and warranted in this situation to provide the
- property owner with relief in line with that provided at the higher levels of
- 602 government; and
- DEPUTY CLERK MARTHA QUITUISACA: Now therefore be it resolved
- upon the owner of 108 Croton Avenue submitting a signed hardship
- certification in the form provided by the town based upon the criteria
- established by the Westchester County Executive, the Town Board hereby
- authorizes the Tax Receiver of Taxes Tangent and Amendment Agreement
- for a payment plan for the delinquent or your property taxes for 108 Croton
- Avenue which agreement shall make the deadline for the next payment
- July 15 2020 and subsequent payments shall be made on before the 15th
- of every month thereafter, until the outstanding obligation has been
- 612 satisfied; and
- DEPUTY CLERK MARTHA QUITUISACA: Be it further resolved the Town
- Board is authorizing this action based upon the extraordinary unforeseen
- circumstances of the COVID-19 pandemic and the actions taken out the
- federal, state, and county level to alleviate tax board is on taxpayers until
- July 15 2020 and this authorization shall not establish your person for this
- 618 property or any other property owners going forward and seeking relief
- from the delinquent tax plan obligations or general tax obligations; and
- DEPUTY CLERK MARTHA QUITUISACA: Be it further resolved in
- authorizing the sanction, the Town Board does not waive any rights or
- remedies available to it under the original payment plan, State law, or local
- law and hereby expressly reserves the right to take any action or utilize any
- remedies and enforcement mechanisms available to the Town under the
- law, anytime in the future.

- SUPERVISOR DANA LEVENBERG: Loud noises in the background, I had
- put it on mute. Do I have a motion?
- 628 COUNCILMEMBER JACKIE SHAW: So moved.
- SUPERVISOR DANA LEVENBERG: Do I have a second?
- 630 COUNCILMEMBER LIZ FELDMAN, COUNCILMEMBER NORTHERN
- 631 WILCHER: Second.
- 632 **SUPERVISOR DANA LEVENBERG**: Okay. Thank you. So recently, due to
- the undue hardship that many property owners are currently facing due to
- 634 COVID, we have received a few requests from property owners with
- existing payment plans to allow for an extension of payment under until
- July 15 in line with the extensions and state and federal income tax filing
- deadlines and hardship extensions for payment of town/county taxes that
- were due April 2020. We've decided to follow suit and authorize amended
- payment plans to the property owners at 108 Croton Avenue and 34
- Eastern Avenue suspending payments until July 15 due to hardships, as
- long as they prove that there is one, that those individuals are currently
- facing. So I'm going to ask if everybody's in favor and, you know, just take
- a vote, but then I just want to have one comment before we launch into the
- next one, Martha. Okay? So, all those in favor?
- 645 **ALL**: Aye.
- SUPERVISOR DANA LEVENBERG: Any opposed?
- 647 SUPERVISOR DANA LEVENBERG: Council Tomm Addona, since this is
- a very long resolution. Is it possible that we can amend the reading of the
- second version of the second one for the next property because we don't
- 650 have to actually hear the entire thing. It's exactly the same except for the
- property address basically? I know by the time you figured it out. We
- probably could have just read the whole thing, but...
- 653 MUNICIPAL ATTORNEY CHRISTIE ADDONA: I think it's fine if you want
- to just read the title.
- SUPERVISOR DANA LEVENBERG: And the resolved?
- 656 MUNICIPAL ATTORNEY CHRISTIE ADDONA: And the resolved clauses.

- 657 **SUPERVISOR DANA LEVENBERG**: Okay, so our Deputy Clerk. Martha,
- 658 could you see that?
- 659 **DEPUTY CLERK MARTHA QUITUISACA**: Okay.
- SUPERVISOR DANA LEVENBERG: Okay, fantastic.
- 661 MUNICIPAL ATTORNEY CHRISTIE ADDONA: Yeah, thank you. So, be
- clear, though, we're amending the resolution that's being read the, the
- actual resolution that the board is going to be adopting is what's written on
- the agenda and is available on the Clerk's Office and on the website.
- SUPERVISOR DANA LEVENBERG: Exactly. Thank you.
- DEPUTY CLERK MARTHA QUITUISACA: Amending payment plan for
- delinquent taxes for 34 Eastern Avenue. Be resolved upon the owner of 34
- Eastern Avenue submitting a signed hardship certification in the form
- provided by the Town, based upon the criteria established by the
- Westchester County Executive, the Town Board hereby authorizes the
- Town Receiver of Taxes to enter into an amended agreement for payment
- plans are delinquent real property taxes, 34 Eastern Avenue, which
- agreement shall make the deadline for the next payment July 15, 2020 and
- subsequent payments shall be made on or before the 15th of every month.
- Therefore, thereafter, until the outstanding obligation has been satisfied;
- 676 and
- DEPUTY CLERK MARTHA QUITUISACA: Be it further resolved the Town
- Board has authorized the action based upon the extraordinary and
- unprecedented circumstances, the COVID-19 pandemic and the actions
- taken other federal, state, and county level to alleviate tax burdens on
- taxpayers until July 15 2020 and this authorization shall not establish a
- precedent for this property owner or any other property owners going
- forward and seeking only from the delinquent tax payment plans obligations
- or general tax obligations; and
- DEPUTY CLERK MARTHA QUITUISACA: Be it further resolved in
- authorizing this action, the Town Board does not waive any rights or
- remedies available to it under the original payment plan, state law or local
- and hereby expressly reserves the right to take any actually utilize any
- remedies and enforcement mechanism available to the Town under the law
- anytime in the future.

- SUPERVISOR DANA LEVENBERG: Do we have a motion?
- 692 COUNCILMEMBER JACKIE SHAW: So moved.
- 693 COUNCILMEMBER NORTHERN WILCHER, COUNCILMEMBER LIZ
- 694 **FELDMAN**: Second.
- SUPERVISOR DANA LEVENBERG: Any discussion? All those in favor?
- 696 **ALL**: Aye.
- 697 **SUPERVISOR DANA LEVENBERG**: Any opposed. Okay. Any abstain?
- 698 Thank you.
- DEPUTY CLERK MARTHA QUITUISACA: And then extension of approval
- for provisional 2020 Cabaret license. Maya Riviera Bar and Restaurant,
- 518 North State Road Briarcliff Manor.
- 702 **DEPUTY CLERK MARTHA QUITUISACA**: Whereas Maya Riviera Bar and
- Restaurant, the applicant, filed an application for a cabaret license for the
- calendar year 2020, requesting extended hours during which the applicant
- can play amplified music and amplified music on Sundays through
- Thursday from 11pm to 1am and whereas by resolution adopt in March 10
- 2020, the Town Board under its authority pursuant to Chapter 60 to the
- Town Code Section 16-20(b) to extend hours the cabaret may play
- amplified music beyond what is permitted in the code where it deems it
- appropriately consistent with the public safety and welfare granted the
- applicant a provisional Cabaret temporary license with the requested
- extended hours for three months and director for public hearing be held on
- May 26 2020 to give the town board an opportunity to evaluate whether
- and whether there were any adverse impacts form the extended hours
- before determining whether the grant whether to grant cabaret license with
- the extended hours for the entirety of the 2020 calendar year; and
- 717 **DEPUTY CLERK MARTHA QUITUISACA**: Whereas less than one week
- later, Governor Cuomo issued Executive Order to 202.3 related to the
- continuing COVID-19 pandemic directing them all restaurants and bars on
- premise operations effective at 8pm on March 16, 2020; and
- DEPUTY CLERK MARTHA QUITUISACA: Whereas as a purpose of the
- provisional license and the scheduling of the May 26, 2020 public hearing
- was to assess the applicants operation with the extended hours and due to

- Executive Order 202.3 the applicant has been closed to on-premise
- operations and pulling playing and providing music from the vast majority of
- the three month period, the Board finds that it will not be productive to hold
- the public hearing or making final determination on whether to allow the
- extended hours the entirety of 2020 at this time; and
- DEPUTY CLERK MARTHA QUITUISACA: now and now, therefore, be it
- resolved the Town Board of the Town of Ossining hereby extends until
- August 25, 2020 the provisional license subject to all the terms and
- conditions set forth in the March 10 2020 resolution; and
- 733 **DEPUTY CLERK MARTHA QUITUISACA**: Be it further resolved the Town
- Board and hold a public sharing at its August 11, 2020 meeting to assess
- whether to approve this license in its current form for the entirety of 2020 or
- make changes to hours, and applicants is authorized to play amplified
- music on Sunday through Thursdays if the Town Board deams that
- appropriate based upon the information received at the public hearing; and
- 739 **DEPUTY CLERK MARTHA QUITUISACA**: Be it further resolved the Town
- Board reserves the right to amend the above data for as appropriate under
- the circumstances, based upon the applicant's ability to operate in the end,
- 742 and down.
- SUPERVISOR DANA LEVENBERG: Do I have a motion? Thank you.
- 744 COUNCILMEMBER ELIZABETH FEDMAN, COUNCILMEMBER
- NORTHERN WILCHER: So moved.
- 746 **COUNCILMEMBER JACKIE SHAW**: Second.
- SUPERVISOR DANA LEVENBERG: Okay, wonderful. So if you can
- remember any time before quarantine, which feels like a lifetime ago at this
- point, we had approved a provisional Cabaret license at our March 10
- meeting for Maya Riviera for a period of 90 days to evaluate the impact of
- the request for extended hours of operation. Given that Maya Riviera has
- been unable to operate for just about the entire 90 day period, we will be
- extending this provisional approval until August we may have to extend it
- again if they still haven't had any opportunity to operate to allow for
- sufficient review Council Addona. Do you want to elaborate on this or you
- 756 think we had covered it all?

- 757 MUNICIPAL ATTORNEY CHRISTIE ADDONA: I think the resolution pretty
- much laid it all out. The Board has done this in the past, and specifically
- with this applicant, as the resolution stated the code does give the Town
- board authority to extend the hours were amplified music can be played
- when appropriate. The Town Board did grant it to the specific applicant for
- Fridays and Saturdays. In the past, and did it on the same concept of a
- provisional license, so that they could revisit it there weren't any issues in
- that instance and there hasn't really been any issues with this applicant as
- far as we can tell from the building department in the police department
- which are notified and respond when Cabaret when Cabaret license
- applications come in. So the Board did granted provisionally, but obviously,
- given that they haven't been able to operate there's no way for this Board
- to really assess what impacts, if any, there would be from having the the
- Amplified music during the extended hours on the other days of the week.
- So it just makes sense from a practical perspective.
- SUPERVISOR DANA LEVENBERG: All right, any discussion? Did we
- already have motion and second, yes, I think so. All those in favor?
- 774 **ALL**: Aye.
- SUPERVISOR DANA LEVENBERG: Any opposed? All right. Thank you
- 776 very much.
- 777 SUPERVISOR DANA LEVENBERG: Next up there's correspondence
- received and filed. We have none. So monthly reports?
- 779 **DEPUTY CLERK MARTHA QUITUISACA**: Resolve the Town Board of the
- Ton of Ossining hereby accepts the following monthly report for the month
- of April 2020 Dale Cemetery and Town supervisor.
- 782 **SUPERVISOR DANA LEVENBERG**: Do I have a motion?
- 783 **COUNCILMEMBER ELIZABETH FEDMAN:** So moved.
- 784 COUNCILMEMBER JACKIE SHAW, COUNCILMEMBER NORTHERN
- 785 WILCHER: Second
- 786 SUPERVISOR DANA LEVENBERG: All those in favor?
- 787 **ALL**: Aye.

- 788 SUPERVISOR DANA LEVENBERG: Any opposed? All right so off to
- visitor recognition. Is there anybody in here who would like to comment on
- anything at all? We have your regular four minutes, starting whenever you
- get off mute. Anybody interested in seeing anything? Okay. Oh, no See
- things shifting around but Victoria? Hearing none, I would like to take a
- motion to adjourn into executive session for personnel, contracts, and
- advice of counsel.
- 795 **COUNCILMEMBER JACKIE SHAW:** So moved.
- 796 COUNCILMEMBER ELIZABETH FEDMAN: Second.
- 797 **SUPERVISOR DANA LEVENBERG**: Any discussion? All those in favor?
- 798 **ALL**: Aye.
- 799 **SUPERVISOR DANA LEVENBERG**: Any opposed? Thank you all so
- much. Please join us via zoom for our work session next Tuesday, June 2.
- 801 Enjoy the last week of May. It's supposed to be pretty warm this week, so
- make sure that you do get outside and enjoy the fresh air and of course
- wear your mask, social distance, and all the things that we need to do to
- make, make sure that we keep that spread at bay and keep all of us
- healthy. Have a great week, everybody. Have a good night.
- 806 **[UNCLEAR]:** Good night.