

Town of Ossining Board Work Session

August 11, 2020

Meeting Transcript

Video Recording of Meeting: <https://www.youtube.com/watch?v=Q8mu0JjQEiA&t=59s>

Attendance: Supervisor Dana Levenberg, Councilmember Liz Feldman, Councilmember Jackie G. Shaw, Councilmember Gregory Meyer, Municipal Attorney Christie Addona, Budget Officer Victoria Cafarelli, Deputy Clerk Martha Quituisaca, Community Member Mindy Lamarre

1 Dana Levenberg: All right. Well, good evening, everybody. And welcome to
2 the Town Board of the Town of Ossining regular meeting and work session
3 for Tuesday, August 11, 2020. Please rise and join me for the Pledge of
4 Allegiance, when we have our flag. Thank you.

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: Can we go into the Roll call, please?

9 Martha Quituisaca: Councilmember Feldman?

10 Elizabeth Feldman: Present.

11 Martha Quituisaca: Councilmember Shaw?

12 Jackie Shaw: Present

13 Martha Quituisaca: Councilmember Meyer?

14 Greg Meyer: Present.

15 Martha Quituisaca: Councilmember Wilcher?

16 Northern Wilcher: Present.

17 Martha Quituisaca: Supervisor Levenberg?

18 Dana Levenberg: I'm here. Okay, so first up we are going to be starting
19 tonight with our Public Hearing on our local law temporary outdoor permit.
20 Just going to try to try to juggle these two things... We discussed this
21 proposed look a lot to establish a temporary outdoor dining permit in the
22 Town of Ossining at our last work session. A draft of the local law was
23 circulated and posted online. The purpose of this local law is to establish a
24 medium term mechanism by which eating and drinking the establishments
25 in the unincorporated town can provide outdoor dining for their patrons.
26 This of course came too light, as an issue due to the COVID-19 pandemic.
27 But there is certainly a function for this local law to be used during other
28 medium term emergencies, such as a fire or other serious property damage
29 at one of our local eateries. We hope this local law will help support our
30 local eating establishments during this incredibly difficult time and also
31 possibly help ease any significant burdens in the future. I'm going to turn it
32 over to Counsel Tomm Addona that's walk everyone through the proposed
33 legislation briefly before we open it up to public comment. Counsel Tomm
34 Addona.

35 Christie Addona: So the board did discuss this – a first draft of the local law
36 at your believe it was July 27 work session. And based upon that we did
37 make a couple of changes, but basically the gist of it as it's currently
38 drafted, is it gives the Building Inspector the authority to issue a permit for
39 up to a period of 45 days if the applicant can demonstrate that they are
40 legally an eating and drinking establishment and due to a hardship or other
41 outstanding circumstances are not able to utilize the entire interior of their
42 establishment. So basically what this does is it allows temporarily some of
43 that dining to be moved outdoors. So that - but not so that the applicant can
44 exceed what would have been 100% of the indoor capacity. So it's really
45 that the intent is to try to maintain the status quo as opposed to expanding
46 the - the currently existing use and obviously yes it did come up in the first
47 instance in the context of COVID-19 with the restrictions that have been put
48 on interior dining: first, it wasn't allowed at all and now it is allowed, but at a
49 reduced capacity. But as the supervisor mentioned it does provide a
50 mechanism where if there's another reason that the in the future when this
51 is no longer an issue - hopefully soon - but that if there are other reasons
52 why it cannot be utilized, then the appli - this is a mechanism that's
53 available. So some of the issues that the board discussed at the work

54 session where the length of the permit and it does give the Building
55 Inspector, the discretion for how long to issue the permit based on
56 circumstances, but the maximum time period is 45 days. And the way it's
57 contemplated is that if the applicant obtains a certain number of those
58 permits in the law as its drafted currently is five within a 12 month period.
59 Then the - the mindset is that this really isn't intended to be a temporary
60 thing anymore, they want it to be permanent and in which case they have
61 to go back to the planning board and get amended site plan approval. So
62 there's certain criteria. In the – in - in the legislation that the applicant would
63 have to satisfy and demonstrate to the satisfaction of the Building
64 Inspector, they have to provide a CFO of occupancy or other
65 documentation showing that they're legally operating. They have to be able
66 to explain why due to a risk to public health, safety, and welfare, the
67 establishment cannot utilize any or all of its indoor space. They have to
68 show a plan that depicts where the dining is going to be and if the dining is
69 going to be in a parking lot or other type of area, they need to demonstrate
70 safe access and means of ingress and egress, and any other - it also
71 leaves it up to the Building Inspector to request any other information to the
72 extent mediums that necessary in that particular circumstance. And it does
73 not waive any other legal requirements that would be on the applicant,
74 other than the fact that they can do this temporarily without having to get
75 amended site plan approval, but you would have to apply to all other laws
76 and regulations and executive orders that have been issued by the
77 Governor, as well as any the State Liquor Authority and anything having to
78 do with the serving of alcohol and so the changes that were made was that
79 essence the Board less discuss this was to allow for the permit to be up to
80 45 days where it was previously 30. But it gives the Building Inspector -
81 Inspector, the discretion to granted for a shorter period of time, we also
82 added a specific reference to the fact that open air tents are allowed but
83 they can't have siding and they can't they can't be enclosed, it's not
84 intended to be an enclosure, just an outdoor seating, especially in light of
85 the current environment where outdoors is - is encouraged. So if anyone
86 has any other specific questions or anything that you want me to address.
87 But I think that's pretty much –

88 Dana Levenberg: Right, and that's just at this moment for the Board if the
89 Board has any other specific questions before we open up the public
90 hearing

91 Christie Addona: We're also - this is on for work session discussion after a
92 public hearing. So what we're doing, we're opening a public hearing tonight.
93 I think the intent is to leave it open for at least reading to allow for written
94 comments and to give the public another opportunity at a later date to
95 possibly attend the meeting and speak on this if they're so inclined. So
96 tonight is just preliminary in terms of the public hearing process and we are
97 going to have a work session where we can discuss any comments that the
98 public may raise at the public hearing as well as any thoughts that the
99 Board has on the changes that are made or any additional changes the
100 Board may want to make.

101 Dana Levenberg: Okay, so with that. Is there anybody here to address the
102 Board on at this public hearing on the local law draft for a temporary
103 outdoor permit for eating establishments? If so, if you could raise your fake
104 hand. That means if you open up "participants" and then either there's
105 three dots or you would see the whole participant list and it says raise hand
106 if you could raise your hand. We will then recognize you and you will have
107 an opportunity to address the Board on this local law.

108 Christie Addona: And if you're calling in, you would press star nine.

109 Dana Levenberg: And if we're calling in, you will press star nine. Thank you
110 for that. So just going to give it a couple more minutes. In case anybody
111 has a hard time

112 Victoria Cafarelli: [UNCLEAR] -

113 Dana Levenberg: If for any reason you're having a hard time. Oh, I think
114 you see one person. Okay, so, Mindy Lamar has her hand raised. And
115 that's the only hand I see so far. Mindy, if you could please. If we could
116 unmute her.

117 Victoria Cafarelli: I'm trying to for some reason it's not working. Okay,
118 you're unmuted now.

119 Dana Levenberg: Okay.

120 Mindy Lamarre: Am I good?

121 Dana Levenberg: Yes.

122 Victoria Cafarelli: Yep.

123 Mindy Lamarre: Okay, I'm Mindy Lamarre 12 Haymont Terrace, Briarcliff
124 Manor. While the Town's intend to consider permitting temporary outdoor
125 dining for restaurants in general business or commercial zone seems
126 reasonable, non-conforming properties such as the Briarcliff Manor
127 operating at 25 Studio Hill Road, in a residential area of single family
128 homes must be excluded. The establishment's owners and managers have
129 long made expansion desires known by petitioning for allowances to
130 circumvent their non-conforming classification. Even now, prior to enacting
131 the statute were discussing tonight. In clear defiance of non-conforming
132 expansion limitations they've erected multiple outdoor tents for the purpose
133 of providing a new service: full outdoor dining. For many years the various
134 owners have walked a tight rope attempting to conduct a large commercial
135 operation in a quiet residential neighborhood. Thankfully, the Town has
136 always remain sensitive to its responsibility to protect the integrity of the
137 Community. The Briarcliff Manor, with a capacity of 260 patrons is a facility
138 operating with a cabaret license, grandfathered as an intimate local fully
139 enclosed restaurant, it presently advertises extensively as a large catering
140 menu with a Hudson River Vista. It attracts patrons from far and wide. That
141 said, it is, according to New York State and non-essential business, and as
142 such prohibited from mass gatherings, no more than 50 people might
143 gather on the premises either inside or outside. This restriction which
144 reflect CDC guidelines demands cancellation or postponement of in-person
145 events, consisting of 50 people or more. On Thursday, July 30 Mr. de
146 Napoli the owner/operator Briarcliff Manor and informed me in no uncertain
147 terms of his intention to hold all future weddings entirely outside. Even
148 though bringing hundreds of people into a residential neighborhood literally
149 into our backyards at this time of pandemic is a violation of New York
150 State's mandate against mass gatherings, not to mention an overt
151 expansion of its footprint. It is such an obvious health hazard one wonders
152 why this Board would even consider extending the proposed law to any
153 non-conforming establishment operating in residential neighborhoods.
154 Furthermore, according to the State Liquor Authority, not only our mass
155 gatherings forbidden at this time, so too, is dancing. Are we to believe that
156 the men are will adhere to this edict, are we to believe this establishment

157 will host wedding celebrations sans dancing. The Briarcliff Manor, unlike
158 other such establishments operating in business or commercial zones is
159 non-conforming in an R-15 single family residential zone, which leads a
160 reasonable person to suspect use of the COVID phenomenon as a pretext
161 to permit expansion something they and their predecessors Maison Lafitte,
162 Tara on Hudson, Studio Hill Mansion, Unique Affairs, Haymont House have
163 been looking to do for years. And for years, they've been ruled against by
164 the Zoning Board of Appeals. If I may remind you, according to the town
165 general code chapter 2-36 noncompliant you shall not be enlarged altered
166 extended reconstructed or restored or placed on a different portion of the
167 lot or parcel of land occupied by such uses nor shall any external evidence
168 of such use the increased by any means whatsoever. Allowing lawn tents
169 or canopies to stay in place for 45 days on non-conforming properties with
170 renewals available four or five times a year is for all intents and purposes,
171 giving permission to enlarge and extend use. It defies town code, it defies
172 precedent, it defies court rulings and worse: it defies the spirit of non-
173 conforming statutes, not to mention there's no practical way for the town to
174 enforce adherence to our laws and to COVID protocols as entrance for law
175 enforcement personnel is limited. At this time to allow the Briarcliff Manor or
176 any similar non-conforming establishment, for that matter, outdoor dining
177 invites defiance of federal mass gathering guidelines, it disregards state
178 mandates enacted to stop the spread of this deadly virus. Furthermore, to
179 permit this expansion at any time is to ignore the town's zoning provisions,
180 the town's regulatory procedures, past rulings of the Town Zoning Board of
181 Appeals, and the spirit of the statutes concerning non-conforming
182 properties. Let me remind the Board of something which I think the town
183 attorney will support the allowance of non-conforming uses has been
184 characterized by the courts as a grudging tolerance of them. The right of
185 municipalities to adopt reasonable measures to eliminate them has been
186 recognized. The ultimate goal of the zoning code is to achieve uniformity of
187 property uses within owning district which can only be accomplished by the
188 elimination of uses -

189 Victoria Cafarelli: Excuse me?

190 Mindy Lamarre: [UNCLEAR]

191 Victoria Cafarelli: I'm sorry the [UNCLEAR]. Excuse me, the [UNCLEAR] -

192 Mindy Lamarre: I have two more short paragraphs, I'd appreciate it. You
193 know, we're not overwhelmed here with people.

194 Victoria Cafarelli: [UNCLEAR] -

195 Mindy Lamarre: Allowing it - allowing expansion for a non-conforming
196 property doing business in the midst of a peaceful, quiet bucolic residential
197 neighborhood of single family homes will forever change that businesses
198 footprint and alter the - the essential character of our neighborhood. It's not
199 unreasonable to project the besieged by a constant influx of transients
200 attending parties in our very backyards, property values will be threatened
201 forcing citizens to seek tax relief for those devalued properties, it's not
202 unreasonable to assume some of our neighbors will take flight. That's not
203 what's supposed to happen. Would any of you want partying in your
204 backyard? Make no mistake by allowing this you will be putting not only our
205 civic health in jeopardy but our physical wellbeing, as well. The premise is
206 located at 25 Studio Hill Road now operating as the Briarcliff Manor, and
207 any other similar non-conforming establishments must be excluded from
208 this proposed local law and be forced to comply with past decisions
209 regarding their operations. Thank you.

210 Dana Levenberg: Okay, is there anybody else here to adjust the Board
211 about this local law? I would just ask that you limit your comments to four
212 minutes. And if you have anything additionally, to the four minutes that you
213 submit that in writing to the Town Board and you can email
214 vcafarelli@townofossining.com with your comments. Is there anybody else
215 here to address the board on the proposed local law? If you for any reason
216 are having problems raising your hand and you would like to unmute and
217 just indicate that you'd like to speak with a hold it open for another few
218 seconds to see if there's anybody else who wanted to speak.

219 [SILENCE]

220 Dana Levenberg: Okay. I just do want to add that we have had an
221 Executive Order in place that has allowed eating establishments to have
222 expansion of eating outside to their outdoor spaces and - and this has - has
223 to go through the Building Inspector. So that has been allowed and I
224 believe that that the - that the Briarcliff Manor has applied for that permit
225 out - for the outdoor use at this point. So with that, if there's no further
226 comments, I would like to ask for a motion to leave this public hearing open

227 for at least one more meeting so adjourn it to August – our August 25
228 meeting unless there's anybody else here to address the board for this
229 public hearing. Can I have a motion to do that. I feel like, you know, again,
230 with the power outages and everything that's been going on right now and
231 with our zoom meetings, I think we want to make sure that people have an
232 opportunity to weigh in on this, we again encourage anybody who might
233 want to do so to please email vcafarelli@townofossining.com with your
234 comments. And we look forward to talking about this a little bit more in work
235 session if anybody wants to do. So it is on our agenda for a little bit later.
236 And then we'll leave Again, leave the public hearing open for at least one
237 more meeting. Do I have a motion?

238 Elizabeth Feldman: So moved.

239 Jackie Shaw: Second.

240 Dana Levenberg: All those in favor?

241 All: Aye.

242 Dana Levenberg: Any opposed, again, this is to adjourn the public hearing
243 on a local law to August 25.

244 [SILENCE]

245 Dana Levenberg: Alright. So with that we are going to have we're going to
246 – we're going into work session or we're going to do our announcements or
247 just do you want to just work – work - work session now Victoria?

248 Victoria Cafarelli: Um, we have Valerie on so maybe we can just how we
249 had it planned and –

250 Dana Levenberg: Okay.

251 Victoria Cafarelli: [UNCLEAR] -

252 Dana Levenberg: Sounds like a plan. We will do that. Okay, so next on our
253 agenda is -

254 Victoria Cafarelli: I'm sorry, do we need to move - move to go into adjourn
255 to work session? Yeah.

256 Dana Levenberg: You do?

257 Victoria Cafarelli: Yeah. [UNCLEAR] -

258 Dana Levenberg: To go after hearing? Okay, okay. Okay, so may I have a
259 motion to adjourn to work session?

260 Elizabeth Feldman: So moved.

261 Jackie Shaw: Second.

262 Dana Levenberg: All those in favor?

263 All: Aye.

264 Dana Levenberg: Opposed? Okay, wonderful. Alright, so first up, are we
265 going to where we're starting with Court Attendant or you want to start with
266 Valerie?

267 Victoria Cafarelli: I think we could start with Valerie if she's there, just
268 needed [UNCLEAR] these.

269 Dana Levenberg: Valerie, are you with us yet or did you just [UNCLEAR]?

270 Valerie Monastra: I am. I am with you.

271 Dana Levenberg: Okay, fantastic. Okay, so I guess following our public
272 hearing, we want to take the Board, an opportunity to discuss if there are
273 any changes that anybody would like to see at this point to the proposed
274 local law. We did change - as Counsel Tomm Addona mentioned - we
275 change the amount of time that we had and one of the reasons that we did
276 that was to make sure that our businesses would have an opportunity that
277 they wouldn't have to come back immediately every time. If this you know
278 this unfortunate pandemic does not look like it's going to be over in the
279 short time, we're seeing how that impacts us on a daily basis even just with
280 having to extend Executive Orders and having to for the Governor having
281 to extend you know, many of the workarounds that have been put in place,
282 basically, to protect people. One of the reasons that we are looking to allow
283 businesses to expand outdoors is because we have, we have some degree
284 of understanding that spreading people out and - and social distance and
285 having an ability to be in - and outdoor air is better than indoor air is a way
286 that we can prevent spread. So having the ability to expand businesses to
287 an outdoor space allows our businesses to be viable and that doesn't
288 actually mean that they get to extend everything to the outdoors. It doesn't

289 mean that they get to have music outdoors. It doesn't mean that they get to
290 necessarily have alcohol outdoors. To do that, they have to actually apply, I
291 believe, to the State Liquor Authority. In certain cases it doesn't mean that
292 they get to and dancing outside. What it means is that they can have eating
293 and drinking outside and expanded spaces in a tent that doesn't have flaps
294 on it. So we're not basically making - we're making a bigger footprint, but
295 it's in a different way. It doesn't mean that they can suddenly have lots and
296 lots of noise, it means that they still have to limit the number of people. As
297 far as some of the comments from is Ms. Lamarre, I don't want to comment
298 on because I think we maybe need to gather a little bit more information
299 about, about what the use would look like for an event. And I don't know
300 exactly if you know how the 50 people - it applies to things like events, or if
301 you're allowed to have, you know, whatever Mother's Day breakfast and
302 you can have people were able to be spread out more outside or whatever.
303 So I think that there's some - some information we still need to look into.
304 But, you know, if the board has any comments that they would like to see
305 addressed or discuss further get more information on and let - let - let us
306 know. So just opening it up to the Board for comment on the proposed local
307 law.

308 [SILENCE]

309 Dana Levenberg: And hearing none, I would - I will go to our Council Tomm
310 Addona.

311 Christie Addona: Hey, I did hear from the building inspector on this. He did
312 have an opportunity to review the local law and he did have one minor
313 comment because he is going to be the one as we discussed as it's
314 currently contemplated will be administering this reviewing everything and
315 issuing the permits and he had just one minor suggestion. And it's on page
316 two of the draft section toward the bottom 1364 Building Inspector
317 Authority, subsection b. It says upon the Building Inspector's determination
318 that all applicable conditions and requirements of this article has been
319 satisfied, the Building Inspector *shall* issue the temporary outdoor dining
320 permit without further review required by any town official, department,
321 and/or Board. He asked if the Board would want to consider making that
322 instead of "shall," "may" because I think he was a little bit concerned about
323 extenuating circumstances and not really being able to anticipate all

324 [UNCLEAR at] this point in time. And so to give him a little bit more
325 discretion, looking at this on a case by case in order to be able to
326 determine whether the permit is appropriate. Then if an applicant just
327 satisfies those three or four criteria if he really has no choice but to issue,
328 even if it is good judgment as the Building Inspector it - he thinks that may
329 not be appropriate.

330 Dana Levenberg: Okay, I think that sounds very reasonable.

331 Elizabeth Feldman: Agreed.

332 Dana Levenberg: Yes, No? Everybody agree that that sounds reasonable?

333 Jackie Shaw: Yup. Reasonable.

334 Greg Meyer: Yup.

335 Northern Wilcher: Yup.

336 Dana Levenberg: Okay, and then I don't know maybe you could just look at
337 a little bit more into the issue or question of a venue of a - of an event
338 venue versus, you know that drink - drink establishment or whatever had to
339 have, you know, how that would get handled and if it's different. Again -

340 Christie Addona: I know there are different regulations based upon different
341 types of venues. In some places if it's 50% capacity, but I can certainly that
342 there's - there's a lot of guidance out there at this point.

343 Dana Levenberg: Okay.

344 Christie Addona: So -

345 Dana Levenberg: Great.

346 Christie Addona: I can certainly look into that and provide the Board and
347 some more information on that. Right.

348 Dana Levenberg: And so I mean just theoretically presumably he is limited
349 versus a - you know a regular restaurant that's - that's supposed to be at
350 50% capacity I believe indoors. So, allowing them to expand outdoors then
351 gives them additional capacity to try to make up or recoup that you know,
352 indoor limitation, theoretically, and just saying, I don't know if this is true or
353 not. If he's limited to only 50 per event, then again, that would that would
354 protect potentially change the situation so...

355 Christie Addona: And they would still absolutely and I mentioned this
356 earlier, any eating and drinking establishment event I knew anything that
357 would be getting or seeking a permit under this law would be required to
358 comply with all of those other regulations.

359 Dana Levenberg: Correct.

360 Christie Addona: It's certainly not a waiver that -

361 Dana Levenberg: Absolutely.

362 Christie Addona: - [UNCLEAR] of the board to supersede this I you know I
363 think the board's very cognizant of that the health issues we're facing and is
364 trying to do this in a safest way as possible.

365 Dana Levenberg: 100 percent. I mean I think that that's exactly why we are
366 looking to do this because we're trying to keep our businesses from closing
367 and looking for opportunities that we can - where we can help - help them
368 basically, you know, carefully and thoughtfully expand their footprint without
369 putting anybody at risk. So I do think it's a time that we have to think
370 outside the box a little bit and think about how it impacts the tax base in
371 general, and all of all of our businesses are you know, looking for some sort
372 of solution. This is one way we can help one type of business, it's not
373 necessarily the only thing that we can do. But I think that it's you know it's
374 the first obvious - obvious thing that we can do so. I just want some know
375 Valerie, did you have anything else that you wanted to add?

376 Valerie Monastra: And no, I don't at this time.

377 Dana Levenberg: Okay. Is there anybody else from the Board who has any
378 other comments? Okay, so with that I think that we're going to move on to
379 our next Work Session. Again, the public hearing as mentioned earlier, like
380 a minute ago or two has been adjourn to our August 25 meeting. Members
381 of the public. Oh, I sent them all to you, Victoria, but instead, we can say
382 can submit their comments in writing to the town board at
383 TC@townofossining.com and then we will all get to see them. In the
384 interim, of course Victoria will also forward them to us if you happen to take
385 that down. Otherwise you can do just TC for town council at Town of
386 Ossining.com. So with that I would like - now like to go into our second work
387 session item. Again, a little bit out of order. We're going to start with our
388 discussion regarding another proposed local law amending the section of

389 our code regarding residency requirements for the position of course
390 attendants. As a municipality, we are required to closely follow the rules
391 and regulations of Westchester County Civil Service within these
392 regulations that are strict requirements for the position of course attendant
393 which has made it particularly difficult to recruit and hire for this very
394 necessary position in our courts. Now as our courts are starting to open, we
395 are having more and more need for staffing and we want to make sure that
396 we can actually fill – we have had two court attendants leave us for variety
397 reasons and we want to make sure that we can recruit for this position,
398 effectively, so it's been very difficult. I'm going to turn it over to Victoria
399 Cafarelli to add some more details and then hopefully we will add a
400 resolution on the agenda to set a public hearing for a meeting in early
401 September. Victoria.

402 Victoria Cafarelli: Thank you. Yes, so as the Supervisor mentioned, you
403 know, as a municipality we have to follow the restrictions - the requirements
404 - of the Westchester County Department of Civil Service. They review all of
405 our appointments, hires everything like that. And if they say “What? You're
406 - you're hiring somebody who may not fit the qualifications, we feel you
407 need to have for this job. You can't hire them.” So it with the case of court
408 attendant, the minimum qualifications for this particular job are pretty high.
409 And understandably so. It's kind of a difficult job to monitor court
410 proceedings and, you know, may have to intervene in certain
411 circumstances, it's important to have the right person for the - for the job.
412 And so Westchester County Civil Service is included as some of the
413 minimum qualifications, things like work experience in - in law enforcement
414 or corrections. But also at the same time, we need to hire somebody who
415 can work part time during the day. So that limits us pretty much to anybody
416 who has served as, you know, retired police officer, retired corrections
417 officer that sort of that sort of person. Additionally, they see in their - you
418 know, job description for - for an attendant that it is subject to public officers
419 law. Which means that we can only at this time higher residents of the
420 Town of Ossining for this position, and that's great. I know the Town Board
421 certainly likes to refer to, you know, support some of our local residents
422 when we do have job opportunities to hire, but at the same time with a
423 limited pool of applicants already with the job qualifications we need to hire
424 under, that adds an additional you know roadblock into us hiring for this

425 position is. And as a supervisor mentioned, it's you know, it's very, very
426 important, very necessary we always need on attendance. At our court
427 proceedings and even more now with some of the health screenings and
428 things like that to ensure that our court proceedings remains open and
429 unhealthy. So are contact at Civil Service that I work very closely with - with
430 all of our appointments suggested that one way that we could possibly
431 open up the pool of applicants a little bit bigger and help us in recruiting
432 and hiring for this position would be to consider adopting a law to add the
433 position of court attendant as one position that is exempted from the
434 residency requirements of public officers law in our code. Currently there is
435 a section of our code that addresses this and it addresses it with respect to
436 the positions of Court Clerk and Building Inspector. So this is something
437 you kind of already have on the books for other positions in the town. I think
438 that this is really going to help us out hiring for this position. Right now we
439 do have two vacancies in terms of our roster of curb attendants, which
440 makes it very difficult for the court to schedule. That the resources that they
441 need during - during court proceedings. So our council has reviewed our
442 code and kind of pointed out the section that we could make this
443 amendment. And so I just wanted to see - see what the board's feelings
444 were on this. If you have any questions about why this is necessary. I think
445 it's just going to make it a lot easier for us to get the right person in this job.
446 I think that's the most important thing for us. Obviously, if they're an
447 Ossining resident, that's a boost. But we kind of need to open up the pool
448 [a] little bit more to make sure we get the right people.

449 Dana Levenberg: Thank you very much, Victoria. So with that, I will just
450 open it up to the Board. If anybody has any questions for Victoria at this
451 point, or for me. Otherwise, you know what the next step would be to - to
452 have a resolution on the agenda for our next meeting to open up a public
453 hearing on - on this local law to allow for the Court Attendants to be outside
454 of the have not had the residency requirement. Are there any questions?

455 Jackie Shaw: Oh, an Ossining person would still have some kind of
456 preference or but we would be able to go outside of that, if we couldn't find
457 what we needed within Ossining, that's the gist of it?

458 Victoria Cafarelli: Certainly, I mean it's –

459 Dana Levenberg: Absolutely

460 Victoria Cafarelli: - for, you know, most of our appointments. If we have
461 people who live in Ossining that's an added bonus but, you know, at least
462 this opens things up because we've had a couple of qualified candidates
463 come to us and make applications we weren't able to hire them because
464 they don't live here. And that's, that's kind of unfortunate. So it just helps
465 open things up a little bit. We - we have a limited - limited pool of people
466 that fit those requirements in Ossining –

467 Jackie Shaw: [UNCLEAR]

468 Victoria Cafarelli: - but yeah, so yes definitely -

469 Dana Levenberg: [UNCLEAR] Yeah, and we have -

470 Elizabeth Feldman: I know we've been looking for - I know we've been
471 looking for a little while. How - did we get any qualified applicants from
472 Ossining or not so much?

473 Victoria Cafarelli: [UNCLEAR]

474 Dana Levenberg: [UNCLEAR] one.

475 Elizabeth Feldman: So that's – that's the main reasoning is, and –

476 Dana Levenberg: Absolutely.

477 Elizabeth Feldman: - so obviously we prefer an Ossining person, but we
478 cannot have a court attendant.

479 Dana Levenberg: Sometimes we get people who started out in OS nine
480 and then moved elsewhere. So we know them, but they're not here
481 anymore. So, and then also happens sometimes with our residency
482 requirements as people start out here and then they move away. So again,
483 you know, I think that it really behooves us to be - make sure that we have
484 qualified candidates and that as much as we would like to be able to hire
485 from Ossining, this would not preclude us from hiring outside if we couldn't
486 find anybody from inside.

487 Elizabeth Feldman: Okay.

488 Dana Levenberg: So, is everybody okay with adding that resolution. I'm
489 sorry. Go ahead, Council.

490 Christie Addona: Just wanted to raise one other item for the Board to
491 consider while we're discussing this in a work session. As Victoria
492 mentioned there is already a lot in the code that contemplates this for the
493 Building Inspector and the Court Clerks. And in that context, it provides that
494 thing - the individual in that position, need not be a resident of the town of
495 asking provided such persons are residents of Westchester County or an
496 adjoining county within the state of New York. So I think the Board may
497 want to think about and discuss if you're going beyond Ossining, how far do
498 you want to go and if Victoria has any recommendations on that?

499 Dana Levenberg: And we could also potentially we can add in for this
500 particular position. We could also add in "preference will be given" you
501 know, to Ossining candidates. That would not be a bad idea to add that in.
502 Explicitly. Right?

503 Victoria Cafarelli: Yeah, I mean in terms of the County thing, I mean, I
504 certainly in favor of making sure we have somebody that it's not going to be
505 an issue that they have to drive so far away to come work for us. I think
506 that's certainly a benefit. You don't want to have somebody who says, Oh, I
507 can't come because they live three hours away, whatever it is. So, I think
508 certainly putting that a little bit of restriction on it is not a bad idea.

509 Dana Levenberg: Alright.

510 Christie Addona: So do you want to do Westchester and the adjoining
511 municipalities, the same way to currently as for the other - the other
512 positions?

513 Jackie Shaw: I think it makes sense to keep it consistent.

514 Victoria Cafarelli: Okay. And so I think we had also we had included on the
515 agenda this evening a resolution to set that public hearing tonight if the
516 Board is amenable we like to consider that resolution tonight. That way we
517 can make sure it gets noticed in the paper and you know put out there in
518 the world prior to that meeting in September.

519 Dana Levenberg: All right. Okay.

520 Elizabeth Feldman: I'm good with that.

521 Dana Levenberg: Is everybody good with that? Fantastic.

522 Elizabeth Feldman: Yeah.

523 Dana Levenberg: So if that is the case, I believe I am now asking for a
524 motion to adjourn back to our regular meeting.

525 Elizabeth Feldman: So moved.

526 Northern Wilcher: Second.

527 Dana Levenberg: All those in favor?

528 All: Aye.

529 Dana Levenberg: Any opposed? Alright. Wonderful. Now then, I need for
530 my announcements. Okay, hold on one second. Um, okay, so last week.
531 Maybe some of you know that in addition to the pandemic, Tropical Storm
532 Isaias tore through Ossining and Westchester County. Thankfully, we have
533 some phenomenal crews at our service, including our incredible highway
534 department and specifically our Highway Superintendent Pete Connelly,
535 and our Foreman Kevin Moore who fielded of calls during the storm to
536 assess damage and clear roads for emergency vehicles. So we're very
537 grateful to them Superintendent Connelly was literally all over town,
538 responding to at least 13 unique home addresses and returning to sites like
539 Hawks Avenue, Morningside Dr., Gordon Avenue, Old - Old Albany Post
540 Road, River Parkway, Glendale Road, Studio Hill and many more multiple
541 times to track the damage and overseer - oversee clearing and cutting
542 where possible. I would also like to extend, extend a huge thank you to our
543 Parts Department came in to assist, our dedicated Police Department
544 specifically Chief Sylvester, Lieutenant Slater and Montague, who worked
545 around the clock with us to make sure that our Con Ed municipal liaisons
546 were well versed and where the issues were and share daily updates with
547 residents, as well as the Ossining Fire Department and OVAC who were
548 responding to calls during the most dangerous hours of the storm. And also
549 a special thank you to some of those - some of our residents who just came
550 out and lend a hand. And I know that there were quite a few including
551 believe Mr. Belldot - Mr. Anthony Beldotti, the younger, was out there
552 helping clear Hawks Avenue, so shout out to him and his friends.

553 Many of our residents are still recovering from the damage caused by the
554 storm. Some people have been without electricity, phone, or internet
555 service for a week. Of course, on top of that people are still dealing with

556 down trees in their yards and the ongoing concerns of COVID so I want to
557 let everybody know that we were in close contact the entire time with the
558 municipal liaisons and government relations folks at the utilities to escalate
559 to the best of our ability. Obviously the storm went well beyond - well but -
560 well beyond Ossining, well beyond Westchester County. I think that what
561 we learned from the daily calls with Con Ed and, more recently, with Altice,
562 was that, and that's the parent company for Optimum, for those of you who
563 don't, aren't familiar with that name - it seemed to me that what we heard
564 was that Con Ed used a weather model that under predicted the severity of
565 the storm. And when you do that, what it means is that you don't have the
566 boots on the ground crews that you need in place hanging out in a parking
567 lot, so that they can just step right in and start working. And you have to
568 wait longer to get those crews through mutual aid, I kind of did decide not
569 to send their crews out for mutual aid. When they learned that the storm
570 was going to get worse. But they didn't really understand the severity of the
571 storm until it was really too late to get all the crews they needed and it
572 really wasn't until this weekend when all of that mutual aid showed up at -
573 in Westchester ready to continue to cut and clear. I mean, when we hear
574 that, you know, many of our neighboring communities such as Cortland and
575 New Castle and North Castle were in much worse shape. So having many,
576 many, many roads down today, they still had, you know, I think, thousands
577 of customers still out today. And Con Ed was still promising restoration
578 times of tonight. I think that nobody who's was without power five days
579 counts himself as lucky, but when again when you look at some of our
580 neighboring municipalities, we were lucky. We did have crews here. And to
581 the extent that was possible, they dealt with our issues. We know that there
582 are a lot, a lot of people were out in the condos - three of our
583 condominiums were down for until yesterday. And that was because of a
584 large outage. That was on Hawks which needed multiple poles and multiple
585 crews to actually show up. So we're grateful that we got to restoration by
586 today. I think we - when I last looked at the Outage Map. There's only that
587 1% left and a lot of those are where something needs to be then attached
588 to the house and it might require a local electrician to come to the person's
589 house to attach the - the wires - the lines back to the house and then Con
590 Ed is still involved in that process overseeing and you know, turning on
591 turning off that the service until that can be done, but for the most part our
592 roads are all cleared and we're just very close to 100%. So again, thank

593 you. I believe I don't know Pete Connelly - we our Highway Superintendent
594 was – are you still on Pete? I can't see. I think that's you. Yes, that is you –
595 we're very grateful for all the work that you and your departments oversaw
596 and helped and boots on the ground. I know that some of these situations
597 were not as safe as we wish they could have been, and they were very
598 difficult and we appreciate all the hard work that you put in, and including
599 over the - over the weekend to make sure that people could be up and
600 running and safe in their homes as quickly as possible.

601 I will also say that people have been very frustrated with Con Ed and did
602 not believe that that all of the promises that they had heard after
603 Superstorm Sandy came to fruition. I know that we've had a bunch of
604 storms between Sandy and now and this response seems much better,
605 which is why I believe personally based on the all the multiple calls that we
606 are on that this storm just really caught them by surprise that and - and
607 made them not ready. But I know that Governor Cuomo has directed the
608 Department of Public Service to launch an investigation into the storm
609 responses by Verizon and Con Ed and I don't know if Altice is on that list
610 yet, but probably will be if it isn't already. And that Westchester County
611 Executive George Latimer has proposed a utility Reserve Corps to act like
612 the National Guard and help repair service lines after natural disasters and
613 many calls that I was on daily with local Managers, Mayor, Supervisors, as
614 well as State Assembly Members and - and Senators, County Executives,
615 and County Legislators, with Con Ed as well as Altice and Verizon and
616 when we were hearing all of these daily reviews of restoration status, that
617 there was a lot - a lot - a lot of frustration and there was definitely call for
618 hearings to take place in the not too distant future, but our first priority was
619 really making sure that we got everyone's power and services back as
620 quickly as possible. And so, just wanted to let people know that there are
621 concentrated efforts to evaluate these companies, how they react to
622 emergencies and look for ways to greatly improve response times in the
623 future.

624 I do want to remind our residents that the Ossining Community Center
625 continues to operate as a cooling center from 9am to 6pm so if you happen
626 to be among that 1% that still without power and you need a place to cool
627 off during the day that is an - an option. And that's weekdays. The services
628 going to continue for a residence throughout the summer if you lost power

629 for more than 48 hours also you can apply for reimbursement from Con Ed
630 for up to \$540 worth of food. Businesses can also apply for reimbursement
631 up to \$10,700 and we have shared those applications for that through our
632 eblasts. I will make sure that we put them up on our website. I believe
633 Altice also offering - if your service was down and it did not have to do with
634 a power outage that there's some reimbursement available for when you
635 were down service for them. For everyone that's picking up trees,
636 branches, and leaves from their yours, who lives in Unincorporated
637 Ossining the Highway Department will be picking up storm debris. For the
638 next few weeks. Please bring your branches to the curb, but don't allow
639 them to fall into the road lay them with the stock end pointing to the curb
640 leaves toward the house on your lawn near the curb. Do you not pack them
641 plastic bags.

642 And speaking of making greener decisions, a reminder that storms, like
643 Isaias are expected to become more common and more intense. The town
644 is actively working to decrease any negative impacts on our environment.
645 We ask that people help reduce the amount of litter in our parks and shared
646 spaces and we know we've had extra use of those during the storm.
647 Because A we saw everybody out there and B we saw the garbage. So we
648 do ask that you utilize a carry in, carry out policy, whatever you take in take
649 back home with you and dispose of when you get back home. Please also
650 be careful to properly dispose of plastic gloves and disposal and -
651 disposable masks. Our Parks team has continued to do their best to
652 maintain and sanitizer our parks and keep her favorite spaces in tip top
653 shape. They had to take all those garbage cans, we had just put out an
654 Engel Park, away because of the storm. We didn't want them all the
655 signage and all the garbage cans to blow off into the Hudson. So we took
656 them back, but we will be putting them back out shortly. We just got some
657 new ones in that are a little bit more stor - sturdy, so you'll be seeing more
658 garbage cans out an Engel, and that's good news. And so, and if you can
659 carry on and carry out your garbage. Again we that makes it even better.

660 Maskmakers are still working hard to keep up with demand. If you want to
661 help and recycle some of the items in your closet all at the same time.
662 Nancy Adelman is leading the local arm of the tri-state maskmakers which
663 is converting old T shirts, bedding, and other items into PPE. You can
664 donate choir and graduation gowns from the back of your closet to this

665 effort. Sewers are also needed for her latest initiative it call to make 1000
666 masks for school children and faculty. Material will be provided as well as
667 standard patterns from elementary school size as well as secondary adult
668 size. Please email Nancy Edelman at Nancy.Aldelman@gmail.com if you
669 are willing and able to join this mask making effort.

670 And obviously school is reopening is on everybody's mind and we did hear
671 from the Governor that schools will be allowed to reopen and we just want
672 you to know that we're also working to the best of our ability to help with the
673 school district in any way that we can to make it easier for them to offer
674 safe spaces for students during the day, if they are not going to be able to
675 be in school. So we're going to - we'll keep you posted on that and we're
676 also looking for a way to restart our senior program in a way that would be
677 safe. And those are somewhat related and we'll keep you posted on that as
678 well.

679 The Ossining Food Pantry is still looking for volunteers to help pack bags
680 for food distribution there. This is a great opportunity for middle school, high
681 school, or college students who are looking to hang out with friends in a
682 safe way. The food pantry serves Ossining and Briarcliff residents and as
683 you can imagine, they have seen a dramatic increase in demand since
684 March and as we've spoken about many times here. Volunteers are
685 urgently needed to unload the food trucks Fridays, nine to 11:30am. Pack -
686 packing food into bags Monday from 2 to 4pm and delivering bags from the
687 pantry to distribution points Tuesdays, 2 to 4pm please email OssFoodPan
688 O-S-S-F-O-O-D-P-A-N at gmail.com if you're interested in volunteering.

689 Coming up next week on Thursday, August 20, OVAC will be sponsoring a
690 blood drive from 3pm to 7:30pm. Blood supplies are often low in the
691 summer. Enter especially low since COVID has disrupted large scale
692 donation events. OVAC has a clean and safe place all set up for donations.
693 So please schedule an appointment time by visiting NYbloodcenter.org

694 Looking further ahead, the Westchester County Board of Elections is hiring.
695 If you're over 18 and registered voter, you can apply to be paid \$350 to
696 work on Election Day. Many people who traditionally work as poll workers
697 are older and have chosen not to enroll this year. We do not want a
698 shortage of workers, so keep voting lines short and Election Day hassle

699 free - free and get paid right doing it. You can visit the Westchester County
700 Board of Elections website to apply.

701 The Governor's Office updated the list of restricted states included in the
702 Travel Advisory. A few states added and different few were removed. It's
703 important that travelers review the information on the travel advisory
704 section of the New York State website. Please do this before and after
705 traveling to ensure you are taking the proper health precautions.

706 Coronavirus cases in New York remain low there to the rest of the country,
707 and we want to avoid bringing the virus across state borders, I will let you
708 know that we receive daily updates, which are somewhat delayed in
709 reporting, but the last reported case of COVID in unincorporated town was
710 on July 10 so we've had zero cases reported in the town for a few weeks
711 now, which is great.

712 And finally, I want to remind you to fill out your census. Come on, people.
713 You guys know this now door knockers were originally going to have until
714 the end of October to help people complete the survey, but that timeline
715 has now been cut by a month. If someone knocks on your door to complete
716 the census please work with them and they do have official badges, to say
717 that what - that they're from the census. Ossining loses \$2500 for each
718 uncounted resident and right now about 35% of Ossining remains
719 uncounted. It takes only 10 minutes to complete the census and you can fill
720 it out in one of 16 languages. You can also complete the census in your
721 preferred language over the phone, please reach out to your friends, family
722 and neighbors to ask them to complete the census. What does it - my
723 census dot...

724 Victoria Cafarelli: Gov. I think.

725 Dana Levenberg: Yeah. Dot gov or US dot gov. Census results effect
726 representation at the federal level and impacts how trillions of dollars are
727 distributed over the next 10 years. And if we get to 100%, you don't have to
728 hear me saying this anymore, which I think is the best part of getting to
729 100%.

730 Do any of my board colleagues have any other announcements?

731 [SILENCE]

732 Dana Levenberg: Okay, having covered it all, I hope. I don't need a motion
733 to adjourn into work session, I think that we are going into our agenda and
734 our resolutions. Let me just see where we're at, because like...

735 Victoria Cafarelli: We need a motion to adjourn back to the regular meeting
736 though.

737 Dana Levenberg: Oh. No.

738 Victoria Cafarelli: [UNCLEAR]

739 Dana Levenberg: We did that. We did that. We did that already. Did that.

740 Martha Quituisaca: We're done, yeah.

741 Christie Tomm Addona: We did that.

742 Dana Levenberg: Right, we did that. Okay, I think we are up to our -

743 Martha Quituisaca: Liaison reports.

744 Dana Levenberg: Liaison reports. Okay, Liaison reports. Thank you,
745 Martha. Are there any? Now I have to, like, go back and forth. Wait, hold on
746 a second. I'm gonna make it so I can see everybody and I can see the
747 agenda at the same time, which is a little bit challenging, but I did do it
748 earlier. I'm sorry. Okay, now. Okay. So hearing. No, not seen anybody who
749 wants to give any Liaison reports. I'm just going to ask our deputy
750 supervisor Jackie Shaw. If you - I - I believe that the recreation advisory
751 board that's probably tonight. The Village [of Ossining] just have their
752 meetings tonight. I think the Rec Advisory Board was coming to make a
753 presentation.

754 Jackie Shaw: On Wednesday.

755 Victoria Cafarelli: Yeah. To [UNCLEAR] -

756 Dana Levenberg: So tomorrow. That's this Wed - so they have two
757 meetings in a row. Okay, so their -

758 Jackie Shaw: The meeting that we had was cancelled because a lot of
759 people didn't have power. So the Rec Advisory Board is meeting next
760 Monday. But they're - they're presenting to the Village [of Ossining]
761 tomorrow.

762 Dana Levenberg: I see. Okay. So I think we did ask if we could get an
763 updated - there was some kind of a draft that was going around if - if at
764 some point that maybe it's after next week's meeting if we can get a draft
765 and I think we'd like the rec advisory board to also come present to the
766 Town Board. We're going to be launching into budget season, very, very,
767 very, very, very soon. And having that presentation in advance of budget -
768 budget season I think would be extremely helpful. So hopefully we can do
769 that.

770 Jackie Shaw: Okay.

771 Dana Levenberg: And then next up we have public comments on agenda
772 items. So anything that is on our agenda for this meeting - for this regular
773 meeting - if anybody from the public would like to comment on anything on
774 the agenda, please raise your virtual hand. And again, if you're on a
775 telephone, you can push star nine. Otherwise, you can click on participants
776 and then that will open up a little screen and give you an opportunity to
777 raise your hand and if for any reason, any of those things are greatly
778 troubling. You can also unmute yourself for a minute and just yell.

779 Victoria Cafarelli: Okay. Yes, Miss Lamarre. I'm trying to unmute you again.
780 Okay.

781 Mindy Lamarre: [UNCLEAR] -

782 Dana Levenberg: And if you could please limit your comments to four
783 minutes.

784 Mindy Lamarre: - promise. I wanted actually to thank you for affording me
785 the extra time tonight and just for clarification. Did I hear correctly that the
786 public hearing is not being closed tonight, it will still be open at your next
787 meeting?

788 Dana Levenberg: You heard correct. Yes.

789 Mindy Lamarre: Thank you very much.

790 Dana Levenberg: Anybody else from the public who would like to comment
791 on any of the agenda items?

792 [SILENCE]

793 Dana Levenberg: Give a couple more second. Because sometimes it's not
794 easy to do. And I don't want to start going through our resolutions and then
795 have anybody feel that they have not been heard - able to be heard.

796 [SILENCE]

797 Dana Levenberg: Okay. And hearing and seeing nobody else... There's a
798 little shuffling around over here in this participant. So I just want to make
799 sure if there's anybody who just came on who wanted to comment on any
800 of the regular on the agenda items. Public comment on agenda items only.
801 Will be a chance at the end of the meeting for visitor recognition on
802 anything. But right now we're just talking about agenda items. Is there
803 anybody who might have just joined us? And seeing nobody, we can now
804 go into our Board Resolutions, I will turn it over to our Deputy Town and
805 Village Clerk Martha Quituisaca.

806 Martha Quituisaca: Okay, Approval of Minutes Regular Meeting July 28
807 2020: Resolved to the Town Board of the Town of Ossining hereby
808 approves the July 28 2020 minutes of the regular meeting, as presented.

809 Dana Levenberg: Do I have a motion?

810 Jackie Shaw: So moved.

811 Northern Wilcher: Second.

812 Dana Levenberg: Was there anybody that was absent? Okay. Nobody was,
813 so, all those in favor?

814 All: Aye.

815 Dana Levenberg: Anybody opposed?

816 Martha Quituisaca: Approval call for public hearing local law [UNCLEAR]
817 Chapter 47 of the town code residency requirement with respect to record
818 attendants. Resoled that the Town Board of the Town of Ossining hereby
819 calls for a public hearing in the matter of local law number two of 2020 to
820 be held at 7:30pm on Tuesday, September 8, 2020; and

821 We have further resolved the pursuant to the Governor's Executive Orders
822 202.1 and 202.15 subsequently extended this public hearing will be held
823 via video conferencing only with the information to participate in the public

824 queuing to be doing notice and circulated and appointed to the requirement
825 of noticing public hearings.

826 Dana Levenberg: Do I have a motion?

827 Elizabeth Feldman: So moved.

828 Jackie Shaw: Second.

829 Dana Levenberg: As mentioned earlier, this is the resolution to set the
830 public hearing on a local law regarding residency requirements for court
831 attendants. All those in favor?

832 All: Aye.

833 Dana Levenberg: Any opposed?

834 [Silence]

835 Martha Quituisaca: Appointment intermediate clerk Town Justice Court:
836 resolved that the Town Board of the Town of Ossining appoints Kenneth
837 Lee, White Plains to the part time position of Intermediate Clerk at the town
838 Justice Court at an hourly rate - rate of \$25 effective August 5 2020.

839 Dana Levenberg: So I have a motion?

840 Elizabeth Feldman: So moved.

841 Jackie Shaw: Second.

842 Dana Levenberg: So we're appointing Kenneth Lee as a screener for our
843 Justice Court. We recently reopened the court for walk up window office
844 hours daily and Kenny's appointment was critical to meeting that goal. So if
845 you have to come in to pay a parking ticket. Hopefully Kenny's friendly face
846 greeting you with the door will make the visit a little more pleasant. Any
847 questions discussion? All those in favor,

848 All: Aye.

849 Dana Levenberg: Any opposed?

850 [Silence]

851 Martha Quituisaca: Adoption of retention and disposition schedule for New
852 York local government records LSG-1: Resolved that the Town Board of
853 the Town of Ossining in the retention and disposition schedule for New

854 York local government records LSG-1, it should pursue into article 57-A of
855 the arts and cultural affairs law and containing legal minimum retention
856 periods for local government records is hereby adopted for use by all
857 officers and legally disposing of valueless records listed therein;

858 Further resolved that in accordance to the article 57-A only those records
859 will be disposed of that are described and retention and disposition
860 [UNCLEAR] for New York local government records LGS-1 after they have
861 met the minimum retention periods described therein; and

862 Be only those records will be disposed of the do not have sufficient
863 administrative fiscal legal or historical value to marry tension beyond
864 establish legal minimum periods.

865 Dana Levenberg: Do I have a motion?

866 Northern Wilcher: So moved.

867 Jackie Shaw: Second.

868 Dana Levenberg: Valueless records – is there even such a thing? Our
869 Town Clerk remains in close communication with our liaison at the New
870 York State Archives to ensure the Town follows proper retention schedule.
871 We are just one among hundreds if not thousands of municipalities, school
872 districts, fire districts, etc. that rely on near state archives for this guidance.
873 This year, the Archives has released a new retention schedule that
874 consolidates the information for these various types of agencies. This will
875 hopefully streamline the processes without necessarily changing much
876 about the specific retention schedules for the records the town produces.
877 Thank you to our Clerk Suzanne Donnelly, and her Deputy Martha
878 Quituisaca for staying on top of the somewhat tedious, but very, very
879 important task. All those in favor?

880 All: Aye.

881 Dana Levenberg: Any opposed?

882 [Silence]

883 Dana Levenberg: Thank you.

884 Martha Quituisaca: Extension of approval, a provisional 2020 Cabaret
885 license Maya Riviera Bar and Restaurant 518 North State Road Briarcliff

886 Manor: Whereas by resolution duly adopted in March 10, 2020 the Town
887 Board under its authority pursuant to chapter 68 of the town code, section
888 6820 be granted Maya Riviera Bar and Restaurant, the applicant, a three
889 month provisional Cabaret license for extended hours during which the
890 applicant can play amplified music on Sunday through Thursday from 11pm
891 to 1am; and

892 Whereas do the COVID 19th and dynamic and the related closures to
893 restaurant establishments, the resolution duly adopted May 26, 2020 the
894 Town Board extended a provisional Cabaret license for an additional three
895 month period until August 25, 2020;- and for a public came to be held on
896 the provisional Cabaret license as it's August 11 2020 meeting; and

897 Whereas due to the continuous COVID 19 pandemic and the continuing
898 restrictions on the operation restaurants, the Town Board finds it
899 appropriate to again extend that provisional Cabaret license for an
900 additional two months; and

901 Now therefore be it resolved the Town Board of the Town of Ossining and
902 hereby extent until October 27 2020 the provisional license subject to all
903 the terms and conditions set forth in the March 10, 2020 resolution; and

904 Be it further resolved the Time Board will hold a public hearing at its
905 October 13, 2020 meeting to assess whether to approve this license in its
906 current form for the entirety of 2020 or make changes to the hour the
907 applicant is authorized to play amplified music on Sundays through
908 Thursday if Town Board deems it appropriate based upon the information
909 we see the public hearing; and

910 Be it Further Resolved, the Town Board reserves the right to amend the
911 above data as appropriate - as appropriate, under the circumstances,
912 based upon the conditions and restrictions under which the applicant can
913 operate in the interim due to the continuing COVID-19 pandemic.

914 Dana Levenberg: Do I have a motion?

915 Jackie Shaw: So moved.

916 Elizabeth Feldman: Second.

917 Dana Levenberg: So as mentioned in the resolution, back on March 10
918 somewhat pre-COVID just barely, I think. The Town Board provisionally

919 approved the cabaret license for Maya Riviera as they requested extended
920 hours of operation during weeknights we had hoped that the provisional
921 approval would allow the Board to see the real impact of this extension
922 before officially approved in the license. However, just a few days after the
923 board made this decision we all pretty much went into lock down and Maya
924 Riviera was unable to operate their onsite dining and events. This approval
925 was extended again in May and until now and August. We're still adjusting
926 to our new normal so it seems appropriate to extend this provisional
927 approval once again through October so we can fully engage any potential
928 impact on the neighbors. Right now I don't think that we really can. So with
929 that everybody, all those in favor?

930 All: Aye.

931 Dana Levenberg: Anybody opposed?

932 [SILENCE]

933 Dana Levenberg: Thank you.

934 Martha Quituisaca: Acceptance of bid restoration of Superintendent's
935 Cottage, Dale Cemetery:

936 Whereas, the Town of Ossining invited sealed bid pursuant to Section one
937 of three of the general municipal law of the State of New York, for the
938 restoration of Superintendents Cottage Dale Cemetery; and

939 Whereas a public notice was advertised in the Journal News on October
940 24, 2019 and subsequently noticed on December 19, 2019 to extending the
941 bid opening date; and

942 Whereas the town only received one sealed bid - bid which it was opened
943 at 10am Monday, January 13 2020; and

944 Whereas, the one bit in there by the lowest bid was a Clemco Construction
945 and restoration incorporated 293 Illington Road Ossining New York 10562
946 at a base bid price of \$199,468 with varying prices for 10 alternates for an
947 extended expanded scope at the town's discretion; and

948 Whereas after further discussions between Clemco Construction as a little
949 bitter and the town for the consideration of 10 alternates included in the bid
950 form a price of \$325,242 was agreed upon, adding alternative number four,

951 number six, number seven, and number eight and number nine to the
952 project scope in addition to the base bid and scope.

953 And to now, therefore, be it resolved that the restoration of superintendents
954 cottage, Dale Cemetery is hereby water to Clemco Construction and
955 restoration incorporated 293 Illington Road Ossining New York 10562 for
956 the total bid price of \$325,242; and

957 Be it further is all the town supervisors hereby authorized to enter into an
958 agreement with Clemco Construction with the terms that is outline in this
959 resolution, subject to approval by Council to the town as to form.

960 Victoria Cafarelli: I just want to note that there's actually a little bit of an
961 error. This the public notices for advertising the Gazette, not the journal
962 news. Um, so it's something that I miss this morning is you don't mind
963 making that change.

964 Dana Levenberg: Okay, so do I have a motion as amended? Friendly
965 amendment?

966 Jackie Shaw: So moved.

967 Northern Wilcher: Second.

968 Dana Levenberg: So we have been talking about this project for a very long
969 time. It's exciting to finally accept the bid for Dale cemetery
970 superintendent's cottage project. Clemco Construction is a local company,
971 which is an another added benefit and they're the ones who bid on it and
972 succeeded in being the lowest bid being the only bid and will be completed
973 the project as we were quite certain that with the base bid and the alternate
974 selected, we are going to get a good bang for our buck. This is a
975 restoration project and we have done our best to make sure that we can do
976 it for thoughtfully and in consideration of this historic building, but also
977 reasonably so we're grateful again for - for Tom Clements of Clemco and
978 his expertise. The board has already authorized the budget adjustment for
979 the capital project in accordance with this price. So we're now just right
980 wrapping up the final details to get this project off the ground. And I asked
981 that all vote. All those in favor?

982 All: Aye.

983 Dana Levenberg: Any opposed?

984 [SILENCE]

985 Dana Levenberg: Wonderful.

986 Martha Quituisaca: Contract Stephen Tilly Architect. Resolved that the town
987 board of the Town of Ossining authorizes the Supervisor to sign an
988 amendment to the contract between the town and Stephen Tilly architect
989 Irvington, New York dated June 26, 2017 for architectural services relating
990 to the Dale Cemetery Superintendents Cottage Restoration project for part
991 two construction documents and Part three implementation at a rate not to
992 exceed \$41,786.30 cents.

993 Dana Levenberg: Do I have a motion?

994 Northern Wilcher: So moved.

995 Elizabeth Feldman: Second.

996 Dana Levenberg: So on the same topic we are also approving a contract
997 amendment with our architect on the Dale Cemetery project, Stephen Tilly,
998 architect. Now that we're moving forward with the construction. Again,
999 these fees were incorporated into the budget adjustment approved a few
1000 weeks ago. So we're excited to get started and I believe – if we didn't
1001 already mentioned it - that we had bonded for this project. And also
1002 determine that we were going to use some of the Cemetery Fund Balance
1003 to pay for these improvements. And finally, improve the building improve
1004 the envelope of the building and make sure that it does not [UNCLEAR]
1005 critically important. All those in favor?

1006 All: Aye.

1007 Dana Levenberg: Any opposed? Thank you.

1008 Martha Quituisaca: Correspondence to be received and filed?

1009 Dana Levenberg: Do I have a motion?

1010 Victoria Cafarelli: We don't have any.

1011 Dana Levenberg: Oh, we don't have any. Okay.

1012 Martha Quituisaca: I'm sorry. Okay, monthly reports. Resolved that the
1013 Town Board at a Town of Ossining hereby accepts the following monthly
1014 report for the month of July 2020: Town Clerk, GE Helicopter Report, Tax

1015 Receiver, Town Highway Department, Supervisor, Dale Cemetery, and
1016 Town Building Department.

1017 Dana Levenberg: Do I have a motion?

1018 Elizabeth Feldman: So moved.

1019 Northern Wilcher: Second.

1020 Dana Levenberg: This is the problem with me bouncing back and forth to
1021 screens and not being able to see everything all at once. Okay, hold on.
1022 Okay, all those in favor?

1023 All: Aye.

1024 Dana Levenberg: Okay, anybody opposed?

1025 [SILENCE]

1026 Dana Levenberg: Okay, so next up we have visitor recognition on anything
1027 at all. We ask that you limit your comments to four minutes and I do see
1028 that there are a number of people from our public that were on so if there's
1029 anybody who's here to address the board on any topic. If you could again,
1030 raise your virtual hand. You can do that by clicking the participants at the
1031 bottom of the screen and then you have an opportunity to click raise hand
1032 and we'll see you and will unmute you. If you are on a telephone and
1033 wanting to do this. You can press star nine and we can see that you would
1034 like to speak and we can unmute you that way. So, is there anybody here
1035 to address the Town Board on any topic? Few people out there, whose
1036 names I don't exactly know so you're here for anything. Now's your time
1037 again. If you have problems with the raise hand and you want to just try to
1038 unmute yourself and say hello. I would like to say something you can do
1039 that as well. Another couple seconds for people to get the technology
1040 situation here. [UNCLEAR]. Okay. In that case, I would ask for a motion to
1041 adjourn to executive session for personnel, advice of counsel, and
1042 contracts.

1043 Jackie Shaw: So moved.

1044 Elizabeth Feldman Second,

1045 Dana Levenberg: All those in favor?

1046 All: Aye.

1047 Dana Levenberg: Any opposed? So thank you everybody. Our next
1048 meeting will actually be held on Friday, August 14 at 9am for a special
1049 meaning to approve vouchers. Unfortunately, our Town Offices were not
1050 spared and I should have mentioned this earlier during tropical storm Isaias
1051 yes, we lost internet for, I think, five days and then yesterday, we thought
1052 we were back up but we were down for a good portion of the day when we
1053 weren't able to get our emails. So we were not able to process our invoices
1054 and post them and review them for approval at tonight's meeting.
1055 Therefore, we are convening a meeting on Friday morning for very short
1056 time. Simply to approve these payments so that we can ensure our vendors
1057 and contractors get paid in a timely fashion. As a reminder, we're still
1058 operating on our abbreviated schedule for summer Town Board meetings
1059 in June we dial back or summer schedule a bit and we canceled our work
1060 sessions for July and August and put them on to our regular meetings as
1061 we did this evening. So, we will see you back via zoom on August 25 for
1062 another combo regular meeting and work session. Have a wonderful night
1063 everybody, I'll see you, please be safe out there and we'll see you in a
1064 couple weeks.

1065 Dana Levenberg: Bye bye.