



MINUTES
TOWN BOARD
TOWN OF OSSINING
NOVEMBER 24, 2020
REGULAR MEETING
7:30 P.M.

THIS MEETING WAS HELD VIA VIDEO CONFERENCING ONLY
Pursuant to Governor's Executive Order 202.1 dated March 12, 2020

SUPERVISOR
Dana A. Levenberg

COUNCILMEMBERS
Elizabeth R. Feldman Gregory G. Meyer
Jackie G. Shaw Northern Wilcher, Jr.

I. CALL TO ORDER-PLEDGE OF ALLEGIANCE-ROLL CALL

The Regular Meeting of the Town Board of the Town of Ossining was held on November 24, 2020 via video conference, pursuant to Governor's Executive Order 202.1 dated March 12, 2020. The meeting was called to order at 7:30 p.m. by Supervisor Dana A. Levenberg. Members of the Board present were: Councilmembers Jackie G. Shaw, Elizabeth R. Feldman, Northern Wilcher, Jr., and Gregory G. Meyer. Also present were Town Counsel Christie Tomm-Addona, Budget Officer Victoria Cafarelli, and Deputy Town Clerk Martha C. Quituisaca.

II. PUBLIC HEARING

At 7:32 p.m., the Public Hearing opened.

- **2021 Preliminary Town of Ossining Budget**

Supervisor Levenberg said the following: We start tonight with a few public hearings, first on our 2021 budget. At last week's Work Session, our Budget Officer, Victoria Cafarelli, delivered a presentation on some of the highlights of our 2021 budget. Most notably, we are looking at tax rate decreases across all but one fund – the sewer fund is increasing by less than one tenth of one percent. These decreases are attributed both to the Town's careful budgeting, and also a significant increase in assessed value across the entire community. We are also planning a substantial capital improvement program in our parks next year, to be funded by debt financing, which we intend to borrow next year at the current low rates. We hope that by investing in our parks infrastructure, and utilizing local contractors for a vast majority of the work, this strategy will help get people back to work. Many of the projects included in this capital plan are long overdue, and since we have also seen our parks get unprecedented use during this pandemic, this is even more pressing. Overall, we are proud of the budget we are putting forth this year, and cautiously optimistic going into 2021. Of course, there is still a lot of uncertainty due to the pandemic, and we will continue to carefully evaluate each and every financial decision we make going into next year. Huge thanks to our Comptroller Dale Brennan, Deputy Comptroller Liz Naccari, Victoria, and all of our department heads for helping to craft a responsible budget during these uncertain times.

The Town Board has already had the opportunity to carefully review the budget, ask questions, and make comments. Tonight, we open it up to the public to make any comments, prior to any last minute changes and adoption of the budget in December.

We anticipate discussing the budget one last time at our December 1 work session, to give the Board an opportunity to make any final changes. Then, we anticipate adopting the 2021 Budget at our December 8 legislative session in advance of our legal requirement of adopting the budget by December 20.

At 7:34 p.m., Councilmember Wilcher moved and it was seconded by Councilmember Shaw that the Public Hearing be closed.

At 7:34 p.m., the Public Hearing opened.

- Local Law 4-2020 to Amend Chapter 200 of the Town Code, Zoning, to Create Beekeeping Regulations in the Town of Ossining

Supervisor Levenberg said the following: At last week's work session, we heard from a number of local beekeeping experts, weighing in on our draft beekeeping legislation. We are still digesting all we learned last week, and anticipate discussing this legislation at our next Work Session to incorporate some potential changes into the draft. Those changes have not been made yet, but we still have our public hearing scheduled for this evening. We will likely keep this public hearing open for our next legislative session so there will be ample time to review any changes and comment before the Town Board adopts the legislation in its final form.

At 7:36 p.m., Councilmember Wilcher moved and it was seconded by Councilmember Feldman that the Public Hearing be adjourned to December 8, 2020.

At 7:36 p.m., the Public Hearing opened.

- Local Law 5-2020 to amend Zoning Code and Zoning Map regarding Solar Energy Systems

Supervisor Levenberg said the following: Earlier in November, we received a referral from the Planning Board on the Ecology Energy proposed solar canopy system at Maryknoll Fathers and Brothers, 75 Ryder Road. As the planning board wraps up their review of the project, one of the remaining items is for the Town Board to add the property to the tier 3 solar floating zone and consider zoning text amendments specific to the height requirements for these types of solar systems. This is the first time we are opening the public hearing on this local law. We anticipate keeping the public hearing open for another meeting, since the draft was just circulated to the Board and the public on Monday.

Town Counsel Tomm-Addona summarized the history of the amendment with the Town Planning Department. The amendment will be specific to the property upon board approval for canopy height.

Julia Magliozzo described community solar and how a subscription to it works.

At 7:48 p.m., Councilmember Feldman moved and it was seconded by Councilmember Wilcher that the Public Hearing be adjourned to December 8, 2020.

III. ANNOUNCEMENTS – Including COVID-19 Update

Supervisor Levenberg announced the following:

We are going to do something new tonight. During my announcements we are going to live stream to Facebook since there are important messages about

COVID I want to be sure reached as many people as possible. We also have our Police Chief Kevin Sylvester with us this evening, and I'm going to ask him to speak in just a moment.

COVID-19 cases in Ossining are climbing. As of today, there are 234 active positive cases in the Village of Ossining (+21 new cases), 25 in the Town of Ossining (+3 new cases), and 32 in the Village of Briarcliff Manor (+5 new cases), and per New York State our 10 day rolling average is quite high. As we approach the Thanksgiving holiday, we are increasingly concerned about the impact this holiday will have on the positivity rates in our community and across the Country. Last week, Governor Cuomo placed large portions of Ossining in a Yellow Zone. This is a precautionary measure, designed to get us the supplies we need and signal how important it is to our residents and business owners to be vigilant in an effort to hopefully bring our positivity rate down. The Yellow Zone limits outdoor gatherings to a maximum of 25 people. It also requires schools and nursing homes to meet additional testing requirements. Essentially, the Yellow Zone designation is a warning. If our area is converted into an orange or red zone our schools and businesses will be placed under further restrictions by the State and gatherings will be severely limited. We need to take steps now to reduce our positivity rate and protect our in-person education offerings, our small businesses, our essential workers, and ourselves.

I encourage you to get a test at one of the many testing sites across Town, including Open Door Family Medical Center, Caremount, CVS, Healthsmart, and others. There was free rapid testing available through the County this week in Ossining, today and tomorrow, but we understand the slots have been filled. Nevertheless, the State Department of Health has created a website showing testing locations in our area. You can also call my office at 914-762-6001 to find a site nearby. My office is here to assist you in getting the masks, face shields, hand sanitizer, and resources you need. If you test positive and you cannot quarantine without risking the health of your family, the County can provide housing for you. If you are a senior who is too scared to go the grocery store again, we have a Senior Program that can deliver food safely to your home. If you need information, please call us or email us. If we do not have the information you need we will get you that information or direct you to where you can find it.

That brings us to Thanksgiving. The CDC does not recommend celebrating this Thanksgiving with people outside your immediate household. That means you should not be planning to host a gathering this year. I know some people have been secretly wishing for years they could celebrate family holidays with pajamas on. I know a few are even excited at the idea of being able to mute the conversation once in a while. The Governor discussed in this week's press conferences that this year is an opportunity. Thanksgiving has been commercialized for years as the lead-up to the holiday shopping season or a chance to buy as much food as possible. Retailers have made the holiday about them, about buying their stuffing and special table decorations. This year is a reminder that Thanksgiving is about celebrating the things we already have. It is about the family we love, even if that love means protecting them by staying away. The video conferencing system Zoom is allowing free meetings all day for family members and friends who are separated. Some families are planning socially-distanced walks with masks. We all miss our traditions, but this year is different and we must adapt. It's also about remembering those we lost, and the families left behind, who we could only give virtual hugs to for consolation. And it's about being thankful for all of our essential workers who have put themselves on the line day in and day out to serve all of us here in the Ossining Community.

We all have it in our power to change this. It isn't too late. We encourage all who can, to stay home as much as possible – work from home if you can, avoid gatherings with those outside of your immediate household. Wear your mask when you leave your house, and wear your mask properly! Remember that disposable surgical masks are just that – disposable. They should only be used

once – and before you toss it in the garbage be sure to cut the ear ties to protect our furry friends and birds. Reusable masks also have their limitations – they must be washed after each use and will eventually deteriorate and become less effective. We recently received a delivery of masks from the County, and have been distributing them to the community through our stakeholder partners who will be getting them out over the next few days.

COVID is at top of mind, but I have a few other items to share in advance of the holiday weekend.

Of course, after Thanksgiving comes a rush of retail holidays: Black Friday, the first Small Business Saturday of the season, cyber Monday, and then onto December. We have to adapt for these holidays as well. If you are not feeling well, please do not go out shopping. If you are feeling good and you want a good deal or to support a local business, please wear your mask. Wash your hands often and avoid touching your face. Our small businesses have had a rough year, so be patient with them as they balance the health needs of their families with our purchasing needs. Also, many would be happy to offer curbside delivery of your goods or gift cards, as they used to say when we had that big heavy telephone book, let your fingers to the walking—or shopping—and call ahead to see what you can arrange. This year, the Greater Ossining Chamber of Commerce is celebrating their Shop Local/Shop Small campaign until the end of the year, which will showcase businesses that make our Town special. We have a proclamation declaring November 28 through December 31 as “Shop/Eat/Buy Ossining Month” in partnership with the Chamber. We hope to participate in a virtual press event announcing this important offering soon. We also just might be scheming a fun game for all of us to compete in to show just how much we love our local businesses. Do you have a favorite restaurant? Order in and have a Zoom meal with a friend. Favorite store? Give them a shout-out online. Favorite service? Lots of people would love a gift card for one of those. There are a lot of ways to support local businesses, even if money is tight this year.

I would like to take a moment to focus on the families that are struggling right now. If you or someone you know needs a little help this winter, please reach out. The Town is full of wonderful organizations that are hosting distributions of fresh food and hot meals. We also have groups that can help you navigate SNAP if you don't know how to enroll in assistance programs. There are coat drives, toy drives, food drives, and so much more. If you need information or resources, we can connect you with what you need. If you are interested in donating to one of these organizations or volunteering with them, please check their websites to find their specific needs. I am inspired by just how many people are helping support our community.

And very finally, I wanted to share that Town Assessor Fernando Gonzalez and I have signed onto a letter of support with other area communities requesting that Governor Cuomo issue an Executive Order allowing municipalities to automatically renew senior citizens and disability exemptions on property taxes this year. In light of the COVID-19 pandemic, it will be challenging for those in our communities who receive this exemption to renew the applications this year. If we can automatically renew these applications for one year, that will ensure those who deserve these exemptions will receive this very necessary assistance regardless of their ability to fill out a renewal application. We hope that Governor Cuomo will listen to this request and consider assisting those who most need it during these difficult times.

Ossining Police Chief Kevin Sylvester discussed what the Ossining Police Department is doing to help curb the spread of COVID-19. They are asking people to voluntary comply. For the most part, Ossining residents are following health protocols to curb the spread of COVID-19. The OPD was giving out turkeys as well as hand sanitizer a couple of days ago. Please wash your hands and wear your masks.

Councilmember Feldman announced the Ossining Boat and Canoe Club's Annual Toy Drive.

IV. LIAISON REPORTS

Councilmember Shaw announced that the Police Reform & Reinvention Working Committee is going to begin its public engagement.

V. PUBLIC COMMENT ON AGENDA ITEMS

VI. BOARD RESOLUTIONS

A. Approval of Minutes—Regular Meeting – November 10, 2020

Councilmember Feldman moved and it was seconded by Councilmember Wilcher that the following resolution be approved.

Resolved, that the Town Board of the Town of Ossining hereby approves the November 10, 2020 minutes of the Regular Meeting as presented.

Motion: Carried

B. Approval of Voucher Detail Report

Councilmember Wilcher moved and it was seconded by Councilmember Shaw that the following resolution be approved.

Resolved, that the Town Board of the Town of Ossining hereby approves the Voucher Detail Report dated November 24, 2020 in the amount of \$518,515.68.

Motion: Carried

C. Request for Bids: McCarthy Drive Road Rehabilitation and Water Main Replacement

Councilmember Wilcher moved and it was seconded by Councilmember Feldman that the following resolution be approved.

Resolved, that the Town Board of the Town of Ossining authorizes the Town Clerk to advertise a Request for Bids for McCarthy Drive Road Rehabilitation and Water Main Replacement. Bids shall be submitted no later than 2:00pm on Tuesday, December 29, 2020 to the office of the Town Clerk.

Supervisor Levenberg said the following: After many years of design and planning, we are excited to finally be putting this project out to bid. The bid date is December 29 and we look forward to getting this project off the ground in the Spring.

Motion: Carried

D. Approval of Renewal Agreement: CAI Technologies

Councilmember Feldman moved and it was seconded by Councilmember Shaw that the following resolution be approved.

Resolved, that the Town Board of the Town of Ossining authorizes the Supervisor to sign a renewal agreement with CAI Technologies, Littleton, NH 03561 for GIS Internet Services, at an annual cost of \$2,400.

Supervisor Levenberg said the following: This is an annual renewal of the company our Assessor's office utilizes for GIS services, a much needed software to their operations!

Motion: Carried

E. Life Insurance Policy for Town of Ossining Retirees

Councilmember Feldman moved and it was seconded by Councilmember Shaw that the following resolution be approved.

Whereas, the Town of Ossining has a longstanding practice of providing a life insurance benefit to active employees, with this benefit expiring for most employees upon retirement or other separation of employment from the Town; and

Whereas, some prior collective bargaining agreements with the CSEA and Teamsters units and adopted Employee Handbooks for Non-Union Personnel provided for continuation of a life insurance benefit into retirement; and

Whereas, in October 2018, it became more cost effective for the Town to self-insure the death benefit for the limited group of retirees to whom the life insurance benefit applied after separation from employment; now therefore be it

Resolved, that the Town Board of the Town of Ossining hereby adopts the following Life Insurance Policy for Town of Ossining Retirees; and

Be it further Resolved, that the Budget Officer is hereby directed to implement the policy effective October 1, 2018.

Life Insurance Policy for Town of Ossining Retirees

This policy applies to the following retired employees of the Town of Ossining, with individuals to be added or removed from this list upon review of satisfactory evidence of previous employment to the Town and/or retirement from the Town by the Budget Officer. Active employees who are eligible for life insurance into retirement will also be added to this policy upon retirement.

CSEA Unit: Employees employed on or before January 1, 1996

- Joan DiLoreto
- Dorothy Duffy
- Constance Evans
- Patricia Fracassi
- Nelga Farrelly
- Betty Hofer
- Irma Valentin

Teamsters Unit: Employees retired on or before December 31, 2006

- Warren Fay

Non-Union Personnel: Employees employed on or before January 1, 1997 and retired on or before December 7, 2015

- Frances Anderson
- Barbara Bates
- Evelyn DiBenedetto
- William Finch
- Marie Gagliardi
- Nancy LaGumina
- Gunnar Neilson

Marilyn Schwartz

Amount of Death Benefit: For CSEA and Non-Union Personnel, the death benefit between age 65 and 69 is \$5,025. The death benefit decreases to \$3,366.75 at age 70. For Teamsters, the death benefit is \$8,375.

Designation of Beneficiary: Individuals may designate beneficiaries in writing to the Budget Officer. Individuals may designate percentage of benefits to be paid to beneficiaries. Benefits will be paid first to primary beneficiaries as designated. If no percentages are indicated, benefits will be divided equally between all primary beneficiaries. If the insured individual is not survived by one or more primary beneficiaries, benefits will be paid to contingent beneficiaries. If no percentages are indicated, any benefits payable to contingent beneficiaries will be divided equally between all contingent beneficiaries. Unless otherwise indicated, if any beneficiary predeceases the insured individual, that beneficiary's share will be divided pro-rata among the surviving beneficiaries of the same class (primary or contingent). If all beneficiaries (primary or contingent) predecease insured individual, benefits will be paid to the insured's estate. The Town will honor the most recent written designation of beneficiary.

Payment of Claims: The Town will pay death benefit upon satisfactory proof of death and satisfactory identification of beneficiary. A Certified Death Certificate with raised or colored seal is satisfactory proof of death. Beneficiaries must file claim form as satisfactory identification of beneficiary.

Supervisor Levenberg said the following: When the Town signed on to a new life insurance carrier for active employees in October 2018, it was determined to be more cost efficient for the Town to self-insure for the limited number of retirees who were "grandfathered in" and due a life insurance policy from the Town into retirement. The landscape of life insurance turned out to be more complicated than anyone bargained for, but we are happy to finally be codifying this decision and establishing a policy for those retirees covered into retirement with a life insurance policy. I know this resolution will bring much needed piece of mind to many of our retirees and their families.

Motion: Carried

F. Agreement Renewal: Flexible Spending Accounts for Town Employees

Councilmember Feldman moved and it was seconded by Councilmember Shaw that the following resolution be approved.

Resolved, that the Town Board of the Town of Ossining authorizes the Budget Officer to sign the Flex Plan Administration Fee Schedule/Renewal Acceptance with Stirling Benefits, Inc., Milford, CT for the purposes of administering flexible spending accounts for health care and dependent care for Town of Ossining employees for plan year January 1, 2021-December 31, 2021.

Supervisor Levenberg said the following: Our employees are able to take advantage of a flexible spending account for both medical care and dependent care expenses each year. This is a valuable offering for our employees who have out of pocket medical or childcare expenses. We look forward to continuing this into 2021 for our dedicated Town employees.

Motion: Carried

VII. CORRESPONDENCE TO BE RECEIVED AND FILED

Councilmember Wilcher moved and it was seconded by Councilmember Feldman that the following resolution be approved.

Resolved, that the Town Board of the Town of Ossining hereby accepts the following correspondence:

- **Architectural Review Board Resolution– 3 Waterview DR**
- **Town Zoning Board of Appeals Minutes 11/2/2020**

Motion: Carried

VIII. VISITOR RECOGNITION

Visitors shall be accorded one (1) four (4) minute opportunity to speak

IX. ADJOURNMENT

At 8:14 P.M., Councilmember Shaw motioned to adjourn to Executive Session for personnel, advice of counsel, and contracts and Councilmember Wilcher seconded.

Motion Carried: Unanimously

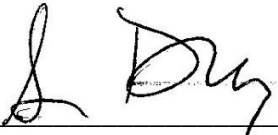
At 9:08 P.M., Councilmember Shaw motioned to leave Executive Session and Councilmember Wilcher seconded.

Motion Carried: Unanimously

At 9:09 P.M., Councilmember Feldman motioned to adjourn the Regular Meeting and Councilmember Wilcher seconded.

Motion Carried: Unanimously

Approved:



Susanne Donnelly, Town Clerk