



MINUTES
TOWN BOARD
TOWN OF OSSINING
IN PERSON AT
TOWN MUNICIPAL BUILDING
1st FLOOR CONFERENCE ROOM
16 CROTON AVE – OSSINING, NEW YORK
AND VIA ZOOM

AUGUST 10, 2021
REGULAR MEETING
7:31 PM

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 August 10, 2021 in the Town Municipal Building, 16 Croton Ave in Ossining, and via Zoom. The meeting was called to order at 7:30 PM by Supervisor Dana A. Levenberg. Members of the Board present were: Councilmembers Jackie G. Shaw, Elizabeth R. Feldman, Gregory G. Meyer, and Northern Wilcher, Jr. Also present were Town Counsel Christie Tomm-Addona, Budget Officer Victoria Cafarelli, and Deputy Town Clerk Martha C. Quituisaca.

II. PUBLIC HEARING

- **Local Law to amend Chapter 136 of the Town Code regarding temporary outdoor dining permits**

At 7:31 PM, the Public Hearing opened.

Town Counsel Tomm-Addona summarized the local law that seeks to extend temporary outdoor dining permits.

Supervisor Levenberg spoke about not knowing how long the COVID-19 pandemic will last.

At 7:37 PM Councilmember Wilcher moved and it was seconded by Councilmember Shaw that the Public Hearing be closed.

III. SPECIAL PRESENTATION - Community Choice Aggregation Program Update, Sustainable Westchester

Paul Presendieu from Sustainable Westchester provided the Town Board with an update on the Community Choice Aggregation Program.

IV. ANNOUNCEMENTS

Supervisor Levenberg announced the following:

I would like to start the meeting with a reminder, once again, to please remember to wear your mask in public indoor settings, in accordance with CDC guidance as Westchester is now a location with high community transmission of COVID-19. As you can see, my Board colleagues and I are following this guidance this evening by wearing our masks in this public setting of our Town

Board Room. Please remember masks are now required to be worn in public spaces in Town and Village of Ossining-owned buildings for both visitors and employees, regardless of vaccination status. These actions are in place to protect us all from the spread of COVID-19, especially the even more infections Delta variant. Please please please, do your part and protect yourself and your family by getting vaccinated as soon as possible. Vaccines are still our best defense against COVID-19 and it has been encouraging to see vaccination numbers increase exponentially across the country in response to this continuing crisis we are facing as a nation. It has never been easier to get vaccinated. Most pharmacies offer walk in appointments, and the Ossining Volunteer Ambulance Corp, OVAC, is vaccinating at their headquarters on Clinton Avenue on Wednesdays and Fridays. OVAC will also be at the Summer Concert Series this Friday with a vaccination pop-up for concert goers. If you have questions about the vaccine, www.vaxupwestchester.org is a great resource for facts and the Westchester County Department of Health has set up a phone line for residents to speak one-on-one with nurses and doctors about the vaccines. Call 914-995-5800 to be connected with a healthcare professional in either English or Spanish to ask questions. Please get your facts from verified sources like healthcare providers, because we know and the data show that these vaccines save lives with extremely, extremely low risk for serious negative side effects. The County has ongoing vaccine clinics at 20 S. Broadway in Yonkers and 134 Court Street in White Plains for COVID-19 vaccines and back-to-school vaccines for eligible young children. The Yonkers clinic is open Mondays and Thursdays from 4pm to 7pm and the White Plains clinic is open Fridays from 10am to 1pm. Call in advance for an appointment for back-to-school vaccines at 914-995-5800, but walk-ins for COVID-19 vaccines are welcome.

Get ready for another installment of our Summer Concert Series and Food Truck Fridays this Friday with the Mike Risko Band performing starting at 7pm. In light of the COVID-19 numbers ticking up, we ask all attendees to wear their masks, regardless of vaccination status, at all times when in crowded settings and not in your “pod” enjoying your meal and beverage. Please follow this guidance so we can continue the summer fun for the remaining weeks. We will post and share the final line-up of food trucks and craft beverage corral later in the week, but I have gotten some sneak previews and it looks great. Make sure you are following the Town of Ossining, Greater Ossining Chamber of Commerce, and Sing Sing Kill Brewery on Facebook for the latest updates, and definitely come hungry on Friday. Thank you to our amazing Summer Concerts and Food Truck Fridays planning team of the Greater Ossining Chamber of Commerce, Sing Sing Kill Brewery, Mike and Miriam Risko, and Superintendent of Rec & Parks Bill Garrison. We hope to see you there! And don't miss the last installment of the Summer Acoustic Music Series at Market Square tomorrow night, August 11, at 7pm for a performance by Two's Company.

Public outreach for the Comprehensive Plan continues – as we near the release of a Draft Comprehensive Plan we are seeking additional community feedback in an effort to highlight some of the larger policies and ideas to be discussed in the draft plan. The Plan will continue to incorporate the input from this summer engagement into the final guide for the initiatives and policies for the Town to consider for further planning and development as defined in the Plan. The Steering Committee members will be using posters as an easy way to engage people in this conversation and to make sure people stay informed as to when the draft Comp Plan is released. So, if you see a Steering Committee member at an event this summer or posters stationed at a local business, please take a moment to say hi and respond to the interactive activities seeking your input. We are looking forward to sharing the final results with the community, so stay tuned!

The Village of Ossining is seeking community input on their 2021 application to the New York State Downtown Revitalization Initiative. In its fifth year, this program will invest \$200 million in up to 20 downtowns statewide and we want

some of that coming to Ossining! The Village of Ossining was a finalist in 2019, and with your help, Ossining could very well be the winner this year. Both an English language and a Spanish language input session will be held this Thursday, August 12 via Zoom. The English session will start at 5:30pm (use Meeting ID 917 9737 9895 to join) and the Spanish session will start at 7:30pm (use Meeting ID 943 8223 4518 to join).

There will be a Gravestone Cleaning Workshop hosted by the Ossining Historic Cemeteries Conservancy this Saturday, August 14 from 9am to 12noon at Dale Cemetery. Follow the yellow arrows when you arrive at the cemetery. This is a great way to get community service hours, and learn more about Ossining's rich history.

Also this Saturday, August 14 at 9am, Elisha Simpson of Crossover Yoga Project will be holding a Trauma Conscious Yoga Class as part of Mind, Body, Spirit – Ossining at Louis Engel Park. I joined last month's session, and you are not going to want to miss this relaxing morning with the backdrop of the Hudson, I think we could all use a few extra moments to breathe these days!

Please remember that the New York State Emergency Rental Assistance Program is ongoing and offers assistance to households behind on rent. Apply today at nysrenthelp.otda.ny.gov, or visit [ww.westchestergov.com/housinghelp](https://www.westchestergov.com/housinghelp) or simply dial 211 to get help with your application. New York State also has funds available to provide financial help to New Yorkers who lost income during the pandemic and were otherwise ineligible for other federal relief programs, through the Excluded Workers Fund. Visit dol.ny.gov/EWF for more information. This pandemic has been challenging for many, but please remember there is a lot of help out there for families experiencing financial hardship at this time.

We are expecting a heatwave in our area over the next few days. The Louis Engel Park spray park will be open extended hours for people to cool down. Con Edison has shared they are prepared to respond should there be any power outages associated with added stress on the grid from increased use of air conditioners, or severe thunderstorms as the heat breaks. They also ask for everyone to conserve energy whenever possible at this time, so if you are not home, turn the A/C's up to take pressure off the power grid. Please stay safe and cool!

Finally, we learned this afternoon that Governor Andrew Cuomo announced he would be resigning his position in light of the Attorney General's investigation of his alleged sexual harassment and misconduct. Lieutenant Governor Kathy Hochul is now poised to become the first female governor of the State of New York. It has been a long time for women to step into the highest offices of our government, and I am proud to be a New Yorker today. I am hopeful our state government can now continue to focus on the important work that needs to be done on many fronts, especially the pandemic, on behalf of all New Yorkers.

V. LIAISON REPORTS

Councilmember Feldman spoke about the Historic Sparta Walking Tour with Alan Stahl that the Jug Tavern of Sparta is hosting on August 15, 2021 and September 19, 2021. Reservations can be done online.

VI. PUBLIC COMMENT ON AGENDA ITEMS

VII. BOARD RESOLUTIONS

A. Approval of Minutes—Regular Meeting – July 27, 2021

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 July 27, 2021 minutes of the Regular Meeting as presented.

Motion: Carried

B. Approval of Voucher Detail Report

Councilmember Shaw 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 Voucher Detail Report dated August 10, 2021 in the amount of \$614,129.02.

Motion: Carried

C. Standard Work Day and Reporting Resolution for Elected and Appointed Officials

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

BE IT RESOLVED, that the Town of Ossining/30042 hereby established the following standard work days for these titles and will report the officials to the New York State and Local Retirement based on their record of activities:

Name	SSN	NYSLRS ID	Title	Current Term Begin & End Dates	Standard Work Day	Record of Activities Result	Pay Frequency
Elected Officials:							
JEFFREY W. GASBARRO	XXX-XX-2944	R11953732	TOWN JUSTICE	01/01/2021-12/31/2024	7	4.74	BIWEEKLY
GREGORY G. MEYER	XXX-XX-4440	R10829843	TOWN COUNCIL MEMBER	1/1/2020-12/31/2023	7	3.15	BIWEEKLY
BENJAMIN L.F. LEAVITT	XXX-XX-7263	R13068245	TOWN JUSTICE	1/1/2020-12/31/2023	7	4.17	BIWEEKLY
SUSANNE DONNELLY	XXX-XX-7051	R11221070	TOWN CLERK	1/1/2020-12/31/2023	7	20.53	BIWEEKLY

Supervisor Levenberg said the following: The New York State Retirement System requires elected officials, especially those who are part-time, to keep track of the hours worked for the municipality so their service credit for purposes of retirement can be accurately reflected. Due to the pandemic, the Retirement System has granted leniency so elected officials can get a more accurate count of their hours worked since most had their work reduced during the pandemic, especially those who worked for the courts as the courts were closed for several months in 2020. We are a bit delayed catching up with our new elected officials from 2020 and 2021, but happy to be accepting this tonight so we can get things accounted for.

Motion: Carried

D. New York State Liquor Authority Special Event Permit Application – Ossining Fire Department

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 authorizes the Supervisor to sign the Landlord Authorization Form for the New York State Liquor Authority Special Event Permit Application made by Ossining Fire Department, for the Westchester County Volunteer Firemen’s Association Convention to take place on September 16, 2021, September 17, 2021, and September 18, 2021 at Louis Engel Park; and

Be it further Resolved, that the applicant will provide proof of insurance and the letter of indemnity to the Town in a form acceptable to Counsel to the Town.

Supervisor Levenberg said the following: Ossining will be hosting the Westchester County Volunteer Firemen's Association Convention this September and the Ossining Fire Department has requested to serve alcohol at Louis Engel Park as part of their celebrations, which requires approval by the Town Board.

Motion: Carried

E. Proposal – LocalBlue Solutions

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 accepts the proposal from LocalBlue Solutions for social media, regular communications, community partnerships, and Community Equity Task Force through December 31, 2021 at a fee not to exceed \$9,289.50.

Supervisor Levenberg said the following: I will be abstaining from this vote, as Acacia Mauriello, the president of Local Blue Solutions did work for my campaign in the primary season. I am going to turn it over to my Deputy Supervisor, Greg Meyer, to lead this vote.

Motion: Carried
Abstained: Levenberg

F. Contract – HDC2-FFCR Act & HDC3 CARES Act Funding for Title IIIC-1/IIIC-2 Nutrition Programs, PY 2020-2021

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

Resolved, that the Town Board of the Town of Ossining authorizes the Supervisor to sign an agreement with the Westchester County Department of Senior Programs and Services for the purposes of receiving \$59,148 in grant funding under the HDC2-FFCR Act & HDC3 CARES Act for Title IIIC-1/IIIC-2 Nutrition Programs for program year commencing March 20, 2020 and ending September 30, 2021.

Supervisor Levenberg said the following: This resolution, and the next resolution, are to approve contracts for funding to the Senior Nutrition Program. Thank you to our Site Manager Lynn Muller for navigating these funding opportunities.

Motion: Carried

G. Contract – Wellness in Nutrition Program (WIN) & Nutrition Services Incentive Program (NSIP), PY 2021-2022

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 authorizes the Supervisor to sign an agreement with the Westchester County Department of Senior Programs and Services for the purposes of receiving \$47,566 in grant funding under the Wellness in Nutrition Program (WIN) & Nutrition Services Incentive Program (NSIP) for program year commencing April 1, 2021 and ending March 31, 2022.

Motion: Carried

H. Resolution Rescheduling Work Session

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

WHEREAS, the Town Board currently has a work session scheduled for Wednesday, September 8, 2021 in the first floor conference room of 16 Croton Avenue; and

WHEREAS, it has come to the Town Board's attention that there is a conflict with this meeting date as the Village Board of Trustees has a meeting scheduled for the same time and place; and

WHEREAS, due to Labor Day, Rosh Hashanah, and the Westchester Municipal Officials Association Meeting, there is no viable date for the Town Board to hold its work session the week of September 6-10, 2021, and

NOW THEREFORE,

BE IT RESOLVED, the Town Board hereby reschedules its work session to Tuesday, August 31, 2021 to be held in the first floor conference room at Town Hall (16 Croton Avenue) at 7:30 p.m. and via Zoom videoconferencing with access information available at <https://www.townofossining.com/cms/> and

BE IT FURTHER RESOLVED, the Town Clerk is hereby directed to notice said meeting as required by law.

Supervisor Levenberg said the following: August is a month with five Tuesdays, and due to various scheduling conflicts the first week in September, we are moving our first Work Session in September to August's fifth Tuesday and instead taking a week off from meetings the week of Labor Day/Rosh Hashanah.

Motion: Carried

I. Resolution – Conservation Easement for MGM Design & Construction Group, LLC

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

WHEREAS, as a condition of the minor subdivision plat approval granted by the Planning Board for the property located on the easterly side of Hawkes Avenue to the north of its intersection with Croton Dam Road, MGM Design & Construction Group, LLC is required to enter into a conservation easement with the Town in order to ensure a portion of the property containing natural features remains in its natural and undisturbed state in perpetuity and no construction, excavation or soil disturbance is allowed or permitted to occur; and

NOW THEREFORE,

BE IT RESOLVED, the Town Board hereby authorizes the Supervisor to execute the Conservation Easement submitted by MGM Design & Construction Group, LLC signed July 26, 2021; and

BE IT FURTHER RESOLVED, the Supervisor is authorized to sign all documents reasonably necessary to have the Easement recorded with the County Clerk.

Motion: Carried

J. Calling for a Public Hearing in the matter of a Local Law to opt out of allowing on-site cannabis consumption sites in the unincorporated Town of Ossining

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 hereby calls for a Public Hearing to be held on Tuesday, August 24, 2021 at 7:30 p.m. in the First Floor Boardroom at the Ossining Municipal Building, 16 Croton Avenue, Ossining, NY 10562 and via Zoom videoconferencing (which information will be available at www.townofossining.com), in the matter of a Local Law to opt out of allowing on-site cannabis consumption sites in the unincorporated Town of Ossining.

Supervisor Levenberg said the following: At our next Town Board Legislative Session, we will open a public hearing to consider a local law to opt-out of on-site cannabis consumption. This local law would not apply to dispensaries, which would mean they would be allowed in the Unincorporated Town by default according to NYS law. This follows suit with the Village of Ossining, and we look forward to hearing more from the community as part of the upcoming public hearing on this local law.

Motion: Carried

VIII. MONTHLY REPORTS

Councilmember Shaw 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 accepts the following monthly reports for the month of July 2021:

- Town Clerk
- Town Building Department
- GE Helicopter
- Tax Receiver
- Town Supervisor
- Town Highway Department

Motion: Carried

IX. VISITOR RECOGNITION

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

Gabrielle Hamilton spoke about how she enjoyed the Sustainable Westchester presentation and how she is going to look into attending the Jug Tavern tour.

X. ADJOURNMENT

At 8:27 P.M., Councilmember Shaw motioned to adjourn to Executive Session for advice of counsel, personnel, and collective bargaining, and Councilmember Feldman seconded.

Motion Carried: Unanimously

At 9:01 P.M., Councilmember Shaw motioned to leave Executive Session and Councilmember Meyer seconded.

Motion Carried: Unanimously

At 9:01 P.M., Councilmember Shaw motioned to adjourn the Regular Meeting and Councilmember Wilcher seconded.

Motion Carried: Unanimously

Approved:



Susanne Donnelly, Town Clerk