



MINUTES
TOWN BOARD
TOWN OF OSSINING
SEPTEMBER 8, 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 September 8, 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, and Gregory G. Meyer. Also present were Town Counsel Christie Tomm-Addona, Budget Officer Victoria Cafarelli, and Deputy Town Clerk Martha C. Quituisaca.

Councilmember Northern Wilcher Jr. was absent.

II. PUBLIC HEARING

At 7:31 p.m., the Public Hearing opened.

- **Local Law to Amend Chapter 47 of the Town Code "Residency Requirements" with respect to Court Attendants**

Supervisor Levenberg said the following: Tonight, we have a public hearing on our second proposed local law for 2020. Before I open it up to public comment, I wanted to explain a little bit about how we got to this point. Westchester County municipal agencies must follow Civil Service guidelines which are established by Westchester County Government. All of our hirings must be approved through the Westchester County Department of Human Resources based on those guidelines. We have been particularly challenged when hiring Court Attendants – a very necessary and important position in our Justice Court – primarily due to residency requirements based on Civil Service law. Currently, we are only allowed to hire residents of the Town of Ossining who also satisfy the minimum qualifications for the position. The minimum job qualifications for Court Attendant are quite stringent and include at least several years' experience in a law enforcement setting. We have posted for this position several times in the past, and have unfortunately come up short every time, currently leaving the Town with two vacancies in this position. The position of Court Attendant is more important now than ever before, as restrictions associated with the COVID-19 pandemic necessitate additional court personnel to control the occupancy of the Court House in addition to performing health screenings for visitors. Westchester County does allow the Town to adopt a local law to expand the residency requirements for the position at its discretion. Town Counsel has drafted the legislation under consideration tonight to allow the Town to hire residents outside of the Town of Ossining, provided they live in Westchester County or another County in New York State neighboring Westchester. Although we always prefer to hire Ossining residents, we hope this proposed

legislation will help us cast the net a little wider for qualified candidates, and more importantly, get these positions filled.

Town Counsel Tomm-Addona discussed the difficulty in finding an Ossining resident to work as a court attendant.

At 7:35 p.m., Councilmember Shaw moved and it was seconded by Councilmember Feldman that the Public Hearing be closed.

III. ANNOUNCEMENTS

Supervisor Levenberg made the following announcements:

I hope everyone enjoyed the long weekend and came back ready to rock and roll this week with teachers coming back and schools in various states of opening. As we come off of our Labor Day holiday yesterday, we just want to remember to thank and appreciate all our workers who have increased protections in place as a result of the focus of organized workers who began to protest their horrific working conditions back in the late 1800s. Thanks to their efforts, and those that continued from then through now, today those who work on our roads and bridges, in our schools and parks, in hospitals, supermarkets, on our power and telecom lines, and in our restaurants, and throughout our work force enjoy much healthier and safe work environments, living wages, and other workplace protections. We are grateful to all of those who labor on behalf of us, for the work they do every day to make our world safer, better, and richer and now more than ever, we realize how critical to our own safety our essential workers indeed are. So, on behalf of the Town Board of the Town of Ossining, we say **THANK YOU.**

Following a large exposure to COVID-19 in neighboring Pleasantville at religious services at Holy Innocents Catholic Church two weeks ago, we are reminded that we are very much not in the clear yet from the threat of COVID-19. So please: continue to wear a mask when you are in close proximity to others, wash your hands, and pay attention to how you are feeling to recognize any potential symptoms. If you are contacted by New York State Contact Tracers – yes that is what will show up on your caller ID – please do what you can to cooperate with their requests. They may ask for some personal information, like your birthday and address, to confirm your identity, as well as symptoms, recent activity and interaction with others, and possible support you may need in receiving medical attention, sufficient food, or care for your children. They will not ask for truly confidential information like your social security number, bank account, or medical records, so be wary of some of those red flags! Contact Tracing is key in controlling and managing spread, so it is important to cooperate with this program. There have been stories of people refusing to cooperate, and that just does not help anyone, including yourself and your loved ones. Please also be reminded that New York State continues to add states to the list of places requiring a mandatory quarantine upon arrival back in New York. I know summer vacation season has unfortunately passed us by, but it remains important to monitor this list closely as it does change frequently based upon infection rates across the country.

Election season is fast approaching! Do not wait to verify that you are registered to vote: Instead, please do so ASAP because you must be registered by October 9th to participate in this year's General election. There are three ways to vote in this year's election: absentee voting, early voting, and voting at your usual polling place on Election Day, November 3rd. You can apply for an absentee ballot online at the new New York state portal: absenteeballot.elections.ny.gov – so easy! If you prefer to vote in person, check out the Westchester County Board of Elections website – citizenparticipation.westchestergov.com -- to view the seventeen, yes seventeen, locations where ALL registered voters in Westchester County can vote, starting Saturday, October 24. The closest polling

place for Ossining residents is the Community Center at 95 Broadway, but there are many more across the county that may be more convenient for some during the early voting schedule. Hours do vary, so be sure to check in advance. And finally, of course, you can vote in person on Election Day—polling places will probably be shifting a bit, though, since emergency service facilities are not permitted to act as polling sites. Please be on the lookout for a post card with your in- person Election Day polling site. It will also contain a personal QR code particular to you, so you can bring that card with you to your polling place to speed up the check in process. Regardless of your political position, I think we can all agree this election is probably the most important of our lifetimes, so please do make a plan now to be sure your voice is heard this November.

And please do not forget: Election season is actually closer for some than others! Village of Briarcliff Local Elections are scheduled for next Tuesday, September 15 from 6am to 9pm at the WJV Community Center at 1 Library Road. Absentee ballots can still be requested in person by calling the Village Clerk at 914-941-4800 or by applying online at www.briarcliffmanor.org.

Is it time for my weekly Census plug? I think it is! The deadline to complete the Census is rapidly approaching, although I think there is still a chance the courts may allow the extension through the end of October. But as of now, it is the end of this month and we still have not met our 2010 numbers. Please be sure to take the time to fill out your Census online at my2020census.gov. We did inch up about .2% over the weekend and are hovering near 68% response rate, leaving 32% of the Town uncounted and the Town's and your money on the table. Spread the word – now is the time to get your response in before it is too late!

Finally, and most importantly, this Friday, September 11 is the 19th anniversary of the terror attacks on September 11, 2001. I know for any of us who were over a certain age in 2001, this date is impossible to forget and we can remember exactly where we were on that day as many lost loved ones, neighbors, and colleagues. This year, due to COVID restrictions, memorials and remembrance ceremonies are going to look a little different. We have not yet received any specific guidance from the Governor regarding gatherings, so ceremonies are still restricted to 50 or fewer in attendance. Here in Ossining, the Ossining Fire Department will still be holding its annual ceremony, but attendance will be limited to emergency personnel and elected officials only. The ceremony will be livestreamed, so the community can join in, just from a little bit farther away than normal. We will share more information about how to virtually join us later this week via social media and our web-blast.

IV. LIAISON REPORTS

V. DEPARTMENTAL REPORTS

Superintendent of Dale Cemetery Pete Connelly provided the Town board with an update. There have been 57 internments thus far at Dale Cemetery. Monuments at the cemetery are currently being repaired. The Superintendent's Cottage is currently in the process of being restored.

Superintendent of the Highway Department Pete Connelly discussed what the Highway Department has been doing this year. The department's main job has been clean up as a result of two tropical storms. The department is in its year two of its rail repair program. The Highway Department will be working on putting up new street signs and line striping for the remainder of the year.

Water Superintendent Andrew Tiess spoke about meeting with the contractor for the Superintendent's Cottage soon. Construction on the cottage will begin during the first week of October. The Town has gotten approval from Westchester County for generator replacement. We are now awaiting authorization to bid for it. Water Superintendent Tiess additionally spoke about

the challenges they have faced at Mystic Point. The project at Mystic Point will need a purchase order but not a bid.

P.E. Village Engineer Paul Fraioli discussed paving in the Town. Paving had been put to a stop due to COVID-19. The department has decided to go forward with the paving project at Morningside DR due to it being heavily used and travelled on. Councilmember Feldman asked if is fiscally responsible during the COVID-19 pandemic to restart paving projects. P.E. Village Engineer Fraioli said that the condition of Morningside DR warrants paving. Supervisor Levenberg spoke about Morningside DR being heavily trafficked and the attention it requires. P.E. Village Engineer Fraioli additionally spoke about McCarthy DR that has not received the necessary attention. McCarthy DR has dealt with patchwork after patchwork. P.E. Village Engineer Fraioli talked about how letting things fester costs more money in the long run. A drainage improvement in McCarthy DR will help not only the drive but surrounding streets. Village Treasurer Dale Brennan told the Town Board that it would be smart to use the Town fund balance for the Morningside Project.

VI. PUBLIC COMMENT ON AGENDA ITEMS

VII. BOARD RESOLUTIONS

A. Approval of Minutes—Regular Meeting – August 25, 2020

Councilmember Shaw 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 approves the August 25, 2020 minutes of the Regular Meeting as presented.

Motion: Carried

B. Approval of Voucher Detail Report

Councilmember Shaw 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 approves the Voucher Detail Report dated September 8, 2020 in the amount of \$229,669.92.

Motion: Carried

C. Approval Call for Public Hearing: Local Law to Amend Chapter 200 of the Town Code, Zoning, to Create Beekeeping Regulations in the Town of Ossining

Councilmember Shaw 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 calls for a public hearing in the matter of Local Law #3 of 2020 to be held at 7:30pm on Tuesday, September 22, 2020; and

Be it further Resolved, that pursuant to the Governor's Executive Orders 202.1 and 202.15, and subsequently extended, this public hearing will be held via videoconferencing only, with the information to participate in the public hearing to be duly noticed and circulated in accordance with the requirements for noticing public hearings.

Supervisor Levenberg said the following: We look forward to opening the Public Hearing on our third proposed local law of 2020 to allow beekeeping

in the Town of Ossining, and hearing from the public on how to best develop this legislation to meet the needs of the Town.

Motion: Carried

D. Appointment – Seasonal Intermediate Clerk

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 re-appoints Dana White, Ossining, to the position of Seasonal Intermediate Clerk at an hourly rate of \$25, to be paid for by a Local Government Records Management Improvement Fund grant from the New York State Archives, effective September 2, 2020.

Supervisor Levenberg said the following: Dana White and Shannon Reilly have been helping us for the past year or so get our records retention in order, all under a grant we received from the New York State Archives. We received an extension on our grant through the end of the year, so we look forward to welcoming Dana and Shannon back this month to help us wrap up this very important project before the end of the year.

Motion: Carried

E. Appointment – Seasonal Intermediate Clerk

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 re-appoints Shannon Reilly, Ossining, to the position of Seasonal Intermediate Clerk at an hourly rate of \$25, to be paid for by a Local Government Records Management Improvement Fund grant from the New York State Archives, effective September 2, 2020.

Motion: Carried

F. Temporary Beer/Wine/Cider Permit for Facilities Rental – September 27, 2020

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 authorizes the Supervisor to sign the Landlord Authorization Form for the New York State Liquor Authority for a Temporary Beer/Wine/Cider license for the Ossining Volunteer Fire Department which has filed an application to rent the pavilion in Ryder Park in the Town of Ossining on Sunday, September 27, 2020; 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: From time to time, an organization or family will rent one of our pavilions and request to serve alcohol for their attendees, requiring approval by the Town Board, of course, limited right now to 50 attendees or fewer. The Ossining Fire Department has requested to rent the pavilion at Ryder Park later this month, and serve alcohol to attendees. We are happy to facilitate our dedicated first responders enjoyment of a relaxing afternoon in the park, they definitely deserve it!

Motion: Carried

VIII. CORRESPONDENCE TO BE RECEIVED AND FILED

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 accepts the following correspondence:

- Town Planning Board Minutes for 7/1/20 and 7/15/20
- Town Zoning Board – Transcript 8/17/2020 and Bethany Arts Resolution 8/17/20

Motion: Carried

IX. MONTHLY REPORTS

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 accepts the following monthly reports for the month of August 2020:

- Town Highway
- GE Helicopter
- Tax Receiver
- Town Clerk's Office
- Town Supervisor

Motion: Carried

X. VISITOR RECOGNITION

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

XI. ADJOURNMENT

At 8:31 P.M., Councilmember Shaw motioned to adjourn to Executive Session for personnel, advice of counsel, and contracts and Councilmember Feldman seconded.

Motion Carried: Unanimously

At 9:09 P.M., Councilmember Feldman motioned to leave Executive Session and Councilmember Shaw seconded.

Motion Carried: Unanimously

At 9:10 P.M., Councilmember Shaw motioned to to adjourn the Regular Meeting and Councilmember Meyer seconded.

Motion Carried: Unanimously

Approved:



Susanne Donnelly, Town Clerk

