



MINUTES
TOWN BOARD
TOWN OF OSSINING
HELD VIA VIDEO CONFERENCING ONLY

JUNE 14, 2022
REGULAR MEETING
7:30 P.M.

SUPERVISOR
Dana A. Levenberg

COUNCILMEMBERS
Elizabeth R. Feldman Gregory G. Meyer
Angelo A. Manicchio Jennifer Fields-Tawil

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

The Regular Meeting of the Town Board of the Town of Ossining was held on June 14, 2022 via video conference, pursuant to Chapter 417 of the Laws of 2021 signed into law on September 2, 2021 by Governor Hochul and Executive Order 11.6. The meeting was called to order at 7:30 PM by Supervisor Dana A. Levenberg. Members of the Board present were: Councilmembers Elizabeth R. Feldman, Greg Meyer, Angelo A. Manicchio, and Jennifer Fields-Tawil. Also present were Town Counsel Christie Tomm-Addona, Budget Officer Victoria Cafarelli, and Town Clerk Susanne Donnelly.

II. SUPERVISOR AND TOWN BOARD ANNOUNCEMENTS

Supervisor Levenberg announced the following:

Ossining's Juneteenth Festival will take place on Sunday, June 19 at Louis Engel Waterfront Park from 12noon to 4pm. The event will start with a march from Market Square to the waterfront for the festivities. The Town is proud to be a co-sponsor of this year's festival, as we feel it is important for the entire community to learn more about and celebrate the full story of our American history.

Town Offices will be closed on Monday, June 20th in observance of Juneteenth. This will be the third year that the Town has recognized this important date in American history in this way, and we look forward to continuing to do so well into the future. I hope you will also take time to reflect and learn about the Black American experience, and join us in reaffirming the commitment to build a more equitable society here in Ossining and beyond.

The Talk Culture Literary Book Club will hold its June discussion on June 18 at 3pm, and this month's book is The Book of Forgiving by Desmond Tutu and Mphu Tutu. This book club will take a hiatus over the summer, so this is your last chance to join the discussion before September!

Join the Community Equity Task Force for a 21 day Racial Equity Challenge, starting June 18. Join us as we read The Sum of Us by Heather McGhee and engage in a series of activities intended to deepen our understanding of and commitment to racial equity. Follow along on Facebook, chat with other participants in the Challenge Facebook group, and receive weekly email recaps by joining our Google Group, ossining-equity-task-force@googlegroups.com.

Tuesday, June 21 is Make Music Day! Check out the Make Music Ossining Briarcliff on Facebook for a full line up of events happening around Town to mark this special day. Wrap up your Make Music Day at 7:30pm at the

Boathouse for Open Mic with the Mike Risko Band! Shout out to Mike and Miriam Risko for organizing this fun event for the community every year.

Do you have a young person in your life looking for a summer job? Start out by getting certified as a lifeguard at the Ossining Recreation! The sessions will be Friday, June 24th, Saturday, June 25th, Monday, June 27th, and Tuesday, June 28th. You must attend all sessions to receive the certification. Register now at www.villageofossining.org, and the Youth Bureau is offering scholarships for the fee, e-mail mgarcia@villageofossining.org to learn more.

III. ADMINISTRATIVE REPORT ON TOWN OPERATIONS

Supervisor Levenberg announced the following:

Last week, we learned that due to volatility in the energy markets, Sustainable Westchester is having difficulty securing a new contract with a fixed rate similar to the ones we have enjoyed for the past six years in the program. Our 100% Green Community Choice Aggregation program will be paused over the summer while Sustainable Westchester watches the energy markets and enters into a competitive bidding process for the next fixed rate contract. Your service will not be disrupted, but customers will be transitioned to ConEd's standard supply and variable rates during the pause, beginning with the first billing cycle after June 30, the end date for the current contract.

Affected participants will receive a notification letter in the mail from Sustainable Westchester in the coming days, with details about the electricity supply service pause. They will also receive a transfer notice from ConEdison indicating that they are receiving the standard electricity supply which is at a variable rate.

There is no action needed from residents to remain in the program when the program restarts. When we have the official re-start date in place, during the month prior, participants will receive a re-enrollment letter with confirmation of their energy supply choice and the new rate. They will also receive instructions on how to change the energy supply option or opt-out of the program before the new rates are in effect.

Residents can pursue their own energy supply if they prefer. However, if a resident elects to sign an agreement with a private Energy Supply Company (ESCO) during the pause period, they will no longer be eligible for Westchester Power and will not be automatically re-enrolled into the program when it restarts.

For more information and to get your questions answered, please join a webinar hosted by Sustainable Westchester on Monday, June 20th at 7 PM: <https://tinyurl.com/uppervertownsjune20>. You can also visit www.sustainablewestchester.org/wp/conedterritory to learn more, or email westchesterpower@sustainablewestchester.org or call 914-242-4725 during the hours of Monday through Friday 9AM-5PM with any questions. If that was all a bit much, you can also call the Town Supervisor's Office at (914) 762-6001, and we will direct you to information to answer your questions if we can't do so ourselves.

On a more optimistic note, we have been doing a lot of work recently to plan for improvements at our waterfront. This past Friday, we held a stakeholder meeting as part of phase 2 of the Climate-adaptive Design Studio. The Town of Ossining was host to phase 1 of the Climate-adaptive Design Studio with students from Cornell University in fall 2019, and now in phase 2, we are one of a very select group of Hudson River communities who have been awarded \$125,000 grants for engineering and design to advance the student designs to feasible and implementable projects. At Friday's meeting, stakeholders from across Ossining attended to provide guidance and feedback to HDR, the

engineering firm assigned to the project, as they start their preliminary designs. We look forward to sharing more with the community over the summer and into the fall. Huge thanks to the Hudson River Estuary Program and the NYSDEC for recognizing Ossining as a leader in resiliency and shoreline planning with this grant.

We have also been working on concept designs for a new stage at Louis Engel Park as part of our request under the Downtown Revitalization Initiative funding. We are also working with HDR on this project as well, and we had the opportunity to share two concept designs with the Town Board and the public at Village Fair. We are hopeful that this project will be included in the DRI funding requests, and we also plan on seeking additional grant funding under the Consolidated Funding Application in July to ensure this project is transformative for Ossining.

IV. LIAISON REPORTS

V. DEPARTMENTAL REPORTS

- **Town Clerk Susanne Donnelly said the following:**

Vital Records:

We continue to see an increase of requests for both birth and marriage records because the baby boomers are looking to get Social Security and enhanced driver's licenses. It is reassuring to know that you can go to the community you were born or married to get a certified copy of these documents. Please note that Ossining Hospital closed in 1955 so if you were born after that date please understand that while you might have lived in Ossining you were most likely born at Phelps which is Sleepy Hollow (or North Tarrytown at that time)

All requests should be done online at the Town of Ossining web page – under Town Clerk and Vital Records.... This is also the same place one would order death certificates for anyone who passed in Ossining

Our records go back to the 1880s since there was a fire those many years ago. When you go on the web site and are looking for records from generations ago you must use the genealogy file request form. Failure to do that will result in a delay of getting you the documentation because we will ask you to redo the requests.

Dog Licenses

After our dog census in 2021 we saw a marked improvement in compliance of the State of NY regulations to license your dog. One year later we have seen a drop in dog license renewals, and will be sending an email out to all registered dog owners who failed to renew their license that they will be subject to a fine not to exceed \$25.00 if they fail to register their dog(s). This email will be sent out at the end of June so please take this grace period to re-register your pet(s). You can do it from the comfort of your own home or office by going online to the Town of Ossining – Town Clerk and look for Dog license renewal. Follow the steps and either pay online, send it to the office by mail or bring it in. You will be issued a 2022 dog park tag upon receipt, which allows you to use the dog parks in either Cedar Lane Park or Nelson Park.

In 2020 we had 383 dogs registered which we knew was not correct because I personally know my neighborhood there are more than 400 dogs! We issued the census and increased our licensed dogs 3 fold which while a more realistic number we know many dogs are still not licensed with us. Please make sure you take care of this because many buildings and complexes require you to

have your dog licensed, it is NYS law as mentioned before and if is our way of making sure your pet has up to date rabies vaccination.

We work with the ASPCA when dogs are lost and found by animal control or the police. You must prove that your dog is licensed before you can claim your dog. There are also fees attached to releasing your dog.

We have only two complete cabaret Licenses for the Town. Maya Rivera and the Briarcliff Manor are the only two that should be having music, please let us know if you know of any other establishment.

The Town has been very successful in having folks register and renew their alarms. We will be following up with those who have not renewed their alarm and request that all new systems and/or owners register their alarms with the Town. Again you can find the applications on line at the Town of Ossining

We have the ability to issue hunting and fishing licenses for NYS as a courtesy for our residents and often visitors. We ask anyone interested to call for the times we will be issuing them at 914-762-8428. Depending on what is going on in the office we sometimes change the days so it is important to call...

The Boat Ramp permitting is moving along slowly and we want to remind everyone that they must purchase a ramp permit to use the boat ramp. Thank you to those at the Boat and Canoe Club for reminding folks that they need to be purchased. I believe we should look into other ways of enforcing the purchase of permits to complement the Boat and Canoe enforcement.

Taxi Senior Coupons.. all companies now are able to accept Senior Citizen coupons we are constantly monitoring so if any senior issues that may come up if you have any issues or compliments

We continue to support the Town in many different ways from handling bid documents throughout the process and when the final project is awarded as well as for other large purchases the bond documents

Notary Services are available in the Clerk's Office. Many banks no longer have this service available. Again we ask that those in need of the service to call the office to make sure our notary is available.

- Building Inspector John Hamilton provided the Town Board with an update on the Town Building Department (TBD). The TBD has begun to see a slowdown in the number of building permits being filed for. Terra Rustica and Maya Riviera have been notified that their outdoor dining permits expire July 8, 2022. The TBD will be at the tow establishments on July 9, 2022 to make sure that their outdoor dining permits things have been removed. Building Inspector Hamilton discussed projects that are in front of the Planning Board. The TBD is currently doing fire inspections.

VI. PUBLIC COMMENT ON AGENDA ITEMS

VII. BOARD RESOLUTIONS

A. Approval of Minutes—Regular Meeting – May 24, 2022

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

Resolved, that the Town Board of the Town of Ossining hereby approves the May 24, 2022 minutes of the Regular Meeting as presented.

Motion: Carried

B. Approval of Voucher Detail Report

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

Resolved, that the Town Board of the Town of Ossining hereby approves the Voucher Detail Report dated June 14, 2022 in the amount of \$706,049.28

Motion: Carried

C. Resolution Modifying Town Board Meeting Schedule

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

WHEREAS, at its annual reorganizational meeting, the Town Board established by resolution its meeting schedule for the year, with its work sessions generally held on the first and third Tuesdays of the month and its legislative sessions generally held on the second and fourth Tuesdays of the month, subject to certain modifications; and

WHEREAS, it has come to the Town Board's attention that there are certain conflicts with its meeting schedule that the Board wishes to address, including its June 28, 2022 and August 23, 2022 legislative sessions, which are the dates of the election primaries, which the Town Clerk's Office will be administering; and

WHEREAS, the Town Board also wishes to cancel one work session on July 5, 2022, which is the day after the fourth of July holiday when many people, including Town Board members, staff and the public take vacation; and

NOW THEREFORE,

BE IT RESOLVED, the Town Board hereby modifies its meeting schedule as follows:

- The legislative session scheduled for June 28, 2022 will be held on Wednesday, June 29, 2022 at 7:30 p.m. via videoconferencing in accordance with Chapter 1 of the Laws of 2022 and the Governor's Executive Order 11, as subsequently extended.
- The legislative session scheduled for August 23, 2022 will be held at 8:30 a.m. via videoconferencing in accordance with Chapter 1 of the Laws of 2022 and the Governor's Executive Order 11, as subsequently extended.
- The July 5, 2022 work session is canceled.

BE IT FURTHER RESOLVED, in the event the authority to hold remote meetings is rescinded or expires, the above-referenced meetings will be held in the first floor conference room at Town Hall, 16 Croton Avenue; and

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

Supervisor Levenberg announced the following: We are making a few changes to our summer meeting schedule, to accommodate two primary elections in June and August, and the Independence Day holiday.

Motion: Carried

D. Amendment to 2022 Cabaret License – The Briarcliff Manor

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

WHEREAS, at its May 24, 2022 legislative session, the Town Board approved the cabaret license for The Briarcliff Manor Restaurant and Catering Corp., 25 Studio Hill Road, Briarcliff Manor (the “Applicant”) for the calendar year 2022; and

NOW THEREFORE,

BE IT RESOLVED, consistent with prior cabaret licenses granted to the Applicant, the Applicant’s cabaret license for 2022 is amended solely with respect to condition 3 to state no amplified music shall be permitted outdoors.

BE IT FURTHER RESOLVED, to the extent not modified by this Resolution, the May 24, 2022 determination of this Board shall remain in full force and effect.

Supervisor Levenberg announced the following: The Town Board approved the cabaret license for the Briarcliff Manor, and it subsequently came to our attention that in the resolution, we had inadvertently deviated from the stipulations of the license from previous years. This resolution restores the stipulation regarding no amplified music outdoors that had been in place for many years.

Motion: Carried

E. Resolution of Support for Westchester’s Youth Climate Action Demands

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

WHEREAS The United States of America signed on as a Party of the Paris Climate Agreement on April 22, 2016, and re-entered the agreement on January 20, 2021, agreeing to pursue efforts to limit the global temperature increase to 1.5°C above pre-industrial levels; and

WHEREAS On April 4, 2022, the United Nations Intergovernmental Panel on Climate Change (IPCC) “Sixth Assessment Report, Climate Change 2022: Mitigation of Climate Change” reported that with no abatement of existing or currently planned fossil fuel infrastructure, cumulative global net greenhouse gas (GHG) emissions will exceed the pathways limiting warming to 1.5°C; and

WHEREAS New York State (NYS) passed the Climate Leadership and Community Protection Act (Climate Act) on July 18, 2019, mandating a 40 percent reduction in economy-wide GHG emissions in NYS and no less than a 85 percent reduction by 2050; and

WHEREAS On October 19, 2021, Westchester County passed a resolution declaring a climate emergency and urging local governments to adopt Climate Emergency Declarations and take action to mitigate the effects of climate change; and

WHEREAS On May 26, 2009, the Town of Ossining passed an ICLEI Membership & Cities for Climate Protection resolution declaring that outlined further steps the Town will take to mitigate climate change; and

WHEREAS On June 9, 2009, the Town registered with the NYS’s Climate Smart Communities (CSC) program, formed a joint CSC Task Force with

the Village of Ossining in March 2022, and is currently seeking further certification in the program; and

WHEREAS the Town is designated a Clean Energy Community (CEC) by NYSERDA for completing multiple high-impact actions to reduce GHG emissions and increase the community's climate resilience, which makes the Town eligible to receive higher grants to complete further climate action; and

WHEREAS, the COVID-19 pandemic has both highlighted and exacerbated existing health inequalities that have resulted from climate change, such as neighborhoods with poorer air quality being disproportionately affected by the disease; now, therefore be it

RESOLVED that the Town of Ossining declares a climate emergency and calls for an immediate emergency mobilization to restore a safer climate, and encourages other municipalities to do the same; and be it further

RESOLVED that the Town of Ossining reaffirms its commitment to reducing carbon emissions 5% per year through 2040; and be it further

RESOLVED that, through a 5% annual carbon emissions reduction, the Town of Ossining commits to meeting the goals outlined in the statewide Climate Leadership and Community Protection Act on the municipal level, which include but are not limited to receiving 70% of electricity from renewable sources and a 40% reduction in GHG emissions by 2030 and an 85% reduction in GHG emissions excluding carbon offsets by 2050; and be it further

RESOLVED that the Town reaffirms its commitment to youth involvement in climate action through inclusion of youth positions to the Environmental Advisory Committee, which allow for the generation most shaped by climate change to have a voice in combating it; and be it further

RESOLVED that the Town of Ossining, will continue to highlight underrepresented voices in all further actions to combat climate change and increase resilience in the face of the effects of the climate crisis; and be it further

RESOLVED that the Town, as a climate leader, will encourage other Westchester municipalities to pass similar climate measures if they have not done so already and will actively seek to provide guidance to other municipalities on how to do so.

Supervisor Levenberg announced the following: Thank you to the incredible young advocates from Sunrise Westchester for bringing this to our attention, and presenting to the Town Board at our Work Session last week. We are pleased to be adopting this resolution, and urge our municipal colleagues in the County to do the same. We all need to do our part to combat climate change.

Motion: Carried

F. New York State Liquor Authority Special Event Permit Application – RiverJam Summer Concert Series and Fireworks Celebration

Councilmember Feldman moved and it was seconded by Councilmember Meyer 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 Sing Sing Kill

Brewery, LLC, for the craft beverage corral at the RiverJam Summer Concert Series and Fireworks Celebration at Louis Engel Park on Fridays, July 1, 8, 15, 22, & 29, August 12, 19, & 26, September 2, 2022 with rain dates of the Sundays following the scheduled Friday dates; 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 announced the following: This year, we are once again working with Sing Sing Kill Brewery to sell craft beverages at the fireworks and summer concert series. Mark your calendars now – the series starts with fireworks on July 1!

Motion: Carried

G. Personnel – Resignation

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

Resolved, that the Town Board of the Town of Ossining accepts, with regret, the resignation of Freshta Nazari from the part-time position of Intermediate Clerk in the Town Justice Court, effective June 22, 2022.

Supervisor Levenberg announced the following: Although we are sad to see Freshta go, we are happy that she will be moving on to a full time job with the Westchester County Court system. Congratulations Freshta and best of luck in your new role!

Motion: Carried

H. Contract – Radish Health, Inc.

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

Resolved, that the Town Board of the Town of Ossining authorizes the Supervisor to sign an agreement with Radish Health, Inc., for concierge healthcare services for full-time and elected Town of Ossining employees, subject to approval by Counsel to the Town as to form.

Supervisor Levenberg announced the following: We are excited to be offering these healthcare services to our employees via Radish Health, and will be evaluating the success of the pilot program during 2023 budget season.

Motion: Carried

I. Call for Public Hearing – Local law to allow members of all public bodies of the Town of Ossining to participate in meetings via videoconferencing

Councilmember Feldman moved and it was seconded by Councilmember Meyer 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 in the matter of a Local law to allow members of all public bodies of the Town of Ossining to participate in meetings via videoconferencing, on Wednesday, June 29, 2022 at 7:30 p.m. held via videoconferencing only in accordance with State authority, with the log-in information available on the Town's website in advance of the meeting.

Supervisor Levenberg announced the following: As discussed at our last work session, we will be starting a local law to allow for remote meetings under the new provisions of state law enacted in April. Stay tuned for draft legislation!

Motion: Carried

J. Call for Public Hearing – Local law regulating bicycles, bicycles with electric assist and electric scooters in the Town of Ossining

Councilmember Feldman moved and it was seconded by Councilmember Meyer 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 in the matter of a Local law regulating bicycles, bicycles with electric assist and electric scooters in the Town of Ossining, on Wednesday, June 29, 2022 at 7:30 p.m. held via videoconferencing only in accordance with State authority, with the log-in information available on the Town's website in advance of the meeting.

Supervisor Levenberg announced the following: Following suit with the Village of Ossining, we will be starting the process of adopting legislation to allow for ebikes and escooters in the Town of Ossining. This will be key to the success of Project MOVER in the Town and Village of Ossining – fingers crossed we get that \$7million for ebikes!

Motion: Carried

VIII. MONTHLY REPORTS

Councilmember Feldman moved and it was seconded by Councilmember Meyer 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 May 2022:

- Tax Receiver
- GE Helicopter
- Dale Cemetery
- Supervisor's Office
- Town Clerk

Motion: Carried

IX. VISITOR RECOGNITION

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

X. ADJOURNMENT

At 8:25 P.M., Councilmember Feldman motioned to adjourn to Executive Session for advice of counsel and personnel and Councilmember Meyer seconded.

Motion Carried: Unanimously

At 9:33 P.M., Councilmember Feldman motioned to leave Executive Session and Councilmember Meyer seconded.

Motion Carried: Unanimously

At 9:34 P.M., Councilmember Feldman motioned to adjourn the Regular Meeting and Councilmember Meyer seconded.

Motion Carried: Unanimously

Approved:

A handwritten signature in black ink, appearing to read "S. Donnelly", written over a horizontal line.

Susanne Donnelly, Town Clerk