



MINUTES
TOWN BOARD
TOWN OF OSSINING
TOWN MUNICIPAL BUILDING
1st FLOOR CONFERENCE ROOM
16 CROTON AVE – OSSINING, NEW YORK
MARCH 16, 2020
SPECIAL MEETING
12:19 P.M.

SUPERVISOR
Dana A. Levenberg

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

I. CALL TO ORDER-PLEDGE OF ALLEGIANCE

The Work Session of the Town Board of the Town of Ossining was called to order at 12:19 p.m. by Supervisor Dana A. Levenberg.

II. WORK SESSION

Supervisor Levenberg said the following: Thank you for joining us today as we have this difficult conversation about how to continue to provide essential Town services in light of the current outbreak of COVID-19 (Coronavirus) and calls by Governor Cuomo to do whatever is in our power to begin limiting contact with others. We know that implementing these social distancing measures will help “flatten the curve” and reduce the spread of this serious virus. To that end, we felt it was important for the Town Board to gather together and discuss some of our plans moving forward. Of course, this situation is ongoing, and changes day to day, and even hour to hour. Just a few moment ago the Governor made a very important announcement. Today, we have two resolutions that have been drafted that will impact Town operations going forward. These two resolutions include cancelling the upcoming Planning Board, Zoning Board, Town Board Work Sessions, and any other non-essential committee meetings through the beginning of April and documenting the Town Board’s support of the Town Supervisor declaring a State of Emergency. Before we begin, I would like to ask Counsel Addona to discuss the parameters of a Local State of Emergency and what that will mean for the general Ossining community.

Town Counsel Tomm-Addona discussed what powers the Local State of Emergency grants the chief executive of a municipality. She also talked about the Governor’s Executive Order 202.1 dated March 12, 2020 that allows public meetings to be held via video conferencing.

Supervisor Levenberg said the following: Before we adjourn to our Special Meeting, I wanted to share with the Board and the public that we have been working with our Department Heads very closely for the past week to discuss how we can do our best to continue operations of the Town, while limiting our staff’s interactions with the public and close quarters with one another. I will elaborate on some of these individual discussions, but I anticipate making some announcements later this afternoon. The Governor made an announcement earlier that requires local municipalities to reduce their workforce by a half and to do everything that they can to limit the ability of people interacting.

III. ADJOURMENT

At 12:33 P.M., Councilmember Shaw motioned to adjourn to Special Meeting and Councilmember Meyer seconded.

IV. CALL TO ORDER-ROLL CALL

The Special Meeting of the Town Board of the Town of Ossining was held on March 16, 2020 in the Town Municipal Building, 16 Croton Ave in Ossining. The Special Meeting was called to order at 12:33 p.m. by Supervisor Dana A. Levenberg. Members of the Board present were: Councilmembers Jackie G. Shaw, Elizabeth R. Feldman (via conference call), and Gregory G. Meyer (via conference call). Also present were Town Counsel Christie Tomm-Addona and Budget Officer Victoria Cafarelli. Councilmember Northern Wilcher Jr. was absent.

V. BOARD RESOLUTIONS

A. Resolution Regarding Town Procedure Relating to COVID-19 Outbreak

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

WHEREAS, on March 7, 2020 Governor Cuomo issued an Executive Order Declaring a Disaster Emergency in the State of New York (EO No. 202) with respect to COVID-19; and

WHEREAS, on March 11, 2020 the World Health Organization characterized COVID-19 as a pandemic; and

WHEREAS, both travel-related cases and community contact transmission of COVID-19 have been documented in New York, and specifically in Westchester County, and are expected to continue; and

WHEREAS, while the Town Board is not aware of any positive cases of COVID-19 within the Unincorporated Town, Westchester County has been heavily affected by the virus; and

WHEREAS, the Town Board is charged with protecting the health, safety and welfare of the Town, its residents and the public; and

WHEREAS, as a municipality, the Town conducts much of its business through meetings of various boards, which meetings are generally required to be open to the public; and

WHEREAS, the Town Board desires to minimize the settings in which COVID-19 can be transmitted through close contact among individuals; and

WHEREAS, on March 13, 2020, Governor Cuomo issued an Executive Order Continuing Temporary Suspension and Modification of Laws Relating to Disaster Emergency (EO 202.1), and specifically:

Suspension of law allowing the attendance of meetings telephonically or other similar service:

Article 7 of the Public Officers Law, to the extent necessary to permit any public body to meet and take such actions authorized by law without permitting in public in-person access to meetings and authorizing such meetings to be held remotely by conference call or similar service, provided that the public has the ability to view or listen to such proceeding and that such meetings are recorded and later transcribed;

NOW THEREFORE,

BE IT RESOLVED, the Planning Board meetings for March 18, 2020, April 1, 2020 and April 15, 2020 are hereby canceled; and

BE IT FURTHER RESOLVED, no meetings of the Zoning Board of Appeals shall be scheduled to be held before April 20; and

BE IT FURTHER RESOLVED, no meetings of any of the Town's other committees and/or boards shall be scheduled to be held before April 20; and

BE IT FURTHER RESOLVED, the Town Board work sessions for March 17, 2020 and April 7, 2020 are hereby canceled; and

BE IT FURTHER RESOLVED, the Town Board's legislative sessions for March 24, 2020 and April 14, 2020 will remain scheduled meetings for the purpose of conducting essential Town business and the Town Board hereby requests the Supervisor's Office explore alternate means of conducting these meetings in accordance with the EO No. 202.1; and

BE IT FURTHER RESOLVED, the Town Board hereby supports the Town Supervisor proclaiming a Local State of Emergency in the Town of Ossining pursuant to NY Executive Law § 24 on the grounds that COVID-19 is a public emergency in the Town of Ossining that imperils public safety and to promulgate any and all local emergency orders authorized by NY Executive Law § 24 to protect life and property or to bring the emergency situation under control; and

BE IT FURTHER RESOLVED, the Town Board will revisit this matter at its April 14, 2020 legislative session to determine if further action must be taken to cancel additional meetings or extend the time during which meetings shall not be held; and

BE IT FURTHER RESOLVED, in the event the Town Board determines, based upon competent evidence from the medical community, that the transmission of COVID-19 has been contained and it is not a risk to the health, safety and welfare of the public to hold public meetings, the Town Board reserves the right to revisit this resolution and amend this resolution, as appropriate under the circumstances.

Motion: Carried

B. Resolution Establishing Policy for Canceling Meetings of the Town's Boards

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

WHEREAS, as a municipality, the Town of Ossining conducts much of its business through meetings of various boards that are open to the public; and

WHEREAS, the Town Board is authorized to schedule and cancel meetings of the Town's various boards; and

WHEREAS, in certain emergency situations, such as the current COVID-19 pandemic, it may not be feasible, practicable or safe for a quorum of the Town Board to convene for the purpose of canceling the meetings of the Town's boards; and

WHEREAS, the Town Board desires to establish a policy and procedure as to how the Town can handle situations where a meeting of a Town board must be canceled in order to protect the health, safety and welfare of the public; and

NOW THEREFORE,

BE IT RESOLVED, the Town Board hereby adopts the following policy and procedure:

- 1. The Town has the following boards that are required to conduct business in accordance with NY Public Officers Law, which requires, among other things, holding meetings with a quorum of the board members present in public and with the public having an opportunity to attend the meetings: the Town Board, the Planning Board and the Zoning Board of Appeals.**
- 2. In the general course of operations, it shall be within the jurisdiction of the Town Board to, by resolution, cancel duly-scheduled meetings of the Town Board, the Planning Board and/or the Zoning Board of Appeals when holding said meeting would create an undue risk to public health and safety.**
- 3. In the event that circumstances arise such that the Supervisor would be authorized by NY Executive Law § 24 to proclaim a Local State of Emergency in the Town of Ossining, for the purpose of canceling a duly-scheduled meeting of the Town Board, Planning Board and/or Zoning Board of Appeals, the Town Board authorizes the Supervisor to do so unilaterally if in the Supervisor's best judgment holding the meeting would create an undue risk to public health and safety.**

Town Counsel Tomm-Addona spoke about the Town Board revisiting the resolution once things return to normal.

Motion: Carried

VI. ANNOUNCEMENTS

Supervisor Levenberg made the following announcements:

We anticipate sharing a decision about closure of our Town offices to the public sometime this afternoon in conjunction with the Village of Ossining's planning. Please sign up for the Supervisor's e-mail blasts on our website at www.townofossining.com. We will also share any new information on the Town's Facebook page, website, and with local news outlets.

However, the Town of Ossining Court will be closed as of 5pm today, Monday March 16, 2020. We believe all pending cases will be adjourned for approximately 45 days. Please contact the Justice Court at 914-762-8562 with specific questions. Please note this is subject to further changes as we receive them from the Court System.

The Senior Nutrition Program continues to provide home delivered meals to seniors. We would also like any seniors to consider signing up for daily RUOK calls – please call 914-762-1350 to sign up.

Please understand that this is an evolving situation. Please do not lash out and blame a certain group of people. Give us a call if you have any questions, at 914-762-6001. We appreciate your patience as we do whatever we can to protect the public and our staff.

Councilmember Feldman and Supervisor Levenberg asked people to please complete the Census.

VII. ADJOURNMENT TO EXECUTIVE SESSION

At 12:47 P.M., Councilmember Shaw motioned to adjourn to Executive Session for personnel and Councilmember Feldman seconded.

Motion Carried: Unanimously

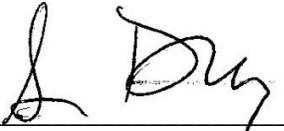
At 1:06 P.M., Councilmember Shaw motioned to enter into Special Meeting and Councilmember Feldman seconded.

Motion Carried: Unanimously

At 1:06 P.M., Councilmember Shaw motioned to adjourn the Special Meeting and Councilmember Meyer seconded.

Motion Carried: Unanimously

Approved:



Susanne Donnelly, Town Clerk