

Town of Ossining Board Town Hall

June 15, 2021

Meeting Transcript

Video Recording of Meeting: <https://www.youtube.com/watch?v=nLvboPkZDAE>

Attendance: Supervisor Dana Levenberg, Councilmember Elizabeth Feldman, Councilmember Jackie G. Shaw, Municipal Attorney Christie Addona, Budget Officer Victoria Cafarelli, Community Member Jermain Smith, Community Member Nate Koch.

1 Dana Levenberg: Fantastic. So in that case, we have a quorum. Good
2 evening and welcome to the Town Board of the Town of Ossining a Town
3 Hall Meeting for Tuesday June 15 2021. Please rise and join me for the
4 pledge of allegiance.

5 All: I pledge allegiance to the flag of the United States of America and to
6 the Republic for which it stands, one nation, under God, indivisible, with
7 liberty and justice for all.

8 Dana Levenberg: Okay, so I have a few announcements and then we're
9 going to get right into the meat of our Town hall meeting. We're starting
10 tonight's meeting with some great news: Governor Cuomo announced
11 earlier today that New York State had reached its goal of 70% of adults,
12 having received at least one dose of the vaccine. With this milestone
13 Governor Cuomo has announced that virtually all COVID restrictions will be
14 lifting, which means we can start returning to life as we knew it before
15 March of 2020. Most capacity limits, health screening, and disinfectant -
16 disinfecting requirements will be lifted. It seems like a lifetime ago that
17 many of these restrictions started being put in place and it certainly feels
18 like we can all finally take a deep breath, knowing that so many of us are
19 now protected against COVID-19. CDC mask guidance will still be in place.
20 Unvaccinated individuals must still wear masks an indoor settings and
21 some stricter requirements will remain in place for healthcare settings,
22 nursing homes, and public transit. The pandemic, of course, is not officially

23 over, but we can definitely celebrate a little bit tonight. These lifted
24 restrictions are only because so many people have answered the call to get
25 vaccinated: over 74% of your fellow New Yorkers - and that hopefully
26 includes you. Now is the time to get vaccinated if you're not. If you're
27 interested in getting vaccinated but have not yet had a chance to do so
28 many of our local pharmacies are carrying the vaccine. OVAC is also
29 administering the J&J vaccine this Saturday. The is OVAC - Ossining
30 Volunteer Ambulance Corps - Saturday June 19 from 9am to 1pm at the
31 Ossining Farmers Market so bring your compost too. Early voting has
32 started across New York State for the primary election, there are 23 early
33 voting stations across Westchester County. And registered voters can walk
34 into any of these sites to vote early that means you can vote at whichever
35 say is most convenient for you. No appointment needed. For many of our
36 residents the closest site is the Joseph G. Caputo Community Center in
37 Ossining. A full list of early voting sites was mailed to your home, a few
38 weeks ago. Or is available on the Board of elections website at
39 citizenparticipationwestchestergov.com. Early voting takes place this
40 evening until eight Wednesday June 16 and Friday June 18 from 8am to
41 4pm, Thursday June 17 from noon till eight, and Saturday June 19th and
42 Sunday June 20 from noon to five. Of course registered voters do not have
43 to vote early, primary date is June 22 and polls will be open that day from
44 6am to 9pm. You must – you must vote at your designated polling place on
45 primary day and the location may have changed from years past so
46 hopefully you still have the mail or the Board of elections sent your polling
47 place about your polling place and have you have that handy. If not, the
48 Board of elections has a handy tool called find your polling place, which is
49 also available on their website. For Town of Ossining, which includes all of
50 the Village of Ossining most of the Village of Briarcliff plus the
51 Unincorporated section of Ossining, please remember this primary is only
52 for registered democrats voting in one or two and one countywide race.
53 Voting in one or two local and one countywide race. Town offices will be
54 closed this Friday June 18th in observance of Juneteenth. The garbage
55 collection scheduled will not be affected, but brush collection will be moved
56 to Thursday instead of Friday. Ossining's second annual Juneteenth
57 celebration, which the Town is proud to be co-sponsoring will take place on
58 Saturday June 19 at Louis Engel Park, starting at 12 noon. This holiday
59 commemorates the date Union soldiers reach Texas to enforce the

60 Emancipation Proclamation. The enforcement was delayed by the civil war
61 by two years and the holiday was only formally recognized by New York
62 State for the first time last year. The Juneteenth Council of Ossining has
63 planned a great event for this year, so thank you to Joyce Sharrock Cole,
64 Althema Goodson, Diana Lemon and Juanda Dabbs. And that includes a
65 history of the holiday and spoken word performances and more. The band
66 list for the Town's summer concert series was finalized this week and
67 concerts will be in on July 2 at Louis Engel Park with the Thornwoods
68 kicking off the series and we'll have more information about all the lineup
69 very soon. Concerts start at seven with new trucks, I think, are going to be
70 lining up at around five. We're so excited to see this tradition returning to
71 Ossining after taking a break last year. Mike and Miriam risk of organized
72 list of local performers and musicians. The Greater Ossining Chamber of
73 Commerce coordinated with local businesses to kick off our food truck
74 Friday celebrations, and hopefully we'll also see some other local
75 businesses down there and syncing killed brewery will be lining up some
76 excellent craft beverages from local producers for 21 and over concert-
77 goers to enjoy. Our fireworks display has been scheduled for the Friday of
78 Labor Day weekend - September 3 - which will give our community more
79 time to get vaccinated and be a great opportunity to celebrate our workers
80 who've given so much during this incredibly difficult year as they get ready
81 for hopefully a much more regular September. If there is such a thing as
82 regular at this point I don't know. Our - speaking of fireworks we hear that
83 there's going to be some across the river this evening celebrate the 70%
84 vacc - vaccination rate and the opening up and with no restrictions So
85 hopefully we'll get through our meeting this evening and time for everybody
86 to take a look cross the river. Our fireworks display draws crowds around
87 4000 people, so we wanted to make sure that people did feel comfortable
88 gathering again with that many people. We would hate to have to have to
89 cancel them completely. We did have to cancel our fireworks last year, so
90 hopefully that September 3 date will give kids more of a chance to be
91 vaccinated before we invite them to this family friendly event. While we're
92 talking about and thinking about our waterfront and family-friendly things a
93 quick reminder that the spray park is open for kids at the southern end of
94 the park past the playground from noon to 7pm at our waterfront park every
95 day throughout the summer, except for Wednesdays, from nine to three,
96 when the Ossining day camp uses the site starting June 30 and running

97 through August 4. The beach is not open for swimming because there is no
98 lifeguard on duty and it hasn't been approved, yet to be open. But hopefully
99 one day in the not too distant future we'll have that - something like that in
100 place not yet, though. But you are welcome to use it as a kayak launch. If
101 you're planning to use the Brian Johnson Memorial Boat Ramp at the other
102 end of the park, you are required to get a permit we updated our permitting
103 procedure this year to make it easier for residents and visitors. Daily and
104 seasonal passes are available for purchase online at
105 www.buymypermit.com/ossining. A direct link and instructions are available
106 on the Town Clerk's page of the Town of Ossining website as well. New
107 signs with QR codes and easy instructions are on the way, but until then
108 the website is your fastest way to a permit. Seasonal permits are great
109 bargain if you plan to use the ramp more - at least twice. Seasonal permits
110 allow boaters also to get a dedicated space for trailer parking. It's great to
111 see so many people have joined us for tonight's Town Hall – well so many I
112 think that's four – but we're excited, that's great. I want to thank everyone,
113 and remind you that you can always get updates directly from Town
114 Departments by joining our email lists and following us on social media
115 Town Board meetings are recorded each week and uploaded to YouTube.
116 We share information on Facebook and Instagram and all departments can
117 be reached by phone or email. I encourage everyone here to sign up or
118 follow at least one Town account to make sure you can easily remain
119 informed. Public engagement is incredibly important at all levels of
120 government and our department heads do amazing work. So do any of my
121 Board colleagues have anything to add?

122 [SILENCE]

123 Dana Levenberg: Alrighty. So with that - I can actually can't - I have this on
124 the wrong view, so let me see - Councilwoman Shaw, do you have
125 anything to add? I couldn't see if your head shaking in a direction. Okay.
126 Fantastic, okay. So for this evening, our first topic for discussion is the New
127 York state Marijuana Regulation and Taxation Act and what its implications
128 are for the Town of Ossining. Per the new law, municipalities can opt out of
129 allowing retail dispensaries and onsite consumption. But if they decide to
130 do so, it must be before the end of 2021. Tonight, we would like to hear
131 from the public as the Town Board considers this decision. But before we
132 open up to the public, I would like to ask our Town Council Christie Tomm

133 Addona to please kick off our discussion by framing some of the legal
134 implications for the Board and for the public. Turning it over to you.

135 Christie Tomm Addona: Thank you Supervisor. Okay so I'm just going to
136 do, pretty brief in general overview and then I'll get into the specific issue
137 you raised regarding the opt out. The Marijuana Regulation and Taxation
138 Act was signed by the Governor into law on March 31st. The act creates an
139 entirely new State Cannabis Law that did not exist before, and this
140 establishes new state offices, a licensing system, and regulates different
141 aspects of medicinal and adult use cannabis and hemp. There were also
142 corresponding amendments to the State Tax Law, the state Public Health
143 Law, and the new article was added to the State Penal Code. And the
144 intent of this law was to create a regulated and taxed cannabis, industry
145 and to provide for social and economic justice related to the sale and use of
146 cannabis. So just a little understanding of what's going to happen at the
147 state level: the MRTA, which is the Marijuana Regulation Taxation Act,
148 established a cannabis control Board, and so this is going to be a Board
149 established at the state level by the Governor, the Senate, and the
150 Assembly made up of five members. And these will be the individuals who
151 will be promulgating regulations related to these laws and also the ones
152 who will be issuing the licenses by the applicants, as time goes on. There's
153 also going to be administrative office, the Office of Cannabis Management.
154 That will be the administrative arm and will maintain records, inspect the
155 premises once certain applicants are licensed, and also advise and assist
156 the cannabis Control Board. So I don't want to get too much into the weeds
157 of law because it's quite long and not a lot of it is really - I mean it's all
158 relevant obviously and important - but for the purposes of the discussion
159 tonight it's important to understand that because the - the MRTA is
160 governing and regulates cannabis at the state level, unless there's specific
161 authority given to a loc - to the local municipalities, the field is preempted
162 and municipalities are bound by the State Law. So what does that mean?
163 In practice, so a couple of instances are the MRTA authorizes local
164 municipalities to place regulations on personal home cultivation of
165 cannabis, which is another aspect of the law. But the regulations cannot
166 have the effect of completely prohibiting it. So you can put additional
167 regulations, similar to what we'll talk about with retail dispensaries and
168 onsite consumption, but you can't - they can't have the practical effect of

169 not allowing it at all. In addition, while the public health law already
170 regulates were smoking and babying of cannabis is allowed and not
171 allowed, the MRTA does allow local - local municipalities to put more
172 stringent regulations on this issue. So even - right now basically what the
173 State did was - you can - you're prohibited from smoking marijuana or
174 beeping marijuana in any location where you would be prohibited from
175 smoking cigarettes. There are a couple of exceptions, including in your car,
176 for obvious reasons. But the - the Town in addition to still being able to
177 regulate its parks and playgrounds and other Town properties, you can also
178 put more stringent regulations on where that is allowed. So that's
179 something that we can talk about more going forward but that's just another
180 example of some flexibility that's been given to the local municipalities.
181 However, with respect to the State penal law it definitively identifies those
182 activities related to adult use cannabis that are legal and illegal. So at the
183 state level - Town level in enforcing those we are bound by what the state
184 has determined. So as a Supervisor mentioned, and for the topic of
185 conversation this evening, the state has given local municipalities some
186 control with respect to whether they're can and will be retail dispensaries of
187 cannabis an onsite consumption establishments for cannabis within the
188 local municipality. So what does that mean? The default is that these
189 establishments are allowed all throughout the state. You can - so you just -
190 the way the law was enacted, anywhere in the state is - you are allowed to
191 have a retail dispensary or an onsite consumption establishment. However,
192 there is an opt-out provision for municipalities to elect not to have either or
193 both. So you don't have - they don't go together necessarily. So you can
194 look at them together and say 'we want to treat them both the same the
195 retail dispensaries as well as the onsite consumption' or you could
196 potentially treat them differently. So that's I think an important nuance to
197 keep in mind. If the Town Board does not wish to opt out, then there's
198 nothing to do and there's no action that is required, because that is the
199 default. The Town Board only has to affirmatively act if it does want to opt
200 out, having either one or the other, or both of these types of establishments
201 – the retail dispensaries and the onsite consumption establishments -
202 within the Town. And - and another important part to note is that because
203 the Town contains the Unincorporated, Village of Ossining, and a large
204 portion of the incorporated Village of Briarcliff Manor, the - those Boards of
205 Trustees of those Villages will be responsible for determining whether the

206 Villages would opt out with respect to these establishments. So any law
207 that the Town Board were to adopt would only be with respect to the
208 Unincorporated Town. So the process to opt out is to adopt a local law
209 before December 31, 2021. This would also be subject to permissive
210 referendum. And for a Town what that means is that if 10% of the amount
211 of the electors at the last gubernatorial election submit a petition to the
212 Town Clerk within 45 days of the local laws adoption, pretty much
213 effectively objecting to the local law, then the local lot of opting out would
214 go on to either a general or special election and have to be approved by
215 the majority of the voters in that election. If no petition is submitted, that
216 that means that requirement within 45 days and having 10% of the - of the
217 electors, than the law would go into effect, after that 45 day time period
218 expires. If the Town Board does not opt out by December 31 it's no - it can
219 no longer do so. That's - that's the sunset date for that opportunity and
220 that's the same for obviously all municipalities: Village, City, and Towns
221 throughout the state. But if the Town Board did opt out, there is always the
222 opportunity after the fact for the Town Board to adopt - adopt the
223 [UNCLEAR] - another local law to decide to opt back in. So that's pretty
224 much the backdrop and the procedure of what would have to happen. As
225 with any other local law, the Town Board has considered or has adopted,
226 you would need to do a public hearing, it would need to be noticed, and all
227 those factors. And then a few just other considerations that the Board may
228 and the public may want to keep in mind when you're deciding if and how
229 you want to proceed is with respect to local regulations and particularly
230 zoning. So, while the Town is not authorized to adopt any laws regulating
231 the operation or licensure of these establishments because that's governed
232 at the state level with the Cannabis Control Board and the Office of
233 Cannabis Management that I mentioned earlier, the Town Board can adopt
234 local zoning regulations and also time, place, and manner regulations with
235 respect to these establishments to det - to determine where it would be
236 appropriate for them to be what their hours of operation would be, what
237 those types of facilities would look like. Some suggestions I saw we're
238 having them be a special permit use approved by the Planning Board, go
239 through site plan approval, as you would with almost all other commercial
240 establishments. But the rule of thumb, as stated in the law is that these
241 regulations and restrictions cannot make the operation "unreasonably
242 impractical." So you can't you can't put regulations that would pretty much

243 effectively in practice and applying them eliminate any feasible appl -
244 operation of these types of establishments. The other thing that I
245 mentioned earlier, and that is important to keep in mind is that while this
246 Board can and the Town can regulate this to a certain extent at the local
247 level, it is also going to be highly regulated at the State level and that's
248 what all of these offices and agencies and Boards have been established to
249 ensure. They're going to be regulations put in place by the Board that will
250 have to be reviewed and considered and determined to be satisfactory
251 before any licenses will be issued, it is as far as I can tell so far and we'll
252 get more information as time goes on, it's going to be a rigorous process. It
253 is going to be a very costly process for people who want to be involved in it.
254 And so it's going to be well regulated and as part of the process and any
255 municipality in which one of these establishments - either a retail
256 dispensary or an onsite consumption establishment - wants to set up shop
257 basically or get a license to operate within the municipality, the municipality
258 automatically gets notified within a certain period of time, no less than 30
259 days and has the opportunity to provide their response to the State Board
260 as to why they think it's appropriate or why they think it's not. And in making
261 its determination, the Board actually has to respond to the municipality and
262 explain how it took the local municipalities comments into consideration.
263 And then the other part of this that I think is important for people to
264 remember is that the law provides that the goal is to have 50% of the adult
265 use licenses be issued to social and economic equity applicants to assist
266 communities disproportionately impacted by enforcement of cannabis
267 prohibition. So that's - that's the goal of this and I mentioned it earlier that's
268 one of the big intentions of this act generally is the social and economic
269 justice equity justice aspect of it. And then just from a timing perspective I
270 know I've thrown a lot of numbers that you the big one right now is
271 December 31st. But just from a practical perspective, given everything that
272 has to happen administratively on the state level with putting this Board in
273 place with adopting regulations before it actually starts getting implemented
274 and licenses are issued. Most literature I've Read has stated that you're not
275 going to start seeing any retail dispensary's until late 2022 at the earliest
276 Possibly early 2023. So there is there is still time to put zoning in place if
277 that's the direction that the Board wants to go. And ended up that is an
278 opportunity that's available to you during that time period. And just to put
279 the additional timing in perspective, the home cultivation, the personal

280 cultivation aspect of it won't go into effect until after the retail dispensaries
281 part is set up. So it's staggering to give the retail a chance to get
282 established before you then have the personal cultivation so you're looking
283 at an even later time period before that becomes a regular - a regular item.
284 And then, lastly, and something that I know is - is significant to this issue is
285 the benefit from having these types of establishments and in the law, it
286 does provide that there will be considerable - a sales tax that will be
287 available to local municipalities that have opted into allowing these types of
288 establishments. So the way it works is it's going to be there's a 9% tax at
289 the State level, but then there's a 4% tax at the local level that will be sent
290 to the county. Here Westchester obviously and then quarter on a quarterly
291 basis, it will be distributed. The Cour - the County will take 25% of that
292 amount, and then it will distribute the remaining 75% to the local
293 municipalities based upon the percentage of sales that occurred with that -
294 within that municipality. And so what makes this a little bit unique for - for
295 this Town and for Towns generally is that distribution. Because if the
296 establishment is in the - in the - Unincorporated Town, the Town keeps all
297 3%, or the 75% of the remaining sales tax. Whereas if it's in one of the
298 incorporated villages, I spoke earlier about how the Town Board can't
299 decide whether to opt out, on behalf of the villages, but the way the law is
300 set up, the Town will get a percentage of the sales tax from these
301 establishments that that exists in the incorporated villages. The first - the
302 initial concept is that there will be an agreement that will be worked out
303 between the Town and the villages about what that distribution would look
304 like. But if there is no agreement in place it just gets split 50/50. So that's
305 how the that remaining 3% would break down if there's no agreement, I
306 think, ideally, the municipalities if everyone decides to opt in and work
307 together would come to some sort of arrangement that makes sense for all
308 of the constituents. But that's basically what this what the state says and
309 what the law says. But what's - so two things to note about those - the
310 taxes - the revenue from those taxes: while, on the state level it is regulated
311 how the sales tax can be spent there is no comparable restriction on the
312 local level. So there's the Board can decide how you think it should be
313 spent, how would be most appropriate to spend it if it comes in the future
314 right if this is only happens if you do end up having one of these
315 establishments that's generating the sales revenue. But there's no set
316 restriction on how it can be used. But - for and with respect to the villages.

317 You only get this revenue, if you do opt in so if the villages were to opt in
318 and the Town opted out, the Town wouldn't be entitled to any of the
319 revenue from the villages and, obviously, the Town wouldn't get any
320 revenue from any establishments in the Town, because you opted out so
321 that's - and Valerie came on about halfway through so hopefully she can
322 jump in if - if she thinks I missed anything or misspoke. But that's pretty
323 much all I have as far as just a background of - of what we're looking at in
324 terms of what the Board's considerations are.

325 Dana Levenberg: Okay, so just thank you so much for that. I think it was
326 great, really clear, lots of - I have one quick question for you and I know
327 we're gonna have lots of other questions and lots of time for public, but just
328 to - I think something you said at the very beginning was that the locality
329 can add additional regulations about home grown also. Is that true?

330 Christie Tomm Addona: Yes.

331 Dana Levenberg: Okay, and I don't think I realized that. So that's, okay
332 good to know. And then I think that we do know a little bit about some of
333 the State related um let's just call it the zoning for lack of better word in
334 terms of where what - what they can't be too close to what they can be you
335 know advertise to close to. So I'm going to just turn it over to Valerie for
336 anything that you wanted to add in about that or anything else that you
337 think - even though you don't exactly know what - what Christie covered,
338 but most of - you did hear most of it, I think. So there's anything you wanted
339 to add.

340 Valerie Monastra: Right, no. I was just gonna say I think once - and
341 Christie's right - once you are ready to move forward in your discussions,
342 one of the things we will look at are particular zoning districts and you know
343 whether you want to you know while there is that you know buffer area
344 between the establishments and like schools and house of worships you
345 can always extend that as well. Or include maybe put some other potential,
346 for example, like nursery schools. They don't necessarily fall under the
347 school definition according to Department of Education, so if you actually
348 look at the regulations and Christie - you will probably you know we'll - we
349 can talk a little bit more that detail. But there are certain things that might
350 fall through loopholes, we can identify those and make sure that there is
351 that kind of buffer area between those uses and other sensitive, you know

352 establishments. And then I think, also in terms of you know, other things
353 that you're going to win on consider which is dealing with security, lighting,
354 fencing. You know there's other elements that might come into play that
355 you're just going to want to make sure that you know either your zoning
356 code already discusses those, some of those items, or that you consider
357 incorporating those into your zoning regulations.

358 Dana Levenberg: Okay.

359 And then I guess the other thing that is you know would be interesting,
360 would be to have a sense of if anybody knows yet what a sort of a - an
361 estimate of what would a dispensary have the potential to earn. So we
362 could get some sense of you know even what income we're talking about.
363 Whether or not you like there and I think it's just good to have all of our
364 facts - so I'm hoping that I actually reached out to our one of our state
365 legislators today to see if we could get some information about you know if
366 they have any - any estimates or guesses of what a dispensary...

367 [Christie Tomm Addona raises hand]

368 Dana Levenberg: Oh, Christie Tomm Addona.

369 Christie Tomm Addona: Sorry. I don't mean to interrupt you, and this
370 probably isn't necessarily specifically what you're looking for, but when I
371 had been researching this and looking into it, I did see some sources that
372 were saying that once the - the system is fully operational and every you
373 know the licenses start running and the dispensaries are up and running
374 the state was estimating that it could generate close to 350 million - 350
375 million dollars a year, and that would generate \$75 million for local
376 municipalities generally. So that's just I don't know what that means on a -

377 Dana Levenberg: Yeah.

378 Christie Tomm Addona: - on a big numbers basis, and I think that'll
379 certainly vary -

380 Dana Levenberg: Right.

381 Christie Tomm Addona: - depending on the type of establishments and the
382 sizes of them, but just on a on a big picture scale that was that was what I
383 had seen.

384 Dana Levenberg: Right yeah, yeah, no, I definitely know that some of those
385 big numbers are out there, but I was wondering if any of the smaller
386 numbers are out there, so that we could get a sense, you know, also in
387 addition to understanding just what is a local impact on cost, and you know
388 how might some of that if we decided not to opt out, if you know that's what
389 that the Community supports and we have a sense of what will - what -
390 what's it going to cost us what's you know what there's nothing that doesn't
391 cost something, and certainly you know there - there's a potential that there
392 are enforcement costs. And that there could be other - other costs that are
393 unknown to you know traffic, infrastructure, road costs, or whatever. Like
394 you know we don't really know what that might look like and having a sense
395 of what revenue could look like, either because we haven't opted out, and
396 both villages were to get dispensaries but none in the Town, or the Town
397 where to have a dispensary and none in the village, or somebody were to
398 have you know smoke - whatever lounge or something like that you know I
399 think it'd be good to have a sense.

400 Valerie Monastra: [UNCLEAR].

401 Dana Levenberg: And that would be good to have a sense about at some
402 point is what our Villages are planning to do ever thinking about doing
403 because that would also be something that can inform us, in addition to
404 what we're hoping to hear tonight, which is the public and what they're
405 thinking.

406 Valerie Monastra: I -

407 Dana Levenberg: So - I'm sorry, yeah go ahead Valerie.

408 Valerie Monastra: I just want to [UNCLEAR] just note one other thing.
409 Because as Christie mentioned, you know it's really the only two of uses
410 you get to regulate are the onsite consumption and the retail dispensary's,
411 but there are potentially other marijuana licenses that could be you know
412 distributed within your - within the Town that you do not get regulate, that
413 it's preempted. Like, for example, a marijuana nursery, you know so - or
414 distribution. So there are other you know, so these are things that as we dig
415 into the zoning code as much as we can't regulate those we can also still
416 look at some of your other like you mentioned some of the other effects that
417 could potentially, you know, affecting the within the Town - that we could

418 potentially regulate generally in a particular zoning district, not necessarily
419 targeting marijuana - specific marijuana user license.

420 Dana Levenberg: Right and the other thing that I understand is like you
421 can't zone it - you can't zone it out. Like, in other words you can't opt in and
422 then –

423 Valerie Monastra: No.

424 Dana Levenberg: - make it so you can't have dispensaries anywhere -

425 Valerie Monastra: No.

426 Dana Levenberg: - you zoned it all out –

427 Valerie Monastra: No.

428 Dana Levenberg: - like because you know -

429 Valerie Monastra: However, this isn't the first state that has done this. So
430 you know, I mean there are a lot of you know, there's a lot of information
431 out there about the issues that other states have encountered, have not
432 encountered based upon different regulations that they put in place. And so
433 there is a lot of data out there, which is also helpful, now that you know
434 New York, is it the first State to do this so that will also be helpful to the
435 Town as well.

436 Dana Levenberg: Okay. And -

437 Liz Feldman: I will say - I'm sorry.

438 Dana Levenberg: Go ahead. I just want to say the Village - the village of
439 Ossining did have Town Hall a week and a half ago, I guess, or two weeks
440 ago. And so I just want to make sure that you know people who are on this,
441 if you hadn't seen that - that you know it's opportunity to also hear from
442 other residents in the in the Town who have opinion, so it's good to watch.
443 But go ahead, go ahead Councilwoman Feldman.

444 Liz Feldman: I'm just wondering which state is most like our state. I'm
445 guessing maybe it would be Massachusetts that we would look at for
446 comparisons and what they've gone through and what the implications and
447 the challenges and - and revenue that they've gotten. I thought that might

448 be the one do you have any idea if that's the one that would be most like
449 us? I don't think it would be Colorado but...

450 Valerie Monastra: No, it's not Colorado. Um no, I think I think
451 Massachusetts would be a good example. But I also know that Colorado,
452 California, like... Oregon - a number of those - Washington - number of
453 those States have had you know have thought particular zoning restrictions
454 were a good idea, and then they turns out that they you know in the long
455 run it turns out, it wasn't advisable, as you know, as they initially thought.
456 Like, for example, like one States specifically said, all you know marijuana
457 use should go in the industrial zones will soon enough they realized putting
458 everything in industrial zones also put them in areas of you know, low
459 economic, high minority areas not you know not realizing that that was
460 going to be a consequence, you know. So there are things that you know
461 other states have learned over the years, to try to prevent and we will
462 clearly identify those elements as we look at the zoning and potential
463 regulations.

464 Dana Levenberg: Okay, are there any other questions from Town Board
465 otherwise or if everybody's okay, then let's go to the public. Alright, are you
466 ready to do that?

467 Victoria Cafarelli: Yeah -

468 Dana Levenberg: Okay, great.

469 Dana Levenberg: So with that I'll open it up to anybody who's here who
470 would like to speak and we're going to play it by ear, but you know at least
471 you can have at least four minutes for right now. How about we say that?
472 We'll start with four minutes we don't have a lot of people in the audience
473 who look like they're necessarily here to speak. Might you might have to
474 observe, but if you were - are here to speak let's start with four and two you
475 know we're going to be liberal. Okay? So if you want to reserve virtual
476 hand, so that we can unmute you and hear from you?

477 Victoria Cafarelli: I just want to note, I think we have at least one person
478 calling in over the phone if you dial star nine from a phone that is the same
479 as raising your hand. So I just want to note that, if somebody's calling from
480 her phone and would like to speak, if you dial star nine we will be able to
481 see your raised hand. Otherwise, people can use their computer screens

482 usually under the participants screen. Or in the upper right hand corner if
483 you're using an iPad or similar device.

484 Dana Levenberg: No? No one?

485 [SILENCE]

486 Dana Levenberg: No? Nobody? This is we're giving you an extra-long time
487 to say something. We're gonna have to do this again.

488 Victoria Cafarelli: Star nine.

489 Dana Levenberg: Okay. Star nine? Yes, no?

490 Liz Feldman: I'm sure everybody went to see the fireworks.

491 Victoria Cafarelli: Yeah.

492 Liz Feldman: I think a lot of people are waiting -

493 Dana Levenberg: It's early. It's a little -

494 Liz Feldman: - for the fireworks.

495 Dana Levenberg: - early for the fireworks. It's only eight o'clock it doesn't
496 get -

497 Liz Feldman: Fine.

498 Dana Levenberg: - dark - dark -

499 Victoria Cafarelli: Is it dark out yet?

500 Dana Levenberg: It's not dark yet.

501 Victoria Cafarelli: Oh, there we go.

502 Dana Levenberg: Oh. Okay.

503 Victoria Cafarelli: Okay. I need to allow you to talk. You'll just have to
504 unmute yourself, and you can start talking.

505 Nate Koch: Hi everybody. How's it going?

506 Dana Levenberg: Good. And how are you, and thanks for raising your
507 hand.

508 Nate Koch: Someone's got to do it right um, I just wanted to say I am for
509 allowing both types of establishment in the Town of Ossining. Personally, I
510 think the zoning is a good consideration to just figure out a local way. Feels
511 like it's a way to employ the fact that we all know a lot about our community
512 in areas that may feel more or less appropriate - just thinking, like my son is
513 at the Ossining Children's Center on State Street which I assume is not as -
514 like it might be as a DOE school - but you know would be interested in
515 something like that not being immediately near a dispensary or - or an
516 onsite consumption. And I think alongside with zoning I'm not sure if it's
517 possible to do this, but to have some amount of guidance about the type of
518 signage for these types of establishments I'm just thinking in New York City
519 it was sort of overnight when CBD became a rage and it was like every
520 single window and every bodega was like a very bright fluorescent light
521 advertising these kinds of things. And I'm all for people getting their CBD
522 on but it feels like if it's possible to have some sort of tasteful guidelines...
523 I'm almost thinking of in the state of Connecticut I think they call them what
524 package stores or things like that it's like a little bit of a nom de plume
525 something like that that we can employ, feels like a good move. But
526 ultimately I'm hopeful that the Town was this for what you said Christie is
527 just a great way to embrace minority ownership, which feels very much in
528 line to me with the ethos of the Town of Ossining supporting people from all
529 sorts of different backgrounds in a way that is okay for the Community. So
530 thank you for letting me speak. I appreciate it.

531 Dana Levenberg: Thank you for speaking and very thoughtful comments,
532 we appreciate. Thank you for that, especially somebody with a young child
533 so interesting to hear that. I actually do think the Children's Center because
534 they - they do run pre-K program for the school district probably is
535 regulated by the Department of Education. Just a thought - I'm not positive.
536 But anybody else who would like to hop into this conversation and share
537 your thoughts on legalization, opting in, opting out - well not legalization
538 because that's too late for that one. But opting in or opting - not - not opting
539 out - yes opting out for the Town. Some new people are joining, so if you
540 have any opinions that you would like to share with us we're - we haven't
541 had a lot of hands raised. So anybody who might have just joined and
542 wants to raise their hand and say anything. What you think and why you
543 think it, perhaps, to give up to give the Town Board some guidance. [It]

544 would you welcome. Give another couple minutes for people to not be shy.
545 Do-too, do-too, do. How you doing Liz? Jackie, good? Everybody good?
546 Hey Christie, I know I'm using first names just because I'm trying to be
547 conversational. Just giving everybody a chance... Anybody's there - I know
548 there's at least one person that I know spoke up at the Village [of Ossining]
549 meeting so if you want to speak up at the Town meeting raise your virtual
550 hands sir. No?

551 Liz Feldman: We will of course take into consideration what the Village [of
552 Ossining] –

553 Dana Levenberg: Absolutely.

554 Liz Feldman: - Town Halls' participants said as well I'm sure.

555 Dana Levenberg: Hundred percent.

556 Victoria Cafarelli: Okay, Jermain I'm going to allow you to talk you'll just
557 have to unmute yourself when you are ready to start.

558 Dana Levenberg: Welcome.

559 Jermain Smith: Hello, how's everyone?

560 Dana Levenberg: Good how are you?

561 Jermain Smith: Good, good. I just I've been going back and forth with this
562 and having a conversation with this for a while. I'm not in favor of opting
563 out. I think that we should opt in, and I think as diligent as a Town, we
564 should do our due diligence and put in requirements and zoning that
565 restricts, you know, how and where the dispensaries operate. I think this
566 has been a long going conversation for years. The law and stuff that they
567 put into effect, you know, then having these conversations about what that
568 doesn't do. This law puts into effect the Board and establishes some
569 guidelines to put in some of those stipulations, that put in some of the
570 mechanisms it's going to lead to those conversations. I think by opting out
571 we - we kind of kick that can down the road and we're not part of that
572 conversation. We have people that are willing to because conversation now
573 and should have been part of the conversation for at least a year or so now
574 within Ossining and probably longer just in general. I think that the Town,
575 as well as the Village [of Ossining] should putting to put into law or
576 mandate that any shared revenue from the sale of marijuana or

577 dispensaries whatever is should be used towards efforts to use prevention
578 and use into the categories that's around the use of marijuana. And
579 keeping minors from using it. I don't think this is going to be this free for all
580 because - one I don't think our Town or Village supports having you know
581 this random pop up of dispensaries around that it's going to be able to
582 sustain. So I don't think we're going to have this influx - marijuana's been
583 used - I'm not gonna - I graduated 92, I believe, and they were using
584 marijuana in school then. So that this law and things that they're - not
585 putting into effect that it's not going to change the behavior of - of the kid -
586 the kids that are smoking it now. And I think if we partner with some of this
587 and get some this revenue potentially could help to educate - use
588 education and prevention efforts. So I'm hoping that that is something that
589 we can put into writing and put into law and just not have this free for all
590 where that money can be used for something else by the Towns and
591 villages that comes in for the revenue. You know I'm - I'm trying to read
592 through the law now and those is 128 pages, I really wanted to pay
593 attention to what's taken out as well as what they're putting in. So I can't
594 speak directly to the law. But from what I've read so far, a lot of it in the
595 beginning stages is putting a lot of these mechanisms and Boards and
596 commissions in place. And that's one reason I know, one of the things
597 we've been talking about is what it doesn't say what it doesn't state. But
598 part of that is putting those things in place, to have those conversations,
599 putting the people in place to have those conversations. And I think as a
600 Town Board and as a Village Board, we should be able to control that
601 narrative from within and not wait for them to do it. Opt in, do our due
602 diligence, put the zoning in place - not around schools - within you know if
603 we say not within 1000 or 2000 feet of a school, district, or a facility that
604 has children present. Put it in that it can't be within 2000 feet of each other
605 for dispensaries or whatever recreational use facilities there are. And then
606 that limits to the scope of how many can have in the Town and how many
607 you have in the Village. So are we take ownership of what that but what
608 they had done at that point. And I just think we're - we're spending a lot of
609 resources and effort on this conversation of opting out instead of the effort
610 and resources on prevention for use for minors and some of the other stuff
611 that we can be doing. I think you know this conversation its happening
612 because minors are using it. Dispensaries are going up either in Ossining
613 or around Ossining. So a lot of the efforts we should be - spent all these

614 man hours spent on the conversation opting in opted out, should be used
615 on zoning should be used on laws and prevention for minors and I think - I
616 think that's the direction we should go in. And I mean for the most part, I
617 think that's it. I'm not a user. I'm not in favor or opposed either way. I just
618 think this is happening regardless. And I think we should be - do our due
619 diligence to all work now and to be ahead, instead of, you know, kicking
620 that can down the road and then not knowing who's being that conversation
621 a year or two years from now, when we decide up, then I think you should
622 do all the work now and get the things in place that we need in place to
623 make sure we control that narrative. Thank you guys.

624 Dana Levenberg: Thank you. I almost want to like toss a couple questions
625 back at you just because I'm curious. It's not our style but I'm just - just -
626 would you - are you willing?

627 Jermain Smith: Absolutely okay.

628 Dana Levenberg: Just out of curiosity like if, for example, we were the only
629 - two Towns in Westchester. I'm just going to pick out Ossining and -
630 Ossining and Peekskill - but if we were just the only two Towns in
631 Westchester, which I know it's not going to happen so I'm sure Yonkers,
632 White Plains, you know there's going to be - there's going to be other
633 Towns [UNLCEAR]. But what if we were the only ones in the area that did
634 allow it, how - how would you - how would you feel if that were the case?
635 And I'm not saying it is or it isn't but you know if I hear a little chatter, like
636 'okay well we're not going to opt in but you know what that's okay, because
637 we're going to be able to go to Ossining to get - to get, you know, shop.'

638 Jermain Smith: Yeah, you know, my thing is that whether or not - if
639 everyone opts out kids and adults are not to get marijuana regardless. So
640 the fact that I think the industry is beneficial in a way that - it's a brand.
641 When people sell it - its their brand they're worried about the quality of the
642 product that they're selling. When people buy marijuana is on the street
643 they're not worried about that - you're trying to maximize profit, so they cut
644 them with different substances and the thing that you're getting is not as
645 pure as not as good as what's going to be sold in dispensaries. So I think,
646 by allowing them and opting in you having people hear this more worried
647 about the quality of the product being sold, because at that point of
648 businesses in a research they're trying to make generate revenue from. As

649 opposed to they're getting as much maximizing the profit that they get from
650 this thing while they can. So I think - I'm not - what I'm saying, as far as far
651 as they're going to get it regardless is either legally or illegally, so if we're
652 the only two Ossining and Peekskill or Tarrytown whatever that is, then
653 that- so be it. But at least as if we're the ones that are controlling that
654 conversation and we're the ones that put in laws and regulations in place
655 that - if we are the only ones opting in that yeah, we will only have one
656 dispensary, we only have this, when we have that. We're putting in those
657 conversations those mechanisms to control what is here. Because like I
658 said they're going to get it regardless, but at least we control that revenue -
659 that - that - that the - the narrative of where and how many we have. But
660 getting that additional revenue coming. Because one of the things we
661 always say as a municipality, as a Town is 'our resources are limited,'
662 'budget is limited.' So this is an opportunity in addition - get something
663 that's going to benefit the community as a whole, as far as the revenues
664 generated from that for something that's already happening. And -

665 Dana Levenberg: Actually that's one of the reasons that I'm asking the
666 question that I did, which I don't think you heard, but right which is 'what is
667 our estimated revenue for a community,' and you know, so 'how much is
668 3%' or whatever - percent of 3% of that what could potentially be generated
669 from - from sales from just say one or two dispensaries or allowing
670 something like that. And you haven't did you did you weigh in on both? You
671 think that they're both good? Dispensaries and lounges or - or -

672 Jermain Smith: The lounges... I'm not - you - I haven't had that - I'm really
673 more of the dispensaries. I think lounges I think is just like the bars and just
674 like everything else. I think if people using opportunity to use anywhere
675 else, and you have to regulate that just like you do with alcohol, just like
676 you do anything else that that happens, in municipalities. You know, we
677 have bars and one of the things that can [UNCLEAR] with that is that you
678 know when people start using marijuana and you go to these lounges and
679 then they're going to be driving home. But it's the similar to the
680 conversation around alcohol, you have these bars we have how many bars
681 in Ossining and people go in and drink alcohol and then do they drive home
682 drunk? So now you have we already have law enforcement place that
683 monitors people for driving under the influence and things like that can we
684 change to tell the blood alcohol level of marijuana and right now? They say

685 no. But you know when someone's operating under the influence so the
686 arresting people for that and there, you know that when they see someone
687 swerving and seeing someone driving erratic you - you arresting that
688 person you. You're stopping that person you observed them and you say
689 okay I'm arresting you for driving under the influence. So that that happens
690 currently. You know the lounges I think that just going to be something that
691 happens. I'm probably not as in favor of having a lounge here but again, as
692 a business how am I - how am I going to say that someone who has a
693 license to operate a legal business similar to a bar is similar to the anything
694 else, which to me does a lot more damage than marijuana - alcohol. But
695 you know we've all those to operate in and I don't know how many how
696 many facilities we have here in Ossining but you know I just think. I'm more
697 I think the dispensaries is something that I've been having a conversation
698 around more but I'm not opposed to dispensaries. I mean the - to the
699 lounges.

700 Dana Levenberg: Okay, thank you. Okay -

701 Jermain Smith: I just think - I think we just have to control - I think we have
702 to put the mechanism in place in that some of that revenue also you know,
703 whatever that revenue is you know someone probably better to speak to
704 those numbers can also go to the devices and equipment that's needed for
705 law enforcement to do their job. So they need new things to be able to
706 analyze the molecules and slide or blood or whatever, that is, as they're
707 pulling someone over that that can be something that's not a burden now
708 on the municipality at that point that that could be generated from this
709 industry itself. Similar to what cigarettes [UNCLEAR] does with their with
710 the additional taxes and things like that.

711 Dana Levenberg: Sure. All right, fantastic Thank you so much for your
712 comments and thank you for waiting and we really appreciate it. And is
713 there anybody else from our public who would like to be recognized and
714 has an opinion that they would like to share with the Town Board this
715 evening? Still have a few people um I don't recognize you and maybe you
716 came to the comment, so let me give you a couple more minutes to get
717 brave. We're friendly - friendly folk we want to hear from you.

718 [SILENCE]

719 Dana Levenberg: Really, really, really. Really and truly. Anybody? No.
720 Potential future Board member? Town Board member, you don't want to
721 say anything?

722 Liz Feldman: He's not that silly.

723 Dana Levenberg: He could just have a question. You can even have a
724 question. Do you have a question for the Board to consider? A direction for
725 us to consider? Okay. Oh.

726 Dana Levenberg: Okay, it's Jermain. Okay, go ahead.

727 Jermain Smith: I'm – I'm trying to help the conversation. I don't know, have
728 you guys considered doing anything where mandate - where within the
729 conversation around what was going to be written in law or charter,
730 whatever it is that's going to say that that money has to be used towards
731 prevention. Has that conversation come up in your meetings?

732 Dana Levenberg: Well, this is kind of our first public meeting that we've had
733 about this. We have only asked for some direction from Council up until this
734 point and we haven't really had - this is - this is the launch for us to talk
735 about this so I know I personally think that that is an important
736 conversation: to figure out how any revenue that would come in from this
737 would be spent and how it could be back - directed back to specifically to
738 the Community, whether or to youth activities to prevention. You know, lots
739 of good ways that we could consider putting this to use - it use it. And
740 actually as you were speaking it did make me think that maybe in fact we
741 would put in place some kind of group that would help the Board and give
742 direction to the Board about how the money should be spent. And - or you
743 know. I know we love - love committees, maybe we would come up with if
744 you know, depending on who doesn't opt out, or whatever should happen,
745 whatever does happen with any kind of referendum if we end up with this
746 being legal - you know dispensaries and/or lounges being legal in Town
747 and Village - Villages then it would be great to have some thoughtful
748 conversations around specifically how the money is spent and also you
749 know, obviously, obviously the zoning conversation will come up. I think it's
750 an interesting time for us, while we're happened to be in the middle of this
751 Comprehensive Plan for either - either a Comprehensive Plan to consider -
752 consider it as well. I don't know about the timing of that if that's going to be
753 quite soon enough for us, but I guess it would be for zoning point - point of

754 view, if we do not opt out, but um you know there's a there's a lot to think
755 about. And it would certainly be helpful if people who are very engaged
756 either in protections for you know for youth or education or law enforcement
757 or all of the other pieces that might contribute to better outcomes for
758 everybody that if - if those - if people could be engaged in the conversation
759 to help direct Boards into how we can spend the money best.

760 Jermain Smith: right. And - so that - I mean speaking towards and that's
761 one of the things which you just mentioned about having that conversation
762 about the Comprehensive Plan. So opting out and then putting that
763 conversation down the road that excludes from including elements of this
764 conversation in a Comprehensive Plan. So that's what I mean by doing our
765 due diligence is now. To have these conversations now while we put this
766 Comprehensive Plan together and trying to finalize it. The put the
767 conversation on the forefront of the long term plan for the Town and the
768 Village. And so I think those elements are some things that have to be
769 discussed now. So I think that's part of what I was just talking about as far
770 as that that's not kick this conversation down a road we're putting together
771 these elements to the form and shape what the Town and Village is going
772 to look like so let's have that conversation, while we have people this
773 conversation at the forefront. So that's one of the things that I really think is
774 important, the other element that I think is – is a –

775 Dana Levenberg: Can I just say one thing about that? Before you go to the
776 next element? Okay. What I want to say is that even if - even if we choose
777 to opt out it's my it's my feeling and I can't speak for all the Board members,
778 but right now, my feeling isn't that this particular Board is like really hot and
779 it on the idea of opting out completely. But some people may want and
780 we've heard from you know, certainly at the village meeting you know may
781 want more time to think about this. However, no matter what we do, my
782 impression is that at some point in the not too distant future it's going to be
783 something that will be allowable either in the Village [UNCLEAR] or the
784 Town. And I'm not going to see when, but no matter what it makes sense
785 for it to be considered part as part of the Comprehensive Plan, even if we
786 decided to opt out. It seems to me like the reason to opt out will just to be
787 buy to buy us time to put in place some zoning and some regulations that
788 makes sense that we think you know, would make sense for the Town. So
789 that would be, in my personal opinion, the only reason you wouldn't you

790 know to opt out, is to make sure that you get everything right and - and so
791 there's no reason that you wouldn't consider - have those considerations
792 now as part of you know just new law allowing these types of
793 establishments.

794 Jermain Smith: And then the other part of that conversation, which always
795 comes up and I don't know if opting out is going to help you with that other
796 this law will help and some of the mechanism is that social justice and
797 equity in around the whole industry around criminalization so they -they
798 were moving a lot of elements around criminalization. We pretty much
799 know that the equitable part it's not going to come from allowing people of
800 color and black owned businesses to be within the dispensaries because
801 they just you have to have a - you know, an enormous amount of money so
802 it's not, I think people in Ossining in general is probably gonna be
803 somewhere outside. Because it's this I think 210,000 or something just to
804 get the licenses to operate the start that this conversation around having a
805 business and then that's not including the location and build out and all
806 other stuff. So I think part of that conversation and again this it should have
807 been something that's been talked about for a while now, because this
808 conversations going on the table for years across the country and within
809 the last couple years in [UNCLEAR] and Westchester County is how can
810 we look at the equity element of you know, this whole conversation beyond
811 just the decriminalization of it. You know where's what's the next step in
812 that so what's the aftermath of having a dispensaries. And I think a lot of
813 people were saying opt out because it doesn't benefit the community as a
814 whole, as far as the - the minority community Black businesses, Hispanic
815 businesses, and things like that, as well as just the community in general.
816 So I think that having that conversation around potentially also whether that
817 revenue help in that element. So it's just it's a lot within that conversation,
818 but I think that that social justice element in equity and just the whole entire
819 conversation around cannabis and, in general I think that's something else
820 we should - we should have been talking about. So again I'm not in favor of
821 opting out I just think it lends itself, and I think that may be my perception
822 just dealing with municipalities in general is that it's always - and it's
823 something I wrote about - is we always have that all we understand, will
824 you know we're not going to talk about now we'll talk about that later or this
825 next time it's always, especially with communities of color, especially with

826 and when we're having conversations, especially around the black - the
827 Black Community - Black and African American community. We always -
828 we always get that but you know, we can't have that conversation, now we
829 have that conversation later and then later comes and were excluded from
830 that conversation. So I think it's part of that is that lack of trust with
831 municipalities as well, we have people engaged and willing to have this
832 conversation now and - and set the forefront that's another reason why I
833 don't want to opt out, is I think that we - we are here. Let's have this
834 conversation, while we have the ability to because I think when
835 municipalities push that conversation down the road then it starts excluding
836 people that should be part of that conversation, so if we do opt out at some
837 point. Like, we have to be diligent about including all communities in that
838 conversation, and not just do like closed door, you know Village and Town
839 only meetings we have to come to the Community as a whole. And I know
840 I'm talking a lot, so I'll put my hand down.

841 Dana Levenberg: Okay. Thank you.

842 Liz Feldman: Thank you for your comments.

843 Dana Levenberg: Really appreciate it. Okay, so is there anybody else here
844 who'd like to address the Town Board? You can raise your virtual hand,
845 we'll recognize you.

846 [SILENCE]

847 Dana Levenberg: Anybody? Anybody on the Town Board who wants to say
848 anything, while we wait for people to not be shy?

849 Liz Feldman: I think you know I think we need to hear what the Villages are
850 doing as well, I mean it really impacts what you're telling decided if both
851 Villages opt in and the Town opts out, then we lose a tax revenue for no
852 apparent reason.

853 Dana Levenberg: And what if one and one?

854 Liz Feldman: Still lost revenue.

855 [SILENCE]

856 Dana Levenberg: I'm just I'm just being silent to wait and see if anybody
857 else has anything else they like to say.

858 Dana Levenberg: Councilwoman Shaw have anything you want to chime in
859 about? Thoughts, questions? Anything you got going through your head
860 that...

861 Jackie Shaw: There was a lot of information, I was actually looking forward
862 to hearing what the public has to say. I did view the village meeting, and it
863 was really interesting so I'm still percolating. Still it's - it's a lot of
864 information. So I guess I'll wait and see, I mean it's - this is our first
865 conversation about it in public forum so I'm looking forward to others, and
866 thank you Christie gave a lot of great information.

867 Liz Feldman: yes, thank you.

868 Dana Levenberg: [UNCLEAR]. The only thing I will say about the timing
869 that you just brought up, Councilwoman Shaw is that even though you have
870 until the end of the year - and I actually this was another question, I was
871 going to ask Christie. Is - it say we just decided - I'm just going to you know
872 we decided - and we have to go through the whole local law process right,
873 so the local law has to be adopted by December 31st? Is that true? So say
874 we adopt the law by December 31 and it's adopted but there's still this
875 permissive referendum piece that would come after we adopted the local
876 law. Does it come in between? Like they know that we talked to - that I've
877 heard that you know we needed an earlier date so, for example, if a
878 permissive referendum were to be successful in getting enough signatures
879 to get a referendum on the ballot and we were hoping to save money and
880 we wanted that referendum to hit the ballot in November, for example. I'm
881 just saying, if that were the case. And that - so then we need to know by
882 July? Is that - what's the timing for that?

883 Christie Tomm Addona: So yeah a lot of things would need to happen. So
884 first there would have to be a local law to opt out, and then there would
885 have to be the 45 day - so the permissive referendum aspect only comes
886 into play if the Town Board does decide to opt out. If you do nothing, and
887 just stay in there's nothing to do petition on that would facilitate the
888 permissive referendum. So the permissive referendum only potentially
889 comes into play, if the Board does adopt a local law to opt out. Then you
890 have the 45 day period during which there would need to be a petition
891 signed by 10% of the amount of people who voted in last gubernatorial
892 election. Only -

893 Dana Levenberg: One, I'm sorry, is it just back up to the one piece that I'm
894 still not hundred percent sure about. Because before we get to the 45 days,
895 is the local law now fully adopted so it's gone through this public hearing
896 process a number of times we've kicked it down a couple of times and
897 we've now had you know, a couple of meetings and public hearings and we
898 adopted as a local law, and then the permissive referendum? Or is it in that
899 public hearing process? How did that work?

900 Christie Tomm Addona: The 45 day period for a petition to be filed starts
901 with the adoption of the local law.

902 Dana Levenberg: Okay, okay, got it. Okay, just double checking. Okay so
903 keep - alright so 45 days and then go ahead. I'm sorry.

904 Christie Tomm Addona: And then the petition would have to be filed, it
905 would have to be determined to be valid to have the - the adequate number
906 of voters who are eligible to vote in Ossining. And then only if that happens,
907 does it get put on a ballot for an election. And if the timing doesn't match up
908 with a - with the General Election, then there's always the potential for
909 holding a special election. But the - the deadline is - the deadline for the
910 local law is December 31st. That is the deadline.

911 Dana Levenberg: Again, so - so see we did adopt the law by December
912 3st. And then the 45 day clock starts. It's - it's - I mean if it passes if it
913 doesn't then whatever happens would just happen in that next year, for
914 example. So you could still decide by December 31st that you wanted to
915 adopt - I mean they have a local on place and then the clock starts ticking
916 for that permissive referendum. You don't have to have the vote doesn't
917 have to have taken place before December 31st.

918 Christie Tomm Addona: That is -

919 Dana Levenberg: Okay.

920 Christie Tomm Addona: And again if there is only a vote if you get that
921 petition with 10% of the - the amount of voters pretty much objecting to the
922 Board's decision to opt out.

923 Dana Levenberg: And is there a deadline for when the vote would have to
924 take place? When the referendum has to actually take place, after?

925 Christie Tomm Addona: I mean there's - there's timelines and election law if
926 - if we get to the point where there's a petition filed thus triggering the
927 permissive referendum. I believe it's not less than 60 days from the date
928 the petition is filed but um you know that's something we would have to
929 look at if we - if we end up crossing that bridge.

930 Dana Levenberg: Okay just curious. Okay. Other questions from the Town
931 Board? I'm going to give one more shout out to the - to the public and then
932 I'm going to close the conversation and we'll move on. Is there anybody
933 who hasn't had a chance to speak, who would like to say something? To
934 raise your virtual hand? Questions suggestions thoughts? Okey dokey. In
935 that case, thank you, everybody, and we will continue to talk about this and
936 probably have a work session to discuss where the Board is thinking - in
937 what direction we would like to go. Get some more feedback, maybe a
938 couple more - I'd like just to know what this potential revenue that we're
939 talking about is, and is it worth it. I mean there's you know a lot of talk
940 about revenue and what that money can do. So I'm just curious what, what
941 can the money do? And we don't necessarily have a great sense of what
942 the costs are you know are to the municipality, and I think that's also
943 information, we probably could get from some other municipalities in other
944 states that have gone through this. And I think that that will also be helpful
945 for our conversation it's not all about the money, obviously, but money is
946 certainly a piece of the conversation. And I think the piece of it that Jermain
947 brought up in terms of equity and making sure that the money is distributed
948 fairly and that sales also and - sales revenue also and businesses can
949 benefit that's very important part of this conversation as well. Not to
950 mention all the other factors that really we didn't talk a lot about to me but...
951 So with that thank you all for your participation. Next up on our agenda is a
952 discussion of our proposed Community Development Block Grant
953 applications, which I'm going to turn over to Victoria Cafarelli who's going to
954 give us a brief overview and also, as you have seen Valerie Monastra our
955 Town Planner has joined us. She will hopefully be able to add a little bit
956 more of the conversation. We're going to be holding a public hearing on the
957 final scopes and budgets for these applications next week at our Town
958 Board meeting. So the conversation will continue, but with that I'm going to
959 turn it over to Miss Cafarelli.

960 Victoria Cafarelli: Okay. Thank you, so the last time - since the last time,
961 the Town Board discussed our proposed applications for this round of
962 grants, our consulting engineer Dan Ciarcia and our Water Superintendent
963 Andy Tiess have been out to the park for a site visit with sort of in the back
964 of their heads, what some of the proposed projects that we have discussed
965 and kicked around. When they went for their site visit they did report back
966 to us that they determined the rip wrap was actually in good condition and
967 was not need in need of any repairs or replacement at this time. So they
968 recommended we sort of push that advocate proposed application to the
969 side and focuses said on the relocation of the bathroom facilities, as well as
970 the restoration and rehabilitation of the fishing piers. So we then also spoke
971 to the County because, obviously, there are a major partner with us with
972 this funding source about you know how - how best to phase these
973 applications given, we have the opportunity to apply for up to four
974 applications with up to a total of \$1 million in grant requests so about
975 \$250,000 for each application over the course of the three fiscal years in
976 the CDBG cycle. So they recommended to us for the bathroom projects,
977 because that is going to be quite extensive to move the existing bathroom
978 facilities to the other end of the park closer to the beach. They recommend
979 that - recommended that we break that into two projects, the first for the
980 demolition of the existing structure and establishing the necessary
981 infrastructure to the new facility in year one. And I'll just remind the Board
982 that CDBG years run from May to May, so when we talk about year one,
983 this could potentially be in the late fall of 2022. With then in year two for the
984 second phase of the project to actually lay you know sort of drop this prefab
985 new bathroom facility in the spring/summer 2023 so even though it's two
986 years it's not really to park years per se. Then, also in year three to focus
987 on the rehabilitation and extension of the fishing piers at Louis Engel Park.
988 While we were discussing this with our parks foreman and our recreation
989 superintendent earlier this week, it was sort of pointed out that if we do
990 relocate the bathroom facility entirely to that end of the park that bathroom
991 facility would not be accessible A) during fireworks celebration, also for
992 some of the uses that are more close to the northern end of the park. So
993 we decided that, for our fourth application, and this probably will be sort of
994 low priority, because obviously the other two projects are higher priority, to
995 consider constructing a new bathroom and sort of kiosk vendor type
996 building sort of similar to what at Henry Gourdine Park that we'd be still at

997 the northern end of the park to be accessed by people who are coming for
998 the boat ramp, people who are coming to the concerts, some of those uses
999 that are focused at the Park, but may not necessarily break up our entire
1000 beautiful view and serve another purpose as an opportunity for a vendor or
1001 concession stand or something to that effect. So we have - we're still
1002 working out the details on the budgets, but we are probably looking at over
1003 these four applicants sort of maxing out our \$1 million grant requests over
1004 those three years and over those four projects, so the Town will be looking
1005 at matching one to one that for a million dollars, but we also do hope to
1006 incorporate into our match some of the in-kind services of our parks
1007 department, as well as some of the design services of our engineer.
1008 Instead of some of the big capital dollars, we will be hopefully sort of
1009 passing that on to the county if they do approve these grant requests. So
1010 that's sort of where we're at right now. Valerie I'm not sure if I'm missing
1011 anything, or if the Town Board had it has any questions about sort of where
1012 we are as we finalize you know sharpen your pencils and finalize the
1013 details here.

1014 Liz Feldman: It's all -

1015 Dana Levenberg: Valerie did you want to add anything? Can we just ask
1016 Valerie? Valerie did you have anything?

1017 Valerie Monastra: No, I don't have anything. Victoria summed it up very
1018 nicely.

1019 Dana Levenberg: Okay.

1020 Liz Feldman: Did Paul ever meet that consultant about LED lighting and
1021 dark skies in the parks?

1022 Victoria Cafarelli: I don't believe they have as part of this particular grant
1023 cycle, but certainly we can raise that back to the - to his list for some other
1024 opportunities in the future.

1025 Dana Levenberg: We do have a couple of other grant opportunities coming
1026 around the bend. So you know we did just learned that - that Senator
1027 Reichlin-Melnick has some SAM grant money [System for Award
1028 Management] to disperse and has asked for some applications, so we have
1029 you know opportunity to come up with a couple of different applications and
1030 ideas for Senator that might seem conducive to that State and municipal

1031 grant funding. That usually takes like you know, a year and a half minimum
1032 to come around. But that - it's - it's a little bit more liberal and there's no
1033 match for that. So we could look at you know we can definitely look at the
1034 lighting as part of that grant, for example.

1035 Liz Feldman: Good.

1036 Dana Levenberg: The other thing that I just wanted to mention and just
1037 remind everybody that you know I don't think that - you did talk about a
1038 prefab bathroom. We were looking at the possibility of mostly, you know,
1039 gender neutral stalls with possibly some urinals to make for a more efficient
1040 use of the space. We talked about the need for outdoor showers, we're
1041 hoping, as I mentioned earlier, that we will have an opportunity to work on a
1042 beach opening in the not too distant future and this is with that in mind that
1043 we would have - most of you know, we would have the facilities down at the
1044 end of the park where there really is the most activity during the high
1045 season. But again, the idea of having a kiosk or something similar, with you
1046 know, maybe one - one bathroom in it at the north end of the park is
1047 certainly something that is you know we'd like, instead of having a plop
1048 another porta potty down there. Because we don't like them and they're not
1049 nice and they're hard to keep clean, because the companies don't tend to
1050 them when they're supposed to. So yeah there's some of our challenges,
1051 unfortunately.

1052 Liz Feldman: So um one other question: Wi-Fi in the park that's like a big
1053 priority. We're working on that separately?

1054 Victoria Cafarelli: Correct that was -

1055 Dana Levenberg: Oh yeah.

1056 Victoria Cafarelli: - we did -

1057 Dana Levenberg: Yeah.

1058 Victoria Cafarelli: - it in under the COVID round of CDBG. We haven't heard
1059 definitively if we've been awarded that funding yet, but we did submit that
1060 application a couple of weeks ago and we're waiting to hear from the
1061 County if they're going to be allocating those resources to us which be very
1062 exciting.

1063 Liz Feldman: And I think that would be - that's one of the things that the
1064 residents as for all the time - that they really like to be able to work down
1065 there. And we just don't have Wi-Fi in that park so... And also, I mean while
1066 we're moving the bathroom, the Village can keep open their little kiosk
1067 bathroom -

1068 Dana Levenberg: Absolutely.

1069 Liz Feldman: - at the north end so.

1070 Dana Levenberg: Yeah.

1071 Victoria Cafarelli: Correct.

1072 Dana Levenberg: Just a little farther –

1073 Liz Feldman: In theory.

1074 Dana Levenberg: - but yes.

1075 Victoria Cafarelli: Yes.

1076 Dana Levenberg: In theory. In theory. Maybe you guys will open up the
1077 door to the OBCC too and let people use that.

1078 Liz Feldman: That's not a theory. Not during COVID. Hopefully we'll be
1079 done –

1080 Dana Levenberg: No.

1081 Liz Feldman: - with that soon -

1082 Dana Levenberg: I'm talking about in a year and a half. We're talking about
1083 you know a year. A year?

1084 Valerie Monastra: Now I'm sure we can probably stage everything so that
1085 there's you know the least destruction possible.

1086 Dana Levenberg: yes. Absolutely, right. Questions discussion? It's a Town
1087 Hall meeting if anybody from the public wants to comment on any of these
1088 – or has any ideas or thoughts. Anyone who loves the waterfront? I have to
1089 say we have a new pollinator garden down at the waterfront right by where
1090 we're talking about at Louis Engel Park, and it is beautiful. Thanks to Zoe
1091 and Alessia and some of their friends in the - hopefully, will be earning their
1092 bronze award from the Girl Scouts soon. But I want to just give a shout out

1093 to them for all the great work, we also had an Eagle Scout project, which I
1094 think has finished now at Sally Swope Park. And that's also basically
1095 pollinator friendly garden, I believe. All of these are non-invasive plants,
1096 they're native species and they attract pollinators and that's something
1097 that's good for our Earth and we are very proud of our community for really
1098 paying attention. Thanks to Margaret Phelan, as well as Donna Sharrett for
1099 their help and consultation and for all of the Girl Scouts' parents who also
1100 came - came out and helped.

1101 Victoria Cafarelli: I also want to note in the in the fields of thinking about our
1102 Earth. Our - since we have our engineer Dan Ciarcia working on this
1103 project, he is evaluating very closely, where the floodplains are and where
1104 the hundred year flood zones are in the park. So where we'd be placing
1105 these structures, you know as he's sort of looking at it and making
1106 recommendations for us for any sort of site improvements that might be
1107 necessary. He is looking at that very closely so we make sure that
1108 whatever we place replacing it in in an area that is - is generally flood safe.

1109 Valerie Monastra: Right and or close enough so that there'd be minimal
1110 regrading on the site, but instead of having to actually put it on pillars, or
1111 those kind of structures.

1112 Dana Levenberg: Exactly. And of course we want to make sure that
1113 everything is ADA compliant and –

1114 Valerie Monastra: Yes.

1115 Dana Levenberg: - family friendly.

1116 Valerie Monastra: Yes.

1117 Dana Levenberg: Some of the things they're talking about is making sure
1118 that there's a little changing - changing station for babies – changing areas.
1119 And I think that's it unless anybody else again has anything? Anybody from
1120 the public, want to say anything? Anything at all – it's a Town Hall meeting
1121 you can talk about anything you want. Do-to, do-to, to-do. So maybe some
1122 questions from reporters? Okay, hearing none. I think I am going to have to
1123 ask permission to go into executive session for advice of counsel,
1124 personnel, and collective bargaining.

1125 Liz Feldman: So moved.

1126 Jackie Shaw: Second.

1127 Dana Levenberg: All those in favor?

1128 Board Members: Aye.

1129 Dana Levenberg: Anybody opposed? Okay, so thanks for joining us
1130 tonight. Hope everyone stays cool these next few days. I hope it stays as
1131 cool as it was today, because this is absolutely lovely no humidity my
1132 favorite. Our next meeting will be on Monday, June 21. Not our regular
1133 Tuesday schedule, because of the final day of in-person voting with the
1134 primary election. Please join us next week, on Monday June 21 for a
1135 legislative session. We are not certain of the impact that today's news
1136 about COVID-19 restrictions lifting will have on our ability to hold remote
1137 meetings. The executive order allows remote meetings at least until July 5
1138 so next week, we will continue remote and we will provide an update as we
1139 get more clarity from the State. Please remember, we are closed this
1140 Friday for Juneteenth. Please remember to vote. Hope everyone has
1141 enjoyed a student team and wishing all the fathers out there, including our
1142 own, who right here on our Town Board who seem to not be here at this
1143 evening. Councilman Wilcher and Councilman Meyer, a very happy and
1144 celebratory Father's Day. Have a great night and we will see you soon. Bye
1145 bye.