



MINUTES
TOWN BOARD
TOWN OF OSSINING
JUNE 9, 2020
REGULAR MEETING
7:30 P.M.

THIS MEETING WAS HELD VIA VIDEO CONFERENCING
Pursuant to Governor's Executive Order 202.1 dated March 12, 2020

SUPERVISOR
Dana A. Levenberg

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

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

The Regular Meeting of the Town Board of the Town of Ossining was held on June 9, 2020 via video conference, pursuant to Governor's Executive Order 202.1 dated March 12, 2020. The meeting was called to order at 7:30 p.m. by Supervisor Dana A. Levenberg. Members of the Board present were: Councilmembers Jackie G. Shaw, Elizabeth R. Feldman, Gregory G. Meyer, and Northern Wilcher Jr. Also present were Town Counsel Christie Tomm-Addona, Budget Officer Victoria Cafarelli, and Deputy Town Clerk Martha C. Quituisaca.

II. ANNOUNCEMENTS

Supervisor Levenberg made the following announcements:

First of all, I would like to share how proud I am of the Ossining community following the several peaceful protests and forums organized by our local NAACP of Ossining chapter and current Ossining High School students as well as recent high school grads. A few of our Town board members were able to join these gatherings, and I was left so inspired by the members of our own community truly dedicated to change.

This has certainly been a difficult time since the murder of George Floyd in Minneapolis, but also a time of serious reflection and exploration of how we can all do better to be anti-racist. Last Friday, we held a meeting with our Community Equity Task Force to engage community members and stakeholders on this important topic. This group started several months ago in response to symbols of hate that had appeared in our own community, in an effort to expand community education on how to combat hate and hate symbols within our Ossining borders and beyond. We knew, following the renewed call for change across the country that now was an important time to gather, expand beyond our initial small group of stakeholders, and reassess our mission. The first step, of course, is to listen to one another and understand the experience of others. This group also discussed ways we can work to dismantle systemic racism within our own institutions, educate the broader Ossining community about institutional racism, advocate against racism, ally-ship with those who may be different from us and are also members of this effort toward unity. We thank Jalay Knowles for those important goals and concepts. Also, April Clark newly moved to Ossining shared the importance of acknowledge feelings, helping to gain access for those underrepresented, and make our work inclusive and visible. Finally, thanks to Sandy McAllister for reminding us how important it is to engage our community elders who can share their fist hand experiences and mentor all of us to make sure we do not repeat past mistakes. We thank the

community members both new and more seasoned, representatives from the Ossining School District and Public Library, Ossining NAACP, recent Ossining High School grads, and more for joining us for this meeting. This is just the beginning, and we look forward to sharing this mission out with the entire community soon. If you are interested in getting involved, please do not hesitate to contact me at dlevenberg@townofossining.com.

There has also been a call across the State for the State Legislature to repeal 50-A of the Civil Rights Law, which restricts public access to misconduct and disciplinary records of police officers. It is clear that misconduct of police across the State has long been kept in the shadows and out of the public eye. Making these records public will help ensure accountability for all police officers across New York State. Later in this meeting, my Town Board colleagues and I will be considering a resolution to support the current legislation on the table in Albany calling for the immediate repeal of 50-A. I look forward to supporting this resolution and doing what I can to advocate for change as a member of this local community, and I hope my Town Board colleagues will join me as well.

We are now officially in Phase Two of reopening! Governor Cuomo has announced that the Mid-Hudson region – which includes Westchester, Rockland, Dutchess, Orange, Putnam, Sullivan, and Ulster Counties – can begin Phase Two reopening today, Tuesday, June 9, 2020.

Phase Two brings the addition of the following industries allowed to re-open: offices; real estate; essential and Phase Two in-store retail; vehicle sales, leases, and rentals; retail rental, repair, and cleaning; commercial building management; hair salons and barbershops; and outdoor and take-out/delivery food services. Please note that indoor malls, indoor on-premise dining and bar service, large gathering/event venues, gyms, fitness centers, and exercise classes, video lottery and casino gaming facilities, movie theaters, and places of public amusement remain closed at this time.

Businesses in these industries that are permitted to reopen in Phase Two must develop a written Business Safety Plan and read and affirm industry specific guidelines prior to reopening. Essential businesses must also develop a written Business Safety Plan. The Business Safety Plan does not have to be submitted to a state agency for approval, but it must be posted conspicuously on the premises of the business and made available to the New York State Department of Health or local health or safety authorities upon inspection. The businesses must also adhere to specific industry guidelines established by the State. Industry specific guidance for Phase Two and template safety plans are available online at forward.ny.gov. Phase Three industries can also get a peek at specific guidelines for their industries and begin planning.

The Town of Ossining is developing a permit process by which eating and drinking establishments in the Unincorporated Town can temporarily expand their operations to include outdoor dining, in accordance with Phase Two guidance. This process is currently under review as it would require action by the Town that must be authorized by the State Department of Health. If authorized by DOH, the Building Department will be administering this permit - - to learn more, please send an email with the name and address of your business to bldgdept@townofossining.com.

Governor Cuomo has continued to be quite active with issuing Executive Orders, some that impact our day to day lives more than others. Over the weekend, he issued an Executive Order specific to the School Board and Budget elections. As a reminder, there is no in-person voting allowed this year, instead all qualified voters should have received ballots directly in the mail for the school district

they are located within. Ballots submitted by mail now must be received by the School District by June 16, previously the mail-in deadline was today, June 9. Completed ballots were also accepted to the School District by hand delivery through tonight at 5pm but that option is no longer available as of 5pm today. If you have any questions, or have not received a ballot, you can reach the Ossining School District Clerk at iortiz@ossiningufsd.org and the Briarcliff School District Clerk by calling (914) 432-8130. We are literally at the eleventh hour at this point, but you still have time to fill out your ballots and send them in before the mail-in deadline.

We are also planning for a mostly-absentee-ballot primary election on June 23. However, in-person early voting and Election Day voting will be allowed for the June 23 primary. Early voting will begin this Saturday, June 13 through Sunday, June 21 at the Ossining Community Center for all residents of the Town of Ossining. Voters will enter through the front door of the Community Center, where there will be a greeter who will ensure only people wearing a mask are allowed to enter, you will be given your own pen to use for voting to be disposed of after voting, and you will then be directed to the Art Room where voting will occur. Gloves and hand sanitizer will also be available. You will then be asked to leave through the Museum exit door, to create a one way in and one way out path for voters. For voting on June 23, registered voters who have not yet voted via absentee ballot will receive a notice in the mail directing them to vote at one of the two polling places that will be open that day – the Community Center or Roosevelt Elementary School. You will be required to go to your assigned polling place. Voting will be open from 6am to 9pm as usual, and similar protocol will be in place as early voting. Please note absentee ballots are still being processed and mailed out. If you submitted an application and have not yet received your ballot, it will likely be on its way to you shortly. If you choose to vote absentee, your ballot must be postmarked by June 23. Please be patient with the Board of Elections as we navigate this very new way to exercise our right to vote.

You may have also seen that Governor Cuomo issued an Executive Order over the weekend relating to municipal operations. Since March 16, all non-essential Town staff have primarily been working remotely. However, as I hope you have all experienced, all our offices, with the exception of the Justice Court, have remained fully operational with phones being answered remotely, paperwork being processed, and mail being received and sent from our offices. According to an Executive Order issued this past weekend, municipal operations may resume at full staff as of Tuesday, June 23 after we have been in Phase Two for two weeks. We are closely evaluating how best to increase our in-person workforce in accordance with this change in policy, always looking to balance the safety of our employees with the needs of our constituents. As a reminder, our offices remain closed to the public and will likely remain so for the next several weeks. We are working closely with the Village of Ossining to manage how we may be able to limit public access to our offices to allow for some in-person services to resume in the coming weeks.

One more note on re-opening – the Town has partnered with the Greater Ossining Chamber of Commerce to create an Economic Recover Task Force specifically for North State Road businesses and other businesses located in the Unincorporated Town. We would like to invite ALL business owners in our neck of the woods to please consider joining this important discussion. There is a link to a short Google Form on our website if you are interested in joining, or you can just shoot me an e-mail at dlevenberg@townofossining.com and I will gladly point you in the right direction.

Finally, I once again remind you to fill out the 2020 Census! Believe it or not, but it was 89 days ago (March 12) that the first Census 2020 materials started arriving in our homes. Crazy right? Since then, across the County, the response rates have continued to inch up, at a County-wide rate of 61.7% responded, just

6.2% away from the total County-wide response rate of 2010. Here in the Unincorporated Town of Ossining, we are now at 63.1% - yes a little better than the County! And in Village of Ossining, 58.3% and Village of Briarcliff, 76.6%. We can all do a lot better! Please encourage your family, friends, and neighbors to respond to the Census today at 2020census.gov. Field operations for the 2020 Census have started to resume as we enter into our phased re-opening. So keep your eyes peeled for assistance and resources throughout our community in the coming weeks. Hopefully these efforts will get us as close as we can to 100%!

III. LIAISON REPORTS

Councilmember Shaw spoke about the status of summer camps amidst the COVID-19 pandemic. The Recreation Department is waiting to receive guidelines and parameters from New York State. If summer camps were to open they will be very different from past year summer camps. Supervisor Levenberg discussed a grant that will fund kayaking in Ossining. She also discussed about the Town working to open bathrooms in parks amidst the COVID-19 pandemic.

IV. PUBLIC COMMENT ON AGENDA ITEMS

V. BOARD RESOLUTIONS

A. Approval of Minutes—Regular Meeting – May 26, 2020

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

Resolved, that the Town Board of the Town of Ossining hereby approves the May 26, 2020 minutes of the Regular Meeting as presented.

Motion: Carried

B. Approval of Voucher Detail Report

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

Resolved, that the Town Board of the Town of Ossining hereby approves the Voucher Detail Report dated June 9, 2020 in the amount of \$299,673.19.

Motion: Carried

C. Personnel: Reclassification of Title – Parks Department

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

Resolved, that the Town Board of the Town of Ossining hereby reclassifies the title of Jose Ramon Castro from Laborer to Parks Groundskeeper (Step One) effective June 15, 2020 at a pro-rated annual salary of \$62,480 for 2020.

Supervisor Levenberg said the following in regard to the resolution: We have two resolutions on our agenda tonight for, yes, two Joses who currently work at Dale Cemetery. As we entered union negotiations with our Teamsters union last fall, we began to think hard about how we could better take advantage of the personnel resources we already had on our staff. Jose and Jose had been working exclusively in the Cemetery, but we discovered that with some coordination they could join forces with our Parks crew to tend to our parks and cemeteries as one large crew. We have been doing a little test run, and it has worked pretty smoothly. Tonight, we will be formally reclassifying Jose and Jose as Parks Groundskeepers at Step One so they can

officially become part of our parks crew. Congrats Jose and Jose, thank you so much for your service to the Town, especially in these new roles!

Motion: Carried

D. Personnel: Reclassification of Title – Parks Department

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

Resolved, that the Town Board of the Town of Ossining hereby reclassifies the title of Jose Juan Castro from Laborer to Parks Groundskeeper (Step One) effective June 15, 2020 at a pro-rated annual salary of \$62,480 for 2020.

Motion: Carried

E. Change in Town Board Meeting Schedule for July and August 2020

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

BE IT RESOLVED, the Town Board hereby cancels the work sessions scheduled for July 7, July 21, August 4 and August 18, 2020; and be it further

RESOLVED, any work session agenda items will be heard at the Town Board's legislative sessions held on July 14, July 28, August 11 and/or August 25, 2020; and be it further

RESOLVED, in the event the Town Board determines it is necessary to hold a work session other than at the above-referenced legislative sessions, such work session will be scheduled and noticed as required by law; and be it further

RESOLVED, the Town Clerk is hereby directed to provide notice of the cancellation of the above-referenced work sessions as required by law.

Supervisor Levenberg said the following in regard to the resolution: At our last Work Session, we discussed revising our meeting schedule for the summer. Tonight, we have a resolution to formalize this revised schedule which includes cancelling our Work Sessions during the months of July and August and including any Work Session discussion items onto Legislative Session agendas. We will closely monitor our workload and can always add dates back on if need be.

Motion: Carried

F. Approval of Contract with CSEA Regarding 2019 Carryover Vacation

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

Resolved, that the Town Board of the Town of Ossining authorizes the Supervisor to sign a stipulation of agreement with Civil Service Employees Association, Inc. (CSEA), Local 1000, AFSCME, AFL-CIO, Town of Ossining Unit, Westchester County Local 860 extending the deadline by which unit members can utilize 2019 carryover accrued vacation from June 30 until August 31, 2020.

Supervisor Levenberg said the following in regard to the resolution: Due to the COVID pandemic and restrictions on our workforce, many of our Town staff have been unable to utilize their carryover 2019 vacation by the

deadline of June 30. Due to these extenuating circumstances, we have approached our CSEA Unit with a solution that will hopefully work for most, allowing unit members to continue to use carryover vacation time from 2019 through the end of August.

Motion: Carried

G. Resignation – Ethics Board

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

Resolved, that the Town Board of the Town of Ossining hereby accepts, with regret, the resignation of Nadia Bernstein from the Town of Ossining Ethics Board effective June 9, 2020.

Supervisor Levenberg said the following in regard to the resolution: Nadia Bernstein has been on the Town’s Ethics Board for a few years now, and recently submitted her letter of resignation from this volunteer appointment. Thank you, Nadia, for your service to the Town!

Motion: Carried

H. Resolution of Support - S3695-Bailey/A2513-O'Donnell Bill to Repeal Section 50-A of the Civil Rights Law

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

Whereas, the recent murders of George Floyd, Tony McDade, Breonna Taylor, and unfortunately many other Black people at the hands of the police have brought strong calls from the community for government leaders to take transformative actions to address systemic racism which has pervaded our country for far too long; and

Whereas, Section 50-A of the Civil Rights Law, relating to the personnel records of police officers, firefighters, and correction officers currently prevents the misconduct and disciplinary records of officers from being made public, allowing for abusive officers to continue to act with impunity; and

Whereas, there is a bill currently under consideration by the New York State Senate and Assembly, S3695-Bailey/A2513-O'Donnell, to immediately repeal Section 50-A of the Civil Rights Law, finally bringing to light records which will hopefully lead to better accountability of police across New York State; now therefore be it

Resolved, that the Town Board of the Town of Ossining hereby expresses its support for New York State Senate and Assembly Bill S3695-Bailey/A2513-O'Donnell which would immediately repeal Section 50-A of the Civil Rights Law, finally allowing the misconduct and disciplinary records of police officers to be made public, and urges members of the New York State Senate and Assembly to lead during this important time by taking whatever legislative actions may be necessary to dismantle systemic racism in the State of New York; and be it further

Resolved, that this resolution be circulated to New York State Senate Majority Leader Andrea Stewart Cousins, New York State Assembly Speaker Carl Heastie, New York State Senator David Carlucci, and New York State Assemblywoman Sandy Galef, stating the support of the Town Board of the Town of Ossining for this necessary legislation.

Supervisor Levenberg said the following in regard to the resolution: As I mentioned in my announcements, we have heard across the State calls for the repeal of 50-A of the Civil Rights Law, which restricts public access to misconduct and disciplinary records of police officers in New York State. There is currently a bill under consideration in Albany to immediately repeal this law which has allowed police misconduct to be essentially swept under the rug and out of the public eye. Now is the time to call for change, and through this resolution the Town Board asserts our support of transformative change on a more broad, State level. I look forward to casting my “aye” in support of this important legislation.

Motion: Carried
Abstain: Meyer

VI. CORRESPONDENCE TO BE RECEIVED AND FILED

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

Resolved, that the Town Board of the Town of Ossining hereby accepts the following Planning Board Minutes:

- May 6, 2020
- May 20, 2020

Motion: Carried

VII. MONTHLY REPORTS

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

Resolved, that the Town Board of the Town of Ossining hereby accepts the following monthly reports for the month of May 2020:

- Town Clerk’s Office
- Tax Receiver’s Office
- Dale Cemetery
- Town Building Department
- GE Helicopter

Motion: Carried

VIII. VISITOR RECOGNITION

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

IX. ADJOURNMENT

At 8:11 P.M., Councilmember Wilcher motioned to adjourn to Executive Session for personnel, contracts and advice of counsel and Councilmember Shaw seconded.

Motion Carried: Unanimously

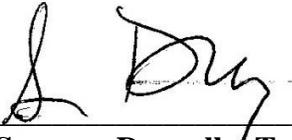
At 9:17 P.M., Councilmember Wilcher motioned to return to the Regular Meeting and Councilmember Feldman seconded.

Motion Carried: Unanimously

At 9:17 P.M., Councilmember Shaw motioned to adjourn the Regular Meeting and Councilmember Feldman seconded.

Motion Carried: Unanimously

Approved:



Susanne Donnelly, Town Clerk