

**TOWN BOARD  
TOWN OF OSSINING  
OSSINING, NEW YORK**

**REGULAR MEETING  
MAY 11, 2004  
7:30 pm**

**POLICE/COURT  
FACILITY  
86-88 Spring Street**

**I. CALL TO ORDER**

The Regular Meeting of the Town Board of the Town of Ossining, Westchester County, New York was held on May 11, 2004 in the Ossining Police/Court Facility, 86-88 Spring Street in Ossining. The meeting was called to order by Supervisor John Chervokas. Other members of the Board present were: Geoffrey Harter, Northern Wilcher, Michael G. O'Connor and Francesca Connolly. Also present were: Thomas Beirne, Town Attorney; Michele Keefe, Budget Officer and Mary Ann Roberts, Town Clerk.

**II. PUBLIC HEARING: Introductory Local Law 2 – 2004 – Senior Citizen Tax Exemption**

At 7: 31 p.m., Supervisor Chervokas opened the public hearing and gave a brief description of the law which gives financial guidelines for a tax reduction for senior citizens meeting certain income levels. The Assessor had stated that 250 residents participated in this program last year. Attorney Beirne further stated that the State raises various income levels from time to time.

At 7:32 p.m., Councilmember Harter moved and it was seconded by Councilmember O'Connor that the public hearing be closed.

**Motion Carried: Unanimously**

**III. PUBLIC HEARING: Introductory Local Law 3 – 2004 – Tax Exemptions for Persons with Disabilities**

At 7:32 p.m., Supervisor Chervokas opened the public hearing and gave the same description as he did with the senior exemption. The Assessor had stated that only 3 residents participated in this program last year.

At 7:35 p.m., Councilmember O'Connor moved and it was seconded by Councilmember Connolly that the public hearing be closed.

**Motion Carried: Unanimously**

**IV. PUBLIC HEARING: Town of Ossining Storm Water Management Program Annual Report 2003-2004**

At 7:35 p.m., Supervisor Chervokas opened the public hearing.

Michele Keefe made a presentation regarding the Storm Water Management Program which each municipality has been directed to provide for a 5-year period. The rules become more stringent as each year passes. Storm water pollution can get into storm drains via pet waste, fertilizer, automobiles that leak fluids as well as construction erosion. The bacteria gets into the water and can affect the drinking water. The State has set up this five-year plan to eliminate these pollutants. The Plan for year one, which covers March 2003 to March 2004, includes public education. Public education consists of guides in the local newsletters, guides being distributed at the Village Fair by the Environmental Advisory Committee as well as a guide stating that only rain goes down the drain. Public Involvement is the second

Phase of this program with the Town sponsoring Stash the Trash Day in April to remove garbage from along the roads, etc., as well as an Indian Brook Reservation Stream Walk. The third is Illicit Discharge Detection and Elimination which includes digitizing tax maps, aerial photography and research regulations to prohibit and enforce. Construction Site Storm Water Runoff with one acre or more must have silt fences in place. Post Construction Storm Water Management is phase 5. Phase 6 is Pollution Prevention/Good Housekeeping for Municipal Operation. The Town must do its own review and have located 462 catch basins. Flyers will be distributed in the schools.

Councilmember O'Connor thanked Mrs. Keefe for a wonderful presentation. He has spoken to the County Health Department and was advised that it is important that the public be made aware that catch basins are now sewer lines.

The Annual Report is available in the Supervisor's Office, Municipal Building, 16 Croton Avenue in Ossining.

At 7:50 p.m., Councilmember O'Connor moved and it was seconded by Councilmember Wilcher that the public hearing be closed.

Motion Carried: Unanimously

## V. COMMUNITY ANNOUNCEMENTS

Councilmember Harter announced the schedule for the Greater Ossining Senior Week which is scheduled for May 24 thru May 28 with events beginning on Monday at Market Square with Peter Solomon's Swing Orchestra. On Wednesday from 9 a.m. to 2 p.m. there will be a Health and Fitness Fair at the Joseph G. Caputo Community from 5:30 to 8:30 p.m. These events are all free of charge; however, you must register at the Community Center.

Councilmember O'Connor announced on behalf of the Central Committee that the Annual Memorial Day Parade will take place on May 31<sup>st</sup> stepping off at 9:30 a.m. from Roosevelt Square and ending at Nelson Park where a ceremony will take place at 10:45 p.m., beginning with the reading of the names of the war dead from all of the wars. Robert Yerks, a retired General from the U.S. Army will be guest speaker. He is Roberta Armino's twin brother. Also on Memorial Day in Washington D.C., they will be dedicating the World War II Veterans Monument. The Veterans are also sponsoring an essay contest for the school children including both St. Ann's and St. Augustine's. On May 16<sup>th</sup> there will be a ceremony at the Ossining Boat and Canoe Club dedicating the new season. The Ossining Recreation has 2 sailboats with an active group to teach you how to sail. Also on Sunday, May 16<sup>th</sup>, the Veterans will put a wreath in the Hudson River to commemorate the sailor lost.

Supervisor Chervokas reminded everyone about the Memorial Day Parade in Briarcliff which will be held on Monday, May 31<sup>st</sup> at 12 Noon.

## VI. TOWN BOARD RESOLUTIONS

### A. Approval of Minutes – April 27, 2004

Councilmember Harter moved and it was seconded by Councilmember Connolly that the following be approved:

Resolved, that the Town Board of the Town of Ossining hereby approves the Minutes of the April 27, 2004 Regular Meeting as presented.

Motion Carried: Unanimously

**B. Approval of Voucher Detail Report**

Councilmember O'Connor moved and it was seconded by Councilmember Wilcher that the following be approved:

Resolved, that the Town Board of the Town of Ossining hereby approves the Voucher Detail Report dated April 27, 2004 in the amount of \$284,857.86.

Motion Carried: Unanimously

**C. Highway Department - Appointments**

Councilmember Harter moved and it was seconded by Councilmember Connolly that the following be approved:

Resolved, the Town Board of the Town of Ossining hereby appoints Timothy Ring, Hillcrest Avenue, Ossining and Jason Clark, Snowden Avenue, Ossining to the temporary position of laborer in the Highway Department at a rate of \$11/hour, effective June 1, 2004.

Motion Carried: Unanimously

**D. Agreement - Dale Cemetery**

Councilmember O'Connor moved and it was seconded by Councilmember Wilcher that the following be approved:

Resolved, that the Town Board of the Town of Ossining hereby authorizes the Supervisor to sign a licensing agreement with Dale Cemetery Corp., concerning the operation of the cemetery.

Motion Carried: Unanimously

**E. Resolution in Support of Eliminating the Sunset Provisions of the Local Government Records Management Improvement Fund**

Councilmember Harter moved and it was seconded by Councilmember Connolly that the following be approved:

Whereas, the Local Government Records Management Improvement Fund (LGRMIF) was created in 1989 to provide technical assistance and grants to establish, improve or enhance records management programs in New York's more than 4300 local governments, and

Whereas, the closely related Documentary Heritage Program (DHP) for grants and technical assistance to non-governmental historical records repositories also is supported by the LGRMIF, and

Whereas, a sunset date for the LGRMIF was established in the original legislation to permit its operation as a five-year experiment, and

Whereas, the New York State Legislature in 1995 twice has extended the sunset date, most recently to December 31, 2005, and

Whereas, the LGRMIF has effectively supported essential advisory services and 6,300 grants totaling over \$113 million to improve the management of records for over half of all NYS local governments, and

Whereas, the LGRMIF and the programs it supports continue to operate at a high standard of excellence and provide direct and significant benefit to local governments at no cost to the taxpayers, and

Whereas, the Town of Ossining has benefited from technical assistance, training, publications and 4 grants totaling \$81,511 supported by the LGRMIF, and

Whereas, the State Legislature created the closely-related Cultural Education Fund (CEF) to support the New York State Archives, New York State Library and New York State Museum on behalf of all New Yorkers, and the Office for Public Broadcasting, and provided the CEF with an identical sunset date, and

Whereas, the LGRMIF and the CEF continue to be critically important in the fulfillment of the many records and information related responsibilities of the Town of Ossining, and to the cultural and scientific needs of the people of New York State, therefore

Be It Resolved, that the Town of Ossining supports the elimination of said sunset provisions in order to make the LGRMIF and the CEF permanent as proposed in State Assembly Bill A10843 and State Senate Bill SO6666.

Motion Carried: Unanimously

F. Adoption of Local Law 2 – 2004 – Senior Citizen Tax Exemption

Councilmember O'Connor moved and it was seconded by Councilmember Wilcher that the following be approved:

Resolved, that the Town Board of the Town of Ossining hereby adopts Local Law 2 – 2004 as follows:

LOCAL LAW 2 – 2004

A Local Law amending Chapter 180, Article I of the Code of the Town of Ossining to increase the amount of permissible income of persons 65 years of age or over to qualify for partial tax exemption pursuant to Real Property Tax Law Section 467.

BE IT ENACTED, by the Town Board of the Town of Ossining, Westchester County, New York, as follows:

Section 1. Section 180-2 of the Code of the Town of Ossining is amended to add a new section 180-2(L) to provide as follows:

L. For assessment rolls prepared on the basis of a taxable status date on or after January 1, 2004, the exemption shall be as follows:

<u>Annual Income</u>	<u>Percentage of Valuation Exempt From Taxation</u>
\$0 to \$24,000.00	50%
\$24,000.01 to \$24,999.99	45%
\$25,000.00 to \$25,999.99	40%
\$26,000.00 to \$26,999.99	35%
\$27,000.00 to \$27,899.99	30%
\$27,900.00 to \$28,799.99	25%
\$28,800.00 to \$29,699.99	20%
\$29,700.00 to \$30,599.99	15%
\$30,600.00 to \$31,499.99	10%
\$31,500.00 to \$32,399.99	5%
\$32,400.00	0%

Section 2. Section 180-6.A. of the Code of the Town of Ossining is amended to add a new sentence at the conclusion of said paragraph as follows:

For Assessment Rolls prepared on the basis of a taxable status date occurring on or after January 1, 2004, such notice may be met by a notice or legend sent on or with each tax bill to such persons reading substantially as follows: “SENIOR CITIZENS: If your annual income is less than \$32,400.00, you may be eligible for senior citizen tax exemption. For more information, please call or write the Assessor’s Office, 16 Croton Avenue, Ossining, New York 10562 (914)762-8274.”

Section 3. This local law shall take effect immediately upon filing in the Office of the Secretary of State.

Motion Carried: Unanimously

**G. Adoption of Local Law 3 – 2004 Disability Tax Exemption**

Councilmember Harter moved and it was seconded by Councilmember Connolly that the following be approved:

Resolved, that the Town Board of the Town of Ossining hereby adopts Local Law 3 – 2004 as follows:

**LOCAL LAW 3 – 2004**

A Local Law amending Chapter 180, Article II of the Code of the Town of Ossining to increase the amount of permissible income of persons with disabilities to qualify for partial tax exemption pursuant to the Real Property Tax Law Section 459-c.

BE IT ENACTED, by the Town Board of the Town of Ossining, Westchester County, New York, as follows:

Section 1. Section 180-24(A) of the Code of the Town of Ossining is amended by deleting therefrom the existing schedule and replacing it with the new schedule as follows:

<u>Annual Income</u>	<u>Percentage of Valuation Exempt From Taxation</u>
\$0 to \$24,000.00	50%
\$24,000.01 to \$24,999.99	45%
\$25,000.00 to \$25,999.99	40%
\$26,000.00 to \$26,999.99	35%
\$27,000.00 to \$27,899.99	30%
\$27,900.00 to \$28,799.99	25%
\$28,800.00 to \$29,699.99	20%
\$29,700.00 to \$30,599.99	15%
\$30,600.00 to \$31,499.99	10%
\$31,500.00 to \$32,399.99	5%
\$32,400.00	0%

Section 2. Section 124(B) is amended by deleting \$29,899.99 for the eligible income not to exceed and changing it to \$32,399.99.

Section 3. This local law shall take effect immediately upon filing in the Office of the Secretary of State.

Motion Carried: Unanimously

**H. Personnel – Appointment of Confidential Secretary to the Supervisor**

Councilmember O’Connor moved and it was seconded by Councilmember Wilcher that the following be approved:

**Resolved, that the Town Board of the Town of Ossining hereby appoints Connie DiSalvo, 52 Buckout Road, West Harrison, New York 10601 to the position of Confidential Secretary to the Supervisor at an annual salary of \$51,000 effective May 24, 2004.**

**Motion Carried: Unanimously**

**Supervisor Chervokas advised that the reason for the resolution was because Mrs. Keefe was going to be the mother of a son or daughter in the near future.**

**Councilmember Harter stated that Michele had been invaluable to him while he has been Councilmember and was amazed at the list of responsibilities that he reviewed as well as her professionalism.**

**I. Zoning Board of Appeals – Resignation/Appointment**

**Councilmember Harter moved and it was seconded by Councilmember Connolly that the following be approved:**

**Resolved, that the Town Board of the Town of Ossining hereby accepts the resignation of Charles Schumacher from the Zoning Board of Appeals effective May 31, 2004 and hereby appoints David Krieger of Bridle Path, Ossining, to Mr. Schumacher's term expiring December 31, 2004.**

**Motion Carried: Unanimously**

**J. Teamsters Contract – Authorization to Sign**

**Councilmember Wilcher moved and it was seconded by Councilmember O'Connor that the following be approved:**

**Resolved, that the Town Board of the Town of Ossining hereby authorizes the Supervisor to sign a contract with Local 456 of the International Brotherhood of Teamsters for the years 2003, 2004, 2005 and 2006.**

**Motion Carried: Unanimously**

**VII. MONTHLY REPORTS – April, 2004**

**Councilmember Wilcher moved and it was seconded by Councilmember O'Connor that the following be approved:**

**Resolved, that the Town Board of the Town of Ossining hereby accepts the Monthly Reports for April, 2004 from the Town Clerk, Police Department, Receiver of Taxes and Building Department.**

**Motion Carried: Unanimously**

**VIII. CORRESPONDENCE TO BE RECEIVED AND FILED**

**Councilmember Harter moved and it was seconded by Councilmember Wilcher that the January, 2004 Helicopter Schedule from General Electric be received and filed.**

**Motion Carried: Unanimously**

**IX. ADJOURNMENT**

**At 8:20 p.m., Councilmember O'Connor moved and it was seconded by Councilmember Harter that the meeting be adjourned into Executive Session for the purpose of litigation.**

**Motion Carried: Unanimously**

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**Mary Ann Roberts, Town Clerk**

**Approved:**