

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

**REGULAR MEETING
FEBRUARY 14, 2006
7:30 p.m.**

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

I. CALL TO ORDER

The Regular Meeting of the Town Board of the Town of Ossining was held on February 14, 2006 in the Police/Court Facility, 86-88 Spring Street in Ossining. The meeting was called to order at 7:30 p.m. and upon roll call there were present: Councilmembers Geoffrey Harter, Northern Wilcher and David Krieger. Supervisor John Chervokas and Attorney Tom Beirne were absent. Also present were Connie Cerny, Budget Officer and Mary Ann Roberts, Town Clerk.

II. ANNOUNCEMENTS

Deputy Supervisor Harter announced that Emily Spaulding notified the Town that GOTV which is now on Channel 18 will be moving to Channel 74. It will now be in the same area as the local channel at 78 and the school at 77. Home Shopping Club and FX 40 will now be located on Channel 18.

The Deputy Supervisor read a letter from the Ossining Boat & Canoe Club thanking the citizens of Ossining for their generosity in donating hundreds of toys for the Toys-For-Tots Campaign as well as \$2,476 in monetary donations. The Town Board offers its sincere congratulations to the Boat & Canoe Club for their efforts in making this a successful campaign.

With the appointment this evening of Wayne Spector as Deputy Corporation Counsel, there is now a vacancy on the Planning Board. If you are interested, please contact the Supervisor's Office.

The Board also offered their congratulations to the Highway Department and the Parks & Recreation Department for a job well done during the latest snow storm.

III. TOWN BOARD RESOLUTIONS

A. Approval of Minutes – January 24, 2006

Councilmember Wilcher moved and it was seconded by Councilmember Krieger that the following resolution be approved:

Resolved, that the Town Board of the Town of Ossining hereby approves the Minutes of the January 24, 2006 Regular Meeting as presented.

Motion Carried: Unanimously

B. Approval of Voucher Detail Report

Councilmember Wilcher moved and it was seconded by Councilmember Krieger that the following resolution be approved:

Resolved, that the Town Board of the Town of Ossining hereby approves the Voucher Detail Report dated February 14, 2006 in the amount of \$72,442.64 for 2005 and \$503,269.77 for 2006.

Motion Carried: Unanimously

C. Calling a Public Hearing - Cabaret License – Terra Rustica Restaurant

Councilmember Wilcher moved and it was seconded by Councilmember Krieger that the following resolution be approved:

Resolved, that the Town Board of the Town of Ossining hereby calls for a public hearing to be held at 7:30 p.m. on Tuesday, February 28, 2006 in the Police/Court Facility, 86-88 Spring Street, in Ossining, in the matter of the application for a Cabaret License by Terra Rustica Restaurant, 550 North State Road, Briarcliff Manor, New York.

Motion Carried: Unanimously

D. Appointment-Part Time Intermediate Clerk

Councilmember Krieger 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 appoints Michele Carnevale, Hunter Lane, Ossining, NY to the part-time position of Intermediate Clerk at a rate of \$16.00/hr effective February 13, 2006. Ms. Carnevale will input data inventory of all property records for Town Assessment Records.

Motion Carried: Unanimously

E. Appointment-Deputy Town Attorney

Councilmember Wilcher moved and it was seconded by Councilmember Krieger that the following resolution be approved:

Resolved, that the Town Board of the Town of Ossining hereby appoints Wayne Spector, Waterview Drive, Ossining, NY to the position of Deputy Town Attorney at a salary of \$36,763 effective February 15, 2006. The probationary period shall be a minimum of twelve (12) weeks to a maximum of fifty-two (52) weeks.

Motion Carried: Unanimously

F. Retention of Bond, Schoeneck & King, PLLC (Craig Olivo)-Labor Counsel

Councilmember Krieger moved and it was seconded by Councilmember Wilcher that the following resolution be approved:

Whereas, on January 10, 2006 the Town Board passed a resolution authorizing the retention of Bond, Schoeneck & King, PLLC as Labor Counsel for the period January 1, 2006-December 31, 2006; and

Whereas, the retainer agreement received by Bond, Schoeneck and King, PLLC specifies a three (3) year agreement of January 1, 2006-December 31, 2008;

Now, Therefore, Be it Resolved, that the Town Board of the Town of Ossining hereby retains the law firm of Bond, Schoeneck & King, PLLC (Craig Olivo) for the period January 1, 2006-December 31, 2008.

Motion Carried: Unanimously

G. Finance-Capital Project# 2005-0039

Councilmember Wilcher moved and it was seconded by Councilmember Krieger that the following resolution be approved:

Resolved, that the Town Board of the Town of Ossining hereby authorizes the budget for Capital Project#2005-0039 (Torbank Sewer District Repair-Ganung Drive) be increased by the New York State Department of Transportation CHIPS Capital Reimbursement Payment of \$20,442.04 thereby adjusting the project budget to \$101,942.04 for fiscal year 2005.

Motion Carried: Unanimously

H. Finance-Budget Adjustment

Councilmember Wilcher moved and it was seconded by Councilmember Krieger that the following resolution be approved:

Resolved, that the Town Board of the Town of Ossining hereby authorizes the following budget adjustment be made to the 2005 Budget:

TRANSFER TO	AMOUNT	TRANSFER FROM
37-5110-2128	\$290.00	31-5110-448
64 Morningside Drive		Road Drainage
Capital Fund		

Motion Carried: Unanimously

I. Finance-Budget Adjustment-Capital Project# 9901

Councilmember Krieger moved and it was seconded by Councilmember Wilcher that the following resolution be approved:

Whereas, the Town of Ossining received funding for 1999 Tropical Storm Floyd Flooding through FEMA and FEMO; and

Whereas, the budget for Capital Project#9901 must be modified to reflect actual expenditures and monies received,

Now, therefore be it Resolved, that the Town Board of the Town of Ossining hereby authorizes the following budget adjustments be made to Capital Project#9901(Storm Floyd):

- Amend Expenditure account 037-5110-0419-9901 from \$178,000 to \$125,265.40.
- Amend Revenue account 037-0037-3960-9901 from \$77,600 to \$16,412.29. (FEMO)
- Amend Revenue account 037-0037-4960-9901 from \$89,000 to \$97,453.11 (FEMA)

Motion Carried: Unanimously

J. Finance-Closing Capital Project

Councilmember Wilcher moved and it was seconded by Councilmember Krieger that the following resolution be approved:

Resolved, that the Town Board of the Town of Ossining hereby authorizes the following capital project to be closed:

037-5110-2021 (Gordon Avenue Drainage)

Motion Carried: Unanimously

IV. MONTHLY REPORTS

Councilmember Wilcher moved and it was seconded by Councilmember Krieger that the reports for the month of January, 2006 from Town Clerk and Building Inspector be received and filed.

Motion Carried: Unanimously

V. CORRESPONDENCE TO BE RECEIVED AND FILED

Councilmember Krieger 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 correspondence to be received and filed:

- 1. December 14, 2005 Planning Board Minutes.**
- 2. January, 2006 Helicopter Log from General Electric.**

Motion Carried: Unanimously

VI. VISITOR RECOGNITION

William J. Reynolds, South Highland Avenue, questioned the status of the Town Highway Budget after the recent wind storm. The Town Board was commended for the improvements to Dale Cemetery.

Budget Officer Cerny reported that the 2005 Highway Budget did rather well with a \$30,000 surplus which was put back into fund balance and as 2006 just started, it is difficult to determine where it will end up.

Deputy Supervisor Harter stated that the Town has a huge debt of gratitude to George Weeks for all of his work in up-grading Dale Cemetery. The State provided the Town in excess of \$200,000 to fund various capital projects. One of these projects is adding additional plots to the area.

Duval Cellai, Stormytown Road, questioned why a public hearing was being called for the renewal of a cabaret license rather than just renewing it. With the budget adjustments made at this meeting, where does the remaining money go?

Deputy Supervisor Harter stated that the public hearing is called in order to ascertain whether there were any problems during the year with noise or any other issues. With regard to the budget adjustments, all money left over is put back into the fund balance.

Bobby Williams, Spring Street, advised the public that there was no need to fear coming to public meetings. All of the community should attend School, Town and/or Village Board Meetings to express their concerns and seek other information.

Trustee Wilcher appreciated all of Mr. Williams' comments and suggestion that the public come and express their opinions.

VII. ADJOURNMENT

At 8:17 p.m., Councilmember Wilcher moved and it was seconded by Councilmember Krieger that the meeting be adjourned.

Motion Carried: Unanimously

Approved:

**_____
Mary Ann Roberts, Town Clerk**