

TOWN BOARD  
TOWN OF OSSINING  
OSSINING, NEW YORK

REGULAR MEETING  
MARCH 28, 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 March 28, 2006 in the Police/Court Facility, 86-88 Spring Street in Ossining. The meeting was called to order at 7:30 p.m. by Supervisor John Chervokas. Members of the Board present were: Geoffrey Harter, Northern Wilcher, David Krieger and Martha Dodge. Also present were: Deputy Town Attorney Wayne Spector and Town Clerk Mary Ann Roberts.

II. PUBLIC HEARING – In the matter of the Application for a Cabaret License – Torchia’s Restaurant - 518 North State Road, Briarcliff Manor

Supervisor Chervokas upon opening this public hearing at 7:30 p.m., announced that this was a renewal and that the Town has not received any complaints regarding this establishment in the previous year.

Lisa Mabus, the owner of Torchia’s, was present at the public hearing and stated she was here for a renewal for a DJ using a karaoke machine on Wednesday and Friday evenings from 9 p.m. to midnight.

There were no questions from the Board or the public.

At 7:34 p.m., Councilmember Harter moved and it was seconded by Councilmember Wilcher that the public hearing be closed.

Motion Carried: Unanimously

III. PUBLIC HEARING – In the matter of the Application for a Cabaret License – Unique Affairs at Mansion Hill, 25 Studio Hill Road, Briarcliff Manor

At 7:35 p.m., Supervisor Chervokas opened the public hearing by announcing that this was a renewal for the location; however, there has not only been a name change but also a change in ownership.

Guy DeMeo, owner of Unique Affairs at Mansion Hill, was present at the public hearing to respond to any questions that may be brought forward by the Board or the public. Councilman Harter questioned whether there was a typographical error in the times stated which were 9 a.m. – 11 a.m. The 11 a.m. should be 11 p.m. Also questioned was whether Mr. DeMeo had read the Noise Ordinance as it now reads. It was also brought to Mr. DeMeo’s attention previous problems with the neighborhood and the issue of noise. Mr. DeMeo stated that he had read the Noise Ordinance as well as the Cabaret Law in great detail.

Supervisor Chervokas questioned whether it was only going to be a catering facility or would they still be providing lunches and dinners? An advertisement had been brought forward regarding events in the magnitude of 300 guests and as far as the Board is aware this location can only accommodate 180.

Mr. DeMeo stated that they would only be doing special events such as Mother’s Day and that sort of thing. The 300 guests would be outside, but they would only accommodate comfortably a maximum of 150.

At 7:35 p.m., Councilmember Harter moved and it was seconded by Councilmember Wilcher that the public hearing be closed.

Motion Carried: Unanimously

#### IV. ANNOUNCEMENTS

Maureen Redmond, Chamber of Commerce, announced the upcoming Village Fair with the theme “Ossining Rocks” will be held on Saturday, June 10<sup>th</sup>, with a parade beginning at 9:30 a.m. and the fair running from 10 a.m. to 5 p.m. The Ferry Go Round will also be held on the same day. The reason for the rock theme is the quarries in the community which produced the rock used in many locations. There will be several “rock” events such as rock decorating and pet rocks, etc. March is “Salute to Women’s” month and events marking this have been held at the Cambridge House as well as a meeting with women business owners in the community.

Supervisor Chervokas announced that Stash the Trash would be held on April 8, 2006 with the assistance of the Ossining High School Interact Club. For any further information, please call Henry Atterbury at the Community Center.

Councilman Jeff Harter announced the start of softball season for Little League with a parade on April 15<sup>th</sup> from Roosevelt School beginning at 8:30 a.m. and ending at Veterans Park for the first pitch which will be tossed out by Supervisor Chervokas.

The Town Clerk announced that there will be a presentation on voting machines at the Westchester County Center on Thursday, March 30<sup>th</sup>, from 1 p.m. to 7 p.m. and suggested that all attend to view these machines.

#### V. TOWN BOARD RESOLUTIONS

##### A. Approval of Minutes – March 14, 2006

Councilmember Harter 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 approves the Minutes of the March 14, 2006 Regular Meeting as presented.

Motion Carried: Unanimously

##### B. Approval of Voucher Detail Report

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

Resolved, that the Town Board of the Town of Ossining hereby approves the Voucher Detail Report dated March 28, 2006 in the amount of \$258,658.70.

Motion Carried: Unanimously

##### C. Approval of 2006 Cabaret License – Torchia’s Ristorante

Councilmember Harter 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 application of Torchia’s Ristorante, 518 North State Road, in the Unincorporated Area of the Town of Ossining for a Cabaret License pursuant to Chapter 68 of the Code of the Town of Ossining, subject to the terms of the variance granted by the Zoning Board of Appeals, and subject to the following limitations and conditions: 1 DJ using Karaoke Machine shall be allowed on Wednesday and Friday evenings from 9 p.m. until 11 p.m. as stated in the application, provided that all necessary approvals be obtained from the Building Department, and it is further

Resolved, that in accordance with Local Law No. 6 of 2003, Torchia's Ristorante shall not be required to comply with Sections 68-11, 68-13 and 68-15 (A) (1) of the Cabaret Law (Chapter 68 of the Town Code).

Motion Carried: Unanimously

D. Approval of 2006 Cabaret License – Unique Affairs at Mansion Hill

Councilmember Harter 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 approves the application of Unique Affairs at Mansion Hill, 25 Studio Hill Road, in the Unincorporated Area of the Town of Ossining for a Cabaret License pursuant to Chapter 68 of the Code of the Town of Ossining, subject to the terms of the variance granted by the Zoning Board of Appeals, and subject to the following limitations and conditions: DJ up to 6 piece band, Sunday through Thursday 9 a.m. until 11 p.m. and Friday & Saturday until 12 a.m., provided that all necessary approvals be obtained from the Building Department, and be it further

Resolved, that in accordance with Local Law No. 6 of 2003, Unique Affairs at Mansion Hill shall not be required to comply with Sections 68-11, 68-13 and 68-15 (A) (1) of the Cabaret Law (Chapter 68 of the Town Code).

Motion Carried: Unanimously

E. Police Facility-General Construction

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

Resolved, that the Town Board of the Town of Ossining hereby authorizes the Supervisor to sign the following change orders with BAC Electric:

Supply & install (2)-4" telephone conduits and (1)-2" cable conduit from building to pole. This work not part of contract documents.	\$5,305.00
Furnish additional equipment rack	\$2,231.00
Furnish and install 45' pole, anchor and install transformer and wire	\$6,323.00
Run (4) 20amp circuits to hand dryers and install	\$1,851.00
Furnish and install 208 volt, 20amp dedicated line to range. Run feed to overhead light/microwave.	\$414.00
Provide all modifications to access control system and all additional wiring for handicap operators of (2) rear entrance doors	\$3,147.00
Provide all labor and material for dedicated UPS power and grounding buss in Telecom closet and 911 closet	<u>\$1,431.00</u>
Grand Total	\$20,702.00

Motion Carried: Unanimously

F. Police Department-Vehicle Lease Agreement

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 authorizes the Supervisor to sign an agreement with Ford Motor Credit Company, Dearborn Michigan to lease a 2006 Ford Expedition with equipment at a cost of \$6,923.87 per year for five years. After the lease has been satisfied, the Town may purchase the vehicle for \$1.00.

Motion Carried: Unanimously

G. 2006 Budget Adjustment

Councilmember Harter moved and it was seconded by Councilmember Dodge 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 2006 Budget:

TRANSFER TO G/L ACCOUNT	AMOUNT	TRANSFER FROM G/L ACCT.
20-3120-203-Car	\$6,924.00	20-3120-201-Equipment

Motion Carried: Unanimously

H. 2005 Budget Adjustments

Councilmember Harter 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 adjustments be made to the 2005 Budget:

TRANSFER TO G/L ACCOUNT	AMOUNT	AMOUNT	TRANSFER FROM G/L ACT.
20-9010-813—Employee Benef.	\$1,768.10	\$437.00	20-9010-811-Police Retirement \$314.10
		\$530.00	20-9010-816-Disability
		\$487.00	20-8010-414-Contr. Steno
			20-8010-466-Legal Notices
10-9010-813-Worker’s Comp	\$394.00	\$394.00	10-9010-816-Disability

Motion Carried: Unanimously

I. 2006 Budget Adjustment

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

Whereas, the projects listed below were funded through Bond Anticipation Notes and there are excess funds remaining that must be transferred to debt service;

Now Therefore Be It Resolved, that the Town Board of the Town of Ossining hereby authorizes the unexpended balances in the following projects to be transferred to debt service:

55 & 57 Morningside Drive	\$21,006.01
2 Dump Trucks	\$48.00
Salt Storage Shed	\$11,255.84

Motion Carried: Unanimously

J. First Amendment Agreement-New York State Department of Environmental Conservation

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

Resolved, that the Town Board of the Town of Ossining hereby authorizes the Town Supervisor to enter into a First Amendment Agreement with the New York State Dept. of Environmental Conservation for the Engel Park Shoreline Stabilization Project to extend the contract end date from December 31, 2005 to December 31, 2006.

Motion Carried: Unanimously

K. Westchester County-Senior Citizens-Title III Grants

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

Resolved, that the Town Board of the Town of Ossining hereby authorizes the Supervisor to sign a contract with Westchester County for Title III-B and Title III-C funding under the Older Americans Act for program year January 1, 2006-December 31, 2006. The Town shall receive funding in an amount not to exceed \$66,558.

Motion Carried: Unanimously

L. Parks Department-Part Time Temporary Employees

Councilmember Harter 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 the following part-time temporary employees to the Parks Department:

<u>NAME</u>	<u>HIRE DATE</u>	<u>HOURLY RATE</u>
Jimmie Moore No. Malcolm Street Ossining, NY 10562	3/29/06	\$12.00
Louis Sutton State Street Ossining, NY 10562	3/29/06	\$11.25

Motion Carried: Unanimously

VI. VISITOR RECOGNITION

Bobby Williams, Spring Street, announced that the Corinthian Lodge would be holding an event at 22 State Street Honoring the Jr. Past Master on Sunday. Discussion also took place regarding the electronic voting machines with a hard copy available. GE has put off doing the clean up of the Hudson River.

Councilmember Harter stated that New York State has the worst air to breath in the United States. The students who were in attendance should make an effort to go and view these voting machines at the Westchester County Center on Thursday.

Steve Worthy, Studio Hill Road, announced that there would be a multi-media event at Cedar Lane Park on the Cress Family from 1916-1959. This program is co-sponsored with the Ossining Historical Society and will be held at the Shine House Theater.

VII. ADJOURNMENT

At 8:15 p.m., Councilmember Harter moved and it was seconded by Councilmember Wilcher that the meeting be adjourned.

Motion Carried: Unanimously

Approved:

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Mary Ann Roberts, Town Clerk