

TOWN BOARD
TOWN OF OSSINING
BIRDSALL-FAGAN POLICE/COURT FACILITY
86-88 SPRING STREET – OSSINING, NEW YORK
APRIL 10, 2007
7:30 PM

Supervisor

John Chervokas

Councilmembers

Geoffrey Harter Northern Wilcher
David Krieger Martha Dodge

I. CALL TO ORDER

The Regular Meeting of the Town Board of the Town of Ossining was held on April 10, 2007 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. Other members of the Board present were: Geoffrey Harter, Northern Wilcher, David Krieger and Martha Dodge. Also present were: Thomas Beirne, Town Attorney; Connie Cerny, Budget Officer and Mary Ann Roberts, Town Clerk.

II. PUBLIC HEARING – In the matter of a Proposed Local Law to Establish
Fire Lanes at Ann M. Dorner Middle School pursuant
to Chapter 96 of the Town Code

The Public Hearing was opened at 7:31 p.m. by Supervisor John Chervokas.

Town Attorney Thomas Beirne stated that the Town Police and the Fire Department identified a need for the regulation of parking amendment at the Anne M. Dorner Middle School location.

Don DeBar, Ferris Place, questioned whether this amendment extended past the Middle School Property. The amendment does not extend past the Middle School.

At 7:33 pm, Councilmember Harter moved and it was seconded by Councilmember Krieger that the public hearing be closed.

Motion Carried: Unanimously

III. VEGETATIVE RESTORATION DISCUSSION - ENGEL PARK

Supervisor Chervokas announced that this plan has been in progress since 2005 with an expert on the actual restoration being retained in 2006. On January 9th Suzette Lopane from County Planning made a presentation to the public and the Board on this restoration project. There was a further presentation made on February 13th with no one in attendance. The time for spring planting has elapsed thus we will have to wait until the fall of 2007 or the spring of 2008 for planting.

Don DeBar, Ferris Place, discussed the adoption of the Negative Declaration and the Board going forward absent the existing rock wall, salt marsh (native grasses) and beach frontage. The beach that will be left is 9200 square feet with 7200 square feet being transformed into salt marsh. Half of the beach is gone with this plan. Opposition was expressed to the loss of the beach area.

Supervisor Chervokas thanked the individuals for caring and their involvement in this process with the rip wrap as well as the spray ground. The Board constantly asks for involvement and requests other ideas.

Steve Kern, Waller Avenue, doesn't like to see the loss of the tiny little beach. There will also be a loss of access during construction of the salt marsh, stone berm and

other things. The growth will take approximately 3 years to mature. The barbecue grills have been missing and should be replaced for family picnics.

Charlene Deck, Waller Avenue, presented the Board with a stack of letters from residents not aware of the plans for Engel Park. A request was made to extend the time for consideration of this project as it occurred between Passover and Easter. The beach is a precious gift. There is a need for a public beach.

Sym Storch, Somerstown Road, maintained that the Board has not measured the use of the area. There doesn't deserve to be a park for kids on the waterfront making it a noisy play area. What if the marsh doesn't take, can it go back to what it was? The Board should spend more time down there and re-think their position.

Marie Gagliardi, Stone Avenue, likes beach front property and does a great deal of traveling during the warm months to enjoy beaches in other locations. This will not affect me personally, but many don't have the income to travel and enjoy other beach areas.

Bobby Williams, Spring Street, stated that parkland is for everyone with children included. This restoration will also stop erosion. This is a balance of nature. The public and kids are part of the family structure. This project has been widely publicized at Town Board Meetings, Public Hearings and newspapers. This was not a hush hush project. The river is cleaner than in years past. Town and Village residents should compromise.

Councilmember Wilcher stated that he had sat and listened to all of the comments from the public and took great exception to a comment made regarding educated people. The Board is attempting to make improvements and has advertised in newspapers, on the website and other ways the proposed plan in order to receive suggestions.

IV. ANNOUNCEMENTS

Councilmember Martha Dodge announced that the Ossining High School Performing Arts will present the Little Shop of Horrors on April 26th, 27th, 28th and 29th at the Ossining High School Auditorium. The admission is free. For any further information please call 762-5760 extension 365.

Councilmember David Krieger announced that Wildflower Island at Teatown will be opening on April 14th limited to adults and children over the age of 12. Reservations can be made by calling 762-2912 Extension 110. Admission is \$6.00 for the general public and \$4.00 for members.

Community Garden Plots are available at 299 North Highland Avenue beginning on April 23rd for a \$10 fee plus a deposit of \$20.

A Tour of the Old Croton Aqueduct will take place on April 14th with an actual visit to the Weir Chamber. For further information, please call 478-3961.

V. BOARD RESOLUTIONS

A. Approval of Minutes – March 27, 2007

Councilmember Harter 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 Minutes of the March 27, 2007 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 be approved:

Resolved, that the Town Board of the Town of Ossining hereby approves the Voucher Detail Report dated April 10, 2007 in the amount of \$393,480.88.

Motion Carried: Unanimously

C. Highway – Authorization to Advertise for Bids – Bituminous Concrete

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

Resolved, that the Town Clerk is hereby authorized to advertise for bids for Bituminous Concrete for use by the Highway Department, to be returnable no later than 10:00 a.m. on Tuesday, May 1, 2007 in the office of the Town Clerk, 16 Croton Avenue in Ossining.

Motion Carried: Unanimously

D. Adopting Local Law 3 of 2007 – Fire Lanes – Anne M. Dorner Middle School

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

Resolved, that the Town Board of the Town of Ossining hereby adopts Local Law No. 3 of 2007, as follows:

LOCAL LAW 3 – 2007

A LOCAL LAW ESTABLISHING FIRE LANES AT THE ANNE M. DORNER MIDDLE SCHOOL PURSUANT TO CHAPTER 96 OF THE CODE OF THE TOWN OF OSSINING

BE IT ENACTED, by the Town Board of the Town of Ossining, as follows:

Section 1. Section 96-9 (Fire Lanes) of the Code of the Town of Ossining is hereby amended by adding thereto, at the end thereof, a paragraph to read as follows: “Anne M. Dorner Middle School – Van Cortlandt Avenue, Town of Ossining.”

Section 2. This local law shall be effective immediately, as permitted by law.

Voting Yes in a Roll Call Vote:
Harter, Wilcher, Krieger, Dodge,
Chervokas
Motion Carried: Unanimously

E. Resignation-Police Dispatcher

Councilmember Krieger 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 accepts the resignation of Stacy C. Scarduzio as Police Dispatcher effective March 28, 2007.

Motion Carried: Unanimously

F. Parks Department-Seasonal Employees

Councilmember Dodge 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 returns the following temporary employees to the Parks Department:

<u>NAME</u>	<u>HIRE DATE</u>	<u>RATE</u>
Larry Abreau	4/11/07	\$175/week
Jimmie Moore	4/11/07	\$12.25/hr
Louis Sutton	4/11/07	\$11.50/hr

Motion Carried: Unanimously

G. Middle Class STAR Legislation S.2107-A - A.4307-A - Part D

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

Whereas, Governor Spitzer proposed real property tax reform in the Executive Budget for years 2007-2008 by providing relief from school district taxes, and

Whereas, such proposal is welcome and needed, and

Whereas such proposal contains provisions of confidentiality that will impose costly requirements of altering assessment and real property tax collection programs, and of additional personnel, and dislocation and confusion in furnishing tax collection records, and

Whereas, such needed program of tax relief can be implemented through a direct credit against State income taxes,

Now Therefore Be It Resolved, that the Town Board of the Town of Ossining does hereby urge Governor Spitzer and the Legislature to amend the "Middle Class STAR" proposal by eliminating the confidentiality provisions or in the alternative that the program be revised by providing a credit against the State income tax.

Motion Carried: Unanimously

H. Authorizing Capital Improvements – Ossining Boat & Canoe Club

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

Whereas, the Town of Ossining ("TOWN") entered into a License Agreement dated December 12, 2003 with the Ossining Boat and Canoe Club, a New York Not-for-Profit corporation ("OBCC"), pursuant to which the OBCC maintains and operates a boat and canoe club ("the Club") on property on Westerly Road owned by the TOWN; and

Whereas, the said License Agreement provides that OBCC is to make capital improvements to the Club during each year of the agreement totaling at least \$4,000.; and

Whereas, the OBCC has submitted a proposal for 2007 building improvements dated March 27, 2007 which has been reviewed and found acceptable by the Town Board; now therefore it is

Resolved, that the building improvements totaling \$4,000. described in the aforementioned proposal of March 27, 2007 be and they are hereby approved and the Supervisor is authorized to convey such approval to the OBCC and request that the improvements be implemented promptly.

Motion Carried: Unanimously

VI. MONTHLY REPORTS – March, 2007

Councilmember Wilcher moved and it was seconded by Councilmember Krieger that the Monthly Reports for March, 2007 from Town Clerk, Receiver of Taxes, Building Inspector and Police Department be received and filed.

Motion Carried: Unanimously

VII. CORRESPONDENCE TO BE RECEIVED AND FILED

Councilmember Harter moved and it was seconded by Councilmember Krieger that the March Helicopter Log from GE be received and filed.

Motion Carried: Unanimously

VIII VISITOR RECOGNITION

Duval Cellai, Stormytown Road, stated that the beach was a good compromise. Sometimes the Board Meetings are boring, but also informative. There are individuals who run a political game and only come for one item issues and than walk out prior to the end of the meeting.

Bobby Williams, Spring Street, discussed insurance claims and potential problems with out of network providers. More respect from educators is needed as well as the children respecting the educators. It is important for all to respect one another and appreciate their different ideas.

IX. ADJOURNMENT

At 8:32 pm, Councilmember Harter moved and it was seconded by Councilmember Krieger that the meeting be adjourned.

Motion Carried: Unanimously

Approved:

Mary Ann Roberts, Town Clerk