

**TOWN OF OSSINING
BIRDSALL-FAGAN POLICE/COURT FACILITY
86-88 SPRING STREET – OSSINING, NEW YORK
NOVEMBER 13, 2007
7:30 P.M.**

**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 November 13, 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 and Mary Ann Roberts, Town Clerk.

II. ANNOUNCEMENTS

Councilmember Dodge announced that on November 14th there would be a Public Urban County Consortium Meeting at 7 p.m. which will discuss a Five Year Plan regarding Community Block Grant.

Councilmember Krieger announced that Assemblywoman Sandra Galef will hold a meeting at the Cortlandt Town Hall on November 29th from 7 – 9 p.m. discussing Global Warming.

Supervisor Chervokas reported that a meeting was held with the Town and Village this evening on the Verizon Franchise Agreement. A joint Public Hearing will be held at the Joseph G. Caputo Community Center Gym on December 6th on this Franchise Agreement.

III. BOARD RESOLUTIONS

A. Approval of Minutes – October 23, 2007

Councilmember Dodge 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 October 23, 2007 Regular Meeting as presented.

Motion Carried: Unanimously

B. Approval of Voucher Detail Report

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 approves the Voucher Detail Report dated November 13, 2007 in the amount of \$434,844.14.

Motion Carried: Unanimously

C. Vehicle Use Policy

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 adopts the Vehicle Use Policy, as attached.

Motion Carried: Unanimously

D. Authorization for Reimbursement - Mystic Pointe Pump Station Gas and Electricity

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

Whereas, in 1995, Mystic Pointe Condominium was approved and as a condition of approval, a pump station was to be constructed at the expense of the developer to provide access to the Croton Sewer District. Upon completion and approval by the Town, it would then be dedicated to the Town and thereafter owned and operated by the Town, and

Whereas, all expenses continued to be paid by the condominium or the developer, and in 2002 the oversight was discovered. The Town argued the pump station be in acceptable condition before dedication could take place. The developer contributed an additional \$7,500.00 to protect the Town if the need for unforeseen repairs should arise, and

Whereas, by Easement Agreement dated November 13, 2002, a Bill of Sale was created naming the Town solely responsible for operating and maintaining the aforementioned sanitary sewer pump station and appurtenant facilities and equipment in good and proper working condition at the Town's sole cost and expense, and

Whereas, the developer and the condominium failed to notify Con Edison of the new billing address for electric and gas bills, and therefore, the Condominium received the bills and paid them until the error was discovered earlier this year. The condominium paid a total of \$9,923.18 from late 2002 until January of 2007, and

Whereas, the Town Attorney determined the Town should reimburse the Condominium for gas and electric based on the agreement dated November 13, 2002 for a total amount of \$9,923.18;

Now, Therefore Be It Resolved, that the Town Board of the Town of Ossining hereby authorizes the reimbursement to Mystic Pointe Condominium for a total amount of \$9,923.18.

Motion Carried: Unanimously

E. Town Property – Surplus Vehicle – Accepting Offer to Purchase

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 accepts the 'Offer to Purchase' from Liberty Motors, Inc. of 1705 Kennedy Boulevard, Jersey City, New Jersey 07308, for the following surplus vehicle at the bid price listed below:

2000 Ford Crown Victoria VN # 2FAFP71W8YX110105 Bid Price: \$861.99

Motion Carried: Unanimously

F. Westchester Community Opportunity Program Inc. - Appointing Town Representative

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 appoints Reginald Bush to serve as the Town of Ossining representative to the Board of Directors of the Westchester Community Opportunity Program for the 2007-2008 year.

Motion Carried: Unanimously

G. Westchester County - Senior Citizens – Title III and NYSIP Grants

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 Town Supervisor to sign an agreement with Westchester County for the Title III programs of the Older Americans Act for the period of January 1, 2007 through December 31, 2007. The Town shall receive Federal funding for the Title III B program in the amount of \$9,949 and for the Title III C-1 program in the amount of \$27,842, for the Title III C-2 program in the amount of \$28,767 and for NYSIP in the amount of \$15,729.

Motion Carried: Unanimously

H. Planning Board and Zoning Board of Appeals Training Waiver

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

Whereas, Chapter 662 of the 2006 New York State Law, which calls for four hours of annual training for a municipality's Planning Board and Zoning Board of Appeals members, also permits a municipality to pass a resolution for a waiver to that requirement;

Now, Therefore, Be it Resolved, that the Town Board of the Town of Ossining, suggesting that individual board members may want to, and are able to avail themselves of training programs whenever possible, hereby waives the mandatory four-hour annual training requirement.

Vote: 4 – 1 – 0

Voting Yes: Harter, Wilcher, Krieger
Chervokas

Voting No: Dodge

I. Change Order Authorization – Cedar Lane Water Main Project

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 Supervisor to sign the following Change Order with Steve Giordano Builders, Inc. for the Cedar Lane Water Main Project:

19 ft of 8" diameter water main	\$1,664.59
3 – 8" valves	\$4,500.00
1 – 8" x 8" x 8" tee	<u>\$ 200.00</u>
Total	\$6,364.59

Motion Carried: Unanimously

IV. MONTHLY REPORTS – October, 2007

Councilmember Wilcher moved and it was seconded by Councilmember Dodge that the Reports for the Month of October, 2007 from Town Clerk, Tax Receiver and Building Inspector be received and filed.

Motion Carried: Unanimously

V. CORRESPONDENCE TO BE RECEIVED AND FILED

Councilmember Harter moved and it was seconded by Councilmember Krieger that the following be received and filed:

- 1. September 19, 2007 Planning Board Minutes.**

Motion Carried: Unanimously

VI. VISITOR RECOGNITION

Bobby Williams, Spring Street, discussed various veteran services, particularly the Veteran's Hospital in Montrose.

VII. ADJOURNMENT

At 7:55 p.m., Councilmember Krieger moved and it was seconded by Councilmember Wilcher that the meeting be adjourned.

Motion Carried: Unanimously

Approved:

Mary Ann Roberts, Town Clerk