

TOWN BOARD
TOWN OF OSSINING
BIRDSALL-FAGAN POLICE/COURT FACILITY
86-88 SPRING STREET – OSSINING, NEW YORK

May 27, 2008 – REGULAR MEETING
7:30 PM

INTERIM SUPERVISOR

Martha Dodge

COUNCILMEMBERS

Geoffrey Harter Northern Wilcher
David Krieger Kimberlie Jacobs

I. CALL TO ORDER

The Regular Meeting of the Town Board of the Town of Ossining was held on May 27, 2008 in the Police/Court Facility, 86-88 Spring Street in Ossining. The meeting was called to order at 7:30 p.m. by Interim Supervisor Martha Dodge. Other members of the Board present were: Geoffrey Harter, David Krieger and Northern Wilcher. Councilmember Kimberlie Jacobs was absent. Also present were Town Attorney Thomas Beirne and Town Clerk Mary Ann Roberts.

II. PUBLIC HEARING – Proposed Community Development Block
Grant Applications – FY 2009, 2010, 2011

Engel Park Water Quality Management System
Gerlach Park Improvements
Senior Services Bus
Senior Services Social Worker Program

Supervisor Dodge opened the public hearing at 7:31 p.m. and gave a brief description of each grant the Town is applying for. The Engel Park Water Quality Management System will be applied for the year 2009 in the amount of \$194,125 of which \$50,000 will be the Town's responsibility. This will be a water recycling system utilizing an ultra violet filter. Gerlach Park Improvements will be for the year 2010 in the amount of \$343,841.20 of which \$90,000 will be the Town's responsibility. The improvements will include light replacement with a computer timer to turn the lights on and off from a remote location; restroom improvements, the replacement of basketball hoops and improvement of the courts. A Senior Services Bus in the year 2009 in the amount of \$63,928 with the Town's portion totaling \$15,982. A hybrid would have been a better choice however there are not many options and the cost is extremely high. The final grant request is for a Senior Services Social Workers in the amount of \$19,682 for the year 2009 and 2010 with the Town's responsibility being \$11,492 and for the year 2011 in the amount of \$20,592 with the Town's responsibility being \$12,168. There is presently a Social Worker to assist the seniors with a variety of issues such as medical forms, social security, etc. who is available 3 days a week. This grant will provide for an additional 2 days a week. Councilmember Krieger stated that this was good use of taxpayer dollars to assist the senior.

At 7:40 p.m., Councilmember Harter moved and it was seconded by Councilmember Krieger that the public hearing be closed.

Motion Carried: Unanimously

III. ANNOUNCEMENTS

Councilmember Krieger announced that on June 4 at the Ossining Public Library beginning at 7:30 p.m. there will be the fourth in a series of five literary

conversations with discussion by Elizabeth Samet, author of *Soldier's Heart: Reading Literature Through Peace and War at West Point*. On June 7th from 11 a.m. to 12 noon Congresswoman Nita Lowey will be present at the Arcadian Shopping Center located on Rockledge Avenue to discuss issues with residents. On June 9th Assemblywoman Sandra Galef will hold a discussion on Tax Relief from 7 – 9 p.m. in Peekskill. For additional information, please telephone Assemblywoman Sandra Galef's office at 941-1111. The last in the series on Festival of Writers and Readers at the Ossining Public Library will take place on June 16th beginning at 7:30 p.m. with a panel discussion on "how a book becomes a book".

Interim Supervisor Dodge announced that the Farmers Market will open on May 31st and run thru December from 8:30 a.m. – 2 p.m. at Market Square in downtown Ossining. The only Saturday that the Farmer's Market will not be there will be the day of the Village Fair, June 14th. Thus far more than 400 miles have been logged in for Walk Day. A thank you was extended to all those who participated and individuals are still being urged to put in their mileage. The Village Fair will take place on June 14th with a parade at 9:30 a.m. with the official opening of the fair at 10 a.m. The Ossining Public Library will host Vacation Ossining on June 7th from 7 – 9 p.m. A panel will share ideas with residents on having a fun summer at home with concerts, fairs, family entertainment as well as swimming.

IV. BOARD RESOLUTIONS

A. Approval of Minutes – May 13, 2008

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

Resolved, that the Town Board of the Town of Ossining hereby approves the Minutes of the May 13, 2008 Regular Meeting as presented.

Motion Carried: Unanimously

B. Approval of Voucher Detail Report

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

Resolved, that the Town Board of the Town of Ossining hereby approves the Voucher Detail Report dated May 27, 2008 in the amount of \$239,221.00.

Motion Carried: Unanimously

C. Firework's Approval – St. Augustine's Church

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

Whereas, the Church of St. Augustine, by letter dated May 9, 2008 has requested a permit from the Town of Ossining for a fireworks display to be held on the evenings of Wednesday, July 23 (rain date Thursday, July 24) and Sunday, July 27, 2008; and

Whereas, the Church has submitted the information required by Section 101-5 of the Code of the Town of Ossining and Section 405(2) of the Penal Law of the State of New York; and

Whereas, the bond/insurance coverage submitted by the Church has been found by the Town Attorney to comply with the requirements of Section 101-6 of the Ossining Code and Section 405 of the State Penal Law; and

Whereas, the Fire Chief has made an inspection of the premises where the fireworks display will be held and reported that such display will not be hazardous to persons or property;

Now, Therefore, Be It Resolved, that the application of the Church of St. Augustine's for a fireworks display on Wednesday, July 23, 2008 at 9:15 p.m. (rain date Thursday, July 24) and Sunday, July 27, 2008 at 9:15 p.m., is approved subject to the following conditions pursuant to Section 405(3) of the Penal Law:

1. The actual point at which the fireworks are to be fired shall be at least 200 feet from the nearest permanent building, public highway or railroad or other means of travel and at least 50 feet from the nearest above-ground telephone or telegraph line, tree or other overhead obstruction;
2. The audience at such display shall be restrained behind lines at least 150 feet from the point at which the fireworks are discharged and only persons in active charge of the display shall be allowed inside these lines;
3. All fireworks that fire a projectile shall be so set up that the projectile will go into the air as nearly as possible in a vertical direction, unless such fireworks are to be fired from the shore or a lake or other large body of water, in which case they may be directed in such manner that the falling residue from the deflagration will fall into such lake or body of water;
4. Any fireworks that remain unfired after the display is concluded shall be immediately disposed of in a way safe for the particular type of fireworks remaining;
5. No fireworks display shall be held during any wind storm in which the wind reaches a velocity of more than 30 miles per hour;
6. All persons in actual charge of firing the fireworks shall be over the age of 18 years, competent and physically fit for the task;
7. There shall be at least 2 such operators consistently on duty during the discharge; and
8. At least 2 soda acid or other approved type fire extinguishers of at least 2 and one-half gallons capacity each shall be kept at as widely separated points as possible within the actual area of the display; and it is further

Resolved, that a copy of this Resolution duly certified by the Town Clerk of the Town of Ossining shall constitute a Permit, meeting the requirements of the Code of the Town of Ossining and the Penal Law of the State of New York.

Motion Carried: Unanimously

D. Community Development Block Grant Applications

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

Whereas, The Town of Ossining is a member of the Westchester Urban County Consortium of Communities; and

Whereas, a public hearing was held on May 27, 2008 and all persons wishing to speak in connection with the aforesaid applications were heard;

Now, Therefore Be it Resolved, that the Town Board of the Town of Ossining hereby authorizes the Supervisor to submit the following Community Development Block Grant Applications with Town contributions in the amounts as indicated:

Water Quality Management System for Sprayground at Engel Park (FY2009)

Total Estimated Project: \$194,125.00

Town Share: \$50,000.00

Gerlach Park Improvements (FY 2010)

Total Estimated Project: \$343,841.20

Town Share: \$90,000.00

Senior Services Ford Adult Passenger Bus (FY 2009)

Total Estimated Project: \$63,928.00

Town Share: \$15,982.00

Senior Services Social Worker Program

FY 2009 & 2010:

Total Estimated Project: \$19,682.00

Town Share: \$11,492.00

FY 2011:

Total Estimated Project: \$20,592.00

Town Share: \$12,168.00

Motion Carried: Unanimously

E. Taxes-In Rem Foreclosure Re-appointment

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 reappoints Mark S. Tulis, Esq. of Oxman, Tulis, Kirkpatrick, Whyatt & Geiger LLP, 120 Bloomingdale Road, White Plains, New York as Special Counsel to conduct In Rem foreclosure proceedings upon its tax liens appearing in the 2007 List of Delinquent Taxes as to which payment has not been made. Compensation to Mr. Tulis shall be in accordance with his letter to the Town of Ossining dated May 9, 2008.

Motion Carried: Unanimously

F. Animal Control Agreement

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 Supervisor to enter into an agreement with Jim Horton, Principal, of Quality Pro Pest and Wildlife Services, Hawthorne, New York pursuant to the terms and conditions of the agreement for the period June 1, 2008 through December 31, 2008.

Motion Carried: Unanimously

G. Westchester County – IMA Agreement – AAA Transportation Program

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 authorizes the Supervisor to sign an agreement with Westchester County for the AAA Transportation Program, effective April 1, 2008 – March 31, 2009. The Town shall receive funding not to exceed \$2,300.00.

Motion Carried: Unanimously

H. Finance-2008 Budget Adjustment

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

Whereas, the Town of Ossining received reimbursement from New York Municipal Insurance Reciprocal (NYMIR) for several accidents involving police vehicles and the revenue was allocated to line item 020-0020-2680 (Insurance Recoveries) in the amount of \$6,048.98; and

Whereas, the Police Department has made repairs to the vehicles utilizing the maintenance and repair line, however, the line item is close to being fully expended due to multiple accidents,

Now, therefore be it Resolved, that the Town Board of the Town of Ossining hereby authorizes the 2008 budget to be amended as follows:

Increase: 020-0020-2680 (Insurance Recoveries) (Revenue) \$6,048.98
020-3120-0419 (Maintenance & Repair) (Expenditure) \$6,048.98

Motion Carried: Unanimously

I. Call- a- Cab Agreement

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 authorizes the Supervisor to sign an agreement with Ossining Taxi, Inc., 23-25 Spring Street, Ossining, for participation in the Call-a-Cab program for the period ending December 31, 2008.

Motion Carried: Unanimously

J. Senior Center-YMCA Agreement

Resolved, that the Town Board of the Town of Ossining hereby authorizes the Supervisor to enter into an agreement with Family YMCA at Tarrytown, 62 Main Street, Tarrytown, NY to provide active older adult group exercise classes for the Ossining Senior Center at a schedule to be determined between the Senior Center Director and the YMCA; and be it further

Resolved, that the exercise classes shall be provided free of charge by the YMCA and the length of agreement shall be continuous unless terminated by either party.

Motion Carried: Unanimously

V. CORRESPONDENCE TO BE RECEIVED AND FILED

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

1. December 12, 2007, February 27, 2008, March 12, 2008 and April 9, 2008 Minutes of the Town Planning Board.

Motion Carried: Unanimously

VI. VISITOR RECOGNITION

Bobby Williams, Spring Street, commented on Memorial Day being a day to mourn our past and look forward to our future. He expressed his hope that the House will pass an amendment to the GI bill and that the President will sign it. If the President doesn't sign it he hoped that the House and the Senate would veto the President. The Government doesn't do enough for veterans. He was glad to see the CDBG application for Engel Park Spray Ground as the process before was allowing puddles of water to form.

VII. ADJOURNMENT

Councilmember Harter made a motion to adjourn the meeting in honor of the Central Committee and in memory of all of the names read at the Memorial Day Ceremony who gave their lives for our freedom. Town Clerk Roberts also requested that the meeting be adjourned in the memory of Honey Handler who passed away recently. Mrs. Handler was an election inspector for over 50 years. This motion was seconded by Councilmember Krieger.

Motion Carried: Unanimously

Mary Ann Roberts, Town Clerk

Approved: