

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

AUGUST 12, 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 August 12, 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. Members of the Board present were: Councilmembers Geoffrey Harter, Northern Wilcher, David Krieger and Kimberlie Jacobs. Also present were: Town Attorney Thomas Beirne and Town Clerk Mary Ann Roberts.

II. PUBLIC HEARING – Continuation - Studio Hill Mansion

At 7:31 p.m. the public hearing was opened.

Town Supervisor Martha Dodge announced that the Town Board has requested that the Zoning Board of Appeals address two issues: Whether a temporary tent in the upper corner of the property would be allowed and for what reason would it be allowed and secondly whether the premises can be used as a restaurant as it ceased being a restaurant last year. The Public Hearing is continued as the application is still incomplete as the Liquor License has not been issued as of this date.

Ellen Kahan, Ganung Drive, thanked the Board for sending these requests to the Zoning Board of Appeals. She also requested that the neighbors be informed of the meeting time and location of the Zoning Board Meeting.

Mindy Lamarr, Haymont Terrace, questioned whether there was an Ethics Board in the Town of Ossining. According to the Code there should be one in place and she would like to file a complaint against the Town Attorney as he is a member of the law firm representing the owner of the property at 25 Studio Hill. Supervisor Dodge responded that there was not an active Ethics Board in the Town of Ossining at this time.

At 7:35 p.m., Councilmember Harter moved and it was seconded by Councilmember Jacobs that the public hearing be continued at the August 26th Board Meeting.

Motion Carried: Unanimously

III. PRESENTATION - Dominick Consolo – O'Connor Davies Munns & Dobbins, LLP – Independent Auditor's Report Year End 2007

Dominick Consolo, O'Connor Davies Munns & Dobbins, LLP, Independent Auditor's for the Town of Ossining, gave a brief presentation regarding the General Fund. He referred them to Page 47 with a comparison of 2006 and 2007 surplus funds. The actual column is \$386,000. There was \$173,000 in property taxes not in 2006 but they are in 2007 as that's when they were actually collected. The mortgage tax was \$300,000 below due to the poor real estate

market and the economy. The Town is in excellent financial condition. The Unincorporated Area is also in good condition.

Peter Tripodi, Quail Hollow Road, questioned the amount of money given to the Village for shared services. Mr. Consolo was not able to give an accurate amount as it is spread all over the report. A suggestion was made to review a copy of the Adopted Budget in the Clerk's office.

Councilmember Harter questioned Mr. Consolo as to whether there was anything significantly wrong in the way the Town is handling the finances. Mr. Consolo stated that a Management Letter was also included with some minor comments.

IV. PRESENTATION – Employee of the Season

Ann Carroll Malone, Town Court Clerk, was given the first Employee of the Season Award by Supervisor Dodge. A proclamation was read and presented to Mrs. Malone. There will also be a plaque listing all of the names of the individuals presented with this award.

V. ANNOUNCEMENTS

Councilmember Krieger announced that on August 20, 2008 at 7 p.m. in the Joseph G. Caputo Community Center, 95 Broadway, the Town will hold an Ambulance District Information Session. This session will discuss the future needs of the Town and Village of Ossining as well as the unincorporated area.

The Ossining Public Library is sponsoring an Art Exhibit of photographs of Ossining resident ancestors.

The final summer concert of the season will take place on August 14th beginning at 7 p.m. Swing Swing is the venue for this final concert. In the event of rain the concert will be moved from the Waterfront to Ryder Park.

Registration is open for the kickoff of Ossining Matters 5K Walk which will be held on September 6th.

VI. BOARD RESOLUTIONS

A. Approval of Minutes – July 22, 2008

Councilmember Krieger 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 July 22, 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 August 12, 2008 in the amount of \$240,099.40.

Motion Carried: Unanimously

C. Town Property - Surplus Vehicle – Accepting Offer to Purchase

Councilmember Wilcher moved and it was seconded by Councilmember Jacobs 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, 07305, for the following surplus vehicle at the bid price listed below:

2000 Ford Crown Victoria VIN # 2FAFP71W6Y196188 Bid Price: \$533.99

Motion Carried: Unanimously

D. Mileage Allowance

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

Resolved, that wherever it shall be appropriate to compensate Town Officials and/or Town Employees for mileage, they shall be reimbursed at a rate of \$0.585 per mile effective July 1, 2008, to be paid upon claim voucher, after audit and approval.

Motion Carried: Unanimously

E. Authorizing Temporary Beer & Wine Permit for Ossining Post 506, American Legion Fundraiser/Food-Fest

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

Whereas, the American Legion, Ossining Post 506 has completed an application to be submitted to the New York State Liquor Authority for a Temporary Beer & Wine Permit for an Italian Festival to be held at Engel Park from Friday, August 22, 2008 through Sunday August 24, 2008 from 5:00pm until 11:00pm; now therefore be it

Resolved, that the Town Board of the Town of Ossining hereby authorizes the Supervisor to sign the application granting permission for the sale or service of alcoholic beverages by the American Legion, Ossining Post 506 at Engel Park.

Motion Carried: Unanimously

F. Authorizing Town Justices and Town Supervisor to submit a grant application to New York State Office of Court Administration

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

Resolved, that the Town Board of the Town of Ossining hereby authorizes the Town Justices and Town Supervisor to submit a 2008 Justice Court Assistance Program application to the New York State Office of Court Administration with a request not to exceed \$30,000.

Motion Carried: Unanimously

G. Explore NY 400 Community Resolution

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

Whereas, the New York State Hudson-Fulton-Champlain Quadricentennial Commission was established under Chapter 590 of the Laws of 2002, to plan, develop, and coordinate the 400th anniversary, in 2009, of the voyages of exploration made by Henry Hudson and Samuel de Champlain as well as the 200th anniversary of Robert Fulton's steamship voyage up the Hudson River; and

Whereas, these historic voyages of exploration in 1609 would change the world forever and lead to the European settlement of the New World and the innovation of steam travel and commerce in 1807, establishing the Hudson River and Lake Champlain as a corridor of trade, communication, politics and ideas, and that further, this vital north-south corridor of water created other water links such as the Champlain and Erie Canals, which provided opportunities inland and encouraged the westward movement through these water routes; and

Whereas, the State and the Federal governments recognize the voyages of exploration and invention to be of historical importance and significance to New York State and the nation and recognize the tradition to observe these contributions made by Hudson, Fulton, and Champlain, by commemorating these events in 2009,

Whereas, as an Explore NY 400 Community, the community may use the Explore NY 400 logo, link to the Explore NY 400 website, and may be eligible for either state or federal grant money to assist in Quadricentennial planning, events, and legacy projects; and

Be it Further Resolved, the County/City/Town/Village named below supports the mission of the Hudson-Fulton-Champlain Quadricentennial Commission, and requests designation as an Explore NY 400 Community, and will be an active partner by establishing an Explore NY 400 Committee, and will cooperate to its fullest with the Commission in making the 400th anniversary a successful historic New York State event.

Motion Carried: Unanimously

H. Highway – Seasonal Appointment – Junior Clerk

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

Resolved, that the Town Board of the Town of Ossining hereby appoints John Codman IV, 37 Ferris Place, Ossining, to the position of Seasonal Junior Clerk at \$10.00 per hour effective August 8, 2008.

Vote: 4 – 1 – 0
Voting Yes: Harter, Krieger, Jacobs,
Dodge
Voting No: Wilcher

I. Finance – Capital Project #2008 – 2157 – Highway Department - Garage Doors

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 establishment of Capital Project #2008-2157, entitled Highway Department Garage Doors in the amount of \$19,670.00 to be financed by a Bond Anticipation Note.

Motion Carried: Unanimously

J. Authorizing the Town Clerk to Advertise for Bids for Vibratory Asphalt Roller for Highway Department

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 Town Clerk to advertise for Bids for a 'Vibratory Asphalt Roller' for use by the Town of Ossining Highway Department, to be returnable no later than 10:00 a.m. on Tuesday, September 2, 2008 in the Office of the Town Clerk, 16 Croton Avenue, Ossining, New York.

Motion Carried: Unanimously

VII. MONTHLY REPORTS

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

July 2008 – Town of Ossining Building Department Report
July 2008 – General Electric Helicopter Report
May 2008 – Planning Board Minutes

Motion Carried: Unanimously

VIII. VISITOR RECOGNITION

Mindy Lamarr, Haymont Terrace, questioned why the Town Attorney resolution was removed from the Friday agenda. A job description was also requested. Supervisor Dodge stated that the Town Attorney and the Deputy Town Attorney now post their hours on a monthly basis. There is no Board of Ethics in place at this time.

Bobby Williams, Spring Street, discussed the Hudson River and questioned whether it was cleaner. GE should be made accountable for its clean up and the DEC and the President should make sure that this is taken care of before the new President takes office.

IX. ADJOURNMENT

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

Motion Carried: Unanimously

Mary Ann Roberts, Town Clerk

Approved: