

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

NOVEMBER 25, 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 November 25, 2008 in the Police/Court Facility, 86-88 Spring Street in Ossining. The meeting was called to order at 7:30 p.m. by Supervisor Martha Dodge. Other members of the Board present were: Geoffrey Harter, Northern Wilcher, David Krieger and Kimberlie Jacobs. Also present were: Thomas Beirne, Town Attorney; Connie Cerny, Budget Officer and Mary Ann Roberts, Town Clerk.

II. PUBLIC HEARING – 2009 Preliminary Budget

Supervisor Dodge opened the Public Hearing at 7:32 p.m. with the statement that it has been very gratifying to the Board to receive so much feedback from the Community. They have received many good suggestions. The actual percentage is a daunting number.

Budget Officer Connie Cerny gave a power point presentation giving an overview of what the budgets entail. The Town of Ossining Budget is on a calendar year cycle (January 1 – December 31). The department heads began preparation of the 2009 budget in September with the Tentative Budget presented to the Town Clerk on or before October 30th. The Budget must be adopted by December 20th. The Board will continue to discuss the Budget at their December 2nd Work Session and it will either be adopted on December 9th or December 16th. The Town General Fund is paid by Village of Ossining, Village of Briarcliff Manor and the Unincorporated Area. Health insurance costs have risen 6.6% and 34% for New York State Power Authority. The Town General Services include Town Justice, Administration, Financial/Controller, Tax Collection and Assessment, Town Clerk and Elections, Senior Services, Parks and Recreation, Facilities Maintenance and Dale Cemetery. The Unincorporated area services provided are Police, Building, Engineering, Planning and Zoning, Storm Water Management as well as the Highway Department. There are 18 full-time members of the police department and one part-time employee. As for expenditures, you have the contractual increases which include salaries and benefits; increase in litigation and refunds for certioraris; investments in infrastructure and fleet as well as miscellaneous expenses including gas and electric. Supervisor Dodge commented on the use of pre-wetting of the roads which will reduce the amount of salt used. Salt costs are sky rocketing. Budget Officer Cerny continued her presentation by stating that the Town is replacing an 18 year old leaf machine; replacement of highway garage doors which will help prevent heat loss. The Town is repairing the Samstag Avenue Retaining Wall which is in jeopardy of collapsing and is compromising the roadway. These items have all been borrowed for 5 years.

Councilmember Krieger stated that the budget is available on line and in the Clerk's office for review. He also questioned why the electric rates increased? Supervisor Dodge responded that the contract with NYPA has expired and there

is no service provider at this time thus the 34% increase. A thank you was extended to everyone for all of their hard work during this most difficult time. The budget is a work in progress. The Board has been careful about what is levied in property taxes and they are conservative in budget requests. The Supervisor also expressed her concerns for the 2010 budget. A suggestion was made to cut sanitation to once a week, but this is not cost effective due to the fact that the Town has a contract and if it is cut to once a week the trucks will have to do a double run to pick up all of the refuse. Councilmember Krieger requested that the public forward emails, telephone calls or written comments on the budget to the Board for consideration.

Richard Walton, Rosecliff Section of Briarcliff Manor, stated that he has a home valued at \$850,000 and is paying taxes in excess of \$30,000. He has been reviewing the budget and questioned what time frame is addressed. Budget Officer Cerny responded that it was from January 1, 2008 thru October 23, 2008. He felt that the Town was in worse shape than has been stated. Eighteen police officers equal 60% of the budget and not 32% as was stated. You have \$3 million for 18 officers. Ms. Cerny stated that the police only affect the town outside not the Village of Briarcliff Manor. It is very difficult to sell a home during this time due to the taxes. Realtors have told residents to file certioraris in order to lower property taxes by 25%. Taxes are out of wack and the Board is making the process worse.

Peter Tripodi, Quail Hollow Road, questioned how much of the budget is going to the Village for IMA's ? The water rate is increasing at an excessive rate and the Town should stop buying water from the Village. There has been fiscal mismanagement and you are taxing the few for the many. There should be a freeze on hiring. The solution to the 35% increase in electricity is the use of solar panels wind turbines. There should be transparency in special districts. If Albany makes cuts, the Town should too. Why is revenue down and spending up? Town Attorney Beirne stated that the Town does receive a share of the County Sales Tax. In order to collect a Town Sales Tax, the Town would have to go to the State Legislature for a special taxing unit. The Town does not have a big shopping community.

Bobby Williams, Spring Street, stated that most municipalities have kept the increase below the cost of living. Westchester is the highest tax in the Country. The tax increases hurt lower end than the higher end residents.

Supervisor Dodge responded that the Board has taken into consideration the fixed income individuals and have increased some Senior Services.

Budget Officer Cerny stated that \$20,000 equates to 1 percent in the budget.

Peter Tripodi, Quail Hollow Road, stated that we are keeping seniors here, but the young professionals are leaving in droves. Solar panels can be funded by grants. Parkland not in use should be turned into solar fields. The Town should also look into an oil co-op. County government should be eliminated.

Councilmember Harter responded to the gentleman from Briarcliff to clarify that the operating costs of the Town Police are not connected to policing in the Village of Briarcliff.

At 8:39 p.m., Councilmember Harter moved and it was seconded by Councilmember Krieger that the Public Hearing be continued at 7:30 p.m. on December 9, 2008.

Motion Carried: Unanimously

III. ANNOUNCEMENTS

Councilmember Jacobs announced that the Ossining Public Library would be hosting a seminar for First-time Homebuyers on December 8th at 7 p.m.

Councilmember Krieger announced that the Chamber of Commerce would hold the First Friday event on Friday, December 5th from 5 – 8 p.m. A historical guided tour of the downtown would take place at 5 p.m.; the Boy Scouts will be selling wreaths and at 6 p.m. the Tree Lighting Ceremony will take place with the arrival of Santa Claus. The stores and restaurants will be offering a 10% discount. The Ossining Public Library will also host a Words and Music of Broadway on Sunday, December 7th beginning at 3 p.m.

IV. BOARD RESOLUTIONS

A. Approval of Minutes – November 11, 2008

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

Resolved, that the Town Board of the Town of Ossining hereby approves the Minutes of the November 11, 2008 Regular Meeting as presented.

Motion Carried: Unanimously

B. Approval of Voucher Detail Report

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 Voucher Detail Report dated November 25, 2008 in the amount of \$409,294.87.

Motion Carried: Unanimously

C. Finance – 2008 Budget Adjustment

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 following budget adjustment to be made to the Dale Cemetery budget:

TRANSFER TO G/L ACCOUNT	AMOUNT	AMOUNT	TRANSFER FROM G/L ACCOUNT
010-9901-0907- Transfer to Dale Cem	3,040.00	3,040.00	010-0010-4795 Fund Balance

Motion Carried: Unanimously

D. Finance – 2008 Budget Adjustment

Councilmember Jacobs 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 following budget adjustments to be made to the Dale Cemetery budget:

Increase: 032-0032-5032 Transfer from General Fund	\$4,040.00
032-8810-0472 Dale Management Contractual	\$4,040.00

Motion Carried: Unanimously

E. Approving Memorandum of Agreement between the Town of Ossining and the Town of Ossining Police Association

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

WHEREAS, the Town of Ossining ("the Town") and the Town of Ossining Police Association ("the Union") are parties to a collective bargaining agreement covering the period January 1, 2006 – December 31, 2008; and

WHEREAS, the negotiating committees for the Town and the Union have agreed upon the terms of a Memorandum of Agreement, dated November 17, 2008, which sets forth the terms of a successor agreement for the period from January 1, 2009 through December 31, 2012; and

WHEREAS, that Agreement provides that it is subject to ratification by the Town Board; and

WHEREAS, the members of the negotiating committee for the Town have recommended unanimously that the Memorandum of Agreement be ratified by the Town Board;

NOW, THEREFORE, BE IT RESOLVED that the Agreement between the Town and the Union dated November 17, 2008, is hereby ratified and approved and the Town Board approves the funding for such Agreement; and

BE IT FURTHER RESOLVED that the Town Supervisor is authorized to execute a collective bargaining agreement for the period from January 1, 2009 through December 31, 2012 that is consistent with the terms of the Memorandum of Agreement.

Motion Carried: Unanimously

F. Final Order In the matter of the Establishment of an Ambulance District to be Known as the Town of Ossining Ambulance District Pursuant to Section 209-d of the Town Law

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

WHEREAS, the Town Board of the Town of Ossining, Westchester County, New York, has duly caused to be prepared a description of the boundaries of a proposed Town of Ossining Ambulance District in said Town (hereinafter, the "District") and a general plan for the proposed method of operation thereof; and

WHEREAS, an Order was duly adopted by said Town Board on September 9, 2008, reciting a description of the boundaries of said proposed District, the fact that there were no capital improvements to be undertaken for the proposed District, and therefore no estimated cost to be expended for capital improvements, the fact that said map and report were on file in the Town Clerk's office for public inspection and specifying September 23, 2008, at 7:30 o'clock P.M., Prevailing Time, and the Birdsall/Fagan Police Court Facility, 86-88 Spring Street, in Ossining, New York, in said Town, as the time when and the place where said Town Board would meet for the purpose of holding a public hearing to consider the establishment of said Town of Ossining Ambulance District and said map and report filed in relation thereto and to hear all persons interested in the subject thereof concerning the same;

WHEREAS, such Order was duly published and posted in the manner and within the time prescribed by Section 209-d of the Town Law and proof of such publication and posting has been duly presented to said Town Board;

WHEREAS, said public hearing was duly held at the time and place set forth in said order, as aforesaid, at which time all persons desiring to be heard were duly heard;

WHEREAS, following said public hearing, and based upon the evidence given thereat, said Town Board on October 14, 2008, duly adopted a resolution determining in the affirmative all of the questions set forth in subdivision 1 of Section 209-e of the Town Law and approving the establishment of said District, such order being adopted subject to permissive referendum;

WHEREAS, notice of the adoption of said resolution was duly published on October 20, 2008 and posted in the manner provided by applicable provisions of the Town Law, and proof of said publication and posting has been duly presented to this Town Board;

WHEREAS, the period of time for the submission and filing of a petition against said resolution and requesting a referendum in connection therewith elapsed without such a petition being submitted and filed; and

WHEREAS, the permission of the State Comptroller is not required for the establishment of the District;

WHEREAS, the Village of Ossining has consented to the inclusion of property in the Village of Ossining in the District in a resolution adopted October 7, 2008, which became effective November 8, 2008 after publication of notice of its adoption in *The Journal News* on October 11, 2008; NOW, THEREFORE, IT IS HEREBY

ORDERED, by the Town Board of the Town of Ossining, Westchester County, New York, as follows:

Section 1. The Town of Ossining Ambulance District in the Town of Ossining, Westchester County, New York, is hereby established, to be bounded and described as set forth in Appendix A attached hereto and made a part hereof.

Section 2. The Town Clerk is hereby authorized and directed to cause a certified copy of this Order to be duly recorded in the office of the Clerk of Westchester County, New York, within ten days after the adoption of this Order by this Town Board and to file a certified copy thereof within that time in the office of the State Department of Audit and Control, in Albany, New York, both pursuant to subdivision 1 of Section 209-g of the Town Law.

Section 3. This Order shall take effect immediately.

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

V. MONTHLY REPORTS – October, 2008

Councilmember Harter moved and it was seconded by Councilmember Krieger that the Monthly Reports for October, 2008 from the Building Inspector and Tax Receiver be received and filed.

Motion Carried: Unanimously

VI. VISITOR RECOGNITION

John Klapkowski, Beach Road, questioned whether the land between Harbor Square and the County Sewage Treatment Plant has been dedicated as parkland. Councilmember Harter stated that he was working on this project and

had to sit down with the Town Attorney regarding 2 or 3 pieces of parkland. All of the property from the Boat and Canoe Club down to the Sewage Treatment Plant will be included and hopefully a resolution designating this will take place next month.

Bobby Williams, Spring Street, stated that the parkland ownership should be cleared up as to who it belongs to. Food Banks are running out of food and we should all make a contribution to help those less fortunate.

Peter Tripodi, Quail Hollow Road, wished everyone a Happy Thanksgiving.

VII. ADJOURNMENT

At 9:03 p.m., Councilmember Harter moved and it was seconded by Councilmember Krieger that the meeting be adjourned.

Motion Carried: Unanimously

Mary Ann Roberts, Town Clerk

Approved: