

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

MARCH 24, 2009
7:30 PM

SUPERVISOR
Catherine Borgia
COUNCILMEMBERS

Geoffrey Harter Michael L. Tawil
David Krieger Northern Wilcher

I. CALL TO ORDER

The Regular Meeting of the Town Board of the Town of Ossining was held on March 24, 2009 in the Birdsall-Fagan Police/Court Facility, 86-88 Spring Street in Ossining. The meeting was called to order at 7:30 p.m. Members of the Board present were: Geoffrey Harter, David Krieger, Northern Wilcher and Michael Tawil. Supervisor Catherine Borgia was absent. Also present were Town Attorney Wayne Spector, Budget Officer Connie Cerny and Town Clerk Mary Ann Roberts.

II. PUBLIC HEARING – In the matter of the Application for a Cabaret License for The Tuscan Grille, 518 North State Road, Briarcliff Manor

The public hearing was opened at 7:32 p.m.

Ms. Kim Corrigan, one of the owners, was present at the Public Hearing to answer any questions from the Town Board and also from the public. Councilmember Krieger questioned Item 10 on the application which questions the intended days and hours of cabaret operation. Ms. Corrigan responded that the operations on Wednesday were from 5 – 10 p.m. and on Saturday from 5 – 11 p.m. Councilmember Krieger also questioned Item 13 regarding the name(s) on the liquor license. The names of the owner and liquor license applicant will be amended to reflect the same name. Deputy Supervisor Harter requested clarification of Item 10 as to hours of operation of the actual cabaret. Ms. Corrigan responded that the hours of cabaret application would be from 7 – 11 p.m. She also stated that the application would be amended to reflect the same name on both the name and address of applicant as well as the New York State Liquor License. There have been no police reports pertaining to this location. Deputy Supervisor Harter stated that the Cabaret License Application would be placed on the April 14th Agenda for adoption.

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

Motion Carried: Unanimously

III. ANNOUNCEMENTS

Councilmember David Krieger announced that beginning on April 1 at the Ossining Public Library there would be a series of John Ford movies beginning at 7 p.m. with such movies as the Grapes of Wrath.

Councilmember Michael Tawil announced that the First Lady planted a garden at the White House and that the residents of Ossining could do the same by securing a space at the Community Garden by calling the Community Center at 941-3189.

IV. PUBLIC COMMENT ON AGENDA ITEMS

Mindy Lemarr, Haymont Terrace, questioned Resolution H (Retainer Agreement – Extension – DelBello Donnellan Weingarten Wise & Wiederkehr, LLP) and how his steering Town business to his law firm is not a conflict of interest. Deputy Supervisor Harter responded that it was not Tom Beirne's responsibility to steer business anywhere. This is the responsibility of the Town Supervisor and/or the Town Board. Ms. Lemarr also stated that he had requested a copy of letter from Mr. Beirne and was told that she would have to wait an additional five days. Town Attorney Spector responded that the nature of the retainer is to address certain certioraris. Former Town Attorney Beirne is not financially benefiting from this retainer. He is not an equity partner in this firm. There are presently six to eight pending tax matters. Ms. Lemarr further stated that this law firm which includes Mr. Beirne also represents the Jewel of Asia and leads to the question of what confidence do residents have. Deputy Supervisor Harter stated that any matters before the Zoning Board or the Town Board relative to the Jewel of Asia were not handled by Mr. Beirne. He recused himself. Town Attorney Spector stated that Mr. Beirne has no contact or influence over the Zoning Board of Appeals. Deputy Supervisor Harter stated that spoke to Supervisor Borgia regarding the FOILS. Town Attorney Spector stated the reason for the delay in responding to this FOIL request is the ability to retrieve boxes of files and also a storage issue.

Linda M. Caruso, Village resident, questioned Resolution E (Amending Date of Hire – Deputy Town Attorney for Prosecutions) particularly the reason that the Town and Village Prosecutors could take people out in the hallway for a plea deal for up to 50% of the fine. Isn't it supposed to be in open court and if not, why not? Deputy Supervisor Harter stated that he was unfamiliar with the Court procedures. Town Attorney Spector responded that the judiciary is a separate branch and the court is run as they see fit. Judges make decisions in accordance with the law. Councilmember Tawil further stated that she was correct that these things should be done in open court, however, there are times that a court conference will take place for the smooth operation of the court. Deputy Supervisor Harter stated that he would confer this information to the Town Justices as well as to Deputy Town Attorney for Prosecution Tanksley.

Peter Tripodi, Quail Hollow Road, made an announcement that Dan Hofer of Troop 49 is sprucing up Sparta Cemetery as he is working on an Eagle Scout Project and is looking for volunteers to repair a wall. Councilmember Wilcher stated that he has seen these individuals working at the cemetery and said that the Eagle Scout was doing a good job.

V. BOARD RESOLUTIONS

A. Approval of Minutes – March 10, 2009

Councilmember Tawil 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 10, 2009 Regular Meeting as presented.

Motion Carried: Unanimously

B. Approval of Voucher Detail Report

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 Voucher Detail Report dated March 24, 2009 in the amount of \$225,019.00.

Motion Carried: Unanimously

C. Finance – Budget Adjustments

Councilmember Krieger moved and it was seconded by Councilmember Tawil 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 2008 Budget:

To:			From:		
Account Number	Description	Amount	Amount	Account Number	Description
010.1110.101	Personnel Services	1.00	1.00	010.1110.105	Overtime
010.1110.109	Sick Incentive	500.00	400.00	010.1110.106	Longevity
			100.00	010.1110.105	Overtime
010.1110.201	Equipment	137.37	137.37	010.1010.101	Personnel Services
010.1110.401	Supplies	601.83	233.35	010.1010.101	Personnel Services
			75.66	010.1010.405	Conferences
			292.82	010.1110.405	Conferences
010.1110.408	Books	1062.35	21.45	010.1110.405	Conferences
			50.00	010.1110.404	Mileage
			210.00	010.1110.416	Uniforms
			780.90	010.1110.110	Part Time
010.1110.414	Contractual-Steno	1097.17	1097.17	010.1110.110	Part Time
010.1110.419	Maint/Repair	436.91	433.33	010.1110.110	Part Time
			3.58	010.1110.424	Consultant
010.1110.438	Miscellaneous	409.00	270.73	010.1110.424	Consultant
			43.46	010.1110.436	Postage
			91.47	010.1110.105	Overtime
			3.34	010.1220.201	Equipment
010.1110.455	Constables	1283.60	1283.60	010.1110.110	Part Time
010.1220.101	Personnel Services	593.26	345.58	010.1220.201	Equipment
			247.68	010.1220.404	Mileage
010.1220.110	Part Time	1096.75	68.57	010.1220.404	Mileage
			488.00	010.1220.417	Education
			70.20	010.1220.406	Telephone
			469.98	010.1355.105	Overtime
010.1220.401	Supplies	175.27	175.27	010.1355.105	Overtime
010.1220.405	Conference	22.05	22.05	010.1355.105	Overtime
010.1330.101	Personnel Services	2285.06	1897.20	010.1330.201	Equipment
			91.85	010.1330.110	Part Time
			296.01	010.1330.401	Supplies
010.1330.105	Overtime	173.09	10.56	010.1330.401	Supplies
			162.53	010.1330.405	Conference
010.1330.402	Printing	744.39	139.47	010.1330.405	Conference
			187.00	010.1330.419	Maint/Repair
			417.92	010.1330.497	Internet Site Fees
010.1330.404	Mileage	88.65	88.65	010.1330.497	Internet Site Fees
010.1330.417	Education	94.42	32.58	010.1330.497	Internet Site Fees
			61.84	010.1330.436	Postage
010.1330.424	Comp.Consultant	149.07	24.59	010.1330.436	Postage
			124.48	010.1355.105	Overtime
010.1355.101	Personnel Services	1.00	1.00	010.1355.105	Overtime

010.1355.201	Equipment	959.17	959.17	010.1355.105	Overtime
010.1355.406	Telephone	26.59	26.59	010.1355.105	Overtime
010.1355.411	Gasoline	175.47	175.47	010.1355.105	Overtime
010.1355.458	Tax Maps	500.00	500.00	010.1355.105	Overtime
010.1410.101	Personnel Services	1799.74	1647.46	010.1410.110	Part Time
			152.28	010.1410.105	Overtime
010.1410.401	Supplies	1077.92	272.10	010.1410.105	Overtime
			150.00	010.1410.404	Mileage
			50.00	010.1410.408	Books
			45.00	010.1410.428	Dues
			500.00	010.1410.477	Records Managmt
			60.82	010.1410.402	Printing
010.1410.405	Conference	98.31	98.31	010.1410.402	Printing
010.1420.421	Appraisals	74388.84	1700.00	010.1420.403	Filing/Foreclsr Fees
			1885.08	010.1420.423	Litigation
			70803.76	010.1680.475	Vill.of Ossining Cnt
				010.1680.475	Vill.of Ossining Cnt
010.1420.422	Certioraris	19502.55	19502.55	010.1680.475	Litigation
010.1420.425	Labor Counsel	759.79	759.79	010.1420.423	Litigation
010.1450.401	Supplies	349.00	349.00	010.1450.111	Custodial
010.1450.432	Carting/Lighting	3067.00	651.00	010.1450.111	Custodial
			1005.00	010.1450.417	Education/ElctAst
			50.00	010.1450.466	Legal Notice
			1361.00	010.1450.431	Storage/Misc
010.1450.437	West.Cnty Rmbrsmt	550.00	550.00	010.1450.431	Storage/Misc
010.1620.401	Supplies	70.00	65.29	010.1620.201	Equipment
			4.71	010.1620.405	Conference
010.1620.419	Maint/Repair	2007.35	1927.00	010.1620.402	Printing
			80.35	010.1620.408	Books
010.1620.430	IMA-Building	551.48	85.65	010.1620.408	Books
			320.00	010.1620.428	Dues
			98.90	010.1620.438	Miscellaneous
			46.93	010.1620.436	Postage
010.1650.438	Misc-Phone/Web Svc	3776.18	3658.00	010.1910.413	Consultant-GASB
			118.18	010.1650.460	Cable TV
010.1989.487	Pace IMA	8250.00	717.97	010.1910.468	Auto
			2124.50	010.1910.469	Bonds
			202.14	010.6770.201	Equipment
			3574.20	010.6770.418	Contractual
			1631.19	010.6771.418	Contractual
010.6510.438	Miscellaneous	245.00	245.00	010.6770.401	Supplies
010.6772.109	Sick Incentive	1500.00	79.96	010.6770.401	Supplies
			463.93	010.6770.423	Food Supplies
			845.21	010.6771.418	Contractual
			110.90	010.6772.105	Overtime
010.6772.429	Call A Cab	15583.67	133.90	010.6772.105	Overtime
			7314.91	010.6772.101	Personnel Services
			1702.27	010.6772.110	Part Time
			156.05	010.6772.201	Equipment
			400.00	010.6772.401	Supplies
			100.00	010.6772.402	Printing
			30.70	010.6772.405	Conference
			1155.83	010.6772.406	Telephone
			1494.98	010.6772.411	Gasoline
			51.07	010.6772.416	Uniforms
			500.00	010.6772.417	Education

			581.50	010.6772.437	Professional Fees
			691.90	010.6772.449	Parts/Labor
			1270.56	010.1930.438	Miscellaneous
010.6773.401	Supplies	165.62	165.62	010.6774.105	Overtime
010.6774.110	Part Time	369.00	369.00	010.6774.105	Overtime
010.6773.423	Food Supplies	4572.60	110.17	010.6774.105	Overtime
			100.00	010.6774.438	Miscellaneous
			4362.43	010.1930.438	Miscellaneous
010.7110.101	Personnel Services	1.00	1.00	010.7110.109	Sick Incentive
010.7110.103	Out of Title	281.77	281.77	010.7110.109	Sick Incentive
010.7110.105	Overtime	2497.88	717.23	010.7110.109	Sick Incentive
			1780.65	010.7110.110	Part Time
010.7110.111	Custodial	670.00	670.00	010.7110.110	Part Time
010.7110.409	Electricity	12871.13	3306.85	010.7110.110	Part Time
			4491.80	010.7110.201	Equipment
			174.40	010.7110.405	Conference
			514.63	010.7110.406	Telephone
			2480.00	010.7110.413	Consultant
			500.00	010.7110.417	Education
			1403.45	010.7110.419	Maint/Repair
010.7110.410	Water	6685.28	2765.24	010.7110.419	Maint/Repair
			1793.75	010.7110.438	Misc./Tree Care
			2126.29	010.7110.442	Imprvmt/Capital
010.7110.411	Gasoline	2690.92	2690.92	010.7110.442	Imprvmt/Capital
010.7110.449	Parts/Labor	6651.95	715.51	010.7110.442	Imprvmt/Capital
			2725.89	010.7110.474	Fuel Oil
			93.59	010.7112.105	Overtime
			177.26	010.7112.406	Telephone
			2939.70	010.1930.438	Miscellaneous
010.7112.419	Maint/Repair	2848.00	91.09	010.7112.406	Telephone
			2756.91	010.1930.438	Miscellaneous
010.7310.475	Vill.Contractual	3967.56	3967.56	010.1930.438	Miscellaneous
					Unemployment
010.9010.812	Social Security	3499.03	3499.03	010.9010.815	Ins
010.9010.813	Workmans Comp	21674.98	3831.99	010.9010.814	Life/Dental
			6710.85	010.9010.810	State Retirement
			2714.94	010.9010.815	Unemployment
			8417.20	010.9010.817	Ins
					Hospital/Medical
010.9901.907	Transfer to Dale Cmty	13289.15	13289.15	010.9010.810	State Retirement
Total General Fund		<u>228926.17</u>	<u>228926.17</u>		

Town of Ossining
2008 Budget Adjustments - TOV

To:			From:		
Account Number	Description	Amount	Amount	Account Number	Description
020.1930.425	Labor Counsel	2334.98	373.41	020.1910.467	Liability
			86.31	020.1910.468	Auto Insurance
			315.00	020.3120.108	Shift Differential
			1560.26	020.3120.110	Part Time
020.3120.105	Overtime	2684.44	2684.44	020.3120.110	Part Time
020.3120.107	Holiday Pay	6526.52	2484.75	020.3120.110	Part Time
			400.59	020.3120.201	Equipment
			3641.18	020.3120.203	Car
020.3120.406	Telephone	1863.89	1863.89	020.3120.203	Car
020.3120.411	Gasoline	6317.17	2885.34	020.3120.203	Car
			1013.00	020.3120.401	Supplies
			670.88	020.3120.405	Conference

			756.36	020.3120.408	Books
			991.59	020.3120.409	Electricity
020.3120.419	Maint/Repair	1013.33	1013.33	020.3120.409	Electricity
020.3620.101	Personnel Services	1.00	1.00	020.3120.409	Electricity
020.3620.110	Part Time	577.36	193.89	020.3120.409	Electricity
			367.07	020.3120.410	Water
			16.40	020.3120.416	Uniforms
020.8010.414	Contractual Steno	70.00	70.00	020.3120.416	Uniforms
020.8010.466	Legal Notice	22.35	22.35	020.3120.416	Uniforms
020.8020.424	Consultant Reimbrsb	24252.38	43.59	020.3120.416	Uniforms
			2585.24	020.3120.417	Education
			3139.96	020.3120.424	Consultant/Cmpt
			684.07	020.3120.436	Postage
			322.66	020.3120.438	Miscellaneous Investigative
			47.85	020.3120.439	Funds
			700.00	020.3120.474	Fuel Oil
			1019.00	020.3510.475	Contr.Agreement
			548.50	020.3620.105	Overtime
			446.64	020.3620.201	Equipment
			61.60	020.3620.401	Supplies
			270.00	020.3620.402	Printing
			584.40	020.3620.406	Telephone
			200.00	020.3620.408	Books
			1000.00	020.3620.411	Gasoline
			500.00	020.3620.417	Education/Conf
					Maint/Rpr
			711.14	020.3620.419	Cpr/Fax
			110.00	020.3620.428	Dues
			233.16	020.3620.436	Postage
			2519.97	020.3620.438	Misc.Rent
			30.48	020.3620.455	Constables
			8494.12	020.8020.413	Consultant
020.8020.436	Postage	96.81	60.90	020.3620.455	Constables
			35.91	020.3620.449	Parts/Labor
020.9010.811	Police Retirement	31894.33	464.09	020.3620.449	Parts/Labor
			606.00	020.8020.110	Part Time
			200.00	020.8020.401	Supplies
			100.00	020.8020.402	Printing
			125.00	020.8020.405	Conference
			10.56	020.8020.414	Contractual/Steno
					Affordable
			4797.93	020.8020.423	Housing
			50.00	020.8020.428	Dues
			45.85	020.8020.466	Legal Notice
			100.00	020.8730.437	Professional Fees
			500.00	020.8740.401	Supplies
			500.00	020.8740.402	Printing
			4114.94	020.9010.814	Life/Dental
			882.41	020.9010.816	Disability
			18364.50	020.9010.817	Hospital/Medical
			1033.05	020.9730.403	Filing Fees
020.9010.812	Social Security	2532.10	802.57	020.9730.403	Filing Fees
			1729.53	020.9010.810	State Employee Rtmt
020.9010.813	Workers Comp	8296.70	8296.70	020.9010.810	State Employee Rtmt
020.1680.475	Vill.Ossining Contrctl	44857.89	44857.89	020.0020.4795	Fund Balance
020.3120.101	Personnel Services	<u>58824.88</u>	<u>58824.88</u>	020.0020.4795	Fund Balance
Total TOV Fund		<u>192166.13</u>	<u>192166.13</u>		

Town of Ossining
2008 Budget Adjustments - Highway

To:			From:		
Account Number	Description	Amount	Amount	Account Number	Description
031.1680.475	Vill.Ossining Cntrctl	25866.38	23257.77	031.9010.810	State Empl Retrmt
			1463.72	031.1680.468	Auto Insurance
			1000.00	031.5010.109	Sick Incentive
			144.89	031.5010.201	Equipment
031.5010.101	Personnel Services	1.00	1.00	031.5010.201	Equipment
031.5010.106	Longevity	200.00	200.00	031.5010.201	Equipment
031.5010.409	Electricity	235.89	235.89	031.5010.201	Equipment
010.5010.410	Water	244.49	244.49	031.5010.201	Equipment
031.5010.419	Maint/Repair	801.95	359.99	031.5010.201	Equipment
			27.42	031.5010.401	Supplies
			414.54	031.5010.405	Conference
031.5010.425	Labor Counsel	5107.72	116.87	031.5010.405	Conference
			660.68	031.5010.406	Telephone
			29.14	031.5010.408	Books
			3495.30	031.5010.413	Consultant
			190.00	031.5010.417	Education
			117.00	031.5010.428	Dues
			498.73	031.5010.436	Postage
031.5110.105	Overtime	1033.77	385.82	031.5010.436	Postage
			647.95	031.5110.101	Personnel Srvcs
031.5110.109	Sick Incentive	1500.00	88.85	031.5110.101	Personnel Srvcs
			1411.15	031.5110.103	Out Title Pay
031.5110.406	Telephone	231.64	231.64	031.5110.103	Out Title Pay
031.5110.411	Gasoline	3921.69	1564.99	031.5110.103	Out Title Pay
			2356.70	031.5110.110	Part Time
031.5110.412	Diesel Fuel	5239.51	5239.51	031.5110.110	Part Time
031.5130.449	Parts/Labor	31203.12	1563.79	031.5110.110	Part Time
			7089.56	031.5110.419	Maint/Repair
			10077.22	031.5110.447	Road Drainage
			1096.12	031.5110.448	Road Paving
			628.74	031.5130.101	Personnel Srvcs
			592.64	031.5130.105	Overtime
			1000.00	031.5130.109	Sick Incentive
			5997.00	031.5130.201	Equipment
			447.46	031.5132.410	Water
			148.43	031.5132.428	Registration/Prmt
			1397.48	031.5140.419	Maint/Repair
			1164.68	031.5142.103	Out Title Pay
031.5132.409	Electricity	1562.71	1274.50	031.5142.103	Out Title Pay
			288.21	031.5142.105	Overtime
031.5132.419	Maint/Repair	1426.58	1426.58	031.5142.105	Overtime
031.5132.474	Fuel Oil	891.72	891.72	031.5142.105	Overtime
031.5140.201	Equipment	186.00	186.00	031.5142.105	Overtime
031.5140.416	Uniforms	1939.88	1939.88	031.5142.105	Overtime
031.5140.438	Maint/Trees	8989.85	8989.85	031.5142.105	Overtime
031.5142.401	Supplies	150.00	150.00	031.5142.105	Overtime
031.5142.450	Salt	7569.14	5177.67	031.5142.105	Overtime
			500.00	031.5142.414	Cntrctl/Snow Plwng
			1500.00	031.5142.451	Sand
			391.47	031.5142.452	Liquid Clcm
031.9010.813	Workmans Comp	24596.57	4231.94	031.5142.452	Liquid Clcm
			492.88	031.9010.812	Social Security
			4768.26	031.9010.814	Life/Dental
			939.30	031.9010.815	Unemployment
			1128.99	031.9010.816	Disability
			12083.58	031.9010.817	Hosptl/Mdcl
			951.62	031.9730.403	Filing Fees
Total Highway Fund		<u>122899.61</u>	<u>122899.61</u>		

Town of Ossining
2008 Budget Adjustments - Dale Cemetery

To:			From:		
Account Number	Description	Amount	Amount	Account Number	Description
032.1680.475	Vill.Ossining Cntrctl	3802.63	41.71	032.8810.401	Supplies
			439.36	032.8810.405	Conference
			422.57	032.8810.406	Telephone
			1310.11	032.8810.409	Electricity
			596.57	032.8810.411	Gasoline
			901.58	032.8810.413	Consultant
			90.73	032.8810.436	Postage
032.8810.410	Water	47.04	47.04	032.8810.436	Postage
032.8810.416	Uniforms	252.00	12.23	032.8810.436	Postage
			127.00	032.8810.438	Miscellaneous
			112.77	032.8810.492	Contract/Misc
032.8810.467	Liability Insurance	935.00	182.03	032.8810.492	Contract/Misc
			752.97	032.0032.5032	Trsfr From General
032.8810.474	Heating-Nat.Gas	981.70	981.70	032.0032.5032	Trsfr From General
032.8810.419	Maint/Repair	6424.48	6424.48	032.0032.5032	Trsfr From General
032.8810.442	Improvements/Captl	5130.00	5130.00	032.0032.5032	Trsfr From General
	Total Dale Cemetery	<u>17572.85</u>	<u>17572.85</u>		

Town of Ossining
2008 Budget Adjustments - Water/Lighting/Fire/Refuse/Sewer Funds

To:			From:		
Account Number	Description	Amount	Amount	Account Number	Description
050.1680.475	Vill.Ossining Cntrctl	296.84	296.84		
050.9730.403	Filing Fees	11.29	11.29		
050.9901.902	Tsf to Debt Srvc	5.53	5.53		
	Total	313.66	313.66	050.0050.4795	Fund Balance
051.1680.475	Vill.Ossining Cntrctl	1037.35	50.00	051.1930.438	Miscellaneous Personnel
			987.35	051.8120.101	Services Personnel
051.8120.409	Electricity	592.31	592.31	051.8120.101	Services Personnel
051.9730.403	Filing Fees	3.61	3.61	051.8120.101	Services Personnel
	Total	1633.27	1633.27		
052.1680.475	Vill.Ossining Cntrctl	5.37	5.37		
052.8120.475	Vill.Ossining Cnt-Swr	84.01	84.01		
	Total	89.38	89.38	052.0052.4795	Fund Balance
053.1680.475	Vill.Ossining Cntrctl	23.67	23.67		
053.8120.475	Vill.Ossining Cnt-Swr	721.99	721.99		
	Total	745.66	745.66	053.0053.4795	Fund Balance
054.1680.475	Vill.Ossining Cntrctl	896.28	896.28	054.8120.419	Repair/Maint
054.8120.475	Vill.Ossining Cnt-Swr	5506.44	5506.44	054.8120.419	Repair/Maint
	Total	6402.72	6402.72		
055.1680.475	Vill.Ossining Cntrctl	252.51	252.51	055.8120.419	Repair/Maint

055.8120.475	Vill.Ossining Cnt-Swr	<u>1631.84</u> 1884.35	<u>1631.84</u> 1884.35	055.8120.419	Repair/Maint
056.1680.475	Vill.Ossining Cntrctl	202.50	202.50	056.8120.409	Electricity
056.8120.475	Vill.Ossining Cnt-Swr	<u>4605.14</u> 4807.64	783.44 <u>3821.70</u> 4807.64	056.8120.409	Electricity
				056.0056.4795	Fund Balance
057.1680.475	Vill.Ossining Cntrctl	10.00	10.00		
057.8120.475	Vill.Ossining Cnt-Swr	<u>280.43</u> 290.43	<u>280.43</u> 290.43	057.0057.4795	Fund Balance
058.1680.475	Vill.Ossining Cntrctl	892.33	486.80 45.00 360.53	058.8120.105	Overtime
				058.8120.201	Equipment
058.9730.403	Filing Fees	350.00	234.22	058.8120.406	Telephone
			115.78	058.8120.409	Telephone
058.8120.419	Maint/Repair	4969.21	170.45 72.56 4726.20	058.8120.409	Electricity
				058.9010.812	Electricity
				058.9010.812	Social Security
				058.0058.4795	Fund Balance
058.8120.475	Vill.Ossining Cnt-Swr	<u>5797.25</u> 12008.79	<u>5797.25</u> 12008.79	058.0058.4795	Fund Balance
059.1680.475	Vill.Ossining Cntrctl	1158.70	1158.70	059.8120.101	Personnel Services
059.8120.105	Overtime	451.64	451.64	059.8120.101	Personnel Services
059.8120.409	Electricity/Gas	564.64	564.64	059.9730.403	Filing Fees
059.8120.475	Vill.Ossining Cnt-Swr	<u>7878.92</u> 10053.90	<u>7878.92</u> 10053.90	059.8120.419	Maint/Repair
060.1680.475	Vill.Ossining Cntrctl	69.28	69.28	060.9730.403	Filing Fees
060.8120.475	Vill.Ossining Cnt-Swr	657.19	170.10 487.09	060.9730.403	Filing Fees
		<u>726.47</u>	<u>726.47</u>	060.0060.4795	Fund Balance
061.1680.475	Vill.Ossining Cntrctl	21.96	21.96		
061.8120.475	Vill.Ossining Cnt-Swr	<u>872.47</u> 894.43	<u>872.47</u> 894.43	061.0061.4795	Fund Balance
062.1680.475	Vill.Ossining Cntrctl	121.99	121.99		
062.8120.475	Vill.Ossining Cnt-Swr	<u>4567.60</u> 4689.59	<u>4567.60</u> 4689.59	062.0062.4795	Fund Balance
063.1680.475	Vill.Ossining Cntrctl	628.23	628.23		
063.5182.409	Electricity	4920.86	4920.86		
063.5182.419	Maint/Repair	<u>275.73</u> 5824.82	<u>275.73</u> 5824.82	063.0063.4795	Fund Balance
064.1680.475	Vill.Ossining Cntrctl	6576.88	6576.88		
064.3410.475	Vill.Ossining Cnt-Fire	<u>0.04</u> 6576.92	<u>0.04</u> 6576.92	064.0064.4795	Fund Balance
065.1680.475	Vill.Ossining Cntrctl	6763.09	6763.09	065.8160.456	Recycling&Env.Wst
065.8160.475	Vill.Ossining Cnt-Rfs	12123.55	4090.49 8033.06	065.8160.456	Recycling&Env.Wst
		<u>18886.64</u>	<u>18886.64</u>	065.8160.471	Refuse
				065.8160.471	Cty/Wstctr
				065.0065.4795	Fund Balance

066.4540.438	Miscellaneous	<u>4507.50</u>	<u>4507.50</u>	066.066.4795	Fund Balance
		4507.50	4507.50		

Motion Carried: Unanimously

D. Finance-Capital Project # 2008-2154-Justice Court Assistance Program (JCAP)

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

Whereas, the Town of Ossining Justice Court received funding from the New York State Office of Court Administration in the amount of \$30,976.87; and

Whereas, Capital Project # 2008-2154 must be increased to account for the additional revenue received; now therefore be it

Resolved, that the Town Board of the Town of Ossining hereby authorizes the following accounts be adjusted to the 2008 budget as follows:

Increase	37-37-3097-0154	(Revenue)	\$30,976.87
	37-1110-2154	(Expenditure)	\$30,976.87

Motion Carried: Unanimously

E. Amending Date of Hire-Deputy Town Attorney for Prosecutions

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

Whereas, the Town Board appointed Sonia M. Tanksley at the March 10, 2009 board meeting with an effective start date of March 1, 2009; and

Whereas, Sonia M. Tanksley began working on March 12, 2009,

Now, therefore be it Resolved, that the Town Board of the Town of Ossining hereby modifies the effective start date of Sonia M. Tanksley to the position of Deputy Town Attorney for Prosecutions effective March 12, 2009.

Motion Carried: Unanimously

F. Appointment-Board of Assessment Review-John Mingle

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

Resolved, that the Town Board of the Town of Ossining hereby appoints John Mingle, Audubon Drive, Ossining, New York, to the Board of Assessment Review for a five year term expiring September 30, 2013.

Motion Carried: Unanimously

G. Receiver of Taxes-Tax Collection and Enforcement Fees

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

Resolved, that the Town Board of the Town of Ossining hereby authorizes the Receiver of Taxes to impose the following tax collection and enforcement fees:

Foreclosure Fees	
Title Search	\$250.00
Legal and Publication Fees	\$550.00
Memo Bill Fee	
Per Bill	\$5.00
Bounced Check Fee	\$20.00
Per Item Returned	
Annual Tax File Subscription Charge for Tax Service Agencies	
Less than 300 bills (per tax billing cycle)	\$300.00
Greater than 300 bills (per tax billing cycle)	\$500.00

Be it further Resolved, that the Memo Bill fee and Bounced Check Fee may be increased as permitted by law; and be it further

Resolved, that the fees stated above will be added to the Town Fee Schedule.

Motion Carried: Unanimously

H. Retainer Agreement-Extension-DelBello Donnellan Weingarten Wise & Wiederkehr, LLP

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

Whereas, the Town Board of the Town of Ossining retained the law firm of DelBello Donnellan Weingarten Wise & Wiederkehr, LLP as special counsel for three (3) Tax Certiorari matters with a period ending date of December 31, 2008; and

Whereas, one (1) tax certiorari matter, Mavis Tire Supply Corp v. Town of Ossining remains pending before the Supreme Court of the State of New York and requires continued representation by the firm of DelBello Donnellan Weingarten Wise & Wiederkehr, LLP;

Now, therefore be it Resolved, that the Town Board of the Town of Ossining hereby authorizes the Town Supervisor to extend an agreement with DelBello, Donnellan Weingarten Wise & Wiederkehr, LLP for the purpose of concluding the tax certiorari matter relating to Mavis Tire Supply Corp v. Town of Ossining; and be it further

Resolved, that all other terms and conditions set forth in the September 15, 2008 letter agreement relating to this matter shall remain in full force and effect.

Motion Carried: Unanimously

I. Authorizing Police Chief to attend the FBI National Academy

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 Police Chief to attend the FBI National Academy for a term of ten (10)weeks commencing April 5, 2009 through June 12, 2009; and be it further

Resolved, that the Town of Ossining will not incur a cost for the Police Chief to attend the academy, but will be responsible for any nominal charges associated with this course.

Motion Carried: Unanimously

J. Town Property-Surplus Vehicle

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 following surplus vehicle to be sold to the best offer made by sealed proposals submitted to the Town Clerk by April 14, 2009 at 10:00a.m. This vehicle has 147,865 miles.

1999 Ford Crown Victoria VIN # 2FAFP71W4XX108916

Motion Carried: Unanimously

K. Call-a-Cab 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 Town Supervisor to sign an agreement with M K Taxi, 260 North State Road, Briarcliff Manor, for participation in the call-a-cab program for the period ending December 31, 2009.

Motion Carried: Unanimously

L. ICMA – Local Government Efficiency Evaluation – Ossining Town and Village and Briarcliff Manor

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

Resolved, that the Town Board of the Town of Ossining hereby authorizes the Town Supervisor to enter into an agreement, on behalf of the Town of Ossining, with International City/County Management Association (ICMA) Consulting Services, 777 North Capitol Street, Suite 500, Washington, DC 20002, for a comprehensive analysis of police and public works/highway services and a workload analysis of data to the Village of Ossining, Town of Ossining, and the Village of Briarcliff Manor, for the total cost of \$57,200.00, the Town portion for such study to be \$19,066.67.

Motion Carried: Unanimously

VI. VISITOR RECOGNITION

Peter Tripodi, Quail Hollow Road, commended the Board for the Local Government Efficiency Evaluation – Ossining Town and Village and Briarcliff Manor to do a comprehensive study of the police and public works/highway departments in each municipality. There must be a debate from the masses. We learned a lot from the Comprehensive Plan and he totally agrees with public input. Councilmember Tawil asked Mr. Tripodi why he was wearing a tea bag? Mr. Tripodi responded that it was a silent protest with high taxation.

Linda M. Caruso complimented the Board on their transparency and stated how proud she was of the Board. Discussion then took place on a Town vehicle which has a Viet Nam sticker on the rear window. After questioning the

Supervisor's office, she was told that Town Policy forbids bumper sticks and the like on Town vehicles. This vehicle is also illegally parked in the Municipal Building and requested that there be a resolve to these two situations. Deputy Supervisor Harter stated that the issues would be raised at the next Town Board Work Session. Mr. Harter also extended the Town's apology for the individual being rude to her. In 1998 a former Village Manager purchased a home in the Village of Ossining in the name of his wife and prior to the purchase the assessment was lowered by approximately \$6000 and she requested the paperwork for this home and another residence which had its single family designation changed to a commercial three family residence. None of the paperwork was available for her review.

Bobby Williams, Spring Street, stated that the share services of the three municipalities and other things should be on the table. Why do we need three different police departments and nine firehouses? The Village of Ossining does not need a rescue boat.

Duval Cellai, Stormytown Road, stated that years ago there was a proposal to make Westchester County eight cities. Ossining wanted to merge the schools with Briarcliff and Pleasantville wanted to merge their schools with Briarcliff. Briarcliff said no to both school districts.

VII. ADJOURNMENT

At 8:58 p.m., Councilmember Wilcher moved and it was seconded unanimously that the Board adjourn in memory of Heidi Weintraub, who was a Town Councilmember from 1996 through 1999, and more recently as a member of the Town Planning Board. Ms. Weintraub lost her battle with cancer on Saturday. She leaves behind her 6 year old daughter, Melanie. She will be sorely missed.

The Board is adjourning into Executive Session for the purpose of Personnel.

Mary Ann Roberts, Town Clerk

Approved: