

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

JULY 28, 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 July 28, 2009 in the Police/Court Facility, 86-88 Spring Street in Ossining. The meeting was called to order at 7:30 p.m. by Supervisor Catherine Borgia. Members of the Board present were: Northern Wilcher, David Krieger and Michael Tawil. Councilmember Geoffrey Harter was absent. Also present were: Wayne Spector, Town Attorney; Connie Cerny, Budget Officer and Mary Ann Roberts, Town Clerk.

II. PUBLIC HEARING – Introductory Local Law 2 – 2009 amending the Zoning Ordinance to change the zoning of the easterly portion of the property located at 513 North State Road in the Town of Ossining from R-30 One-Family Residential District to GB General Business District

The public hearing was opened at 7:31 p.m. by Supervisor Borgia.

Supervisor Borgia gave a brief description of this local law which will change zoning on a portion of 513 North State Road, Briarcliff Manor, New York from One Family Residential (R30) District to General Business (GB) District.

Peter Tripodi, Quail Hollow Road, expressed his support for this local law as he supports local business in the North State Road area.

At 7:33 p.m., Councilmember Tawil moved and it was seconded by Councilmember Krieger that the public hearing be closed.

Motion Carried: Unanimously

III. ANNOUNCEMENTS

Councilmember Krieger announced that the Ossining Public Library would be hosting movies free of charge to the public on August 12 entitled "Notebook" at 7 p.m. and tomorrow evening at 7 p.m. a movie with sub titles relative to Rawanda.

Supervisor Borgia announced the Annual Fire Department Parade which will take place on Friday, August 7<sup>th</sup>, beginning at 7 p.m. from Croton Avenue down Main Street and finally ending at the waterfront.

IV. PUBLIC COMMENT ON AGENDA ITEMS

Peter Tripodi, Quail Hollow Road, discussed Resolution L (Amending Compensation for Councilmembers) and commended the Board for taking this step, however, he would have preferred a 50% reduction rather than the 10%.

V. BOARD RESOLUTIONS

A. Approval of Minutes

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 14, 2009 Regular Meeting as presented.

Motion Carried: Unanimously

B. Approval of Voucher Detail Report

Councilmember Tawil 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 July 28, 2009 in the amount of \$159,581.93.

Motion Carried: Unanimously

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

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 Justices and Town Supervisor to submit a 2009 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

D. Justice Court Audit

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 acknowledges that in accordance with the Unified Court System's Action Plan for the Justice Courts, the 2008 Audit of the Town of Ossining Justice Court was conducted as required and said audit has been distributed to and reviewed by the Town Board of the Town of Ossining.

Motion Carried: Unanimously

E. Senior Services-Supplemental Nutrition Assistance Program (SNAP)

Councilmember Tawil 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 sign an agreement with Westchester County for the Supplemental Nutrition Assistance Program, effective April 1, 2009-March 31, 2010. The Town shall receive state funds not to exceed \$61,030.

Motion Carried: Unanimously

F. Appointment of Town Representative to the Westchester County Community Development Advisory Group

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

Resolved, that the Town Board hereby appoints Greg McWilliams, Shady Lane Farm Road, Ossining, NY as Ossining Town Representative to the Westchester County Community Development Advisory Group effective July 29, 2009 through December 31, 2010.

Motion Carried: Unanimously

G. Agreement-Auditing of Financial Statements

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

Resolved, that the firm of O'Connor Davies Munns & Dobbins, LLP be appointed Auditors for the Town of Ossining for the audit of the 2009, 2010 and 2011 Financial Statements in accordance with their contract letter dated July 14, 2009 at a fee not to exceed \$60,500 for fiscal year ending 12/31/09, \$62,200 for fiscal year ending 12/31/10 and \$64,100 for fiscal year ending 12/31/11.

Motion Carried: Unanimously

H. Personnel-Part-Time Availability-Town Clerk's Office

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

Resolved, that the Town Board of the Town of Ossining, as a temporary measure for the purpose of covering staff vacations, hereby appoints Patricia Fracassi on a part-time availability basis as Intermediate Clerk at an hourly rate of \$20.68 effective July 31, 2009.

Motion Carried: Unanimously

I. Intermunicipal Agreement-Town and Village of Ossining-Building Inspector Vehicle

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 authorizes the Supervisor to enter into an intermunicipal/lease agreement with the Village of Ossining, in a form acceptable to the Town Attorney, to share the automobile currently assigned to the Village Director of Code Enforcement with the Town Building Inspector, in accordance with the terms set forth in the agreement for the sum of \$200.00 per month through December 31, 2009.

Motion Carried: Unanimously

J. Intermunicipal Agreement-Town and Village of Ossining-GEM car

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 intermunicipal/lease agreement with the Village of Ossining, in a form acceptable to the Town Attorney, to lease the Village's GEM

car in accordance with the terms set forth in the agreement for the sum of \$100.00 per month through June 30, 2010.

Motion Carried: Unanimously

K. New York Power Authority-Audit Agreement

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

Whereas, the New York Power Authority is committed to helping the State reach its "45 by 15" goal, which calls for 45 percent of New York's electricity to come from energy efficiency and renewable sources by 2015; and

Whereas, the Town Board is interested in the New York Power Authority conducting an energy audit of Town owned facilities; and

Whereas, the cost of the energy audit is \$3,500 and if the Town decides to move forward with New York Power Authority's recommendations for energy upgrades, the \$3,500 will become a part of the total cost; now therefore be it

Resolved, that the Town Board of the Town of Ossining hereby authorizes the Supervisor to enter into an audit agreement with New York Power Authority, in a form acceptable to the Town Attorney, for the purpose of conducting a facility audit to explore ways to reduce electricity costs, save energy, and/or employ the use of renewable energy technologies.

Motion Carried: Unanimously

L. Amending Compensation for Councilmembers

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

Whereas, in light of the Town's current financial situation, Councilmembers have voluntarily agreed to a 10% reduction in their compensation effective July 1, 2009; now therefore be it

Resolved, that the compensation for Councilmembers is hereby reduced from \$11,403 to \$10,833 annually effective July 1, 2009.

Motion Carried: Unanimously

M. Resignation -Town Justice

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 accepts, with regret, the resignation of Francesca Connolly as Town Justice effective July 31, 2009.

Motion Carried: Unanimously

VI. MONTHLY REPORTS

Councilmember Wilcher moved and it was seconded by Councilmember Krieger that the Monthly Reports for May and June, 2009 from the Receiver of Taxes, be received and filed.

Motion Carried: Unanimously

VIII. VISITOR RECOGNITION

Mike and Eden Burkhart, Mancuso Drive, questioned the regulations for commuter parking as they already have one, however, there is a serious illness

in the family and they require a second tag. The Supervisor explained the various policies which are in place. Supervisor Borgia also stated that there are several organizations in the Community who may be able to assist with their transportation needs. She is a Rotary member and they have at times assisted individuals with illnesses and provided transportation.

Bobby Williams, Spring Street, congratulated Town Justice Francesca Connolly on her recent appointment to the New York State Supreme Court position. He wished her well in her new position. He also discussed a recent race issue in Massachusetts as well as the proposed health insurance policies of the White House.

Peter Tripodi, Quail Hollow Road, wished Fran Connolly the best in her new position. Also discussed were issues between the Town and Village particularly the Building Inspector's car with the Town paying the Village \$200 per month. The Town should explore all of the IMA's with the Village and verify that the Town is not paying more than their fair share of these fees. Supervisor Borgia stated that the Town as well as the Village are taking a long hard look at the IMA specifics – particularly the financial sense – most recently the Highway and the Police. The Village of Briarcliff Manor is also part of this study with their Highway and Police. The Town is looking for public participation. All three municipalities enjoy excellent services.

IX. ADJOURNMENT – At 8:20 p.m., Councilmember Tawil moved and it was seconded by Councilmember Krieger that the meeting be adjourned into executive session for the purpose of personnel.

Motion Carried: Unanimously

Approved:

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Mary Ann Roberts, Town Clerk