



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

**JUNE 8, 2010  
7:30 P.M.**

**SUPERVISOR  
Catherine Borgia**

**COUNCILMEMBERS  
Geoffrey Harter    Michael L. Tawil  
Peter Tripodi     Northern Wilcher**

**I. CALL TO ORDER – PLEDGE OF ALLEGIANCE – ROLL CALL**

The Regular Meeting of the Town Board of the Town of Ossining was held on June 8, 2010 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: Councilmembers, Geoffrey Harter, Michael Tawil, Peter Tripodi and Northern Wilcher. Also present were Town Attorney, Wayne Spector, and Deputy Town Clerk, Ann Marie Rocco

**II. ANNOUNCEMENTS**

Supervisor Borgia announced that our Annual Village fair will be this Saturday, June 12, 2010 from 10:00 a.m. to 5:00 p.m. There are thirty additional booths this year.

Councilmember Harter announced that the Ossining School District will have their re-vote on the 2010-2011 School Budget on Tuesday, June 15, 2010 at the Ossining High School from 7:00 a.m.-9:00 p.m.

**III. PUBLIC COMMENT ON AGENDA ITEMS-None**

**IV. BOARD RESOLUTIONS**

**A. Approval of Minutes**

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

Resolved, that the Town Board of the Town of Ossining hereby approves the May 25, 2010 Minutes of the Regular Meeting as presented.

**Motion Carried: Unanimously**

**B. Approval of Voucher Detail Report**

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

Resolved, that the Town Board of the Town of Ossining hereby approves the Voucher Detail Report dated June 8, 2010 in the amount of \$ 372,249.97

**Vote: 4 –1–0**

**Voting Aye: Harter, Tawil,  
Borgia, Wilcher**

**Voting Nay: Tripodi**

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

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

**Whereas, the Church of St. Augustine, by letter dated May 26, 2010 has requested a permit from the Town of Ossining for a fireworks display to be held on the evenings of Wednesday, July 28 (rain date Thursday, July 29) and Sunday, August 1, 2010; 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 28, 2010 at 9:15 p.m. (rain date Thursday, July 29) and Sunday, August 1, 2010 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. Town Property-Surplus Equipment**

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

Whereas, on May 11, 2010 the Town Board declared a 1998 Ford Bus, Vin # 1FDXE40S8WHB01110 as surplus and authorized the sale of, to the best offer made and if no sale was able to be made due to the poor condition of the vehicle, the equipment was to be disposed; and

Whereas, since the adoption of this resolution, the Superintendent of Highways requested that this vehicle be transferred to his department to be used as a confined space vehicle;

Now, therefore be it Resolved, that the Town Board hereby authorizes the 1998 Ford Bus, Vin #1FDXE40S8WHB01110 be transferred to the Highway Department.

Vote: 4-0-1  
Voting Aye: Tripodi, Harter,  
Tawil, Borgia  
Abstaining: Wilcher

**E. Parks Department-Seasonal Employees**

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

Resolved, that the Town Board of the Town of Ossining hereby terminates the following employees from the seasonal position of Laborer in the Parks Department:

<u>NAME</u>	<u>EFFECTIVE DATE</u>
Danye Smith-Robinson	June 25, 2010
Shatique S. Daney	June 25, 2010
Kenneth W, Peace, Jr.	June 25, 2010
Arthur Gerald Stokeley	April 14, 2010

Vote: 4-0-1  
Voting Aye: Tripodi, Harter,  
Tawil, Borgia  
Abstaining: Wilcher

**F. Parks Department-Seasonal Employee**

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

Resolved, that the Town Board of the Town of Ossining hereby appoints Luke A. DeMarchis, Montrose, to the seasonal position of Laborer in the Parks Department at \$10.50/hr. effective June 9, 2010.

Vote: 3-1-1  
Voting Aye: Harter, Tawil, Borgia  
Voting Nay: Tripodi  
Abstaining: Wilcher

Councilmember Tripodi commented as to why he voted negative on this resolution. Councilmember Tripodi believes that The Town should really look at hiring Ossining residents for these seasonal positions. He would like to get the word out to our Department Heads to do just that.

Supervisor Borgia explained that the hiring process does begin at the level of the Department Head and we do encourage all Ossining residents to apply these positions. Most of the part-time seasonal help that we have are Ossining residents.

#### **G. Highway Department-Seasonal Employee**

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

Resolved, that the Town Board of the Town of Ossining hereby re-appoints Christian J. Pera, Ossining, to the seasonal position of Laborer in the Highway Department at \$12.00/hr. effective June 7, 2010.

**Vote: 4-0-1**  
**Voting Aye: Tripodi, Harter,**  
**Tawil, Borgia**  
**Abstaining: Wilcher**

#### **H. Ossining Fire Department Picnic-July 25, 2010**

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

Whereas, the Ossining Fire Department submitted an application for park rental for a family picnic at Ryder Park on July 25, 2010 from 9:00a.m. to 7:00p.m.; now therefore be it

Resolved, that the application for park rental is approved and the fee waived pending submission of a temporary beer and wine permit to the New York State Liquor Authority and a Certificate of Insurance naming the Town of Ossining as an additional insured; and be it further

Resolved, that upon submission of the NYS Liquor Authority application to the Town Supervisor, the Town Board authorizes the Supervisor to sign the application granting permission for the sale or service of alcoholic beverages by the Fire Department for consumption at Ryder Park.

**Vote: 4-0-1**  
**Voting Aye: Tripodi, Harter,**  
**Tawil, Borgia**  
**Abstaining: Wilcher**

### **VI. MONTHLY REPORTS**

Resolved, that the Town Board of the Town of Ossining hereby accepts the Monthly Report for the month of May 2010 from the Clerk's office.

### **VII. VISITOR RECOGNITION**

Mr. Bobby Williams, Spring Street discussed the re-vote on the 2010-11 School Budget. He encouraged all residents to get out and vote yes. Mr. Williams added that eliminating the programs defeats the purpose of educating. Mr. Williams also questioned about merging the Town and the Village.

Supervisor Borgia added that we are looking at all different forms of how our governments should be reconfigured and one of the things they are looking at is having the Town and the Village to merge. Supervisor Borgia advised one of the

questions is how do we handle debt services that each of the portions continue to be responsible for? Supervisor Borgia explained that the Town outside residents do pay for Fire Services, Village Pool and Water Department through the increase in fees. Supervisor Borgia encouraged all the residents to get out and vote on Tuesday, June 15, 2010.

Mr. Duval Cellai, Stormytown Road was presented to discuss the 2010-2011 School Budget re-vote. He advised that 85% of the school budget is mandated by the state. Residents are only voting for 15% of the budget.

#### **VIII. ADJOURNMENT**

At 8:03 P.M. Councilmember Tawil moved and it was seconded by Councilmember Harter that the meeting be adjourned in honor of Joe Darby.

**Motion Carried: Unanimously**

**Approved:**

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**Ann Marie Rocco, Deputy Town Clerk**