



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

**AUGUST 23, 2011
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 August 23, 2011 in the Police/Court Facility, 86-88 Spring Street in Ossining. The meeting was called to order at 7:30 p.m. by Deputy Supervisor Geoffrey Harter. Members of the Board present were: Councilmembers Michael Tawil, Northern Wilcher and Peter Tripodi. Supervisor Catherine Borgia was absent. Also present were Town Attorney Wayne Spector and Town Clerk Mary Ann Roberts.

II. Presentation & Dialogue with Lt. Nick Alonghi, Westchester County Police

Lt. Nick Alonghi was accompanied by Lt. James Provenzano. Lt. Alonghi stated that he conducts the day to day operations for Ossining and Cortlandt and is based out of 507 North State Road. Lt. Alonghi was with the Internal Affairs for the past two and a half years. He is a resident of Yorktown and was born and raised in Westchester County. He looks forward to positive feedback and is available to Board members as well as the general public. Lt. Provenzano is part of the Patrol Division, but is always available to assist in Ossining.

Jerry Gershner, Ganung Drive, stated that during the presentation last year it was questioned as to the use of the facility at 507 North State Road and the County stated that they did not need the facility. Is 507 North State Road being used by the County at this time?

Lt. Alonghi responded that the SIU office is located there as well as his office. The daily patrol operations come out of there as well as the booking area.

Mr. Gershner questioned if the County pays rent for this space?

Deputy Supervisor Harter responded that they do not pay rent at the present time and that a specific decision on a permanent resident has not yet been decided.

Councilman Tawil stated that during the Informational Meetings which were held last year it was universally expressed by the residents that the County Police should come out of a local building.

Mr. Gershner questioned what the percentage of Ossining officers were there?

Deputy Supervisor Harter stated that it was mostly Ossining.

Mr. Gershner questioned why the Town outside residents should pay for internal affairs? He provided an estimate of the monthly fee for operating this facility including debt service, cleaning supplies, etc. at approximately \$30,000 per month. Why is this appropriate?

Councilman Tripodi thanked the officers for their service. He doesn't feel that the County officers should be at 507 North State Road. This facility should be sold particularly since we are paying rent somewhere else for our offices.

Councilman Tawil requested the telephone number for the County Police. Lt. Alonghi stated that the number for dispatch was 864-7600 and his number for Patrol Operations is 864-7880.

III. ANNOUNCEMENTS

Joint Town-Village Board meeting regarding the Court Consolidation proposal will be Wednesday, August 31, 7:30 p.m. Community Center Multi-purpose room.

IV. PUBLIC COMMENT ON AGENDA ITEMS

Jerry Gershner, Ganung Drive, questioned several of the charges on the Voucher Detail that pertain to the facility at 507 North State Road such as the following: Life Insurance (Deputy Supervisor Harter responded that this was for one officer who is on 207C); cablevision in the amount of \$180; Gas to Con Edison in the amount of \$208.73; Copier lease in the amount of \$267.44; Cleaning Supplies in the amount of \$79 and water in the amount of \$44. There is no reason for us to pay these charges. Obviously they did not use a lot of water, but did use a lot of gas. Get rid of this building.

V. BOARD RESOLUTIONS

A. Approval of Minutes-Regular Meeting

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 August 9, 2011 Minutes of the Regular Meeting as presented.

Motion Carried: Unanimously

B. Approval of Minutes-Special Meeting

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

Resolved, that the Town Board of the Town of Ossining hereby approves the August 16, 2011 Minutes of the Special Meeting as presented.

Motion Carried: Unanimously

C. Approval of Voucher Detail Report

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 Voucher Detail Report dated August 23, 2011 in the amount of \$197,094.30

Councilman Tripodi had difficulty understanding why the consultant fee was so high since this individual not only works for the Town but also works for another municipality.

Councilman Tawil responded that these charges were for the Town Engineer who has worked on the next resolution which pertains to the Cedar Lane Drainage problem.

**Vote: 3-0-1
Voting Aye: Tawil,
Wilcher & Harter
Nay: Tripodi**

D. Cedar Lane Drainage Engineering Study – Charles A. Manganaro

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

RESOLVED, that the Town Supervisor is hereby authorized to sign an agreement with Charles A. Manganaro Consulting Engineers, Shailesh Naik, PE, to provide professional engineering services for a drainage study to evaluate various alternate methods of constructing a separate storm drainage collection along Cedar Lane to prevent excessive storm water runoff for an amount not to exceed \$39,250.00. This amount will include surveying costs not to exceed \$6,000; NYS DOT integration services not to exceed \$5,000.

Motion Carried: Unanimously

E. TAX CERTIORARI - MAVIS TIRE SUPPLY CORP. VS TOWN OF OSSINING

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

WHEREAS, proceedings pursuant to Article 7 of the Real Property Tax Law of the State of New York were instituted by Mavis Tire Supply Corp against the Town Of Ossining to review the tax assessments made on Petitioner's property located at 170 North Highland Avenue in the Village and Town of Ossining, County of Westchester, New York, and designated on the tax assessment map of the Town of Ossining as Section 89.15, Block 1, Lots 14 and 15 for assessment years 1990, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2003, 2004, 2005, 2006 and 2007, which proceedings were pending in the Supreme Court of the State of New, County of Westchester, under index Numbers 21713/90, 23477/92, 23482/92, 18775/93, 17690/94, 16906/95, 17219/96, 16220/97, 16641/98, 16179/99, 15912/00, 15822/01, 17724/02, 16905/03, 17083/04, 18253/05, 20445/06, 20943/07, and

WHEREAS, the above matters proceeded to trial and, as a result Judgment was entered in favor of the Petitioner dated January 20, 2011, on February 9, 2011 in the office of the County clerk of the County Westchester which resolved the Petitioners grievances for the above stated years providing for assessment reductions as stated in the filed judgment, plus interest on any refunds and costs, and

WHEREAS, the parties wish to settle and resolve the matter, and in furtherance of that desire the Petitioner's Attorney has communicated an offer in the form of a letter dated May 26, 2011 which would result in the waiver of a portion of the interest the Petitioner would otherwise be entitled to pursuant to the judgment in exchange for an agreement by the Town to withdraw its Notice of Appeal of the Judgment, and

WHEREAS, the Town Board, upon the recommendation of the Assessor, concurred to by the Town Attorney, finds the proposed settlement, as set forth in the May 26, 2011 letter, to be appropriate and in the best interests of the Town of Ossining; now therefore, it is

RESOLVED, that the settlement of the proceedings, on the terms set forth in the May 26, 2011 letter is hereby approved; and it is further

RESOLVED, that the Town Attorney is hereby authorized and directed to procure and execute any documents necessary to effectuate such settlement, and it is further

RESOLVED, that the Receiver of Taxes is authorized and directed to process and pay the refund of taxes as required by the judgment by the Town of Ossining, with the required interest element of the refund being reduced by its proportionate share of the waived interest pursuant to the settlement approved herein.

Motion Carried: Unanimously

VI. CORRESPONDENCE TO BE RECEIVED AND FILED

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

- **July 13, 2011 Minutes Town Planning Board**

Motion Carried: Unanimously

VII. VISITOR RECOGNITION

Bobby Williams, Spring Street, made various comments regarding baby boomers and social security.

VIII. ADJOURNMENT

Councilman Tripodi requested that the meeting be adjourned in memory of Joe Lorenz a 31 year member of the fire department.

Deputy Supervisor announced that Mr. Lorenz would be waked at Beecher Funeral Home today (Tuesday) and tomorrow (Wednesday) with a funeral mass on Thursday at St. Augustine's church.

At 8:07 P.M. Councilmember Tawil moved and it was seconded by Councilmember Wilcher that the meeting be adjourned.

Approved:

Mary Ann Roberts, Town Clerk