



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

**MAY 13, 2014
7:30 P.M.**

**SUPERVISOR
Susanne Donnelly**

**COUNCILMEMBERS
Geoffrey Harter Eric P. Blaha
Kim L. Jeffrey 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 May 13, 2014 in the Police/Court Facility, 86-88 Spring Street in Ossining. The meeting was called to order at 7:30 p.m. by Supervisor Susanne Donnelly. Members of the Board present were: Councilmembers Geoffrey Harter, Kim L. Jeffrey and Northern Wilcher. Councilmember Eric P. Blaha was absent. Also present were Town Attorney Wayne Spector, Budget Officer Madeline Zachacz and Town Clerk Mary Ann Roberts

II. ANNOUNCEMENTS

Supervisor Donnelly read the following statement into the record:

State of the Town of Ossining

What a wonderful year 2013 was for the Town of Ossining. We accomplished so much while watching every penny, and the results show it. It could never have happened without the support and hard work of every employee of the Town. Each Teamster, CSEA member, Department Heads (including all who are part of our team through Intermunicipal agreements) and the Administration and Town Board deserve credit for this accomplishment. With everyone working together, we have brought the Town of Ossining to a place where we all can be proud.

Our Fund Balance Amounts, both “unallocated” and “available for use” can be found on the attached page:

Fund Balance Amounts unallocated and available for use:

Fund	Description	2009	2010	2011	2012	2013	Change from 2012 to 2013	Fund Bal % Change
10	General	31,515.19	758,647.14	1,022,444.00	1,063,927.00	1,854,062.99	790,135.99	74.27%
20	Town Outside Village	435,570.66	846,266.29	980,987.00	1,263,883.00	1,530,206.45	266,323.45	21.07%
31	Highway	198,090.22	420,913.92	480,890.18	578,673.00	692,204.00	113,531.00	19.62%
32	Dale Cemetery	28,678.63	29,482.34	17,854.53	221,552.02	177,309.59	(44,242.43)	-19.97%
45	Consolidated Sewer	445,337.94	532,491.72	610,176.54	660,601.00	681,728.66	21,127.66	3.20%
50	Water	19,129.52	18,477.89	18,276.00	19,463.00	19,417.18	(45.82)	-0.24%
51	North State Sewer	0.00	921.97	1,880.63	1,432.00	2,111.91	679.91	47.48%
63	Lighting District	17,818.99	31,242.61	32,330.07	30,082.00	23,680.70	(6,401.30)	-21.28%
64	Fire District	26,634.48	94,690.39	77,251.15	55,400.00	50,436.12	(4,963.88)	-8.96%
65	Refuse & Recycling	123,976.10	150,455.57	181,987.99	161,606.00	183,225.97	21,619.97	13.38%
66	Ambulance District	13,618.22	14,901.98	15,461.09	4,392.00	24,995.07	20,603.07	469.10%
		1,340,369.95	2,898,491.82	3,439,539.18	4,061,011.02	5,239,378.64	1,178,367.62	Total Increase

For example, we plan on using the increase in fund balance for the 20 Fund (Unincorporated Area) to pay off the remainder of the “callable” Police Department Bonds over and above the \$1,475,000 we received for the building. This will result in bringing our 20 Fund balance to 2012 levels, still showing a steady increase from 2009. We will have the final spreadsheet as to how we plan to pay off all of the bonds associated with 507 North State Rd (our former Police Station) as soon as we close on the bond redemption. We are alerting the bond holders of our intent to redeem the bonds, and should have the process done by the middle of June.

We were able to increase the staff in the Parks Department by one full time employee in 2013 and continue that 2014. We kept our staff levels consistent in all of the other departments, with the exception of having one floating clerk between the Tax Receiver's office and the Assessor's office. This allows us to schedule the employee in each department when it is the busiest for that department. As we move into the revaluation/reassessment of every property in the Town of Ossining, this arrangement will be especially helpful in the Assessor's office as we work to make sure all records and exemptions are updated.

We are looking for Interns (High School or College Students) who have an interest in learning how a municipality works, while helping us learn and implement our new grant program. If you know anyone who is interested please have them send their resume to Maddi Zachacz at MZachacz@townofossining.com

Proposed Annexation of Election Districts 17/20 to Briarcliff Manor

Your right to know!

- *Town of Ossining chooses a law firm to represent the Town in the proceedings. (Done)*
- *The Town of Ossining has chosen the Law Firm of Zarin & Steinmetz*
- *The Village of Briarcliff Manor has chosen the Law Firm of Wormser, Kiely, Galef & Jacobs, LLP*
- *The Town will establish two budget lines for the subsequent fees: 50% of the charges will be applied to the Town General fund (10 Fund), and 50% to the Unincorporated Area budget (20 Fund)*
- *We received the notification from the Appellate Court giving us a case number 2014-04282*
- *The two law firms have agreed to the following:*
 - *The Town's responsive papers from Zarin and Steinmetz shall be filed no later than May 30, 2014, with copies delivered to Wormser, Kiely, Galef, & Jacobs LLP (WKGJ) by noon on May 30th as well.*
 - *(WKGJ) shall have until June 9, 2014, to file any reply papers.*
 - *The return date will be June 10, 2014.*

Town of Ossining Revaluation

OUR commitment to you: Fairness, Equity, and Transparency

**TOWN OF OSSINING REASSESSMENT PROJECT
PUBLIC INFORMATION SCHEDULE**

DATE & TIME	VENUE	LOCATION
May 13 th 7:30 PM	Ossining BOE	Roosevelt School, 190 Croton Av
May 15 th 7:00 PM	Congregation Sons of Israel,	1666 Pleasantville Rd, BM
June 9 th 7:00 PM	Scarborough Glen HOA	Pheasant Woods Rd, BM
June 11 th 7:30 PM	Eagle Bay, HOA	Eagle Bay Dr, Clubhouse
June 14 th 10:00 to 4:00 PM	Ossining Village Fair	Main Street
June 16 th 8:00 PM	Briarcliff BOE	Middle School, 444 Pleasantville Rd
June 19 th 7:30 PM	Briarcliff Public Info	Briarcliff Middle School, 444 Pleasantville Rd
June 27 th 12:00 PM	Briarcliff Rotary	The Briar's Rest, 512 N. State Rd

Mailing for first neighborhoods will go out in the next two weeks. Watch your mail.

III. PUBLIC COMMENT ON AGENDA ITEMS

IV. BOARD RESOLUTIONS

A. Approval of Minutes

Councilmember Wilcher 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 April 22, 2014, Minutes of the Regular Meeting as presented.

**Motion Carried: 3-1-0
Ayes: Wilcher, Blaha, Jeffrey & Donnelly
Abstain: Harter**

B. Approval of Minutes-Special Meeting

Councilmember Jeffrey 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 April 29, 2014, Minutes of the Special Meeting as presented.

Motion Carried: Unanimously

C. Approval of Voucher Detail Report

Councilmember Wilcher 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 May 13, 2014 in the amount of \$381,470.35.

Motion Carried: Unanimously

D. Personnel- Parks Department- Seasonal Appointment

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

Resolved, that the Town Board of the Town of Ossining hereby appoints Dominick Cristello, Ossining, to the seasonal position of Laborer in the Town Parks Department effective May 12th, 2014 at a rate of \$12.00 per hour.

Motion Carried: Unanimously

E. Contract- CSEA Vision Plan

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

Resolved, that the Town Board of the Town of Ossining hereby authorizes the Supervisor to sign a renewal contract with CSEA Employee Benefit Fund for employee vision benefits for January 2014 through December 2017, in accordance with the rates in their memo dated April 11th, 2014.

Motion Carried: Unanimously

F. Tax Payment Plan

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

Whereas, the Town of Ossining is required to collect Town, County and School taxes for the municipality, with the onus on the Town to make whole the County and the School District for any uncollected taxes; and

Whereas, the Receiver of Taxes has been approached by a property owner requesting a short-term payment plan for the following property; Tax Parcel Designation 97.11-4-49; and

Whereas, the Town Board, pursuant to Article 5 of the Ossining Town Code, as authorized by section 1184 of the New York Real Property Tax Law, before entry of a final judgment, may withdraw a parcel for which payment of real property taxes is delinquent, from a foreclosure proceeding and enter into an installment plan for payment of all delinquent taxes, as well as interest and penalties, and does occasionally grant such a plan and has the discretion to accept or reject any proposal by a residential or commercial property owner, providing the owner meets the eligibility requirements set forth in section 180-17 of the Town Code and the payment plan conforms to the requirements for such a repayment plan set forth in section 180-18 of the Town Code;

Now, therefore be it Resolved that the Town Board of the Town of Ossining hereby grants the aforementioned payment plan, which terms comply with the Town Code, to this property owner, who has been determined to be eligible, with the understanding that this sets no precedent going forward for this or any other property in the future.

Motion Carried: Unanimously

G. Stipulation of Agreement between Town of Ossining and Local 456

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

BE IT RESOLVED, that upon recommendation of the Town Supervisor, the Town Board hereby ratifies and approves the Stipulation of Agreement regarding John Martin and the carryover of 2013 vacation time through July 2014, between the Town and Local 456, International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America, AFL-CIO, effective May 13th, 2014; and

BE IT FURTHER RESOLVED, that the Town Supervisor is authorized to execute the Stipulation on the Town's behalf.

Motion Carried: Unanimously

V. CORRESPONDENCE TO BE RECEIVED AND FILED

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 accepts the following meeting minutes:

- **Town Planning Board Meeting Minutes – January 8, 2014**

Motion Carried: Unanimously

VI. MONTHLY REPORTS

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 accepts the following monthly reports for the month of April 2014 from:

- **Town Clerk's Office**
- **Town Building Department**
- **Town Supervisor's Office**
- **G.E. Helicopter Report**
- **Tax Receiver's Monthly Report**

Motion Carried: Unanimously

VII. VISITOR RECOGNITION

Jackie Sadler spoke to the Board regarding the penalties that her parents incurred for later payment of the second half of the school tax. Her Dad had an accident in Florida and was unable to pay the tax on time. Town Attorney Wayne Spector stated that the penalty is imposed on the first day it is late. The Town adheres to the State Policy.

Councilmember Jeffrey stated we are people who are caring of others, but must adhere to the laws that our Town Attorney just outlined.

James Sadler, the son of Mr. Sadler questioned whether the Town Board voted on this decision? Why did you tell me you could waive it when you didn't? I have our conversation on tape – would you like to hear it?

Mr. Sadler stated that you should not trust anyone who has says “never”. I never had the chance to write out the check as I had my accident. I was to pay my tax bill 6 days before but never made it.

VIII. ADJOURNMENT –EXECUTIVE SESSION-LEGAL ADVICE

At 8:05 p.m. Councilmember Wilcher moved and it was seconded by Councilmember Jeffrey that the meeting be adjourned.

Motion Carried: Unanimously

Approved:

Mary Ann Roberts, Town Clerk