



**TOWN BOARD
TOWN OF OSSINING
BIRDSALL-FAGAN POLICE/COURT FACILITY
86-88 SPRING STREET
OSSINING, NEW YORK
OCTOBER 13, 2015
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 October 13, 2015 at the Birdsall-Fagan 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 Eric Blaha, Geoffrey Harter and Kim Jeffrey. Councilmember Northern Wilcher was absent. Also present were Town Attorney Wayne Spector, Budget Officer Madeline Zachacz and Town Clerk Mary Ann Roberts.

II. PRESENTATION To Ossining Little League

Supervisor Donnelly presented the Second Place Winners of the Little League Winners in New York State and their coaches making them all Town Outside residents. The team was made up of Village of Ossining, Village of Briarcliff Manor and Town Outside residents. Assemblywoman Sandra Galef was introduced by Supervisor Donnelly as well as the three man Coaching team consisting of Greg Galef, Jim Curry and Pat Yost. Coach Yost gave a brief overview of the process. Coach Yost thanked the Town and Village for all of their support for a great season. There were eight sections in the district level of Northern Westchester. Supervisor Donnelly presented each member with a pin and a certificate.

Councilman Blaha thanked the Recreation Department for all of their assistance.

The Board reconvened at 7:45 p.m.

III. PUBLIC HEARINGS:

- **Public Hearing in the matter of Local Law #5 of 2015- “Amending Notification Provisions of the Town Code”**

At 7:47 P.M., the Public Hearing was opened.

At 7:45 P.M., Councilmember Harter moved and it was seconded by Councilmember Jeffrey that the Public Hearing be adjourned until October 27, 2015.

- **Public Hearing in the matter of Local Law #6 of 2015- “Amending the Tree Protection Chapter of the Town Code”**

At 7:49 P.M., the Public Hearing was opened.

At 7:50 P.M., Councilmember Blaha moved and it was seconded by Councilmember Harter that the Public Hearing be adjourned until October 27, 2015.

- **Public Hearing in the matter of Local Law #7 of 2015- “Amending the Freshwater Wetlands, Watercourses and Water Bodies Protection Chapter of the Town Code”**

At 7:50 P.M., the Public Hearing was opened.

At 7:51 P.M., Councilmember Harter moved and it was seconded by Councilmember Jeffrey that the Public Hearing be adjourned until October 27, 2015.

- **Public Hearing in the matter of Local Law #8 of 2015- “Amending the Steep Slope Protection Chapter of the Town Code”**

At 7:51 P.M., the Public Hearing was opened.

At 7:51 P.M., Councilmember Harter moved and it was seconded by Councilmember Jeffrey that the Public Hearing be adjourned until October 27, 2015.

- **Public Hearing in the matter of Local Law #9 of 2015- “Amending the Subdivision of Land and Zoning Chapters of the Town Code”**

At 7:51 P.M., the Public Hearing was opened.

At 7:51 P.M., Councilmember Harter moved and it was seconded by Councilmember Blaha that the Public Hearing be adjourned until October 27, 2015.

- **Public Hearing in the matter of Local Law #10 of 2015- Establishment of an Architectural Review Board**

At 7:52 P.M., the Public Hearing was opened.

At 7:52 P.M., Councilmember Harter moved and it was seconded by Councilmember Jeffrey that the Public Hearing be adjourned until October 27, 2015.

IV. ANNOUNCEMENTS

Supervisor Donnelly read the following statement:

Tonight, we continue listening to the thoughts of our residents and other community members concerning the updates to our comp plan, and the supporting laws. We will be having a Board discussion next Tuesday evening at our Work Session to review your comments and what changes, if any, will be made to the final laws. We are responsible to all of our residents and business owners, and are required to take many factors into consideration when making these decisions. At the end of this process, some may not think we are going far enough, while others may think we have gone too far, and still others believe, as do I, that we have found a fair balance between all perspectives. We will continue to do our best to accomplish the goal of protecting our environment and our residents, while creating sustainable improvements and tax ratable to relieve the tax burden for all.

We continue to look for feedback on the creation of an Architectural Review Board, which will give the Planning Board teeth when reviewing and commenting on plans, especially concerning the façade of proposed buildings.

We have so many great projects happening around Town that will continue to enhance this community. Just to name a few:

At Louis Engel Park, we are fixing a sewer line issue which caused a smell that would sometimes affect the level of enjoyment while sitting to watch a sunset or listen to a concert. We have completed that project using in-house staff from the

Highway Department, and we could not be more proud of their professional workmanship.

Also at Louis Engel, we have removed a portion of the old railroad ties at the entrance to the sitting park in order to eliminate a tripping hazard. In the same area, we are removing the remainder of the chain link fence that runs from the comfort station to the small parking lot, and replacing it with boulders to make the park more inviting, allowing people to sit on the boulders while still ensuring some protection from the vehicles parked right at the edge of the park.

We will be running an electrical line from the comfort station to the spray park as we continue our project to recycle the water at the spray park, which will not only save a great deal of water from dumping into the Hudson, which costs us financially and environmentally, but will also allow the Town to keep the spray park open longer hours.

We have gotten approval from the Westchester County Department of Health for the recirculation system (such a long process between the engineering and Health Department) but we want to thank these two groups, especially the County Department of Health, for working with us to accomplish this goal.

We managed to pave six roads this year without bonding (taking out loans), a project made possible due to tight budget controls and the police contract with the Village of Ossining, supplemented by \$160,000 in CHIPS money.

In Cedar Lane Park, we have begun the process of running electrical lines in order to have the Pavilion and comfort station operational again, as well as re-energize some street lights (LED, of course).

We could not be more proud of our staff as well as our IMA partners.

While all of these physical projects progress, we are busy behind the scenes, hard at work on our 2016 Budget. This process is important because it affects everyone, from our residents and commercial property owners, to our employees and vendors. We are responsible for keeping the taxes in line, not because the state government tells us to, but because it is the right thing to do. We need to treat our employees fairly and maintain appropriate staffing levels, while also holding each of them responsible to get their jobs done in a timely manner, with an eye towards customer service and safety as their top priorities. We need to work with our vendors to ensure every tax dollar is used efficiently, and that we continue to get the best bang for our buck.

Quality of life is a top priority for this Town Board, not only in how we provide day-to-day services, but also in how we spend the tax dollars we collect. It is never about an individual or group- it is, and will continue to be, about what is best for the majority. Every job function, every activity, every project must be reviewed on an annual basis to determine how it contributes to running an effective government, and how it helps to accomplish our goal of making the Town of Ossining a better place for our residents and business owners.

Just some of the questions:

- How can we provide the services that our residents and commercial property owners deserve without burdening the taxpayers?**
- How can we continue to attract good businesses into our community?**
- How can we attract visitors to our community, and convince them to spend their hard earned money with our local businesses?**
- How can we compel the State of New York to review the unfunded mandates imposed on us, our school districts and our Villages, and do a true evaluation to**

make sure they are necessary and not just a carryover of “we’ve always done it that way”?

This Board is proud of the steps it has taken to create more of a business atmosphere when dealing with evaluations and restructuring of departments. We make no decisions in a vacuum, but only act after conducting in-depth research, paired with a great deal of discussion, and a lot of advice. No decisions are easy to implement when they involve programming and personnel, but we encourage each of you to make sure you have the facts and look at our research (most of it is on the Town web page) before you come to a conclusion on any issue. When the information is spun by individuals or small groups with agendas, the outcomes may seem unfair, but with the correct information, you may better understand our choices even if you still don’t agree with them. Never has anyone in this administration acted on behalf of a personal agenda, behaved vindictively or acted without reason- decisions are made because they are, and will continue to be, good business decisions.

We will continue to make business decisions as we work on the 2016 budget to ensure taxpayers of this great community, as well as the next administration, will have a sound budget dependent on everyone doing a fair day’s work for a fair day’s pay. Watch for our budget announcements at the end of October.

Councilmember Jeffrey announced the Senior Fair which will take place on Thursday, October 15, 2015 at the Joseph G. Caputo Community Center from 10 a.m. to 2 p.m. and is sponsored by Senator Carlucci and Assemblywoman Galef. Senior Nutrition will also be involved in the program for our seniors.

Councilmember Blaha announced that the Ossining High School Drama Club will be performing Othello on Wednesday at 4 p.m. ; Thursday at 7 p.m. and on the weekend. Donations are requested.

Supervisor Donnelly stated that there is a 4 foot gap between the Ossining Boat and Canoe Club and Harbor Square. Ginsberg Development has put in a drainage system and a retaining wall to alleviate the problem.

V. PUBLIC COMMENT ON AGENDA ITEMS

VI. BOARD RESOLUTIONS

A. Approval of Minutes-Regular 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 September 22, 2015, Minutes of the Regular Meeting as presented.

Motion Carried: Unanimously

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 October 2, 2015, Minutes of the Special Meeting as presented.

Motion Carried: Unanimously

C. Approval of Voucher Detail Report

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

Resolved, that the Town Board of the Town of Ossining hereby approves the Voucher Detail Report dated October 13, 2015 in the amount of \$658,348.62.

Motion Carried: Unanimously

D. Sewers - Approval of Ossining Consolidated Sewer District Extension – Norah Eliasson, 73 Morningside Drive

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

Whereas, a Petition for the extension of Ossining Consolidated Sewer District located at 73 Morningside Drive in the Town of Ossining, Westchester County, New York, dated August 27th, 2015 has been presented to the Town Board by Norah Eliasson; and

Whereas, an Order was duly adopted by the Town Board on September 8th, 2015 reciting the filing of said Petition, the boundaries of the proposed sewer extension, the improvements proposed and the cost thereof, and specifying September 22nd, 2015 at 7:30pm in the Police/Court facility, 86-88 Spring Street, Ossining, New York as the date, time and place where the said Board would hold a Public Hearing to consider the Petition and to hear all persons interested in the subject matter thereof concerning the same; and

Whereas, such Order was duly posted and published as required by law; and

Whereas, a public hearing on the matter was duly held by the Town Board on September 22nd, 2015 where discussion of the matter was had, and all persons interested were given the opportunity to be heard; and

Whereas, pursuant to Section 194 (6) of the Town Law, the approval of the State Comptroller is not required since the entire burden of the financing of the proposed extension is to be borne by the Petitioner, and there is to be no financing borne by the Town of Ossining, the Ossining Consolidated Sewer District, or any prior extensions thereof;

Now, Therefore, Be It Resolved (a) that the petition is signed and acknowledged as required by law; (b) that all the property and property owners within the proposed extension are benefited thereby; (c) that all the property and property owners benefited thereby are included and (d) that it is in the public interest to grant the relief sought; and it is further

Resolved, that the extension of the Ossining Consolidated Sewer District in the Town of Ossining, Westchester County, New York, as proposed in the Petition, be and the same is hereby approved, and that the said sewer district extension include the property as described in the said Petition; and it is further

Resolved, that the Town Clerk shall, within ten (10) days after adoption of this Resolution, file certified copies thereof in duplicate in the Office of the State Department of Audit and Control at Albany, New York, and record a certified copy in the Office of the Clerk of the County of Westchester.

Motion Carried: Unanimously

E. Highway Department - Awarding Bid for Surplus 2007 Freightliner

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

Whereas, the Town Board, by resolution on September 8th, 2015, solicited bids for the conversion of a Surplus 2007 Freightliner US Army Ten-Wheeler Truck Tractor into a Heavy-Duty Dump Body, and furnish and install a Duraclass Body, to be opened in the Office of the Town Clerk on Monday, October 5th;

Therefore be it Resolved, that the Town Board of the Town of Ossining hereby awards the bid to the lowest responsible bidder, namely Amthor Welding Service, Inc., 20 Osprey Lane, Gardiner NY, in the amount of \$32,800, pending review of, and approval by, the Town Attorney.

Motion Carried: Unanimously

F. Finance- Capital Project #2015-2194- Cedar Lane Park Electric Restoration

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 authorizes the establishment of Capital Project #2015-2194, entitled “Cedar Lane Park Electric Restoration” with a project budget of \$60,000 to be funded by \$50,000 in grant funding and \$10,000 in General Fund Balance.

Motion Carried: Unanimously

G. Budget Adjustment – Capital Projects #2015-2193

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

Whereas, the Town opened Capital Project #2015-2193 entitled “2015 Street Paving Project” with an original budget of \$488,430; and

Whereas, the Town Board hereby authorizes the appropriate budget adjustment, reflected below.

Decrease	020.1990.0400 Contingency	\$200,000
Increase	020.9901.0914 Transfer to Highway	\$200,000
Increase	031.0031.5034 Transfer from TOV	\$200,000
Increase	031.0031.4795 Fund Balance	\$ 88,430
Increase	031.9901.0906 Transfer to Capital Fund	\$288,430
Increase	037.5110.2193 2015 Street Paving Project 2193	\$448,430
Increase	037.0037.3501.0193 CHIPS Funding	\$160,000
Increase	037.0037.5035.0193 Transfer from Highway Fund	\$288,430

Motion Carried: Unanimously

H. Agreement – USI Consulting Group

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

Whereas, all government agencies are required to comply with regulations by the Government Accounting Standards Board (GASB); and

Whereas, GASB has released the statement GASB 45, which concerns methods for accounting for other post employment benefits, requiring all government agencies to comply with this regulation within a time frame that is dependent on the size of each municipality; and

Whereas, in order to meet the requirements of GASB 45, each municipality is required to hire an Actuary; and

Now, Therefore it Be Resolved, that the Town Board of the Town of Ossining hereby authorizes the Town Supervisor to enter into an agreement with USI Consulting Group for Actuarial Services in Compliance with GASB 45 at a cost not to exceed \$3,900, as outlined in their proposal dated October 2015, covering fiscal years ending 12/31/2015, 12/31/2016 and 12/31/2017.

Motion Carried: Unanimously

VII. CORRESPONDENCE TO BE RECEIVED AND FILED

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

Resolved, that the Town Board of the Town of Ossining hereby accepts the meeting minutes from the Town Planning Board dated September 16, 2015.

Motion Carried: Unanimously

VIII. MONTHLY REPORTS

Councilmember Blaha moved and it was seconded by Councilmember Jeffrey 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 September 2015:

- **Town Clerk's Office**
- **Town Supervisor's Office**
- **GE Helicopter**
- **Town Building Department**
- **Town Tax Receiver's Office**

Motion Carried: Unanimously

IX. VISITOR RECOGNITION

X. ADJOURNMENT – EXECUTIVE SESSION -LEGAL ADVICE-CONTRACTS

At 8:15 P.M. Councilmember Harter moved and it was seconded by Councilmember Blaha that the meeting be adjourned.

Motion Carried: Unanimously

Approved:

Mary Ann Roberts, Town Clerk