

TOWN BOARD  
TOWN OF OSSINING  
BIRDSALL-FAGAN POLICE/COURT FACILITY  
86-88 SPRING STREET – OSSINING, NEW YORK  
August 25, 2009  
7:30 PM

SUPERVISOR  
Catherine Borgia  
COUNCILMEMBERS  
Geoffrey Harter    Michael L. Tawil  
David Krieger        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 25, 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: Geoffrey Harter, Northern Wilcher, David Krieger and Michael Tawil. Also present were Town Attorney Wayne Spector, Budget Officer Connie Cerny and Town Clerk Mary Ann Roberts.

The Public Hearing was opened at 7:31 P.M. by Supervisor Borgia.

Public Hearing in the matter of the Petition for Extension of the Valley View Sewer District – Keith H. Gordon and Elena C. Sabatini

No one came to speak at this Public Hearing.

At 7:32 P.M., Councilmember Harter moved and it was seconded by Councilmember Tawil.

PRESENTATION – ALAN KASSAY – O’CONNOR DAVIES MUNNS & DOBBINS, LLP – FY 2008 – FINANCIAL STATEMENTS

Mr. Kassay a Partner in O’Connor Davies Munns & Dobbins LLP gave a brief presentation relative to the Financial Statement for Fiscal Year 2008 going thru various pages of this report relative to the original budget which was \$4,186,773 with expenses of \$5,132,000 with a difference of \$915,000. The final budget was \$4,208,000 with a decrease in revenues of 3.8%. On page 48 the fund balance is now .2% which is significantly lower that what is required which is 5 – 10%. The budget itself was a good budget, but the fund balance needs funding. In 2009 the Town noticed changes and addressed them by amending the budget in January which is a trend that will be followed and also by instituting a Citizen’s Budget Review Committee.

II. ANNOUNCEMENTS

Councilmember David Krieger announced that the Ossining Public Library will show free movies on Wednesday at 7 p.m. in the theater with free refreshments. The first movie will be a Woody Allen presentation followed by the “Hollywood 10” the following week.

Supervisor Borgia announced that the Spray Park will have extended hours until the first day of school with hours from 11 a.m. to 5 p.m.

### III. PUBLIC COMMENT ON AGENDA ITEMS

Peter Tripodi, Quail Hollow Road, discussed Resolution C (Appointment – Citizen Finance Advisory Committee – Asher Banks), Resolution E (Appointments – Emergency Medical Services Committee), and Resolution D (Appointments – Board of Ethics). He noted that a number of the individuals appointed to various committees since January have been predominantly Democrats. William Hamilton has been appointed as Judge for the Town of Ossining and is also now a member of The Emergency Medical Services Committee. Supervisor Borgia responded that The Court Administration appointed Judge Hamilton and not the Town Board. The Town Board does not research party affiliation or voting records when making appointments – they only review the individual’s qualifications. As far as the appointment of individuals to the Emergency Medical Services Committee each municipality involved (Town of Ossining, Town of New Castle and the Village of Ossining) appoint an individual to this committee. Mr. Wishnie was appointed by the Town of Ossining, Dr. Seebacher was appointed by New Castle and Mr. Hamilton was appointed by the Village of Ossining.

Councilmember Tawil took offense to Mr. Tripodi researching and questioning the qualifications of these individuals.

### IV. BOARD RESOLUTIONS

#### A. Approval of Minutes

Councilmember Krieger 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 Minutes of the August 11, 2009 Regular Meeting as presented.

Motion Carried: Unanimously

#### B. Approval of Voucher Detail Report

Councilmember Harter 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 Voucher Detail Report dated August 25, 2009 in the amount of \$152,243.72.

Motion Carried: Unanimously

#### C. Appointment-Citizen Finance Advisory Committee-Asher Banks

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

Resolved, that the Town Board of the Town of Ossining hereby appoints Asher Banks, Noel Drive, Ossining, to the Citizen Finance Advisory Committee for a five year term expiring December 31, 2014.

Vote: 4-0-1

Voting Yes: Council members, Harter, Tawil,  
Wilcher, Krieger

Abstaining: Supervisor Borgia

**D. Appointments-Board of Ethics**

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

Resolved, that the Town Board of the Town of Ossining hereby appoints Sandra C. Hirsch, Spring Pond Drive, Ossining and Stuart Kahan, Ganung Drive, Ossining, to the Board of Ethics; and be it further

Motion Carried: Unanimously

**E. Appointment-Emergency Medical Services Committee**

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 appoints the following members to the Emergency Medical Services Committee for a three year term to expire August 25, 2012:

Hon. Richard Wishnie  
Robert Seebacher, MD  
William Hamilton, Esq.

Motion Carried: Unanimously

**F. Westchester County-Senior Citizens-American Recovery and Reinvestment Act funding**

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

Resolved, that the Town Board of the Town of Ossining hereby authorizes the Town Supervisor to sign an agreement with Westchester County Department of Senior Programs and Services to receive federal funding for the following programs for the period of March 18, 2009-December 31, 2009.

<u>Program</u>	<u>Federal Funding</u>
ARRA IIC-1	\$5,007
Estimated IIC-1 NSIP	\$1,529
ARRA IIC-2	\$5,820
Estimated IIC-2 NSIP	<u>\$2,066</u>
TOTAL	\$14,422

Motion Carried: Unanimously

**G. A RESOLUTION CALLING A PUBLIC HEARING TO CONSIDER THE QUESTION OF THE CONSOLIDATION, PURSUANT TO SECTION 206 OF THE TOWN LAW, OF ALL EXISTING SEWER DISTRICTS IN THE TOWN OF OSSINING, WESTCHESTER COUNTY, NEW YORK.**

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

WHEREAS, the Town of Ossining, Westchester County, New York, has heretofore established the following sewer districts:

- a) North State Road Sewer District;
- b) Pine Tree Sewer District;
- c) Valley View Sewer District;
- d) Torbank Sewer District;
- e) Lakeville Sewer District (including the Extension thereto);
- f) Stonewall Sewer District;
- g) Stormytown Sewer District;
- h) Croton Sewer District;
- i) Knollwood Sewer District;
- j) Brookside Sewer District; and
- k) Davis Sewer District (which sewer districts are referred to herein collectively as the “Sewer Districts”); and

WHEREAS, the assessments of all of the costs of operation and maintenance and debt service with respect to each of the aforesaid Sewer Districts are made upon all the taxable real property within each respective Sewer District based upon benefit assessments; and

WHEREAS, it is now desired to consider the question of the consolidation of said Sewer Districts; NOW, THEREFORE, BE IT

RESOLVED, by the Town Board of the Town of Ossining, Westchester County, New York, as follows:

Section 1. A meeting of the Town Board of the Town of Ossining, Westchester County, New York, shall be held at the Birdsall Fagan Police/Court Facility, 86-88 Spring Street in Ossining, New York, on the 8th day of September, 2009, at 7:30 o’clock P.M., Prevailing Time, for the purpose of considering the consolidation of all existing Sewer Districts in said Town and as so identified in the preambles hereof.

Section 2. Upon such consolidation becoming effective, the Districts so consolidated shall be known as the Ossining Consolidated Sewer District (the “Consolidated Sewer District”). All the property of each respective Sewer District shall become the property of said Consolidated Sewer District; provided, further, that the Consolidated Sewer

District shall assume and pay the indebtedness of each respective Sewer District incurred prior to the effective date of the consolidation described herein, other than the North State Road Sewer District, which District shall remain responsible for outstanding indebtedness incurred for such District.

Section 3. Pursuant to Section 206-a of the Town Law, the future assessments of all costs of improvements, as well as costs of operation and maintenance of such Consolidated Sewer District shall be a charge against the entire area of the Consolidated Sewer District, including all extensions heretofore or hereafter established. Such future costs shall be assessed upon all the taxable real property in said Consolidated Sewer District based upon benefit assessments.

Section 4. The Town Clerk shall give notice of the public hearing referred to in Section 1 hereof by the publication of this resolution in the official newspaper or newspapers of the Town designated pursuant to subdivision 11 of Section 64 of the Town Law, the first publication thereof to be made at least ten (10) days prior to the time fixed for such public hearing. The Town Clerk shall further give notice of said public hearing by the posting of this resolution on the official signboard of the Town.

Section 5. This resolution shall take effect immediately.

Motion Carried: Unanimously

## V. MONTHLY REPORTS

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

July - Building Department Report  
July - GE Helicopter report

Motion Carried: Unanimously

## VI. VISITOR RECOGNITION

Bobby Williams, Spring Street, discussed the Cash for Clunkers Program as well as telling residents to speak for themselves rather than have someone speak for them.

Peter Tripodi, Quail Hollow Road, discussed the Spray Park and whether the sprinklers have been repaired and whether the Village is now charging the Town a Village rate for water. Supervisor Borgia stated that the Town is working on both issues.

Keith Gordon, Hawkes Avenue, stated that he missed the public hearing on his petition for an extension of the Valley View Sewer District to his home. He also questioned whether there was any information regarding the upcoming public hearing on the consideration establishing the

consolidation of the sewer districts. Supervisor Borgia responded that he should call her office and the information as soon as available will be provided to him.

VII. ADJOURNMENT

At 8:15 p.m., Councilmember Krieger moved and it was seconded by Councilmember Tawil that the meeting be adjourned.

Motion Carried: Unanimously

Approved:

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Mary Ann Roberts, Town Clerk