

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

December 22, 2009  
7:30 P.M.

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 December 22, 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: Councilmembers Northern Wilcher, David Krieger and Michael Tawil. Councilmember Geoffrey Harter was absent. Also present were Town Attorney, Wayne Spector, Budget Officer, Connie Cerny and Town/Village Clerk, Mary Ann Roberts.

II. ANNOUNCEMENTS

Councilmember Krieger announced that the Ossining Public Library will host a Concert January Jazz A to D on January 17, 2010 at 3 p.m. There will also be a Hitchcock Series beginning on January 6<sup>th</sup> at 7 p.m.

Supervisor Borgia announced that on January 16, 2010 Children's Author Craig Kinney will be at the Ossining Public Library. This author is suitable for children from third grade and up.

Councilmember Tawil wished everyone a Merry Christmas and a Happy New Year. This holiday wish was also extended by Councilmembers Krieger and Wilcher.

III. PUBLIC COMMENT ON AGENDA ITEMS

Bobby Williams, Spring Street, requested an explanation relative to Resolutions E, F, and G which all pertain to Sanitary Sewer and Temporary Construction Easement Agreements for various locations. Supervisor Borgia stated that the rear of the Ann M. Dorner Middle School is part of the gravity feed sewer line. Town Attorney Spector stated that even though the School District is a government entity it is still necessary to have an easement on file.

IV. BOARD RESOLUTIONS

A. Approval of Minutes

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 December 8, 2009 Minutes of the Regular Meeting as presented.

Motion Carried: Unanimously

B. Approval of Work Session Minutes

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 minutes of the December 1, 2009 Work Session.

Motion Carried: Unanimously

C. Approval of Work Session Minutes

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 approves the minutes of the December 15, 2009 Work Session.

Motion Carried: Unanimously

D. Approval of Voucher Detail Report

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 Voucher Detail Report dated December 8, 2009 in the amount of \$ 478,448.79.

Motion Carried: Unanimously

E. Sanitary Sewer and Temporary Construction Easement Agreements-Ossining Union Free School District-190 Croton Avenue, Ossining

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

Whereas, the Town Board has completed plans for the installation of a sanitary sewer line in the Stormytown Sewer District, a portion of which is intended to be installed over and through private property; now therefore be it

Resolved, that the Town Supervisor is hereby authorized to execute a sewer easement agreement and temporary construction easement agreement with the Ossining Union Free School District with offices at 190 Croton Avenue, Ossining, the owner of a parcel of land designated as Section 89.07 Block 3, Lot 68, in the form annexed hereto for the purpose of the installation and maintenance of such sanitary sewer, as more fully set forth in such easements, together with all necessary documents in order to effectuate same.

Motion Carried: Unanimously

F. Sanitary Sewer and Temporary Construction Easement Agreements-Torview Club, Inc.-25 Stormytown Road

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

Whereas, the Town Board has completed plans for the installation of a sanitary sewer line in the Stormytown Sewer District, a portion of which is intended to be installed over and through private property; now therefore be it

Resolved, that the Town Supervisor is hereby authorized to execute a sewer easement agreement and temporary construction easement agreement with the Torview Club, Inc., located at 25 Stormytown Road, the owner of a parcel of land designated as Section 89.08 Block 1, Lot 3, in the form annexed hereto for the purpose of the installation and maintenance of such sanitary

sewer, as more fully set forth in such easements, together with all necessary documents in order to effectuate same.

Motion Carried: Unanimously

G. Sanitary Sewer and Temporary Construction Easement Agreements-Leon Danko-39 Stormytown Road, Ossining

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

Whereas, the Town Board has completed plans for the installation of a sanitary sewer line in the Stormytown Sewer District, a portion of which is intended to be installed over and through private property; now therefore be it

Resolved, that the Town Supervisor is hereby authorized to execute a sewer easement agreement and temporary construction easement agreement with Leon Danko located at 39 Stormytown Road, the owner of parcel of land designated as Section 89.07, Block 3, Lot 62, in the form annexed hereto for the purpose of the installation and maintenance of such sanitary sewer, as more fully set forth in such easements, together with all necessary documents in order to effectuate same.

Motion Carried: Unanimously

H. Request from MetroPCS New York, LLC for Special Permit for a Wireless Telecommunications Facility-Referral to Planning Board

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

Resolved, that the Application of MetroPCS New York, LLC for a Special Permit pursuant to Chapter 182A of the Code of the Town of Ossining to permit the location of a wireless telecommunications facility at 400 Executive Boulevard in the unincorporated area of the Town of Ossining be, and it hereby is, referred to the Planning Board of the Town of Ossining in accordance with Section 182 A-6(A) of the Code with the request that the Planning Board review, analyze, evaluate and make recommendations to the Town Board with respect to the granting or not granting of a special use permit herein; and it is further

Resolved, that in regard to the foregoing application, the Town Board is, and hereby declares itself to be "Lead Agency" as defined in SEQRA and the Town Clerk is authorized and directed to notify all appropriate agencies of the State of New York, the County of Westchester, the Village of Ossining and those municipalities which adjoin the Town of Ossining.

Motion Carried: Unanimously

I. Finance-Capital project # 2009-2168-Police Department-Mobile License Plate Reader

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 authorizes the establishment of Capital Project # 2009-2168, entitled Police Department-Mobile License Plate Reader, in the amount of \$29,976.00, to be funded by a grant from the United States Department of Justice.

Motion Carried: Unanimously

J. 2010 Census Partnership Agreement

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 authorizes the Supervisor to enter into a partnership agreement with the United States Census Bureau to assist in implementing the 2010 Census.

Motion Carried: Unanimously

K. Retirement-Assistant Assessment Clerk

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 accepts, with regret, the retirement of Dorothy Duffy as Assistant Assessment Clerk effective December 31, 2009.

Motion Carried: Unanimously

L. GIS Consulting Services Agreement

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 authorizes the Supervisor to enter into an agreement with James W. Sewall Company, at a cost of \$10,425 for the year 2010, to perform tax map maintenance. The term of this agreement shall be effective January 1, 2010 and shall expire on December 31, 2010.

Motion Carried: Unanimously

V. MONTHLY REPORTS

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

November- G.E. Helicopter Report  
November-Police Report

Motion Carried: Unanimously

VI. VISITOR RECOGNITION

Bobby Williams, Spring Street, discussed the incoming County Executive and County Board of Legislatures discussion on shared services and wondered if the Town Board was still on board with keeping property taxes down. Supervisor Borgia responded that the Town Board Citizen Group will be meeting in January or early February to discuss the Police Department survey that just came back. Hopefully the survey for the Highway and DPW will come back during February. Other sources of revenue have decreased thus the Town is looking at each service separately. Parks and Recreation is an interesting one to look at as the Parks are open to all. Recreation is available to all residents, however, there is a differential in fees due to a contract for use. The Village has capital obligations.

Peter Tripodi, Quail Hollow Road, stated that the Town trumps the Village and that the Village is not mandatory. He also discussed the Fire Department Budget and the percentage charged to the Town. Merry Christmas and Happy New Year to all.

VII. ADJOURNMENT

At 8:00 P.M. Councilmember Tawil moved and it was seconded by Councilmember Krieger that the meeting be adjourned.

Motion Carried: Unanimously

Approved:

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Mary Ann Roberts, Town Clerk

