

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

**JANUARY 12, 2010  
REORGANIZATIONAL MEETING  
7:30 P.M.**

**SUPERVISOR  
Catherine Borgia  
COUNCILMEMBERS  
Geoffrey Harter                      Michael L. Tawil  
Peter J. Tripodi IV**

**I. CALL TO ORDER-PLEDGE OF ALLEGIANCE-ROLL CALL**

The Regular Meeting of the Town Board of the Town of Ossining was held on January 12, 2010 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, Geoffrey Harter, Michael Tawil, and Peter Tripodi, IV. Also present were Town Attorney, Wayne Spector, Budget Officer, Connie Cerny and Town/Village Clerk, Mary Ann Roberts.

**II. PUBLIC COMMENT ON AGENDA ITEMS**

**III. ANNOUNCEMENTS**

Supervisor Borgia welcomed Councilmember Peter Tripodi to his first official meeting. The Cooperative Scholarship Fund will be held on Saturday, January 16, 2010 at the Ossining High School Auditorium at 3 p.m. at which time Village Trustee Marlene Cheatham will be honored.

Councilmember Geoffrey Harter announced that The Star of Bethlehem in conjunction with the Ministerial Association will host a service in honor of Martin Luther King Jr. at 7:30 p.m. on Monday, January 18, 2010.

**1. Deputy Supervisor**

Supervisor Borgia appoints Geoffrey Harter Deputy Supervisor for the Town of Ossining effective January 1, 2010.

**2. Deputy Receiver of Taxes**

In accordance with the appropriate provisions of law, Mrs. Nelga Farrelly and Mrs. Regina Manwaring will continue in the office of the Receiver of Taxes of the Town of Ossining for 2010, bearing the title and full responsibilities of Deputy Receiver of Taxes and serving at the pleasure of the Receiver of Taxes.

**IV. LIAISON APPOINTMENTS**

Catherine Borgia  
De-facto on all committees  
Historic Hudson River Towns  
Inter-Municipal Leadership Team  
Westchester Municipal Officials Association  
Citizen Finance Advisory Committee

Geoffrey Harter  
Recreation Advisory Board  
Town Police Department  
GO-TV

**Michael Tawil**  
IMA Committee  
Historic Sing Sing Museum Committee  
Ossining and Briarcliff School Districts  
NYS Greenway Committee

**Peter Tripodi**  
Green Ossining Committee  
Chamber of Commerce  
Ossining Historical Society  
NYS Greenway Committee  
Citizen Finance Advisory Committee

**Open Seat**  
IFCA  
Ossining Volunteer Ambulance Corp.  
Ossining Boat & Canoe Club  
Ossining and Briarcliff Manor Fire Departments

## **V. APPOINTMENTS**

### **1. Appointment-Town Attorney**

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

**Resolved, that the Town Board of the Town of Ossining hereby re-appoints Wayne H. Spector as Town Attorney, for a two year term, effective January 1, 2010 through December 31, 2011 in accordance with Town Law Section 24.**

**Motion Carried: Unanimously**

### **2. Deputy Town Attorney**

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

**Councilmember Tripodi felt that in speaking with certain members of the community that the office of Deputy Town Attorney is lacking the professionalism that is shown in our town.  
He feels that it would be cheaper if a police officer would act as Deputy Town Attorney.**

**Resolved, that the Town Board of the Town of Ossining hereby re-appoints Sonia M. Tanksley as Deputy Town Attorney, effective January 1, 2010 through December 31, 2010.**

**Vote: 3 – 1 – 0  
Voting Aye: Harter, Tawil,  
Borgia  
Voting Nay: Tripodi**

### **3. Budget Officer/Personnel Director/Assistant to the Supervisor**

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

**Resolved, that the Town Board hereby re-appoints Connie Cerny, Budget Officer for the Town of Ossining effective January 1, 2010 through December 31, 2010; and**

**Be It Further Resolved, that the duties of Personnel Director and Aide to the Supervisor are in addition to her duties as Budget Officer.**

Motion Carried: Unanimously

**4. Confidential Secretary – Jane Kanning**

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

Resolved, that the Town Board hereby re-appoints Jane Kanning, Confidential Secretary to the Supervisor effective January 1, 2010 through December 31, 2010.

Motion Carried: Unanimously

**5. Justice Court – Town Constables**

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

Resolved, that the Town Board hereby reappoints the following to the position of Town Constable, at an hourly rate of \$16.17, to serve at the pleasure of the Board during calendar year 2010:

Carlos Castro, Ossining, NY  
Allen Gantz, Ossining, NY

Motion Carried: Unanimously

**6. Environmental Advisory Committee – Reappointment**

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

Resolved, that the Town Board hereby re-appoints Stuart Kahan, Ganung Drive, Ossining, to the Environmental Advisory Committee, for a five-year term expiring December 31, 2014.

Motion Carried: Unanimously

**VI. ANNUAL RESOLUTIONS**

**A. Official Newspaper**

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

Resolved, that the Town Board hereby designates The Journal News as the Official Newspaper of the Town of Ossining for 2010.

Motion Carried: Unanimously

**B. Town Council Monthly Meeting Schedule**

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

Resolved, that the Town Board of the Town of Ossining hereby adopts the following Monthly Meeting Schedule for 2010:

Regular Town Board Meetings – 2<sup>nd</sup> & 4<sup>th</sup> Tuesday – 7:30 p.m.  
Birdsall/Fagan Police/Court Facility, 86-88 Spring Street

Work Sessions – 1<sup>st</sup> & 3<sup>rd</sup> Tuesday – 7:30 p.m.  
Supervisor's Conference Room – 16 Croton Avenue

**Motion Carried: Unanimously**

**C. Setting Town Office Hours**

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

**Resolved, that the office hours of the Town Offices for 2010 will be Monday through Friday, 8:30 a.m. to 4:30 p.m.**

**Motion Carried: Unanimously**

**D. Town Historian**

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

**Councilmember Tripodi abstained because he sits on the board for the Historical Society.**

**Resolved, that the Town Board hereby appoints \_\_\_\_\_, Town Historian for 2010.**

**Vote: 3 – 0 –1  
Voting Aye: Harter, Tawil,  
Borgia  
Abstained: Tripodi**

**E. Mileage Allowance**

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

**Resolved, that wherever it shall be appropriate to compensate Town Officials and/or Town Employees for mileage, they shall be reimbursed at a rate of \$0.50 per mile to be paid upon claim voucher, after audit and approval, in accordance with IRS standards.**

**Motion Carried: Unanimously**

**F. Membership in the Association of Towns**

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

**Resolved, that pursuant to Article 8 of the Town Law, the Town of Ossining shall pay the Annual Membership Dues for membership in the Association of Towns of the State of New York for 2010 in the amount of \$1,500.**

**Motion Carried: Unanimously**

**G. Authorization for Attendance at Association of Towns Meetings**

**Councilmember Tawil 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 following Town Personnel to attend the Annual Meeting of the Association of Towns to be held in New York City, February 14 – 17, 2010 subject to approval of their Department Heads, and that they be reimbursed by the Town of Ossining for all actual and necessary expenses incurred by reason of such attendance: Town Supervisor and Members of the Town Board; Town Attorney and Deputy Town Attorney; Town Assessor; Building**

Inspector; Town Clerk and Deputy Town Clerk; Chief of Police; Receiver of Taxes and Deputy Receiver of Taxes; Superintendent of Highways; Town Justices; Town Court Clerks; Chief of Police; Budget Officer; Confidential Secretary to the Supervisor; Highway Secretary; Assessment Personnel; Chairman and Members of the Zoning Board; Chairman and Members of the Planning Board and Chairman and Members of the Environmental Advisory Board.

Motion Carried: Unanimously

**H. Delegate to the Association of Towns**

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

Resolved, that the Town Board hereby designates Catherine Borgia, Supervisor, as Delegate to the Association of Towns Annual Meeting for 2010.

Motion Carried: Unanimously

**I. Animal Control Agreement**

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 authorizes the Supervisor to enter into an agreement with Jim Horton, Principal, of Quality Pro Pest and Wildlife Services, Hawthorne, New York pursuant to the terms and conditions of the agreement for the period January 1, 2010-December 31, 2010.

Motion Carried: Unanimously

**J. Animal Control-SPCA of Westchester**

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

Resolved, that the Supervisor be and hereby is, authorized and directed to execute an agreement with SPCA of Westchester for the period January 1, 2010-December 31, 2010, providing for humane procedures for homeless and stray dogs and cats seized by dog control officers, animal control officers, police and other agents of the municipality.

Motion Carried: Unanimously

**K. Renewal-Delta Dental Insurance Program**

Councilmember Tawil 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 renew the Town's dental insurance program with Delta Dental of New York for the period January 1, 2010-December 31, 2010 for Group # 1576-0001 at a rate of \$62.58 per month per employee with no dependents and \$148.86 per month, per employee with family coverage; and be it further

Resolved, that Group # 1576-0002 (Police Officers) shall be at a rate of \$67.56 per month per employee with no dependents and \$158.22 per month, per employee with family coverage.

**L. Approval of Compensation Plan for 2010**

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

Councilmember Tripodi announced that he will be voting against this resolution. He feels that the town councilmember's annual salary is too high and would like to work with the board on possibly reducing the annual salary to \$6,000/year or \$8,000/year. For this reason, he will be voting no on this resolution.

Resolved, that the Town Board hereby approves the following Compensation Plan for the year 2010:

TITLE OF POSITION <u>EXEMPT</u>	ANNUAL SALARY	SALARY WITH 8 DAY FURLOUGH
ASSESSOR	\$130,905	\$126,877
ATTORNEY	60,000	\$58,154
DEPUTY TOWN ATTORNEY	18,000	\$17,446
CONFIDENTIAL SECRETARY	59,231	\$57,409
BUDGET OFFICER/PERSONNEL DIRECTOR	80,000	
COURT CLERK	57,218	
COURT CLERK	53,626	
DEPUTY RECEIVER OF TAXES (2)	45,335	
DEPUTY TOWN CLERK	51,316	

UNCLASSIFIED

TOWN CLERK	\$80,200	\$77,732
COUNCIL MEMBER (4)	10,842	\$10,508
RECEIVER OF TAXES	81,520	\$79,012
SUPERINTENDENT OF HIGHWAYS	85,639	\$83,004
SUPERVISOR	65,769	\$63,745
TOWN JUSTICE (2)	35,081	\$34,002
RUOK WEEKEND RATE	18.00/HR	

NON-COMPETITIVE

MOTOR EQUIPMENT OPERATOR (3)	\$70,033
PARKS FOREMAN	72,909
ASSISTANT PARK FOREMAN	67,145
HIGHWAY FOREMAN	75,786
ROAD MAINTAINER (3)	64,552
AUTOMOTIVE MECHANIC	73,082
AUTOMOTIVE MECHANIC HELPER/LABORER	53,154

LABOR

PARK GROUNDSKEEPER	\$64,552
CHAUFFEUR (4)	33,388
FOOD SERVICE HELPER	32,387
BUS DRIVER	44,056

COMPETITIVE

CHIEF OF POLICE	\$131,387	
POLICE LIEUTENANT	114,073	
POLICE SERGEANT (4)	101,645	
DETECTIVE (2)	95,875	
POLICE PATROLMAN-1ST GRADE (2)	88,773	
POLICE PATROLMAN-2ND GRADE (5)	82,246	
POLICE PATROLMAN-3RD GRADE (1)	75,226	
APPRAISAL TECHNICIAN	61,497	
ASSESSMENT CLERK	56,005	
ASSESSMENT ASSISTANT	48,223	
OFFICE ASSISTANT AUTOMATED SYSTEMS (2)	46,401	
NUTRITION SITE DIRECTOR	68,183	\$66,085
INTERMEDIATE CLERK	46,401	

PART TIME EMPLOYEES

<u>NAME</u>	<u>TITLE</u>	<u>HOURLY RATE</u>
Piqueras, Nicholas	PT Police Officer	\$32.96/HR.
Fracassi, Patricia	PT Clerk Office	\$20.68/HR
Christ, Alice	PT Cleaner, Police Dept	\$18.17/HR
Girgenti, Catherine	PT Availability, Tax Office	\$14.90/HR
Gagliardi, Marie	PT Availability, Tax Office	\$14.90/HR
Nacinovich, Antoinette	PT Availability, Tax Office	\$14.90/HR
Cuminsky, Mary	PT Availability, Tax Office	\$14.90/HR
Jackson, Nathaniel	PT, Assessor's Office	\$32.36/HR
See, Mary	PT, Clerk's Office	\$20.68/HR
Hamilton, John	PT, Building Inspector	\$32.96/HR.
Conn, Margaret	PT, Building Department	\$17.17/HR
Weeks, George	PT, Planning Director	\$31.45/HR
Valentine, Arnestia	PT, Town Court	\$15.00/HR
DelBourgo, Constance	PT, Nutrition	\$14.10/HR
Llano, Leonel	PT, Nutrition	\$12.92/HR

ELECTION OFFICIALS

Coordinator/Liaison	\$2,700.00	
Party Representatives (2)	\$ 50.	Primary Elections
	50.	Special Elections
	75.	General Election
Inspector Training	20.	
Clerical Assistants	60.	
Vote: 3 – 1 – 0		
Voting Aye: Harter, Tawil, Borgia		
Voting Nay: Tripodi		

M. Surety Bonds

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

Whereas, certain officers and/or employees of the Town of Ossining designated by law are required by law to file an undertaking which shall remain in full force and effect until the expiration of their term of office, the termination of their employment, or the further resolution of this Town Board, and

Whereas, the Town Board of the Town of Ossining by prior resolution has determined it is more beneficial and economical to provide the undertakings by a blanketed bond;

It is, therefore, Resolved, that all officers and/or employees of the Town of Ossining will be bonded by a blanket bond in the amount of \$500,000 except that the following position will carry an additional surety bond in the amount of \$100,000: Receiver of Taxes.

Motion Carried: Unanimously

N. Consulting Engineer

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

Councilmember Tripodi advised that he would like to work with the board on considering hiring a full-time engineer or possibly share this service with the Village.

Councilmember Tawil disagreed and feels that it is cost effective for the Town to hire a consultant. The Town needs a licensed Engineer. Mr. Vanoli does an excellent job for the Town and has saved the Town a lot of money designing sewer projects. Mr. Vanoli's money is well spent.

Supervisor Borgia advised that hiring a consulting Engineer for the amount of work that the Town of Ossining has is the cheaper solution. Hiring a full-time employee would not be cost effective due to personnel costs. Supervisor Borgia also advised that the Town is working with an outside consultant to see how the Highway and DPW services can be merged or possibly shared with the Village of Ossining. In addition, Mr. Vanoli is extremely professional and knowledgeable and is a great asset to the Town.

**RESOLVED** that James J. Vanoli, P.E. be, and he hereby is, retained as Engineering Consultant to the Town of Ossining for calendar year 2010 in accordance with the terms set forth in a letter from him to the Supervisor and Town Board dated September 14, 2009, except that the flat fee payable by the Town of Ossining for "Part 1 - Services Provided to Town Staff", consisting of "typical day-to-day Town Engineering services" shall be \$60,000. (\$5,000. per month)

**Vote: 3 – 1 – 0**  
**Voting Aye: Harter, Tawil,**  
**Borgia**  
**Voting Nay: Tripodi**

**O. Planning Consultants**

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

**Resolved**, that the firm of Frederick P. Clark Associates is hereby retained as Planning Consultants for the Town of Ossining for calendar year 2010 in accordance with their contract letter and rate schedule of December 18, 2009.

**Vote: 3 – 1 – 0**  
**Voting Aye: Harter, Tawil,**  
**Borgia**  
**Voting Nay: Tripodi**

**P. Bond Counsel**

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

**Resolved**, that the law firm of Orrick, Herrington & Sutcliff, LLP, 666 Fifth Avenue, New York, New York is hereby retained as Bond Counsel in accordance with the fees set forth in Sections 11 and 12 of the proposal received from Orrick dated January 6, 2010.

**Motion Carried: Unanimously**

**Q. Special Counsel**

Councilmember Tawil 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 Town Supervisor to enter into a retainer agreement with Richard A. Leins, Esq., Ossining, New York for general and special legal services for fiscal year 2010 at an hourly rate not to exceed \$40,000 per year.

**Vote: 3 – 1 – 0**  
**Voting Aye: Harter, Tawil,**



R. 2010 Schedule of Fees

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 following Schedule of Fees for calendar year 2010:

TOWN FEE SCHEDULE

Type of Application, License or Permit/Code Chapter Reference		Fee
Sale of Codebook	Chapter 1	Publisher's price
Access to Records	Chapter 45	
	Fees for copies of records not exceeding 8 ½ by 14 inches in size	\$0.25 per page
	Fee for reproducing records in excess of 8 ½ by 14 inches in size	Actual cost of reproduction
Accessory Dwelling	Chapter 50	
	Initial application	\$300
	Each renewal	\$50
Alarms	Chapter 51	
	Annual registration	\$25
	False alarms:	
	1 <sup>st</sup> and 2 <sup>nd</sup> offense	Warning
	3 <sup>rd</sup> offense	\$50
	4 <sup>th</sup> offense	\$100
	5 <sup>th</sup> offense	\$200
	6 <sup>th</sup> offense	\$500
Building Construction	Chapter 63	
	Certificate of occupancy, where the total value of the building is:	
	Less than \$10,000	\$20
	Greater than \$10,000 but less than \$20,000	\$30
	Greater than \$20,000 but less than \$50,000	\$40
	Greater than \$50,000 but less than \$100,000	\$50
	Greater than \$100,000 but less than \$150,000	\$60
	Greater than \$150,000	\$70
	Building permit issuance	
	Where the total value of the work is up to \$1,000	\$20
	For each additional \$1,000 or fraction thereof up to and including \$15,000	\$10

Type of Application, License or Permit/Code Chapter Reference		Fee
	For each additional \$1,000 or fraction thereof up to and including \$50,000	\$6
	For each additional \$1,000 or fraction thereof exceeding \$50,000	\$4
	Renewal of building permit	\$10
	Electrical permits	
	Per dwelling	\$50
	Alteration to commercial building	\$75
	New commercial construction	\$150
	Plumbing permit	
	House sewer and tie-in	\$10
	Installation of 1 - 3 fixtures, appliances or standpipe connections	\$50
	Installation of 4 - 9 fixtures	\$75
	Installation of 10 or more fixtures	\$100
	Replacement of any hot-water heater or gas, electric or oil heating unit	\$25
	Gas certification	\$25
	Erecting signs	\$25
	Demolition permit	
	For structure less than 1,000 square feet	\$50
	For structure over 1,000 square feet	\$200
	Title search (office assistance)	\$10 per property
	Copies of certificates of occupancy and surveys	\$10 per copy
	Inspection and letter in lieu of certificate of occupancy	\$50
	Legalization of work performed with out permits	All fees tripled
	Failure to keep a scheduled appt. for an inspection	\$50.00
	Failure to be ready for a scheduled inspection appt.	\$50.00
<b>Cabaret</b>	Chapter 68	
	Annual license fee	\$100
	After July 1	\$75
	Renewal application 30-day extension	\$5 per month
<b>Dog Fees</b>	Chapter 74	
	License fees:	
	Spayed/neutered: State fee (\$2.50) plus local fee (\$5)	\$7.50
	Unspayed/unneutered: State fee (\$7.50) plus \$3 surcharge plus local fee (\$5)	\$15.50
	Seniors over age 60 are exempt from local fee.	
	Redemption fees from impoundment of dogs	
	First impoundment	\$20 first 24 hours; \$5 each additional 24 hours

Type of Application, License or Permit/Code Chapter Reference		Fee
	Second impoundment	\$40 first 24 hours; \$10 each additional 24 hours
	Third impoundment	\$60 first 24 hours; \$15 each additional 24 hours
<b>SEQR</b>	Chapter 85	
	Environmental clearance form	No fee
	Application for preliminary environmental review	\$100
<b>Street Opening</b>	Chapter 87, Part 1	
	Simple Curb Cut	\$50
	Road Opening less than 150 sq ft	\$150
	Road Opening 150 sq ft and greater	\$400
<b>Deposit for all Street Openings</b>		
	Deposit per sq ft	\$300
<b>Excavation of Topsoil or Gravel</b>	Chapter 87, Part 2	
	For each 10 acres of property, or any portion thereof, proposed to be excavated	\$75
	Refund upon denial of application	\$25
	Permit renewal, for each 10 acres of property, or any portion thereof, proposed to be excavated	\$75
<b>Filling and Grading</b>	Chapter 92	
	Application for a filling and grading permit	
	For the first acre or part thereof	\$25
	For each additional acre or part thereof	\$30
	Application for a certificate of completion	
	For the first acre	\$10
	For each additional acre or part thereof	\$5
<b>Floodplain Development</b>	Chapter 102	
	Permit application	\$200
<b>Freshwater Wetlands</b>	Chapter 105	
	Application review fee for permits issued by Building Inspector (see § 105-6)	\$50
	Application review fee for permits issued by the Planning Board (see §105-7)	Included in site plan review fees
<b>Parks</b>	Chapter 138	
	Rental fees for Saturday, Sunday, holidays	

Type of Application, License or Permit/Code Chapter Reference		Fee
	1 - 100 people	\$225
	101 - 250 people	\$275
	250 people or more	\$350
	Rental fees for Monday through Friday	
	1 - 100 people	\$150
	101 - 250 people	\$200
	250 people or more	\$300
	Boat ramp	
	Daily	
	Residents	\$30
	Nonresidents	\$50
	Seasonal	
	Residents	\$90
	Nonresidents	\$150
<b>Peddlers</b>	Chapter 144	
	Annual license fee	\$100
<b>Police Fees</b>	Fingerprinting	\$25.00
	Accident Report Fee	\$10.00
	Vehicle Impound Release Fee	\$25.00
	Meeting Room – Non –Profit	\$25.00 per hour
	Meeting Room - Profit	\$50.00 per hour
<b>Steep Slopes</b>	Chapter 167	
	Application and inspection fee, residential only	\$50
	Application and inspection fee, nonresidential	Included in site plan review fees
<b>Streams and Watercourses</b>	Chapter 169	
	Permit application	\$50
<b>Subdivision of Land</b>	Chapter 176	
	Application review fee	
	Major	
	Preliminary plat	\$100, plus \$125 per lot
	Final plat	\$100, plus \$125 per lot
	Minor	\$100, plus \$125 per lot
	Recreation fee. However, in the case of multifamily developments, the Planning Board may adjust the recreation fee in relation to the recreational facilities provided within the subject development.	\$7,500 per lot or dwelling unit.
	Recreation Fee-Affordable Housing	\$2,500 per lot or dwelling unit
	Inspection fee	3% of the Town Engineer's estimated cost for all utility and roadway improvements, plus \$100 for an engineering estimate
	Escrow account deposits	(See fees under “Zoning” below.)

Type of Application, License or Permit/Code Chapter Reference		Fee	
<b>Taxi cabs and Limousines</b>	Chapter 182		
	For each taxicab or limousine owner's license, on initial application	\$100	
	For each taxicab or limousine owner's license, for each annual renewal thereof	\$50	
	For each taxicab or limousine owner's supplementary license	\$25	
	For each vehicle licensed as a taxicab or limousine	\$25	
	For each taxicab or limousine driver's license	\$10	
	For each taxicab or limousine substituted	\$25	
	For replacement of a lost or destroyed taxicab or limousine license or sticker	\$20	
	For replacement of each driver's license or badge	\$5	
<b>Call-a-Cab Coupons</b>			
	Cost to qualifying senior citizen	\$3.00 per coupon	
	Redemption by Town to participating taxi company	\$4.75 per coupon	
<b>Senior Services</b>	Contribution from Qualifying Senior Citizen		
	Congregate Meals	\$2.00	
	Home Delivered Meals	\$2.50	
<b>Telecommunication</b>	Chapter 182A		
	New telecommunications tower	\$5,000	
	Co-location of an existing telecommunications tower or high structure where no increase in height of the tower or structure is required	\$2,000	
<b>Towing Services Agreement</b>	Chapter 182B		
	Fees and services	<b>Normal business hours Mon-Fri 8:00 a.m. to 5:00 p.m.</b>	<b>Sat/Sun/holidays and after 5:00 p.m. weekdays</b>
	Light-duty straight Town (3 tons DVW)	\$94.50	\$120.75
	Light-duty service call	\$78.75	\$105
	Gate/yard	----	\$47.25
	Mileage, per mile	\$4.20	\$4.20
	2 <sup>nd</sup> truck	\$94.50	\$120.75
	Light-duty winching	\$94.50	\$120.75
	Free Storage, up to 24 hours	----	----
	Storage, per day	\$50	\$50
<b>Tree Removal</b>	Chapter 183		
	Tree removal permit, residential only	\$50	
	Tree removal permit, nonresidential	Included in site plan review fees	

Type of Application, License or Permit/Code Chapter Reference		Fee
<b>Zoning</b>	Chapter 200	
	All appeals and applications made to the Board of Appeals	\$150
	Special permit application	\$250
	Site plan or conditional use permit	
	Application review fee	\$250, plus \$25 per parking space
	Inspection fee	Same as application review fee
	Request for rezoning or zoning amendment review fee	\$1,000 plus \$50 per acre of property owned or controlled by the applicant to which the rezoning or zoning amendment pertains
	Environmental quality review. A full environmental assessment form review fee is required in all cases when this form is part of the application.	\$100
	Performance and maintenance bonds	The amount of all performance and maintenance bonds shall be established by the Planning Board, based upon a recommended amount as specified by the Town Engineer
	Each bond reduction request	\$100
	Escrow accounts	
	For subdivisions, based on number of lots	
	0 to 2	\$3,750
	3 to 10	\$7,500
	11 to 35	\$22,500
	More than 35	\$52,500
	For site plan, conditional use permits and special permits, based on square footage	
	0 to 3,000	\$3,750
	3,001 to 20,000	\$7,500
	20,001 to 50,000	\$22,500
	Greater than 50,000	\$52,500
	For minor applications (includes accessory apartments, wetland permits, filling and grading permits, etc.)	\$500
	Variances	As determined by the Zoning Board of Appeals
	Pre-application meetings to discuss conceptual proposals, per meeting	\$350
<b>Filming</b>		
	Per day	\$100

Type of Application, License or Permit/Code Chapter Reference		Fee
Tax Foreclosure	Title Search	\$ 250.00
	Legal & Publication Fees	\$ 550.00
	Memo Bill Fee – Per Bill	\$ 5.00
	Bounced Check Fee – Per Item Returned	\$ 20.00
	Annual Tax File Subscription Charge for Tax Service Agencies	\$ 500.00

Motion Carried: Unanimously

S. Records Management Officer

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

Resolved, that pursuant to Section 57.19 of the Local Government Records Law, the Town Board hereby appoints Mary Ann Roberts, Town Clerk, Records Management Officer of the Town of Ossining.

Motion Carried: Unanimously

T. Finance-Investment Policy

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

INVESTMENT POLICY  
FOR THE TOWN OF OSSINING

I. SCOPE

This investment policy applies to all moneys and other financial resources available for investment on its own behalf or on behalf of any other entity of individual.

II. OBJECTIVES

The primary objectives of the local government’s investment activities are, in priority order,

- to conform with all applicable federal, state and other legal requirements (legal);
- to adequately safeguard principal (safety);
- to provide sufficient liquidity to meet all operating requirements (liquidity); and
- to obtain a reasonable rate of return (yield).

III. DELEGATION OF AUTHORITY

The governing board’s responsibility for administration of the investment program is delegated to the Town Supervisor who shall establish written procedures for the operation of the investment program consistent with these investment guidelines. Such procedures shall include an adequate internal control structure to provide a satisfactory level of accountability based on a data base or records incorporating description and amounts of investments, transaction dates, and other relevant information and regulate the activities of subordinate employees.

IV. PRUDENCE

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the Town of Ossining to govern effectively.

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived.

All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

**V. DIVERSIFICATION**

It is the policy of the Town of Ossining to diversify its deposits and investments by financial institution, by investment instrument, and by maturity scheduling.

**VI. INTERNAL CONTROLS**

It is the policy of the Town of Ossining for all moneys collected by any officer or employee of the government to transfer those funds to the Town Supervisor within five days of deposit, or the time period specified in law, whichever is shorter.

The Town Supervisor is responsible for establishing and maintaining an internal control structure to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management's authorization and recorded properly, and are managed in compliance with applicable laws and regulations.

**VII. DESIGNATION OF DEPOSITORY**

The banks and trust companies authorized for the deposit of Town monies are:

<u>Depository Name</u>	<u>Officer</u>
J. P. Morgan Chase	John Gardell
Wachovia	Avery White Paul DeGrato
Hudson Valley Bank	Michael Goldrick Linda
Carrington	
TD Bank	Nancy Meyer Caren Roeder
Key Bank	Cindy Resner
Bank of America	Linda Hadden
Citibank	Christine O'Neill
HSBC Bank	Mark Spiers
Mahopac National Bank	Amy Greiner
Emigrant Bank	Louis Schlosser
Citizens Bank	Robert Hatfield
Webster Bank	Robert Vanderslice

**VIII. COLLATERALIZING OF DEPOSITS**

In accordance with the provisions of General Municipal Law, §10, all deposits of the Town of Ossining, including certificates of deposit and special time deposits, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured:

1. By a pledge of "eligible securities" with an aggregate "market value," or provided by General Municipal Law, §10, equal to the aggregate amount of deposits from the categories designated in Appendix A to the policy.
2. By an eligible "irrevocable letter of credit" issued by a qualified bank (or federal home loan bank) other than the bank with the deposits in favor of the government for a term not to exceed 90 days with an aggregate value equal to 140% (100% if federal home loan bank) of



the aggregate amount of deposits and the agreed upon interest, if any. A qualified bank is one whose commercial paper and other unsecured short-term debt obligations are rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization or by a bank that is in compliance with applicable federal minimum risk-based capital requirements.

3. By an eligible surety bond payable to the government for an amount at least equal to 100% of the aggregate amount of deposits and the agreed upon interest, if any, executed by an insurance company authorized to do business in New York State, whose claims - paying ability is rated in the highest rating category by at least two nationally recognized statistical rating organizations.

#### **IX. SAFEKEEPING AND COLLATERALIZATION**

Eligible securities used for collateralizing deposits shall be held by (the depository and/or a third party) bank or trust company subject to security and custodial agreements.

The security agreement shall provide that eligible securities are being pledged to secure local government deposits together with agreed upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released and the events, which will enable the local government to exercise its rights against the pledged securities. In the event that the securities are not registered or inscribed in the name of the local government, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the Town of Ossining or its custodial bank.

The custodial agreement shall provide that securities held by the bank or trust company, or agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement should also describe that the custodian shall confirm the receipt, substitution or release of the securities. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitution of securities when a change in the rating of a security may cause ineligibility. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

#### **X. PERMITTED INVESTMENTS**

As authorized by General Municipal Law, §11, the Town of Ossining authorizes the Town Supervisor to invest monies not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following types of investments:

- Special time deposit accounts;
- Certificates of deposit;
- Obligations of the United States of America;
- Obligations guaranteed by agencies of the United States of America where the payment of principal and interest are guaranteed by the United States of America;
- Obligations of the State of New York;
- Obligations issued pursuant to LFL §24.00 or 25.00 (with approval of the State Comptroller) by any municipality, school district or district corporation other than the Town of Ossining;
- Obligations of this local government, but only with any moneys in a reserve fund established pursuant to GML, §6-c, 6-d, 6-e, 6-g, 6-h, 6-j, 6-k, 6-l, 6-m, or 6-n.

All investment obligations shall be payable or redeemable at the option of the Town of Ossining within such times as the proceeds will be needed to meet expenditures for purposes for which the moneys were provided and, in the case of obligations purchased

with the proceeds of bonds or notes, shall be payable or redeemable at the option of the Town of Ossining within two years of the date of purchase.

#### **XI. AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS**

The Town of Ossining shall maintain a list of financial institutions and dealers approved for investment purposes and establish appropriate limits to the amount of investments which can be made with each financial institutions or dealer. All financial institutions with which the local government conducts business must be credit worthy. Banks shall provide their most recent Consolidated Report of Condition (Call Report) at the request of the Town of Ossining. Security dealers not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank, as primary dealers. The Town Supervisor is responsible for evaluating the financial position and maintaining a listing of proposed depositaries, trading partners and custodians. Such listing shall be evaluated at least annually.

#### **XII. PURCHASE OF INVESTMENTS**

The Town Supervisor is authorized to contract for the purchase of investments:

1. Directly, including through a repurchase agreement, from an authorized trading partner.
2. By participation in a cooperative investment program with another authorized governmental entity pursuant to Article 5G of the General Municipal Law where such program meets all the requirements set forth in the Office of the State Comptroller Opinion No. 88-46, and the specific program has been authorized by the governing board (for example, NYCLASS – New York Cooperative Liquid Assets Securities System).
3. By utilizing an ongoing investment program with an authorized tracking partner pursuant to a contract authorized by the governing board.

All purchased obligations, unless registered or inscribed in the name of the local government, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to the Town of Ossining by the bank or trust company. Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law, §10.

The custodial agreement shall provide that securities held by the bank or trust company, as agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement shall describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

#### **XIII. REPURCHASE AGREEMENTS**

Repurchase agreements are authorized subject to the following restrictions:

- All repurchase agreements must be entered into subject to a Master Repurchase Agreement.
- Trading partners are limited to banks or trust companies authorized to do business in New York State and primary reporting dealers.

- Obligations shall be limited to obligations of the United States of America and obligations of agencies of the United State of America where principal and interest are guaranteed by the United States of America.
- No substitution of securities will be allowed.
- The custodian shall be a party other than the trading partner.

**Appendix A**  
**Schedule of Eligible Securities**

<u>  X  </u>	(i) Obligations issued, or fully insured or guaranteed as to the payment of principal and interest, by the United States of America, an agency thereof or a United States government sponsored corporation.
<u>      </u>	(ii) Obligations issued or fully guaranteed by the International Bank for Reconstruction and Development, the Inter-American Development Bank, the Asian Development Bank, and the African Development Bank.
<u>  X  </u>	(iii) Obligations partially insured or guaranteed by any agency of the United States of America, at a proportion of the Market Value of the obligation that represents the amount of the insurance or guaranty.
<u>  X  </u>	(iv) Obligations issued or fully insured or guaranteed by the State of New York, obligations issued by a municipal corporation, school district or district corporation of such State or obligations of any public benefit corporation which under a specific State statute may be accepted as security for deposit of public moneys.
<u>      </u>	(v) Obligations of Puerto Rico rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
<u>      </u>	(vi) Obligations of counties, cities and other governmental entities of a state other than the State of New York having the power to levy taxes that are backed by the full faith and credit of such governmental entity and rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
<u>      </u>	(vii) Obligations of domestic corporations rated in one of the two highest rating categories by at least one nationally recognized statistical rating organization.
<u>      </u>	(viii) Any mortgage related securities, as defined in the Securities Exchange Act of 1934, as amended, which may be purchased by banks under the limitations established by bank regulatory agencies.
<u>      </u>	(ix) Commercial paper and bankers' acceptance issued by a bank, other than the Bank, rated in the highest short term category by at least one nationally recognized statistical rating organization and having maturities of not longer than 60 days from the date they are pledged.
<u>      </u>	(x) Zero coupon obligations of the United States government marketed as "Treasury strips".

**Motion Carried: Unanimously**

**U. Finance-Debt Management Policy**

**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 adopts the Debt Management Policy as follows:**

**The Comptroller will monitor the debt portfolio annually for refinancing opportunities through services of a financial advisor. This can be done in connection to the continuing disclosure process.**

**The minimum criteria for bond refunding are as follows:**

1. Refunding should produce savings equal to 3% of bonds to be refinanced
2. Savings after insurance premium should be 2 ½ times underwriters discount and other costs of issuance.

**Motion Carried: Unanimously**

**V. Finance – Policy**

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

**WHEREAS, Section 104-b of the General Municipal Law requires the governing body of every municipality to adopt a procurement policy for all goods and services which are not required by law to be publicly bid, and**

**WHEREAS, comments have been solicited from all officers in the Town of Ossining involved in the procurement process, now, therefore, be it**

**RESOLVED, that the Town of Ossining does hereby adopt the following procurement process which is intended to apply to all goods and services which are not required by law to be publicly bid.**

**Purchases up to \$999**

**Town Department Managers may authorize purchase of not more than nine-hundred and ninety nine dollars (\$999) per purchase contract for materials, services, supplies or repairs provided that such purchase is made in conformance with the following procedure:**

**A. A standard Claim Voucher is to be completed and submitted to the Supervisor's Office with the following information:**

1. Name and address of Vendor
2. Date and vendor number
3. Budget Account Codes
4. Quantity, description and purpose of goods or services purchased
5. Signature of Department Head

**B. The Claim Voucher must be accompanied by an original invoice and packing slip, if applicable.**

**Purchases between \$1,000-\$10,000**

**Department Managers may make purchases between \$1,000 and \$10,000 for materials, supplies and repairs provided that such purchase is made in conformance with the following procedure:**

**A. A Purchase Order is to be completed in order to encumber the expenditure for all expenses between \$1,000-\$10,000. This form shall be submitted to the Budget Officer with the following information:**

- a. Name and address of recommended vendor
- b. Date, Vendor Number, Budget Account Codes
- c. Quantity, description and purpose of the purchase
- d. Unit cost and total cost of proposed purchase
- e. Purchase Order must be signed by the Department Manager

**B. Two verbal quotations are required for purchases between \$1,000-\$2,999. A verbal quotation form available in the Supervisor's Office must be used to document the quotes. Attach verbal quotation form to Purchase Order and submit to Budget Officer for approval.**

- C. Three written quotations are required for purchases between \$3,000-\$10,000. A written quotation form available in the Supervisor's Office must be used to document the quotes. Attach written bid requests to the Purchase Order along with documentation from vendor indicating cost and submit to Budget Officer for approval.
- D. Approved purchases will be acknowledged to the Department Manager by copy of the signed Purchase Order signed by the Town Supervisor with a Purchase Order number assigned to it by the Finance Department.
- E. Upon satisfactory receipt of the material, supply or repair, the Department Manager will submit to the Budget Officer the following:

- a. Purchase Order signed by the Department Manager to indicate approval for payment along with an invoice from the vendor attached to the Purchase Order.

Any public works contract over \$10,000 must follow above procedures and obtain three written quotes. A Public Works Contract over \$20,000 is subject to competitive bidding.

A good faith effort shall be made to obtain the required number of proposals or quotations. If the purchaser is unable to obtain the required number of proposals or quotations, the purchaser will document the attempt made at obtaining the proposals. In no event shall failure to obtain the proposals be a bar to the procurement.

Purchases are subject to the availability of funds. Department Managers may not authorize purchases under this section when there are insufficient funds in the designated budget account. The Budget Officer distributes monthly budget expenditure reports showing the available funds in each department account.

#### **Purchases of \$10,000 and over**

All purchases of materials, supplies and repairs of equipment of \$10,000 or more and all public works contracts of \$20,000 or more requires competitive bidding subject to the laws of New York.

- A. The Town Supervisor and Clerk's office shall be responsible for the issuance of required documents, notices and advertisements required under the competitive bidding laws and for the receipt of such bids from vendors.
- B. Department Managers will be responsible for preparing information regarding the quantity, quality and specifications of the materials, supplies or work to be furnished.
- C. Capital Projects are defined as improvements to the Town's operations in excess of \$12,000 per project. Please consult with the Budget Officer in order to establish a Capital Project number and processing of Purchase Order.

#### **General Provisions**

- 1. Where possible, purchases should be made from New York State and Westchester County purchasing contracts. These purchases are exempt from the competitive bidding requirements of General Municipal Law Section 103. Information regarding these contracts is available online at [www.ogs.state.ny.us](http://www.ogs.state.ny.us). The NYS Contract number must be written on claim voucher or purchase order along with a print-out from the OGS website indicating the item is on NYS Contract.
- 2. Documentation is required of each action taken in connection with each procurement.

3. Documentation and explanation are required whenever a contract is awarded to other than the lowest responsible offeror. This documentation will include an explanation of how the award will achieve savings or how the offeror was not responsible. A determination that the offeror is not responsible shall be made by the purchaser and may not be challenged under any circumstance.
4. Pursuant to General Municipal Law Section 104-b(2)(f), the procurement policy may contain circumstances when, or types of procurement for which, in the sole discretion of the governing body, the solicitation of alternative proposals or quotations will not be in the best interest of the municipality. In the following circumstances, it may not be in the best interest of the Town of Ossining to solicit quotations to document the basis for not accepting the lowest bid:
  - a. Professional services or services requiring special or technical skill, training or expertise. The individual or company must be chosen based on accountability, reliability or responsibility, skill, education, and training, judgment, integrity and moral worth. These qualifications are not necessarily found in the individual or company that offers the lowest price and the nature of these services are such that they do not readily lend themselves to competitive procurement procedures.

In determining whether a service fits into this category, the Town of Ossining Town Board shall take into consideration the following guidelines: 1) whether the services are subject to state licensing or testing requirements; 2) whether substantial formal education or training is a necessary prerequisite to the performance of the services; and (3) whether the services require a personal relationship between the individual and municipal officials. Profession or technical services shall include but not be limited to the following: services of certified public accountant; investment management services; printing services involving extensive writing, editing, or art work; management of municipally owned property; and computer software or programming services for customized programs or services involved in substantial modification and customization of pre-packaged software.

5. A Request for Proposal must be prepared for Professional Services. This section is adopted from the Office of the State Comptroller's Financial Management Guide, Subsection 8.3020. Requests for proposals are traditionally used as a means of obtaining many types of professional services. RFPs are used to obtain the services of: architects, engineers, accountants, lawyers, underwriters, fiscal consultants, and other professionals. The purpose of a request for proposal is to have an effective way to award contracts for professional services. RFPs and evaluation of the proposals can consider price plus other factors such as experience, staffing and suitability for needs and may include negotiations on a fair and equal basis. The award should be the most advantageous to the Town.

The overall process involves making a request for proposals from various firms or professionals, and then evaluating the proposals received. Depending on the complexity of the situation, you may prepare the RFP in house or a consultant could be obtained to help you prepare it. The Town Attorney will review all RFPs, contracts to be executed with the firm selected and any other needed items.

There should be a well planned solicitation effort in order to identify a sufficient number of qualified firms. This can be done by advertising in local trade journals, checking listings of professionals, talking to local officials, etc. A well planned solicitation effort can result in reduced costs through increased competition.

6. Emergency purchases pursuant to Section 103(4) of the General Municipal Law. Due to the nature of this exception, these goods or services must be purchased immediately and a delay in order to seek alternative proposals may threaten the life,

health, safety and welfare of the residents. This section does not preclude alternative proposals if time permits.

7. **Sole Source.** Competitive bidding is not required under Section 103 of the General Municipal Law in those limited situations when goods or services are available from only one source. If a determination is made that a particular item is available only from one source so that no possibility of competition exists, competitive bidding may not be required for the procurement of the item. Department Managers must document the unique benefits of the item as compared to other items available in the marketplace; that no other item provides substantially equivalent or similar benefits; and that considering the benefits received, the cost of the item is reasonable, when compared to other products or services in the marketplace
8. **Purchases of surplus and second hand goods from any source.** If alternative proposals are required, the Town of Ossining is precluded from purchasing surplus and second hand goods at auctions or through specific advertised sources where the best prices are usually obtained. It is also difficult to try to compare process of used goods and a lower price may indicate an older product.
9. **Goods or services under \$1,000.** The time and documentation required to purchase through this policy may be more costly than the item itself and would, therefore, not be in the best interests of the taxpayer. In addition, it is not likely that such de minimis contracts would be awarded based on favoritism.
10. **The Town Board must authorize and approve all change orders on capital construction projects by Town Board resolution.**
11. **The Town Supervisor and Budget Officer shall be the municipal officials responsible for providing guidance and making decisions as to application of this procurement policy.**

**Motion Carried: Unanimously**

#### **W. Reimbursement of Town Employee Business Expenses**

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

WHEREAS, from time to time employees incur certain expense in connection with performing their duties, attending training, seminars and/or conferences; and

WHEREAS, The Town of Ossining has established guidelines which an employee may be legally reimbursed for expenses; now therefore be it

RESOLVED, that the Town of Ossining does hereby adopt the Reimbursement of Town Employee Business Expense Policy as follows:

#### **Purpose of this Policy**

The purpose of this policy is to establish the guidelines under which an employee of the Town of Ossining may be legally reimbursed for expenses related to the travel to and from, and attendance at, any event which has been recognized and authorized as an event related to Town business. The policy is adopted from the Office of the State Comptroller's Financial Management Guide, Subsection 8.1025. In the event of any misunderstanding or dispute, the Town Supervisor will make the final determination as to whether an employee is entitled to reimbursement of any expense.

#### **Prior Written Authorization Required**

Authorization must be obtained in writing from the Town Supervisor prior to attending an event for which an employee expects reimbursement. In the event that such prior authorization was not obtained, the Town Supervisor, at his/her discretion may authorize reimbursement by written notice to the Budget Officer.

### **Claim Voucher Required**

In order to receive reimbursement of an expense, an employee must submit to the Budget Officer a properly completed and signed Town form, including as attachments, a copy of the Town Supervisor's written authorization, a copy of the brochure or other literature describing the event, and any required receipts. The claim form, available in the Supervisor's Office, must clearly state the title of the event, the sponsoring association, the location and date(s) of the event, and an itemized list of the expenditure categories to be reimbursed. In the event of a conference or training seminar where certificates of completion are issued, said certificates should be provided to the municipality.

### **Use of Petty Cash for Employee Reimbursements**

Petty cash should be used minimally for the reimbursements of employee expenses. It should be remembered that petty cash should require replenishment no more than once a month. Further, any reimbursement made of employee expenses through petty cash still requires appropriate receipts and authorization from the Town Supervisor.

### **Legal Authority**

General Municipal Law 77-b generally authorizes reimbursement of actual and necessary expenses incurred in attending a meeting, convention, conference or school conducted for the betterment of the Town. Written authorization must be obtained in advance from the Town Supervisor before such attendance can be considered a proper Town expense. "Actual and necessary" means that the expenses were:

1. Actually made
2. Necessarily incurred for an authorized purpose
3. An amount no greater than necessary (Opn. St. Comp. 69-563).

### **Tax Exempt Certificate**

The Town is exempt from federal, state and local taxes, including sales tax. As such, it is the responsibility of any employee authorized to attend an event to ascertain that they carry with them a copy the Town of Ossining Tax Exemption Certificate. Such certificates should be presented to places of lodging and dining, so that any amounts paid are exclusive of taxes. The Town retains the right to refuse reimbursement of sales and other taxes paid as part of an employee's expense.

Reimbursement will be made for the following business related expenses:

- Transportation
- Meals
- Lodging
- Gratuities

### **Transportation**

Transportation will be reimbursed for actual travel to and from an authorized event. Transportation will not be reimbursed for any personal travel incurred while away, or for normal commuting to and from home and Town Offices. Reimbursement will be made for:

- The amount spent using public transportation (bus, train, etc.) receipts are required.
- The amount spent for re-fueling a Town owned vehicle. Receipts are required.
- The standard mileage rate, as determined by the Town Board, when using a personal vehicle.
- The amount spent for tolls. Receipts are required.
- The amount spent for parking. Receipts are required.
- The amount spent for plane fare at the regular rate charged for a single coach fare, unless otherwise authorized in writing.

### **Meals**

Meals will be reimbursed when the employee is attending an authorized event away from the regular work area for an extended period of time. If an employee is not attending an event which requires an overnight stay, breakfast and/or lunch will not be reimbursed. Expenditures for the purchase of alcoholic beverages or for guests will not be reimbursed. Receipts are required for all meal expenses.



### **Lodging**

Lodging costs will only be reimbursed for training classes required to maintain professional certification. Employees may choose to attend training or other functions that require overnight lodging, however the lodging cost will not be borne by the Town.

Lodging will be reimbursed at the usual cost of the single occupancy room rate for those nights which fall between the days of an authorized event. "Single occupancy room rate" means the regular room rate charged for a single occupant by the hotel, or the nearest available hotel to, where the event is held. Lodging will not be reimbursed for nights prior or subsequent to the days of an authorized event, unless authorized in advance in writing by the Town Supervisor. Receipts are required for all lodging expenses.

### **Registration, Tuition, Materials**

Any other expenses required to participate in an authorized event, such as registration fees, tuition, books and supplies, will be reimbursed. Receipts are required for all such expenses.

### **Gratuities**

Gratuities that are reasonable and actual may be reimbursed. Gratuities for meals may not exceed the greater of (\$1.00) dollar or fifteen (15%) percent of the cost for each meal, unless a mandatory minimum greater than this amount is required under the terms of the event

### **Periodic Review**

This policy will be reviewed periodically by the Budget Officer. Any questions concerning this policy may be directed to the Budget Officer. The references cited above may assist employees in understanding this policy, and the basis for its contents.

Motion Carried: Unanimously

### **X. Agreement- 2010 Worker's Compensation Claims Runoff Management Services**

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 authorizes the Supervisor to enter into an agreement, in a form acceptable to the Town Attorney, with Wright Risk Management Services, 333 Earle Ovington Blvd, Uniondale, NY to perform workers' compensation claims runoff management services for fiscal year 2010 at the rate of \$450 per claim.

Motion Carried: Unanimously

### **Y. Agreement-NYS Municipal Workers' Compensation Alliance**

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

Resolved, that the Town Board of the Town of Ossining hereby continues its membership with the NYS Workers' Compensation Alliance for fiscal year 2010 to administer workers compensation claims at a cost not to exceed \$153,407.

Motion Carried: Unanimously

### **Z. Insurance-Public Officials Liability Termination**

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

Resolved, that the Town Board of the Town of Ossining hereby terminates the Public Officials Liability Coverage with Scottsdale Insurance Company, Scottsdale, Arizona effective January 21, 2010.

Motion Carried: Unanimously

**AA. Insurance Renewal-New York Municipal Insurance Reciprocal**

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 continues its insurance policies and coverage with the New York Municipal Insurance Reciprocal (NYMIR) effective January 1, 2010 through January 1, 2011 in accordance with proposal dated December 23, 2009 and at an amount not to exceed \$148,512.96; and be it further

Resolved, that the Public Officials Liability Coverage is hereby placed with NYMIR effective January 1, 2010 through January 1, 2011 and the premium is reflected in the cost above.

Motion Carried: Unanimously

**REGULAR MEETING – BOARD RESOLUTIONS**

**I. BOARD RESOLUTIONS**

**A. Approval of Minutes**

**1. December 22, 2009**

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

Resolved, that the Town Board of the Town of Ossining hereby approves the Minutes of the December 22, 2009 Regular Meeting as presented.

Vote: 3 –0 –1

Voting Aye: Tawil, Tripodi  
Borgia

Voting : Abstain Harter

**December 15, 2009-Special Meeting**

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

Resolved, that the Town Board of the Town of Ossining hereby approves the Minutes of the December 15, 2009 Special Meeting as presented.

Motion Carried: Unanimously

**3. January 5, 2010- Special Meeting**

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

Resolved, that the Town Board of the Town of Ossining hereby approves the Minutes of the January 5, 2010 Special 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 hereby approves the Voucher Detail Report dated January 12, 2010 in the amount of \$96,989.24 for 2009 and \$302,799.02 for 2010.**

**Motion Carried: Unanimously**

**C. Appointment of Marriage Officers**

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

**Resolved, that the Town Board hereby appoints Mary Ann Roberts as Marriage Officer for the Town of Ossining for 2010.**

**Motion Carried: Unanimously**

**E. Call-a-Cab Agreements**

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

**Resolved, that the Town Board hereby authorizes the Supervisor to sign agreements with the following cab companies for participation in the Call-a-Cab Program for the period ending December 31, 2010:**

**A. J. Taxi, P.O. Box 369, Ft. Montgomery, NY  
Mega 1 Taxi, 109 Croton Avenue, Ossining  
MK Taxi, 260 North State Road, Briarcliff  
Amigo's Taxi, 34 Agor Lane, Mahopac  
Capricorn Taxi, 5 Crawford Street, Pleasantville**

**Motion Carried: Unanimously**

**F. 2010-Refuse/Recycle Collection**

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

**Councilmember Tripodi would like to work with the Board to see if the Town could go out to bid on this and perhaps get a cheaper quote.**

**Supervisor Borgia advised that we look into this every year and we have asked our vendor to look at several different options to see if the cost could be lowered. At this time, the cost is reasonable because two years prior they made some route changes. Supervisor Borgia also advised that the Town opens every contract annually to make sure that we are getting the best price.**

**Whereas, the Town of Ossining entered into an agreement with Sani-Pro Disposal Services Corp, for the removal of refuse, garbage and commingled recyclables at residential properties within the Unincorporated Area of the Town of Ossining on October 24, 2007; and**

**Whereas, the Town of Ossining has the option of renewing the agreement for 2010 upon the same terms and conditions,**

**Now, therefore be it Resolved, that the Town Board of the Town of Ossining hereby exercises its option to renew with Sani-pro Disposal of 566 North State Road, Briarcliff Manor, NY for fiscal year 2010 at a cost not to exceed \$443,705.76.**

**Vote: 3 –1 –0**

Voting Aye: Harter, Tawil,  
Borgia  
Voting Nay: Tripodi

**G. Lease Agreement-42 Morningside Drive**

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 authorizes the Supervisor to enter into an agreement with Eugene Lawrence Abreau to lease the premises located in Ryder Park at 42 Morningside Drive for a one year term beginning January 1, 2010 through December 31, 2010 at \$900 per month.

Motion Carried: Unanimously

**H. Agreement-Delivery of Meals and Supplies for Nutrition Program**

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

Whereas, the Town of Ossining entered into an agreement with Horizon Food Service Corp. for the delivery of meals and supplies for the nutrition program on December 9, 2009; and

Whereas, the Town of Ossining has the option of renewing the agreement for 2010 upon the same terms and conditions,

Now, therefore be it Resolved, that the Town Board of the Town of Ossining hereby exercises its option to renew with Horizon Food Service Corp of 45 Rogers Drive, New Rochelle, NY for fiscal year 2010 at \$4.09 per meal.

Motion Carried: Unanimously

**I. Agreement-Cemetery Planning Consultant**

Councilmember Tawil 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 enter into an agreement with Cemetery Planning Resource Alliance (CPRA) 7921 Southpark Plaza, Littleton, Colorado to better utilize the approximately two and half acres of space that was added to the cemetery and to explore ideas for generating new revenue at a cost not to exceed \$14,270.

Motion Carried: Unanimously

**J. Personnel-Part-Time Temporary Appointment**

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 extends the temporary appointment of Patricia Fracassi as part-time Intermediate Clerk through March 31, 2010 at an hourly rate of \$20.68.

Motion Carried: Unanimously

**K. Personnel-Assistant Assessment Clerk and Chauffeur Abolishment**

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

Councilmember Tripodi advised that he will be voting negative on this resolution. He advised that he had the opportunity to spend three hours in the Assessor's office today observing what they do in the office. He said they are working very well with the loss of the position however; he is not in favor of abolishing positions that provide services to the Town.

Supervisor Borgia added that this was a difficult decision that the board made. It was part of the budget process and hoped that we would not have to be forced to eliminate positions. Supervisor Borgia agreed that the offices are very well equipped and thanked the offices for continuing the services they provide to the residence.

Whereas, due to the changing needs of the Town of Ossining, the Town Board has determined that for reasons of economy and efficiency it would be beneficial to eliminate two (2) full-time positions in the competitive class civil service title of Assistant Assessment Clerk and the labor class civil service title of Chauffeur;

Now, therefore, be it Resolved, that for reasons of economy and efficiency, the Town Board hereby abolishes the full-time position of Assistant Assessment Clerk effective December 31, 2009. The Town Board also abolishes one (1) of the full-time Chauffeur positions effective January 31, 2010.

Vote: 3 –1 –0

Voting Aye: Harter, Tawil,  
Borgia

Voting Nay: Tripodi

**L. Retirement-Chauffeur**

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 accepts, with regret, the retirement of Irma Valentin as Chauffeur effective January 31, 2010.

Motion Carried: Unanimously

**M. Amending Agreement-Creative Habitat Corp.**

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

Whereas, the Town Board entered into an agreement with Sven Hoeger of Creative Habitat Corp. in May 2006 for planning assistance, site supervision and monitoring of plantings at Engel Park at a cost not to exceed \$55,420; and

Whereas, the agreement included the supervision and maintenance of the tidal salt marsh at Engel Park, however, the Department of Environmental Conservation denied the Town's application for a state wetland permit and the project was scaled back; and

Whereas, it is now necessary to amend the agreement with Creative Habitat Corp. to reduce the project costs,

Now, therefore, be it Resolved, that the Town Board of the Town of Ossining hereby modifies its agreement with Sven Hoeger of Creative Habitat Corp, White Plains, NY in accordance with his letter dated December 8, 2009 and the total cost of his services shall be reduced from \$55,420 to \$20,360.

Motion Carried: Unanimously

**N. Personnel-Police Officer-Grade and Salary Change**

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 acknowledges that Richard Maccarrone moves to Patrol 1st Grade effective January 9, 2010 with a salary of \$88,773 in accordance with the Town of Ossining Police Association agreement.

Motion Carried: Unanimously

**O. Personnel-Police Officer-Grade and Salary Change**

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 acknowledges that David S. Lincoln moves to Patrol 1<sup>st</sup> Grade effective January 9, 2010 with a salary of \$88,773 in accordance with the Town of Ossining Police Association agreement.

Motion Carried: Unanimously

**II. MONTHLY REPORTS**

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

-December - Building Department

Motion Carried: Unanimously

**III. VISITOR RECOGNITION**

Bobby Williams, Spring Street, extended his wishes for a Happy New Year. The new County Executive has begun his term by tightening the County's belt on costs. The Town should entertain consolidation of services in order to keep taxes manageable.

**IV. ADJOURNMENT-EXECUTIVE SESSION-PERSONNEL**

At 8:35 P.M. Councilmember Harter 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