



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

**NOVEMBER 27, 2012  
7:30 P.M.**

**SUPERVISOR  
Susanne Donnelly**

**COUNCILMEMBERS  
Geoffrey Harter     Eric P. Blaha  
Peter Tripodi     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 November 27, 2012 in the Police/Court Facility, 86-88 Spring Street in Ossining. The meeting was called to order at 7:30 p.m. by Supervisor Susanne Donnelly. Members of the Board present were: Councilmembers Geoffrey Harter, Eric Blaha, Peter Tripodi and Northern Wilcher. Also present were Town Attorney Wayne Spector, Budget Officer Madeline Zachacz and Town Clerk Mary Ann Roberts.

**II. Public Hearing in the matter of -2013 Preliminary Budget**

At 7:31 P.M., the Public Hearing was opened.

No one came to speak at this Public Hearing.

Supervisor Susanne Donnelly announced that the Public Hearing will not be closed this evening due to the inclement weather but will be adjourned to Tuesday, December 4, 2012 at 7:30 p.m. at 16 Croton Avenue. In the meantime, please send comments via email to the Supervisor's office.

At 7:32 P.M., Councilman Harter moved and it was seconded by Councilman Wilcher that the Public Hearing be adjourned to Tuesday, December 4<sup>th</sup>, 2012 at 7:30 p.m. at 16 Croton Avenue, 1<sup>st</sup> Floor Board Room.

**III. ANNOUNCEMENTS**

Supervisor Donnelly read the following statement:

Tonight we opened our public hearing on the tentative budget. This is the Supervisor's tentative budget after the office had met with the department managers and determined their wants and more importantly their needs.

We adjourned the public hearing because of the weather and will reopen it again next Tuesday at 16 Croton Ave during a special meeting before our regular work session.

We have budgeted for two household garbage pickups per week but had offered the residents the option of one. We did this for a number of reasons first reason: every one of us is recycling more. Our household garbage is less and less as we return more bottles and cans and separate paper and plastics/glass. The second reason: we asked every one of the companies who answered the bid to give us a price on two household garbage pickups and one garbage pickups per week after I heard from other Town Supervisors how their new contracts had gone up significantly. This was due to the cost of gas as much as the increased cost of manpower. The

advantage we had is that our competitive bidding process came after some of the other municipalities and some of the vendors priced their services very competitively. The difference in the price between the one pickup and the two that the unincorporated area of the Town was accustomed to was \$60,000, and since we had spoken about it in the past we thought we had an obligation to offer it to the residents. We have received e-mails and phone calls concerning this and the residents have spoken and the two pickups per week will stay in the budget.

We will be awarding the contracts to Suburban Carting the same company that does the job now.

We also will be awarding the contract for Tree services to Golden Tree. It is essential that everyone understand that this service is for trees that are the Town responsibility and the service provider will only be paid when the tree law is followed. Please go to the web page so that you understand the tree law and your responsibility as home owners.

We want to express a huge thank you to the Highway and Parks staff for their efforts to clear the debris off the roads after the storm. We need your help and that of your landscapers (should you use that service...) Please instead of piling the wood out by the curb call or have the landscaper call the Highway department and schedule to have the trees (five ft sections) dropped off at cedar lane park.. You will receive a number and someone from Parks will meet you there between 1:00 PM-3:00 PM in the parking lot by the soccer field. This will help with the removal of the fallen trees as well as let the guys concentrate on the bush and leaves. We were lucky with this storm today but we need to prepare for winter and you and/or your landscaper can help. This is open to all residents of the Town of Ossining those in the Villages of Briarcliff Manor and Ossining as well as the unincorporated area. The NYS DOT will be assisting all communities by picking up trees (5 ft sections) from a central location ours is Cedar Lane Park.

We are voting on a revised policy concerning the elected and appointed officials of the Town of Ossining. This is a living document that we will continue to work on throughout 2013. The major change in this version is the contributions of these officials concerning health care. We are interested in setting the example for all the employees and have taken an aggressive approach. It should be noted that all union employees both Teamsters and CSEA will be contributing, granted not at these levels but they will be contributing. Individuals will be paying 15% of the premium and those choosing family coverage will be paying 25% of the premium no matter when they started with the Town.

We are updating our electronics policy as well spelling out what is expectable as far as usage when using Town equipment as well as on Town time.

The Change order resolution you see concerns the water main that we are having installed on Cedar Lane. There seems to be rumors and innuendos out there that this current administration wanted to cut corners concerning this project. The truth cannot be further from that... the fact that the former engineer and the firm the Town contracted with in 2011 made cuts. As soon as the project began the current engineering team realized that the fill was not sufficient and we immediately authorized a change order to ensure the safety of the road. While some may complain about this project, the contractor on the job as well as our oversight engineering team did an excellent job and finished the water main project in record time. The final stage of paving will be done by the end of the week and the results are better water pressure, better water period, and better controls should there be a water main break..This was a Town project and it saddens this board that anyone would politicize this and make false comments.

We will also be authorizing the disposal of a truck that was used by both the Highway Department and Dale Cemetery and is in very poor condition. This Board pledges to you that the truck will be disposed of properly with the most money possible coming back to the Town.

The Dec 3<sup>rd</sup> concert for Sandy Victims and how the Rotary Clubs will be distributing the funds ensuring that 100% goes to the victims.

Dec 19<sup>th</sup> is the all Ossining Party at Haymount House and is open (until we are full) to all. The cost is \$60 per person, this GREAT price includes gratuities reservations must be in before December 1, 2012.

Councilman Peter Tripodi announced that on November 29<sup>th</sup> at 5:30 p.m. there will be a County Budget Hearing at the Cortlandt Town Hall. Please come and voice your opinions. Pearl Harbor Day is on December 7<sup>th</sup> with a ceremony scheduled for noon at 16 Croton Avenue.

Town Clerk Mary Ann Roberts announced that there is a Toys for Tots contribution box in the entry way of the Police Department at 88 Spring Street and also in the Town/Village Clerk's Office at 16 Croton Avenue. Please be generous in your contributions.

**IV. PUBLIC COMMENT ON AGENDA ITEMS**

**V. BOARD RESOLUTIONS**

**A. Approval of Minutes**

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

Resolved, that the Town Board of the Town of Ossining hereby approves the November 13, 2012, Minutes of the Regular Meeting as presented.

**Motion Carried: Unanimously**

**B. Approval of Minutes-Special Meeting**

Councilmember Wilcher 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 November 20, 2012, Minutes of the Special Meeting as presented.

**Motion Carried: Unanimously**

**C. Approval of Voucher Detail Report**

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

Resolved, that the Town Board of the Town of Ossining hereby approves the Voucher Detail Report dated November 27, 2012 in the amount of \$158,394.99.

**Motion Carried: Unanimously**

**D. Surplus Equipment-Dale Cemetery**

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

Resolved, that the Town Board of the Town of Ossining hereby declares the Dale Cemetery vehicle as surplus and authorizes the sale of, to the best offer made; however; if no sale is able to be made due to the poor condition of the vehicle, the Town Board authorizes the equipment to be disposed of.

VIN  
3B6MF36572M309781

YEAR/MODEL  
2002/DODGE DUMP TRUCK

Motion Carried: Unanimously

**E. Policies- Non Union and Elected Personnel Manual**

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

Whereas, the Town of Ossining has a longstanding practice of providing insurance benefits to elected officials and officers/ employees appointed by the Town Board who serve at its pleasure and who are not otherwise covered by the terms of any collective bargaining agreement; and

Whereas, the Board has formally ratified these longstanding practices by adopting the Non-Union and Elected Personnel Manual on 3/27/12; and

Now therefore be it Resolved that subject to the terms and conditions set forth in the “Employee Handbook for Town Non-Union Personnel”, the Town Board hereby approves the revisions to said manual effective January 1, 2013, following guidelines for all elected officials and officers/ employees appointed by the Town Board.

Motion Carried: Unanimously

**F. Policies- Electronics Policy**

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

Whereas, the Town of Ossining operates a network of technology and software, which is available for use by permitted users to conduct Town business; and

Whereas, it is unclear from Town records presently available whether the Board has ever formally ratified a policy dictating the use of these materials and equipment;

Now therefore be it Resolved that subject to the terms and conditions set forth in the “Town Computer and Telecommunication Systems Policy”, the Town Board hereby approves the manual as a policy to be followed by all Town employees and affiliates.

Motion Carried: Unanimously

**G. Change Order #1: Cedar Lane & Stormytown Road Water Mains**

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

Whereas the Cedar Lane & Stormytown Road Water Mains project has commenced, and

Whereas review of the physical location revealed additional requirements for satisfactory completion of the project in the form of removing approximately 18 inches of existing material, installation of filter fabric material (furnished by Town), and installation of natural item 4 material 18 inches thick;

Resolved, that the Town Board of the Town of Ossining hereby authorizes the Supervisor to sign Change Order # 1 with WJL Equities Corp. for the Cedar Lane & Stormytown Road Water Mains Project in the amount of \$59,716.05 to be funded by Town-issued debt.

Motion Carried: Unanimously

**H. Golden's Tree Services, Inc. of Albany Post Road in Montrose, NY**

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

**Resolved, that the Town Board of the Town of Ossining hereby awards the bid for Tree Services for tree removal to Golden's Tree Service Inc. Albany Post Road, Montrose, New York for the bid amount of \$64.50 per man hour for the period of January 2, 2013 to December 31, 2013.**

**Motion Carried: Unanimously**

**I. Highway – Awarding of Bids- 2013 Refuse/Recycle Collection**

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

**Whereas, the Town of Ossining invited bids pursuant to Section 103 of the General Municipal Law of the State of New York for the removal of refuse, garbage, and comingled recyclables within the Town of Ossining Refuse District for the period of January 1, 2013 – December 31, 2013 with the option on the part of the Town to renew for up to four additional years at base price plus CPI; and**

**Whereas, a public notice was advertised in the Journal News on Monday, October 1, 2012; and**

**Whereas, at 10:00 am, Monday October 15, 2012 all bids were opened and upon reviewing the bids, the Town Attorney advised that the low bidder could be considered, in his opinion, the lowest responsible bidder meeting the requirements of the contract documents, such low bidder being Sani-Pro Disposal Corp., d/b/a Suburban Carting Co. of 566 North State Road, Briarcliff, New York 10510, at a total bid price of \$414,741;**

**Now, Therefore be it resolved, that the 2013 Refuse/Recycle Bid is hereby awarded to Sani-Pro Disposal Corp., d/b/a Suburban Carting Co. of 566 North State Road, Briarcliff, New York 10510, for the total bid price of \$414,741.**

**Motion Carried: Unanimously**

**VI. CORRESPONDENCE TO BE RECEIVED AND FILED**

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

- **Town Planning Board Minutes-11/14/2012**

**Motion Carried: Unanimously**

**VII. MONTHLY REPORTS**

**VIII. VISITOR RECOGNITION**

**Sabrina Albrecht, North State Road, lodged a complaint against Tierra Rustica regarding the blowing of leaves onto their property, power washing at 11:30 p.m., doing construction on Sunday which includes tearing apart sheet metal. The owners advised that the Albrecht Family is a problem for the police. If you don't like what we do, move. The Police Officer told them to go to the Zoning Board of Appeals as they are not breaking the decibel level. They also have their radios on in cars up to 1 a.m.**

**Supervisor Donnelly responded that she and the Board would have a conversation with the individuals at Tierra Rustica.**

**Mr. Albrecht, North State Road, related a story regarding this establishment. On Memorial Day they were sitting in their backyard enjoying the day when they started blowing leaves and blew leaves into the face of their puppy. The noise started about 18 months ago. They are now cleaning leaves on Sunday with three blowers.**

**IX. ADJOURNMENT -EXECUTIVE SESSION-LEGAL ADVISE-PERSONNEL FOR A SPECIFIC INDIVIDUAL**

**At 8:03 P.M. Councilmember Tripidi moved and it was seconded by Councilmember Harter that the meeting be adjourned.**

**Motion Carried: Unanimously**

**Approved:**

**\_\_\_\_\_  
Mary Ann Roberts, Town Clerk**