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

MARCH 13, 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 March 13, 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, Peter Tripodi, Northern Wilcher and Eric Blaha. Also present were Town Attorney Wayne Spector, Budget Officer Madeline Zachacz and Town Clerk Mary Ann Roberts.

## II. ANNOUNCEMENTS

Supervisor Donnelly announced that the following resolutions are on this the agenda this evening:
Resolution C (Personnel - Appointment of Sole Assessor); Resolution D (Amendment to the Town of Ossining Vehicle Policy); Resolution E (Parks Department - Acceptance of Bid for Dump Truck); Resolution F (Sewers Approval of Ossining Consolidated Sewer District Extension - Thomas Williamson - 5 Ryder Avenue); and Resolution G (Approval of Bid - Old Albany Post Road "S" Curve).

## III. PUBLIC COMMENT ON AGENDA ITEMS

IV. BOARD RESOLUTIONS

## A. Approval of Minutes

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

Resolved, that the Town Board of the Town of Ossining hereby approves the February 28, 2012 Minutes of the Regular Meeting as presented.

Motion Carried: Unanimously

## B. Approval of Voucher Detail Report

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

Resolved, that the Town Board of the Town of Ossining hereby approves the Voucher Detail Report dated March 13, 2012 in the amount of $\mathbf{\$ 1 , 1 4 7 , 0 6 9 . 7 5}$ for 2011 and $\$ 271,477.84$ for 2012, for a total of $\$ 1,418,547.59$.

## C. Personnel- Appointment of Sole Assessor

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

Whereas, the Appointed Assessor of the Town of Ossining has retired and,
Whereas, the Acting Assessor will be vacating his position at the end of March and,
Now, be it resolved that the Town Board of the Town of Ossining hereby appoints Fernando Gonzalez to fill the unexpired term of Sole Assessor, effective March $19{ }^{\text {th }}$ 2012 and expiring September $30^{\text {th }} 2013$, as per the conditions in the Memorandum of Employment drafted by the Town Attorney, at an annual salary of $\$ 95,000$ subject to adjustment in accordance with the Memorandum of Employment.

## Motion Carried: Unanimously

D. Amendment to the Town of Ossining Vehicle Policy

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

Whereas, the Town Board adopted a vehicle policy on November 13, 2007; and
Whereas, the Town Board of the Town of Ossining wishes to amend Number 4 of the Vehicle Policy to read:

1) Individuals holding the following positions are authorized to utilize a vehicle for Town related business use and limited personal use(e.g., commutation to/from work):
a) Assessor
b) Police Chief
e) Police Lieutenant
d) Building Inspector
e) Superintendent of Highways

This list may change due to frequency of emergencies or employees' responsibilities.

Whereas, the Town Board of the Town of Ossining also wishes to amend Number 5 of the Vehicle Policy to read:

1) Limited personal use, for purpose of paragraph 4 above, shall be defined as travel to and from an individual's residence to work within (50) miles of Ossining unless stated by separate agreement or authorized in advance in writing by the Town Supervisor or his/her designee. Such vehicles shall not be utilized as the primary ear for transportation of the employee's family, and only the Town employee is authorized to operate the vehicle.

Whereas, the Town Board of the Town of Ossining also wishes to amend Number 12 of the Vehicle Policy to read:
2) Driver Qualifications are as follows:
a. Authorized employee of the Town of Ossining.
b. Must be at least 21 years of age, unless otherwise authorized by the Town Supervisor or designee.
c. Must be trained by the appropriate supervisor before being permitted to drive or operate Town vehicles or equipment.
d. Must meet licensing requirements.
e. An employee will not be permitted to operate a Town vehicle if, during the last thirty-six months, the employee had any of the following experiences:

1. Been convicted of a felony.
2. Been convicted of sale, handling or use of drugs.
3. Been convicted of an alcohol or drug related offense while driving.
4. Had driver's license suspended or revoked.
5. Been convicted of three or more speeding violations or one or more other serious violations.

New York State Motor Vehicle Records (MVR) will be used as the source for verifying driver history. MVRs will be obtained and reviewed at least annually. Driving privileges may be withdrawn or suspended for any authorized driver not meeting the above requirements.
Any employee who, at any time, will be directed by their supervisor to operate a Town vehicle for any reason must have their NYS Driver's License on file in the Town Supervisor's Office. All employees will also be required to authorize paperwork allowing the Town to access their information through the Department of Motor Vehicles for purposes of ensuring both employee and resident safety on the road.
And, Whereas, the Town Board of the Town of Ossining also wishes to amend Number 16F of the Vehicle Policy to read:
Call the police if injury to others is involved. Use personal discretion to notify the police even if there are no injuries.

Motion Carried: Unanimously

## E. Parks Department- Acceptance of Bid for Dump Truck

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

Whereas, the Town of Ossining Parks Department requires a new dump truck; and
Whereas, the Town of Ossining accepted closed bids on one GMC 3500HD and one Air Flow Pro Class Dump Body;

Therefore, be it resolved that the Town Board of the Town of Ossining hereby accepts the bid by Arthur Glick Truck Sales of Monticello, New York, in the amount of $\$ 26,365$ for the GMC $\mathbf{3 5 0 0 H D}$ and $\$ 27,390$ for the Air Flow Pro Class Dump Body, for a total cost of \$53,755.

## Motion Carried: Unanimously

F. Sewers - Approval of Ossining Consolidated Sewer District Extension -
Thomas Williamson- 5 Ryder Avenue

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

Whereas, a Petition for the extension of Ossining Consolidated Sewer District located at 5 Ryder Avenue in the Town of Ossining, Westchester County, New York, dated January $24{ }^{\text {th }}$, 2012, has been presented to the Town Board by Thomas Williamson, and

Whereas, an Order was duly adopted by the Town Board on February 14th, 2012 reciting the filing of said Petition, the boundaries of the proposed sewer extension, the improvements proposed and the cost thereof, and specifying February $28^{\text {th }}, 2012$ at $7: 30 \mathrm{pm}$ in the Police/Court facility, 86-88 Spring Street, Ossining, New York as the date, time and place where the said Board would hold a Public Hearing to consider the Petition and to hear all persons interested in the subject matter thereof concerning the same; and

Whereas, such Order was duly posted and published as required by law; and
Whereas, a public hearing on the matter was duly held by the Town Board on February 28th, 2012, where discussion of the matter was had, and all persons interested were given the opportunity to be heard; and

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

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

Resolved, that the extension of the Ossining Consolidated Sewer District located 5 Ryder Avenue in the Town of Ossining, Westchester County, New York, as proposed in the Petition, be and the same is hereby approved, and that the said sewer district extension include the property as described in the said Petition; and it is further

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

## Motion Carried: Unanimously

## G. Approval of Bid- Old Albany Post Road "S" Curve

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

Whereas, FEMA has designated the work to be completed at the Old Albany Post Road " $S$ " Curve as an approved project estimated at a cost of $\$ 162,000$; and

Whereas, the Town of Ossining publically advertised and received bids for this project according to specifications written by the Town Engineer;

Now therefore be it resolved that the Town Board of the Town of Ossining hereby awards the contract on this project to the lowest responsible bidder in the amount of $\$ 69,500$ to Parrot Enterprises of North Plank Road in Newburgh, New York, at the recommendation of the Town Engineer.

## Motion Carried: Unanimously

## H. Finance - Budget Modification

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 herby makes the following budget adjustments to the 2011 adopted budget:

| TRANSFER TO G/L ACCOUNT | AMOUNT | AMOUNT | TRANSFER FROM G/L ACCOUNT |
| :---: | :---: | :---: | :---: |
| TOWN JUSTICE |  |  |  |
| 010-1110-0101- Pers Service | 7461.00 |  |  |
| 010-1110-0110- Part Time | 463.00 | 463.00 | 010-1110-0408- Books |
| 010-1110-0419- Maint/Repair | 65.00 | 65.00 | 010-1110-0401- Supplies |
| 010-1110--455- Constables | 2573.00 | 10034.00 | 010-9010-0817- Hosp/Medical |
| SUPERVISOR |  |  |  |
| 010-1220-0101- Pers Svc Reg | 2525.00 | 2525.00 | 010-6770-0418-Contractual Food |
| 010-1220-0417- Education | 70.00 |  |  |
| 010-1220-0401-Supplies | 525.00 | 595.00 | 010-1220-0110- Part Time |
| TAX COLLECTION |  |  |  |
| 010-1330-0101- Pers Service | 270.00 | 282.00 | 010-1330-0404- Mileage |
| 010-1330-0201- Equipment | 1312.00 | 1300.00 | 010-1330-0417-Education |
| 010-1330-0402- Printing | 319.00 | 319.00 | 010-1330.0497- Internet Contract Fees |
| TOWN CLERK |  |  |  |
| 010-1410-0101- Pers Service | 3254.00 |  |  |
| 010-1410-0105- Pers Service Overtime | 460.00 |  |  |
| 010-1410.0109- Sick Incentive | 1000.00 |  |  |
| 010-1410-0401- Supplies | 2925.00 | 7639.00 | 010-1410-0110- Part Time |
| ASSESSMENT |  |  |  |
| 010-1355-0101-Personnel Serv | 15320.00 |  |  |
| 010-1355-0109- Sick Incentive | 1000.00 |  |  |
| 010-1355-0110-Part Time | 5297.00 |  |  |
| 010-1355-0204- Automobile | 37.00 |  |  |
| 010-1355-0419-Maint/Repair | 440.00 |  |  |
| 010-1355-0424- Consultant/ Computer | 768.00 | 22862.00 | 010-9010-0810- Retirement |
| TOWN ATTORNEY |  |  |  |
| 010-1420-0110- Part Time | 2188.00 |  |  |
| 010-1420-0405- Conference | 135.00 | 6260.00 | 010.1420.0403 Filing Fees/Foreclosure |
| 010-1420-0408- Books | 20.00 | 17000.00 | 010.1420.0421 Appraisals |
| 010-1420-0425- Labor Counsel | 7180.00 | 5340.00 | 010.1420.0422 Certioraris |
| 010-1420-0426- Special Counsel | 28907.00 | 9830.00 | 010.6771.0418 Contractual/Food |
| ENGINEER |  |  |  |
| 010-1440-0413- Consultant | 1200.00 | 1200.00 | 010-1450-0432- Carting/ Lighting |
| ELECTIONS |  |  |  |
| 010-1450-0404- Mileage | 93.00 |  |  |
| 010-1450-0466- Legal Notices | 34.00 | 127.00 | 010-1450-0417- Education/ Election Asst. |
| BUILDINGS |  |  |  |
| 010-1620-0428- Dues | 431.00 |  |  |
| 010-1620-0442-Sustainability | 1034.00 | 1465.00 | 010-1620-0419- Maint/ Repair |
| CENTRAL COMMUNICATIONS |  |  |  |
| 010-1650-0460-Cable TV | 263.00 | 263.00 | 010-1650-0438- Phone/ Web |
| IMA STUDY |  |  |  |
|  |  | 2025.00 | 010-1410-0110- Part Time |
| 010-1989-0487- IMA Study | 13275.00 | 11250.00 | 010-0010-3089- State Aid/ Other |


| VETERANS SERVICES |  |  |  |
| :---: | :---: | :---: | :---: |
| 010-6510-0438- Supplies and Services | 1041.00 | 1041.00 | 010-6770-0418- Contractual Food |
| NUTRITION |  |  |  |
| 010-6770-0201- Equipment | 401.00 |  |  |
| 010-6770-0401- Supplies | 1069.00 |  |  |
| 010-6771-0201- Equipment | 21.00 |  |  |
| 010-6772-0105-Pers.Srvcs Overtime | 97.00 |  |  |
| 010-6772-0411-Gasoline | 4821.00 |  |  |
| 010-6773-0423- Food Supplies | 182.00 |  |  |
| 010-6774-0105- RUOK Overtime | 417.00 | 7008.00 | 010-6770-0418- Contractual Food |
| PARKS |  |  |  |
| 010-7110-0105-Pers.Svcs Overtime | 8277.00 |  |  |
| 010-7110-0111-Custodial | 291.00 |  |  |
| 010-7110-0410-Water | 4314.00 |  |  |
| 010-7110-0411-Gasoline | 4024.00 |  |  |
| 010.7110.0413- Consultant | 893.00 |  |  |
| 010-7110-0419- Maint/Repair | 7010.00 |  |  |
| 010-7110-0449- Parts and Labor | 10633.00 | 23000.00 | 010-7110-0409- Electricity |
| 010-7110-0474-Fuel Oil | 1043.00 | 13485.00 | 010-6772-0429- Call A Cab |
| PARKS SEWER LIFT STATION |  |  |  |
| 010-7112-0409-Electricity | 16.00 | 16.00 | 010-7112-0406- Telephone |
| CELEBRATIONS |  |  |  |
| 010-7550-0438- Supplies and Services | 216.00 | 216.00 | 010-7110-0406- Telephone |
| CEMETERY |  |  |  |
|  |  | 460.00 | 010-8810-0410- Water |
| 010-8810-0409- Electricity | 564.00 | 104.00 | 010-8810-0474-Fuel Oil |
| EMPLOYEE BENEFITS |  |  |  |
| 010-9010-0815- Unemployment |  |  |  |
| Insurance | 390.00 | 390.00 | 010-9010-0817- Hospital/ Medical |
| JUDGEMENTS AND CLAIMS |  |  |  |
| 010.1930.0438 Judgmts/Claims | 28092.15 | 28092.15 | 010.0010.4795- Appropriated Fund Balance |
| BOND ANTICIPATION NOTES |  |  |  |
| 010-9730-0403-Filing Fees | 5072.00 |  |  |
| 010-9730-0610- Principal | 1040.00 |  |  |
| 010-9730-0710- Interest | 87.00 | 6199.00 | 010-9010-0817- Hospital/ Medical |
| TRANSFERS |  |  |  |
| 010.9901.0900 Transfer | 5857.00 | 5857.00 | 010.1355.0204- Auto |
| TOTALS | - 186712.15 | 186712.15 |  |
| TRANSFER TO G/L ACCOUNT | TO ACCOUNT: | FROM ACCOUNT: | TRANSFER FRM G/L ACCNT |
| CENTRAL DATA PROCESSING |  |  |  |
| 020-1680-0475- VOS Contractual | 2123.00 | 2123.00 | 020.1440.0413- Consultant |
| UNALLOCATED INSURANCE |  |  |  |
| 020-1910-0467- Liability | 2683.00 | 2632.00 | 020.1910.0468- Auto Insurance |
|  |  | 51.00 | 020.3620.0402- Printing |
| POLICE |  |  |  |
| 020-3120-0408- Books | 443.00 | 714.00 | 020.1930.0425- Labor Counsel |
| 020-3120-0410-Water | 146.00 | 108944.00 | 020.1930.0438- Judgments/Claims |
| 020-3120-0424- Consultant/Computer | 3400.00 | 23500.00 | 020.1990.0400-Contingency |
| 020-3120-0471 Contractual IMA | 262210.00 | 12146.00 | 020.3120.0101- Personal Svc Reg 020.3120.0105- Personal Svc |
|  |  | 53352.00 | Overtime |
|  |  | 5700.00 | 020.3120.0106- Longevity |


|  |  |  | 020.3120.0107- Holiday |
| :---: | :---: | :---: | :---: |
|  |  | 16445.00 | 020.3120.0110- Part Time |
|  |  | 7301.00 | 020.3120.0203- Car |
|  |  | 13822.00 | 020.3120.0406- Telephone |
|  |  | 3769.00 | 020.3120.0409-Electricity |
|  |  | 4614.00 | 020.3120.0411- Gasoline |
|  |  | 6336.00 | 020.3120.0419- Maint \& Repair |
| BUILDING |  |  |  |
| 020-3620-0101- Pers Service | 138.00 |  |  |
| 020-3620-0110- Part Time | 832.00 |  |  |
| 020-3620-0419- Maint/ Repair | 141.00 | 1111.00 | 020.3120.0419- Maint \& Repair |
| PLANNING |  |  |  |
| 020-8020-0110-Part Time | 24.00 | 24.00 | 020.8020.0201- Equipment |
| EMPLOYEE BENEFITS |  |  |  |
| 020-9010-0810- State Employees |  |  |  |
| Retire | 282.00 |  |  |
| 020-9010-0814- Life/Dental/Vision | 3647.00 | 3929.00 | 020.9010.0811- PFRS Retirement |
| JUDGEMENTS AND CLAIMS |  |  |  |
|  |  |  | 020.0020.4795- Appropriated Fund |
| 020.1930.0438 Judgmts/Claims | 41435.12 | 41435.12 | Balance |
| BOND ANTICIPATION NOTES |  |  |  |
| 020-9730-0403-Filing Fees | 518.00 | 518.00 | 020.9760.0710- TAN Interest |
| TRANSFERS |  |  |  |
| 020.9901.0900 Transfers | 20997.02 | 20997.02 | 020.3120.0203- Car |
| TOTALS | 318022.12 | 318022.12 |  |
|  | TO |  |  |
| TRANSFER TO G/L ACCOUNT | ACCOUNT: | FROM ACCOUNT: | TRANSFER FRM G/L ACCNT |
| MTA TAX |  |  |  |
| 031.1980.0438 MTA Payroll Tax | 10.00 | 10.00 | 031.5010.0401 Supplies |
| STREET ADMINISTRATION |  |  |  |
| 031-5010-0101- Pers Service | 116.00 | 65.00 | 031.5010.0401 Supplies |
| 031-5010-0201- Equipment | 768.00 | 1328.00 | 031.5010.0409 Electricity |
| 031-5010-0406- Telephone | 76.00 | 370.00 | 031.5010.0410 Water |
| 031-5010-0413-Consultant | 6005.00 | 358.00 | 031.5010.0417 Education |
| 031-5010-0428- Dues | 45.00 | 3249.00 | 031.5010.0419 Maint \& Repair |
|  |  | 626.00 | 031.5010.0425 Labor Counsel |
|  |  | 97.00 | 031.5010.0436 Postage |
|  |  | 917.00 | 031.5010.0442 Environmental Improvements |
|  |  | 917.00 |  |
|  | STREET MAINTENANCE |  |  |
| 031-5110-0105- Pers Service Overtime | 29309.00 | 12000.00 | 031.9010.0815 Unemployment |
| 031-5110-0406- Telephone | 237.00 | 14865.00 | 031.9010.0817 Health Insurance |
| 031-5110-0411- Gasoline | 9030.00 | 2870.00 | 031.9730.0403 Filing Fees |
| 031-5110-0419- Maint/ Repair | 2866.00 | 10327.00 | 031.9730.0610 Principal |
| 031-5110-0447- Road Drainage | 1743.00 | 3386.00 | 031.9760.0710 TAN Interest |
| 031-5110-0448- Road Paving | 10509.00 | 5635.00 | 031.9010.0810 State Retirement |
|  |  | 4611.00 | 031.5142.0105 Overtime |



| TOWN WIDE WATER |  |  |  |
| :--- | :---: | :---: | :--- |
| JUDGEMENTS AND <br> CLAIMS |  |  | 030.0050.4795 Appropriated Fund <br> 050.1930.0438 <br> Jdgmts/Claims |
|  | 291.57 |  |  |
| Balance |  |  |  |

Motion Carried: Unanimously

## I. Finance - Budget Modification

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

Resolved that the Town Board of the Town of Ossining herby makes the following budget adjustments to the 2012 adopted budget:

| 2012 Budget Adjustments <br> TRANSFER TO G/L | TO <br> ACCOUNT | ACCOUNT: | FROM <br> ACCOUNT: |
| :--- | :--- | :--- | :--- |
| SUPERVISOR |  |  | TRANSFER FRM G/L ACCNT |

## ASSESSOR

010.1355.0406- Telephone 700.00
010.1355.0419- Maint/Repair 1500.00

| 010.1420.0405- Conference | 200.00 | 200.00 | 010.1420.0403- Filing Fees |
| :---: | :---: | :---: | :---: |
| RECREATION |  |  |  |
| 010.7112.0409- Electric | 6000.00 | 6000.00 | 010.7110.0409- Electric |
| STREET MAINTENANCE |  |  |  |
| 031.5110.0101- Pers Svc | 61435.00 | 61435.00 | 031.1990.0400- Contingency |
| CONSOLIDATED SEWER |  |  |  |
| Comp | 2265.00 | 2265.00 | 045.8120.0105- Overtime |
| NORTH STATE SEWER |  |  |  |
| 051.9730.0610- Principal | 512.00 |  |  |
| 051.9730.0710- Interest | 9.00 | 521.00 | 051.0051.4795- Fund Balance |
| FIRE PROTECTION DIST |  |  |  |
| 064.9730.0610- Principal | 76.00 | 76.00 | 064.9730.0710- Interest |
| REFUSE/RECYCLING |  |  |  |
| 065.9730.0610- Principal | 60.00 | 60.00 | 065.9730.0710- Interest |
| AMBULANCE |  |  |  |
| 066.9730.0610- Principal | 732.00 | 188.00 | 066.9760.0710- Interest |
| 066.9730.0710- Interest | 12.00 | 556.00 | 066.1320.0438- Independent Audit |
| TOTAL | 74001.00 | 74001.00 |  |

Motion Carried: Unanimously

## V. CORRESPONDENCE TO BE RECEIVED AND FILED

## VI. MONTHLY REPORTS

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

Resolved, that the Town Board of the Town of Ossining hereby accepts the monthly reports for the month of February 2012 from the following:

- Tax Receiver's Office
- Town Building Department

Motion Carried: Unanimously

## VII. VISITOR RECOGNITION

Bobby Williams, Spring Street, discussed the political talk on the State retirement system. He stated that all those in the system should be treated the same whether they appointed or non-appointed.

Supervisor Donnelly requested that all sign petitions regarding the re-districting. She also invited everyone to the Town Hall Meeting which will be held on Tuesday, March 20, 2012 at 7:30 p.m. at the Joseph G. Caputo Community Center.

## VIII. ADJOURNMENT-EXECUTIVE SESSION-PERSONNEL-LEGAL

At 7:52 P.M. Councilmember Tripodi moved and it was seconded by Councilmember Harter that the meeting be adjourned.

Motion Carried: Unanimously

Approved:
Mary Ann Roberts, Town Clerk

