



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

**JANUARY 22, 2013
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 January 22, 2013 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 and Northern Wilcher. Councilmember Eric Blaha arrived at 7:45 p.m. Also present were Town Attorney Wayne Spector, Budget Officer Madeline Zachacz and Deputy Town Clerk Ann Marie Rocco.

II. ANNOUNCEMENTS

Supervisor Donnelly announced that the next Town Hall Meeting will take place on Tuesday January 29, 2013 at 7:30 p.m. at the Ossining Public Library/Budzar Theaters (back entrance). The topics to be discussed will be on self reliance and neighborhood reliance. Westchester County Police will be present for this discussion.

Councilmember Tripodi welcomed Supervisor Donnelly back from her medical leave. Councilman Tripodi announced that the Cooperative College Fund held an event recently and would have liked an invite to this event. Councilmember Tripodi suggested that organizations should reach out to Elected Officials/Town Boards of municipalities to advise when these events will take place.

III. PUBLIC COMMENT ON AGENDA ITEMS

IV. BOARD RESOLUTIONS

A. Approval of Minutes

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 January 8, 2013, Minutes of the Re-organizational Meeting as presented.

**Vote: 3-1-0
Voting Aye: Wilcher,
Harter & Tripodi
Abstain: Donnelly**

B. 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 January 22, 2013 in the amount of \$140,315.39 for 2012 and \$268,732.53 for 2013 for a total of \$409,047.92

Motion Carried: Unanimously

C. Calling for a Public Hearing in the matter of 2013 Cabaret License for North River Hospitality.

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 calls for a Public Hearing to be held on Tuesday, February 12, 2013 at 7:30 p.m. in the Police/Court facility, 86-88 Spring Street in Ossining, in the matter of the application of the Hudson River Hospitality, (Haymont House, LLC.) 25 Studio Hill Road Briarcliff Manor, NY 10510

Motion Carried: Unanimously

D. Dale Cemetery- Authorization to Advertise for Bids- Excavator

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

Resolved, that the Town Clerk is hereby authorized to advertise for bids for a Kubota or equivalent excavator, to be returnable to the Office of the Town Clerk by 10:00 a.m. on February 4th, 2013.

Motion Carried: Unanimously

E. 2012 Budget Adjustment – Close Capital Project #2012-2181

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

Whereas, the Town opened Capital Project #2012-2181 entitled “Road Paving/Resurfacing 2012 - CHIPS” with a budget of \$90,000; and

Whereas, the Town has chosen to close said Capital Project;

Therefore be it resolved that the original budget is hereby reduced from \$90,000 to \$79,991.92, and decrease the revenue and expenditure budget accounts as follows:

Decrease: 037.5110.2181 \$10,008.08 – Road Paving/Resurfacing 2012 – CHIPS

Decrease: 037.0037.3501.0181 \$10,008.08 – Consolidated Highway Aid

Motion Carried: Unanimously

F. Budget Modifications

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 makes the following budget adjustments to the 2012 adopted budget:

TRANSFER TO G/L ACCOUNT	AMOUNT	AMOUNT	TRANSFER FROM G/L ACCOUNT
TOWN BOARD			
010.1010.0101 Pers Services	182.00	182.00	010.1990.0400 Contingency
TOWN JUSTICE			
010.1110.0104 Health Insurance Stipend	500.00		
010.1110.0105 Overtime	6472.00		
010.1110.0106 Longevity	425.00		
010.1110.0401 Supplies	3250.00		
010.1110.0408 Books	16.00		
010.1110.0414 Contractual Steno	1519.00		
010.1110.0438 Supplies	19.00		
010.1110.0454 Court Security	1548.00	13749.00	010.1110.0101 Pers Services
INDEPENDENT AUDIT			
010.1320.0438 Independent Audit Services	612.00	612.00	010.1990.0400 Contingency
TAX COLLECTION			
010.1330.0101 Pers Services	771.00		
010.1330.0110 Part Time	257.00	1028.00	010.1330.0405 Conference
ASSESSMENT			
010.1355.0101 Pers Services	8603.00	3135.00	010.1355.0204 Automobile
010.1355.0106 Longevity	297.00	5765.00	010.9010.0810 NYS Retirement
BOARD OF ASSESSMENT REVIEW			
010.1356.0438 Supplies	189.00	189.00	010.1990.0400 Contingency
TOWN CLERK			
010.1410.0101 Pers Services	2700.00		
010.1410.0105 Overtime	767.00		
010.1410.0401 Supplies	509.00		
010.1410.0417 Education	210.00		
010.1410.0419 Maint/ Repair	1246.00		
010.1410.0466 Legal Notices	2795.00	8227.00	010.1410.0110 Part Time
TOWN ATTORNEY			
010.1420.0101 Pers Services	1.00	2463.00	010.1420.0420 Litigation
010.1420.0425 Labor Counsel	7462.00	5000.00	010.1420.0426 Special Counsel
ELECTIONS			
010.1450.0432 Carting/ Light	2260.00	2260.00	010.1450.0437 Westchester County Reimbursement
BUILDINGS			
010.1620.0430 Village IMA- Building Rental	3300.00		
010.1620.0436 Postage	1072.00	2000.00	010.1620.0428 Dues
010.1620.0438 Supplies	55.00	1849.00	010.1620.0419 Maint/ Repair
010.1620.0442 Sustainability Initiatives	578.00	1156.00	010.1620.0401 Supplies
JUDGEMENTS AND CLAIMS			
010.1930.0438 Judgements and Claims	10000.00	10000.00	010.9010.0810 NYS Retirement
IMA STUDY			
010.1989.0487 IMA Study	5310.00	5310.00	010.0010.3089 State Aid
PUBLICITY			
010.6410.0419 Materials and Supplies	4320.00	4320.00	010.1990.0400 Contingency

TRANSPORTATION SUPPORT SERVICE

010.6772.0101 Pers Services	626.00		
010.6772.0105 Overtime	115.00		
010.6772.0411 Gasoline	4716.00		
010.6772.0449 Parts/ Labor	128.00	5585.00	010.6772.0110 Part Time

SNAP

010.6773.0401 Supplies	1396.00		
010.6773.0423 Food Supplies	5509.00	6905.00	010.1990.0400 Contingency

PARKS

010.7110.0101 Pers Services	1.00		
010.7110.0105 Overtime	6965.00		
010.7110.0410 Water	5004.00		
010.7110.0411 Gasoline	3634.00		
010.7110.0413 Consultant	4500.00		
010.7110.0419 Maint/ Repair	30966.00	1690.00	010.7110.0201 Equipment
010.7110.0438 Tree Care Services	2590.00	900.00	010.7112.0419 Maint/ Repair
010.7110.0449 Parts/ Labor	13001.00	11934.00	010.7110.0110 Part Time
010.7110.0474 Fuel Oil	5051.00	57188.00	010.9010.0810 NYS Retirement

CEMETERY

010.8810.0438 Electricity	594.00	594.00	010.8810.0474 Fuel Oil
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EMPLOYEE BENEFITS

010.9010.0814 Life/ Dental/ Vision	1463.00		
010.9010.0816 Disability	559.00		
010.9010.0815 Unemployment Insrnc	9965.00	11987.00	010.9010.0810 NYS Retirement

TOTALS 164028.00 164028.00

TRANSFER TO G/L ACCOUNT	AMOUNT	AMOUNT	TRANSFER FRM G/L ACCNT
Judgements and Claims			
020.1930.425 Labor Counsel	1011.00	1011.00	020.1990.0400 Contingency
OTHER GENERAL GOVERNMENT			
020.1989.0402 Printing and Postage	1334.00	1334.00	020.1990.0400 Contingency
POLICE			
020.3120.0101 Pers Service	100.00		
020.3120.0410 Water	161.00	261.00	020.3120.0110 Part Time
BUILDING			
020.3620.0105 Overtime	766.00		
020.3620.0411 Gasoline	78.00	374.00	020.3620.0449 Parts/ Labor
020.3620.0419 Maint/ Repair	1152.00	1622.00	020.9010.0817 Hospital/ Medical Insurance
PLANNING			
020.8020.0413 Consultant	2771.00	800.00	020.8010.0436 Postage
020.8020.0428 Dues	40.00	2011.00	020.9010.0817 Hospital/ Medical Insurance
EMPLOYEE BENEFITS			
020.9010.0814 Life/ Dental/ Vision	1740.00	1740.00	020.9010.0817 Hospital/ Medical Insurance
BOND ANTICIPATION NOTES			
020.9730.0403 Filing Fees	1373.00	1373.00	020.9760.0710 Interest
TRANSFERS			

020.9901.0900 Transfers	299.00	299.00	020.9010.0817 Hospital/ Medical Insurance
TOTALS	9814.00	9814.00	

TRANSFER TO G/L ACCOUNT	TO ACCOUNT:	FROM ACCOUNT:	TRANSFER FRM G/L ACCNT
STREET ADMINISTRATION			
031.5010.0101 Pers Services	2.00		
031.5010.0201 Equipment	1273.00		
031.5010.0401 Supplies	438.00		
031.5010.0419 Maint/ Repair	2819.00	3890.00	031.5010.0425 Labor Counsel
031.5010.0428 Dues	49.00	691.00	031.5010.0409 Electricity
STREET MAINTENANCE			
031.5110.0101 Pers Services	252.00		
031.5110.0103 Out of Title Pay	2157.00		
031.5110.0105 Overtime	49110.00		
031.5110.0406 Telephone	696.00		
031.5110.0419 Maint/ Repair	2406.00	30000.00	031.5142.0105 Overtime
031.5110.0448 Road Paving	1237.00	25858.00	031.5142.0450 Salt
MACHINERY			
031.5130.0105 Overtime	1590.00	1590.00	031.5130.0101 Pers Service
GARAGE			
031.5132.0419 Maint/ Repair	6003.00	6003.00	031.5142.0450 Salt
WEEDS & BRUSH			
031.5140.0419 Maint/ Repair	1037.00	3000.00	031.5140.0416 Uniforms
031.5140.0438 Maintenance of Trees	5241.00	3278.00	031.5142.0452 Liquid Calcium
BOND ANTICIPATION NOTES			
031.9730.0710 Interest	8.00	8.00	031.9730.0610 Principal
TOTALS	74318.00	74318.00	

TRANSFER TO G/L ACCOUNT	AMOUNT	AMOUNT	TRANSFER FROM G/L ACCOUNT
CEMETERIES			
032.8810.0411 Gasoline	3000.00		
032.8810.0413 Consultant	25169.00		
032.8810.0416 Uniforms	377.00		
032.8810.0466 Columbarium Plaques	981.00		
032.8810.0474 Heating-Natural Gas	69.00	13859.00	032.8810.0201 Equipment
032.8810.0492 Contractual/ Misc.	9730.00	25467.00	032.1990.0400 Contingency
TOTAL	39326.00	39326.00	

TRANSFER TO G/L ACCOUNT	AMOUNT	AMOUNT	TRANSFER FRM G/L ACCNT
CONSOLIDATED SEWER DST			

INDEPENDENT AUDIT			
045.1320.0438	980.00	980.00	045.8120.0105 Overtime
SANITARY SEWERS			
045.8120.0475 Village Ossining Contractual	1450.00	1450.00	045.8120.0105 Overtime
BOND ANTICIPATION NOTES			
045.9730.0403 Filing Fees	5247.00		
045.9730.0710 Interest	537.00	5784.00	045.8120.0105 Overtime
TOWN WIDE WATER			
BOND ANTICIPATION NOTES			
050.9730.0403 Filing Fees	23.00	23.00	050.1930.0438 Judgments and Claims
TOTAL	8237.00	8237.00	

TRANSFER TO G/L ACCOUNT	AMOUNT	AMOUNT	TRANSFER FRM G/L ACCNT
STREET LIGHTING			
INDEPENDENT AUDIT			
063.1320.0438 Independent Audit Services	407.00	407.00	063.5182.0419 Maintenance/Repair
BOND ANTICIPATION NOTES			
063.9730.0403 Filing Fees	68.00	68.00	063.9730.0409 Electricity
FIRE PROTECTION DISTRICT			
FIRE INSPECTOR			
064.3410.0475 Village Oss. Contractual	1.00	1.00	064.1320.0438 Independent Audit
BOND ANTICIPATION NOTES			
064.9730.0403 Filing Fees	605.00		
064.9730.0710 Interest	81.00	686.00	064.0064.4795 Fund Balance
REFUSE/ RECYCLING			
REFUSE COLLECTION & DISPOSAL			
065.8160.0402 Printing	1341.00		
065.8160.0456 Recycling & Environmental Waste Disposal	6121.00		
065.8160.0470 Refuse & Recycling Contractual	8006.00		
065.8160.0475 Village of Ossining Contractual	8005.00	23473.00	065.0065.4795 Fund Balance
BOND ANTICIPATION NOTES			
065.9730.0403 Filing Fees	624.00		
065.9730.0710 Interest	64.00	688.00	065.0065.4795 Fund Balance
TOTAL	25323.00	25323.00	

TRANSFER TO G/L ACCOUNT	AMOUNT	AMOUNT	TRANSFER FRM G/L ACCNT
INDEPENDENT AUDIT			

066.1320.0438 Independent Audit Services	398.00	398.00	066.0066.4795 Fund Balance
JUDGEMENTS AND CLAIMS			
066.1930.0438 Judgements and Claims	856.00	856.00	066.0066.4795 Fund Balance
AMBULANCE			
066.4540.0475 Ambulance District-Contractual	63863.87	63863.87	066.0066.2351 Rmbrs from Village Amb.
BOND ANTICIPATION NOTES			
066.9730.0403 Filing Fees	119.00		
066.9730.0710 Interest	67.00	186.00	066.0066.4795 Fund Balance

TOTAL		65303.87	65303.87		
TRANSFER TO G/L ACCOUNT	AMOUNT	AMOUNT	TRANSFER FRM G/L ACCNT		
010.1930.0438	Judgments and Claims	25764.75			Fund Balance
010.0010.1001	Tax Revenue	2384.59	28149.34	010.0010.4795	
020.1930.0438	Judgments and Claims	11712.78			Fund Balance
020.0020.1001	Tax Revenue	3141.99	14854.77	020.0020.4795	
031.1930.0438	Judgments and Claims	8712.80			Fund Balance
031.0031.1001	Tax Revenue	2508.14	11220.94	031.0031.4795	
045.1930.0438	Judgments and Claims	5730.30			Fund Balance
045.0045.1001	Tax Revenue	1241.88	6972.18	045.0045.4795	
050.1930.0438	Judgments and Claims	75.00			Fund Balance
050.0050.1001	Tax Revenue	13.24	88.24	050.0050.4795	
051.1930.0438	Judgments and Claims	(3012.03)			Fund Balance
051.0051.1001	Tax Revenue	(464.96)	(3476.99)	051.0051.4795	
063.1930.0438	Judgments and Claims	272.45			Fund Balance
063.0063.1001	Tax Revenue	73.72	346.17	063.0063.4795	
064.1930.0438	Judgments and Claims	2181.63			Fund Balance
064.0064.1001	Tax Revenue	647.07	2828.70	064.0064.4795	
065.1930.0438	Judgments and Claims	2192.92			Fund Balance
065.0065.1001	Tax Revenue	617.11	2810.03	065.0065.4795	
TOTAL		63793.38	63793.38		

Motion Carried: Unanimously

V. CORRESPONDENCE TO BE RECEIVED AND FILED

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

- **Planning Board Minutes December 12, 2012**
- **2012 Annual Report Zoning Board of Appeals**

Motion Carried: Unanimously

VI. MONTHLY REPORTS

VII. VISITOR RECOGNITION

Mr. Louis Picani Business Agent for Teamsters Local 456 was present to discuss an article dated January 3, 2013 that was published in the Ossining Daily Voice. At the January 2, 2013 Town Work Session the topic of discussion was William Hamilton's audit report regarding scrap metal. Councilmember Tripodi made comments that thousands of dollars are still missing in scrap metal going back to before Mr. O'Connor was Superintendent and there is money still unaccounted for. Mr. Picani feels that this statement seems to imply that the Highway Department workers are involved in this. Mr. Picani feels that Councilman Tripodi's statement was misleading, ignorant and unfounded and Mr. Picani is requesting that Councilman Tripodi clarifies his statement.

Councilman Tripodi commented on two incidents:

- **An investigation regarding scrap metal took place prior to 2010 by the Attorney General and the money is missing. There is approximately \$4,000 missing due to missing scrap metal.**
- **Councilman Tripodi also clarified a separate incident that the Highway Superintendent, Mr. O'Connor was alluding to in his statement indicating that there has been ongoing theft of metal from the box at this time. This change was completed after the scrap metal investigation. Councilman Tripodi agreed that there is limited access to this road and Brookfield is the only one who knows what's in the box.**

Councilman Tripodi feels that this process is a management failure and is not accusing anyone of anything and is well aware of what the employees of the Highway Department do.

Mr. Picani stated a small amount of people have access. Who is the "small amount of people"?

Councilman Tripodi responded that it is Brookfield and our employees.

Mr. Picani feels that anyone who reads this article is going to feel guilt on these people.

Councilman Tripodi explained that the meeting was very detailed and it stated that Brookfield picks up the scrap metal and cannot control what the paper wants to print. Councilman Tripodi is not trying to offend anyone.

Supervisor Donnelly explained that the reason the audit was done was because we need to do something about this situation. Supervisor Donnelly stated that if you watch the meeting there was no accusatory comments against the teamsters or anyone that works for the Highway Department. Supervisor Donnelly stated that the next steps are to get some policies and procedures in place so this doesn't happen in the future.

Mr. Picani feels that if the intent was not to blame someone then an apology should be given.

Councilman Tripodi stated that he has clarified his statement and will not apologize. Mr. Picani stated that this discussion is not over.

Mr. Fred Smit Labor Relations Specialist for CSEA was there to support this matter and feels that after reading this article there was a finger pointed at a certain group of individuals. Clearly the employees at the Highway Department took offense to this article. Mr. Schmidt feels that this needs to be rectified since there is scrap metal missing.

Supervisor Donnelly suggested that Mr. Smit watch the meeting since she does not feel that there weren't any accusatory comments made that evening at the meeting. Supervisor Donnelly feels that we need to work together and hopes that we can move forward on this issue and will start working on the solutions.

Councilman Tripodi stated that he feels that he has clarified his statement and does not feel he needs to say anything further on this matter.

Supervisor Donnelly explained that we will take this audit and work with the Unions and Management to come up with some solutions. Supervisor Donnelly confirmed that the article was written from the meeting video and there was no separate interview(s) taken for that article.

VIII. ADJOURNMENT-EXECUTIVE SESSION-PERSONNEL FOR A SPECIFIC INDIVIDUAL

At 8:56 P.M. Councilmember Harter moved and it was seconded by Councilmember Tripodi that the meeting be adjourned.

Motion Carried: Unanimously

Approved:

Mary Ann Roberts, Town Clerk