



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

**DECEMBER 11, 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 December 11, 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. ANNOUNCEMENTS

Supervisor Donnelly read the following statement:

Good evening. Tonight we will vote on the 2013 budget. We have listened to the public, especially the residents of the unincorporated area, concerning such items as household garbage pickup. As I stated many times in the past few weeks, we wanted to give all the options after we heard that other municipalities were seeing increases in cost when they went out to bid, as well as the fact that we are doing such an excellent job at recycling. Our bids came back very favorable for both options, but we still wanted to hear from the residents.

After hearing from most residents that the unincorporated area still would like a 2 day pickup schedule, the Board awarded the contract with the pickup schedule remaining the same, and the bid happened to be from the same sanitation company as we currently use.

Another item discussed was moving the cable franchise fees from the Town General budget to the unincorporated budget. After much discussion, we will be making that adjustment for the 2013 budget. The auditors agree that, with changes to the contract for Cablevision, we could move this revenue into the 20 fund from the General Fund. However, we will be moving these funds into contingency for the time being, because we have not yet accounted for our police officer who is out on disability, referred to as 207-C. While we had thought we had an agreement for him to retire before the end of 2012, we do not have a signed document as of today.

One sticking point is that the Town agreed to pay the difference between his current salary and the Social Security disability & retirement he would be receiving. The Town will not pay the difference between his retirement and his salary, while he continues to receive his social security benefit without it being part of the equation. Should this be settled, the monies from what would otherwise go to pay this officer's salary would go into fund balance (rainy day fund) and if there is no need to use it, it can be returned to the taxpayers in the budget for 2014.

Because of moving the Franchise fees The Town-wide budget would increase, and especially because of our low tax percent rate we would receive a much higher percent increase. To offset that we will be using \$114,000 from the town general fund balance until the end of the 2012 year is calculated. We believe that we have cut and accumulated enough overages and savings in different lines to enable us return the amount taken from the fund balance.

The only item that may cause us to dip into fund balances in any of the districts or departments -would be the cost of the storm called Sandy. FEMA has pledged to reimburse the Town for not only overtime but also 30 days of regular time. The Highway and Parks crews have done a great job at making sure the debris is removed...some of you might have noticed that they removed the branches and brush along with trees and left the leaves. They are busy now picking up the leaves but we needed to account for those hours separately. Those funds can take a while to come back to the municipality but when they do they will be returned to the proper funds.

We have also budgeted the SRO until the end of this school year. We have sent a letter to the school board and also spoken to the County Police. We will be working with these groups as well as our County Legislator to see how we can determine the right way of paying for this service without burdening the unincorporated area with the whole cost. Some out of the box thinking and planning is underway already.

We have been able to stay under the tax cap by over \$150,000 though your tax rate may be over the 2% we hear so much about. Please remember it is the levy not the tax.

The Town general increase will be:

An additional .60 per thousand so an average assessment of \$23,054 would see an increase of \$11.50.

The Unincorporated area of the Town will increase by \$1.15 per thousand so an assessment of \$20,672 would see an increase of \$.13

The water project on Cedar lane and Stormy Town has debt that has increased our water tax rate so that rate is going up \$.23 per thousand if you are part of the Town wide water district.

If you are part of the consolidated sewer district your tax will be increasing \$.25 per thousand.

Refuse light and fire will be going up \$1.12 per thousand of assessed value of your home.

The Ambulance district will be going up \$.42 per thousand.

I personally want to thank everyone that has been involved in this process we lost a few weeks because of the storm that is one reason I am behind on our updates, my commitment is to catch up soon. The administration especially Maddi and Dale along with the Board, and the Department Heads, have worked diligently on this budget, and we are committed to ensuring that you receive the services you are accustomed to, while holding down the expenses with realistic revenue projections.

Town Clerk Mary Ann Roberts reminded the Board and the public that the Village Police Department and the Village/Town Clerk's office are receiving donations for Toys For Tots until December 15th.

The Board members made the following comments on RESOLUTION D:

Councilman Tripodi read the following statement:

Supervisor and I (as well as this current Town Board) have worked together and accomplished more in one year than the previous two. By treating each other with respect and listening to the opinions of ALL board members we were able to make great strides and a lot of tough financial choices.

Cons

The Finance IMA – if the Town is content on paying the village of Ossining over \$300,000.00 annually for payroll, accounting services, and data control, lets at least look at outsourcing our payroll for our roughly 30-50 (part time included) employees.

Dale Cemetery- Dale owes over \$700,000.00 to the Town taxpayers, they should pay this money back for being bailout continually for years

Court Consolidation-

Personnel costs skyrocketed because the town took on all of the village court employees after consolidation.

In doing so elected officials at the time stated - “we will save money through attrition (which is not hiring to fill a vacated position.” This was told to taxpayers, on tv, in the media, etc. That is not the case. There is no savings and the court is not practicing attrition, rather, when an employee leaves we are replacing them. Proponents of Court Consolidation stated: we will save Money on equipment- 2011- Town Court budgeted \$236 for equipment. In 2012& 2013 Consolidated Town Court budgeted \$1,000 on the same budget line

More equipment lines read the same: in 2011- a Town court equipment line read \$2,400 and in 2012& 2013 that very same line for the consolidated Town Court rose to \$7,000.

Rental for court before consolidation was:

2009: \$32,128.00

2010: \$32,828.88

2011: \$33,288.48

And in a consolidated court the rental is now:

2012: \$46,176.00

2013: \$46,822.46

Obviously we took on more space and thus need another room however, the decisions to do this were made by the very people telling us it would save us money, but the opposite is true- it is costing us more money- the proof is in the budget

And just last week we heard two Judges advocating for more money for a personnel line which should be no longer necessary after next year.

We also heard last week, while with the money from a grant, more money being spent on equipment.

Again- what happened to the savings from attrition and on equipment??

The town spends over 397k for Recreation Services in the Town General Fund and this is deemed by many as a Shared Service.

There is a lot of talk within the community that the two Ossining’s “share services”. Well the sharing I was taught in grade school is very different from the sharing being lauded by our elected officials. We pay for these services, and in my opinion, over pay a lot of the time.

Pros

This is a more organized budget

Employee health contributions (union, appointed, elected)

The assessor's take home vehicle is gone

We are not purchasing bottled water for Town offices

Franchise fees are being allocated to the Town Outside budget

A costly consultant, who made over 1 million dollars from taxpayers in just 6 years was finally let go (this person's employ was deplorably defended by two former board members during my first two years on the board)

Now that 2012 is almost over and the 2012 budget is beginning to transition itself from inaccurate projections to actual data, there are clear examples and proof of former Supervisor Borgia's failures to correctly put together a budget or She could have purposely and falsely increased revenue projections to hide the true court consolidation costs (either way these reasons are both repugnant)

I want to take a brief glimpse of some of the most major unrealistic revenue projections Supervisor Borgia defended last year in front of you, the taxpaying audience of Ossining and Briarcliff, when I raised them Mortgages tax revenue

Previous year's mortgage tax revenue were 516k, 520k, for 2012 it was budgeted for 620k. to date is 517,000.00.

Alarm Registration Fees

Previous years alarm registration revenue was 9k, 7k, for 2012 it was budgeted for 16k. to date is 350.00 dollars

Sales Tax Revenue

Previous year's sales tax revenue was 720k, 700k, for 2012 it was budgeted for 800k. to date is 535k with one payment left

One common correlation amongst these revenues in particular: are that the past numbers in their history were never actually the amount they were budgeted for in the 2012 operating budget, ever. This simple fact is a telling example of the gross incompetence in determining realistic revenue figures under Supervisor Borgia.

Property revenue

The 2012 budget contained \$12,000.00 in rental revenue on a building that cannot even be used it was so severely damaged; how can you get revenue from that?

Unless, you don't care because you weren't going to be supervisor the next year so it wasn't going to be your problem.

Police contract

The Police IMA, which I voted against, has now become a 6% annual increase (at least that's what it has been for the first two years)

Those who defend failed policies are the first to claim the policies are long range and cannot be measured at the present time (we heard this for both the Police IMA and Court Consolidation)

We as humans have a flaw with analyzing policy. We tend to look at and laud the intentions of a policy rather than then critique the tangible failures of it. We tend to laud a government for doing something, even if that something does nothing to alleviate the intended policy goal.

Last two budgets had tax decreases mainly conjured up from false revenue projections coming from the mind of someone more focused on politics rather than policies. This budget, while a small increase, is actually the most responsible budget I have seen from the town since my time on this board. Why do I say that? Conceptually, it is the simple fact that I can vote no on this budget and disagree, but yet cohesively we can still work together - this affirms the notion that you can

disagree and get things done. While I will not be voting in favor of this budget I would like to thank everyone who participated in making it what it is. I would also like to thank those who listened to my thoughts and comments with sincere diligence.

Thank you

Supervisor Donnelly responded that \$114,000 was taken from the Fund Balance due to the move the franchise fee. Also the revenue for the Shine House was intended to be rented out after the repairs were made, which to date has not been completed. The Alarm registration has been moved to the Building Department. Supervisor Donnelly is very proud of the compromises that have taken place this year.

Councilman Blaha stated that it is unfortunate that he is beginning with non positive comments on a remarkable budget. We worked together and shared a position and we should take ownership of the budget.

Councilman Harter seconded Councilman Blaha's comments. He has completed 23 budgets and truly appreciates the work done on this year's budget. Congratulations to Maddi, Dale, Tom and Sue for a good budget and their hard work. This has been the most open process since he joined the board. We made ourselves available to all.

Councilman Wilcher stated that he was proud of Supervisor Donnelly and the Board. Peter you are entitled to your opinion, but these questions should have been asked during the budget process. We should be prepared when we arrive.

Councilman Harter made a correction – 21 years of budgets.

Supervisor Donnelly stated that the Board has moved forward in an enormous manner and hope to continue to do so.

III. PUBLIC COMMENT ON AGENDA ITEMS

IV. 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 27, 2012, Minutes of the Regular Meeting as presented.

Motion Carried: Unanimously

B. Approval of Minutes-Special Meeting

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 approves the December 4, 2012, Minutes of the Special Meeting as presented.

Motion Carried: Unanimously

C. 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 December 11, 2012 in the amount of \$371,667.95.

Motion Carried: Unanimously

D. Approval of the 2013 Budget

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 2013 Budget for the Town of Ossining. Total appropriations for the 2013 entire Town (10) Fund are \$5,149,868. Total appropriations for the Unincorporated (20) Area Fund are \$3,659,311 and total appropriations for the Highway (31) Fund are \$2,203,398. Total appropriations for the Water and Sewer Funds are \$547,835. Total appropriations for the Fire/Light/Refuse Funds are \$1,237,459. Total appropriations for the Ambulance District are \$599,920.

Vote: 4-0-1

Voting Aye: Wilcher,

Harter, Blaha & Donnelly

Nay: Tripodi

V. CORRESPONDENCE TO BE RECEIVED AND FILED

VI. MONTHLY REPORTS

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

Resolved, that the Town Board of the Town of Ossining hereby accepts the monthly reports for the month of November:

- **Tax Receiver's Office**
- **Town Clerk's Report**
- **Building Department**

Motion Carried: Unanimously

VII. VISITOR RECOGNITION

Bobby Williams, Spring Street, stated that no one likes a budget that increases spending and that it is important to have discussion during the budget process as well as at other times.

Supervisor Donnelly wished all a Happy Hanukkah and wished joy, peace and all to your families.

VIII. ADJOURNMENT

At 8:11 P.M. Councilmember Wilcher moved and it was seconded by Councilmember Harter that the meeting be adjourned.

Motion Carried: Unanimously

Approved:

Mary Ann Roberts, Town Clerk