



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

**MARCH 26, 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 March 26, 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 Northern Wilcher, Eric Blaha, Peter Tripodi and Geoffrey Harter. Also present were Budget Officer Madeline Zachacz and Town Clerk Mary Ann Roberts. Town Attorney Wayne Spector was absent.

II. ANNOUNCEMENTS

Supervisor Donnelly read the following statement into the record:

We have several issues in front of us that we continue to work on within the Town as well as with other municipalities and the schools.

We will continue to discuss the Highway audit at our work session on April 16th and will bring Bill Hamilton and Michael G. O'Connor together to discuss different aspects of the audit. Just a word to anyone who believes this Board is over reacting and that our asking for an explanation on thousands of dollars is a witch hunt. I say to each of you please feel free to come up to the third floor and see how hard it is for our seniors, young families, empty nesters, couples and singles to pay their taxes. This board takes their fiduciary responsibility very seriously.

This week there has been a lot of discussion on the School Resource Officer (SRO) for Ann M. Dorner Middle School (AMD). Let us make it perfectly clear there isn't a member of this Board that doesn't understand the importance of security in all of our schools.

What we are attempting to do is find an alternate way of paying for this service. We are negotiating with different municipalities and the school system so at this point we would prefer not to discuss the specifics.

We have several people here tonight to give us their opinions and comments in visitor recognition.

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 March 12, 2013, Minutes of the Regular Meeting as presented.

Motion Carried: Unanimously

B. Approval of Voucher Detail Report

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 Voucher Detail Report dated March 26, 2013 in the amount of \$11,970.96 for 2012 and \$155,101.66 for 2013 for a total of \$167,072.72

Motion Carried: Unanimously

C. Property Appraisal Authorization- 507 North State Road

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

Whereas, the Town of Ossining has contracted with Westchester County Department of Public Safety for policing services; and

Whereas, the County is not using the police facility in 507 North State Road and the Town is actively marketing the building for sale, with hopes to return it to the Town Tax Roll; and

Whereas, the Town, after receiving multiple offers to appraise the building, has opted to use R.P. Hubbell and Company of Poughkeepsie, New York, to perform a market value appraisal for the fee of \$2,900;

Now, therefore be it Resolved that the Town Board hereby authorizes the Supervisor to sign the engagement letter offered by R.P. Hubbell and Company, in accordance with the Town Attorney.

Motion Carried: Unanimously

D. Personnel-Parks Department-Temporary Appointment

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 appoints Dajuan Harris, Ossining, to the temporary position of Laborer in the Town Parks Department effective April 10th, 2013 at a rate of \$8.00 per hour.

Motion Carried: Unanimously

E. Contract- All Data Services- Highway Department

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 authorizes the payment of a one-year subscription contract with All Data in the amount of \$1,500 effective through January 4th, 2014.

Motion Carried: Unanimously

F. Contract- Auctions International

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

Whereas, the Town Board of the Town of Ossining has expressed an interest in decreasing the number of Town-owned vehicles; and

Whereas, the Town Board authorized multiple vehicles to be sold through Auctions International, Inc. of East Aurora, New York, in 2011 and 2012, where they accepted the highest bids offered for these surplus items;

Now therefore be it Resolved that the Town Board of the Town of Ossining hereby authorizes the Supervisor to sign a new Municipal Online Auction Contract, which will be active for a period of two years.

Motion Carried: Unanimously

G. RESOLUTION REQUESTING THE TOWN BOARD OF THE TOWN OF OSSINING TO DIRECT THE TOWN ASSESSOR TO PREPARE AND SEND AN RFP TO QUALIFIED PERSONS / CORPORATIONS TO BID ON CONDUCTING A TOWN WIDE REASSESSMENT

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

WHEREAS, property tax revenues are the primary source of funding for the County, local, school, special districts; and

WHEREAS, property taxes are comprised of two components, the municipal budget and the total taxable assessed values within the taxing jurisdiction; and

WHEREAS, the Town of Ossining has not completed a town wide reassessment of its approximate 10,000 properties since the mid 1970's resulting in the current widespread lack of public confidence in the system resulting in an inordinate number of assessment appeals; and,

WHEREAS, these assessment appeals, including Board of Assessment Review reductions, certiorari and small claims settlements, result in refunds by all tax jurisdictions amounting to approximately \$55 million countywide per year and in excess of \$4 million within the Town of Ossining for all taxing jurisdictions, not including the costs of defending values, thereby, creating a great financial burden on Town, School, and Village budgets, destabilizing the predictably of calculating annual tax rates; and

WHEREAS, lacking any degree of broader tax reform, it is assumed that the property tax will remain the dominant source of revenue for local governments, school and special districts and it is necessary and appropriate to reassess all property in the Town of Ossining, and ideally all property in Westchester County, to improve fairness and foster equal protection for property owners within and among communities, now, therefore, be it

RESOLVED, that the Supervisor and the Town Council of the Town of Ossining request that the Town Assessor prepare and advertise a Request For Proposals (RFP) to retain a professional and expert firm to conduct a revaluation of property in the Town of Ossining and provide to the Town Board results of the RFP no later than October 30, 2013.

Motion Carried: Unanimously

H. Budget Modifications

Councilmember Tripodi 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			
TOWN JUSTICE			
010.1110.0105 Overtime	1685.00		
010.1110.0109 Sick Incentive	334.00		
010.1110.0110 Part Time	73.00		
010.1110.0401 Supplies	551.00	1257.00	010.1110.0455 Translator
010.1110.0454 Court Security	495.00	1881.00	010.1110.0436 Postage
TRAFFIC VIOLATIONS BUREAU			
INDEPENDENT AUDIT			
TAX COLLECTION			
010.1330.0408 Books	5.00		
010.1330.0110 Part Time	76.00	81.00	010.1330.0105 Overtime
ASSESSMENT			
010.1355.0109 Sick Incentive	550.00		
010.1355.0458 Tax Maps	503.00	1053.00	010.1355. 0417 Education
BOARD OF ASSESSMENT REVIEW			
TOWN CLERK			
010.1410.0105 Overtime	49.00		
010.1410.0109 Sick Incentive	1000.00	1049.00	010.1410.0201 Equipment
TOWN ATTORNEY			
		766.00	010.1420.0110 Part Time
010.1420.0425 Labor Counsel	20766.00	20000.00	010.1420.0422 Certiorari
ELECTIONS			
BUILDINGS			
010.1620.0419 Maint/ Repair	550.00		
010.1620.0428 Dues	480.00	1030.00	010.1620.0402 Printing
SNAP			
010.6773.0423 Food Supplies	684.00	684.00	010.6772.0429 Call A Cab
PARKS			
010.7110.0105 Overtime	144.00		

010.7110.0110 Part Time	109.00		
010.7110.0410 Water	628.00		
010.7110.0411 Gasoline	1220.00		
010.7110.0449 Parts/ Labor	170.00	2271.00	010.7110.0409 Electricity

PARKS SEWER LIFT STATION

010.7112.0419 Maint./Repair	3.00	3.00	010.7112.0409 Electricity
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YOUTH PROGRAMS

010.7310.0475 Village of Oss. Cont.	876.00	876.00	010.7110.0409 Electricity
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CEMETERY

010.8810.0438 Electricity	221.00	221.00	010.8810.0474 Fuel Oil
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EMPLOYEE BENEFITS

010.9010.0814 Life/ Dental/ Vision	26.00	26.00	010.9010.0817 Hosp/Med Insurance
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TOTALS	31198.00	31198.00	
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TRANSFER TO G/L ACCOUNT	AMOUNT	AMOUNT	TRANSFER FRM G/L ACCNT
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JUDGMENTS AND CLAIMS

ENGINEER

020.1440.0413 Consultant	604.00	604.00	020.1990.0400 Contingency
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JUDGEMENTS AND CLAIMS

020.1930.0425 Labor Counsel	1203.00	1203.00	020.1990.0400 Contingency
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POLICE

020.3120.0101 Pers Service	2461.00		
020.3120.0410 Water	143.00		
020.3120.0472 Contractual	100.00	2704.00	020.3120.0110 Part Time

BUILDING

		120.00	020.3620.0402 Printing
020.3620.0109 Sick Incentive	250.00	254.00	020.3620.0201 Equipment
020.3620.0411 Gasoline	76.00	140.00	020.3620.0417 Education
020.3620.0110 Part Time	645.00	376.00	020.3620.0406 Telephone
020.3620.0401 Supplies	69.00	150.00	020.3620.0436 Postage

PLANNING

020.8020.0413 Consultant	874.00	874.00	020.8020.0423 Affordable Housing Management
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STORMWATER MANAGEMENT

		2000.00	020.1990.0400 Contingency
		500.00	020.8740.0402 Printing
020.8740.0413 Consultant	3000.00	500.00	020.8740.0401 Supplies

EMPLOYEE BENEFITS

020.9010.0814 Life/ Dental/ Vision	259.00	259.00	020.9010.0817 Hospital/ Medical Insurance
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TOTALS	9080.00	9080.00	
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TRANSFER TO G/L ACCOUNT	TO ACCOUNT:	FROM ACCOUNT:	TRANSFER FRM G/L ACCNT
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STREET ADMINISTRATION

031.5010.0425 Labor Counsel	602.00	602.00	031.5010.0409 Electricity
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STREET MAINTENANCE

031.5110.0103 Out of Title Pay	253.00		
031.5110.0412 Diesel Fuel	207.00	460.00	031.5110.0417 Education/ Safety Training

MACHINERY

GARAGE

031.5132.0474 Fuel Oil	3012.00	2243.00 769.00	031.5132.0409 Electricity 031.5132.0410 Water
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WEEDS & BRUSH

EMPLOYEE BENEFITS

031.9010.0817 Hospital/ Med Insurance	4561.00	4561.00	031.9010.0812 Social Security
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BOND ANTICIPATION NOTES

031.9730.0403 Filing Fees	300.00	300.00	031.9730.0610 Principal
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TOTALS	8935.00	8935.00	
TRANSFER TO G/L ACCOUNT	AMOUNT	AMOUNT	TRANSFER FROM G/L ACCOUNT

CEMETERIES

032.8810.0474 Heating-Natural Gas	347.00		
032.8810.0419 Maint/ Repair	1040.00	1387.00	032.8810.0442 Improvements/ Capital

TOTAL	1387.00	1387.00	
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TRANSFER TO G/L ACCOUNT	AMOUNT	AMOUNT	TRANSFER FRM G/L ACCNT
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CONSOLIDATED SEWER DST

INDEPENDENT AUDIT

SANITARY SEWERS

045.8120.0419 Maint/ Repair	9611.00	9611.00	045.8120.0409 Electricity
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BOND ANTICIPATION NOTES

045.9730.0610 Principal	512.00		
045.9730.0710 Interest	8.00	520.00	045.9010.0810 State Employee Retire

TOWN WIDE WATER

BOND ANTICIPATION NOTES

TRANSFERS

051.9901.0900 Transfers	5114.66	5114.66	051.0051.4795 Fund Balance
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TOTAL	10131.00	10131.00	
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TRANSFER TO G/L ACCOUNT	AMOUNT	AMOUNT	TRANSFER FRM G/L ACCNT
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STREET LIGHTING

063.5182.0409 Electricity		3713 3713.00	063.0063.4795 Fund Balance
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TOTAL	3713.00	3713.00	
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TRANSFER TO G/L ACCOUNT	AMOUNT	AMOUNT	TRANSFER FRM G/L ACCNT
INDEPENDENT AUDIT			
066.1320.0438 Independent Audit Services	9.00	9.00	066.1680.0475 Village of Oss.
TOTAL	9.00	9.00	

Motion Carried: Unanimously

I. Budget- Capital Project Adjustment: LGRMIF Grant Records Management

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 authorizes adjustment of Capital Project #2012-2179, entitled “LGRMIF Grant Records Management”, from the amount of \$12,922 to \$15,166. The additional project amount will be funded by a transfer from the General Fund in the amount of \$2,244.00, and the capital project closed in fiscal year 2012.

Increase: 037.1220.2179 \$2,244.00 – LGRMIF (Expense)

Increase: 037.0037.5032.0179 \$2,244.00 – LGRMIF (Revenue)

Decrease: 010.1990.0400 \$2,244.00 – Contingency (Expense)

Increase: 010.9901.0900 \$2,244.00 – Transfers (Expense)

Motion Carried: Unanimously

J. Budget- Capital Project Adjustment: 2012 Dump Truck

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 authorizes the following budget adjustments for the unexpended balance of \$674.43 available in Capital Project #2012-2177, entitled “2012 Dump Truck”, to be transferred from the Capital Fund to the Debt Service Fund, and the project be closed in fiscal year 2012.

Decrease: 037.7110.2177 \$ 674.43 – 2012 Dump Truck (Expense)

Increase: 037.9901.0900.2177 \$ 674.43 – Transfer to Debt Service (Expense)

Motion Carried: Unanimously

K. Budget- Capital Project Adjustment: Stormytown Pump Station Elimination

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 authorizes that the original budget for Capital Project #2009-2166, entitled “Stormytown Pump Station Elimination” be adjusted from \$1,012,448 to \$940,129.01 to reflect actual expenditures and final funding of the project, and the project be closed in fiscal year 2012.

Decrease: 037.8120.2166 \$ 72,318.99 – Stormytown Pump Station Elimination (Expense)

Decrease: 037.0037.5730.0166 \$998,227.45 – Bond Anticipation Notes (Revenue)

Increase: 037.0037.5710.0166 \$925,908.46 – Serial Bond (Revenue)

Motion Carried: Unanimously

L. Budget- Capital Project Adjustment: Stonegate Pump Station Elimination

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 authorizes that the original budget for Capital Project #2009-2167, entitled “Stonegate Pump Station Elimination” be adjusted from \$507,475 to \$533,571.54 to reflect actual expenditures and final funding of the project, and the project be closed in fiscal year 2012.

**Increase: 037.8120.2167 \$ 26,096.54 – Stonegate Pump Station Elimination (Expense)
Decrease: 037.0037.5730.0167 \$497,995.00 – Bond Anticipation Notes (Revenue)
Increase: 037.0037.5710.0167 \$524,091.54 – Serial Bond (Revenue)**

Motion Carried: Unanimously

M. 2013 Budget- Fee Schedule

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

Whereas, the Town of Ossining maintains a listing of fees charged to residents for occasional services provided by Town departments;

Now, therefore be it Resolved that the Town Board of the Town of Ossining hereby adds the below into the “Access to Records” category, as per Chapter 45 of the Town of Ossining Code:

Fee for PDF Copy of Tax Map on CD (Office of the Assessor): \$150.00

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:

- **Town Planning Board meeting minutes–January 9, 2013**

Motion Carried: Unanimously

VI. MONTHLY REPORTS

VII. VISITOR RECOGNITION

Ms. Caroline Curvan read the following statement:

I am Caroline Ranald Curvan, the Ossining PTA Council Co-President. It being the second night of Passover, my co-President Beth Sniffin is unable to join me. But we both thought it was important to go on record regarding the Town’s decision to cease funding the SRO position at AMD Middle School. With your indulgence, I would like to read a short statement:

Everyone seems to acknowledge the need for a SRO at AMD. As any parent who has or has ever had a middle school aged child knows this is a time full of physical emotional changes. Increased pressures, both academic and social combine to create a highly charged atmosphere where emotions run high and judgment is not always mature enough to handle them constructively. Drugs, alcohol, bullying, gangs; violence-middle school is where our children really start confronting these issues.

While obviously the primary function of the SRO is to assist school staff regarding issues of behavior and security in the school, the position is far more nuanced and far reaching. The very presence of a uniformed Officer on site often acts as a deterrent to disruptive behavior, reducing the likelihood of an escalation into violence. Most importantly, the Officer dedicated to our middle school has daily contact with students, parents and staff, and is familiar with and responsive to the needs of the needs of that individual school.

The Town has acknowledged the importance of this position by choosing to fund it for the best part of the past decade. I think it's important to note that the Village of Ossining funds SROs at the schools that are within its geographical limits. It seems that in the past, the Town Board understood that AMD is part of a continuum of education offered in Ossining. And that all Ossining students pass through all the school buildings on their way to graduation. To single out one building based on its geographical location, and make the argument that only a small percentage of the student body of AMD actually live in the Town of Ossining seems miserly and shortsighted to me.

I also feel that it is simply wrong for the Town to walk away from its support of this vital position before it have been able to secure other sources of funding for it. This year, the Ossining School District has a \$3 million budget gap and is desperately trying to stay within the New York State mandated 2% tax cap. To demand that the District add funding for this position to this year's budget is simply impossible.

Bottom line, the safety of the children of Ossining should not become a casualty to jurisdictional lines or fiscal myopia.

Mr. Matt Gulotta, Emwilton Place, stated that the removal of the SRO from AMD is a bad decision. This is a multi-facet and is a deterrent to disruptive behavior. Officer Purdy is in the classroom and also teaches DARE at AMD and St. Augustine's School. He knows what goes on in the building. The position began as a grant in 1999 because of the massacre at Columbine. After the grant ran out this position was paid for by the Town of Ossining and the Ossining Union Free School District in equal parts. With the budget cap, the District is no longer able to pay their portion. An invitation has been extended to the Villages of Ossining and Briarcliff to meet with the Community. Will there be an SRO in any school and what will happen in September? That remains to be seen.

Sarah Hoffman and Alexa Rudley both 7 graders at AMD want Officer Purdy to stay and protect us. He is a friend, a hero and a role model to all of us.

Mrs. Hoffman a parent of an AMD student stated that Ossining is a safe town. Brian is funny and great to have around. Please re-evaluate your decision.

Supervisor Donnelly is speaking with everyone to determine what other communities do. This process started at budget time. They are looking into the set up of Yorktown and New Castle. New Castle has five school districts. This is a major project and the Town will fund from January to June of this year. Ossining High School has a Youth Officer who also teaches DARE to the 5th Grade Class. The Board will work with each municipality and school. The Board totally understands the concerns of the Community. Brian Purdy is a Westchester County Police Officer.

Councilman Blaha stated that your voices are heard loud and clear. He is sitting in a unique chair as he has a student at AMD. The Board is extremely aggressive. It is unfair for the SRO position to be the total responsibility of the Town Outside Taxpayer. The SRO is a vital member of AMD. The support provides a peaceful important position.

Councilman Tripodi echoed the comments of Councilman Blaha. When the Town took over the services, the SRO was also a detective who did paper work at AMD.

The School Board should fund this position. Thank you for being here. Go to the School Board and ask them to provide the service.

Supervisor Donnelly stated that a percentage should be assigned to each Community and the school should also contribute. We are willing to work with whoever is willing to work with us.

VIII. ADJOURNMENT –EXECUTIVE SESSION-FINANCES

At 8:18 P.M. Councilmember Wilcher moved and it was seconded by Councilmember Tripodi that the meeting be adjourned.

Motion Carried: Unanimously

Approved:

Mary Ann Roberts, Town Clerk