

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

**JANUARY 13, 2009 – REORGANIZATIONAL MEETING
7:30 PM**

**SUPERVISOR
Catherine Borgia
COUNCILMEMBERS**

**Geoffrey Harter Michael L. Tawil
David Krieger Northern Wilcher**

I. CALL TO ORDER

The Reorganizational Meeting of the Town Board of the Town of Ossining was held on January 13, 2009 in the Police/Court Facility, 86-88 Spring Street in Ossining. The meeting was called to order at 7:30 p.m. by Supervisor Catherine Borgia. Members of the Board present were: David Krieger, Northern Wilcher and Michael Tawil. Councilmember Geoffrey Harter was absent. Also present were: Wayne Spector, Deputy Town Attorney; Connie Cerny, Budget Officer and Mary Ann Roberts, Town Clerk.

II. ANNOUNCEMENTS

1. Deputy Supervisor

Supervisor Borgia appoints Geoffrey Harter, Deputy Supervisor for the Town of Ossining effective January 1, 2009.

2. Deputy Receiver of Taxes

In accordance with the appropriate provisions of law, Mrs. Nelga Farrelly and Mrs. Regina Manwaring will continue in the office of the Receiver of Taxes of the Town of Ossining for 2009, bearing the title and full responsibilities of Deputy Receiver of Taxes and serving at the pleasure of the Receiver of Taxes.

Councilmember Krieger announced that Author James Bradley will be a special guest at the Ossining Public Library on January 26th at 7:30 p.m. Mr. Bradley is the author of “Flags of Our Fathers” and “Flyboys: A True Story of Courage.” Also at the Ossining Public Library is a Hudson River Art Exhibit from the Collection of Joseph Maggio. This collection will be available for viewing throughout the month of January.

Supervisor Borgia announced that Assemblywoman Sandy Galef will host a Town Meeting at the Ossining Public Library on January 15th from 7 – 9 p.m. Also announced was the Annual Rev. Dr. Martin Luther King, Jr. service on Monday, January 19th, at 7:30 p.m. at the First Presbyterian Church located at 34 South Highland Avenue

III. LIAISON APPOINTMENTS

**Geoffrey Harter
Recreation Advisory Board
Town Police Department,
Shared Services Committees: Town & School, Justice, Police,
Parks & Recreation**

**Northern Wilcher
Alliance for Downtown Ossining
OVAC
Ossining Boat and Canoe Club
IFCA**

**David Krieger
Greater Ossining Chamber of Commerce
GOTV**

**IMA Committee
OVAC
Ossining and Briarcliff Manor Fire Departments
Shared Services Committees: Town & School, Justice, Police,
Parks & Recreation**

**Catherine Borgia
Ossining and Briarcliff Manor School Districts
IMA Committee
Communities that Care
Michael Tawil
Quadricentennial Committee
Hudson Valley Greenway Committee**

IV. APPOINTMENTS

1. Deputy Town Attorney

Councilmember Wilcher moved and it was seconded by Councilmember Krieger that the following resolution be adopted:

**Whereas, Thomas R. Beirne retired as Town Attorney effective December 31, 2008;
and**

Whereas, pursuant to New York State Public Officers Law Section 9, the Deputy Town Attorney shall possess the powers and perform the duties of Town Attorney during the vacancy of this office,

Now, Therefore be it Resolved, that the Town Board of the Town of Ossining hereby reappoints Wayne Spector, Deputy Town Attorney for the Town of Ossining effective January 1, 2009 through December 31, 2009.

Motion Carried: Unanimously

2. Budget Officer/Personnel Director

Councilmember Krieger moved and it was seconded by Councilmember Wilcher that the following resolution be adopted:

Resolved, that the Town Board hereby reappoints Connie Cerny, Budget Officer for the Town of Ossining effective January 1, 2009 through December 31, 2009; and

Be It Further Resolved, that the duties of Personnel Director are in addition to her duties as Budget Officer.

Motion Carried: Unanimously

3. Confidential Secretary – Jane Kanning

Councilmember Wilcher moved and it was seconded by Councilmember Krieger that the following resolution be adopted:

Resolved, that the Town Board hereby reappoints Jane Kanning, Confidential Secretary to the Supervisor effective January 1, 2009 through December 31, 2009.

Motion Carried: Unanimously

4. Justice Court – Town Constables

Councilmember Krieger moved and it was seconded by Councilmember Tawil that the following resolution be adopted:

Resolved, that the Town Board hereby reappoints the following to the position of Town Constable, at an hourly rate of \$16.17, to serve at the pleasure of the Board during calendar year 2009:

Carlos Castro, Ossining, NY
Carmen Carrero, Ossining, NY
Allen Gantz, Ossining, NY

Motion Carried: Unanimously

5. Planning Board - Reappointment

Councilmember Krieger moved and it was seconded by Councilmember Wilcher that the following resolution be adopted:

Resolved, that the Town Board hereby reappoints George Weeks, Ossining, to the Planning Board as Chair, for a five-year term expiring December 31, 2013.

Motion Carried: Unanimously

6. Assessment Review Board-Reappointment

Councilmember Tawil moved and it was seconded by Councilmember Krieger that the following resolution be adopted:

Resolved, that the Town Board hereby reappoints Robert Horner, Ossining, to the Assessment Board of Review for a five-year term expiring September 30, 2013.

Motion Carried: Unanimously

V. ANNUAL RESOLUTIONS

A. Official Newspaper

Councilmember Wilcher moved and it was seconded by Councilmember Krieger that the following resolution be adopted:

Resolved, that the Town Board hereby designates The Journal News as the Official Newspaper of the Town of Ossining for 2009.

Motion Carried: Unanimously

B. Town Council Monthly Meeting Schedule

Councilmember Krieger moved and it was seconded by Councilmember Wilcher that the following resolution be adopted:

Resolved, that the Town Board of the Town of Ossining hereby adopts the following Monthly Meeting Schedule for 2009:

Regular Town Board Meetings – 2nd & 4th Tuesday – 7:30 p.m.
Birdsall/Fagan Police/Court Facility, 86-88 Spring Street

Work Sessions – 1st & 3rd Tuesday – 7:30 p.m.
Supervisor's Conference Room – 16 Croton Avenue

Motion Carried: Unanimously

C. Setting Town Office Hours

Councilmember Krieger moved and it was seconded by Councilmember Tawil that the following resolution be adopted:

Resolved, that the office hours of the Town Offices for 2009 will be Monday through Friday, 8:30 a.m. to 4:30 p.m.

Motion Carried: Unanimously

D. Town Historian – Roberta Arminio

Councilmember Tawil moved and it was seconded by Councilmember Krieger that the following resolution be adopted:

Resolved, that the Town Board hereby reappoints Roberta Arminio, Town Historian for 2009.

Motion Carried: Unanimously

E. Mileage Allowance

Councilmember Krieger moved and it was seconded by Councilmember Wilcher that the following resolution be adopted:

Resolved, that wherever it shall be appropriate to compensate Town Officials and/or Town Employees for mileage, they shall be reimbursed at a rate of \$0.55 per mile to be paid upon claim voucher, after audit and approval.

Motion Carried: Unanimously

F. Membership in the Association of Towns

Councilmember Tawil moved and it was seconded by Councilmember Krieger that the following resolution be adopted:

Resolved, that pursuant to Article 8 of the Town Law, the Town of Ossining pay the Annual Membership Dues for membership in the Association of Towns of the State of New York for 2009 in the amount of \$1,500.

Motion Carried: Unanimously

G. Authorization for Attendance at Association of Towns Meetings

Councilmember Krieger moved and it was seconded by Councilmember Tawil that the following resolution be adopted:

Resolved, that the Town Board of the Town of Ossining hereby authorizes the following Town Personnel to attend the Annual Meeting of the Association of Towns to be held in New York City, February 15 – 18, 2009 subject to approval of their Department Heads, and that they be reimbursed by the Town of Ossining for all actual and necessary expenses incurred by reason of such attendance: Town Supervisor and Members of the Town Board; Town Attorney and Deputy Town Attorney; Town Engineer; Town Assessor; Building Inspector; Town Clerk and Deputy Town Clerks; Chief of Police; Receiver of Taxes and Assistants to the Receiver of Taxes; Superintendent of Highways; Town Justices; Town Court Clerks; Chief of Police; Superintendent of Highways; Budget Officer; Confidential Secretary to the Supervisor; Highway Secretary; Assessment Personnel; Chairman and Members of the Zoning Board; Chairman and Members of the Planning Board and Chairman and Members of the Environmental Advisory Board.

Motion Carried: Unanimously

H. Delegate to the Association of Towns

Councilmember Krieger moved and it was seconded by Councilmember Wilcher that the following resolution be adopted:

Resolved, that the Town Board hereby designates Catherine Borgia, Supervisor, as Delegate to the Association of Towns Annual Meeting for 2009.

Motion Carried: Unanimously

I. Animal Control Agreement

Councilmember Krieger moved and it was seconded by Councilmember Wilcher that the following resolution be adopted:

Resolved, that the Town Board of the Town of Ossining hereby authorizes the Supervisor to enter into an agreement with Jim Horton, Principal, of Quality Pro Pest and Wildlife Services, Hawthorne, New York pursuant to the terms and conditions of the agreement for the period January 1, 2009-December 31, 2009.

Motion Carried: Unanimously

J. Animal Control-SPCA of Westchester

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

Resolved, that the Supervisor be and hereby is, authorized and directed to execute an agreement with SPCA of Westchester providing for humane procedures for homeless and stray dogs and cats seized by dog control officers, animal control officers, police and other agents of the municipality.

Motion Carried: Unanimously

K. Renewal-Delta Dental Insurance Program

Councilmember Tawil moved and it was seconded by Councilmember Krieger that the following resolution be adopted:

Resolved, that the Town Board of the Town of Ossining hereby authorizes the Supervisor to renew the Town’s dental insurance program with Delta Dental of New York for the period January 1, 2009-December 31, 2009 for Group # 1576-0001 at a rate of \$62.58 per month per employee with no dependents and \$148.86 per month, per employee with family coverage; and be it further

Resolved, that Group # 1576-0002 (Police Officers) shall be at a rate of \$67.56 per month per employee with no dependents and \$158.22 per month, per employee with family coverage.

Motion Carried: Unanimously

L. Approval of Compensation Plan for 2009

Councilmember Krieger moved and it was seconded by Councilmember Wilcher that the following resolution be adopted:

Resolved, that the Town Board hereby approves the following Compensation Plan for the year 2009:

<u>EXEMPT</u>	
<u>TITLE OF POSITION</u>	<u>SALARY</u>
ASSESSOR.....	\$130,905
ATTORNEY.....	77,798
DEPUTY TOWN ATTORNEY.....	40,363
CONFIDENTIAL SECRETARY.....	59,231
BUDGET OFFICER/PERSONNEL DIRECTOR.....	86,700
COURT CLERK	57,218
	+ \$5,000 stipend
COURT CLERK	52,017
DEPUTY RECEIVER OF TAXES (2).....	45,335
DEPUTY TOWN CLERK (2).....	57,962
 <u>UNCLASSIFIED</u>	
TOWN CLERK.....	\$80,200
COUNCIL MEMBER (4)	11,403
ASSESSMENT BOARD OF REVIEW CHAIRMAN.....	700
ASSESSMENT BOARD OF REVIEW (4).....	700
RECEIVER OF TAXES.....	81,520
SUPERINTENDENT OF HIGHWAYS.....	85,639

SUPERVISOR.....	65,769	
TOWN JUSTICE (2).....		35,081
PLANNING BOARD CHAIRMAN.....	2,800	
DEPUTY PLANNING BOARD CHAIRMAN.....	1,400	
PLANNING BOARD MEMBER (3).....	1,000	
ZONING BOARD CHAIRMAN	500	
ZONING BOARD MEMBER (3).....	320	
ENVIRONMENTAL ADVISORY CHAIRMAN.....	400	
ENVIRONMENTAL ADVISORY MEMBER (4).....		200
ENVIRONMENTAL ADVISORY LIAISON FROM PLANNING BD (2).....		100
RUOK WEEKLY RATE.....		\$12.00/hr.
RUOK WEEKEND RATE.....		18.00/hr.

NON-COMPETITIVE

<u>TITLE OF POSITION</u>	<u>SALARY</u>
MOTOR EQUIPMENT OPERATOR (3).....	\$67,534
PARKS FOREMAN.....	70,308
HIGHWAY FOREMAN.....	73,082
ROAD MAINTAINER (8).....	62,249
AUTOMOTIVE MECHANIC.....	70,474
AUTOMOTIVE MECHANIC HELPER/ LABORER.....	51,257

COMPETITIVE

CHIEF OF POLICE	\$137,697
POLICE LIEUTENANT.....	109,686
POLICE DETECTIVE/SERGEANT (1).....	104,565
POLICE SERGEANT (4).....	97,736
DETECTIVE (2)	92,188
POLICE PATROLMAN-1ST GRADE (2).....	85,359
POLICE PATROLMAN-2 ND GRADE (3).....	79,083
POLICE PATROLMAN-3rd GRADE (2).....	72,333
POLICE PATROLMAN-4 TH GRADE (1)	60,720
APPRAISAL TECHNICIAN	61,497
ASSESSMENT CLERK.....	56,005
ASSISTANT ASSESSMENT CLERK.....	51,521
ASSESSMENT ASSISTANT.....	48,223
OFFICE ASSISTANT AUTOMATED (Highway).....	46,401
OFFICE ASSISTANT AUTOMATED (Building).....	46,401
NUTRITION SITE DIRECTOR.....	68,183
INTERMEDIATE CLERK-NUTRITION.....	46,401

SENIOR SERVICES FULL TIME WORKERS-LABOR

Chauffeur (4).....	\$33,388
Bus Driver.....	44,056
Food Service Helper.....	31,414

SENIOR SERVICES PART TIME WORKERS

Delbourgo, Constance	Food Service Helper	\$14.10/hr.
Llano, Leonel	Food Service Helper	12.92/hr

PART-TIME EMPLOYEES

<u>NAME OF EMPLOYEE</u>	<u>TITLE OF POSITION</u>	<u>SALARY</u>
Piqueras, Nicholas	PT, Police Dept.	\$32.96/hr
DiSisto, Catherine	PT, Police Dept.	18.17/hr.
Christ, Alice	PT, Cleaner, Police Dept.	18.17/hr.
Girgenti, Catherine	PT Availability, Tax Office	14.90/hr.
Jackson, Nathaniel	PT, Assessor’s Office	32.36/hr.
Ruotolo, Patricia	PT, Substitute	17.75/hr.
Gagliardi, Marie	PT Availability, Tax Office	14.90/hr.
See, Mary	PT, Clerk’s Office	20.68/hr.
Nacinovich, Antoinette	PT Availability, Tax Office	14.90/hr.

Cuminsky, Mary	PT Availability, Tax Office	14.90/hr.
Hamilton, John	PT, Building Inspector/ Fire Inspector	45.41/hr. plus \$3,000 stipend &
	Stormwater	2,500 stipend
Conn, Margaret	PT, Building Dept.	17.17/hr.
Weeks, George	PT, Planning Director	31.45/hr.
Valentine, A	PT, Intermediate Clerk Town Court	15.00/hr.

ELECTION OFFICIALS

Coordinator/Liaison		\$2,700.00
Party Representatives (2)	\$ 50.	Primary Elections
	50.	Special Elections
	75.	General Election
Inspector Training	20.	
Clerical Assistants	60.	

Motion Carried: Unanimously

M. Surety Bonds

Councilmember Krieger moved and it was seconded by Councilmember Tawil that the following resolution be adopted:

Whereas, certain officers and/or employees of the Town of Ossining designated by law are required by law to file an undertaking which shall remain in full force and effect until the expiration of their term of office, the termination of their employment, or the further resolution of this Town Board, and

Whereas, the Town Board of the Town of Ossining by prior resolution has determined it is more beneficial and economical to provide the undertakings by a blanketed bond;

It is, therefore, Resolved, that all officers and/or employees of the Town of Ossining will be bonded by a blanket bond in the amount of \$500,000 except that the following position will carry an additional surety bond in the amount of \$100,000: Receiver of Taxes.

Motion Carried: Unanimously

N. Consulting Engineer

Councilmember Krieger moved and it was seconded by Councilmember Wilcher that the following resolution be adopted:

RESOLVED that James J. Vanoli, P.E. be, and he hereby is, retained as Engineering Consultant to the Town of Ossining for calendar year 2009 in accordance with the terms set forth in a letter from him to the Supervisor and Town Board dated September 5, 2008, except that the flat fee payable by the Town of Ossining for "Part 1 - Services Provided to Town Staff", consisting of "typical day-to-day Town Engineering services" shall be \$60,000. (\$5,000. per month).

Motion Carried: Unanimously

O. County Purchasing Agreement

Councilmember Krieger moved and it was seconded by Councilmember Wilcher that the following resolution be adopted:

Whereas, by Act No. 49-1976, the County Board of Legislators authorized the County Purchasing Agent to act as Purchasing Agent for any city, town, village, school district or other unit of local government within the County of Westchester, provided that said unit of local government by act, ordinance or resolution authorizes the County Purchasing Agent to act as its Purchasing Agent for items purchased by the County, and empowering designated officers and employees to sign requisitions, and further directing

the proper official of local government to audit and pay County bills for the cost of County services within thirty (30) days after the receipt of said bill by the local government to provide the County with such insurance coverage as may be required by the County's Director of Risk Management;

Now, Therefore, Be It Resolved, that the County Purchasing Agent is hereby authorized to act as Purchasing Agent for the Town of Ossining for the period from January 1, 2009 through December 31, 2009 and be it further

Resolved, that Town Supervisor Catherine A. Borgia and Budget Officer Connie Cerny are hereby authorized to sign appropriate requisitions; and be it further

Resolved, that Catherine A. Borgia, Town Supervisor is hereby authorized and directed to audit and pay County bills for the cost of County services within thirty (30) days after receipt of said bill; and be it further

Resolved, that Connie Cerny, Budget Officer, is hereby authorized to secure and provide to the County of Westchester any and all insurance required by the County’s Director of Risk Management, in accordance with County Act. No. 49-1976.

Motion Carried: Unanimously

P. Planning Consultants

Councilmember Wilcher moved and it was seconded by Councilmember Krieger that the following resolution be adopted:

Resolved, that the Firm of Frederick P. Clark Associates be appointed Planning Consultants for the Town of Ossining for calendar year 2009 in accordance with their contract letter and rate schedule of December 18, 2008.

Motion Carried: Unanimously

Q. Bond Counsel

Councilmember Krieger moved and it was seconded by Councilmember Wilcher that the following resolution be adopted:

RESOLVED, that upon the recommendation of the Town Comptroller, the Town Board of the Town of Ossining hereby retains the firm of Orrick, Herrington & Sutcliff, LLP, 666 Fifth Avenue, New York, New York 10103-0001 to serve as Bond Counsel, effective immediately.

Motion Carried: Unanimously

R. 2009 Schedule of Fees

Councilmember Krieger moved and it was seconded by Councilmember Tawil that the following resolution be adopted:

Resolved, that the Town Board of the Town of Ossining hereby approves the following Schedule of Fees for calendar year 2009:

TOWN FEE SCHEDULE

Type of Application, License or Permit/Code Chapter Reference		Fee
Sale of Codebook	Chapter 1	Publisher’s price
Access to Records	Chapter 45	
	Fees for copies of records not exceeding 8 ½ by 14 inches in size	\$0.25 per page
	Fee for reproducing records in excess of 8 ½ by	Actual cost of reproduction

Type of Application, License or Permit/Code Chapter Reference		Fee
	14 inches in size	
Accessory Dwelling	Chapter 50	
	Initial application	\$300
	Each renewal	\$50
Alarms	Chapter 51	
	Annual registration	\$25
	False alarms:	
	1 st and 2 nd offense	Warning
	3 rd offense	\$50
	4 th offense	\$100
	5 th offense	\$200
	6 th offense	\$500
Building Construction	Chapter 63	
	Certificate of occupancy, where the total value of the building is:	
	Less than \$10,000	\$20
	Greater than \$10,000 but less than \$20,000	\$30
	Greater than \$20,000 but less than \$50,000	\$40
	Greater than \$50,000 but less than \$100,000	\$50
	Greater than \$100,000 but less than \$150,000	\$60
	Greater than \$150,000	\$70
	Building permit issuance	
	Where the total value of the work is up to \$1,000	\$20
	For each additional \$1,000 or fraction thereof up to and including \$15,000	\$10
	For each additional \$1,000 or fraction thereof up to and including \$50,000	\$6
	For each additional \$1,000 or fraction thereof exceeding \$50,000	\$4
	Renewal of building permit	\$10
	Electrical permits	
	Per dwelling	\$50
	Alteration to commercial building	\$75
	New commercial construction	\$150
	Plumbing permit	
	House sewer and tie-in	\$10
	Installation of 1 - 3 fixtures, appliances or standpipe connections	\$50

Type of Application, License or Permit/Code Chapter Reference		Fee
	Installation of 4 - 9 fixtures	\$75
	Installation of 10 or more fixtures	\$100
	Replacement of any hot-water heater or gas, electric or oil heating unit	\$25
	Gas certification	\$25
	Erecting signs	\$25
	Demolition permit	
	For structure less than 1,000 square feet	\$50
	For structure over 1,000 square feet	\$200
	Title search (office assistance)	\$10 per property
	Copies of certificates of occupancy and surveys	\$10 per copy
	Inspection and letter in lieu of certificate of occupancy	\$50
	Legalization of work performed without permits	All fees tripled
Cabaret	Chapter 68	
	Annual license fee	\$50
	After July 1	\$25
	Renewal application 30-day extension	\$5 per month
Dog Fees	Chapter 74	
	License fees:	
	Spayed/neutered: State fee (\$2.50) plus local fee (\$5)	\$7.50
	Unspayed/unneutered: State fee (\$7.50) plus \$3 surcharge plus local fee (\$5)	\$15.50
	Seniors over age 60 are exempt from local fee.	
	Redemption fees from impoundment of dogs	
	First impoundment	\$20 first 24 hours; \$5 each additional 24 hours
	Second impoundment	\$40 first 24 hours; \$10 each additional 24 hours
	Third impoundment	\$60 first 24 hours; \$15 each additional 24 hours
SEQR	Chapter 85	
	Environmental clearance form	No fee
	Application for preliminary environmental review	\$100
Street Opening	Chapter 87, Part 1	
	Simple Curb Cut	\$50
	Road Opening less than 150 sq ft	\$150
	Road Opening 150 sq ft and greater	\$400

Type of Application, License or Permit/Code Chapter Reference		Fee
Deposit for all Street Openings	Deposit per sq ft	\$300
Excavation of Topsoil or Gravel	Chapter 87, Part 2	
	For each 10 acres of property, or any portion thereof, proposed to be excavated	\$75
	Refund upon denial of application	\$25
	Permit renewal, for each 10 acres of property, or any portion thereof, proposed to be excavated	\$75
Filling and Grading	Chapter 92	
	Application for a filling and grading permit	
	For the first acre or part thereof	\$25
	For each additional acre or part thereof	\$30
	Application for a certificate of completion	
	For the first acre	\$10
	For each additional acre or part thereof	\$5
Floodplain Development	Chapter 102	
	Permit application	\$200
Freshwater Wetlands	Chapter 105	
	Application review fee for permits issued by Building Inspector (see § 105-6)	\$50
	Application review fee for permits issued by the Planning Board (see §105-7)	Included in site plan review fees
Parks	Chapter 138	
	Rental fees for Saturday, Sunday, holidays	
	1 - 100 people	\$150
	101 - 250 people	\$200
	250 people or more	\$250
	Rental fees for Monday through Friday	
	1 - 100 people	\$100
	101 - 250 people	\$150
	250 people or more	\$200
	Boat ramp	
	Daily	
	Residents	\$25
	Nonresidents	\$35
	Seasonal	
	Residents	\$85
	Nonresidents	\$145

Type of Application, License or Permit/Code Chapter Reference		Fee
Peddlers	Chapter 144	
	Annual license fee	\$100
Police Fees	Fingerprinting Accident Report Fee Vehicle Impound Release Fee	\$25.00 \$7.50 \$15.00
Steep Slopes	Chapter 167	
	Application and inspection fee, residential only	\$50
	Application and inspection fee, nonresidential	Included in site plan review fees
Streams and Watercourses	Chapter 169	
	Permit application	\$50
Subdivision of Land	Chapter 176	
	Application review fee	
	Major	
	Preliminary plat	\$100, plus \$125 per lot
	Final plat	\$100, plus \$125 per lot
	Minor	\$100, plus \$125 per lot
	Recreation fee. However, in the case of multifamily developments, the Planning Board may adjust the recreation fee in relation to the recreational facilities provided within the subject development. Recreation Fee-Affordable Housing	\$7,500 per lot or dwelling unit. \$2,500 per lot or dwelling unit
	Inspection fee	3% of the Town Engineer's estimated cost for all utility and roadway improvements, plus \$100 for an engineering estimate
	Escrow account deposits	(See fees under “Zoning” below.)
Taxicabs and Limousines	Chapter 182	
	For each taxicab or limousine owner's license, on initial application	\$100
	For each taxicab or limousine owner's license, for each annual renewal thereof	\$50
	For each taxicab or limousine owner's supplementary license	\$25
	For each vehicle licensed as a taxicab or limousine	\$25
	For each taxicab or limousine driver's license	\$10
	For each taxicab or limousine substituted	\$25
	For replacement of a lost or destroyed taxicab or limousine license or sticker	\$20
	For replacement of each driver's license or badge	\$5

Type of Application, License or Permit/Code Chapter Reference		Fee	
Call-a-Cab Coupons			
	Cost to qualifying senior citizen	\$3.00 per coupon	
	Redemption by Town to participating taxi company	\$4.75 per coupon	
Senior Services	Contribution from Qualifying Senior Citizen		
	Congregate Meals	\$2.00	
	Home Delivered Meals	\$2.50	
Telecommunication	Chapter 182A		
	New telecommunications tower	\$5,000	
	Co-location of an existing telecommunications tower or high structure where no increase in height of the tower or structure is required	\$2,000	
Towing Services Agreement	Chapter 182B		
	Fees and services	Normal business hours Mon-Fri 8:00 a.m. to 5:00 p.m.	Sat/Sun/holidays and after 5:00 p.m. weekdays
	Light-duty straight Town (3 tons DVW)	\$94.50	\$120.75
	Light-duty service call	\$78.75	\$105
	Gate/yard	----	\$47.25
	Mileage, per mile	\$4.20	\$4.20
	2 nd truck	\$94.50	\$120.75
	Light-duty winching	\$94.50	\$120.75
	Free Storage, up to 24 hours	----	----
	Storage, per day	\$50	\$50
Tree Removal	Chapter 183		
	Tree removal permit, residential only	\$50	
	Tree removal permit, nonresidential	Included in site plan review fees	
Zoning	Chapter 200		
	All appeals and applications made to the Board of Appeals	\$75	
	Special permit application	\$250	
	Site plan or conditional use permit		
	Application review fee	\$250, plus \$25 per parking space	
	Inspection fee	Same as application review fee	
	Request for rezoning or zoning amendment review fee	\$1,000 plus \$50 per acre of property owned or controlled by the applicant to which the rezoning or zoning amendment pertains	

Type of Application, License or Permit/Code Chapter Reference		Fee
	Environmental quality review. A full environmental assessment form review fee is required in all cases when this form is part of the application.	\$100
	Performance and maintenance bonds	The amount of all performance and maintenance bonds shall be established by the Planning Board, based upon a recommended amount as specified by the Town Engineer
	Each bond reduction request	\$100
	Escrow accounts	
	For subdivisions, based on number of lots	
	0 to 2	\$3,750
	3 to 10	\$7,500
	11 to 35	\$22,500
	More than 35	\$52,500
	For site plan, conditional use permits and special permits, based on square footage	
	0 to 3,000	\$3,750
	3,001 to 20,000	\$7,500
	20,001 to 50,000	\$22,500
	Greater than 50,000	\$52,500
	For minor applications (includes accessory apartments, wetland permits, filling and grading permits, etc.)	\$500
	Variances	As determined by the Zoning Board of Appeals
	Pre-application meetings to discuss conceptual proposals, per meeting	\$350
Filming		
	Per day	\$100
Tax Foreclosure	Legal fees	\$800 per property

S. Records Management Officer

Councilmember Krieger moved and it was seconded by Councilmember Wilcher that the following resolution be adopted:

Resolved, that pursuant to Section 57.19 of the Local Government Records Law, the Town Board hereby appoints Mary Ann Roberts, Town Clerk, Records Management Officer of the Town of Ossining.

Motion Carried: Unanimously

T. Finance-Investment Policy

Councilmember Krieger moved and it was seconded by Councilmember Tawil that the following resolution be adopted:

INVESTMENT POLICY FOR THE TOWN OF OSSINING

I. SCOPE

This investment policy applies to all moneys and other financial resources available for investment on its own behalf or on behalf of any other entity of individual.

II. OBJECTIVES

The primary objectives of the local government's investment activities are, in priority order,

- to conform with all applicable federal, state and other legal requirements (legal);
- to adequately safeguard principal (safety);
- to provide sufficient liquidity to meet all operating requirements (liquidity); and
- to obtain a reasonable rate of return (yield).

III. DELEGATION OF AUTHORITY

The governing board's responsibility for administration of the investment program is delegated to the Town Supervisor who shall establish written procedures for the operation of the investment program consistent with these investment guidelines. Such procedures shall include an adequate internal control structure to provide a satisfactory level of accountability based on a data base or records incorporating description and amounts of investments, transaction dates, and other relevant information and regulate the activities of subordinate employees.

IV. PRUDENCE

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the Town of Ossining to govern effectively.

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived.

All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

V. DIVERSIFICATION

It is the policy of the Town of Ossining to diversify its deposits and investments by financial institution, by investment instrument, and by maturity scheduling.

VI. INTERNAL CONTROLS

It is the policy of the Town of Ossining for all moneys collected by any officer or employee of the government to transfer those funds to the Town Supervisor within five days of deposit, or the time period specified in law, whichever is shorter.

The Town Supervisor is responsible for establishing and maintaining an internal control structure to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management's authorization and recorded properly, and are managed in compliance with applicable laws and regulations.

VII. DESIGNATION OF DEPOSITORIES

The banks and trust companies authorized for the deposit of Town monies are:

<u>Depository Name</u>	<u>Officer</u>
J. P. Morgan Chase	John Gardell
Wachovia	Robert Vanderslice
Hudson Valley Bank	Michael Goldrick
TD Bank	Nancy Meyer
Key Bank	Cindy Resner
Bank of America	Linda Hadden
Citibank	Christine O'Neill
HSBC Bank	Mark Spiers
Mahopac National Bank	Amy Greiner
Emigrant Bank	Louis Schlosser
Citizens Bank	Robert Hatfield

VIII. COLLATERALIZING OF DEPOSITS

In accordance with the provisions of General Municipal Law, §10, all deposits of the Town of Ossining, including certificates of deposit and special time deposits, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured:

1. By a pledge of “eligible securities” with an aggregate “market value,” or provided by General Municipal Law, §10, equal to the aggregate amount of deposits from the categories designated in Appendix A to the policy.
2. By an eligible “irrevocable letter of credit” issued by a qualified bank (or federal home loan bank) other than the bank with the deposits in favor of the government for a term not to exceed 90 days with an aggregate value equal to 140% (100% if federal home loan bank) of the aggregate amount of deposits and the agreed upon interest, if any. A qualified bank is one whose commercial paper and other unsecured short-term debt obligations are rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization or by a bank that is in compliance with applicable federal minimum risk-based capital requirements.
3. By an eligible surety bond payable to the government for an amount at least equal to 100% of the aggregate amount of deposits and the agreed upon interest, if any, executed by an insurance company authorized to do business in New York State, whose claims - paying ability is rated in the highest rating category by at least two nationally recognized statistical rating organizations.

IX. SAFEKEEPING AND COLLATERALIZATION

Eligible securities used for collateralizing deposits shall be held by (the depository and/or a third party) bank or trust company subject to security and custodial agreements.

The security agreement shall provide that eligible securities are being pledged to secure local government deposits together with agreed upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released and the events, which will enable the local government to exercise its rights against the pledged securities. In the event that the securities are not registered or inscribed in the name of the local government, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the Town of Ossining or its custodial bank.

The custodial agreement shall provide that securities held by the bank or trust company, or agent of and custodian for, the local government, will be kept separate and

apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement should also describe that the custodian shall confirm the receipt, substitution or release of the securities. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitution of securities when a change in the rating of a security may cause ineligibility. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

X. PERMITTED INVESTMENTS

As authorized by General Municipal Law, §11, the Town of Ossining authorizes the Town Supervisor to invest monies not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following types of investments:

- Special time deposit accounts;
- Certificates of deposit;
- Obligations of the United States of America;
- Obligations guaranteed by agencies of the United States of America where the payment of principal and interest are guaranteed by the United States of America;
- Obligations of the State of New York;
- Obligations issued pursuant to LFL §24.00 or 25.00 (with approval of the State Comptroller) by any municipality, school district or district corporation other than the Town of Ossining;
- Obligations of this local government, but only with any moneys in a reserve fund established pursuant to GML, §6-c, 6-d, 6-e, 6-g, 6-h, 6-j, 6-k, 6-l, 6-m, or 6-n.

All investment obligations shall be payable or redeemable at the option of the Town of Ossining within such times as the proceeds will be needed to meet expenditures for purposes for which the moneys were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable at the option of the Town of Ossining within two years of the date of purchase.

XI. AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS

The Town of Ossining shall maintain a list of financial institutions and dealers approved for investment purposes and establish appropriate limits to the amount of investments which can be made with each financial institutions or dealer. All financial institutions with which the local government conducts business must be credit worthy. Banks shall provide their most recent Consolidated Report of Condition (Call Report) at the request of the Town of Ossining. Security dealers not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank, as primary dealers. The Town Supervisor is responsible for evaluating the financial position and maintaining a listing of proposed depositories, trading partners and custodians. Such listing shall be evaluated at least annually.

XII. PURCHASE OF INVESTMENTS

The Town Supervisor is authorized to contract for the purchase of investments:

1. Directly, including through a repurchase agreement, from an authorized trading partner.
2. By participation in a cooperative investment program with another authorized governmental entity pursuant to Article 5G of the General Municipal Law where such program meets all the requirements set forth in the Office of the State Comptroller Opinion No. 88-46, and the specific program has been authorized by the governing board (for example, NYCLASS – New York Cooperative Liquid Assets Securities System).
3. By utilizing an ongoing investment program with an authorized tracking partner pursuant to a contract authorized by the governing

board.

All purchased obligations, unless registered or inscribed in the name of the local government, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to the Town of Ossining by the bank or trust company. Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law, §10.

The custodial agreement shall provide that securities held by the bank or trust company, as agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement shall describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

XIII. REPURCHASE AGREEMENTS

Repurchase agreements are authorized subject to the following restrictions:

- All repurchase agreements must be entered into subject to a Master Repurchase Agreement.
- Trading partners are limited to banks or trust companies authorized to do business in New York State and primary reporting dealers.
- Obligations shall be limited to obligations of the United States of America and obligations of agencies of the United State of America where principal and interest are guaranteed by the United States of America.
- No substitution of securities will be allowed.
- The custodian shall be a party other than the trading partner.

**Appendix A
Schedule of Eligible Securities**

<u> X </u>	(i) Obligations issued, or fully insured or guaranteed as to the payment of principal and interest, by the United States of America, an agency thereof or a United States government sponsored corporation.
<u> </u>	(ii) Obligations issued or fully guaranteed by the International Bank for Reconstruction and Development, the Inter-American Development Bank, the Asian Development Bank, and the African Development Bank.
<u> X </u>	(iii) Obligations partially insured or guaranteed by any agency of the United States of America, at a proportion of the Market Value of the obligation that represents the amount of the insurance or guaranty.
<u> X </u>	(iv) Obligations issued or fully insured or guaranteed by the State of New York, obligations issued by a municipal corporation, school district or district corporation of such State or obligations of any public benefit corporation which under a specific State statute may be accepted as security for deposit of public moneys.
<u> X </u>	(v) Obligations issued by states (other than the State of New York) of the United States rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
<u> </u>	(vi) Obligations of Puerto Rico rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
<u> </u>	(vii) Obligations of counties, cities and other governmental entities of a state other than the State of New York having the power to levy taxes that are backed by the full faith and credit of such governmental entity and rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.

- _____ (viii) Obligations of domestic corporations rated in one of the two highest rating categories by at least one nationally recognized statistical rating organization.
- _____ (ix) Any mortgage related securities, as defined in the Securities Exchange Act of 1934, as amended, which may be purchased by banks under the limitations established by bank regulatory agencies.
- _____ (x) Commercial paper and bankers' acceptance issued by a bank, other than the Bank, rated in the highest short term category by at least one nationally recognized statistical rating organization and having maturities of not longer than 60 days from the date they are pledged.
- _____ (xi) Zero coupon obligations of the United States government marketed as "Treasury strips".

Motion Carried: Unanimously

U. Finance-Debt Management Policy

Councilmember Krieger moved and it was seconded by Councilmember Wilcher that the following resolution be adopted:

RESOLVED, that the Town Board of the Town of Ossining hereby adopts the Debt Management Policy as follows:

The Budget Officer will monitor the debt portfolio annually for refinancing opportunities through services of a financial advisor. This can be done in connection to the continuing disclosure process.

The minimum criteria for bond refunding are as follows:

- 1. Refunding should produce savings equal to 3% of bonds to be refinanced
- 2. Savings after insurance premium should be 2 ½ times underwriters discount and other costs of issuance.

Motion Carried: Unanimously

V. Finance – Procurement Policy

Councilmember Krieger moved and it was seconded by Councilmember Tawil that the following resolution be adopted:

WHEREAS, Section 104-b of the General Municipal Law requires the governing body of every municipality to adopt a procurement policy for all goods and services which are not required by law to be publicly bid, and

WHEREAS, comments have been solicited from all officers in the Town of Ossining involved in the procurement process, now, therefore, be it

RESOLVED, that the Town of Ossining does hereby adopt the following procurement process which is intended to apply to all goods and services which are not required by law to be publicly bid.

Purchases up to \$999

Town Department Managers may authorize purchase of not more than nine-hundred and ninety nine dollars (\$999) per purchase contract for materials, services, supplies or repairs provided that such purchase is made in conformance with the following procedure:

- A. A standard Claim Voucher is to be completed and submitted to the Supervisor's Office with the following information:
 - 1. Name and address of Vendor
 - 2. Date and vendor number
 - 3. Budget Account Codes
 - 4. Quantity, description and purpose of goods or services purchased
 - 5. Signature of Department Head

B. The Claim Voucher must be accompanied by an original invoice and packing slip, if applicable.

Purchases between \$1,000-\$10,000

Department Managers may make purchases between \$1,000 and \$10,000 for materials, supplies and repairs provided that such purchase is made in conformance with the following procedure:

- A. A Purchase Order is to be completed in order to encumber the expenditure for all expenses between \$1,000-\$10,000. This form shall be submitted to the Budget Officer with the following information:**
 - a. Name and address of recommended vendor**
 - b. Date, Vendor Number, Budget Account Codes**
 - c. Quantity, description and purpose of the purchase**
 - d. Unit cost and total cost of proposed purchase**
 - e. Purchase Order must be signed by the Department Manager**
- B. Two verbal quotations are required for purchases between \$1,000-\$2,999. A verbal quotation form available in the Supervisor's Office must be used to document the quotes. Attach verbal quotation form to Purchase Order and submit to Budget Officer for approval.**
- C. Three written quotations are required for purchases between \$3,000-\$10,000. A written quotation form available in the Supervisor's Office must be used to document the quotes. Attach written bid requests to the Purchase Order along with documentation from vendor indicating cost and submit to Budget Officer for approval.**
- D. Approved purchases will be acknowledged to the Department Manager by copy of the signed Purchase Order signed by the Town Supervisor with a Purchase Order number assigned to it by the Finance Department.**
- E. Upon satisfactory receipt of the material, supply or repair, the Department Manager will submit to the Budget Officer the following:**
 - a. Purchase Order signed by the Department Manager to indicate approval for payment along with an invoice from the vendor attached to the Purchase Order.**

Any public works contract over \$10,000 must follow above procedures and obtain three written quotes. A Public Works Contract over \$20,000 is subject to competitive bidding.

A good faith effort shall be made to obtain the required number of proposals or quotations. If the purchaser is unable to obtain the required number of proposals or quotations, the purchaser will document the attempt made at obtaining the proposals. In no event shall failure to obtain the proposals be a bar to the procurement.

Purchases are subject to the availability of funds. Department Managers may not authorize purchases under this section when there are insufficient funds in the designated budget account. The Budget Officer distributes monthly budget expenditure reports showing the available funds in each department account.

Purchases of \$10,000 and over

All purchases of materials, supplies and repairs of equipment of \$10,000 or more and all public works contracts of \$20,000 or more requires competitive bidding subject to the laws of New York.

- A. The Town Supervisor and Clerk's office shall be responsible for the issuance of required documents, notices and advertisements required under the competitive bidding laws and for the receipt of such bids from vendors.
- B. Department Managers will be responsible for preparing information regarding the quantity, quality and specifications of the materials, supplies or work to be furnished.
- C. Capital Projects are defined as improvements to the Town's operations in excess of \$12,000 per project. Please consult with the Budget Officer in order to establish a Capital Project number and processing of Purchase Order.

General Provisions

- 1. Where possible, purchases should be made from New York State and Westchester County purchasing contracts. These purchases are exempt from the competitive bidding requirements of General Municipal Law Section 103. Information regarding these contracts is available online at www.ogs.state.ny.us. The NYS Contract number must be written on claim voucher or purchase order along with a print-out from the OGS website indicating the item is on NYS Contract.
- 2. Documentation is required of each action taken in connection with each procurement.
- 3. Documentation and explanation are required whenever a contract is awarded to other than the lowest responsible offeror. This documentation will include an explanation of how the award will achieve savings or how the offeror was not responsible. A determination that the offeror is not responsible shall be made by the purchaser and may not be challenged under any circumstance.
- 4. Pursuant to General Municipal Law Section 104-b(2)(f), the procurement policy may contain circumstances when, or types of procurement for which, in the sole discretion of the governing body, the solicitation of alternative proposals or quotations will not be in the best interest of the municipality. In the following circumstances, it may not be in the best interest of the Town of Ossining to solicit quotations to document the basis for not accepting the lowest bid:
 - a. Professional services or services requiring special or technical skill, training or expertise. The individual or company must be chosen based on accountability, reliability or responsibility, skill, education, and training, judgment, integrity and moral worth. These qualifications are not necessarily found in the individual or company that offers the lowest price and the nature of these services are such that they do not readily lend themselves to competitive procurement procedures.

In determining whether a service fits into this category, the Town of Ossining Town Board shall take into consideration the following guidelines: 1) whether the services are subject to state licensing or testing requirements; 2) whether substantial formal education or training is a necessary prerequisite to the performance of the services; and (3) whether the services require a personal relationship between the individual and municipal officials. Profession or technical services shall include but not be limited to the following: services of certified public accountant; investment management services; printing services involving extensive writing, editing, or art work; management of municipally owned property; and computer software or programming services for customized programs or services involved in substantial modification and customization of pre-packaged software.

- 5. A Request for Proposal must be prepared for Professional Services. This section is adopted from the Office of the State Comptroller's Financial Management Guide, Subsection 8.3020. Requests for proposals are traditionally used as a means of obtaining many types of professional services. RFPs are used to obtain the services

of: architects, engineers, accountants, lawyers, underwriters, fiscal consultants, and other professionals. The purpose of a request for proposal is to have an effective way to award contracts for professional services. RFPs and evaluation of the proposals can consider price plus other factors such as experience, staffing and suitability for needs and may include negotiations on a fair and equal basis. The award should be the most advantageous to the Town.

The overall process involves making a request for proposals from various firms or professionals, and then evaluating the proposals received. Depending on the complexity of the situation, you may prepare the RFP in house or a consultant could be obtained to help you prepare it. The Town Attorney will review all RFPs, contracts to be executed with the firm selected and any other needed items.

There should be a well planned solicitation effort in order to identify a sufficient number of qualified firms. This can be done by advertising in local trade journals, checking listings of professionals, talking to local officials, etc. A well planned solicitation effort can result in reduced costs through increased competition.

6. Emergency purchases pursuant to Section 103(4) of the General Municipal Law. Due to the nature of this exception, these goods or services must be purchased immediately and a delay in order to seek alternative proposals may threaten the life, health, safety and welfare of the residents. This section does not preclude alternative proposals if time permits.
7. Sole Source. Competitive bidding is not required under Section 103 of the General Municipal Law in those limited situations when goods or services are available from only one source. If a determination is made that a particular item is available only from one source so that no possibility of competition exists, competitive bidding may not be required for the procurement of the item. Department Managers must document the unique benefits of the item as compared to other items available in the marketplace; that no other item provides substantially equivalent or similar benefits; and that considering the benefits received, the cost of the item is reasonable, when compared to other products or services in the marketplace
8. Purchases of surplus and second hand goods from any source. If alternative proposals are required, the Town of Ossining is precluded from purchasing surplus and second hand goods at auctions or through specific advertised sources where the best prices are usually obtained. It is also difficult to try to compare process of used goods and a lower price may indicate an older product.
9. Goods or services under \$1,000. The time and documentation required to purchase through this policy may be more costly than the item itself and would, therefore, not be in the best interests of the taxpayer. In addition, it is not likely that such de minimis contracts would be awarded based on favoritism.
10. The Town Board must authorize and approve all change orders on capital construction projects by Town Board resolution.
11. The Town Supervisor and Budget Officer shall be the municipal officials responsible for providing guidance and making decisions as to application of this procurement policy.

Motion Carried: Unanimously

W. Reimbursement of Town Employee Business Expenses

Councilmember Krieger moved and it was seconded by Councilmember Wilcher that the following resolution be adopted:

WHEREAS, from time to time employees incur certain expense in connection with performing their duties, attending training, seminars and/or conferences; and

WHEREAS, The Town of Ossining has established guidelines which an employee may be legally reimbursed for expenses; now therefore be it

RESOLVED, that the Town of Ossining does hereby adopt the Reimbursement of Town Employee Business Expense Policy as follows:

Purpose of this Policy

The purpose of this policy is to establish the guidelines under which an employee of the Town of Ossining may be legally reimbursed for expenses related to the travel to and from, and attendance at, any event which has been recognized and authorized as an event related to Town business. The policy is adopted from the Office of the State Comptroller's Financial Management Guide, Subsection 8.1025. In the event of any misunderstanding or dispute, the Town Supervisor will make the final determination as to whether an employee is entitled to reimbursement of any expense.

Prior Written Authorization Required

Authorization must be obtained in writing from the Town Supervisor prior to attending an event for which an employee expects reimbursement. In the event that such prior authorization was not obtained, the Town Supervisor, at his/her discretion may authorize reimbursement by written notice to the Budget Officer.

Claim Voucher Required

In order to receive reimbursement of an expense, an employee must submit to the Budget Officer a properly completed and signed Town form, including as attachments, a copy of the Town Supervisor's written authorization, a copy of the brochure or other literature describing the event, and any required receipts. The claim form, available in the Supervisor's Office, must clearly state the title of the event, the sponsoring association, the location and date(s) of the event, and an itemized list of the expenditure categories to be reimbursed. In the event of a conference or training seminar where certificates of completion are issued, said certificates should be provided to the municipality.

Use of Petty Cash for Employee Reimbursements

Petty cash should be used minimally for the reimbursements of employee expenses. It should be remembered that petty cash should require replenishment no more than once a month. Further, any reimbursement made of employee expenses through petty cash still requires appropriate receipts and authorization from the Town Supervisor.

Legal Authority

General Municipal Law 77-b generally authorizes reimbursement of actual and necessary expenses incurred in attending a meeting, convention, conference or school conducted for the betterment of the Town. Written authorization must be obtained in advance from the Town Supervisor before such attendance can be considered a proper Town expense. "Actual and necessary" means that the expenses were:

1. Actually made
2. Necessarily incurred for an authorized purpose
3. An amount no greater than necessary (Opn. St. Comp. 69-563).

Tax Exempt Certificate

The Town is exempt from federal, state and local taxes, including sales tax. As such, it is the responsibility of any employee authorized to attend an event to ascertain that they carry with them a copy the Town of Ossining Tax Exemption Certificate. Such certificates should be presented to places of lodging and dining, so that any amounts paid are exclusive of taxes. The Town retains the right to refuse reimbursement of sales and other taxes paid as part of an employee's expense.

Reimbursement will be made for the following business related expenses:

- Transportation
- Meals
- Lodging
- Gratuities

Transportation

Transportation will be reimbursed for actual travel to and from an authorized event. Transportation will not be reimbursed for any personal travel incurred while away,

or for normal commuting to and from home and Town Offices. Reimbursement will be made for:

- The amount spent using public transportation (bus, train, etc.) receipts are required.
- The amount spent for re-fueling a Town owned vehicle. Receipts are required.
- The standard mileage rate, as determined by the Town Board, when using a personal vehicle.
- The amount spent for tolls. Receipts are required.
- The amount spent for parking. Receipts are required.
- The amount spent for plane fare at the regular rate charged for a single coach fare, unless otherwise authorized in writing.

Meals

Meals will be reimbursed when the employee is attending an authorized event away from the regular work area for an extended period of time. If an employee is not attending an event which requires an overnight stay, breakfast and/or lunch will not be reimbursed. Expenditures for the purchase of alcoholic beverages or for guests will not be reimbursed. Receipts are required for all meal expenses.

Lodging

Lodging will be reimbursed at the usual cost of the single occupancy room rate for those nights which fall between the days of an authorized event. "Single occupancy room rate" means the regular room rate charged for a single occupant by the hotel, or the nearest available hotel to, where the event is held. Lodging will not be reimbursed for nights prior or subsequent to the days of an authorized event, unless authorized in advance in writing by the Town Supervisor. Receipts are required for all lodging expenses.

Registration, Tuition, Materials

Any other expenses required to participate in an authorized event, such as registration fees, tuition, books and supplies, will be reimbursed. Receipts are required for all such expenses.

Gratuities

Gratuities that are reasonable and actual may be reimbursed. Gratuities for meals may not exceed the greater of (\$1.00) dollar or fifteen (15%) percent of the cost for each meal, unless a mandatory minimum greater than this amount is required under the terms of the event

Periodic Review

This policy will be reviewed periodically by the Budget Officer. Any questions concerning this policy may be directed to the Budget Officer. The references cited above may assist employees in understanding this policy, and the basis for its contents.

Motion Carried: Unanimously

At 7:55 p.m., Councilmember Krieger moved and it was seconded by Councilmember Tawil that the reorganization portion of the meeting be closed.

Motion Carried: Unanimously

VI. PUBLIC COMMENT ON AGENDA ITEMS

Bobby Williams, Spring Street, was glad to hear that Councilmember Wilcher was a liaison to the Ossining Boat and Canoe Club.

Peter Tripodi, Quail Hollow Road, questioned whether the Town had appointed a new Chief of Police? Does Mr. Spector receive the \$77,000 (Town Attorney salary) as well as the Deputy Town Attorney salary of \$40,000. Also questioned was the budget line concerning Town Councilmembers salaries as to whether they received an increase or not in 2009. Supervisor Borgia stated that the correct salaries as the adopted budget were put on line last week. As a matter of fact, please note that the Supervisor has taken a 10% pay cut to bring the salary down to \$65,769. Mr. Tripodi also questioned the use by the Highway Department of gel on the roads prior to a snow storm. Councilmember Tawil responded that the Highway did use this solution and gave a brief description of what it is.

Councilmember Wilcher spoke to the High School students in the audience telling them that this all seems very boring stuff but it is the basis of Town governing. This work done this evening is based on many hours of work at work sessions.

VII. REGULAR MEETING – BOARD RESOLUTIONS

A. Approval of Minutes

1. December 16, 2008

Councilmember Krieger 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 Minutes of the December 16, 2008 Special Meeting as presented.

Motion Carried: Unanimously

2. December 23, 2008

Councilmember Krieger moved and it was seconded by Councilmember Tawil that the following be approved:

Resolved, that the Town Board of the Town of Ossining hereby approves the Minutes of the December 23, 2008 Regular Meeting as presented.

Motion Carried: Unanimously

B. Approval of Voucher Detail Report

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

Resolved, that the Town Board hereby approves the Voucher Detail Report dated January 13, 2008 in the amount of \$245,061.85 for 2008 and \$457,191.21 for 2009.

Motion Carried: Unanimously

C. Labor Counsel

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

Resolved, that the Law Firm of Bond, Schoeneck & King PLLC, (Craig Olivo) 1399 Franklin Avenue, Garden City, New York, NY 11530, is hereby retained as Labor Counsel for the Town of Ossining for the period January 1, 2009 through December 31, 2011 in accordance with their letter dated October 3, 2008.

Motion Carried: Unanimously

D. Appointment of Marriage Officers

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

Resolved, that the Town Board hereby appoints Mary Ann Roberts and Constance Evans, Marriage Officers for the Town of Ossining for 2009.

Motion Carried: Unanimously

E. Call-a-Cab Agreements

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

Resolved, that the Town Board hereby authorizes the Supervisor to sign agreements with the following cab companies for participation in the Call-a-Cab Program for the period ending December 31, 2009:

**Ecua Taxi and Limousine, 73 Croton Avenue, Ossining
Ossining Taxi, Inc. 23-25 Spring Street, Ossining
A. J. Taxi, 16 Gallows Hill Road, Cortlandt Manor
Elite Taxi & Car Service, 24 Donald Lane, Ossining
The Big Taxi, 131 N. Highland Avenue, Ossining
Express Taxi, 7 Spaulding Place, Ossining
Camp’s Briarcliff Taxi, 85 Hunter Street, Ossining
Mega 1 Taxi, 109 Croton Avenue, Ossining, and be it further**

Resolved, that the call-a-cab agreements with the above mentioned taxi companies include the following amendments:

- 1) A qualifying senior citizen shall contribute \$3.00 per coupon from \$2.75 for a total contribution of \$4.75, with the Town of Ossining contributing \$1.75 per coupon.**
- 2) A Senior Citizen must be 66 years old in order to qualify for the call-a-cab program.**

Motion Carried: Unanimously

F. 2009-Refuse/Recycle Collection

Councilmember Krieger moved and it was seconded by Councilmember Tawil that the following resolution be approved:

Whereas, the Town of Ossining entered into an agreement with Sani-Pro Disposal Services Corp, for the removal of refuse, garbage and commingled recyclables at residential properties within the Unincorporated Area of the Town of Ossining on October 24, 2007; and

Whereas, the Town of Ossining has the option of renewing the agreement for 2009 upon the same terms and conditions, except that the renewal shall be increased by the cost of living index;

Now, therefore be it Resolved, that the Town Board of the Town of Ossining hereby exercises its option to renew with Sani-pro Disposal of 566 North State Road, Briarcliff Manor, NY for fiscal year 2009 at a cost not to exceed \$443,705.76

Motion Carried: Unanimously

G. Call-a-Cab Coupon Policy

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

Whereas, the Town Board has created a policy for the purchase of call-a-cab coupons by qualifying senior citizens;

Now, therefore be it Resolved, that a senior citizen must comply with the following criteria in order to qualify for the call-a-cab program:

- 1. A senior citizen can purchase a call-a-cab coupon for \$3.00 at the Senior Center located at 95 Broadway, Ossining, NY.**
- 2. Senior Citizens must show satisfactory proof of age and in order to qualify for call-a-cab coupons the Senior Citizen must be age 66 in 2009; 67 in 2010; 68 in 2011; 69 in 2012 and 70 in 2013.**
- 3. Senior Citizens are eligible to purchase 20 call-a-cab coupons per month.**

Motion Carried: Unanimously

H. CERTIORARI SETTLEMENT
DEERFIELD CONDO I, II, III
vs.
TOWN OF OSSINING

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

WHEREAS, proceedings pursuant to Article 7 of the Real Property Tax Law of the State of New York were instituted by DEERFIELD CONDO I, II, III, Petitioner, against the Town of Ossining to review the tax assessments made on Petitioner’s property located at Deerfield Lane in the Town of Ossining, and designated on the tax assessment map of the Town of Ossining as Section 1.03, Block 002, Lots 9.0001 through 12.0006; Section 1.03, Block 002, Lots 4.0001 through 8.0006, and Section 1.03, Block 2, Lots 1.0001 through 3.0006, now known as Section 80.20, Block 1, Lots 16/0901 through 16/1206; Section 80.20, Block 1, Lots 16/0401 through 16/0806; and Section 80.20, Block 1, Lots 16/0101 through 16/0306, respectively, for assessment years 1998 through 2008, which proceedings are now pending in the Supreme Court of the State of New York, County of Westchester, under Index Nos. 15179/98, 16095/99, 15870/00, 16293/01, 17672/02, 16689/03, 17055/04, 16482/05, 20605/06, 20765/07 and 23288/08; and

WHEREAS, the above Petitioner has agreed to a compromise and settlement of such proceedings, subject to the approval of the Town Board, correcting and reducing the assessed valuation of its real property and improvements, as follows:

CONDO I

Assessment Year	Original Assessment	Corrected Assessment	Reduction
1998	428,640	428,640	-0-
1999	428,640	428,640	-0-
2000	428,640	428,640	-0-
2001	428,640	428,640	-0-
2002	428,640	428,640	-0-
2003	432,070	410,467	21,604
2004	432,070	380,222	51,848
2005	432,070	380,222	51,848
2006	432,070	358,618	73,452
2007	432,070	358,618	73,452
2008	432,070	358,618	73,452

CONDO II

Assessment Year	Original Assessment	Corrected Assessment	Reduction
1998	322,930	322,930	-0-
1999	322,930	322,930	-0-
2000	322,930	322,930	-0-
2001	322,930	322,930	-0-
2002	322,930	322,930	-0-
2003	324,330	308,114	16,217
2004	325,830	285,410	38,920
2005	325,830	285,410	38,920
2006	325,830	269,194	55,136
2007	325,830	269,194	55,136
2008	325,830	269,194	55,136

CONDO III

Assessment Year	Original Assessment	Corrected Assessment	Reduction
1998	242,320	242,320	-0-
1999	242,320	242,320	-0-
2000	242,320	242,320	-0-
2001	242,320	242,320	-0-
2002	242,320	242,320	-0-
2003	245,695	233,410	12,285
2004	245,695	216,212	29,483
2005	245,695	216,212	29,483
2006	245,695	203,927	41,768
2007	245,695	203,927	41,768
2008	245,695	203,927	41,768

WHEREAS, any and all refunds necessitated by said settlement will be made without interest; and

WHEREAS, the Town Board, upon the recommendation of the Assessor, concurred in by the Town Attorney, finds the proposed settlement appropriate and in the best interest of the Town of Ossining; Now therefore it is

RESOLVED, that settlement of the proceedings, on the terms set forth herein, is hereby accepted and approved, subject to the approval of the Supreme Court, Westchester County, wherein such proceedings are pending; and it is further

RESOLVED that the Town Attorney is hereby authorized and directed to procure and execute any documents necessary to effectuate such settlement; and it is further

RESOLVED, that the Assessor is authorized and directed to make the changes and corrections to the individual unit assessments on the tax assessment rolls of the Town of Ossining, which will be ordered pursuant to the Consent Judgment to be entered in accordance with the terms of this settlement, and the Receiver of Taxes is authorized and directed to process and pay the refund of Town of Ossining taxes.

Motion Carried: Unanimously

VIII. MONTHLY REPORTS – December, 2008

Councilmember Krieger moved and it was seconded by Councilmember Wilcher that the Monthly Reports for December, 2008 from Town Clerk, Building Inspector, Police Department and Receiver of Taxes be received and filed.

Motion Carried: Unanimously

IX. CORRESPONDENCE TO BE RECEIVED AND FILED

Councilmember Krieger moved and it was seconded by Councilmember Wilcher that the following be received and filed:

- 1. November 12, 2008 Planning Board Minutes.**

Motion Carried: Unanimously

X. VISITOR RECOGNITION

Bobby Williams, Spring Street, wished everyone a Happy New Year and extended his congratulations to Supervisor Borgia and Councilmember Tawil. He commented on the Federal Government and hoped that the new Administration under President Obama will be more honest than the previous one. Also he was glad to see all of the high school students at the meeting.

Duval Cellai, Stormytown Road, questioned the resolution for certiorari settlement for Deerfield Condo I, II, III versus the Town of Ossining and commented that commercial properties have been reduced in cost. Why aren't all properties lowered? Deputy Town Attorney Wayne Spector responded that individuals had filed with the courts. Mr. Cellai questioned how many certioraris had been denied during the past year. Supervisor Borgia responded that she did not have that number off the top of her head. Deputy Attorney Spector stated that State Law gives individuals the right to grieve their assessments. Councilmember Tawil stated that attorneys will sometimes take a certiorari on a contingency basis which is open to everyone. The attorney in a Contingency basis will only receive monies after a refund is calculated at which time they receive a percentage of that refund.

XI. ADJOURNMENT

At 8:31 p.m., Councilmember Krieger moved and it was seconded by Councilmember Tawil that the meeting be adjourned.

Motion Carried: Unanimously

Approved:

Mary Ann Roberts, Town Clerk