

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

December 8, 2009  
7:30 P.M.

SUPERVISOR  
Catherine Borgia  
COUNCILMEMBERS

Geoffrey Harter    Michael L. Tawil  
David Krieger      Northern Wilcher

I. CALL TO ORDER – PLEDGE OF ALLEGIANCE – ROLL CALL

The Regular Meeting of the Town Board of the Town of Ossining was held on December 8, 2009 in the Police/Court Facility, 86-88 Spring Street in Ossining. The meeting was called to order at 7:45 p.m. by Supervisor Catherine Borgia. Members of the Board present were: Councilmembers Geoffrey Harter, Northern Wilcher, David Krieger and Michael Tawil. Also present were Town Attorney, Wayne Spector, Budget Officer, Connie Cerny and Deputy Town Clerk, Ann Marie Rocco.

II. ANNOUNCEMENTS

Councilmember David Krieger reminded the Community that the Board of Education was holding a Vote at the Ossining High School Gym relative to the EXCEL Aid Capital Projects Vote which is an opportunity to replace sections of roofs, masonry repair and related work at Ossining High School, Anne M. Dorner Middle School, Park School and Roosevelt School with no impact on the school tax rate. The polls will be open until 9 p.m. The Ossining Public Library will show rarely screened Hitchcock films on Wednesday at 7 p.m. beginning in January.

III. PRESENTATION –PETER FIUMEFREDDO-2010 CENSUS

Mr. Fiumerfreddo, Partnership Specialist with the US Census Bureau made a brief presentation relative to Census forms with 10 questions in both Spanish and English. The form is produced in 26 different languages. The forms will be sent out in March. Councilmember Krieger questioned whether any of this information was available to the public. Mr. Fiumerfreddo stated that the information was confidential for 76 years and the workers must find a confidentiality clause and can be fined if they violate that clause.

IV. PUBLIC COMMENT ON AGENDA ITEMS

Peter Tripodi, Quail Hollow Road, questioned the December 1, 2009 Minutes and also stated that he did not receive a copy of the voucher detail report.

V. BOARD RESOLUTIONS

A. Approval of Minutes

Councilmember Tawil 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 November 24, 2009 Regular Meeting as presented.

Motion Carried: Unanimously

B. Approval of Minutes – Special Meeting – December 1, 2009

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

Resolved, that the Town Board of the Town of Ossining hereby approves the December 1, 2009 Minutes of the Special Meeting with corrections.

Motion Carried: Unanimously

C. Approval of Work Session Minutes

Councilmember Tawil 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 November 17, 2009 Work Session.

Motion Carried: Unanimously

D. Approval of Work Session Minutes

Councilmember Tawil 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 September 15, 2009 Work Session.

Motion Carried: Unanimously

E. Approval of Voucher Detail Report

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

Resolved, that the Town Board of the Town of Ossining hereby approves the Voucher Detail Report dated December 8, 2009 in the amount of \$ 231,477.71.

Motion Carried: Unanimously

F. A RESOLUTION AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$5,000,000 TAX ANTICIPATION NOTES OF THE TOWN OF OSSINING, WESTCHESTER COUNTY, NEW YORK, IN ANTICIPATION OF THE COLLECTION OF TAXES LEVIED OR TO BE LEVIED FOR THE FISCAL YEAR OF SAID TOWN COMMENCING JANUARY 1, 2010.

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

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Town Board of the Town of Ossining, Westchester County, New York, as follows:

Section 1. Subject to the provisions of the Local Finance Law including, in particular, Section 24.00 (a)(1)(a), the power to authorize the issuance of and to sell tax anticipation notes of the Town of Ossining, Westchester County, New York, in an amount not to exceed \$5,000,000.00, including renewals thereof, in anticipation of the collection of taxes levied or to be levied for the fiscal year of said Town commencing January 1, 2010, is hereby delegated to the Supervisor. Such notes shall be of such terms, form and contents, and shall be

sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 2. All further powers necessary to authorize the issuance of and to sell such tax anticipation notes as authorized in Section 1 hereof, including renewals thereof, in anticipation of the collection of any such taxes or assessments as described in Section 1 hereof, is hereby delegated to the Supervisor of said Town, the chief fiscal officer.

Section 3. Such notes shall be of such terms, form and contents as may be determined by said Supervisor, pursuant to the provisions of the Local Finance Law.

Section 4. This resolution shall take effect immediately.

The question being put, the vote was called with the following result:

Councilmember Harter	Voting	Aye
Councilmember Krieger	Voting	Aye
Councilmember Wilcher	Voting	Aye
Councilmember Tawil	Voting	Aye
Supervisor Borgia	Voting	Aye

The resolution was thereupon declared duly adopted.

G. Retirement-Park Groundskeeper

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 accepts, with regret, the retirement of Joseph T. Marino as Park Groundskeeper effective December 31, 2009.

Motion Carried: Unanimously

H. Town Property-Declaring Surplus Equipment

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 declares the following police department computer equipment as surplus and authorizes the sale of, to the best offer made; however, if no sale is able to be made due to the poor condition of the equipment, the Town Board authorizes the equipment to be disposed of:

<u>EQUIPMENT</u>	<u>MODEL/SERIAL #</u>
(4) Gateway Keyboards	Q9011A1048 J9060M2210 A018448 Q9136A1902
(4) Gateway Monitors	L1230702689 Model EV730 17004AA01899 Model EV700 17014D444773 Model EV700 17004AA04226 Model EV700

Motion Carried: Unanimously

## VI. MONTHLY REPORTS

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

November-Clerk Monthly report  
November- Building Department  
November- Tax Receiver's Monthly report

Motion Carried: Unanimously

## VII. VISITOR RECOGNITION

John Perillo, Havell Street, requested a clarification of the vacant Town Board seat. Does the Board have to choose between the two sitting Councilmembers? Will the Board accept letters of interest and/or resumes from individuals interested in the position of Town Councilmember? Supervisor Borgia stated that the Town Board was open to receive letters from interested individuals and that the Board does not have to choose between the two sitting Board members. In response to Councilmember Krieger's statement regarding the School Vote that there will be no cost to the Taxpayer. The Board of Education did not notice the Community regarding this vote. Mr. Perillo wished everyone a Merry Christmas.

Art Sullivan, Haymont Terrace, stated that the school EXCEL Program is subject to an annual review and that there is no guarantee the tax money will be there. He also requested an explanation of the bid process. The Town Clerk provided that information to him.

Marcia Perillo, Havell Street, questioned whether the Community would be made aware of the process for filling the Councilmember vacancy. How will this information be communicated to the Community? Supervisor Borgia stated that the request for letters or resumes would be announced at Board Meetings if and when it is appropriate.

Mindy LaMarre, suggested that the Town enacted a law whereby in the event of another tie that it would be put up for an email vote. Supervisor Borgia responded that the Town Board would consider this change, however, it could not be utilized at this time due to the time constraints.

Judy Weintraub, Ganung Drive, discussed the fund balance which is actually a savings account for emergencies that may arise, and should be used wisely. A healthy fund balance will reduce the rates for borrowing for special projects.

The fund balance for the Town General was used to offset the budget increases as follows:

2000	\$920,000
2001	960,000
2002	850,000
2003	895,000
2004	895,000
2005	955,000
2006	955,000
2007	955,000
2008	935,000
2009	653,000

The Town General Fund Balance was left with \$9,964. The fund balance for the Town Outside was left with \$83,401. Ms. Weintraub questioned Councilmember Harter since he has been on the Board the longest time as to what the Board's rationale was for using fund balance during 2002 thru 2006 when the economy and the Town was doing well. Supervisor Borgia stated that the question should go thru the chair and that a budget adjustment was made in the Town General as well as the Town Outside Budgets. The Town will attempt to build the fund balance back up and is under discussion with the Citizen's Finance Committee. The Town Board will attempt to keep the tax rate low and keep a long view on the process. There is a seven year goal on the Town General and Town Outside Fund balances. Ms. Weintraub questioned why the Town which was pro IMA's prior to the construction of the North State Road Police Facility, gave up the IMA with the Village of Ossining Police department for dispatching and went out on their own costing a great deal more. The Town of Ossining, Villages of Ossining and Briarcliff

Manor have consultants looking into the merger of these departments. As a matter of fact, the first meeting of this group to discuss the suggestions will take place on Thursday.

Bobby Williams, Spring Street, was concerned that the Town of Ossining had their Budget Hearing on the same day as the Village of Ossining adopted their 2010 Budget plus the fact that the President also spoke to the Nation at the same time. It is difficult to participate in Government when all is going on at the same time. Most residents don't receive a 5% increase in salary, yet the tax increases are greater. Supervisor Borgia responded that the Town has required tightness of the budget and are looking at things in a whole different way.

John Perillo, Havell Street, echoed the comments of Ms. Weintraub relative to the Town/Village IMA that not only dealt with dispatchers but also the use of jail cells. The Village Board made an old bowling alley into 86-88 Spring Street and the Town Board built 507 North State Road, Briarcliff Manor and neither one can accommodate a merger of departments. Supervisor Borgia stated that 507 North State Road can accommodate the additional officers.

Art Sullivan, Haymont Terrace, discussed the combining of Village and Town Services. Is anyone working on County Executive Elect Astorino plan of combining services. All three communities should come to the table to reduce the level of costs.

Mindy LaMarre lives in the Town of Ossining and Mr. Perillo does not speak for her. The Town outside has no real representation.

Councilmember Tawil stated that he was a member of the Town Outside and that the new member of the Board is also a resident of the Town Outside. A member of the audience also stated that Councilmember Krieger is also a member of the Town Outside.

#### VIII. ADJOURNMENT-EXECUTIVE SESSSION-PERSONNEL

At 8:40 P.M. Councilmember Harter moved and it was seconded by Councilmember Tawil that the meeting be adjourned.

Motion Carried: Unanimously

Approved:

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Mary Ann Roberts, Town Clerk