



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

**AUGUST 14, 2012
7:30 P.M.**

**SUPERVISOR
Susanne Donnelly**

**COUNCILMEMBERS
Geoffrey Harter Eric P. Blaha
Peter Tripodi Northern Wilcher**

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

The Regular Meeting of the Town Board of the Town of Ossining was held on August 14, 2012 in the Police/Court Facility, 86-88 Spring Street in Ossining. The meeting was called to order at 7:30 p.m. by Supervisor Susanne Donnelly. Members of the Board present were: Councilmembers Northern Wilcher, Eric Blaha, Geoffrey Harter and Peter Tripodi IV. Also present were Town Attorney Wayne Spector, Budget Officer Madeline Zachacz and Town Clerk Mary Ann Roberts.

II. PRESENTATION- O'Connor Davies, LLP-Auditors Review 2011 Audit

Supervisor Donnelly announced that our auditors from O'Connor Davies, LLP will share with us their conclusions on the state of the Town of Ossining finances for the year ending 2011. Tom, can you do the introductions?

Mr. Domonic Consola provided a brief overview of the financial report covering three budgets including Town General, Town Outside and Highway. The revenues for the Town General were \$4,763,778 for the original budget with an actual of \$4,853,130 and expenses of the original budget were \$4,624,250 with an actual budget of \$4,552,579. The fund balance at the end of the year was \$1,261,801. The Town General is in good condition.

The Town Outside Budget total assets for 2011 were \$2,374,777 with total liabilities of \$1,276,212 with a fund balance of \$1,098,565. The Town Outside is also in great shape. The Highway Budget has total assets of \$789,663 with \$226,024 in total liabilities and a fund balance of \$563,639. This budget is also in excellent condition.

Councilman Tripodi questioned whether the liabilities and assets could be separated from the Town Outside and the Town General. Mr. Consola stated that they were and suggested that he go to page 52 for unassigned fund balance.

Comptroller Thomas Warren stated that the Financial Highlights on Page 4 of the Management Letter were written by the Town and reviewed by the auditors. The Town Justice Court Audit still has to be accepted by the Town Board.

Councilman Tripodi questioned whether the \$27,000 was a change in employees. Supervisor Donnelly stated that immediate action was taken and gave kudos to Tom Warren and Dale Ferreira.

AWARDS PRESENTATION

We also have with us tonight a group of Village of Ossining employees who we believe deserve to be recognized for their exceptional team work during an emergency at the Ossining Community Pool on July 25th. While in the job

description of Life Guard you are expected to perform your duties, but rarely does one expect to be called upon to actually save a life. At times we must all stop to thank these unsung heroes that watch over our children, family members and friends and many times our neighbors, some of which some are senior citizens.

This group of dedicated employees know the regulars at the Pool, and immediately noticed when this swimmer appeared to be in distress. Thanks to their quick reaction and their fantastic training, they were able to continue CPR until OVAC arrived. Phelps Hospital also mentioned how impressed they continue to be with the staff of the Ossining Pool, especially after this incident.

Superintendent of Parks & Recreation Henry Atterbury was introduced as the names of the individuals being honored were read and they are:

- Jairo Delgado
- Andrea Dennis
- Leanne Conklin
- Sabrina Martine
- Debbie Freda
- Katrina Baker

Mr. Atterbury stated that this is the third time in two years that an individual has been saved from drowning in the pool. It was a very emotional time for all and they deserve a round of applause.

Councilman Wilcher stated that pay has nothing to do with saving lives. You are there to help those in distress.

III. ANNOUNCEMENTS

Supervisor Donnelly announced that the Town Hall Meeting will be held at the Ossining Public Library Theater on Tuesday, August 21 at 7:30 p.m. Please go around to the back of the Library for entrance.

IV. PUBLIC COMMENT ON AGENDA ITEMS

V. BOARD RESOLUTIONS

A. Approval of Minutes-Regular Meeting

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

Resolved, that the Town Board of the Town of Ossining hereby approves the July 24, 2012 Minutes of the Regular Meeting as presented.

Motion Carried: Unanimously

B. Approval of Minutes-Special Meeting

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

Resolved, that the Town Board of the Town of Ossining hereby approves the July 31, 2012 Minutes of the Special Meeting as presented.

Motion Carried: Unanimously

C. Approval of Minutes-Special Meeting

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

Resolved, that the Town Board of the Town of Ossining hereby approves the August 7, 2012 Minutes of the Special Meeting as presented.

**Vote: 4-1-0
Voting Aye: Wilcher,
Tripodi, Blaha & Donnelly
Abstain: Harter**

D. 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 August 14, 2012 in the amount of \$1,635,791.06

Motion Carried: Unanimously

E. Personnel- Part Time Appointment

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 appoints Jeremiah F. Sullivan, Yonkers, to the part-time position of Paralegal effective August 20th, 2012 at \$18.00/ hr.

Motion Carried: Unanimously

F. Budget Modification

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

Resolved, that the Town Board of the Town of Ossining hereby makes the following budget adjustments to the 2012 adopted budget:

<u>Account Number</u>	<u>Description</u>	<u>Increase Amount</u>	<u>Decrease Amount</u>	<u>Account Number</u>	<u>Description</u>
BUILDINGS					
010.1620.0428	Dues	4644.00	4644.00	010.1990.0400	Contingency
PARKS					
010.7110.0110	Recreation-Part Time	800.00	800.00	010.1990.0400	Contingency
HIGHWAY					
031.5110.0101	Personal Services-Reg	31213.00	31213.00	031.1990.0400	Contingency

AMBULANCE

066.4540.0475	Ambulance Dist.Cntrl	101265.96	101265.96	066.0066.2351	Reimb.Village of Croton Amb. Svc
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Tax Certiorari Reserve Budget Adjustment to Expense and Revenue lines charged; All funds

010.1930.0438	Judgments and Claims	36853.46			
010.0010.1001	Tax Revenue	16487.60	53341.06	010.0010.4795	Fund Balance
020.1930.0438	Judgments and Claims	36908.43			
020.0020.1001	Tax Revenue	10844.46	47752.89	020.0020.4795	Fund Balance
031.1930.0438	Judgments and Claims	27792.37			
031.0031.1001	Tax Revenue	8656.74	36449.11	031.0031.4795	Fund Balance
045.1930.0438	Judgments and Claims	2858.51			
045.0045.1001	Tax Revenue	988.14	3846.65	045.0045.4795	Fund Balance
050.1930.0438	Judgments and Claims	249.16			
050.0050.1001	Tax Revenue	45.91	295.07	050.0050.4795	Fund Balance
051.1930.0438	Judgments and Claims	3012.03			
051.0051.1001	Tax Revenue	464.96	3476.99	051.0051.4795	Fund Balance
063.1930.0438	Judgments and Claims	820.34			
063.0063.1001	Tax Revenue	255.74	1076.08	063.0063.4795	Fund Balance
064.1930.0438	Judgments and Claims	6941.35			
064.0064.1001	Tax Revenue	2244.85	9186.20	064.0064.4795	Fund Balance
065.1930.0438	Judgments and Claims	7070.87			
065.0065.1001	Tax Revenue	2140.93	9211.80	065.0065.4795	Fund Balance
066.1930.0438	Judgments and Claims	19743.71			
066.0066.1001	Tax Revenue	2044.82	21788.53	066.0066.4795	Fund Balance

Motion Carried: Unanimously

G. Fulfillment of Agreement- Sale of Crawbuckie Properties to Village of Ossining

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

Whereas, the Town of Ossining passed the following resolution in May of 1982 which, in pertinent part stated;

“Since the Town of Ossining has foreclosed on properties which also lie within the Village of Ossining, and; Since some of these properties (identified by Serial Numbers : 10, 12, 15,17 & 21) are valuable to the Village of Ossining for municipal uses and; since it is within the legal prerogative of the Town of Ossining to make mutually advantageous agreements with another municipality with regard to such properties; Now therefore be it resolved: That the above mentioned properties be sold directly to the Village of Ossining at the offering prices here listed:

Serial No. (10) 89.014-0001-014	Sandy Drive	\$300
Serial No. (12) 89.019-0005-073	Central Ave.	\$25
Serial No. (15) 89.15-0004-049	Sarah Street	\$50
Serial No. (17) 97.007-001-038	Secor Road	\$25
Serial No. (21) 97.007-0001-045	Hunter Street	\$25

For a total sum of \$425, with the conditions that at the earliest opportunity, they be designated for public use and exempt from all but special use taxes, and that the Village of Ossining waive any claim to any share of the proceeds of sale. Payment shall be in full at the date of closing, and any 1982 taxes for the balance of the taxing periods shall also be due and payable at said closing excepting 1982/1983 school taxes which shall become due on September 1, 1982.”

And,

Whereas, the actions ordered in the aforementioned resolution were never completed; now therefore be it

Resolved that the Town Supervisor of the Town of Ossining is hereby authorized to execute the deeds and other required transfer documents to effectuate the conveyance of the aforementioned properties to the Village of Ossining at a total price of \$425, in accordance with the prior Resolution of the Town Board and subject to any conditions of the transfer of the properties as set forth in the 1982 resolution.

Motion Carried: Unanimously

H. Approval of Bid- Installation of New Water Mains

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

Whereas, the Town of Ossining has opened Capital Project #2011-2175 entitled “Cedar Lane & Stormytown Road Water Mains”; and

Whereas, the Town of Ossining publically advertised and received bids for this project, entitled “Installation of New Water Mains”, according to specifications written by consulting engineers, Charles A. Manganaro;

Now therefore be it resolved that the Town Board of the Town of Ossining hereby awards the contract on this project to the lowest responsible bidder in the amount of \$279,937 to WJL Equities Corporation of 274 White Plains Road, Suite No. 7 in Eastchester, New York, at the recommendation of the consulting Engineer and review of the Town Attorney.

Motion Carried: Unanimously

I. Assessment Roll Correction:

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

Whereas, application has been made pursuant to section 556 of the Real property Tax Law of the State of New York (“RPTL”) for correction of the 2011 Town/County tax roll of the Town of Ossining so as to accurately record thereon corrected assessments to which the owners of the real property mentioned are entitled due to clerical errors; and

Whereas, the owners of the following properties have requested a refund and credit of real property taxes due to a clerical error; and

Whereas, the said applications for corrected tax roll have been reviewed by the Assessor and Westchester County Tax Commission, and it is their recommendation

that the applications be approved and implemented as described below; now therefore be it

Ordered and resolved that the following corrections be made and implemented on the Assessment Roll, and other appropriate records by the Assessor and Receiver of Taxes and any other appropriate officials of the Town of Ossining:

2012 Town General Tax: \$121.23

2012 Ossining Ambulance District: \$35.60

Total Refund: \$156.83

And be it further ordered and resolved that the refunds be approved and paid to the property owners who have already paid; and

Be it further ordered and resolved that to the extent that any or all of the foregoing corrections have already been made on the tax records of the Town of Ossining, the said entries and corrections, to the extent they are consistent with this resolution, are ratified and approved.

Motion Carried: Unanimously

J. Personnel-Justice Court-Temporary Appointment

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

The following is an amended resolution from the August 7, 2012 Special Meeting:

Resolved, that the Town Board of the Town of Ossining hereby appoints Mary De Rosa, Harrison, to the temporary position of Part-Time Court Clerk in the Town Justice Court effective August 1st at \$23.00 per hour for the time period of one calendar month.

Motion Carried: Unanimously

VI. CORRESPONDENCE TO BE RECEIVED AND FILED

VII. MONTHLY REPORTS

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 accepts the following monthly reports for the month of July 2012:

- G.E. Helicopter Report
- Town Clerk's Monthly Report
- Town Building Department's Monthly Report
- Tax Receiver's Monthly Report

Motion Carried: Unanimously

VIII. VISITOR RECOGNITION

Bobby Williams, Spring Street, congratulated the life guards and other Recreation Staff for a job well done. It is very important to learn how to swim.

Supervisor Donnelly stressed the importance of swimming only where there are life guards. You can go to the pool or the Spray Park at Engel Park. Thank you to the Recreation and Aquatic Center personnel. Swim lessons are available at the Recreation by calling 941-3189 for further information. On line registration will probably take place the first week in September with in person registration the second week in September and the classes will begin the third week in September.

Richard Taxal of Briarcliff Woods Condo questioned the status of the flooding in his area. Has it been put on the back burner?

Supervisor Donnelly responded that the Town has changed Engineers and are moving forward on three different projects. There are weekly engineering meetings taking place. How has this season been for the residents? Mr. Taxal responded that it has been a good season thus far.

IX. ADJOURNMENT

At 8:15 P.M. Councilmember Tripodi moved and it was seconded by Councilmember Harter that the meeting be adjourned.

Motion Carried: Unanimously

Approved:

Mary Ann Roberts, Town Clerk