



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

**JULY 10, 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 July 11, 2012 in the Police/Court Facility, 86-88 Spring Street in Ossining. The meeting was called to order at 7:30 p.m. by Supervisor Susanne Donnelly. Members of the Board present were: Councilmembers Northern Wilcher, Eric Blaha and Geoffrey Harter. Councilman Peter Tripodi was absent. Also present were Town Attorney Wayne Spector, Budget Officer Madeline Zachacz and Town Clerk Mary Ann Roberts.

II. Public Hearing in the matter of the Increase and Improvement of Facilities of the Town-Wide Water District in the Town of Ossining, Westchester County, New York

At 7:31 P.M., the Public Hearing was opened.

No one came to speak at this Public Hearing.

At 7:33 P.M., Councilman Harter moved and it was seconded by Councilman Wilcher that the Public Hearing be closed.

Public Hearing in the matter of the Petition for Extension of the Ossining Consolidated Sewer District - Michael & Rebecca Costello

At 7:33 P.M., the Public Hearing was opened.

No one came to speak at this Public Hearing.

At 7:34 P.M., Councilman Harter moved and it was seconded by Councilman Wilcher that the Public Hearing be closed.

III. ANNOUNCEMENTS

Supervisor Donnelly wishes everyone a safe great summer.

IV. PUBLIC COMMENT ON AGENDA ITEMS

V. BOARD RESOLUTIONS

A. Approval of Minutes

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

Resolved, that the Town Board of the Town of Ossining hereby approves the June 26, 2012 Minutes of the Regular Meeting as presented.

Motion Carried: Unanimously

B. Approval of Voucher Detail Report

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

Resolved, that the Town Board of the Town of Ossining hereby approves the Voucher Detail Report dated July 10, 2012 in the amount of \$268,427.71

Motion Carried: Unanimously

C. Highway Department- Promotion

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

Whereas, the Highway Department has seen a vacancy in their staff for an Motor Equipment Operator;

Therefore be it resolved that the Town Board hereby authorizes the promotion of Kevin Moore from Road Maintainer to Motor Equipment Operator (MEO) at a salary of \$74,294 effective June 27th 2012, with the understanding that this pay shall not be retroactive.

Motion Carried: Unanimously

D. Resolution To Permit The Payment for Vacation

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

WHEREAS, Nelga A. Farrelly began working for the Town of Ossining on or about January 1, 1994 and was appointed by the Town Board on January 11, 1994; and

WHEREAS, on January 10, 1995, Nelga A. Farrelly was appointed to a full-time position of Deputy Receiver of Taxes effective January 1, 1995, and has been reappointed each year through the present; and

WHEREAS, on January 26, 1999, the Town Board of the Town of Ossining recognized her full-time employment status for the period January 1, 1994 through December 31, 1994 by resolution granting her longevity in the calendar year 1999 pursuant to Town Policy; and

WHEREAS, she met the criteria and performed the duties of a full-time employee of the Town of Ossining as a Deputy Receiver of Taxes during the period of January 1, 1994 through December 31, 1994, but was not credited with service during that period for ten (10) days of holiday and vacation time for purposes of calculating the retirement system benefit to which she is entitled under the New York State Retirement System; and

WHEREAS, employees of the Town of Ossining working similar hours did receive such credit during the period in question; and

WHEREAS, by resolution dated July 27, 2011 the Board authorized Nelga A. Farrelly to be considered a full-time employee of the Town of Ossining for the period January 1, 1994 – December 31, 1994, and to purchase back ten (10) days of holiday and vacation time in accordance with the rules and regulations of, and

subject to the review of, the New York State Retirement System and in accordance with an agreement deemed suitable by the Town Attorney; and

WHEREAS, the Retirement System has informed Ms. Farrelly and the Town that it cannot lawfully authorize service credit for such holidays and vacation unless that time was paid service;

NOW THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the payment to Ms. Nelga Farrelly of ten (10) days of holiday and vacation time that she accrued and earned in 1994, which represents seventy (70) hours of holiday and vacation time at the 1994 hourly rate of eleven (\$11.00) dollars per hour for a total of seven hundred seventy (\$770.00) dollars, less appropriate tax withholding and other applicable payroll taxes;

BE IT FURTHER RESOLVED, that the Board directs that, consistent with any applicable laws, rules and/or regulations, an amended earnings report be filed with the New York State Employees Retirement System reflecting such information as is necessary and required regarding the payment to Ms. Farrelly for ten (10) days of holiday and vacation time that she accrued and earned in 1994.

Motion Carried: Unanimously

E. Personnel- Parks Department- Seasonal Appointment

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

Resolved, that the Town Board of the Town of Ossining hereby appoints Jarron Thomas, Ossining, to the seasonal position of Laborer in the Parks Department effective July 5th, 2012 at \$9.00/ hr.

Motion Carried: Unanimously

F. Personnel-Justice Court-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 Lucia Piscopiello, Ossining to the position of Intermediate Clerk in the Town Justice effective July 2nd 2012 at the \$10/hr.

Motion Carried: Unanimously

G. Budget Adjustment – Capital Projects #2008-2161

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

Whereas, the Town opened Capital Project #2008-2161 entitled “Confined Space Equipment” with an original budget of \$25,000; and

Whereas, the Town has chosen to close said Capital Project and transfer surplus to debt service in the amount of \$8,111.51; and

Whereas, the Town Board hereby authorizes the appropriate surplus from debt service to highway fund to satisfy outstanding BAN balance for project in full.

Decrease: 037.5110.2161 \$8,111.51 – Confined Space Equipment

Increase: 037.9901.0900.2161 \$8,111.51 – Transfer to Debt Service

Increase: 036.0036.5036 \$8,111.51 – Transfer from Capital Fund

Increase: 036.9901.0900 \$8,111.51 – Transfer to Highway Fund
Increase: 031.0031.5038 \$8,111.51 – Transfer from Debt Service
Increase: 031.9730.0610 \$8,111.51 – Bond Anticipation Notes - Principal

Motion Carried: Unanimously

VI. CORRESPONDENCE TO BE RECEIVED AND FILED

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

- Town Planning Board Minutes dated June 13, 2012

Motion Carried: Unanimously

VII. MONTHLY REPORTS

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

- Town Building Department Cash Report–June 2012
- Town Clerk’s Monthly June 2012 Monthly Report
- June, 2012 G.E. Helicopter Report

Motion Carried: Unanimously

VIII. VISITOR RECOGNITION

Bobby Williams, Spring Street, discussed the Supreme Court decision on healthcare. It is beneficial for all to have health insurance. You may not be aware of a health issue when you are young, but anything can happen. While at a wake last week, he thought about young people and the end of the school year with the loss of young people. Please be safe and follow all safety precautions.

IX. ADJOURNMENT – EXECUTIVE SESSION – REAL ESTATE

At 7:47 P.M. Councilmember Harter moved and it was seconded by Councilmember Wilcher that the meeting be adjourned.

Motion Carried: Unanimously

Approved:

Mary Ann Roberts, Town Clerk