



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

**FEBRUARY 23, 2010
7:30 P.M.**

**SUPERVISOR
Catherine Borgia**

**COUNCILMEMBERS
Geoffrey Harter Michael L. Tawil
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 February 23, 2010 in the Police/Court Facility, 86-88 Spring Street in Ossining. The meeting was called to order at 7:40 p.m. by Supervisor Catherine Borgia. Members of the Board present were: Councilmembers, Geoffrey Harter, Michael Tawil, Northern Wilcher and Peter Tripodi. Also present were Town Attorney, Wayne Spector, Budget Officer, Connie Cerny and Town Clerk, Mary Ann Roberts.

II. PUBLIC HEARING –In the matter of the Application for a Cabaret License for the Tuscan Grille, 518 North State Road, Briarcliff Manor.

The public hearing was opened at 7:50 p.m.

Tana McGuire, Yorktown Heights resident and co-owner of the Tuscan Grille, was present to answer any questions that the Board or the public might have. Karaoke will be held on Wednesday and Friday nights from 7 – 11 p.m. Councilmember Harter questioned how it works? Ms. McGuire responded that on Wednesday nights they come in to practice and have the actual contest on Friday nights. It is fabulous and invited members of the public and Board to participate. It has brought in a lot of business.

At 7:44 p.m., Councilmember Tawil moved and it was seconded by Councilmember Krieger that the public hearing be closed.

Motion Carried: Unanimously

III. ANNOUNCEMENTS

Supervisor Borgia announced that in conjunction with the Village, the Green Committee is planning an Earth Day Celebration which marks its 40th Anniversary as well as Stash the Trash which is celebrating its 20th Anniversary on April 17th beginning at 9 a.m. at the Joseph G. Caputo Community Center at which time your assignments for clean up will be distributed. Later on in the day at Engel Park there will be vendors, children's activities amongst other things to commemorate these Anniversaries. If you are interested in participating, please call the Supervisor's office at 762-6001.

Town Clerk Mary Ann Roberts announced Records Retention Day which will be held in the Town of Ossining on Thursday, March 4th. Administrative offices in the Town

will be closed and will re-open on Friday, March 5th. The Clerk's office, however, will be open to Funeral Directors for burial permits.

IV. PUBLIC COMMENT ON AGENDA ITEMS

V. BOARD RESOLUTIONS

A. Approval of Minutes

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

Resolved, that the Town Board of the Town of Ossining hereby approves the February 9, 2010 Minutes of the regular Meeting as presented.

Motion Carried: Unanimously

B. Approval of Voucher Detail Report

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

Resolved, that the Town Board of the Town of Ossining hereby approves the Voucher Detail Report dated February 23, 2010 in the amount of \$79,593.46 for 2009 and \$220,857.59 for 2010.

Vote: 4 –1 –0

Voting Aye: Harter, Tawil,
Borgia, Wilcher

Voting Nay: Tripodi

C. Finance-2009 Budget Adjustment

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

Whereas, the Town of Ossining applied and received a grant from New York State Records and Archives to microfilm, digitize and index all cemetery records; and

Whereas, on October 14, 2008, the Town Board established a capital project in the amount of \$8,459.00 entitled Dale Cemetery microfilming project to be fully funded by the New York State Archives Local Government Management Improvement Fund; and

Whereas, the project has been completed and the total costs are \$6,348.27 and it is now necessary to adjust the capital project from \$8,459.00 to \$6,348.27; now therefore be it

Resolved, that the Town Board of the Town of Ossining hereby authorizes the following budget adjustments to be made to the Dale Cemetery microfilming capital project # 2008-2165:

Decrease:	037-0037-3097-0165 (Revenue)	\$6,348.27
	037-8810-2165 (Expense)	\$6,348.27; and be it further

Resolved, that the Town Board authorizes Capital Project # 2008-2165 to be closed.

Motion Carried: Unanimously

D. Finance-2009 Budget Adjustment

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

Councilmember Tripodi discussed an upcoming IMA Meeting at which time he would like to bring up the costs of the sewer districts pertaining to the Village and Town. Supervisor Borgia responded that the upcoming IMA meetings with the Town and Village of Ossining and the Village of Briarcliff Manor is on a higher level of discussion and is not at this level of detail. Sewers do require capital improvements.

Whereas, on April 22, 2008, the Town Board established Capital Project # 2008-2155 entitled Parker Bale Pump Station in the amount of \$15,850 to be funded by a transfer from the Croton Sewer District fund balance to address the failure of an underground shut-off valve at the Parker Bale pump station; and

Whereas, the project necessitated an additional cost of \$980.00 to replace a fence around the pump station; and

Whereas, the project has been completed and the total costs are \$16,830.00 and it is now necessary to transfer the additional expenditure of \$980.00 from Croton Sewer District Repair and Maintenance and adjust the capital project from \$15,850.00 to \$16,830.00; now therefore be it

Resolved, that the Town Board authorizes the following budget adjustments:

**Increase: 059-9901-0900 \$980.00
Decrease: 059-8120-0419 \$980.00**

**Increase: 037-0037-5031-0155 (Revenue) \$980.00
037-8120-2155 (Expense) \$980.00; and be it further**

Resolved, that the Town Board authorizes Capital Project # 2008-2155 to be closed.

Motion Carried: Unanimously

E. Finance-Closing Capital Projects

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

Resolved, that the Town Board of the Town of Ossining hereby authorizes the following completed capital projects to be closed:

**037-1110-2154-Justice Court Assistance Program
037-1355-0458-2000-0009-Tax Maps
037-1355-0458-2127-Tax Maps GIS Infrastructure Implementation
037-1355-0458-2136-LGRMIF State Grant
037-5110-2128-64 Morningside Drive
037-5110-2138-Multi-Modal Road Paving
037-5110-2153-Micro-Surfacing-Highway
037-5130-2164-Highway Vibratory Asphalt Roller
037-8120-9314-Knollwood Sewer District
037-8120-9315-Croton Sewer District**

Motion Carried: Unanimously

F. Resignation – Board of Assessment Review – David Rothman

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

Resolved, that pursuant to a letter of submission dated October 21, 2009, the Town Board of the Town of Ossining hereby accepts the resignation of David M. Rothman, Member of the Board of Assessment Review, effective immediately.

Motion Carried: Unanimously

G. Agreement-Police Department-New York State Federal Excess Property Program

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

Resolved, that the Town Board of the Town of Ossining hereby authorizes the Supervisor and Police Chief to enter into a Memorandum of Agreement with New York State and the Division of Criminal Justice Services to participate in the exchange of excess law enforcement property from the Department of Defense.

Motion Carried: Unanimously

VI. MONTHLY REPORTS

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

Resolved, that the Town Board of the Town of Ossining hereby accepts the Monthly Reports for January, 2010 from the Tax Receiver's office and the Police Department.

Motion Carried: Unanimously

VII. VISITOR RECOGNITION

Steve Worthy, a Croton resident, has been involved in Ossining history for many years, particularly Cedar Lane Park. The Kress Family lived at this location for more than 45 years and are the founding family of S.H. Kress & Company. There were many old master paintings as well as many pieces of art that were donated to museums and schools around the Country. Mr. Worthy is requesting that Cedar Lane Park be renamed in honor of the Kress Family and that at least one acre of it be landmarked.

Councilmember Tripodi questioned whether Mr. Worthy was just proposing a name change or is there more to it. Mr. Worthy responded that quite a few proposals were given to the Town Board. Councilmember Tripodi requested Mr. Worthy to give him a tour of the facility.

Supervisor Borgia requested that Mr. Worthy gather a committee together to discuss the proposal. Ms. Borgia has visited the sight and found that the buildings in question are in grave stages of disrepair. The Town does not have the funds available to do extensive work, but gather a committee and together we can look into it.

Supervisor Borgia announced the Town Board will hold a Work Session at 16 Croton Avenue in the Supervisor's Conference Room on Tuesday, March 2nd, beginning at 7:30 p.m. and the next Legislative Meeting will be held at 86-88 Spring Street on March 9th at 7:30 p.m.

VIII. ADJOURNMENT-EXECUTIVE SESSION-PERSONNEL

At 8:20 P.M. Councilmember Tawil moved and it was seconded by Councilmember Harter that the meeting be adjourned to Executive Session.

Motion Carried: Unanimously

Approved:

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Mary Ann Roberts, Town Clerk**