



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

**AUGUST 13, 2013
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 23, 2013 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, Geoffrey Harter and Peter Tripodi. Councilman Eric Blaha arrived at 7:40 p.m. Also present were Town Attorney Wayne Spector, Budget Officer Madeline Zachacz and Town Clerk Mary Ann Roberts.

II. ANNOUNCEMENTS

Tonight we will be passing resolutions concerning personnel in the Town. We have had a resignation in the courts as well as have someone leave us in the Parks Department. Both these positions will be filled, the courts assistance court clerk will be filled by Marnel Ashpole who will be promoted from an Intermediate Clerk to the position of Assistant Court Clerk. We are thrilled we can promote from within and this is another example of how well the transition from two courts to one Town Court is coming along. Marnel came to the Town in the transfer and has been doing an excellent job so it is with great pleasure we promote her.

Our parks Department full time employees were down to three for the Town, with large parks we found that we needed to bring that number up to four during the 2013 budget cycle. We determined that we could wait until after the first quarter. The young man who was selected and the Town parted company so it is with great pleasure we will appoint Jason Clark to a full time position. Jason has been working for the Town as a seasonal employee for over 7 years and he is an exceptional young man.

We will be hiring two seasonal employees for the parks department, tonight. We need to work on the parks so we will be hiring more seasonal help. These are the individuals that help us get through the times of the year when the parks are heavily used.

Every six years a Town must re-appoint the Assessor. We take great pride in re-appointing Fernando Gonzalez to the position. Fernando came to us 1 ½ years ago and we have been extremely proud of the job he has done. His open door policy has helped many residential and commercial property owners understand their taxes and in some cases together they determine the property needed to be reevaluated. He is responsible for a team of customer oriented individuals who go out of their way to work with each resident and property owner.

We are having a foreclosures sale tomorrow at 1:00 PM in the Board Room of the Municipal Building please go on line to the Town Web Page to see the two

properties that we must sell to satisfy the taxes owned on the property. Also if you are interested you must register for the auction at the Tax Receiver's office and those details are on the web page too.

A title search for the properties with delinquent taxes is a constant process and we will now be using several services to perform this function.

We are also allowing a resident a payment plan on back taxes. All new taxes must be kept up to date but with the payment of over 50% of the taxes owed we are allowing this particular residential tax payer to pay their delinquent taxes over a 12 month period.

We are also rededicating the playground and spray park at Louis Engel Park after John Chervokas who was instrumental in getting the grant funding for this much used Spray Park and playground. In September we will hold a dedication ceremony and we will give you ample notice, as we hope many of you attend this ceremony. The playground and spray park brings children of all ages together for fun and to cool off during these very warm days of summer.

Lastly we will accept the proposal from Greg McWilliams to do a feasibility study on the Town owned building in Louis Engel Park. It is the responsibility of the Town to safeguard the taxpayers when there is a potential for safety issues due to a future storm and we must also look at every asset of the Town to determine if there are new avenues of revenues other than property taxes. While we understand the importance of the Ossining Boat and Canoe Club we are looking to see if part of the new raised building can be a restaurant for all to enjoy as well as increase revenue dollars for the Town General fund which will benefit all taxpayers in the Town of Ossining. Please watch for the public meetings we will be having as we discuss this and determine its feasibility.

It is essential that every elected officials understand that it is their responsibility to protect the assets of the Town and it is not their job to politicize their position by making promises that do not benefit the majority of the taxpayers but rather a single individual or property owner. When promises are made that are unlawful and/or on private property it causes many problems. It is a misuse of employees, machinery, vendors, and actual funds of the Town. Many times these promises make others uncomfortable because they are the ones that have to look like the bad guys by saying no and that is not only unfair but it destroys the team effort.

Always remember Politicians are elected to lead not to please.

III. PUBLIC COMMENT ON AGENDA ITEMS

IV. BOARD RESOLUTIONS

A. Approval of Minutes-Regular Meeting

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 July 23, 2013, Minutes of the Regular Meeting as presented.

Motion Carried: 4-0-0
Ayes: Wilcher, Jeff, Tripodi &
Donnelly

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 August 13, 2013 in the amount of \$579,846.69.

**Motion Carried: 4-0-0
Ayes: Wilcher, Jeff, Tripodi & Donnelly**

C. Personnel- Parks Department- Seasonal Appointment

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 appoints Shamel Edwards, Ossining, to the seasonal position of Laborer in the Parks Department effective August 13th, 2013 at \$8.00 per hour.

**Motion Carried: 4-0-0
Ayes: Wilcher, Jeff, Tripodi & Donnelly**

D. Personnel- Parks Department- Seasonal Appointment

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 appoints Ramel DuBois, Ossining, to the seasonal position of Laborer in the Parks Department effective August 13th, 2013 at \$8.00 per hour.

**Motion Carried: 4-0-0
Ayes: Wilcher, Jeff, Tripodi & Donnelly**

E. Personnel- Parks Department- 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 Jason Clark, Ossining, to the probationary position of Park Groundskeeper in the Parks Department effective August 12th, 2013 at an annual salary of \$53,390.

Motion Carried: Unanimously

F. Personnel- Assessor's Office, Re-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 Fernando Gonzalez, IAO, to a six year term beginning on October 1st, 2013 and expiring on September 30th, 2019, pursuant to New York State Real Property Tax Law.

Motion Carried: Unanimously

G. Termination- Parks Department

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 terminates the employment of Danye Smith-Robinson, Park Groundskeeper, effective July 31st 2013.

Motion Carried: Unanimously

H. Resignation- Town Court

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 accepts, with regret, the resignation of Barbara Sarmiento from the position of Assistant Court Clerk in the Town Court, effective July 22nd, 2013.

Motion Carried: Unanimously

I. Personnel- Town Court - Promotion

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 Marnel Ashpole, Ossining, to the probationary position of Assistant Court Clerk in the Town Court effective August 12th, 2013 at an annual salary of \$45,000.

Motion Carried: Unanimously

J. Resignation- Assessor's Office

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 accepts, with regret, the resignation of Barbara Sarmiento from the part-time position of Paralegal, effective July 18th, 2013.

Motion Carried: Unanimously

K. Taxes-Foreclosure 2013 Title Search

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 authorizes Robin Goldsand of the RG Agency to perform the title and lien searches required in connection with the 2013 list of delinquent taxes in preparation for In Rem foreclosure proceedings at a fee of \$200 per parcel.

Motion Carried: Unanimously

L. Receiver of Taxes-Payment Plan-108 Croton Avenue

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

Whereas, certain property taxes have not been paid on the parcel located at 108 Croton Avenue resulting in commencement of In Rem foreclosure proceedings; and

Whereas, the owner has already paid greater than 50% of the arrears and now seeks a payment plan for outstanding taxes due on the property; and

Whereas, the Town Board desires to allow the property owner an opportunity to pay for all outstanding taxes by authorizing the Receiver of Taxes to institute a payment plan with the property owner; now therefore be it

Resolved, that the Town Board of the Town of Ossining hereby authorizes the Receiver of Taxes to set up a payment plan in accordance with the Town Code with the owner of property located at 108 Croton Avenue, Ossining, to satisfy all taxes, interest, penalties and fees due to the Town of Ossining; and be it further

Resolved, that based on the unique circumstances of this case, this arrangement shall not set a precedent with how future cases are handled.

Motion Carried: Unanimously

M. Spray Park Re-Dedication- Louis Engel Park

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

Whereas, former Town of Ossining Supervisor John V. Chervokas was a lover of nature and parks, and

Whereas, Supervisor Chervokas was instrumental in the search for of grant funding in support of the Spray Park project at Louis Engel Waterfront Park, and

Whereas, the Spray Park and Playground at Engel Park has become a facility enjoyed by many throughout the entire Town of Ossining,

Now therefore be it resolved that the Town Board of the Town of Ossining hereby re-names the Spray Park and Playground the “John V. Chervokas Spray Park at Louis Engel Park”, and re-dedicates the spray park in his memory.

Motion Carried: Unanimously

N. Contract-Greg McWilliams

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 accepts the proposal from Greg McWilliams to complete a feasibility study at Louis Engel Waterfront Park, with fees in accordance with his letter to the Town Supervisor dated June 17th, 2013.

Motion Carried: Unanimously

V. CORRESPONDENCE TO BE RECEIVED AND FILED

Resolved, that the Town Board of the Town of Ossining hereby accepts the following:

VI. MONTHLY REPORTS

Councilmember Tripodi 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 July 2013:

- **Town Building Department**
- **Town Clerk’s Office**
- **Tax Receiver’s Office**
- **Town Supervisor’s Office**
- **Town Highway Department**
- **G.E. Helicopter Reports for June & July 2013**

Motion Carried: Unanimously

VII. VISITOR RECOGNITION

VIII. ADJOURNMENT – EXECUTIVE SESSION – LEGAL ADVICE

At 7:47 P.M., Councilmember Tripodi moved and it was seconded by Councilmember Wilcher that the Regular Meeting be adjourned.

Approved:

Mary Ann Roberts Town Clerk