



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

**JUNE 9, 2015
7:30 P.M.**

**SUPERVISOR
Susanne Donnelly**

**COUNCILMEMBERS
Geoffrey Harter Eric P. Blaha
Kim L. Jeffrey Northern Wilcher**

7:00 P.M. WORK SESSION

- Discussion-Community Choice Aggregation

Discussion of Community Choice Aggregation took place. This will promote the policy of achieving lower energy prices for residents of the unincorporated area of the Town. A public hearing will be held on June 23, 2015 for public input. This will regulate the pricing on electricity and gas. An RFP will go out under Sustainable Westchester.

Councilmember Jeffrey stated that she thinks this is a fabulous idea of buying power together. She is glad the State is finagling allowing us to do this. Con Edison customers do have the option of opting out of this program.

Councilmember Harter commented that this was a great idea and those involved looking into this.

Councilmember Wilcher thanked everyone for looking into this and explaining it to the public. Now he has to explain it to his wife. This is the way to go as it will help everyone.

Supervisor Donnelly stated that 18 communities out of 40 are participating in this program. When Con Edison de-regulated my family moved to Choice Group and now I will look into opting out to choice this group. Con Edison customers will be able to opt out of this new program and return to Con Edison. The Board will conduct a second Public Hearing on June 23rd. The Solarize Ossining/Briarcliff Program has ended. Two port electrical car chargers will be installed at the DPW on Route 9A.

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

The Regular Meeting of the Town Board of the Town of Ossining was held on June 9, 2015 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, Kim Jeffrey, Eric Blaha and Geoffrey Harter. Also present were Town Attorney Wayne Spector, Budget Officer Madeline Zachacz and Town Clerk Mary Ann Roberts.

II. ANNOUNCEMENTS

Supervisor Donnelly read the following statement:

Good evening

This evening we started at 7:00 p.m. and we had a work session to discuss if the Town would move forward with Community Choice Aggregation

The decision was yes we will move forward. The next step is to hold another public hearing which will be called next June 23 and the public hearing will be July 14th since we have a 5th Tuesday in the month of June. We will not be having a meeting on June 30th letting our staff and members of the Board have some time off and get ready for the fireworks which will be held on Thursday July 2, 2015 at Louis Engel Park. The music with the Mike Risko band will begin at 7:00 PM and the fireworks are scheduled to go off at 9:15 PM. Should there be a bad weather like last year the fireworks would be postponed 1 week until July 9. We are expecting it to be beautiful weather lots of families out picnicking as usual, great music and fabulous fireworks. There will be another band after the fireworks so you can relax and let the crowds thin out.

On our agenda tonight we will be awarding the bid on the Senior Nutrition Program to Hubbard's Cupboard the same company as last year. We have been very happy with the food supplied to our seniors. We have one tax certiorari on the agenda as well as budget adjustments.

Some of the adjustments were expected for example the moving of funds in the Town Justice budget from court security to Part time. We have taken the contractual court security and made them employees due to a request from the state of NY. We have our outside legal services in our contingency and we are moving \$17,741.00 for a bill from this period. We are still waiting on the last bill for the 17/20 case but that will leave us with funds as we budgeted \$50,000 in Town General and \$50,000 in the Unincorporated Budget. As stated at earlier meetings we will not take out a ban/bond for the purchase of the two transit vans for our senior program. Even with cost of money still at all-time lows we determined that this expenditure will come out of a budget transfer that would have been spent on attorneys if the law suit had continued.

The other major expense has been the cost of employees Out of title costs and salt for the 26 snow storms we had since January 1, 2015. A total of \$92,726.00 had to be transferred out of Highway fund balance. This is a prime example of why all municipalities must have robust fund balances and always watch the budgets. Instead of referring to it as a rainy day fund we will refer to this year as a snowy day fund...

Lots of great things happening this weekend. We are looking forward to seeing you all at the fair.

III. PUBLIC COMMENT ON AGENDA ITEMS

IV. BOARD RESOLUTIONS

A. Approval of Minutes-Regular Meeting

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 May 26, 2015, 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 Blaha that the following be approved:

Resolved, that the Town Board of the Town of Ossining hereby approves the Voucher Detail Report dated June 9, 2015 in the amount of \$560,292.52.

Motion Carried: Unanimously

C. Senior Services - Awarding Bid of Nutrition Program

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

Whereas, the Town solicited bids for the Senior Nutrition Program Meal service, to be opened in the Office of the Town Clerk on December 1st, 2014;

Therefore be it Resolved, that the Town Board of the Town of Ossining hereby awards the bid of "Meals for the Elderly Nutrition Program" to the lowest responsible bidder, namely Hubbards Cupboard, 440 Mamaroneck Avenue, Harrison NY, in the amount of \$4.00 per meal from January 1, 2015 to December 31, 2015, with the Town reserving the option to extend this contract for an additional two years (January 1st, 2016 through December 31st, 2016 and January 1st, 2017 through December 31st, 2017, respectively) at an increase no more than the Consumer Price Index.

Motion Carried: Unanimously

D.

TAX CERTIORARI

Andrew Samalin,

vs.

Town of Ossining

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

WHEREAS, proceedings pursuant to Article 7 of the Real Property Tax Law of the State of New York were instituted by Andrew Samalin, against The Town of Ossining, to review the tax assessments made on Petitioner's property located at 188 Spring Street, Town of Ossining, and designated on the tax assessment map of The Town of Ossining as Section 97.07, Block 5, Lot 58; for Tax Assessment Year 2013, which proceedings are now pending in the Supreme Court of the State of New York, County of Westchester, under Index No. 67046-13; and

WHEREAS, the above Petitioner has agreed to a compromise and settlement of such proceedings, subject to the approval of the Town Board, correcting and reducing the assessed valuation of its real property and improvements, as follows:

**Tax ID : Section 97.07, Block 5, Lot 58 SBL: 97.07-5-58 188 Spring Street,
Ossining, N.Y.**

Assessed Valuation

Assessment Year	Reduced From	Reduced To	Assessment
Reduction			
2013	\$25,300	\$20,450	\$4,850

WHEREAS, any and all refunds necessitated by said settlement will be made without interest; and

WHEREAS, the Town Board, upon the recommendation of the Assessor, concurred by the Town Attorney, finds the proposed settlement appropriate and in the best interest of the Town of Ossining; now therefore it is

RESOLVED, that settlement of the proceedings, on the terms set forth herein, is hereby accepted and approved, subject to the approval of the Supreme Court, Westchester County, wherein such proceedings are pending; and it is further

RESOLVED, that the Town Attorney is hereby authorized and directed to procure and execute any documents necessary to effectuate such settlement; and it is further

RESOLVED, subject to the approval of the Supreme Court, Westchester County, that the Assessor is authorized and directed to make the changes and corrections to the individual unit assessment on the tax assessment roll of the Town of Ossining, which will be ordered pursuant to the Consent Judgment to be entered in accordance with the terms of this settlement, and the Receiver of Taxes is authorized and directed to process and pay the refund of Town of Ossining taxes estimated to be \$77.46 , which will be ordered pursuant to said Consent Judgment.

Motion Carried: Unanimously

E. Budget Adjustments

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

Resolved, that the Town Board of the Town of Ossining hereby makes the following budget adjustments to the 2015 adopted budget:

TRANSFER TO G/L ACCOUNT	AMOUNT	AMOUNT	TRANSFER FROM G/L ACCOUNT
TOWN BOARD			
TOWN JUSTICE			
010.1110.0424 Consultant/Computer	85.00	85.00	010.1110.0436 Postage
010.1110.0110 Part Time	8000.00	8000.00	010.1110.0454 Court Security
TRAFFIC VIOLATIONS BUREAU			
SUPERVISOR			
010.1220.0405 Conference	245.00	245.00	010.1220.0417 Education
INDEPENDENT AUDIT			
TAX COLLECTION			
010.1330.0110 Part Time	429.00	429.00	010.1330.0109 Sick Incentive
TOWN CLERK			
010.1410.0201 Equipment	405.00	405.00	010.1410.0402 Printing
010.1410.0419 Maint/ Repair	883.00	883.00	010.1410.0401 Supplies
TOWN ATTORNEY			
010.1420.0426 Special Counsel	2671.00		
010.1420.0494 Property Auction Exp.	100.00	2771.00	010.1420.0420 Litigation
ENGINEER			
ELECTIONS			
BUILDINGS			
010.1620.0201 Equipment	3466.00	3466.00	010.1990.0400 Contingency
TAXES ON ASSESSED PROPERTY			
010.1950.0438 Taxes	334.00	334.00	010.1980.0438 MTA Payroll Tax
PUBLICITY			
010.6410.0419 Materials and Signs	795.00	795.00	010.1990.0400 Contingency

**TRANSPORTATION SUPPORT
SERVICE**

010.6772.0402 Printing	467.00		
010.6772.0449 Parts & Labor	950.00	1417.00	010.6772.0411 Gasoline

PARKS

010.7110.0449 Parts/ Labor	817.00	817.00	010.7110.0419 Maint/ Repair
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PARKS SEWER LIFT STATIONS

RECREATION IMA

CELEBRATIONS

010.7550.0438 Supplies and Services	3936.00	3936.00	010.7310.0475 Contractual VOS
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EMPLOYEE BENEFITS

TOTALS	23583.00	23583.00	
TRANSFER TO G/L ACCOUNT	AMOUNT	AMOUNT	TRANSFER FRM G/L ACCNT

INDEPENDENT AUDIT

ENGINEER

MCTMT PAYROLL TAX

OTHER GENERAL GOVERNMENT 020.1989.0413 Consultant/ Contractual	17741.00	17741.00	020.1990.0400 Contingency
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POLICE

ANIMAL CONTROL

BUILDING 020.3620.0449 Parts/ Labor	2676.00	2676.00	020.3120.0419 Maint/ Repair
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ZONING

PLANNING 020.8020.0414 Contractual Steno	278.00		
020.8020.0428 Dues	800.00		
020.8020.0436 Postage	40.00	1118.00	020.3120.0419 Maint/ Repair

EMPLOYEE BENEFITS

TRANSFERS

TOTALS	21535.00	21535.00	
TRANSFER TO G/L ACCOUNT	TO ACCOUNT:	FROM ACCOUNT:	TRANSFER FRM G/L ACCNT

INDEPENDENT AUDIT

MCTMT PAYROLL TAX

STREET ADMINISTRATION

STREET MAINTENANCE

MACHINERY			
031.5130.0201 Equipment	3905.00	3905.00	031.5130.0449 Parts/ Labor
GARAGE			
WEEDS & BRUSH			
SNOW REMOVAL			
031.5142.0103 OOT Pay	6474.00		
031.5142.0105 Overtime	37902.00		
031.5142.0450 Salt	48350.00	92726.00	031.0031.4795 Fund Balance
EMPLOYEE BENEFITS			
BOND ANTICIPATION NOTES			
TRANSFERS			
TOTALS	96631.00	96631.00	
TRANSFER TO G/L ACCOUNT	AMOUNT	AMOUNT	TRANSFER FROM G/L ACCOUNT
CEMETERIES			
032.8810.0203 Car	709.00		
032.8810.0401 Supplies	678.00		
032.8810.0405 Conference	522.00		
032.8810.0419 Maint/ Repair	1129.00		
032.8810.0438 Supplies/ Services	1591.00	4629.00	032.8810.0467 Liability Insurance
TOTAL	4629.00	4629.00	

2014 Tax Certiorari Reserve Budget Adjustment to Expense and Revenue lines charged; All funds

TRANSFER TO G/L ACCOUNT	AMOUNT	AMOUNT	TRANSFER FROM G/L ACCOUNT
010.1930.0438	Judgement & claims	480.43	
010.0010.1001	Tax Revenue	121.18	601.61 010.0010.5710 Serial Bond
TOTAL		601.61	601.61

Motion Carried: Unanimously

F.Personnel- Highway Department, Promotion

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

Resolved, that the Town Board of the Town of Ossining hereby promotes Marco Piscopiello, Laborer, to the title of Road Maintainer at an annual salary of \$72,052, effective June 8th, 2015.

Motion Carried: Unanimously

G.Personnel- Status Change- Assessment/ Tax Aide

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

Resolved, that the Town Board of the Town of Ossining hereby converts the Provisional status of Patti Cunningham, Ossining, to a Probationary appointment in the role of Assessment/ Tax Aide, effective June 2nd, 2015.

Motion Carried: Unanimously

H. Calling for a Public Hearing Local Law #4 of 2015-Community Choice Aggregation (Energy) Program

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

WHEREAS, the Town of Ossining would like to establish a Community Choice Aggregation (Energy) Program; and

WHEREAS, the State of New York Public Service Commission has recently issued an Order Granting Petition (Commission Case 14-M-0564) of Sustainable Westchester Expedited Approval of the Implementation of a Pilot Community Choice Aggregation program with the County of Westchester; and

WHEREAS, the Town of Ossining wishes to implement a Community Choice Aggregation Program pursuant to Section 10(1)(ii)(a)(12) of the New York Municipal Home Rule Law;

NOW, Therefore be it RESOLVED that the Town Board of the Town of Ossining hereby calls for a Public Hearing on June 23rd, 2015 at 7:30PM at the Birdsall-Fagan Police/ Court Facility, 86-66 Spring Street, Ossining New York to consider Local Law #4 of 2015, entitled "Community Choice Aggregation".

Motion Carried: Unanimously

V. CORRESPONDENCE TO BE RECEIVED AND FILED

VI. MONTHLY REPORTS

Resolved, that the Town Board of the Town of Ossining hereby accepts the following monthly reports for the month of May 2015:

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

VII. VISITOR RECOGNITION

VIII. ADJOURNMENT –EXECUTIVE SESSION-PERSONNEL

At 7:50 P.M., Councilmember Jeffrey moved and it was seconded by Councilmember Harter that the Regular Meeting be adjourned.

Motion Carried: Unanimously

Approved:

Mary Ann Roberts Village Clerk