



**TOWN BOARD  
TOWN OF OSSINING  
BIRDSALL-FAGAN POLICE/COURT FACILITY  
86-88 SPRING STREET – OSSINING, NEW YORK  
JANUARY 12, 2016  
REORGANIZATIONAL MEETING  
7:30 P.M.**

**SUPERVISOR  
Dana A. Levenberg**

**COUNCILMEMBERS  
Karen M. D’Attore   Elizabeth R. Feldman  
Kim L. Jeffrey   Northern Wilcher, Jr.**

**I.      CALL TO ORDER-PLEDGE OF ALLEGIANCE-ROLL CALL**

The Reorganizational Meeting of the Town Board of the Town of Ossining was held on January 12, 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 Dana A. Levenberg. Members of the Board present were: Councilmembers Kim L. Jeffrey, Karen M. D’Attore, Elizabeth R. Feldman and Northern Wilcher Jr. Also present were Town Counsel Steven M. Silverberg, Budget Officer Madeline Zachacz and Town Clerk Mary Ann Roberts.

**II.     PUBLIC HEARINGS**

- Public Hearing in the Matter of Local Law #1-2016 of Modifying References to Town Attorney in Town Code

At 7:32 P.M., the Public Hearing was opened.

No one came to speak on this matter.

At 7:32 P.M., Councilmember Wilcher moved and it was seconded by Councilmember Jeffrey that the Public Hearing be closed.

- Public Hearing in the Matter of Local Law #2 -2016 Consultant Fees in the Town of Ossining

At 7:32 P.M., the Public Hearing was opened.

No one came to speak on this matter.

At 7:32 P.M., Councilmember Wilcher moved and it was seconded by Councilmember Jeffrey that the Public Hearing be closed.

**III.    ANNOUNCEMENTS**

Supervisor Levenberg read the following statement:

Thank you again to the community for supporting me and allowing me to serve and represent you. I am so pleased to work with our newly formed Board, Councilwoman Kim Jeffrey, Councilman Northern Wilcher, Councilwoman Karen D’Attore, and Councilwoman Liz Feldman. As your Town Supervisor, I am excited to be working with you on ways to improve upon all of the good things that are currently happening in the Town, as well as to take a look at some of the challenges and work on turning them into opportunities.

**I have spent my first days in office taking stock of what good work the Town has Accomplished and what was in the planning or interim stages. I have been on an informal listening tour with Town departments and department heads to hear from employees of the Town what has been going well, what has been challenging, and soliciting visions, feedback and suggestions for ways to capitalize on their expertise to improve our systems.**

**I hosted a department heads staff meeting and traveled around our Town offices to meet with the Town Assessor, Tax Receiver, Building Department, Highway Department, Clerk's Office, Park's Department, Senior Nutrition Program, Dale Cemetery, our Planning Consultant, our Environmental Advisory Committee Chair, Village Mayor, Village Manager, Village Engineer who also serves the Town, our Director of Information Technology, our Finance Department, and our Police Liaison. I also met with or communicated with residents who had ideas, visions and/or concerns.**

**This week I will be traveling to Albany for Training along with Councilwomen D'Attore and Feldman. I have also been invited to attend the Governor's State of the State and budget presentation in Albany as well. As we all know, there will be announcements about some large initiatives, which will most likely include incentives for additional government efficiencies and infrastructure projects and economic development. I am hoping to come back with some action items so we can proceed to develop a plan, together, which will best serve our community for many years to come.**

**Please feel free to reach out to me by email or phone, the website is [townofossining.com](http://townofossining.com), and my email is listed there as well as our phone number, 914-762-6001.**

**Finally, there are some public meetings coming up which might be of interest including the Town Planning Board meeting scheduled for January 20<sup>th</sup> at 7:30pm at the Operations Center. Our First Town Hall Meeting is Tuesday, February 2<sup>nd</sup> at the Library, at 7:30pm, topic to be announced.**

**Other upcoming events include the Cooperative Scholarship Fund of Ossining is hosting their annual Martin Luther King Jr. fundraiser this Saturday, January 16<sup>th</sup> at 3pm in the Ossining High School Auditorium followed by a delicious meal. On Monday, for Martin Luther King Jr. Day, I encourage everyone to volunteer for our national day of service, in honor of this great leader who carried with him for all of us a message of peace. Go to [www.volunteernewyork.org](http://www.volunteernewyork.org) and pick the type of service you would like, and you can find organizations to match. Some are over the weekend, so you may want to figure that out soon. Please do participate, and participate in government by communicating with me and with our board about how we can best serve you.**

#### **IV. PUBLIC COMMENT ON AGENDA ITEMS**

**Ms. Donna Sharrett of Morningside Drive read the following statement:**

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Re: Renewal of the Frederick P. Clark contract

Planning and development in the Town of Ossining should always be based on accurate and complete information.

Our town consultant, Mr. Stolman from FP Clark has ignored continued requests for accurate and complete applicant materials for the project proposed adjacent to my husband's and my property. His inaccurate, incomplete and misleading SEQRA Neg. Dec. Memo for this proposal threatens to adversely impact a wetland and stream on our property.

While we embrace new tax revenue opportunities for our town, we adamantly oppose any development which threatens to degrade or destroy residential properties, neighborhoods and natural resources. Sensible development is absolutely possible. In order to achieve this there has to be accurate, complete and transparent reviews and documents.

Several Planning Board decisions had been made which adversely impacted residents and neighborhoods, and which had the potential to impact taxpayers. As example:

1. The Briar Commons development on North State Road adversely impacted adjacent residential properties.
2. A crucial road change went unnoticed when the final site plan for the Thornton Hill development on Hawkes Avenue was approved. The resulting lawsuit and foreclosure had the potential to unduly burden Town taxpayers.

There are currently 5 projects under consideration by the Planning Board, in addition to the Sunshine Home proposal in the Town of New Castle. Many neighborhoods, residential properties and natural resources have the potential to be adversely impacted from these proposals, to include the wetland and stream on our property.

Re: the SEQRA Neg. Dec. Memo

The applicant states in their application that their project will take 18 months. Mr. Stolman states in his Memo that the project will take less than one year.

The applicant states in their application that their project will disturb the entire property. Mr. Stolman states in his Memo that the existing property will be preserved as much as possible.

The applicant states in their application that herbicide will be used as part of their mitigation plan. Mr. Stolman states in his Memo that NO herbicide will be used.

The applicant proposes to disturb required wetland and watercourse buffers. Off-site mitigation is proposed for these losses in a vegetated area up to 100 feet on our property. The mitigation plan is infeasible. I was informed by the town consultant that if the applicant is prevented from mitigating as they have proposed, then they have met their obligation to mitigate and would not be required to mitigate. None of this information is included in Mr. Stolman's SEQRA Memo.

From the beginning of this review process we have been fighting to have the stream on our property recognized. I filed a FOIL to access site plans which show the stream and its connectivity to the Pocantico River, including site plans that Mr. Stolman had reviewed. We also hired our own wetland consultant. All of this information was submitted to the Planning board and Mr. Stolman, including the fact that under the federal Clean Water Act the stream, which is a Pocantico River tributary, and the wetland are considered waters of the United States of America. The tributary is the source of the wetland's hydrology. Mr. Stolman's omits this information in his document. The stream on our property has still not been identified on any of the site plans, and by extension, none of the required buffers for this stream on our property have been identified.

Properly identified the stream would require the buffer area to be about 40 feet wider than currently indicated, under the old laws. The new laws would impose a 100 foot buffer for the wetland.

Also omitted is information about the proposal to reroute the piped portion of the tributary, existence of wildlife on the property, proposed demolition, fill quantities, and the proposed regrading. Mr. Stolman's SEQRA Memo does not include the very impacts which should have been the subject of this review. This document is so inaccurate and incomplete that it in no way describes the project or the property for this proposal.

SEQRA findings must be based upon facts. There needs to be accountability! All materials produced by professional consultants and applicants should be required to be accurate and complete. The standards for our Town should be on par with the standards we expect from our school system.

Our town deserves a town consultant willing to conduct responsible reviews, reviews that are considered not just within the confines of the property lines of a proposed project, but in relation to adjacent properties and natural resources, and with respect to potential impacts to the watershed and lower watershed communities. Nature does not recognize man made property lines, we all live in a watershed and our natural resources comprise the habitat that sustains us. Super Storm Sandy was an environmental response to the past and continued assault against natural resources. We need a consultant that considers the bigger picture and one who is dedicated to accuracy and transparency.

Last year, in spite of the serious Planning review problems, it was explained that the Town's consultant would have his contract renewed one more year because there were 3 new Planning Board members and several large projects under consideration by both the Town and Planning boards.

It is time now for a new Town Consultant.

Donna Sharrett  
84 Morningside Drive  
Ossining

## **V. APPOINTMENTS**

### **1. Deputy Supervisor**

**Supervisor Levenberg appoints Kim Jeffrey Deputy Supervisor for the Town of Ossining effective January 1, 2016.**

### **2. Deputy Receiver of Taxes**

**In accordance with the appropriate provisions of law, Ms. Julie Davis is hereby re-appointed to the office by the Receiver of Taxes of the Town of Ossining for 2016, bearing the title and full responsibilities of Deputy Receiver of Taxes and serving at the pleasure of the Receiver of Taxes.**

### **3. Supervisor's Liaison Appointments**

**Dana Levenberg  
De-facto on all committees**

**Historic Hudson River Towns  
Inter-Municipal Leadership Team  
Westchester Municipal Officials Association  
Ossining Communities That Care**

**Karen D’Attore  
Westchester County  
IFCA  
New York State  
Village of Ossining  
Co-Liaison to Ossining Historical Society**

**Elizabeth Feldman  
Green Ossining Committee  
Ossining Volunteer Ambulance Corps.  
Ossining and Briarcliff Manor Fire Departments  
Ossining Historical Society  
Ossining Boat & Canoe Club  
Liaison to Village of Ossining Water Department  
Co-Liaison to Ossining & Briarcliff Manor Chambers of Commerce**

**Kim Jeffrey  
Deputy Supervisor  
IMA Committee  
Recreation Advisory Board  
Business Development Committee  
Ossining and Briarcliff School Districts  
Liaison to Highway Department  
Co-Liaison to Village of Ossining Water Department  
Co-Liaison to Ossining & Briarcliff Manor Fire Departments  
Village of Briarcliff Manor**

**Northern Wilcher  
Dale and Sparta Cemeteries  
Ossining and Briarcliff Manor Chambers of Commerce  
Liaison to Teatown Lake Reservation  
Co-Liaison to Recreation Advisory Board  
Co-Liaison to Ossining Boat and Canoe Club**

**4. Budget Officer/Personnel Director/Aide to the Supervisor**

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

**Resolved, that the Town Board hereby re-appoints Madeline Zachacz, Budget Officer for the Town of Ossining effective January 1, 2016 through December 31, 2017; and**

**Be It Further Resolved, that the duty of Aide to the Supervisor is in addition to her duties as Budget Officer.**

**Motion Carried: Unanimously**

**5. Justice Court – Town Constables**

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

**Resolved, that the Town Board hereby re-appoints the following to the position of Town Constable, at an hourly rate of \$50.00, to serve at the pleasure of the Board during calendar year 2016:**

**Carlos Castro- Ossining, NY  
Allen Gantz- Ossining, NY**

**Motion Carried: Unanimously**

**6. Justice Court- Court Attendants**

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

**Resolved, that the Town Board hereby re-appoints the following to the position of Town Court Attendants, at an hourly rate of \$20.00, to serve at the pleasure of the Board during calendar year 2016:**

**Mario Conte- Ossining, NY  
John Simkins- Ossining, NY  
Allen Gantz- Ossining, NY  
Richard Fernandez- Cortlandt Manor, NY  
Franklin Jackson-Ossining, NY -\$25.00**

**Motion Carried: Unanimously**

**7. Appointment- Planning Board**

**Councilmember Wilcher moved and it was seconded by Councilmember D'Attore that the following be approved:**

**Resolved, that the Town Board hereby re-appoints Greg McWilliams, Ossining, to the Town of Ossining Planning Board for five-year term set to expire on 12/31/2020.**

**Motion Carried: Unanimously**

**8. Appointment- Planning Board**

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

**Resolved, that the Town Board hereby appoints Marc Hoefflich, Ossining, to the Town of Ossining Planning Board for a five-year term set to expire on 12/31/2020.**

**Motion Carried: Unanimously**

**9. Appointment- Zoning Board of Appeals**

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

**Resolved, that the Town Board hereby re-appoints Sal Carrera, Ossining, as Chair of the Town of Ossining Zoning Board of Appeals for a five-year term set to expire on 12/31/2020.**

**Motion Carried: Unanimously**

**10. Appointment- Zoning Board of Appeals**

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

**Resolved, that the Town Board hereby re-appoints James Blair, Ossining, to the Town of Ossining Zoning Board of Appeals for a five-year term set to expire on 12/31/2020.**

**Motion Carried: Unanimously**

## **V. ANNUAL RESOLUTIONS**

### **A. Official Newspaper**

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

**Resolved, that the Town Board hereby designates The Gazette as the Official Newspaper and the Journal News as the Alternate Newspaper of the Town of Ossining for 2016.**

**Motion Carried: Unanimously**

### **B. Town Council Monthly Meeting Schedule**

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

**Resolved, that the Town Board of the Town of Ossining hereby adopts the following Monthly Meeting Schedule for 2016:**

**Regular Town Board Meetings – 2<sup>nd</sup> & 4<sup>th</sup> Tuesday – 7:30 p.m.  
Birdsall/Fagan Police/Court Facility, 86-88 Spring Street**

**Work Sessions – 1<sup>st</sup> & 3<sup>rd</sup> Tuesday – 7:30 p.m.  
16 Croton Avenue Board Room**

**The Legislative Session scheduled for Tuesday, October 11<sup>th</sup> will be moved to a 9AM meeting in observance of Yom Kippur. The Legislative Session scheduled for Tuesday, November 8<sup>th</sup> will be moved to Wednesday, November 9<sup>th</sup> due to Election Day.**

**Motion Carried: Unanimously**

### **C. Setting Town Office Hours**

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

**Resolved, that the office hours of the Town Offices for 2016 will be Monday through Friday, 8:30 a.m. to 4:30 p.m.**

**Motion Carried: Unanimously**

### **D. Town Historian**

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

**Resolved, that the Town Board hereby appoints Martha R. Mesiti, Town Historian for 2016.**

**Motion Carried: Unanimously**

**E. Mileage Allowance**

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

**Resolved, that wherever it shall be appropriate to compensate Town Officials and/or Town Employees for mileage, they shall be reimbursed at a rate of \$0.54 per mile to be paid upon claim voucher, after audit and approval, in accordance with IRS standards.**

**Motion Carried: Unanimously**

**F. Membership in the Association of Towns**

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

**Resolved, that pursuant to Article 8 of the Town Law, the Town of Ossining shall pay the Annual Membership Dues for membership in the Association of Towns of the State of New York for 2016 in the amount of \$1,500.**

**Motion Carried: Unanimously**

**G. Authorization for Attendance at Association of Towns Annual Meeting**

**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 authorizes the following Town Personnel to attend the Annual Meeting of the Association of Towns to be held in New York City, February 14-17, 2016 subject to approval of their Department Heads, Town Supervisor and Members of the Town Board; Town Assessor; Building Inspector; Town Clerk and Deputy Town Clerk; Receiver of Taxes and Deputy Receivers of Taxes; Superintendent of Highways; Town Justices; Town Court Clerks; Budget Officer; Assessment Personnel; Chairman and Members of the Zoning Board; Chairman and Members of the Planning Board and Chairman and Members of the Environmental Advisory Board.**

**Motion Carried: Unanimously**

**H. Delegate to the Association of Towns**

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

**Resolved, that the Town Board hereby designates Dana Levenberg, Supervisor, as Delegate to the Association of Towns Annual Meeting for 2016.**

**Motion Carried: Unanimously**

**I. Alternate Delegate to the Association of Towns**

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

**Resolved, that the Town Board hereby designates Madeline Zachacz, Budget Officer, as Alternate Delegate to the Association of Towns Annual Meeting for 2016.**

**Motion Carried: Unanimously**



**J. Animal Control-SPCA of Westchester**

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

Resolved, that the Supervisor be and hereby is, authorized and directed to execute an agreement with SPCA of Westchester for the period January 1, 2016- December 31, 2016, providing for humane procedures for homeless and stray dogs and cats seized by dog control officers, animal control officers, police and other agents of the municipality.

Motion Carried: Unanimously

**K. Renewal-Delta Dental Insurance Program**

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

Resolved, that the Town Board of the Town of Ossining hereby acknowledges that the Town's dental insurance program with Delta Dental of New York will continue at the same rates as 2015 for the period January 1, 2016- December 31, 2016 for Group # 1576-0001 at a rate of \$62.58 per month per employee with no dependents and \$148.86 per month, per employee with family coverage; and be it further

Resolved, that Group # 1576-0002 shall be at a rate of \$67.56 per month per employee with no dependents and \$158.22 per month, per employee with family coverage.

Motion Carried: Unanimously

**L. 2016 Refuse/Recycle Collection**

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

Whereas, the Town of Ossining entered into an agreement with Sani-Pro Disposal Services Corp, for the removal of refuse, garbage and commingled recyclables at residential properties within the Unincorporated Area of the Town of Ossining on December 21, 2012; and

Now, therefore be it Resolved, that the Town Board of the Town of Ossining hereby exercises its option to renew with Sani-Pro Disposal of 566 North State Road, Briarcliff Manor, NY for fiscal year 2016 at a cost not to exceed \$424,755.

Motion Carried: Unanimously

**M. Approval of Compensation Plan for 2016**

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

Resolved, that the Town Board hereby approves the following Compensation Plan for the year 2016:

TITLE OF POSITION	ANNUAL
<u>EXEMPT</u>	SALARY
ASSESSOR	\$141,143
BUDGET OFFICER/ AIDE TO THE SUPERVISOR	71,750
COURT CLERK (2)	64,262
DEPUTY RECEIVER OF TAXES	47,906
DEPUTY TOWN CLERK	65,099
<u>UNCLASSIFIED</u>	



**Motion Carried: Unanimously**

**N. Surety Bonds**

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

**Whereas, certain officers and/or employees of the Town of Ossining designated by law are required by law to file an undertaking which shall remain in full force and effect until the expiration of their term of office, the termination of their employment, or the further resolution of this Town Board, and**

**Whereas, the Town Board of the Town of Ossining by prior resolution has determined it is more beneficial and economical to provide the undertakings by a blanketed bond;**

**It is, therefore, Resolved, that all officers and/or employees of the Town of Ossining will be bonded by a blanket bond in the amount of \$500,000 except that the following position will carry an additional surety bond in the amount of \$100,000: Receiver of Taxes.**

**Motion Carried: Unanimously**

**O. Consulting Engineer**

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

**Resolved, the Town Supervisor is authorized to continue the inter-municipal agreement with the Village of Ossining to provide engineering services to the Town for the calendar year 2016, for a fee totaling \$85,390 (\$7,116 per month).**

**Motion Carried: Unanimously**

**P. Planning Consultants**

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

**The Comptroller is authorized to pay F.P. Clark in accordance with the new fee schedule contained in the letter from F. P. Clark dated December 28<sup>th</sup>, 2015, for services otherwise authorized by the Town.**

**Motion Carried: Unanimously**

**Q. Bond Counsel**

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

**Resolved, that the law firm of Orrick, Herrington & Sutcliff, LLP, 666 Fifth Avenue, New York, New York is hereby retained as Bond Counsel in accordance with the fees set forth in Sections 11 and 12 of the proposal received from Orrick dated December 30<sup>th</sup>, 2015.**

**Motion Carried: Unanimously**

**R. 2016 Schedule of Fees**

**Councilmember Wilcher moved and it was seconded by Councilmember D'Attore that the following be approved:**

**Resolved, that the Town Board of the Town of Ossining hereby approves the following Schedule of Fees for calendar year 2016:**

**TOWN FEE SCHEDULE**

<b>Type of Application, License or Permit/Code Chapter Reference</b>		<b>Fee</b>
<b>Sale of Codebook</b>	Chapter 1	Publisher's price
<b>Access to Records</b>	Chapter 45	
	Fees for copies of records not exceeding 8 ½ by 14 inches in size	\$0.25 per page
	Fee for reproducing records in excess of 8 ½ by 14 inches in size	Actual cost of reproduction
	Fee for PDF Copy of Tax Map on CD (Office of the Assessor)	\$150
<b>Accessory Dwelling</b>	Chapter 50	
	Initial application	\$300
	Each renewal	\$150
<b>Alarms</b>	Chapter 51	
	Annual registration	\$25
	Non Registration Fee	\$250
	False alarms:	
	1 <sup>st</sup> and 2 <sup>nd</sup> offense	Warning
	3 <sup>rd</sup> offense	\$50
	4 <sup>th</sup> offense	\$100
	5 <sup>th</sup> offense	\$200
	6 <sup>th</sup> offense	\$500
	Subsequent Offenses	\$500
<b>Building Construction</b>	Chapter 63	
	Certificate of occupancy, where the total value of the building is:	
	Less than \$10,000	\$50
	Greater than \$10,000 but less than \$20,000	\$50
	Greater than \$20,000 but less than \$50,000	\$50
	Greater than \$50,000 but less than \$100,000	\$50
	Greater than \$100,000 but less than \$150,000	\$60
	Greater than \$150,000	\$70

Type of Application, License or Permit/Code Chapter Reference		Fee
	Building permit issuance	
	Where the total value of the work is up to \$1,000	\$20
	For each additional \$1,000 or fraction thereof up to and including \$15,000	\$10
	For each additional \$1,000 or fraction thereof up to and including \$50,000	\$6
	For each additional \$1,000 or fraction thereof exceeding \$50,000	\$4
	Renewal of building permit	½ of Original B.P. Fee
	Electrical permits	
	Per dwelling	\$50
	Alteration to commercial building	\$100
	New commercial construction	\$250
	Plumbing permit	
	House sewer and tie-in	\$50
	Installation of 1 – 3 fixtures, appliances or standpipe connections	\$50
	Installation of 4 – 9 fixtures	\$75
	Installation of 10 or more fixtures	\$100
	Backflow Device	\$100
	Gas certification	\$50
	Plumbing permit if not listed	\$50
	HVAC Permit	
	HVAC Residential	\$50
	HVAC Commercial	\$250
	Erecting signs	\$50
	Demolition permit	
	For structure less than 1,000 square feet	\$50
	For structure over 1,000 square feet	\$200
	Title search (office assistance)	\$25 per property
	Copies of certificates of occupancy and surveys	\$25 per copy
	Inspection and letter in lieu of certificate of occupancy	\$50
	Legalization of work performed without permits	All fees tripled + \$500 to \$1000 penalty
	Failure to keep a scheduled appt. for an inspection	\$50
	Same day inspection	\$50

Type of Application, License or Permit/Code Chapter Reference		Fee
	Non-mandated inspection letter	\$50
	Any type of Permit Not Listed necessary and requires inspections	Same fee structure as filing a Building Permit (based on estimated cost of project)
<b>Cabaret</b>	Chapter 68	
	Annual license fee	\$100
	After July 1	\$25
	Renewal application 30-day extension	\$5 per month
<b>Dale Cemetery</b>	Deed Change	\$50 per change
<b>Dog Fees</b>	Chapter 74	
	License Fees:	
	Spayed/ neutered:	\$10
	Unspayed/ unneutered	\$18
	Seniors over age 60 are exempt from local fee	
	Redemption fees from impoundment of dogs	
	First impoundment	\$20 first 24 hours; \$5 each additional 24 hours
	Second impoundment	\$40 first 24 hours; \$10 each additional 24 hours
	Third impoundment	\$60 first 24 hours; \$15 each additional 24 hours
<b>SEQR</b>	Chapter 85	
	Environmental clearance form	No fee
	Application for preliminary environmental review	\$100
<b>Street Opening</b>	Chapter 87, Part 1	
	Simple Curb Cut	\$90
	Road opening less than 150 sq. ft	\$300
	Road opening 150 sq ft and greater	\$400
<b>Deposit for all Street Openings</b>	Deposit per sq ft	\$300
<b>Excavation of Topsoil or Gravel</b>	Chapter 87, Part 2	
	For each 10 acres of property, or any portion thereof, proposed to be excavated	\$75
	Refund upon denial of application	\$25
	Permit renewal, for each 10 acres of property, or any portion thereof, proposed to be excavated	\$75

Type of Application, License or Permit/Code Chapter Reference		Fee
<b>Filling and Grading</b>	Chapter 92	
	Application for a filling and grading permit	
	For the first acre or part thereof	\$100
	For each additional acre or part thereof	\$30
	Application for a certificate of completion	
	For the first acre	\$50
	For each additional acre or part thereof	\$10
<b>Floodplain Development</b>	Chapter 102	
<b>Filming</b>	Per day	\$1400
	Permit application	\$200
<b>Freshwater Wetlands</b>	Chapter 105	
	Application review fee for permits issued by Building Inspector (see § 105-6)	Same fee structure as filing a Building Permit (based on estimated cost of project)
	Application review fee for permits issued by the Planning Board (see §105-7)	Included in site plan review fees
<b>Parks</b>	Chapter 138	
	Rental fees for Saturday, Sunday, holidays	
	1 – 100 people	\$225
	101 – 250 people	\$275
	250 people or more	\$350
	Rental fees for Monday through Friday	
	1 – 100 people	\$150
	101 – 250 people	\$200
	250 people or more	\$300
	Boat ramp	
	Daily	
	Residents	\$40
	Nonresidents	\$50
	Seasonal	
	Residents	\$80

Type of Application, License or Permit/Code Chapter Reference		Fee
	Nonresidents	\$150
<b>Peddlers</b>	Chapter 144	
	Annual license fee	\$100
<b>Police Fees</b>	Vehicle Impound Release Fee	\$25
<b>Steep Slopes</b>	Chapter 167	
	Application and inspection fee, residential only	\$50
	Application and inspection fee, nonresidential	Included in site plan review fees
<b>Streams and Watercourses</b>	Chapter 169	
	Permit application	Same fee structure as filing a Building Permit (based on estimated cost of project)
<b>Subdivision of Land</b>	Chapter 176	
	Application review fee	
	Major	
	Preliminary plat	\$100, plus \$125 per lot
	Final plat	\$100, plus \$125 per lot
	Minor	\$100, plus \$125 per lot
	Recreation fee. However, in the case of multifamily developments, the Planning Board may adjust the recreation fee in relation to the recreational facilities provided within the subject development. Recreation Fee-Affordable Housing	\$7,500 per lot or dwelling unit.  \$2,500 per lot or dwelling unit
	Inspection fee	3% of the Town Engineer's estimated cost for all utility and roadway improvements, plus \$100 for an engineering estimate
	Escrow account deposits	(See fees under “Zoning” below.)
<b>Taxicabs and Limousines</b>	Chapter 182	
	For each taxicab or limousine owner's license, on initial application	\$100
	For each taxicab or limousine owner's license, for each annual renewal thereof	\$50
	For each taxicab or limousine owner's supplementary license	\$25
	For each vehicle licensed as a taxicab or limousine	\$25



Type of Application, License or Permit/Code Chapter Reference		Fee	
	For each taxicab or limousine driver's license	\$10	
	For each taxicab or limousine substituted	\$25	
	For replacement of a lost or destroyed taxicab or limousine license or sticker	\$20	
	For replacement of each driver's license or badge	\$5	
<b>Call-a-Cab Coupons</b>			
	Cost to qualifying senior citizen	\$3.00 per coupon	
	Redemption by Town to participating taxi company	\$4.75 per coupon	
<b>Senior Services</b>	Contribution from Qualifying Senior Citizen		
	Congregate Meals	\$2.00	
	Home Delivered Meals	\$2.50	
<b>Tax Foreclosure</b>	Title Search	\$200.00	
	Legal & Publication Fees	\$600.00	
<b>Tax Receiver</b>	Administrative Re-Levy Fee for Unpaid Village water rents	\$100	
	Administrative Re-Levy Fee for Unpaid Town Charges/Alarm Fine Liens	\$100	
	Memo Bill Fee-Per Bill	\$5.00	
	Bounced Check Fee-Per Item Returned	\$20.00	
	Annual Tax File Subscription Charge for Tax Service Agencies	\$500.00	
<b>Telecommunication</b>	Chapter 182A		
	New telecommunications tower	\$5,000	
	Co-location of an existing telecommunications tower or high structure where no increase in height of the tower or structure is required	\$2,000	
<b>Towing Services Agreement</b>	Chapter 182B		
	Fees and services	<b>Normal business hours Mon-Fri 8:00 a.m. to 5:00 p.m.</b>	<b>Sat/Sun/holidays and after 5:00 p.m. weekdays</b>
	Light-duty straight Town (3 tons DVW)	\$94.50	\$120.75
	Light-duty service call	\$78.75	\$105
	Gate/yard	----	\$47.25
	Mileage, per mile	\$4.20	\$4.20

Type of Application, License or Permit/Code Chapter Reference		Fee	
	2 <sup>nd</sup> truck	\$94.50	\$120.75
	Light-duty winching	\$94.50	\$120.75
	Storage, per day	\$50	\$50
<b>Tree Removal</b>	Chapter 183		
	Tree removal permit, residential only	\$50	
	Tree removal permit, nonresidential	Included in site plan review fees	
<b>Zoning</b>	Chapter 200		
	All appeals and applications made to the Board of Appeals	\$150	
	Special permit application	\$250	
	Site plan or conditional use permit		
	Application review fee	\$250, plus \$25 per parking space	
	Inspection fee	Same as application review fee	
	Request for rezoning or zoning amendment review fee	\$1,000 plus \$50 per acre of property owned or controlled by the applicant to which the rezoning or zoning amendment pertains	
	Environmental quality review. A full environmental assessment form review fee is required in all cases when this form is part of the application.	\$100	
	Performance and maintenance bonds	The amount of all performance and maintenance bonds shall be established by the Planning Board, based upon a recommended amount as specified by the Town Engineer	
	Each bond reduction request	\$100	
	Escrow accounts		
	For subdivisions, based on number of lots		
	0 to 2	\$5,000	
	3 to 10	\$10,000	
	11 to 35	\$25,000	
	More than 35	\$60,000	
	For site plan, conditional use permits and special permits, based on square footage		
	0 to 3,000	\$5,000	
	3,001 to 20,000	\$10,000	
	20,001 to 50,000	\$25,000	
	Greater than 50,000	\$60,000	

Type of Application, License or Permit/Code Chapter Reference		Fee
	For minor applications (includes accessory apartments, wetland permits, filling and grading permits, etc.)	\$500
	Variances	As determined by the Zoning Board of Appeals
	Pre-application meetings to discuss conceptual proposals, per meeting	\$350
	After the fact application (Planning & Zoning)	Application Fee Tripled

**Motion Carried: Unanimously**

**S. Dale Cemetery Fee Schedule 2016**

**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 approves the following Schedule of Fees for Dale Cemetery for calendar year 2016:**

**GRAVE PRICES**

- **Single Depth Grave: \$1900\***
- **Double Depth Grave: \$2400\***
- **Child’s Grave (2 ½’ x 5’): \$550**
- **Baby Grave (18” x 26”): \$350**
- **Niche in Above Ground Columbarium (Holds Two Urns): \$1400\*\***
- **Bronze Name & Date Door Plate Installed: \$359 (Change according to supplier cost)**
- **Cremation Grave Space (3’ x 3’): \$750**

**\*Residents of Ossining are entitled to a reduction of \$100 on the grave price.**

**\*\*Includes original interment**

**GRAVE PRICES SECTION NINE ONLY**

- **Single Depth Grave: \$1600**
- **Double Depth Grave: \$1900**

**SECTION 12 PRICES**

- **Opening/ Saturday Fee: \$1600/ \$750**
- **Cremation with Vault/ Saturday Fee: \$850/ \$400**

**INTERMENT PRICES**

- **Single Depth with Vault/ Liner: \$1300**
- **Single Depth with Casket: \$1375**
- **Double Depth with Vault/ Liner: \$1450**
- **Double Depth with Casket: \$1525**
- **Child’s Grave (Up to 5’ in Length): \$575**
- **Baby Grave (Up to 26” in Length): \$400**
- **Above Ground Columbarium Second Urn: \$150**

- **Bronze Name Plate Installed: \$150**
- **Bronze Date Plate Installed: \$70**
- **Cremated Remains: \$600\*\*\***

**\*\*\*The price for direct cremated remains will be \$500.**

#### **DISINTERMENT CHARGES**

- **Disinterment remaining here (with vault)**
  - **Single Depth: \$2500**
  - **Double Depth: \$2900**
- **Disinterment remaining here (casket only)**
  - **Single Depth: \$2625**
  - **Double Depth: \$3050**
- **Disinterment to another cemetery (with vault): \$1700\*\*\*\***
- **Disinterment to another cemetery (casket only): \$2350\*\*\*\***

**\*\*\*\*The above disinterment charges are for labor only. There will be additional charges if a new wood box or steel vault is necessary at time of removal. Concrete or vault company charges are additional.**

#### **INSCRIPTION FEES**

- **\$35**

#### **ADDITIONAL CHARGES**

- **There are NO INTERMENTS on Sundays or Holidays.**
- **Burials must arrive by 2PM Monday through Friday, Saturday burials must arrive by 11:30AM. There will be a charge of \$125 per half hour for late arrivals.**
- **Dale Cemetery, Town of Ossining, must be notified by 12 noon on Friday if a burial is scheduled for the following Monday, otherwise there is a \$550 fee for weekend preparation.**
- **There will be a \$200 fee in winter if frost/ice/snow conditions exist.**

**Motion Carried: Unanimously**

#### **T. Records Management Officer**

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

**Resolved, that pursuant to Section 57.19 of the Local Government Records Law, the Town Board hereby appoints Mary Ann Roberts, Town Clerk, Records Management Officer of the Town of Ossining.**

**Motion Carried: Unanimously**

#### **U. Appointment of Marriage Officers**

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

**Resolved, that the Town Board hereby appoints Mary Ann Roberts and Dana Levenberg as Marriage Officers for the Town of Ossining for 2016.**

**Motion Carried: Unanimously**

## **V. Finance-Investment Policy**

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

### **INVESTMENT POLICY FOR THE TOWN OF OSSINING**

#### **I. SCOPE**

This investment policy applies to all moneys and other financial resources available for investment on its own behalf or on behalf of any other entity of individual.

#### **II. OBJECTIVES**

The primary objectives of the local government's investment activities are, in priority order,

- to conform with all applicable federal, state and other legal requirements (legal);
- to adequately safeguard principal (safety);
- to provide sufficient liquidity to meet all operating requirements (liquidity); and
- to obtain a reasonable rate of return (yield).

#### **III. DELEGATION OF AUTHORITY**

The governing board's responsibility for administration of the investment program is delegated to the Town Supervisor who shall establish written procedures for the operation of the investment program consistent with these investment guidelines. Such procedures shall include an adequate internal control structure to provide a satisfactory level of accountability based on a data base or records incorporating description and amounts of investments, transaction dates, and other relevant information and regulate the activities of subordinate employees.

#### **IV. PRUDENCE**

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the Town of Ossining to govern effectively.

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived.

All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

#### **V. DIVERSIFICATION**

It is the policy of the Town of Ossining to diversify its deposits and investments by financial institution, by investment instrument, and by maturity scheduling.

#### **VI. INTERNAL CONTROLS**

It is the policy of the Town of Ossining for all moneys collected by any officer or employee of the government to transfer those funds to the Finance Department and deposited in a designated Town of Ossining revenue account within one business day of receipt of the funds. The Town Supervisor's office shall receive a copy of the transaction record. Employees will receive a written receipt for any cash amounts

forwarded to the Finance Department and should maintain original receipt(s) in department records and copies of the receipt(s) in personal records.

The Town Supervisor is responsible for establishing and maintaining an internal control structure to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management’s authorization and recorded properly, and are managed in compliance with applicable laws and regulations.

**VII. DESIGNATION OF DEPOSITORIES**

The banks and trust companies authorized for the deposit of Town monies are:

<u>Depository Name</u>	<u>Officer</u>
J. P. Morgan Chase	Betsy Davis
Wells Fargo	Paul DeGrato
Sterling Bank	Marissa Brett
TD Bank	Caren Roeder
Tompkins Mahopac National Bank	Rebecca Polanco

**VIII. COLLATERALIZING OF DEPOSITS**

In accordance with the provisions of General Municipal Law, §10, all deposits of the Town of Ossining, including certificates of deposit and special time deposits, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured:

1. By a pledge of “eligible securities” with an aggregate “market value,” or provided by General Municipal Law, §10, equal to the aggregate amount of deposits from the categories designated in Appendix A to the policy.
2. By an eligible “irrevocable letter of credit” issued by a qualified bank (or federal home loan bank) other than the bank with the deposits in favor of the government for a term not to exceed 90 days with an aggregate value equal to 140% (100% if federal home loan bank) of the aggregate amount of deposits and the agreed upon interest, if any. A qualified bank is one whose commercial paper and other unsecured short-term debt obligations are rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization or by a bank that is in compliance with applicable federal minimum risk-based capital requirements.
3. By an eligible surety bond payable to the government for an amount at least equal to 100% of the aggregate amount of deposits and the agreed upon interest, if any, executed by an insurance company authorized to do business in New York State, whose claims - paying ability is rated in the highest rating category by at least two nationally recognized statistical rating organizations.

**IX. SAFEKEEPING AND COLLATERALIZATION**

Eligible securities used for collateralizing deposits shall be held by (the depository and/or a third party) bank or trust company subject to security and custodial agreements.

The security agreement shall provide that eligible securities are being pledged to secure local government deposits together with agreed upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon default. It shall also provide the conditions under which the securities may be sold, presented for

payment, substituted or released and the events, which will enable the local government to exercise its rights against the pledged securities. In the event that the securities are not registered or inscribed in the name of the local government, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the Town of Ossining or its custodial bank.

The custodial agreement shall provide that securities held by the bank or trust company, or agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement should also describe that the custodian shall confirm the receipt, substitution or release of the securities. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitution of securities when a change in the rating of a security may cause ineligibility. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

#### **X. PERMITTED INVESTMENTS**

As authorized by General Municipal Law, §11, the Town of Ossining authorizes the Town Supervisor to invest monies not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following types of investments:

- Special time deposit accounts;
- Certificates of deposit;
- Obligations of the United States of America;
- Obligations guaranteed by agencies of the United States of America where the payment of principal and interest are guaranteed by the United States of America;
- Obligations of the State of New York;
- Obligations issued pursuant to LFL §24.00 or 25.00 (with approval of the State Comptroller) by any municipality, school district or district corporation other than the Town of Ossining;
- Obligations of this local government, but only with any moneys in a reserve fund established pursuant to GML, §6-c, 6-d, 6-e, 6-g, 6-h, 6-j, 6-k, 6-l, 6-m, or 6-n.

All investment obligations shall be payable or redeemable at the option of the Town of Ossining within such times as the proceeds will be needed to meet expenditures for purposes for which the moneys were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable at the option of the Town of Ossining within two years of the date of purchase.

#### **XI. AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS**

The Town of Ossining shall maintain a list of financial institutions and dealers approved for investment purposes and establish appropriate limits to the amount of investments which can be made with each financial institutions or dealer. All financial institutions with which the local government conducts business must be credit worthy. Banks shall provide their most recent Consolidated Report of Condition (Call Report) at the request of the Town of Ossining. Security dealers not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank, as primary dealers. The Town Supervisor is responsible for evaluating the financial position and maintaining a listing of proposed depositaries, trading partners and custodians. Such listing shall be evaluated at least annually.

#### **XII. PURCHASE OF INVESTMENTS**

The Town Supervisor is authorized to contract for the purchase of investments:

1. Directly, including through a repurchase agreement, from an authorized trading partner.

2. By participation in a cooperative investment program with another authorized governmental entity pursuant to Article 5G of the General Municipal Law where such program meets all the requirements set forth in the Office of the State Comptroller Opinion No. 88-46, and the specific program has been authorized by the governing board (for example, NYCLASS – New York Cooperative Liquid Assets Securities System).
3. By utilizing an ongoing investment program with an authorized trading partner pursuant to a contract authorized by the governing board.

All purchased obligations, unless registered or inscribed in the name of the local government, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to the Town of Ossining by the bank or trust company. Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law, §10.

The custodial agreement shall provide that securities held by the bank or trust company, as agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement shall describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

### **XIII. REPURCHASE AGREEMENTS**

Repurchase agreements are authorized subject to the following restrictions:

- All repurchase agreements must be entered into subject to a Master Repurchase Agreement.
- Trading partners are limited to banks or trust companies authorized to do business in New York State and primary reporting dealers.
- Obligations shall be limited to obligations of the United States of America and obligations of agencies of the United States of America where principal and interest are guaranteed by the United States of America.
- No substitution of securities will be allowed.
- The custodian shall be a party other than the trading partner.

#### **Appendix A Schedule of Eligible Securities**

(i) Obligations issued, or fully insured or guaranteed as to the payment of principal and interest, by the United States of America, an agency thereof or a United States government sponsored corporation.

(ii) Obligations partially insured or guaranteed by any agency of the United States of America, at a proportion of the Market Value of the obligation that represents the amount of the insurance or guaranty.

(iii) Obligations issued or fully insured or guaranteed by the State of New York, obligations issued by a municipal corporation, school district or district corporation of such State or obligations of any public benefit corporation which under a specific State statute may be accepted as security for deposit of public moneys.



#### **W. Finance-Debt Management Policy**

**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 adopts the Debt Management Policy as follows:**

**The Comptroller will monitor the debt portfolio annually for refinancing opportunities through services of a financial advisor. This can be done in connection to the continuing disclosure process.**

**The minimum criteria for bond refunding are as follows:**

- 1. Refunding should produce savings equal to 3% of bonds to be refinanced**
- 2. Savings after insurance premium should be 2 ½ times underwriters discount and other costs of issuance.**

**Motion Carried: Unanimously**

#### **X. Finance – Procurement Policy**

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

**WHEREAS, Section 104-b of the General Municipal Law requires the governing body of every municipality to adopt a procurement policy for all goods and services which are not required by law to be publicly bid, and**

**WHEREAS, comments have been solicited from all officers in the Town of Ossining involved in the procurement process, now, therefore, be it**

**RESOLVED, that the Town of Ossining does hereby adopt the following procurement process which is intended to apply to all goods and services which are not required by law to be publicly bid.**

##### **Purchases up to \$999**

**Town Department Managers may authorize purchase of not more than nine-hundred and ninety nine dollars (\$999) per purchase contract for materials, services, supplies or repairs provided that such purchase is made in conformance with the following procedure:**

**A. A standard Claim Voucher is to be completed and submitted to the Supervisor's Office with the following information:**

- 1. Name and address of Vendor**
- 2. Date and vendor number**
- 3. Budget Account Codes**
- 4. Quantity, description and purpose of goods or services purchased**
- 5. Signature of Department Head**

**B. The Claim Voucher must be accompanied by an original invoice and packing slip, if applicable.**

##### **Purchases between \$1,000-\$10,000**

**Department Managers may make purchases between \$1,000 and \$10,000 for materials, supplies and repairs provided that such purchase is made in conformance with the following procedure:**

- A. A Purchase Order is to be completed in order to encumber the expenditure for all purchases over \$1,000, including purchases made under State or local government contracts. This form shall be submitted to the Budget Officer with the following information:
  - a. Name and address of recommended vendor
  - b. Date, Vendor Number, Budget Account Codes
  - c. Quantity, description and purpose of the purchase
  - d. Unit cost and total cost of proposed purchase
  - e. Purchase Order must be signed by the Department Manager
- B. Two verbal quotations are required for purchases between \$1,000-\$2,999. A verbal quotation form available in the Supervisor's Office must be used to document the quotes. Attach verbal quotation form to Purchase Order and submit to Budget Officer for approval.
- C. Three written quotations are required for purchases between \$3,000-\$10,000. A written quotation form available in the Supervisor's Office must be used to document the quotes. Attach written bid requests to the Purchase Order along with documentation from vendor indicating cost and submit to Budget Officer for approval.
- D. Approved purchases will be acknowledged to the Department Manager by copy of the signed Purchase Order signed by the Town Supervisor with a Purchase Order number assigned to it by the Finance Department.
- E. Upon satisfactory receipt of the material, supply or repair, the Department Manager will submit to the Budget Officer the following:
  - a. Purchase Order signed by the Department Manager to indicate approval for payment along with an invoice from the vendor attached to the Purchase Order.

Any public works contract over \$10,000 must follow above procedures and obtain three written quotes. A Public Works Contract over \$30,000 is subject to competitive bidding.

A good faith effort shall be made to obtain the required number of proposals or quotations. If the purchaser is unable to obtain the required number of proposals or quotations, the purchaser will document the attempt made at obtaining the proposals. In no event shall failure to obtain the proposals be a bar to the procurement.

Purchases are subject to the availability of funds. Department Managers may not authorize purchases under this section when there are insufficient funds in the designated budget account. The Budget Officer distributes monthly budget expenditure reports showing the available funds in each department account.

#### **Purchases of \$10,000 and over**

All purchases of materials, supplies and repairs of equipment of \$10,000 or more and all public works contracts of \$30,000 or more requires competitive bidding subject to the laws of New York.

- A. The Town Supervisor and Clerk's office shall be responsible for the issuance of required documents, notices and advertisements required under the competitive bidding laws and for the receipt of such bids from vendors.

- B. Department Managers will be responsible for preparing information regarding the quantity, quality and specifications of the materials, supplies or work to be furnished.**
- C. Capital Projects are defined as improvements to the Town's operations in excess of \$12,000 per project. Please consult with the Budget Officer in order to establish a Capital Project number and processing of Purchase Order.**

### **General Provisions**

- 1. Where possible, purchases should be made from New York State and Westchester County purchasing contracts. These purchases are exempt from the competitive bidding requirements of General Municipal Law Section 103. Information regarding these contracts is available online at [www.ogs.state.ny.us](http://www.ogs.state.ny.us). The NYS Contract number must be written on claim voucher or purchase order along with a print-out from the OGS website indicating the item is on NYS Contract.**

**In addition, purchases under any NYS county or local government contracts, or purchased through the Empire State Purchasing Group or National Joint Powers Alliance (NJPA), provided that the contract is let in a manner that constitutes competitive bidding consistent with NYS law and made available for use by other governmental entities and subject to the approval of the Town Supervisor.**

- 2. Documentation is required of each action taken in connection with each procurement.**
- 3. Documentation and explanation are required whenever a contract is awarded to other than the lowest responsible offeror. This documentation will include an explanation of how the award will achieve savings or how the offeror was not responsible. A determination that the offeror is not responsible shall be made by the purchaser and may not be challenged under any circumstance.**
- 4. Pursuant to General Municipal Law Section 104-b(2)(f), the procurement policy may contain circumstances when, or types of procurement for which, in the sole discretion of the governing body, the solicitation of alternative proposals or quotations will not be in the best interest of the municipality. In the following circumstances, it may not be in the best interest of the Town of Ossining to solicit quotations to document the basis for not accepting the lowest bid:**
  - a. Professional services or services requiring special or technical skill, training or expertise. The individual or company must be chosen based on accountability, reliability or responsibility, skill, education, and training, judgment, integrity and moral worth. These qualifications are not necessarily found in the individual or company that offers the lowest price and the nature of these services are such that they do not readily lend themselves to competitive procurement procedures.**

**In determining whether a service fits into this category, the Town of Ossining Town Board shall take into consideration the following guidelines: 1) whether the services are subject to state licensing or testing requirements; 2) whether substantial formal education or training is a necessary prerequisite to the performance of the services; and (3) whether the services require a personal relationship between the individual and municipal officials. Profession or technical services shall include but not be limited to the following: services of certified public accountant; investment management services; printing services involving extensive writing, editing, or art work; management of municipally owned property; and computer software or programming services for customized programs or services involved in substantial modification and customization of pre-packaged software.**

5. A Request for Proposal must be prepared for Professional Services. This section is adopted from the Office of the State Comptroller's Financial Management Guide, Subsection 8.3020. Requests for proposals are traditionally used as a means of obtaining many types of professional services. RFPs are used to obtain the services of: architects, engineers, accountants, lawyers, underwriters, fiscal consultants, and other professionals. The purpose of a request for proposal is to have an effective way to award contracts for professional services. RFPs and evaluation of the proposals can consider price plus other factors such as experience, staffing and suitability for needs and may include negotiations on a fair and equal basis. The award should be the most advantageous to the Town.

The overall process involves making a request for proposals from various firms or professionals, and then evaluating the proposals received. Depending on the complexity of the situation, you may prepare the RFP in house or a consultant could be obtained to help you prepare it. The Town Attorney will review all RFPs, contracts to be executed with the firm selected and any other needed items.

There should be a well planned solicitation effort in order to identify a sufficient number of qualified firms. This can be done by advertising in local trade journals, checking listings of professionals, talking to local officials, etc. A well planned solicitation effort can result in reduced costs through increased competition.

6. Emergency purchases pursuant to Section 103(4) of the General Municipal Law. Due to the nature of this exception, these goods or services must be purchased immediately and a delay in order to seek alternative proposals may threaten the life, health, safety and welfare of the residents. This section does not preclude alternative proposals if time permits.
7. Sole Source. Competitive bidding is not required under Section 103 of the General Municipal Law in those limited situations when goods or services are available from only one source. If a determination is made that a particular item is available only from one source so that no possibility of competition exists, competitive bidding may not be required for the procurement of the item. Department Managers must document the unique benefits of the item as compared to other items available in the marketplace; that no other item provides substantially equivalent or similar benefits; and that considering the benefits received, the cost of the item is reasonable, when compared to other products or services in the marketplace
8. Purchases of surplus and second-hand goods from any source. If alternate proposals are required, the Village of Ossining may purchase surplus and second-hand goods at auctions, through specific advertised sources, or from Town suppliers, if it can be determined that such purchase is at a fair market value, is in the best interests of the Town, and if approved by the Town Supervisor or Budget Officer. It is understood that it may be difficult to try and compare prices of used goods and that a lower price may indicate an older product.
9. Goods or services under \$1,000. The time and documentation required to purchase through this policy may be more costly than the item itself and would, therefore, not be in the best interests of the taxpayer. In addition, it is not likely that such de minimis contracts would be awarded based on favoritism.
10. The Town Board must authorize and approve all change orders on capital construction projects by Town Board resolution.
11. The Town Supervisor and Budget Officer shall be the municipal officials responsible for providing guidance and making decisions as to application of this procurement policy.

**Motion Carried: Unanimously**

#### **Y. Reimbursement of Town Employee Business Expenses**

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

**WHEREAS, from time to time employees incur certain expense in connection with performing their duties, attending training, seminars and/or conferences; and**

**WHEREAS, The Town of Ossining has established guidelines which an employee may be legally reimbursed for expenses; now therefore be it**

**RESOLVED, that the Town of Ossining does hereby adopt the Reimbursement of Town Employee Business Expense Policy as follows:**

**Purpose of this Policy**

**The purpose of this policy is to establish the guidelines under which an employee of the Town of Ossining may be legally reimbursed for expenses related to the travel to and from, and attendance at, any event which has been recognized and authorized as an event related to Town business. The policy is adopted from the Office of the State Comptroller's Financial Management Guide, Subsection 8.1025. In the event of any misunderstanding or dispute, the Town Supervisor will make the final determination as to whether an employee is entitled to reimbursement of any expense.**

**Prior Written Authorization Required**

**Authorization must be obtained in writing from the Town Supervisor prior to attending an event for which an employee expects reimbursement. In the event that such prior authorization was not obtained, the Town Supervisor, at his/her discretion may authorize reimbursement by written notice to the Budget Officer.**

**Claim Voucher Required**

**In order to receive reimbursement of an expense, an employee must submit to the Budget Officer a properly completed and signed Town form, including as attachments, a copy of the Town Supervisor's written authorization, a copy of the brochure or other literature describing the event, and any required receipts. The claim form, available in the Supervisor's Office, must clearly state the title of the event, the sponsoring association, the location and date(s) of the event, and an itemized list of the expenditure categories to be reimbursed. In the event of a conference or training seminar where certificates of completion are issued, said certificates should be provided to the municipality.**

**Use of Petty Cash for Employee Reimbursements**

**Petty cash should be used minimally for the reimbursements of employee expenses. It should be remembered that petty cash should require replenishment no more than once a month. Further, any reimbursement made of employee expenses through petty cash still requires appropriate receipts and authorization from the Town Supervisor. A monthly report of petty cash deposits and expenditures must be submitted to the finance departments and supervisor's office**

**Legal Authority**

**General Municipal Law 77-b generally authorizes reimbursement of actual and necessary expenses incurred in attending a meeting, convention, conference or school conducted for the betterment of the Town. Written authorization must be obtained in advance from the Town Supervisor before such attendance can be considered a proper Town expense. "Actual and necessary" means that the expenses were:**

- 1. Actually made**
- 2. Necessarily incurred for an authorized purpose**

3. An amount no greater than necessary (Opn. St. Comp. 69-563).

### **Tax Exempt Certificate**

The Town is exempt from federal, state and local taxes, including sales tax. As such, it is the responsibility of any employee authorized to attend an event to ascertain that they carry with them a copy the Town of Ossining Tax Exemption Certificate. Such certificates should be presented to places of lodging and dining, so that any amounts paid are exclusive of taxes. The Town retains the right to refuse reimbursement of sales and other taxes paid as part of an employee's expense.

Reimbursement will be made for the following business related expenses, but **MUST** be pre-approved by the Supervisor's Office:

- Transportation
- Meals
- Lodging
- Gratuities

### **Transportation**

Transportation will be reimbursed for actual travel to and from an authorized event. Transportation will not be reimbursed for any personal travel incurred while away, or for normal commuting to and from home and Town Offices. Reimbursement will be made for:

- The amount spent using public transportation (bus, train, etc.) receipts are required.
- The amount spent for re-fueling a Town owned vehicle. Receipts are required.
- The standard mileage rate, as determined by the Town Board, when using a personal vehicle.
- The amount spent for tolls. Receipts are required.
- The amount spent for parking. Receipts are required.
- The amount spent for plane fare at the regular rate charged for a single coach fare, unless otherwise authorized in writing.

### **Meals**

Meals will be reimbursed when the employee is attending an authorized event away from the regular work area for an extended period of time. If an employee is not attending an event which requires an overnight stay, breakfast and/or lunch will not be reimbursed. Expenditures for the purchase of alcoholic beverages or for guests will not be reimbursed. Receipts are required for all meal expenses.

### **Lodging**

Lodging will be reimbursed at the usual cost of the single occupancy room rate for those nights which fall between the days of an authorized event. "Single occupancy room rate" means the regular room rate charged for a single occupant by the hotel, or the nearest available hotel to, where the event is held. Lodging will not be reimbursed for nights prior or subsequent to the days of an authorized event, unless authorized in advance in writing by the Town Supervisor. Receipts are required for all lodging expenses.

### **Registration, Tuition, Materials**

Any other expenses required to participate in an authorized event, such as registration fees, tuition, books and supplies, will be reimbursed. Receipts are required for all such expenses.

### **Gratuities**

Gratuities that are reasonable and actual may be reimbursed. Gratuities for meals may not exceed the greater of (\$1.00) dollar or fifteen (15%) percent of the cost for each meal, unless a mandatory minimum greater than this amount is required under the terms of the event

**Periodic Review**

This policy will be reviewed periodically by the Budget Officer. Any questions concerning this policy may be directed to the Budget Officer. The references cited above may assist employees in understanding this policy, and the basis for its contents.

**Motion Carried: Unanimously**

**Z. Agreement-NYS Municipal Workers' Compensation Alliance**

Councilmember Wilcher moved and it was seconded by Councilmember D'Attore that the following be approved:

Resolved, that the Town Board of the Town of Ossining hereby continues its membership with the NYS Workers' Compensation Alliance for fiscal year 2016 to administer workers compensation claims at a cost not to exceed \$135,970, not including the NYS assessment fees.

**Motion Carried: Unanimously**

**AA. Insurance Renewal-New York Municipal Insurance Reciprocal**

Councilmember Wilcher moved and it was seconded by Councilmember D'Attore that the following be approved:

Resolved, that the Town Board of the Town of Ossining hereby continues its insurance policies and coverage with the New York Municipal Insurance Reciprocal (NYMIR) effective January 1, 2016 through December 31, 2016 at an amount not to exceed \$121,491.

**Motion Carried: Unanimously**

**REGULAR MEETING – BOARD RESOLUTIONS**

**I. BOARD RESOLUTIONS**

**A. Approval of Minutes Regular Meeting -December 22, 2015**

Resolved, that the Town Board of the Town of Ossining hereby approves the Minutes of the December 22, 2015 Regular Meeting as presented.

**B. Approval of Minutes Special Meeting -December 29, 2015**

Resolved, that the Town Board of the Town of Ossining hereby approves the Minutes of the December 29, 2015 Special Meeting as presented.

**C. Approval of Voucher Detail Report**

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

Resolved, that the Town Board hereby approves the Voucher Detail Report dated January 12, 2016 in the amount of \$ 29,132.79 for 2015 and \$ 128,274.12 for 2016. Grand total of \$ 157,406.91

**Motion Carried: Unanimously**

**D. Resolution Abolishing the Position of Town Attorney**

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

**WHEREAS, the Town Board has previously appointed a Town Attorney, and**

**WHEREAS, the Town Board believes it would be in the best interests of the Town to retain a law firm with experience in providing services to municipalities, rather than a single attorney, to provide general legal services,**

**NOW THEREFORE BE IT RESOLVED: the position and office of Town Attorney is hereby abolished.**

**Motion Carried: Unanimously**

**E. Resolution Retaining Attorneys to Represent the Town**

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

**RESOLVED: the Supervisor is authorized to execute the an agreement retaining Silverberg Zalantis LLP to provide general legal services to the Town of Ossining.**

**Motion Carried: Unanimously**

**F. Contract for Ambulance Services for Mid Hudson Ambulance District, 2016-2018**

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

**Resolved, that the Town Board of the Town of Ossining hereby authorizes the Supervisor to sign an agreement, on behalf of the Mid Hudson Ambulance District, with the Ossining Volunteer Ambulance Corps, for January 1<sup>st</sup>, 2016 through December 31<sup>st</sup>, 2018, pending review and approval by Town Counsel.**

**Motion Carried: Unanimously**

**G. Accepting Surplus Vehicles from the Village of Ossining**

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

**Whereas, the Village of Ossining declared, at their December 16<sup>th</sup> 2015 meeting, that the below vehicles to be “surplus”; and**

**Whereas, the Village of Ossining has offered the vehicles in “as is” condition to the Town of Ossining for the sale price of \$1.00 each;**

**Now, therefore be it Resolved, that the Town Board of the Town of Ossining hereby accepts the below automobiles and further authorizes the payment, totaling \$2.00, to the Village of Ossining.**



YEAR	MAKE & VEHICLE TYPE	MODEL	VIN –or- EQUIVALENT
1997	Ford Dump	F350	1FDKF38G8VEC75826
2003	Jeep 4-door SUV	Liberty	1J46L48K93W638696

Motion Carried: Unanimously

**H. Contract – CAITechnologies- Tax MappingServices**

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

Resolved,that the Town Board ofthe Townof OssiningherebyauthorizestheSupervisor to sign a contract between the TownofOssiningandthe CAITechnologies ofLittleton,NewHampshire,toprovide Tax MapMaintenanceServices for2016 in the amount of\$7,900.

Motion Carried: Unanimously

**I. Resolution Retaining Special Counsel to Represent the Town**

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

**RESOLVED:** the Town Supervisor is authorized to execute an agreement retaining Benjamin Leavitt of Leavitt Legal to provide prosecutorial services and tax certiorari assistance to the Town of Ossining.

Motion Carried: Unanimously

**J. Adoption of Local Law #1 of 2016- “Modifying References to the Town Attorney within the Town Code”**

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

WHEREAS, the Town Board of the Town of Ossining has been considering the adoption of a proposed local law entitled “Modifying References to the Town Attorney within the Town Code”, which shall cause Chapter 54 to be added to the Town Code under the title “Attorneys”; and

WHEREAS, in accordance with New York State Law, and after having provided all requisite notice thereunder, the Town Board conducted a Public Hearing on Introductory Local Law No. 1-2016 entitled “Modifying References to the Town Attorney within the Town Code” on January 12<sup>th</sup> at 7:30 p.m.at the Birdsall/Fagan Police Court Facility, 86-88 Spring Street, Ossining, New York during which the public had the opportunity to be heard on such proposed local law; and

WHEREAS, the proposed Local Law is a Type II action and does not require environmental review;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Ossining hereby adopts Local Law No. 1-2016, entitled “Modifying References to the Town Attorney within the Town Code” with such adoption to take effect as set forth in said Local Law and as otherwise required by law; and

**BE IT FURTHER RESOLVED**, that the Town Board directs said Local Law #1 of 2016 to be filed and/or distributed in accordance with applicable law.

**Roll Call Vote: 5-0-0**  
**Ayes: Feldman, D’Attore, Wilcher,**  
**Jeffrey & Levenberg**

**K. Adoption of Local Law #2 of 2016- “Consultant Fees in the Town of Ossining”**

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

WHEREAS, the Town Board of the Town of Ossining has been considering the adoption of a proposed local law entitled “Consultant Fees in the Town of Ossining”, which shall cause Chapter 6 to be added to the Town Code under the title “Consultant Fees”; and

WHEREAS, in accordance with New York State Law, and after having provided all requisite notice thereunder, the Town Board conducted a Public Hearing on Introductory Local Law No. 2-2016 entitled “Consultant Fees in the Town of Ossining” on January 12<sup>th</sup> at 7:35 p.m.at the Birdsall/Fagan Police Court Facility, 86-88 Spring Street, Ossining, New York during which the public had the opportunity to be heard on such proposed local law; and

WHEREAS, the proposed Local Law is a Type II action and does not require environmental review;

NOW, THEREFORE, **BE IT RESOLVED**, that the Town Board of the Town of Ossining hereby adopts Local Law No. 2-2016, entitled “Consultant Fees in the Town of Ossining” with such adoption to take effect as set forth in said Local Law and as otherwise required by law; and

**BE IT FURTHER RESOLVED**, that the Town Board directs said Local Law #2 of 2016 to be filed and/or distributed in accordance with applicable law.

**Roll Call Vote: 5-0-0**  
**Ayes: Feldman, D’Attore, Wilcher,**  
**Jeffrey & Levenberg**

**L. Appointment of Ossining Representative to WestCOP Board of Directors**

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 re-appoints Joan E. Whittaker to the position of the Town of Ossining representative to the Board of Directors of the Westchester Community Opportunities Program, (WESTCOP) for the 2015-2016 year.

**Motion Carried: Unanimously**

**II. CORRESPONDENCE TO BE RECEIVED AND FILED**

**III. MONTHLY REPORTS**

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

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

- **Town Supervisor’s Office**
- **Town Building Department**
- **Town Clerk’s Office**
- **Dale Cemetery**
- **Town Tax’s Office**
- **G.E. Helicopter Report**

**Motion Carried: Unanimously**

**IV. VISITOR RECOGNITION**

**Donna Sharett questioned why she has not received responses to her emails. She has no opportunity to ask questions and she is in need of answers. The Building Department gets back to its residents quickly. Town Counsel Silverberg responded that Resolution P (Planning Consultants) is not an annual appointment and we did hear what you said.**

**Supervisor Levenberg reminded residents regarding the Grow Local film series will be shown at Down to Earth Markets, 173 Main Street, 3<sup>rd</sup> floor. The Cooperative Scholarship Program will take place at Ossining High School on Saturday, January 16<sup>th</sup>. The Farmer’s Market is held on Saturday at Market Square.**

**V. ADJOURNMENT-EXECUTIVE SESSION-LEGAL ADVICE & PERSONNEL**

**At 8:42 P.M., Councilmember Jeffrey moved and it was seconded by CouncilmemberFeldman that the Regular Meeting be adjourned.**

**Motion Carried: Unanimously**

**Approved:**

\_\_\_\_\_  
**Mary Ann Roberts Village Clerk**