

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

August 11, 2009
7:30 PM

SUPERVISOR
Catherine Borgia
COUNCILMEMBERS

Geoffrey Harter Michael L. Tawil
David Krieger Northern Wilcher

I. CALL TO ORDER

The Regular Meeting of the Town Board of the Town of Ossining was held on August,11, 2009 in the Police/Court Facility, 86-88 Spring Street in Ossining. The meeting was called to order at 7:30 p.m. by Supervisor Catherine Borgia. Members of the Board present were: Northern Wilcher, David Krieger, Geoffrey Harter and Michael Tawil. Also present were: Wayne Spector, Town Attorney; Connie Cerny, Budget Officer and Mary Ann Roberts, Town Clerk.

II. ANNOUNCEMENTS

Councilmember David Krieger announced that free movies will be available for viewing at the Ossining Public Library in the theater on August 12 at 7 p.m. entitled "Notebook" and again on August 19 at 7 p.m. entitled "Windows".

Supervisor Borgia congratulated the Ossining Fire Department for a wonderful parade which was held this past Friday night (August 7). The crowds viewing the parade were larger than in the past.

III. PUBLIC COMMENT ON AGENDA ITEMS – No comments.

IV. BOARD RESOLUTIONS

A. Approval of Minutes

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

Resolved, that the Town Board of the Town of Ossining hereby approves the Minutes of the July 28, 2009 Regular Meeting as presented.

Motion Carried: Unanimously

B. Approval of Voucher Detail Report

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

Resolved, that the Town Board of the Town of Ossining hereby approves the Voucher Detail Report dated August 11, 2009 in the amount of \$280,372.40.

Motion Carried: Unanimously

C. Resolution Adopting Local Law No. 2 of 2009—Amending the Zoning Law.

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

Whereas, Dr. Yosef Haroush has submitted an application for a Zoning Map amendment in accordance with the attached map to change the zoning designation of the easterly portion of the property at 513 North State Road from R-30 One-Family Residence District to GB General Business District, which property is designated on the Tax Assessment Map of the Town of Ossining as Section 90.19, Block 2, Lot 8; and

Whereas, Dr. Yosef Haroush proposes to construct a building and associated parking area, landscaping, etc. on the areas of the property to be rezoned General Business, and to relocate his animal health center from 438 North State Road to 513 North State Road; and

Whereas, the Planning Board issued a report dated March 25, 2009 indicating that the proposed rezoning would be reasonable and appropriate and that the Town Board should consider enacting said rezoning; and

Whereas, the Westchester County Planning Department indicated that the proposed action was a matter for local determination; and

Whereas, the Town Board of the Town of Ossining declared itself Lead Agency for review of the subject application in accordance with the State Environmental Quality Review Act (SEQRA), determining the proposed action to be an Unlisted Action; and

Whereas, on July 28, 2009, the Town Board opened a public hearing on the subject zoning map amendment, at which time all persons interested were given an opportunity to speak on behalf of or in opposition to the zoning map amendment and the public hearing was closed on July 28, 2009,

Now, therefore be it Resolved, the Town Board, acting as lead agency, hereby adopts the attached Negative Declaration and has determined that the proposed action will not have any significant adverse impact upon the environment thereby ending the SEQRA review process, and be it further

Resolved, that the Town Board of the Town of Ossining hereby adopts the following Local Law 2-2009 which changes the zoning designation of the easterly portion of the property at 513 North State Road from R-30 One-Family Residence District to GB General Business District, which property is designated on the Tax Assessment Map of the Town of Ossining as Section 90.19, Block 2, Lot 8.

LOCAL LAW 2-2009

A LOCAL LAW CHANGING THE ZONING OF PROPERTY FROM
ONE FAMILY RESIDENTIAL (R-30) DISTRICT TO
GENERAL BUSINESS (GB) DISTRICT

BE IT ENACTED by the Town Board of the Town of Ossining as follows:

SECTION 1. TITLE

This local law shall be entitled, "A Local Law Changing the Zoning of Property from One-family Residential (R-30) District to General Business (GB) District."

SECTION 2. INTENT AND PURPOSE

This local law is intended to be consistent with the Town Comprehensive Plan, it promotes the best interest of the Town of Ossining and it is in compliance with the State Environmental Quality Review Act (SEQRA).

SECTION 3. REZONING

The zoning of the easterly portion of the property in the table below currently zoned One-Family Residential (R-30) District is hereby changed to GB General Business District.

Tax parcel #	Owner (s)	Property Address
Section 90.19, Block 2, Part of Lot 8	Dr. Yosef Haroush	513 North State Road Briarcliff Manor, NY 10510

SECTION 4. MAP

The Zoning Map of the Town Of Ossining is hereby amended to show the change specified in Section 3 above. A map showing the proposed rezoning is attached hereto as Exhibit "A."

SECTION 5. EFFECTIVE DATE

This local law shall take effect immediately upon its filing with the Secretary of State.

Attachments: Negative Declaration and Exhibit "A".

Motion Carried: 5-0-0
 Roll Call Vote:
 Ayes: Councilmembers
 Harter, Tawil, Krieger, Wilcher
 & Supervisor Borgia.

D. Order Calling a Public Hearing in the matter of the Petition for Extension of the Valley View Sewer District – Keith H. Gordon and Elena C. Sabatini

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

Whereas, a written petition, dated July 27, 2009, in due form and containing the required signature, has been presented by Keith H. Gordon and Elena C. Sabatini to the Town Board of the Town of Ossining, Westchester County, New York, for the extension of the Valley View Sewer District in said Town; and

Whereas, the boundaries of the proposed Sewer District Extension are described as follows:

“Beginning at the point of intersection of the southerly line of lands now or formerly of Mabel Lamb and the easterly side of Hawks Avenue; running thence along said lands now or formerly of Mabel Lamb, south 69 degrees 49 minutes 40 seconds east 206.47 feet to a point on the westerly line of lands now or formerly of Mabel Lamb; thence along said Westerly side of lands of now or formerly of J. Schneider, south 20 degrees 10 minutes 20 seconds west 100.00 feet to a point still on lands now or formerly of J. Schneider; thence along said lands now or formerly of J. Schneider, north 69 degrees 49 minutes 40 seconds west 200.00 feet to a point on the easterly side of Hawks Avenue; thence along said easterly side of Hawks Avenue, north 16 degrees 28 minutes 20 seconds east 100.22 feet to a point and place of BEGINNING.”

Said premises known as 78 Hawkes Avenue, New York, and also known as Section 89.08, Block 1, Lot 46 on the Tax Map of the Town of Ossining,” and

Whereas, the improvements proposed for said Sewer District Extension consist of the construction and installation of a sewer system, including sewer main, manhole and other improvements incidental thereto, all as more described in the map and plan accompanying the aforesaid petition, which map and plan are on file in the Town Clerk’s Office of said Town for public inspection during regular business hours; and

Whereas, the cost of establishing such Sewer District Extension shall be borne entirely by the Petitioner; and

Whereas, it is now desired to call a Public Hearing to consider the Petition for the proposed establishment of said Sewer District Extension pursuant to Section 193 of the Town Law, as well as for purposes of determining the environmental impact of said action; Now Therefore be it

Ordered, by the Town Board of the Town of Ossining, Westchester County, New York, as follows:

Section 1: A meeting of the Town Board of the Town of Ossining, Westchester County, New York, shall be held at the Police/Court Facility, 86-88 Spring Street, In Ossining, New York, on the 25 day of August 2009, at 7:30p.m., for the purpose of conducting a public hearing to consider the aforementioned Petition and to hear all persons interested in the subject thereof concerning the same.

Section 2: The Town Clerk is hereby authorized and directed to cause a certified copy of this Order to be published in the Journal News and posted in the manner provided by law.

Section 3: This Order shall take effect immediately.

Motion Carried: Unanimously

E. Appointment-Deputy Town Clerk

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

Resolved, that the Town Board of the Town of Ossining hereby appoints Ann Marie Rocco as Deputy Town Clerk effective August 17, 2009 at an annual salary of \$51,316 in accordance with the rules and regulations of the Westchester County Personnel Department. The probationary period shall be for a minimum of twelve (12) weeks to a maximum of fifty-two (52) weeks.

Motion Carried: Unanimously

F. Finance-2009 Budget Adjustments

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

Resolved, that the Town Board of the Town of Ossining hereby authorizes the following budget adjustments be made to the 2009 budget:

To:			From:		
Account Number	Description	Amount	Amount	Account Number	Description
010-1110-0110	Part-time	2000.00	2000.00	010-1110-0101	Personnel

		1450.00	1450.00	010-1110-0414	Contr. Steno
020-3120-0416	Uniforms	122.00	122.00	020-0020-2626	Forfeiture of Proceeds Restricted

Motion Carried: Unanimously

V. MONTHLY REPORTS

July Reports – Town Clerk
 Building Department
 Police Department

VI. VISITOR RECOGNITION

Bobby Williams, Spring Street, discussed the Village Comprehensive Plan as it relates to affordable housing. The affordable housing should not all be located in the same area. The recent County Agreement for \$50 million in affordable housing throughout the County should have been done years ago.

Peter Tripodi, Quail Hollow Road, agreed with the re-zoning of a portion of Dr. Haroush's property on North State Road.

VII. ADJOURNMENT

At 7:50 P.M., Councilmember Krieger moved and it was seconded by Councilmember Tawil that the regular meeting be adjourned to Executive Session for the purpose of discussing personnel.

Motion Carried: Unanimously