



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

**JULY 26, 2011  
7:30 P.M.**

**SUPERVISOR  
Catherine Borgia**

**COUNCILMEMBERS**

**Geoffrey Harter    Michael L. Tawil  
Peter Tripodi     Northern Wilcher**

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

The Regular Meeting of the Town Board of the Town of Ossining was held on July 26, 2011 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: Councilmembers Geoffrey Harter, Michael Tawil, Northern Wilcher and Peter Tripodi. Also present were Town Attorney Wayne Spector and Town Clerk Mary Ann Roberts.

**II.    PUBLIC PRESENTATION- by Cathy Varano, Vice President of Residential Services, Cardinal McCloskey Services on Community Residence at 4 Locust Road, Ossining**

Beth Finnerty, President and CEO of Cardinal McCloskey Services provided a general overview of the McCloskey Services which originated as an orphanage in 1946 in White Plains as a drop off for parents who were unable to care for their children at that time, but were able to get them back when they were able to care for them. This location closed in 1980. They now have one campus as well as 35 locations and operate with a \$60 million budget. In 1980 they took care of children, adults and provided early childhood services. We have many long term staff members. This is a traditional Catholic agency and the homes are not medical facilities.

Cathy Varano, Vice President of Residential Services for the Cardinal McCloskey Services organizes programs, staffing and supervision. The staffers all have a college degree and some even have Master's degrees. They must meet the highest standards and have been fully trained as well as screened including their driving records. The location of this home is perfect with 4 bedrooms; a driveway that will accommodate up to four cars as well as a two car garage. They use compact vehicles and mini vans to transport the residents of the house. There may be a bus picking up one of the residents as this is their last year of school. There are four residents who are all from Westchester which includes 2 men and 2 women who are all 21 years of age. They are autistic and are in need of levels of supervision 24 hours per day.

Dennis Santucci, Knollwood Drive, asked the following questions: Will the house become tax exempt? Is it truly a doublewide driveway that will accommodate 2 cars across? Is this similar to Open Gates? What is the density of group homes in the Village as well as the Town of Ossining? Mr. Santucci stated that there is only 295 feet separating the group home on McCarthy Drive and that is against the law.

Supervisor Borgia responded that the house will come off of the tax rolls.

Town Attorney Spector will check into the double width driveway.

**Supervisor Borgia stated that there are three group homes in the Town Outside and 5 in the Village.**

**Anthony DeLucci, White Birch Drive, questioned why there are accommodations for six vehicles. Ms. Varano responded that there are 3 staff members at all times; a Supervisor; part time nurse and another part time individual.**

**Linda Friedman, Locust Road, lives next door to the proposed home and is lodging her objections to this placement. This will change the character of the street which is a nice quiet place to live. They will require a lot of support staff which will cause a lot of traffic on the street. We already have Cedar Manor Nursing Home in the area. Ms. Friedman also commented on the fact that this home is too close to her home and was questioning the legality of the location.**

**John Lawton, Applegate Way, stated that his son has been a resident of Ossining for many years. He understands the concerns being related this evening, however, these individuals will be good neighbors. Cars come and go no matter where you are.**

**Janet Zarowitz, White Birch Drive, questioned whether this proposal was a done deal? Does New York State have a density formula? “Can the home be used for a different use?”**

**Supervisor Borgia responded that the Town has three options which requires a decision within 40 days of the notice; finding an alternate site; and an objection to the request.**

**Ms. Varano responded that there are basic checks done and the law is vague as each community is looked at differently. The parents are always included. No, there will be no change.**

**William Zarowitz, White Birch Drive, questioned the July 1<sup>st</sup> notification.**

**Mrs. Lawton, Applegate Way, provided background on these children. They work very hard in school. The IPAM Analyses is used which has the same vision as we do which is providing training and education to these individuals to be independent individuals. Private funding is also being used to allow them to continue to be the best they can be. This is a small group home.**

**Nancy Kennedy, Croton Dam Road, a former staff member in White Plains commented on the organization and how well the residents are cared for.**

**Brian Strep commented on one of the families having to travel to Massachusetts to visit their child. This is a quality facility where the children will be cared for. It is important to keep families together.**

**Nancy Cannon, Justamere Drive, stated that her daughters did a Walkathon to help raise money for this home and the Town should have some compassion. This could be any of our kids or grandkids in the future.**

**Mary Ann Dempsey, Waterview Drive, stated that she has known the Lawton’s for many years. The neighborhood should be privileged to have them in the area.**

**George Weeks stated that the zoning allows for a certain distance. Mr. Weeks lives nearby and welcomes these individuals with open arms.**

**Jim Sillar is quite impressed with the “people first” character of the neighborhood. These are very happy children.**

**Paul Reis is the realtor who went around with the staff and the parents of these children. They visited at least 70 homes.**

Councilman Wilcher responded that he has been listening to all of these comments and was quite troubled by some of the comments made this evening such as the house being illegal since it was so close. The house has been there for many years and now it is being stated that it is illegal. These individuals are not going to run down the neighborhood. Changes come and we must accept them.

Councilman Tawil shared a personal experience as his son has received services in a much smaller scale; however, his son has some friends with autism. The term “group home” is a scary term. The neighbors should not be afraid as it is not a business, but a home. Have an open mind and an open heart.

### **III. ANNOUNCEMENTS**

Supervisor Borgia had a sad announcement to make – the passing of former Supervisor John Chervokas this past Friday. Mr. Chervokas will be sorely missed. He was Supervisor for over 10 years and was very much involved in the Community. The Town extends their condolences to his family. The family is requesting donations to Parkinson’s.

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

### **V. BOARD RESOLUTIONS**

#### **A. Approval of Minutes**

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 July 12, 2011 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 Tawil that the following be approved:

Resolved, that the Town Board of the Town of Ossining hereby approves the Voucher Detail Report dated July 26, 2011 in the amount of \$355,646.03

Vote: 4-0-1

Voting Aye: Tawil, Harter,  
Wilcher & Borgia

Nay: Tripodi

#### **C. Personnel-Parks Department-Seasonal Appointment**

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

Resolved, that the Town Board of the Town of Ossining hereby appoints Danye Smith-Robinson, Ossining, to the seasonal position of Laborer in the Parks Department effective July 27, 2011 at \$8.75/hr.

Motion Carried: Unanimously

#### **D. Resolution To Permit The Purchase Of Retirement Credit**

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

Whereas Nelga A. Farrelly began working for the Town of Ossining on January 1, 1994 and was appointed by the Town Board on January 11, 1994, and

Whereas on January 10, 1995, Nelga A. Farrelly was appointed to a full time position of Deputy Receiver of Taxes effective January 1, 1995, and has been reappointed each year through the present.

Whereas on January 26, 1999, the Town Board of the Town of Ossining recognized her full-time employment status for the period January 1, 1994 through December 31, 1994 by resolution granting her longevity in the calendar year 1999 pursuant to Town Policy, and

Whereas she met the criteria and performed the duties of a full-time employee of the Town of Ossining as a Deputy Receiver of Taxes during the period of January 1, 1994 through December 31, 1994, but was not credited with service during that period for 10 days of holiday and vacation time for purposes of calculating the retirement system benefit to which she is entitled under New York State Retirement System, and

Whereas employees of the Town of Ossining working similar hours did receive such credit during the period in question, therefore be it

Resolved that Nelga A. Farrelly be considered a full time employee of the Town of Ossining for the period January 1, 1994 – December 31 1994, and may be permitted to purchase back 10 days of holiday and vacation time in accordance with the rules and regulations of, and subject to the review of the New York State Retirement system and in accordance with an agreement deemed suitable by the Town Attorney.

Motion Carried: Unanimously

**E. Resolution Authorizing the Supervisor to Sign Westchester County-IMA Agreement-Bus Shelter**

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

Resolved, that the Town Board of the Town of Ossining hereby authorizes the Supervisor to sign an agreement, upon approval of the Town Attorney, with Westchester County for a bus shelter at North State Road and Chappaqua Road for a five year period commencing April 1, 2011-March 31, 2016.

Motion Carried: Unanimously

**F. Resolution Accepting New York State Community Services for the Elderly Grant**

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

Whereas the Town of Ossining provides meals to the senior citizen residents of Ossining, in a cooperative agreement with Westchester County, and

Whereas in 2011, the Town of Ossining provided meals to senior citizen resident in excess of its agreement with Westchester County, and

Whereas The New York State Community Services for the Elderly Program helps to defray the cost of providing the meals, therefore be it

Resolved that the Town of Ossining accepts with gratitude a one-time grant of \$6,947 from New York State Community Services for the Elderly program to assist in the payment of its Senior Nutrition program.

**G. Personnel Supervisor's Office – Budget Officer/Aide to the Supervisor**

Councilmember Tawil 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 Madeline J. Zachacz, Ossining, to the position of Budget Officer/Aide to the Supervisor, at the salary of \$55,000 effective August 4, 2011.

Motion Carried: Unanimously

**H. Finance – Authorization for Use of In-Lieu of Parklands Trust Fund Moneys**

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

Resolved, that the Town Board authorizes the use of \$7,500.00 from the Parkland Deposits Special Purpose Trust Fund (expenditure account # 037.7110.0438.0037) for the purchase of playground equipment for Buck Johnson Park.

Vote: 4-0-1

Voting Aye: Tawil, Harter,  
Wilcher & Borgia

Nay: Tripodi

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

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

- June 22, 2011 Minutes of the Town Planning Board.
- July 13, 2011 Resolution adopted from the Town Planning Board.

Motion Carried: Unanimously

**VII. MONTHLY REPORTS**

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

Resolved, that the Town Board of the Town of Ossining hereby accepts the monthly report for June 2011 from the Tax Receiver's office.

Motion Carried: Unanimously

**VIII. VISITOR RECOGNITION**

Bobby Williams, Spring Street, was sad to hear the news about John's passing. John was always a gentleman. Mr. Williams also discussed obesity and baby boomers. As far as the group home is concerned, people don't understand people.

**IX. ADJOURNMENT**

At 8:55 P.M. Councilmember Harter moved and it was seconded by Councilmember Tawil that the meeting be adjourned in memory of John Chervokas.