



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

**APRIL 24, 2012  
7:30 P.M.**

**SUPERVISOR  
Susanne Donnelly**

**COUNCILMEMBERS  
Geoffrey Harter    Eric P. Blaha  
Peter Tripodi     Northern Wilcher**

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

The Regular Meeting of the Town Board of the Town of Ossining was held on April 24, 2012 in the Police/Court Facility, 86-88 Spring Street in Ossining. The meeting was called to order at 7:30 p.m. by Supervisor Susanne Donnelly. Members of the Board present were: Councilmembers Northern Wilcher, Peter Tripodi. Councilmembers Eric Blaha and Geoffrey Harter were absent. Also present were Town Attorney Wayne Spector, Budget Officer Madeline Zachacz and Town Clerk Mary Ann Roberts.

**II. Public Hearing in the matter of amending the Accessory Apartment Chapter of the Town Code 7:30 p.m.**

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

Town Attorney Wayne Spector provided a brief overview of the proposed amendment, which recommendation allows for certain residences to establish an accessory apartment to assist with a hardship. These would include mother/daughter units in single family homes. These must be reviewed by the Zoning Board of Appeals. The change was proposed as the result of a couple of applications which are pending.

Bill Jaenike, Morningside Court, discussed paragraph 50B which states that it is the Town's intent that the neighborhood zoned as single family should retain their single family character. Mr. Jaenike expressed his opinion that it would change the nature of the neighborhood which in his opinion is a step backwards. It will ultimately affect the value of the properties, parking, sewage and septic systems.

Jim Burnett, Overton Road, questioned whether it will affect the Village of Ossining? Will it also prohibit boarders?

Larry Carron, Overton Road, questioned whether the Town Board will set up the rules? This type of situation turned the Village of Ossining upside down. If the owner sells will the CO allowing accessory apartments be terminated and be property specific? The law gives the Town the ability to cause a yearly fire inspection with the renewal process. This will provide a better system of accountability.

At 7:58 P.M., Councilman Wilcher moved and it was seconded by Councilman Tripodi that the Public Hearing be closed.

**Public Hearing in the matter of the Petition for Extension of the Ossining Consolidated Sewer District – Salvatore Carrera 7:35 p.m.**

**At 7:58 P.M., the Public Hearing was opened.**

**Town Attorney Wayne Spector provided a brief description which did not address the technical issues allowing them to tie into the sewer district. There are other reviews that must take place prior to installation which include engineering and County review.**

**At 7:59 P.M., Councilman Tripodi moved and it was seconded by Councilman Wilcher that the Public Hearing be closed.**

**Public Hearing in the matter of the Petition for Extension of the Ossining Consolidated Sewer District-Peter Rodriguez 7:40 p.m.**

**At 8:00 P.M., the Public Hearing was opened.**

**No one spoke at this Public Hearing**

**At 8:01 P.M., Councilman Wilcher moved and it was seconded by Councilman Tripodi that the Public Hearing be closed.**

**Public Hearing in the matter of the Petition for Extension of the Ossining Consolidated Sewer District – Kenneth Godfrey 7:45 p.m.**

**At 8:01 P.M., the Public Hearing was opened.**

**No one spoke at this Public Hearing**

**At 8:02 P.M., Councilman Wilcher moved and it was seconded by Councilman Tripodi that the Public Hearing be closed.**

**Public Hearing in the matter of the Petition for Extension of the Ossining Consolidated Sewer District-Stephen Indorf 7:50 p.m.**

**At 8:02 P.M., the Public Hearing was opened.**

**No one spoke at this Public Hearing**

**At 8:03 P.M., Councilman Wilcher moved and it was seconded by Councilman Tripodi that the Public Hearing be closed.**

**Public Hearing in the matter of the Petition for Extension of the Ossining Consolidated Sewer District – Thomas H. Pearse 7:55 p.m.**

**At 8:03 P.M., the Public Hearing was opened.**

**No one spoke at this Public Hearing**

**At 8:04 P.M., Councilman Wilcher moved and it was seconded by Councilman Tripodi that the Public Hearing be closed.**

**III. ANNOUNCEMENTS**

**Supervisor Donnelly announced that in May 1, 2012 the Town Board will hold a Town Hall Meeting at the Ossining Public Library at 7:30 p.m. in the Theater. This will be the second Town Hall Meeting and the subject will be “Assessment”.**

**Councilman Tripodi announced that the Ossining Fire Department would be hosting the 200<sup>th</sup> Anniversary Parade on Saturday, May 5<sup>th</sup>, beginning at 3 p.m.**

**IV. PUBLIC COMMENT ON AGENDA ITEMS**

Jerry Gershner, Town Outside Resident, questioned expenditures for 507 North State Road including \$287 on a lease for a copier; \$56 for lease on a fax machine; and \$843 for Con Ed gas charge. The Town has no obligation to provide these items. Supervisor Donnelly stated as of April 27, 2012 the County Police will be moving out of 507 North State Road. There will be no further cleaning bills.

Councilman Tripodi stated that there is a clause in the Police Contract that should be read and he commends the Board for listening.

Budget Officer Madeline Zachacz stated that the fax machine has been re-focused to another department.

**V. BOARD RESOLUTIONS**

**A. Approval of Minutes**

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

Resolved, that the Town Board of the Town of Ossining hereby approves the April 10, 2012 Minutes of the Regular Meeting as presented.

Motion Carried: Unanimously

**B. Approval of Minutes-Special Meeting**

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

Resolved, that the Town Board of the Town of Ossining hereby approves the April 17, 2012 Minutes of the Special Meeting as presented.

Motion Carried: Unanimously

**C. Approval of Voucher Detail Report**

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

Resolved, that the Town Board of the Town of Ossining hereby approves the Voucher Detail Report dated April 24, 2012 in the amount of \$480,082.49.

Motion Carried: Unanimously

**D. Finance- Capital project #2012-2179- Local Government Records Management Improvement Fund Project Adjustment**

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

Resolved, that the Town Board of the Town of Ossining hereby increases the approved budget for the 2012 LGRMIF Capital Project in the amount of \$1,392.72 to \$14,314.72 from \$12,922, with the additional funds not covered by the grant to be funded by the General Fund Contingency.

Increase: 037.1220.2179 \$1,392.72

Decrease: 010.1990.0400 \$1,392.72

Motion Carried: Unanimously

**E. Honorary Street Sign Declaration- Luiz Carlos da Costa**

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

**Whereas, Luiz Carlos da Costa, a Brazilian native and an Ossining resident, was the Principal Deputy Special Representative for the UN Stabilization Mission in Haiti; and**

**Whereas, Mr. da Costa was killed in service during the 2010 Haitian earthquake; and**

**Whereas, the Town Board of the Town of Ossining recognizes Mr. da Costa's bravery and commitment to service, in our community and around the world;**

**Now, therefore be it resolved that the Town Board of the Town of Ossining hereby honors Mr. da Costa and dedicates Quail Hollow Road, Ossining, New York, as "Luiz Carlos da Costa Way" in his memory.**

**Motion Carried: Unanimously**

**F. Nutrition- Renewal of "Westchester County Department of Health Permit to Operate"**

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

**Whereas, the Town of Ossining provides a Nutrition program to residents; and**

**Whereas, Section 873.301 of the Westchester County Sanitary Code requires that the Permit to Operate be completed 60 days prior to the date of expiration;**

**Now, therefore be it resolved that the Town Board of the Town of Ossining hereby authorizes the Supervisor to sign this renewal, to be completed and delivered to the County by the Nutrition Department manager.**

**Motion Carried: Unanimously**

**G. Change Order #4: Stonegate Road Pump Station Elimination and Gravity Sewer Replacement 2011**

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

**Whereas the Stonegate Road Pump Station Elimination and Gravity Sewer Replacement sewer capital project is near completion, and**

**Whereas work on the project uncovered the necessity for a road to be installed in the event that the Highway Department or technicians would require access to the sewer system to correct a sewer malfunction;**

**Resolved, that the Town Board of the Town of Ossining hereby authorizes the Supervisor to sign Change Order # 4 with Abbott & Price for the Stonegate Road Pump Station Elimination and Gravity Sewer Replacement Project:**

**Installation of gravel access road: \$12,582**

**To be funded by a combination of a Town-issued Bond and sewer district fund balance.**

**Motion Carried: Unanimously**

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

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

- **March 28, 2012 Planning Board Meeting Minutes.**

**Motion Carried: Unanimously**

**VII. MONTHLY REPORTS**

**VIII. VISITOR RECOGNITION**

**Bobby Williams, Spring Street, commented on the Engel Park Beach where the sand is high and should be smoothed out for safer walking on the beach.**

**Councilman Tripodi reminded the public that there was still time left to vote in the Republican Presidential Primary.**

**Supervisor Donnelly reminded the public that on Thursday, April 26<sup>th</sup>, at 7 p.m. there will be a meeting with CGR to discuss the baseline report at the Joseph G. Caputo Community Center.**

**IX. ADJOURNMENT-EXECUTIVE SESSION-TAX CERTIORARI-LEGAL ADVICE & PERSONNEL**

**At 8:27 P.M. Councilmember Tripodi moved and it was seconded by Councilmember Wilcher that the meeting be adjourned.**

**Motion Carried: Unanimously**

**Approved:**

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**Mary Ann Roberts, Town Clerk**