



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

**MAY 8, 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 May 8, 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, Eric Blaha, Geoffrey Harter, Peter Tripodi. Also present were Town Attorney Wayne Spector, Budget Officer Madeline Zachacz and Town Clerk Mary Ann Roberts.

II. ANNOUNCEMENTS

Supervisor Donnelly announced the items on this evening's agenda which pertain to Tax Certioraris; Calling for a Public Hearing; Extension of the Ossining Consolidated Sewer Districts; the Town working with the Village via Paul Fraioli working as the engineer for the Town of Ossining; and a Stipulation of Agreement for a member of the Highway Department. On Saturday, May 12 at 10 a.m. there will be an honorary street naming of Quail Hollow Road in memory of Luiz Carlos da Costa. Sunday is Mother's Day so give your Mom a hug. On May 19th the Sparta Park; Nelson Park Tennis Court Lights and the Edward M. Wheeler Crawbuckie Nature Trail will be dedicated. A special thank you was extended to Henry Atterbury for bringing all these events together. On May 19th OVAC will celebrate EMS Street and dedicate May 19th as Dr. Robert Seebacher Day.

Councilman Tripodi announced the May 12th Street Sign Dedication at 10 a.m.

III. PUBLIC COMMENT ON AGENDA ITEMS

Bobby Williams, Spring Street, questioned Resolution E (Tax Certiorari – Ginsburg Development, L.L.C. vs. Town of Ossining).

IV. 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 24, 2012 Minutes of the Regular Meeting as presented.

Vote: 3-2-0

Voting Aye: Wilcher,
Tripodi & Donnelly
Abstain: Harter, Blaha

B. Approval of Voucher Detail Report

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

Resolved, that the Town Board of the Town of Ossining hereby approves the Voucher Detail Report dated May 8, 2012 in the amount of \$358,273.55

Vote: 4-0-1
Voting Aye: Wilcher,
Blaha, Harter & Donnelly
Voting Nay: Tripodi

C. TAX CERTIORARI

CWBP #1 LLC and CWBP #2 LLC
vs.
TOWN OF OSSINING

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

WHEREAS, proceedings pursuant to Article 7 of the Real Property Tax Law of the State of New York were instituted by CWBP #1 LLC and CWBP #2 LLC against the Town of Ossining to review the tax assessments made on Petitioner's property located at 100 Executive Boulevard and 200 Executive Boulevard in the Town of Ossining, and designated on the tax assessment map of the Town of Ossining as Section 80.20, Block 1, Lot 22 and Section 80.20, Block 1, Lot 21, for assessment years 2004 through 2011, which proceedings are now pending in the Supreme Court of the State of New York, County of Westchester, under Index Nos. 16341/2004; 18393/2005, 18231/2006; 21250/2007; 22698/2008; 24333/2009; 26225/2010; 57291/2011; and

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

Tax ID: 80.20-1-22 (Formerly 1.03-6-6.A) 100 Executive Blvd.

Assessment	Assessed Valuation		Amount of
<u>Year</u>	<u>Reduced From</u>	<u>Reduced To</u>	<u>Reduction</u>
2004	\$75,000	\$75,000	\$ 0
2005	\$75,000	\$75,000	\$ 0
2006	\$75,000	\$75,000	\$ 0
2007	\$75,000	\$64,000	\$11,000
2008	\$75,000	\$65,500	\$ 9,500
2009	\$75,000	\$65,200	\$ 9,800
2010	\$75,000	\$68,800	\$ 6,200
2011	\$75,000	\$68,250	\$ 6,750

Tax ID: 80.20-1-21 (Formerly 1.03-6-6.B) 200 Executive Blvd.

Assessment Year	Assessed Valuation		Amount of Reduction
	Reduced From	Reduced To	
2004	\$67,500	\$62,700	\$ 4,800
2005	\$67,500	\$67,500	\$ 0
2006	\$67,500	\$67,500	\$ 0
2007	\$67,500	\$50,400	\$17,100
2008	\$67,500	\$51,500	\$16,000
2009	\$67,500	\$51,300	\$16,200
2010	\$67,500	\$54,100	\$13,400
2011	\$67,500	\$54,100	\$13,400

WHEREAS, any and all refunds necessitated by said settlement will be made without interest; and **WHEREAS**, the Town Board, upon the recommendation of the Assessor, concurred by the Town Attorney, finds the proposed settlement appropriate and in the best interest of the Town of Ossining; now therefore it is

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

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

RESOLVED, subject to the approval of the Supreme Court, Westchester County, that the Assessor is authorized and directed to make the changes and corrections to the individual unit assessment on the tax assessment roll of the Town of Ossining, which will be ordered pursuant to the Consent Judgment to be entered in accordance with the terms of this settlement, and the Receiver of Taxes is authorized and directed to process and pay the refund of Town of Ossining taxes estimated to be \$17,338.89, which will be ordered pursuant to said Consent Judgment.

Motion Carried: Unanimously

D.

TAX CERTIORARI

AURELIO POGYO

vs.

TOWN OF OSSINING

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

WHEREAS, proceedings pursuant to Article 7 of the Real Property Tax Law of the State of New York were instituted by Aurelio Pogyo, against the Town of Ossining to review the tax assessments made on Petitioner's property located at 62 Yale Avenue in the Town of Ossining, and designated on the tax assessment map of the Town of Ossining as Section 89.15, Block 3, Lot 61, for assessment year 2011, which proceeding is now pending in the Supreme Court of the State of New York, County of Westchester, under Index Nos. 56155/2011; and

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

62 YALE AVENUE
TAX MAP I.D. # 89.15-3-61

<u>Assessment Year</u>	<u>Total Assessment</u>	<u>Amount of Reduction</u>	<u>Reduced Assessment</u>
2011	\$32,190	\$4,110	\$28,080

WHEREAS, any and all refunds necessitated by said settlement will be made without interest; and WHEREAS, the Town Board, upon the recommendation of the Assessor, concurred by the Town Attorney, finds the proposed settlement appropriate and in the best interest of the Town of Ossining; now therefore it is

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

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

RESOLVED, subject to the approval of the Supreme Court, Westchester County, that the Assessor is authorized and directed to make the changes and corrections to the individual unit assessment on the tax assessment roll of the Town of Ossining, which will be ordered pursuant to the Consent Judgment to be entered in accordance with the terms of this settlement, and the Receiver of Taxes is authorized and directed to process and pay the refund of Town of Ossining taxes estimated to be \$13.16, which will be ordered pursuant to said Consent Judgment.

Motion Carried: Unanimously

E.

TAX CERTIORARI

GINSBURG DEVELOPMENT, LLC,

vs.

TOWN OF OSSINING

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

WHEREAS, proceedings pursuant to Article 7 of the Real Property Tax Law of the State of New York were instituted by Ginsburg Development, LLC, against the Town of Ossining to review the tax assessments made on Petitioner's property located at Glenwood Drive, Briarbrook Drive and Pheasant Woods Drive in the Town of Ossining, and designated on the tax assessment map of the Town of Ossining as Section: 97.15, Block 4, Lots 7./0005 to 7./0136 (as more specifically set forth on Schedules "A" and "B" attached), for assessment years 2001 and 2002, which proceedings are now pending in the Supreme Court of the State of New York, County of Westchester, under Index Nos. 16452/2001; and 17286/2002; and

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

See attached Schedules "A" and "B";

WHEREAS, any and all refunds necessitated by said settlement will be made without interest; and WHEREAS, the Town Board, upon the recommendation of the Assessor, concurred by the Town Attorney, finds the proposed settlement appropriate and in the best interest of the Town of Ossining; now therefore it is

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

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

RESOLVED, subject to the approval of the Supreme Court, Westchester County, that the Assessor is authorized and directed to make the changes and corrections to the individual unit assessment on the tax assessment roll of the Town of Ossining, which will be ordered pursuant to the Consent Judgment to be entered in accordance with the terms of this settlement, and the Receiver of Taxes is authorized and directed to process and pay the refund of Town of Ossining taxes estimated to be \$1,955.64, which will be ordered pursuant to said Consent Judgment.

Ginsburg Development, LLC v. Town of Ossining
 Schedule "A" - 2001 Assessment Year

Tax Lot 97.15-4-7/J	Assessment Reduced From:	Assessment Reduced To:	Assessment Reduction:
5	\$11,100	\$11,100	\$0
7	\$11,100	\$11,100	\$0
8	\$11,100	\$11,100	\$0
9	\$11,100	\$11,100	\$0
10	\$11,100	\$11,100	\$0
12	\$11,100	\$11,100	\$0
13	\$11,100	\$11,100	\$0
16	\$13,000	\$13,000	\$0
35	\$22,742	\$22,742	\$0
39	\$20,122	\$20,122	\$0
40	\$20,122	\$20,122	\$0
41	\$11,207	\$11,207	\$0
42	\$11,207	\$11,207	\$0
43	\$7,641	\$4,585	\$3,056
44	\$7,641	\$4,585	\$3,056
45	\$7,459	\$4,475	\$2,984
46	\$7,459	\$4,475	\$2,984
47	\$7,823	\$4,694	\$3,129
48	\$7,823	\$4,694	\$3,129
49	\$6,459	\$3,875	\$2,584
50	\$6,459	\$3,875	\$2,584
51	\$6,823	\$4,094	\$2,729
52	\$5,640	\$3,384	\$2,256
53	\$5,640	\$3,384	\$2,256
54	\$5,640	\$3,384	\$2,256
55	\$5,640	\$3,384	\$2,256
56	\$6,823	\$4,094	\$2,729
57	\$7,095	\$4,257	\$2,838
58	\$7,095	\$4,257	\$2,838
59	\$7,095	\$4,257	\$2,838
60	\$7,095	\$4,257	\$2,838
61	\$7,095	\$4,257	\$2,838
62	\$7,095	\$4,257	\$2,838
63	\$7,095	\$4,257	\$2,838
64	\$7,095	\$4,257	\$2,838
65	\$7,095	\$4,257	\$2,838
66	\$7,095	\$4,257	\$2,838
67	\$7,095	\$4,257	\$2,838
68	\$7,095	\$4,257	\$2,838
69	\$7,641	\$4,585	\$3,056
70	\$7,641	\$4,585	\$3,056
71	\$7,641	\$4,585	\$3,056
72	\$7,641	\$4,585	\$3,056
73	\$7,641	\$4,585	\$3,056
74	\$7,641	\$4,585	\$3,056
75	\$7,641	\$4,585	\$3,056
76	\$7,641	\$4,585	\$3,056
77	\$6,900	\$4,140	\$2,760
78	\$6,900	\$4,140	\$2,760
79	\$6,900	\$4,140	\$2,760
80	\$6,900	\$4,140	\$2,760
81	\$6,900	\$4,140	\$2,760

Ginsburg Development, LLC v. Town of Ossining
 Schedule "A" - 2001 Assessment Year

Tax Lot 97.15-4-7/J	Assessment		Assessment Reduction:
	Reduced From:	Reduced To:	
82	\$6,900	\$4,140	\$2,760
83	\$6,900	\$4,140	\$2,760
84	\$6,900	\$4,140	\$2,760
85	\$6,900	\$4,140	\$2,760
86	\$6,900	\$4,140	\$2,760
87	\$6,900	\$4,140	\$2,760
88	\$6,900	\$4,140	\$2,760
89	\$6,900	\$4,140	\$2,760
90	\$6,900	\$4,140	\$2,760
91	\$6,900	\$4,140	\$2,760
92	\$6,900	\$4,140	\$2,760
93	\$6,900	\$4,140	\$2,760
94	\$6,900	\$4,140	\$2,760
95	\$6,900	\$4,140	\$2,760
96	\$6,900	\$4,140	\$2,760
97	\$6,900	\$4,140	\$2,760
98	\$6,900	\$4,140	\$2,760
99	\$6,900	\$4,140	\$2,760
100	\$6,900	\$4,140	\$2,760
101	\$6,900	\$4,140	\$2,760
102	\$6,900	\$4,140	\$2,760
103	\$6,823	\$4,094	\$2,729
104	\$5,640	\$3,384	\$2,256
105	\$5,640	\$3,384	\$2,256
106	\$5,640	\$3,384	\$2,256
107	\$5,640	\$3,384	\$2,256
108	\$6,823	\$4,094	\$2,729
109	\$6,823	\$4,094	\$2,729
110	\$6,823	\$4,094	\$2,729
111	\$6,459	\$3,875	\$2,584
112	\$6,459	\$3,875	\$2,584
113	\$6,823	\$4,094	\$2,729
114	\$6,823	\$4,094	\$2,729
115	\$6,459	\$3,875	\$2,584
116	\$6,459	\$3,875	\$2,584
117	\$6,823	\$4,094	\$2,729
118	\$5,640	\$3,384	\$2,256
119	\$5,640	\$3,384	\$2,256
120	\$5,640	\$3,384	\$2,256
121	\$5,640	\$3,384	\$2,256
122	\$6,823	\$4,094	\$2,729
123	\$6,823	\$4,094	\$2,729
124	\$6,823	\$4,094	\$2,729
125	\$6,823	\$4,094	\$2,729
126	\$6,823	\$4,094	\$2,729
127	\$6,459	\$3,875	\$2,584
128	\$6,459	\$3,875	\$2,584
129	\$6,823	\$4,094	\$2,729
130	\$6,823	\$4,094	\$2,729
131	\$6,823	\$4,094	\$2,729
132	\$5,640	\$3,384	\$2,256
133	\$5,640	\$3,384	\$2,256

Ginsburg Development, LLC v. Town of Ossining
 Schedule "A" - 2001 Assessment Year

Tax Lot 97.15-4-7./	Assessment		Assessment Reduction:
	Reduced From:	Reduced To:	
134	\$5,640	\$3,384	\$2,256
135	\$5,640	\$3,384	\$2,256
136	\$6,823	\$4,094	\$2,729
Totals	\$812,340	\$557,848	\$254,492

Ginsburg Development, LLC v. Town of Ossining
 Schedule "B" - 2002 Assessment Year

Tax Lot 97.15-4-7./	Assessment		Assessment Reduction:
	Reduced From:	Reduced To:	
48	\$26,220	\$22,287	\$3,933
51	\$6,823	\$4,549	\$2,274
52	\$5,640	\$3,760	\$1,880
53	\$5,640	\$3,760	\$1,880
54	\$5,640	\$3,760	\$1,880
55	\$5,640	\$3,760	\$1,880
56	\$6,823	\$4,549	\$2,274
57	\$7,095	\$4,730	\$2,365
58	\$7,095	\$4,730	\$2,365
59	\$7,095	\$4,730	\$2,365
60	\$7,095	\$4,730	\$2,365
61	\$7,095	\$4,730	\$2,365
62	\$7,095	\$4,730	\$2,365
69	\$28,038	\$23,832	\$4,206
75	\$27,163	\$23,089	\$4,074
76	\$27,731	\$23,571	\$4,160
77	\$28,038	\$23,832	\$4,206
78	\$28,038	\$23,832	\$4,206
79	\$28,038	\$23,832	\$4,206
80	\$27,731	\$23,571	\$4,160
81	\$27,731	\$23,571	\$4,160
82	\$28,038	\$23,832	\$4,206
83	\$28,038	\$23,832	\$4,206
84	\$18,971	\$18,971	\$0
85	\$18,971	\$18,971	\$0
86	\$27,731	\$23,571	\$4,160
87	\$6,900	\$4,600	\$2,300
88	\$6,900	\$4,600	\$2,300
89	\$17,872	\$17,872	\$0
90	\$6,900	\$4,600	\$2,300
91	\$23,970	\$20,375	\$3,595
92	\$6,900	\$4,600	\$2,300
93	\$7,900	\$7,900	\$0
94	\$24,674	\$20,973	\$3,701
95	\$25,913	\$22,026	\$3,887
96	\$6,900	\$4,600	\$2,300
97	\$24,133	\$20,513	\$3,620
98	\$23,826	\$20,252	\$3,574
99	\$26,220	\$22,287	\$3,933
100	\$24,981	\$21,234	\$3,747
101	\$23,222	\$19,739	\$3,483
102	\$23,826	\$20,252	\$3,574
103	\$23,049	\$19,592	\$3,457
104	\$19,493	\$16,569	\$2,924
105	\$14,100	\$14,100	\$0
106	\$14,100	\$14,100	\$0
107	\$15,276	\$15,276	\$0
108	\$19,364	\$16,459	\$2,905
109	\$24,981	\$21,234	\$3,747

Ginsburg Development, LLC v. Town of Ossining
 Schedule "B" - 2002 Assessment Year

Tax Lot 97.15-4-7./	Assessment		Assessment Reduction:
	Reduced From:	Reduced To:	
110	\$25,819	\$21,946	\$3,873
111	\$24,133	\$20,513	\$3,620
127	\$22,915	\$19,478	\$3,437
128	\$22,440	\$19,074	\$3,366
129	\$12,418	\$12,418	\$0
130	\$12,418	\$12,418	\$0
131	\$12,418	\$12,418	\$0
132	\$9,588	\$9,588	\$0
133	\$14,620	\$14,620	\$0
134	\$9,588	\$9,588	\$0
135	\$9,588	\$9,588	\$0
136	\$12,418	\$12,418	\$0
Totals	\$1,049,016	\$900,932	\$148,084

Motion Carried: Unanimously

F. Order Calling a Public Hearing in the matter of the Petition for Extension of the Ossining Consolidated Sewer District – Diego Quizhpi Avila

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

Whereas, a written petition, dated May 1st, 2012, in due form and containing the required signature, has been presented by Diego Quizhpi Avila to the Town Board of the Town of Ossining, Westchester County, New York, for the extension of the Ossining Consolidated Sewer District in said Town; and

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

“Beginning at a point formed by the northerly terminus of the herein described parcel with the southerly side of Ryder Avenue, also being the northeasterly corner

of Lot 522 as shown on a map entitled “Map of Briarcliff Hills, Section 1-8 dated December 16, 1929 and filed in Westchester County Clerk’s Office (Division of Land Records) on January 17, 1930 as Map No. 3557; running thence from said point of beginning along the southerly side of Ryder Avenue, S 44 degrees 35’ 40” E 27.71 feet. Thence along the centerline of Pine Street, S 70 degrees 57’ 10” W 212.29 feet, and S 49 degrees 12’ 10” W 150.61feet to a point on the extension of the northerly side of Park Lane (Not Developed). Thence along the extension of the northerly side of Park Lane (Not Developed), N 45 degrees 03’ 20” E 25.07 feet to the southeasterly corner of Lot 535 as show on aforesaid Map No. 3557. Thence along the easterly side of Lots 535 through 522, N 49 degrees 12’ 10” E 157.27 feet and N 70 degrees 57’ 10” E 205.14 feet to a point on the northerly terminus of the herein described portion of Pine Street Right of Way (Not Developed) as shown on the aforesaid filed Map No. 3557, the point and place of beginning.

Said premises known as 2 Croton Dam Road, Ossining, New York, and also known as Section 89.12, Block 1, Lot 52 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 22nd day of May, 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

G. Sewers - Approval of Ossining Consolidated Sewer District Extension - Salvatore Carrera- 14 Ryder Avenue

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

Whereas, a Petition for the extension of Ossining Consolidated Sewer District located at 14 Ryder Avenue in the Town of Ossining, Westchester County, New York, dated March 30th, 2012, has been presented to the Town Board by Salvatore Carrera, and

Whereas, an Order was duly adopted by the Town Board on April 10th, 2012 reciting the filing of said Petition, the boundaries of the proposed sewer extension, the improvements proposed and the cost thereof, and specifying April 24th, 2012 at 7:35pm in the Police/Court facility, 86-88 Spring Street, Ossining, New York as the date, time and place where the said Board would hold a Public Hearing to consider the Petition and to hear all persons interested in the subject matter thereof concerning the same; and

Whereas, such Order was duly posted and published as required by law; and

Whereas, a public hearing on the matter was duly held by the Town Board on April 24th, 2012, where discussion of the matter was had, and all persons interested were given the opportunity to be heard; and

Whereas, pursuant to Section 194 (6) of the Town Law, the approval of the State Comptroller is not required since the entire burden of the financing of the proposed extension is to be borne by the Petitioner, and there is to be no financing borne by the Town of Ossining, the Ossining Consolidated Sewer District, or any prior extensions thereof;

Now, Therefore, Be It Resolved (a) that the petition is signed and acknowledged as required by law; (b) that all the property and property owners within the proposed extension are benefited thereby; (c) that all the property and property owners benefited thereby are included and (d) that it is in the public interest to grant the relief sought; and it is further

Resolved, that the extension of the Ossining Consolidated Sewer District located 14 Ryder Avenue in the Town of Ossining, Westchester County, New York, as proposed in the Petition, be and the same is hereby approved, and that the said sewer district extension include the property as described in the said Petition; and it is further

Resolved, that the Town Clerk shall, within ten (10) days after adoption of this Resolution, file certified copies thereof in duplicate in the Office of the State Department of Audit and Control at Albany, New York, and record a certified copy in the Office of the Clerk of the County of Westchester.

Motion Carried: Unanimously

H. Sewers - Approval of Ossining Consolidated Sewer District Extension - Peter Rodriguez- 69 Morningside Drive

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

Whereas, a Petition for the extension of Ossining Consolidated Sewer District located at 69 Morningside Drive in the Town of Ossining, Westchester County, New York, dated April 4th 2012, has been presented to the Town Board by Peter Rodriguez, and

Whereas, an Order was duly adopted by the Town Board on April 10th, 2012 reciting the filing of said Petition, the boundaries of the proposed sewer extension, the improvements proposed and the cost thereof, and specifying April 24th, 2012 at 7:40pm in the Police/Court facility, 86-88 Spring Street, Ossining, New York as the date, time and place where the said Board would hold a Public Hearing to consider the Petition and to hear all persons interested in the subject matter thereof concerning the same; and

Whereas, such Order was duly posted and published as required by law; and

Whereas, a public hearing on the matter was duly held by the Town Board on April 24th, 2012, where discussion of the matter was had, and all persons interested were given the opportunity to be heard; and

Whereas, pursuant to Section 194 (6) of the Town Law, the approval of the State Comptroller is not required since the entire burden of the financing of the proposed extension is to be borne by the Petitioner, and there is to be no financing borne by the Town of Ossining, the Ossining Consolidated Sewer District, or any prior extensions thereof;

Now, Therefore, Be It Resolved (a) that the petition is signed and acknowledged as required by law; (b) that all the property and property owners within the proposed extension are benefited thereby; (c) that all the property and property owners benefited thereby are included and (d) that it is in the public interest to grant the relief sought; and it is further

Resolved, that the extension of the Ossining Consolidated Sewer District located 69 Morningside Drive in the Town of Ossining, Westchester County, New York, as proposed in the Petition, be and the same is hereby approved, and that the said sewer district extension include the property as described in the said Petition; and it is further

Resolved, that the Town Clerk shall, within ten (10) days after adoption of this Resolution, file certified copies thereof in duplicate in the Office of the State Department of Audit and Control at Albany, New York, and record a certified copy in the Office of the Clerk of the County of Westchester.

Motion Carried: Unanimously

I. Sewers - Approval of Ossining Consolidated Sewer District Extension - Kenneth Godfrey- 7 Ridgeview Drive

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

Whereas, a Petition for the extension of Ossining Consolidated Sewer District located at 7 Ridgeview Drive in the Town of Ossining, Westchester County, New York, dated April 9th, 2012, has been presented to the Town Board by Kenneth Godfrey, and

Whereas, an Order was duly adopted by the Town Board on April 10th, 2012 reciting the filing of said Petition, the boundaries of the proposed sewer extension, the improvements proposed and the cost thereof, and specifying April 24th, 2012 at 7:45pm in the Police/Court facility, 86-88 Spring Street, Ossining, New York as the date, time and place where the said Board would hold a Public Hearing to consider the Petition and to hear all persons interested in the subject matter thereof concerning the same; and

Whereas, such Order was duly posted and published as required by law; and

Whereas, a public hearing on the matter was duly held by the Town Board on April 24th, 2012, where discussion of the matter was had, and all persons interested were given the opportunity to be heard; and

Whereas, pursuant to Section 194 (6) of the Town Law, the approval of the State Comptroller is not required since the entire burden of the financing of the proposed extension is to be borne by the Petitioner, and there is to be no financing borne by the Town of Ossining, the Ossining Consolidated Sewer District, or any prior extensions thereof;

Now, Therefore, Be It Resolved (a) that the petition is signed and acknowledged as required by law; (b) that all the property and property owners within the proposed

extension are benefited thereby; (c) that all the property and property owners benefited thereby are included and (d) that it is in the public interest to grant the relief sought; and it is further

Resolved, that the extension of the Ossining Consolidated Sewer District located 7 Ridgeview Road in the Town of Ossining, Westchester County, New York, as proposed in the Petition, be and the same is hereby approved, and that the said sewer district extension include the property as described in the said Petition; and it is further

Resolved, that the Town Clerk shall, within ten (10) days after adoption of this Resolution, file certified copies thereof in duplicate in the Office of the State Department of Audit and Control at Albany, New York, and record a certified copy in the Office of the Clerk of the County of Westchester.

Motion Carried: Unanimously

J. Sewers - Approval of Ossining Consolidated Sewer District Extension - Stephen Indorf- 5 Ridgeview Drive

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

Whereas, a Petition for the extension of Ossining Consolidated Sewer District located at 5 Ridgeview Drive in the Town of Ossining, Westchester County, New York, dated April 9th, 2012, has been presented to the Town Board by Stephen Indorf; and

Whereas, an Order was duly adopted by the Town Board on April 10th, 2012 reciting the filing of said Petition, the boundaries of the proposed sewer extension, the improvements proposed and the cost thereof, and specifying April 24th, 2012 at 7:50pm in the Police/Court facility, 86-88 Spring Street, Ossining, New York as the date, time and place where the said Board would hold a Public Hearing to consider the Petition and to hear all persons interested in the subject matter thereof concerning the same; and

Whereas, such Order was duly posted and published as required by law; and

Whereas, a public hearing on the matter was duly held by the Town Board on April 24th, 2012, where discussion of the matter was had, and all persons interested were given the opportunity to be heard; and

Whereas, pursuant to Section 194 (6) of the Town Law, the approval of the State Comptroller is not required since the entire burden of the financing of the proposed extension is to be borne by the Petitioner, and there is to be no financing borne by the Town of Ossining, the Ossining Consolidated Sewer District, or any prior extensions thereof;

Now, Therefore, Be It Resolved (a) that the petition is signed and acknowledged as required by law; (b) that all the property and property owners within the proposed extension are benefited thereby; (c) that all the property and property owners benefited thereby are included and (d) that it is in the public interest to grant the relief sought; and it is further

Resolved, that the extension of the Ossining Consolidated Sewer District located 5 Ridgeview Drive in the Town of Ossining, Westchester County, New York, as proposed in the Petition, be and the same is hereby approved, and that the said sewer district extension include the property as described in the said Petition; and it is further

Resolved, that the Town Clerk shall, within ten (10) days after adoption of this Resolution, file certified copies thereof in duplicate in the Office of the State

Department of Audit and Control at Albany, New York, and record a certified copy in the Office of the Clerk of the County of Westchester.

Motion Carried: Unanimously

K. Sewers - Approval of Ossining Consolidated Sewer District Extension - Thomas H. Pearse- 9 Ryder Avenue

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

Whereas, a Petition for the extension of Ossining Consolidated Sewer District located at 9 Ryder Avenue in the Town of Ossining, Westchester County, New York, dated April 7th, 2012, has been presented to the Town Board by Thomas H. Pearse; and

Whereas, an Order was duly adopted by the Town Board on April 10th, 2012 reciting the filing of said Petition, the boundaries of the proposed sewer extension, the improvements proposed and the cost thereof, and specifying April 24th, 2012 at 7:55pm in the Police/Court facility, 86-88 Spring Street, Ossining, New York as the date, time and place where the said Board would hold a Public Hearing to consider the Petition and to hear all persons interested in the subject matter thereof concerning the same; and

Whereas, such Order was duly posted and published as required by law; and

Whereas, a public hearing on the matter was duly held by the Town Board on April 24th, 2012, where discussion of the matter was had, and all persons interested were given the opportunity to be heard; and

Whereas, pursuant to Section 194 (6) of the Town Law, the approval of the State Comptroller is not required since the entire burden of the financing of the proposed extension is to be borne by the Petitioner, and there is to be no financing borne by the Town of Ossining, the Ossining Consolidated Sewer District, or any prior extensions thereof;

Now, Therefore, Be It Resolved (a) that the petition is signed and acknowledged as required by law; (b) that all the property and property owners within the proposed extension are benefited thereby; (c) that all the property and property owners benefited thereby are included and (d) that it is in the public interest to grant the relief sought; and it is further

Resolved, that the extension of the Ossining Consolidated Sewer District located 9 Ryder Avenue in the Town of Ossining, Westchester County, New York, as proposed in the Petition, be and the same is hereby approved, and that the said sewer district extension include the property as described in the said Petition; and it is further

Resolved, that the Town Clerk shall, within ten (10) days after adoption of this Resolution, file certified copies thereof in duplicate in the Office of the State Department of Audit and Control at Albany, New York, and record a certified copy in the Office of the Clerk of the County of Westchester.

Motion Carried: Unanimously

L. Call-a-Cab Agreement

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

Resolved, that the Town Board hereby authorizes the Supervisor to sign An agreement with B.C. Taxi Company for participation in the Call-a-Cab Program for the period ending December 31, 2012.

Vote: 4-0-1
Voting Aye: Wilcher,
Blaha, Harter & Donnelly
Voting Nay: Tripodi

M. Finance- Capital Project #2012-2180- North State Road Drainage Project

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 authorizes the establishment of Capital Project #2012-2180, entitled North State Road Drainage, in the amount of \$50,000, to be funded by fund balance and Town-issued bond.

Increase: 037.5110.2180 (Expense) \$50,000.00

Motion Carried: Unanimously

N. Personnel-Highway Department

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

BE IT RESOLVED, that upon the recommendation of the Town Supervisor, the Town Board hereby ratifies and approves the Stipulation of Agreement between the Town and Local 456, International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America, AFL-CIO; and

BE IT FURTHER RESOLVED, that the Town Supervisor is authorized to execute the Stipulation on the Town's behalf.

Motion Carried: Unanimously

V. CORRESPONDENCE TO BE RECEIVED AND FILED

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

- April 23, 2012 Zoning Board of Appeals Meeting Minutes.**

Motion Carried: Unanimously

VI. MONTHLY REPORTS

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 accepts the following monthly reports for the month of April 2012:

- Town Clerk's Office**
- Building Department**

Motion Carried: Unanimously

VII. VISITOR RECOGNITION

Brian Streb from Briarcliff Woods requested an up- date on the Cedar Lane Project. It had been stated by the previous Board that the project was approved in December. Supervisor Donnelly responded that these were some items missing such as obtaining easements. The Town did not have a Town Engineer until now. They had interviewed five companies prior to choosing Mr. Fraioli for the engineering position.

VIII. Bobby Williams, Spring Street, reminded the public that Tuesday, May 15th, was the School Budget Vote and the Library Vote which will take place at the Ossining High School Gym from 7 a.m. to 9 p.m. There are many disadvantaged children that were in need.

IX. ADJOURNMENT

At 8:22 P.M. Councilmember Harter moved and it was seconded by Councilmember Tripodi that the meeting be adjourned.

Motion Carried: Unanimously

Approved:

Mary Ann Roberts, Town Clerk

