



**TOWN HALL MEETING III  
TOWN OF OSSINING  
OSSINING PUBLIC LIBRARY  
BUDARZ THEATER  
53 CROTON AVE.  
OSSINING, NY 10562**

**June 19, 2012  
7:30 P.M.**

**Supervisor  
Susanne Donnelly**

**Councilmembers  
Geoffrey Harter      Eric P. Blaha  
Peter Tripodi IV      Northern Wilcher**

**The Town Hall meeting for the Town of Ossining was held on June 19, 2012 at the Ossining Public Library , 95 Broadway, Budarz Theater, Ossining, N.Y. The meeting was called to order at 7:30 P.M. by Supervisor Donnelly. Members of the Board present were: Northern Wilcher, Geoffrey Harter, Peter Tripodi and Eric P. Blaha. Also present were: Wayne Spector and Madeline Zachacz Budget Officer and Deputy Town Clerk, Ann Marie Rocco**

**Supervisor Donnelly advised that this Town Hall meeting will concentrate on issues and opportunities concerning the unincorporated area. This is a residents meeting, and we look forward to addressing the issues and opportunities that each of you want to discuss with us and with one another.**

**Supervisor Donnelly announced that these Town Hall meetings will take place approximately every six weeks. Every other meeting will be related to the unincorporated area of the Town of Ossining. Please feel free to stop by the Supervisor's office at 16 Croton Ave. should you have any questions. Our phone number is 914-762-1600. Supervisor Donnelly explained what open government is. There are two functions that the Government controls:**

- The Town General (Assessor, Tax, Clerk)**
- The Unincorporated Area**

**Mr. Jerry Gershner asked Supervisor Donnelly to address the issues on the flyer that he handed out.**

Supervisor Donnelly emphasized that some of the budget items that are listed on this flyer had been established already and we have to work with what we have. Councilman Blaha commented on the 2011 franchise fees and the mortgage tax. Council man Blaha confirmed that this is 100% legal and that the Board is compliant in this matter.

Mr. Bill Janeke Morningside Court. Mr. Janeke advised that he has been bombarded with questions regarding district 17/20 and questioned if Phil Zegerelli Briarcliff Manor Village Manager and Supervisor Donnelly would hire a consultant to help with this matter or possibly do a rigorous study.

Supervisor Donnelly advised she could look into something like this to help with the decision. This board will not let anyone be disenfranchised. Supervisor Donnelly has made a request to meet with the policy making board of the Village of Briarcliff.

Town Attorney Wayne Spector spoke about district 17/20 and the municipal annexation process and provided the following presentation:

The process of annexation by one municipality of all or a portion an adjacent municipality of all or a portion of an adjacent municipality is governed in its entirety, by article 17 f the New York general municipal law.

Petitions must then be delivered to the governing boards of the local government:

1. to which it is proposed that territory is to be annexed and
2. from which it will be annexed.

There must be publication of a notice in the official newspaper, and copies of the notice must be mailed to each person and corporation owning real property in the territory. The hearing of the two boards may be adjourned but for no longer than 10 days.

The law does not provide for extending this period, even if additional information is requested.

Within 90 days after the hearing is concluded, both governing boards will determine either that it is or is not in the best interest of the overall public.

Final Steps:

- Within 30 days after the matter is submitted to the referees, the referees must file their report, setting forth facts and conclusions of law.
- After receiving the hearing oral argument on the report by referees, the court shall make its own adjudication and determination of the law and facts.
- Should they determine that the proposed annexation is in the best interest of all involved parties, the matter would then be submitted for referendum

Sondra Peimer questioned who brought up the topic of annexation Briarcliff Manor or Town of Ossining?

**Supervisor Donnelly advised that a group of people got together to investigate the idea.**

**Resident: Would it be the whole Town of Ossining?**

**Supervisor Donnelly advised that it would be just those two sections, district 17 & 20 going to the Briarcliff. No one has approached the Village of Ossining to join them. This is a process that can be set forth by the residents. However, it is the Town Boards job to make sure that the residents don't get harmed.**

**Mr. Janeke stated that Mr. Zegarelli did a great job describing in detail on the benefits and costs. Mr. Janeke feels that we have not made much progress on this topic.**

**Supervisor Donnelly stated that the Town and the Village of Briarcliff have done an enormous amount of work presenting the reason for doing this. If the residents of the unincorporated area would like a meeting on just this topic, the Town will schedule one. The Town has reached out to Briarcliff and we can work on getting an auditor to help with this process.**

**Mrs. Ellen Kahan- Ganung Drive Ms. Kahan understands how Mr. Janeke feels and encourages the Board to talk to each side and look at the actual facts.**

**Mr. Mark Hofleg Morning side Drive. Mr. Hofleg is concerned with the grounds Briarcliff High School and the Rifle Range. If residents join the Village of Briarcliff Manor. How is the Town of Ossining going to protect us in case of toxic chemicals a year from now or ten years from now?**

**Supervisor Donnelly explained that if this change would happen the school districts would not change.**

**Mr. Zegerelli explained that the Mayor and the Board of the Village of Briarcliff asked Mr. Zegerelli to do research on the 17/20 annexation and to see how much it would cost and explained the pros and cons. Mr. Zegerelli explained that there were problems with the soil at Briarcliff Middle School and High School. Currently, they passed a referendum to fix the situation.**

**Supervisor Donnelly explained to Mr. Hofleg that he would not be financially responsible since he would remain in the Ossining School District.**

**Mr. Jerry Gershner questioned the cable franchise fees. Did the auditors direct the Town to deposit this in the Town General Fund? Are you making a mistake on the Sales Tax?**

**Supervisor Donnelly explained that we are going to look for ways to make sure that this is fair and equitable for the unincorporated area. The sales tax does get deposited into**

**the right category and we have done what the auditors have told us to do. This has already gone up to the State Comptroller's Office and we are waiting to hear back.**

**Mr. Gershner questioned what a School Resource Officer is and he would like a job description?**

**Supervisor Donnelly explained that the middle school and high school each have one SRO. The SRO is part of Westchester County Police contract. Supervisor Donnelly explained that she will get a job description and forward to Mr. Gershner.**

**Councilman Harter explained that the SRO was based on a grant that was available to our community. AMD was having some incidents that required an SRO. We can take a look to see if this position is still necessary.**

**Councilman Tripodi feels that the DARE program has not really worked. Town outside residents should not bear the cost and we are looking into this issue.**

**Mr. Gershner questioned if this position is a full-time officer.**

**Supervisor Donnelly explained that the officer is on duty during school hours.**

**Officer states that when the school year is over, the officer becomes a relief officer for the Town of Ossining.**

**Supervisor Donnelly explained that she will send the job description and possibly have the SRO assigned to the Town General Fund.**

**Ms. Kim Jeffries -100B Morning Side Drive questioned the North State Road Police facility. If the Westchester County is no longer going to be in the building what are the options?**

**Supervisor Donnelly explained that we have a contract with County Police and it was stated that they could use the building at no cost. We approached the County to see if they were interested in the building and they advised the Board that they were not interested. Currently, the Police are slowly moving out of the building. We are not in negotiations with Briarcliff Manor. The building is currently for sale/lease.**

**Ms. Jefferies feels frustrated and would like to see the school board that the Town Board working cohesively. What can you do to help both boards work together?**

**Supervisor Donnelly stated that the Village and the Town of Ossining work very well together. At least once a quarter the Village Board, Town Board, Library Board and School Board meet to discuss various topics.**

**Councilman Harter explained that we have a Recreation Advisory Committee and there are representatives from Briarcliff, Village & Town of Ossining. This committee is comprised of nine representatives.**

**Mr. Tony DaCruz 86 Croton Dam Rd. explained to the board that his property has a brook in the front, the side and back. When the previous Highway Superintendent was in office, the brook was cleaned two times a year. Currently, the brook is not being maintained and the reason that he was given is because the Highway Department does not have the time or resources.**

**Supervisor Donnelly explained that today she met with the engineering group and this issue will be resolved within the next few days and we need to find out ways of getting this issue repair. Supervisor Donnelly also explained that she met with the neighbors and will be speaking with Michael G. O'Connor Highway Superintendent. When the Town has drainage and flooding issues, Town and the Village have to obtain an easement to be allowed on the property.**

**Supervisor Donnelly explained the various IMA's with the Village of Ossining.**

**Sondra Peimer questioned how fast can the Westchester County Police get to the Town of Ossining now that they are not using the North State Road facility?**

**Supervisor Donnelly explained that there are three shifts in the unincorporated area. From 8:00 a.m. to 4:00 p.m. there are two officers with standbys. From midnight to 8:00 a.m. there is one officer. The police officers come very quickly and there are always officers patrolling the area.**

**Councilman Tripodi advised that the original phone number that the Town Police use to have now gets rolled over to the County Police.**

**Ms. Jensen Morningside Drive questioned if the Ryder Park Tennis courts will be refurbished?**

**Mr. Henry Atterbury Superintendent of Parks and Rec. Mr. Atterbury is aware of the conditions at Ryder Park and it is on the list to take care of. At this time, we are in discussion with little league Baseball.**

**Ms. Kim Jeffries- Morningside Drive s questioned if the grass and the beach part can be cleaned up.**

**Mr. Atterbury explained that this is a Hudson River beach and unfortunately, material will wash on the beach. Also, the grass is surrounded by brackish water and that is why it does not look very nice.**

**Resident- stated that she use to run tennis tournaments at Ryder Park. The two lower tennis courts are in need repair.**

**Mr. Atterbury explained there are two tennis courts that are in us by the USTA and there are two that are not being used. We did look at the cost to repair and it would cost \$300,000 to repair these courts. This would be a Town Board decision and also, the baseball team is looking into using that space.**

**Mr. Jim O'Connor from District 20 questioned Supervisor Donnelly if she was in favor of District 17/20? Mr. O'Connor believes that this will come to a vote.**

**Supervisor Donnelly explained that it will come to delivering the petitions. Supervisor Donnelly explained what the process would if/when we would get the petitions. It does not automatically go to the vote of the public when you have 20% of 17/20.**

**Supervisor Donnelly discussed the Engineering IMA with the Village of Ossining. Supervisor Donnelly introduced the following Department Heads who were in the audience:**

**Thomas Warren, Treasurer**

**Andrew Tiess, Superintendent of Water and Sewers Andrew Tiess**

**Paul Fraioli, Village Engineer**

**Michael G. O'Connor Highway Superintendent**

**Henry Atterbury, Superintendent of Parks & Recreation**

**George Weeks**

**Gloria Fried, Receiver of Taxes**

**Judge Fried, Town of Ossining Court**

**Supervisor Donnelly spoke about accessory apartments in the Town of Ossining. At this time, residents are allowed to have an accessory apartment in their home. There are very strict requirements and it has to be located on the inside of the home. The Board has decided to leave it the same. However, if you are going to build an accessory apartment you must go before the zoning board for a variance. Residents must follow all the rules and regulations.**

**Supervisor Donnelly provided a power point presentation on the Highway Superintendent position. Should the Town of Ossining Vote to Change this position from "elected" to "appointed"? The qualifications are as follows:**

- You must be a registered voter in the Town of Ossining**
- You must be 18 years or older.**

**Changing to an appointed employee would help Ossining the position and corresponding duties are vital to the success of the community. Every election cycle could threaten the incumbency of an experience and sound Superintendent.**

**The Town could hire the most qualified & talented person for the job, regardless of political affiliation. Some exceptional candidates cannot afford the time nor the expense of the election process.**

- **2012 Salary of this position: \$89,536**
- **The Highway Superintendent controls a budget of \$2.2 million: this responsibility should not be determined by a popularity contest, or because the election has been uncontested.**

**The Town Board will ask for input from the public as well as current employees. The Town will create a Hiring Committee”, which will include the Town Board, Town Administration and (2) Unincorporated area residents.**

**The committee will then decide what qualifications are vital for the position, and will interview, and eventually hire the appropriate candidate.**

**Supervisor Donnelly stated that putting this decision to a public referendum shows faith that the residents are capable of deciding what is best:**

**November 2012: Public Vote  
Summer/Fall 2013: Interview Process  
December 2013: Last Elected Term Ends  
January 2014: Appointment**

**Please send your comments: [sdonnelly@townofossining.com](mailto:sdonnelly@townofossining.com)**

**Mr. Gerry Gershner questioned that if the Town decides to make the Highway Superintendent an appointed position, will the same be done to the Town Clerk’s Office and Tax Receiver’s office?**

**Supervisor Donnelly explained that at this time we are only concerned with the Highway Superintendent position.**

**Supervisor Donnelly thanked everyone for coming to the Town Hall Meeting.**

**The Next Town Hall meeting will be in six weeks at the Ossining Public Library.**