

Town Board Minutes
Town of North Castle
15 Bedford Road
Armonk, New York 10504
on
May 28, 2008

Supervisor Berman called the meeting to order at 5:00 p.m. and the following persons were present:

Supervisor	Reese Berman
Councilmen	Rebecca A. Kittredge Gerald K. Geist William R. Weaver Michael J. Schiliro
Town Clerk	Ann Leber
Town Counsel	Roland A. Baroni

The meeting was immediately adjourned into Executive Session to discuss litigation.

The regular meeting was reconvened at 7:40 p.m. in the North Castle Community Center in North White Plains.

Councilman Weaver moved, seconded by Councilman Kittredge, approval of the minutes of the work sessions of May 2 and May 14, and the regular meeting of May 14, 2008.

The roll call vote was as follows:

Ayes: Councilmen Kittredge, Geist, Weaver, Schiliro, Supervisor Berman

Noes: None.

The minutes of the Public Hearings which commenced at 7:55 p.m. follow at the end of these minutes.

Mary Jo Garrity, president of the North White Plains Neighborhood Association, thanked the Town Board for arranging to hold its meeting in North White Plains.

Anne Curran, North Castle Recycling Committee, introduced the committee members and read its mission statement. To date the committee's work has included expanding the Green Page on the Town's website; arranging for the sale of blue recycling bins; publishing a recycling guide; setting up recycling centers in Town; researching grants and selling reusable tote bags.

Councilman Kittredge announced that the Memorial Day Parade will take place on Main Street on May 30 beginning at 6 p.m. and followed by a ceremony and refreshments at the American Legion Hall.

Supervisor Berman made the following announcements:

- The Armonk Lion's Fol-de-Rol will be held on June 4, 5 and 6.
- The sidewalk projects on Cloverdale Avenue and Reservoir Road have been completed using NYS Multi-Modal grant funds. Work on Washington Avenue curbs and sidewalks is due to begin and will be paid for with Community Development Block Grant (CDBG) monies from Westchester County.
- The bids for the Quarry Heights sewer project were opened on May 7th. The award is contingent upon the homeowners' full financial participation by the June 9th deadline. Homeowners whose household income is below 80% of the median for the County may apply for low cost loans. For further information call Tyneshia Royal at 914-995-2413.
- Westchester County Household Recycling Days are June 6 from 1 to 3 p.m. and June 7 from 9 a.m. to 3 p.m. at Westchester Community College in Valhalla. Call 914-813-5425 for details.

Following the public hearing to consider renewal of the franchise agreements with Cablevision, Councilman Geist moved, seconded by Councilman Kittredge, authorization for

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the Supervisor to sign the work order to install the fiber return line at Town Hall, in the amount of \$9,446. The cost of this connection will be fully reimbursed to the Town by Cablevision within sixty days of the Effective Date of the Cable Franchise Renewal Agreement, but in no event shall said reimbursement take place later than November 1, 2008.

The roll call vote was as follows:

Ayes: Councilmen Kittredge, Geist, Weaver, Schiliro, Supervisor Berman.

Noes: None.

With regard to a fence in disrepair in North White Plains, Councilman Weaver reported that he has visited the site with General Foreman Craig Useted and recommends that the fence on Kensico Knoll to the pedestrian path be replaced with new plastic coated fence and that the fence on Nethermont Avenue to North Broadway be repaired. Mr. Useted obtained one proposal but will seek another before making a recommendation.

Supervisor Berman mentioned that, pursuant to her meeting with the Building, Parks and Highway Departments, the following actions will be taken in the vicinity of the pedestrian path off Nethermont Avenue:

The Building Department will clean up the site including the materials that have been dumped there.

The Highway Department will clean the path of brush and patch the sidewalk.

The Parks Department will spray the poison ivy and maintain the path.

Pursuant to a recent meeting of the Housing Board with Director of Planning Kaufman, Chair Barbara DiGiacinto explained that, in an effort to keep middle income rental units affordable, the Housing Board is recommending a reduction in the maximum monthly rental for the units. Thanking the Housing Board for its thorough work, Supervisor Berman said she would like to schedule a conversation with Mrs. DiGiacinto and one other Town Board member.

Councilman Weaver moved, seconded by Councilman Schiliro, that the Town Board declare its intent to act as lead agency for environmental review under SEQRA for the proposed sprinkler legislation.

The roll call vote was as follows:

Ayes: Councilmen Kittredge, Geist, Weaver, Schiliro, Supervisor Berman.

Noes: None.

Councilman Kittredge moved, seconded by Councilman Geist, receipt of a mortgage tax update from Finance Director Donovan.

The roll call vote was as follows:

Ayes: Councilmen Kittredge, Geist, Weaver, Schiliro, Supervisor Berman.

Noes: None.

Supervisor Berman made the following statement regarding budget reductions:

“The next item on the agenda is a memo that I sent to the Dept. Heads on May 6th regarding budget reductions. Before I read it, I want to give the general public some background information.

“I know from conversations that I am having with my fellow Westchester Supervisors that the slow down in the national economy and housing market is having a severe impact on all our Towns and Villages. All of the Towns are seeing a serious down turn in the mortgage tax, permit fees, and interest rates – which usually make up substantial revenues in our budgets. Sales tax to date has remained steady mostly because of the high cost of gasoline. Additionally all of the municipalities are seeing increasing expenses in electricity, oil, gas, cost of road materials, health and insurance benefits.

“The mortgage tax revenue for the first 7 months, starting in October, 2007 is \$264,000 less than the same time period the year before. If this trend continues, we will be about \$450,000 to \$500,000 less for the year 2008. Permit fees and interest rates are also producing less income than was anticipated. For the first five months of this year our costs for electricity, oil, gas,

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gasoline and diesel are up \$66,640.20. With revenues declining and expenses increasing, we must find ways to reduce our expenditures wherever possible.

“I have taken steps to just that. I may need to take further steps, and some of the services that we have taken for granted may need to be curtailed. To date, that has not occurred.”

The Supervisor then read the memo she sent to department heads on May 6, 2008:

“Over the past few months at Department Head meetings, I have kept you up to date on the reduced revenues from mortgage tax, interest, and permit fees. I am sure you are aware that our expenses for gas, oil and electricity are rising. There are other factors that have made this year challenging and difficult with regard to finances. Since revenues are reduced, we must reduce expenditures. Many of you have made considerable reductions already; some of you have not.

“After a lengthy discussion at a work session with the Town Board last Friday, May 2nd, we have determined that the following steps will be necessary to reduce our expenditures for 2008 and will take effect on May 19th:

- Freeze future hiring. Several decisions have already been made. No part-time secretary will be hired in the Supervisor’s office this year; no Plans Examiner will be hired in the Building Department; we will not be hiring one part-time employee in the assessor’s office. There are additional positions that were budgeted for this year that we will not be filling. (With regard to the part-time summer camp help, we will of course fill those positions. But we will have to reduce summer help in those departments that have summer help).
- Eliminate overtime in all departments except for police and emergency services.
- Reduce each department’s expenditures by 10% exclusive of staffing reductions.
- Submit all future purchases IN ADVANCE to the Finance Director’s office.”

Councilman Weaver moved, seconded by Councilman Geist, ratification of the request from Byram Hills Authentic Science Research Program to place a sign under the “eagle” to publicize its Science Research Symposium on June 4.

The roll call vote was as follows:

Ayes: Councilmen Kittredge, Geist, Weaver, Schiliro, Supervisor Berman.

Noes: None.

Councilman Geist moved, seconded by Councilman Schiliro, receipt of the quarterly franchise fee from Verizon in the amount of \$5,438.18.

The roll call vote was as follows:

Ayes: Councilmen Kittredge, Geist, Weaver, Schiliro, Supervisor Berman.

Noes: None.

Councilman Geist moved, seconded by Councilman Kittredge, approval of the request of General Foreman Useted to re-bid for catch basins as the previous bidders did not include bid bonds as specified.

The roll call vote was as follows:

Ayes: Councilmen Kittredge, Geist, Weaver, Schiliro, Supervisor Berman.

Noes: None.

Councilman Geist moved, seconded by Councilman Kittredge, approval of the request of General Foreman Useted to award the bid for highway materials to Wingdale Materials, the second lowest bidder. The trap rock purchased from the lowest bidder, Putnam Materials, is unusable due to its poor quality.

The roll call vote was as follows:

Ayes: Councilmen Kittredge, Geist, Weaver, Schiliro, Supervisor Berman.

Noes: None.

Councilman Geist moved, seconded by Councilman Kittredge, approval of the request of the Recreation and Parks Department to award the bid for transportation services during the 2008 teen travel camp season to MTC Limousine and Corporate Coach in the amount of \$12,300.

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The roll call vote was as follows:

Ayes: Councilmen Kittredge, Geist, Weaver, Schiliro, Supervisor Berman.

Noes: None.

Councilman Geist moved, seconded by Councilman Weaver, receipt of a letter from New York State Department of Environmental Conservation regarding the renewal of State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges From Municipal Separate Storm Sewer Systems (MS4's), effective May 1, 2008 to April 30, 2010.

The roll call vote was as follows:

Ayes: Councilmen Kittredge, Geist, Weaver, Schiliro, Supervisor Berman.

Noes: None.

Councilman Kittredge moved, seconded by Councilman Weaver, that the Supervisor be, and hereby is, authorized to make the budget transfers that follow at the end of these minutes.

The roll call vote was as follows:

Ayes: Councilmen Kittredge, Geist, Weaver, Schiliro, Supervisor Berman.

Noes: None.

Councilman Kittredge moved, seconded by Councilman Geist, receipt of Workers Compensation Reports for Nicola Criniti, Anthony Miceli and Gary Ristaino, Highway Department.

The roll call vote was as follows:

Ayes: Councilmen Kittredge, Geist, Weaver, Schiliro, Supervisor Berman.

Noes: None.

Councilman Geist moved, seconded by Councilman Weaver, authorization for the Supervisor to sign the renewal of the Intermunicipal Agreement with the Town of Mt. Pleasant to have TransCare Corporation provide advanced life support services to the areas of North Castle (Ambulance District No. 1), which receive basic ambulance service from Valhalla Ambulance Corps through. The term of the agreement is July 1, 2008 through June 30, 2011. North Castle will reimburse Mt. Pleasant \$23,301 for the first year, \$24,000 for the second, and \$24,720 for the third.

The roll call vote was as follows:

Ayes: Councilmen Kittredge, Geist, Weaver, Schiliro, Supervisor Berman.

Noes: None.

Councilman Geist moved, seconded by Councilman Weaver, authorization for the Supervisor to sign Amendment B to the Municipal Snow and Ice Agreement with New York State (NYSDOT) for the year of 2007 – 2008.

The roll call vote was as follows:

Ayes: Councilmen Kittredge, Geist, Weaver, Schiliro, Supervisor Berman.

Noes: None.

Councilman Weaver moved, seconded by Councilman Kittredge, authorization for the Town of North Castle to join the Croton Kensico Watershed Intermunicipal Coalition and for the Supervisor to sign the Intermunicipal Agreement along with the Towns of Bedford, Cortlandt, Harrison, Lewisboro, Mt. Pleasant, New Castle, North Salem, Pound Ridge, Somers and Yorktown; and the Village of Mt. Kisco.

The roll call vote was as follows:

Ayes: Councilmen Kittredge, Geist, Weaver, Schiliro, Supervisor Berman.

Noes: None.

Councilman Kittredge moved, seconded by Councilman Weaver, authorization for the Supervisor to sign a copier/printer/scanner lease agreement with Arden Business Systems Inc. for the Supervisor's office in the amount of \$249.00 per month.

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The roll call vote was as follows:

Ayes: Councilmen Kittredge, Geist, Weaver, Schiliro, Supervisor Berman.

Noes: None.

Councilman Geist moved, seconded by Councilman Kittredge, authorization for the Supervisor to sign an agreement with Anita Louise Ehrman Recreation Center, Inc. for the use of recreational facilities and swimming pools, July 7 – August 15, 2008, in the amount of \$40,000.

The roll call vote was as follows:

Ayes: Councilmen Kittredge, Geist, Weaver, Schiliro, Supervisor Berman.

Noes: None.

Councilman Geist moved, seconded by Councilman Schiliro, authorization for the Supervisor to sign an agreement with InterSchola Services Contract for services to assist in selling surplus goods in an online auction environment.

The roll call vote was as follows:

Ayes: Councilmen Kittredge, Geist, Weaver, Schiliro, Supervisor Berman.

Noes: None.

Councilman Weaver moved, seconded by Councilman Kittredge, receipt, with regret, of a letter of retirement from Gail Colarusso, Planning Department, effective May 31, 2008. The Town Clerk was directed to send a letter to Mrs. Colarusso expressing the Town Board's appreciation of her service.

The roll call vote was as follows:

Ayes: Councilmen Kittredge, Geist, Weaver, Schiliro, Supervisor Berman.

Noes: None.

Councilman Geist moved, seconded by Councilman Weaver, the appointment of Director of Planning Kaufman as chairman of the Residential Project Review Committee.

The roll call vote was as follows:

Ayes: Councilmen Kittredge, Geist, Weaver, Schiliro, Supervisor Berman.

Noes: None.

Councilman Geist moved, seconded by Councilman Weaver, approval of the resolutions endorsing the CDBG matching grant applications for Clove Road Park Improvements I and for Washington Avenue Public Improvements II. The grant requests are in the amounts of \$60,000 and \$61,750 respectively.

North White Plains resident Ed Lobermann asked Supervisor Berman's office to follow up with the NYSDOT regarding signage at the entrance and exit of Kensico Park which was requested at a prior Town Board meeting with that agency. Mrs. Berman commented that the meeting Mr. Lobermann was referring to was held by County Legislator John Nonna who is working with the DOT to effect the promised improvements, however the DOT claims it is short of funds for what was originally presented.

Supervisor Berman added that in response to a traffic study for the Route 22 Corridor in North White Plains commissioned by the Town, the DOT has asked the Town Board to adopt a resolution supporting the recommendations of the study. Upon receipt of the resolution, the DOT will implement the recommendations.

The Town Board audited and approved payments totaling \$10,737,332.49 as indicated on Warrant #10.

After all persons were heard who desired to be heard, the Supervisor closed the meeting at 9:12 p.m. in memory of Joseph Beninati, Jr.; Jane Black's father, Leonard Rogers; and Brian HoSang.

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Ann Leber, Town Clerk

Dated: June 5, 2008

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