

Town Board Minutes
Town of North Castle
15 Bedford Road
Armonk, New York
on
January 10, 2007

Supervisor Berman called the meeting to order at 6:10 p.m. and the following persons were present:

Supervisor	Reese Berman
Councilmen	Gerald K. Geist
	William H. McClure
	William R. Weaver

Town Counsel	Roland A. Baroni
Town Clerk	Ann Leber

Councilman Kittredge was absent.

The meeting was immediately adjourned into Executive Session to discuss a personnel matter. The regular meeting was reconvened at 7:40 p.m., following the Organizational Meeting.

Councilman Geist moved, seconded by Councilman Weaver, approval of the minutes of the special meeting of December 13, 2006, the regular meeting of December 18, 2006, and the special meeting of December 28, 2006.

The minutes of the Public Hearings which commenced at 7:48 p.m. follow at the end of these minutes.

Supervisor Berman made the following statement:

“Now that we've taken care of the formalities that are unavoidable if we want the Town to stay in business for another year, I want to spend a few minutes to talk about some of the things that were accomplished in 2006 and some of the goals for this year.

“First, I want to acknowledge the support and hard work of my fellow Town Board members in what has been a truly cooperative effort to work through our ambitious 2006 agenda. Their efforts were often matched by our excellent staff, outside consultants and many volunteers who serve on our numerous committees and boards. And it was all done against a background of extraordinary events that demanded our time, that we didn't anticipate, and that we certainly didn't want. These included a tornado, a severe ice storm, an even more severe wind storm, power outages, and a thankfully short-lived garbage strike.

“The Town Board has set two goals to be accomplished in 2007 and has included them in the new goals and accomplishments section of the 2007 Budget Book. They are to review the Zoning Code and to expedite the applications and review process for construction projects. We will soon be appointing a committee of residents, Town staff and consultants to review our current permitting and approvals procedures and to make recommendations for ways to speed up the process for new construction and for renovations of both commercial and residential buildings.

“You can find the goals and accomplishments section of the 2007 Budget Book beginning on page 17 of the online version accessible via the Town's website. It includes entries from all the Town departments. For convenience, I've posted the Supervisor's entry on my website at www.reeseberman.org/2006report.html. Here are some of the major items that I've included.

“The most visible goal that we achieved in 2006 was the completion of the land use and moratorium process, resulting in last month's adoption of far reaching legislation and the expiration of the moratorium. This is also probably the best example of the way this Town Board operates. Each of us started the year with our own ideas of what we wanted and believed the Town needed. But to a person, we freely discussed, debated and fine tuned our positions until we were able to unanimously support a final comprehensive set of laws. And we did it all in the open: at televised public hearings and

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at public work sessions. Every word was transcribed and promptly posted on the Town website, as was every written comment received from the public. I am sure that my fellow Board members share my pride in our joint accomplishment of opening our proceedings to public view, as also demonstrated by our having increased the number of public work sessions and reducing the frequency of our executive sessions.

“I was able to institute important, but little publicized, administrative innovations that required the cooperation and understanding of our Town staff. So here's a capsule comment about some of the new procedures and positions I instituted and was able to put in place with the help and cooperation of our Town employees. We now have monthly meetings of all Department heads where we get an overview of what's happening in all the Departments and share information, plans and ideas. For the first time, we opened the annual budget meetings with Department heads to the public. I initiated a policy manual that will define the responsibilities of Town employees, created a new position, Clerk of the Works, to represent the Town's interest in the construction, renovation and maintenance of our municipal buildings, led the Town Board to engage a grants consultant to help us find outside funding sources for important projects, developed a Volunteer Service Application form and established a pool of volunteers for Town service, and initiated and oversaw the development and distribution of an emergency contact information form for all Town residents. I also initiated computer training of our staff to increase computer literacy and improve efficiency and collaborated with the Finance Department on development of a more accessible and transparent Budget Book.

“I found it both difficult and extremely satisfying to reactivate long standing projects that had either been given up for dead or were at risk of never being completed. These included the revival and completion of the Whippoorwill Hills bus stop project that appeared to have been in a state of permanent limbo. My requests for cooperation and a fresh look were embraced by the developer, Toll Brothers, the former developer, Mike Ferari, the Byram Hills administration, and the residents, all of whom made me proud to have brought them together to cooperate in making the bus stop fully operational by the beginning of the current school year.

“The Quarry Heights sewers is another project that was gratifying to work on. It was not progressing fast enough, and there were already significant cost increases for the main trunk line which is to be funded by County bonds. As with the Whippoorwill Hills project, I had energetic assistance from residents when I took over coordination of the project. Early in the year, the entire Town Board, the Town Clerk, the project engineer and County officials met with residents to put the project back on track. We quickly gathered the necessary permissions from the residents and enacted required Town enabling legislation, only to face the threat that County funding would be withdrawn because of disputes about allocation of the bonding costs. I was able to lead delegations of residents to two meetings of the County Legislature and to have Councilman Bill Weaver join me in testifying before the Legislature. Meanwhile, I stayed in constant contact with our Legislator Sue Swanson and other County officials. Finally, the Legislature unanimously adopted all the required legislation in late November.

“As a Town Board member for four years, I was concerned that not enough attention was being given to the Town's long-range planning needs. Accordingly, this past year, I initiated the creation of a Town Finance Task Force to examine our budget for ways to reduce expenditures, increase revenues, add to our fund balance and create a multi-year financial plan, a Capital Improvement Task Force to examine the adequacy of our municipal buildings to determine if they need to be renovated, expanded, replaced or relocated, and an Armonk Hamlet Task Force to focus on improving the appearance and functionality of the downtown business area.

“Improved communications and public access have been major goals since I began serving on the Town Board. In addition to increasing the number of Town Board public work sessions, I initiated the televising of Planning Board meetings, participated in updating and revising the Town website, continued to provide my email newsletters from home to those who requested it, scheduled Walk and Talk sessions, and initiated and held Meet the Supervisor meetings in all three hamlets.

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“I recognize the importance of and have continued to focus on environmental concerns. In addition to the land use legislation, I implemented recycling in municipal buildings and promoted recycling in our schools, led the Town Board in adoption of the Westchester County Greenway Compact Plan, promoted the Town purchase of flexible fuel vehicles, held a multi-town Open Space Workshop led by Pace University, held a multi-department biodiversity workshop led by the Wildlife Conservation Society, participated in monthly meetings of the Northern Westchester Watershed Committee and implemented recommendations of the group, promoted the use of phosphorus-free lawn and garden products, and began my tenure as the Co-Chair of the newly created Westchester County Climate Protection: Global Warming Task Force.

“I consider all of this work and the many other projects I have undertaken to be part of my job. You elected me to work hard, and I've been committed to doing just that. However, I must add that being able to work, as I have, with supportive colleagues and staff helps assure that things get accomplished and that we can build a record of achievements for the Town.”

Councilman Geist moved, seconded by Councilman Weaver, the following resolution requesting NYS DOT for permission to reduce the speed limit on Whippoorwill Road:

Whereas, the Town Board of the Town of North Castle has received an increasing number of complaints concerning speeding on Whippoorwill Road and has recently received a request from the Whippoorwill Association residents' homeowners association to adopt special legislation reducing the speed limit from 30 mph to 25 mph; and

Whereas, this request is also supported by the North Castle Police Department recognizing the unique topography of the Whippoorwill area and the road's use by pedestrians and bicyclists alike.

Now, Therefore, Be It

Resolved, that the Town Board of the Town of North Castle, pursuant to its Home Rule Authority, hereby requests the New York State Legislature to adopt special legislation enabling the Town of North Castle to consider adoption of a speed limit of 25 mph over the entire length of Whippoorwill Road existing within its boundaries; and be it further

Resolved, that the Town Clerk is hereby authorized to forward this Home Rule Request together with other appropriate documentation to North Castle's elected New York State representatives.

The roll call vote was as follows:

Ayes: Councilmen Geist, McClure, Weaver, Supervisor Berman.

Noes: None.

Councilman Geist moved, seconded by Councilman Weaver, that Finance Director Dawn Donovan be authorized to pay Frederick P. Clark Associates, Inc., \$2,773.56 for the Wampus Avenue Traffic Study.

The roll call vote was as follows:

Ayes: Councilmen Geist, McClure, Weaver, Supervisor Berman.

Noes: None.

Councilman Weaver moved, seconded by Councilman Geist, receipt of a copy of a letter from North White Plains resident James Jensen to Supt. Anthony Futia regarding the rates and water quality in Water District No. 1 and a copy of a letter from Supt. Futia to Mr. Jensen in connection with the same matters.

The roll call vote was as follows:

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Ayes: Councilmen Geist, McClure, Weaver, Supervisor Berman.
Noes: None.

In connection with the Hergenhan Recreation Center, Councilman Weaver moved, seconded by Councilman Geist, authorization for Finance Director Donovan to make payment #3 to Carey & Walsh in the amount of \$48,459.92; payment #2 to James Ford Plumbing in the amount of \$44,840; and payment #3 to SRI Sprinkler in the amount of \$27,360.

The roll call vote was as follows:

Ayes: Councilmen Geist, McClure, Weaver, Supervisor Berman.
Noes: None.

In connection with the wastewater treatment plant project, Councilman Geist moved, seconded by Councilman McClure, authorization for Finance Director Donovan to make payment #3 to Carey and Walsh in the amount of \$27,730.50; payment #8 to Stratis Contracting Corporation in the amount of \$195,524.49; payment to RLJ Electric Corp. in the amount of \$64,600; and two payments to Stearns & Wheler, LLC, in the amounts of \$1,800 and \$23,150.

The roll call vote was as follows:

Ayes: Councilmen Geist, McClure, Weaver, Supervisor Berman.
Noes: None.

Councilman Geist moved, seconded by Councilman Weaver, receipt of a letter from Veneziano & Associates, representing Antares Armonk Square, LLC, appealing the December 8, 2006 decision by the Landmarks Preservation Committee denying a Certificate of Appropriateness for the proposed Armonk Square development. A public hearing was scheduled for February 14, 2007.

The roll call vote was as follows:

Ayes: Councilmen Geist, McClure, Weaver, Supervisor Berman.
Noes: None.

Councilman Geist moved, seconded by Councilman Weaver, receipt of a letter from Landmarks Preservation Committee Chairman Nicholas Cerullo requesting that the public hearing regarding Armonk Square be scheduled no earlier than February 14.

The roll call vote was as follows:

Ayes: Councilmen Geist, McClure, Weaver, Supervisor Berman.
Noes: None.

Councilman Geist moved, seconded by Councilman Weaver, receipt of letters from the following residents regarding the Armonk Square project in relation to the Bedford Road Historic District: Susan Shimer, Mr. Cerullo, Doris Finch Watson, Kerri Kazak, George Pouder, Sharon Tomback, Mark Miller, Esq., and St. Stephens Church. Refuting a claim in Mr. Cerullo's letter, Town Attorney Baroni said he had not advised the LPC members at a meeting in Supervisor Berman's office that the land bank parking area will be converted into 15 parking spaces immediately, but rather that it would be considered sometime in the future. Supervisor Berman stated that her recollection was the same as the Mr. Baroni's.

The roll call vote was as follows:

Ayes: Councilmen Geist, McClure, Weaver, Supervisor Berman.
Noes: None.

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Councilman Geist moved, seconded by Councilman Weaver, receipt of a letter from the New York Power Authority announcing that it is now projecting an increase of 17.2% in the rate for Westchester County governmental customers rather than the previously projected 33% increase.

The roll call vote was as follows:

Ayes: Councilmen Geist, McClure, Weaver, Supervisor Berman.

Noes: None.

Councilman Geist moved, seconded by Councilman Weaver, receipt of a memo from Supt. Bruce Barnard in response to a request by Frances and Joseph Conte for the creation of a parking area at the end of Washington Avenue. Mr. Barnard stated that both he and General Foreman Useted agreed that this area would not be appropriate for a parking area due to the topography, the amount of soil disturbance, and the need for retaining walls and tree removal. Town Clerk Leber was asked to forward Supt. Barnard's memo to the Contes.

The roll call vote was as follows:

Ayes: Councilmen Geist, McClure, Weaver, Supervisor Berman.

Noes: None.

Councilman Geist moved, seconded by Councilman Weaver, receipt of a memo from Building Inspector Fon requesting that the Town Board consider passing a regulation requiring that any new building application be accompanied by a digital PDF file. Councilman Geist stated that such a requirement could be a burden on residents who are not computer savvy. Agreeing with Mr. Geist, Director of Planning Adam Kaufman suggested that perhaps the Town could charge a fee for converting the file or require that electronic submissions be made in MS Word which is more common than Adobe Acrobat which is required for a PDF file. The Town Board decided to defer a decision pending further discussion.

The roll call vote was as follows:

Ayes: Councilmen Geist, McClure, Weaver, Supervisor Berman.

Noes: None.

Upon the advice of Town Attorney Baroni, a request from Stearns & Wheler, LLC, for contract Amendment No. 5 for additional engineering services in connection with the wastewater treatment plant project was tabled pending further discussion with firm representatives.

Councilman Weaver moved, seconded by Supervisor Berman, receipt of a memo from Finance Director Donovan advising the Board that the Town has been approved for funding from the NYS Environmental Facilities Corporation for the sewer treatment plant project. The total savings to the taxpayers in Sewer District No. 2 will be approximately \$1,139,000.

The roll call vote was as follows:

Ayes: Councilmen Geist, McClure, Weaver, Supervisor Berman.

Noes: None.

Councilman Geist moved, seconded by Councilman Weaver, receipt of an updated spreadsheet from Finance Director Donovan showing how much has been spent through November 2006 on the Planning and Zoning Implementation Study with Frederick P. Clark Associates, Inc. The remaining balance left on the agreement is approximately \$2,399.

The roll call vote was as follows:

Ayes: Councilmen Geist, McClure, Weaver, Supervisor Berman.

Noes: None.

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Councilman Geist moved, seconded by Councilman Weaver, that Finance Director Donovan be authorized to pay Estimate # 111 in the amount of \$45,937.09 to DMJM+Harris in connection with the Route 120 project.

The roll call vote was as follows:

Ayes: Councilmen Geist, McClure, Weaver, Supervisor Berman.

Noes: None.

In connection with the wastewater treatment plant upgrade, Councilman Geist moved, seconded by Councilman Weaver, receipt of three letters from the NYS Environmental Facilities Corporation regarding engineering agreements eligibility; plans, specifications and addendum eligibility; and engineering report approval.

The roll call vote was as follows:

Ayes: Councilmen Geist, McClure, Weaver, Supervisor Berman.

Noes: None.

Councilman Weaver moved, seconded by Councilman Geist, approval of the request of General Foreman Useted to release highway bonds in the amount of \$500 to Ernest Tartaglione, Permit #430, Hudson Home Improvement, Permit #459, and Intercounty Paving, Permit #465.

The roll call vote was as follows:

Ayes: Councilmen Geist, McClure, Weaver, Supervisor Berman.

Noes: None.

Councilman Weaver moved, seconded by Councilman Geist, receipt of a memo from Kellard Engineering & Consulting, PC, stating that, in response to the Town Board's request, it had prepared a Request for Proposal for the Town to solicit proposals for surveying services for a portion of the Wampus River and its surroundings in the vicinity of School Street and Route 128. Sealed proposals will be received on January 29, 2007.

The roll call vote was as follows:

Ayes: Councilmen Geist, McClure, Weaver, Supervisor Berman.

Noes: None.

Councilman Geist moved, seconded by Councilman Weaver, receipt of \$945 in donations to the North Castle Public Library in memory of Francis O'Neill.

The roll call vote was as follows:

Ayes: Councilmen Geist, McClure, Weaver, Supervisor Berman.

Noes: None.

Councilman Geist moved, seconded by Councilman Weaver, receipt of a letter from Receiver of Taxes Patricia Colombo and authorization to pay a Certiorari Consent Judgement for 901 Properties, LLC, 901 N. Broadway, North White Plains (Sec. 6, Blk. 01, Lot 1.A) for tax years 2002 - 2007 in the total amount of \$14,666.47.

The roll call vote was as follows:

Ayes: Councilmen Geist, McClure, Weaver, Supervisor Berman.

Noes: None.

Councilman Weaver moved, seconded by Councilman Geist, approval for Suburban Carting Corp. to add 53 additional homes to its pickup routes.

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The roll call vote was as follows:

Ayes: Councilmen Geist, McClure, Weaver, Supervisor Berman.

Noes: None.

Councilman Geist moved, seconded by Councilman Weaver, receipt of a letter from the NYS Public Service Commission granting Temporary Operating Authority to Cablevision Systems Westchester Corp. for its operation in the Town, said Authority to expire July 9, 2007.

The roll call vote was as follows:

Ayes: Councilmen Geist, McClure, Weaver, Supervisor Berman.

Noes: None.

Councilman Weaver moved, seconded by Supervisor Berman, that Councilman Geist, the second vice president of the NYS Association of Towns, be designated as the Town's voting delegate at the 2007 annual meeting.

The roll call vote was as follows:

Ayes: Councilmen Geist, McClure, Weaver, Supervisor Berman.

Noes: None.

Councilman Weaver moved, seconded by Councilman Geist, receipt of a letter from Duke, Holzman, Yaeger & Photiadis LLP, attorneys for Suburban Carting Corp., informing the Town that Suburban has sold its assets to Sani-Pro Disposal Services, Inc.

The roll call vote was as follows:

Ayes: Councilmen Geist, McClure, Weaver, Supervisor Berman.

Noes: None.

Councilman Weaver moved, seconded by Councilman Geist, receipt of a copy of a letter from Supt. Futia to Kellard Engineering & Consulting, PC, with reference to the NYSDOT road restoration project in North White Plains.

The roll call vote was as follows:

Ayes: Councilmen Geist, McClure, Weaver, Supervisor Berman.

Noes: None.

Councilman Weaver moved, seconded by Councilman Geist, receipt of a memo from Westchester County and a Negative Declaration by the Board of Legislators in connection with the Quarry Heights sanitary sewer project.

The roll call vote was as follows:

Ayes: Councilmen Geist, McClure, Weaver, Supervisor Berman.

Noes: None.

Councilman Geist moved, seconded by Councilman Weaver, receipt of a letter and a permit from the Westchester County Department of Health for the surface coating of the two water storage tanks located at Overlook Reservoir and at Custis Avenue in North White Plains.

The roll call vote was as follows:

Ayes: Councilmen Geist, McClure, Weaver, Supervisor Berman.

Noes: None.

Councilman Geist moved, seconded by Councilman Weaver, approval of the request from the Byram Hills School District for the use of four voting machines for the school budget vote on May 15, 2007.

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The roll call vote was as follows:

Ayes: Councilmen Geist, McClure, Weaver, Supervisor Berman.

Noes: None.

Councilman Geist moved, seconded by Councilman Weaver, receipt of a memo from Supt. Barnard requesting that the Town accept a donation from Armonk Baseball, Inc, in the amount of \$1,500, to help defray the cost of architects' fees for site design services for improvements to Lombardi Park.

The roll call vote was as follows:

Ayes: Councilmen Geist, McClure, Weaver, Supervisor Berman.

Noes: None.

Councilman Geist moved, seconded by Councilman Weaver, that the Supervisor be authorized to make the budget transfers, as of December 31, 2006, that follow at the end of these minutes.

The roll call vote was as follows:

Ayes: Councilmen Geist, McClure, Weaver, Supervisor Berman.

Noes: None.

Councilman Weaver moved, seconded by Councilman Geist, receipt of the Town Clerk's report for the month of December 2006.

The roll call vote was as follows:

Ayes: Councilmen Geist, McClure, Weaver, Supervisor Berman.

Noes: None.

Councilman Weaver moved, seconded by Councilman Geist, that Notices of Claim in the matter of Travelers Property Casualty Corp. vs. Town of North Castle and Noel Donohoe vs. Town of North Castle be received and referred to the Town Attorney.

The roll call vote was as follows:

Ayes: Councilmen Geist, McClure, Weaver, Supervisor Berman.

Noes: None.

Councilman Geist moved, seconded by Councilman Weaver, authorization for the Supervisor to sign the Network Support Agreement with Sullivan Data Management, Inc. in the amount of \$24,500 for the year 2007.

The roll call vote was as follows:

Ayes: Councilmen Geist, McClure, Weaver, Supervisor Berman.

Noes: None.

Councilman Geist moved, seconded by Councilman Weaver, ratification of the authorization for the Supervisor to sign the Easement Agreement and Contribution Agreement in connection with 99 Business Park Drive. Town Attorney Baroni explained that the owners of the property agreed to donate the existing 300,000 gallon water tank, pumps, etc. to Water District No. 4 and grant an easement to the Town to access the site. In return, the Town will reimburse the owners \$60,000 for them to come off their private water supply and connect to the municipal system. Supt. Futia commented that the Town would eventually need to find property on which to erect a tank for treatment or back up for the main tank.

The roll call vote was as follows:

Ayes: Councilmen Geist, McClure, Weaver, Supervisor Berman.

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Noes: None.

Councilman Geist moved, seconded by Councilman Weaver, authorization for the Supervisor to sign the NYS Environmental Facilities Corporation Project Financing Agreement for Clean Water State Revolving Fund, Project No.: C3-5359-01-00, County of Westchester.

The roll call vote was as follows:

Ayes: Councilmen Geist, McClure, Weaver, Supervisor Berman.

Noes: None.

Councilman Geist moved, seconded by Councilman Weaver, that the Supervisor be authorized to sign the agreement with the NYS Department of Transportation to extend the Indexed Lump Sum Municipal Snow and Ice Contract from June 30, 2008 through June 30, 2009.

The roll call vote was as follows:

Aye: Councilman Geist, McClure, Weaver, Supervisor Berman

No: None

Councilman Geist moved, seconded by Councilman McClure, authorization for the Supervisor to sign the agreement with Foley Laboratory Services, Inc. for drug and alcohol testing for Highway Department personnel for the year 2007.

The roll call vote was as follows:

Ayes: Councilmen Geist, McClure, Weaver, Supervisor Berman.

Noes: None.

Councilman Geist moved, seconded by Councilman Weaver, authorization for the Supervisor to sign the agreement with WeatherWorks in the amount of \$1,650 for weather and storm consulting services for the year 2007.

The roll call vote was as follows:

Ayes: Councilmen Geist, McClure, Weaver, Supervisor Berman.

Noes: None.

Councilman Geist moved, seconded by Councilman McClure, authorization for the Supervisor to sign the Westchester County Stop-DWI Patrol Project Reimbursement Contract Amendment for the years 2007 - 2010.

The roll call vote was as follows:

Ayes: Councilmen Geist, McClure, Weaver, Supervisor Berman.

Noes: None.

Councilman Geist moved, seconded by Councilman Weaver, approval of the request of Finance Director Donovan to attend the NYSGFOA Annual Conference in Albany on March 28 - 30, 2007.

The roll call vote was as follows:

Ayes: Councilmen Geist, McClure, Weaver, Supervisor Berman.

Noes: None.

Councilman Geist moved, seconded by Councilman Weaver, approval of the request of Receiver of Taxes Colombo for Deputy Receiver Elaine Vrouletis to attend the Association of Towns annual meeting on February 19-20.

The roll call vote was as follows:

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Ayes: Councilmen Geist, McClure, Weaver, Supervisor Berman.
Noes: None.

Councilman Geist moved, seconded by Councilman Weaver, authorization to pay RLJ Electric Corp. \$59,612.50 in connection with the wastewater treatment plant project.

The roll call vote was as follows:

Ayes: Councilmen Geist, McClure, Weaver, Supervisor Berman.
Noes: None.

The Town Board audited and approved payments totaling \$683,808.23 as indicated on Warrant # 23.

After all persons were heard who desired to be heard, the Supervisor closed the meeting at 8:30 p.m.

Ann Leber, Town Clerk

Dated: January 24, 2007

PUBLIC HEARING

January 10, 2007

At 7:48 p.m. Supervisor Berman stated that a public hearing would be held in accordance with the public notice that follows:

NOTICE IS HEREBY GIVEN THAT the North Castle Town Board will hold a Public Hearing on January 10, 2007, at 7:30 p.m., or as soon thereafter, at Town Hall, 15 Bedford Road, Armonk, New York 10504, for the purpose of considering the adoption of a Local Law to amend the Code of the Town of North Castle, Chapter 196 entitled "Vehicle and Traffic," Section 196-47, Schedule VII entitled "Stop Intersections," to place a stop sign on Kaysal Court at its intersection with Old Route 22.

By Order of the Town Board
Ann Leber, Town Clerk

Dated: December 27, 2006
Armonk, New York

The Public Notice read by the Town Clerk was marked Exhibit "A" for the record.

The Affidavit of Posting calling the Public Hearing was marked Exhibit "B" for the record.

The Affidavit of Publication from The Journal News calling the Public Hearing was marked Exhibit "C" for the record.

A copy of a memo to Chief D'Angelo from Sgt. Simonsen dated December 12, 2006 and a copy of a memo from Chief D'Angelo to the Town Board dated December 13, 2006 were marked Exhibit "D" for the record.

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Lt. Peter Simonsen explained that the law was necessary in order to enforce the stop sign on Kaysal Court since it is now a public road. He asked that the Board consider adopting the proposed local law.

No other correspondence or comments were entered for the record.

After all persons were heard who desired to be heard, Councilman Geist moved, seconded by Councilman Weaver, that the public hearing be closed at 7:49 p.m.

The roll call vote was as follows:

Ayes: Councilmen Geist, McClure, Weaver, Supervisor Berman

Noes: None

Councilman Geist moved, seconded by Councilman McClure, the adoption of Local Law 1 of the year 2007 to amend the Town Code, Chapter 196 entitled "Vehicle and Traffic," Section 196-47, Schedule VII entitled "Stop Intersections," to place a stop sign on Kaysal Court at its intersection with Old Route 22.

The Local Law follows:

A Local Law to Amend Chapter 196 of the Code of the Town of North Castle entitled Vehicles and Traffic.

Be It Enacted by the Town Board of the Town of North Castle as follows:

1. Paragraph 296-47 Scheduled VII Stop Intersections is hereby amended to add the following:

<u>Stop Sign On</u>	<u>Direction of Travel</u>	<u>At Intersection Of</u>
Kaysal Court	East	Old Route 22

2. Effective Date: This Local Law shall be effective upon filing of same with the Secretary of State of the State of New York.

The roll call vote was as follows:

Ayes: Councilmen Geist, McClure, Weaver, Supervisor Berman

Noes: None

Ann Leber, Town Clerk

Dated: January 24, 2007

PUBLIC HEARING

January 10, 2007

At 7:30 p.m. Supervisor Berman stated that a Public Hearing would be held in accordance with the Public Notice that follows:

NOTICE IS HEREBY GIVEN THAT the North Castle Town Board will hold a Public Hearing on January 10, 2007, at 7:30 p.m., or as soon thereafter, at Town Hall, 15 Bedford Road, Armonk, New

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York 10504, for the purpose of considering the adoption of a Local Law to amend Town Code of the Town of North Castle, Chapter 213.5 entitled "Zoning Map."

By Order of the Town Board
Ann Leber, Town Clerk

Dated: December 27, 2007
Armonk, New York

The Public Notice read by the Town Clerk was marked Exhibit "A" for the record.

The Affidavit of Posting calling the Public Hearing was marked Exhibit "B" for the record.

The Affidavit of Publication from The Journal News calling the Public Hearing was marked Exhibit "C" for the record.

Supervisor Berman explained that the revised zone map reflects the text amendments which were adopted on December 13, 2006.

Director of Planning Adam Kaufman said the map is the graphical representation of the action taken by the Town Board on December 13. It also corrects the lines delineating the various zoning districts in the Town. He added that the digitally prepared map is available on the Planning Department web site.

No other correspondence or comments were entered for the record.

After all persons were heard who desired to be heard, Councilman Geist moved, seconded by Councilman Weaver, that the public hearing be closed at 7:52 p.m.

The roll call vote was as follows:

Ayes: Councilmen Geist, McClure, Weaver, Supervisor Berman
Noes: None.

Councilman Weaver moved, seconded by Councilman Geist, the adoption of the resolution and Town Zoning Map as revised on December 13, 2006. The resolution follows below.

The roll call vote was as follows:

Ayes: Councilmen Kittredge, Geist, McClure, Weaver, Supervisor Berman
Noes: None.

RESOLUTION

Action: Amendment of Zoning Map of the Town of North Castle, NY
Date of Approval: January 10, 2007

WHEREAS, after several months of public hearings and discussion, on August 11, 2004 the Town Board adopted a local law entitled "Residential Subdivision and Hamlet Business Centers Moratorium Law of the Town of North Castle, New York;" and

WHEREAS, this local law established a one-year moratorium (subsequently twice extended, with modifications, for additional periods of six months and once more for approximately four months) on the approval of all new applications for residential subdivision and on the approval of all site plans,

special use permits and other development proposals within North Castle's three Hamlet Centers: Armonk, North White Plains and Banksville; and

WHEREAS, the Town Board considered zoning map changes involving both residential and non-residential zoning districts in various specific locations throughout the Town; and

WHEREAS, the Town Board also considered a series of proposed zoning and wetlands text amendments that add new regulations to further protect the citizens of North Castle as well as several proposed changes to the Comprehensive Town Plan Map; and

WHEREAS, as a result of debate, analysis and public input the Town Board considered the following zoning map changes:

1. The rezoning of 1,387 acres of residentially zoned land.
2. The non-residential rezoning of 7.6 acres of land in nine separate areas in North White Plains and
3. The non-residential rezoning of 24.4 acres of land in 12 separate areas in Armonk, the largest of which is a 15.7 acre area proposed to be changed from R-2A One-Family Residence to PBO Professional and Business Office District along Old Post Road.
4. In Banksville, the non-residential rezoning from GB General Business to CB-B Central Business-Banksville of a 2.5 acre parcel along the easterly side of Bedford-Banksville Road across from the Banksville Firehouse.

WHEREAS, on December 13, 2006 the Town Board adopted a findings statement and adopted all of the above stated zoning changes; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board adopts the map entitled "Zoning Map of the Town of North Castle, New York" which reflects the previously adopted zoning map amendments to the Town Code adopted on December 13, 2006; and

Town Board Work Session
Town of North Castle
15 Bedford Road
Armonk, New York
on
January 10, 2006

Supervisor Berman called the meeting to order at 6:45 p.m. and the following persons were present:

Supervisor	Reese Berman
Councilmen	Gerald K. Geist William H. McClure William R. Weaver
Town Attorney	Roland A. Baroni
Town Clerk	Ann Leber
Building Inspector	Richard Fon

The purpose of the Work Session was to discuss the proposed local law for the administration and enforcement of the NYS Uniform Fire Prevention and Building Code, which would be considered at the reconvened public hearing later tonight.

Town Attorney Baroni explained that he had contacted Rick Smith at NYS and determined that the model law can be modified to suit the needs of an individual community provided all the topics covered in the model are covered in the local law. He noted that he had replaced all references to “code enforcement officer” in the State model to “building inspector,” the terminology used by the Town for that position.

Building Inspector Fon said that the most significant change instituted by the State is the requirement for an on-site pre-inspection before a building permit is issued.

After further discussion regarding the legislation, the Supervisor closed the Work Session at 7:20 p.m.

Ann Leber, Town Clerk

Dated: January 11, 2007

PUBLIC HEARING

January 10, 2007

At 7:55 p.m. Supervisor Berman stated that a public hearing would be held in accordance with the Order calling the Public Hearing entered as Exhibit "A" for the record, attached to the end of these minutes, to consider the increase and improvement of the facilities of Water District No. 1 in the Town of North Castle, Westchester County, New York.

The Order calling the Public Hearing was marked Exhibit "A" for the record.

The Affidavit of Posting calling the Public Hearing was marked Exhibit "B" for the record.

The Affidavit of Publication from The Journal News calling the Public Hearing was marked Exhibit "C" for the record.

Supervisor Berman stated that the two water tanks in North White Plains will be painted to extend their lives.

No other correspondence or comments were entered for the record.

After all persons were heard who desired to be heard, Councilman Weaver moved, seconded by Councilman McClure, that the public hearing be closed at 7:56 p.m.

The roll call vote was as follows:

Ayes: Councilmen Geist, McClure, Weaver, Supervisor Berman.

Noes: None.

Councilman Geist moved, seconded by Councilman Weaver, the adoption of the Public Interest Order in the matter of the increase and improvement of the facilities of Water District No. 1 in the Town of North Castle. The maximum amount proposed to be expended is \$730,000

The roll call vote was as follows:

Ayes: Councilmen Geist, McClure, Weaver, Supervisor Berman.

Noes: None.

Councilman Geist moved, seconded by Councilman Weaver, adoption of a resolution authorizing the issuance of \$730,000 bonds of the Town of North Castle to pay the cost of the increase and improvement of the facilities of Water District No. 1

The roll call vote was as follows:

Ayes: Councilmen Geist, McClure, Weaver, Supervisor Berman.

Noes: None.

Ann Leber, Town Clerk

Dated: January 24, 2007

Town Board Regular Minutes
January 10, 2007

PUBLIC HEARING

January 10, 2007

At 7:56 p.m. Supervisor Berman stated that a public hearing would be held in accordance with the Order calling the Public Hearing entered as Exhibit "A" for the record, attached to the end of these minutes, to consider Increase and Improvement of the Facilities of Water District No. 2 in the Town of North Castle, Westchester County, New York.

By Order of the Town Board
Ann Leber, Town Clerk

Dated: December 27, 2006
Armonk, New York

The Order calling the Public Hearing was marked as Exhibit "A" for the record.

The Affidavit of Posting calling the Public Hearing was marked as Exhibit "B" for the record.

The Affidavit of Publication from The Journal News calling the Public Hearing was marked as Exhibit "C" for the record.

Supervisor Berman said that the borrowing is to finance the purchase and installation of a new well and water tank in Water District No. 2. She asked the Board to adjourn the hearing until after the Residents of Windmill Inc. informational meeting on January 23.

No other correspondence or comments were entered for the record.

After all persons were heard who desired to be heard, Councilman Geist moved, seconded by Councilman Weaver, that the public hearing be adjourned at 7:57 p.m.

The roll call vote was as follows:

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

Noes: None.

Ann Leber, Town Clerk

Dated: January 24, 2007

Note: Public Hearing: January 10, 2007 Adjourned to January 24, 2007
