

TOWN OF

**NORTH CASTLE**

Established 1736

October 2010

[Visit northcastleny.com](http://www.northcastleny.com)**NEWSLETTER ARTICLES****On the Town with Supervisor**

William R. Weaver

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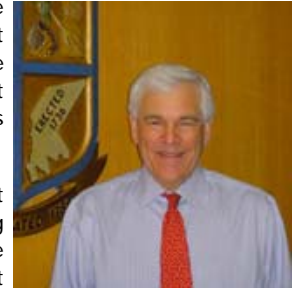
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**A MESSAGE FROM SUPERVISOR WILLIAM R. WEAVER**

The economy and property taxes seem to be foremost in all our conversations. It is no secret that public and private businesses across the nation are struggling with an extremely difficult situation. Revenues are down. Expenditures continue to rise.

In North Castle we are managing this difficult situation with a head on approach. Utilizing limited revenues requires working out reasonable compromises between what is possible and what is not possible.



Here are some examples of what I am doing to guide North Castle through this difficult financial situation:

- I continue to ask our employees to streamline operations.
- During the past eight months we have observed a policy of no new hiring.
- No overtime is authorized unless required for an essential service.
- I continue to ask every department head for a management strategy that includes zero wage growth.
- I encourage voluntary retirement in departments where feasible.
- By utilizing shared services and personnel arrangements between Town departments I have been able to lower costs.
- A review of staffing and operations for some Town services is being planned.
- I continue to explore possible privatization of some Town services. Garbage and recycling collection is an example of a privatized service in North Castle.

With all the retrenching, you may ask, "What is getting done?"

North Castle Police officers work 24 hours a day, 7 days a week including every holiday. Our officers respond to approximately 1,000 calls per month.

North Castle Highway jobs include maintaining our roads, providing brush and bagged leaf pick up, cleaning storm drains, and maintaining street signs. During the first six months of 2010, Highway crews chipped more than 3,600 cubic yards of material, versus 2,326 cubic yards chipped during the twelve months of 2009. These significantly increased volumes of material and labor resulted from the severe winter storms. Our Highway crews work during every storm, sometimes all night, to keep the roads open and safe for vehicles to travel.

Recreation and Parks personnel operate an array of programs for all ages and staff two community centers, one in Armonk and one in North White Plains. They maintain the various sports fields and parks. In addition to the various programs offered all year, our Recreation and Parks personnel operate a full service summer day camp.

The North Castle Library maintains two branches; one in Armonk and one in North White Plains; and in addition to the printed and electronic media, Library personnel offer educational programs and events several times a month and maintain public hours on weekends and some evenings.

Our Assessor is responsible for developing accurate and equitable property valuations. Our Comptroller's office reviews and documents all financial matters for the Town, including receivables and payables, payroll and annual budget preparation. Justice Court meets every week, and our Judges hear small claims, civil, criminal and vehicle and traffic claims. Building Department personnel ensure that construction, environmental and architectural standards are observed to help safeguard property values and maintain health and safety standards. Our Town Planner provides advice regarding physical development of the Town, adherence to our Master Plan, Zoning standards and coordination of all the associated administrative details. The Office of the Town Clerk functions as the recording secretary for the Town Board, records management officer for the Town, registrar of vital statistics, communications officer including the Town website and NCTV, license officer, human resources manager and custodian of elections.

Government is a service business. As is common in service businesses, the costs of personnel are a significant portion of our budget. We must continue to cut operating costs, improve efficiency and provide the best service possible.

I was recently asked what determines the property tax rate in North Castle. The tax rate is determined by the amount of the tax levy. The taxing jurisdiction (a school district, town, county, etc.) develops and adopts a budget. Revenue from all sources other than the property tax (sales tax, state aid, mortgage tax, etc.) is subtracted from the original budget. The remainder (the tax levy) is raised through the property tax.

The Town receives about 16% of the total property taxes we pay. The School District receives about 67% of our property taxes and Westchester County receives the remaining 17%.

For example, based on a \$22,000 annual property tax payment, the 16% paid to North Castle equates to approximately \$3,500 for the year, or about \$300 per month.

It is extremely important to consider the many services we residents receive in return for that 16%: Police, Highway, Justice Court, Town Clerk, Parks, Recreation, Planning, Building, Assessor, Receiver, Library, Finance and the Supervisor's office – as well as contracted services including Town Attorney, Town Engineer, Wetlands Consultant and Garbage and Recycling Collection. These personnel make North Castle government operate smoothly and efficiently.

While our dedicated and most capable employees are the engine that keep our Town operating smoothly, our volunteers are the spirit that keep us focused.

Hundreds of hours of time are volunteered to our Town by residents. These wonderful volunteers are giving back through our fire departments and emergency services in Banksville, Armonk and North White Plains, Town advisory boards, committees and task forces, youth sports and civic organizations. We benefit from these unpaid services.

North Castle is blessed with people who ask, "How may I best serve my community?" My answer is, "Call me." Be involved. Help our community.

I am happy to tell you that we are seeing some positive economic indicators. When we began 2010 budget planning during July 2009, we estimated very conservative levels for sales tax and mortgage tax revenues. Indicators are that both those revenue projections will be realized.

I write this long message to you to underscore that even though we are managing our resources in a highly prudent and fiscally conservative manner, North Castle is not standing still. Important and necessary work is being accomplished for our residents every day.

In addition to accomplishing these several services, we are moving ahead with manpower reviews, long-term plans for infrastructure improvements, capital equipment additions and replacements, building and road maintenance, meeting a myriad of regulatory compliances such as ground water controls, wetlands protection and septic monitoring while continuing to improve efficiency and cut operating costs.

Sincerely,

William R. Weaver, Supervisor

## TOWN CLERK'S TOPICS

By Anne Curran

### VOTING On Election Day - Tuesday, November 2nd

Polls open at 6:00 am and Close at 9:00pm

Voting Information, absentee ballot applications, election district information is available from the Town Clerk's Office (273-3321) or [on-line](#).

#### VOTING BY ABSENTEE BALLOT is a two step process:

- 1) Return the completed Absentee Ballot Application to the Board of Elections by mail or in person. A Voting Ballot will be mailed to the address indicated by the applicant.
- 2) Complete and return the Voting Ballot to the Board of Elections by mail or in person.



#### Absentee Ballot Deadlines:

- 1) Applications for an Absentee Ballot  
Last day to postmark an application – Oct. 26.  
Last day to apply for a ballot in person at BOE – Nov. 1.
- 2) Voting Ballots  
Last day to postmark a ballot – Nov. 1.  
Last day to deliver a ballot in person to BOE – Nov. 2.

Westchester County Board of Elections  
25 Quarropas Street, White Plains, NY 10601 (995-5700)

### New Voting Machines

The ImageCast Optical Scan Voting Machines will be used for the November 2 General Election.

#### The voting process is simple:

- 1) Check-in at your election district, receive a paper ballot and proceed to a privacy booth.
- 2) Mark the paper ballot by filling in the squares completely, using pens provided.
- 3) Feed the paper ballot into the Optical Scan Voting Machine.

Election workers will direct voters through every step of the process. Please be patient as the procedures and equipment are new for everyone!

Voting Machine Demonstrations are available M-F 9am – 4pm. Call the Town Clerk's Office with questions: 273-3321

### Town Communications is Expanding and Improving!

The [Town Clerk's office](#) maintains and updates the Town website, the message board on our cable TV channel, NCTV, and publishes E-News including Town newsletters like this one. All residents are encouraged to [sign up for E-News](#) as electronic communications have become an important means of dispensing timely information while reducing costs for printing and distribution.

The [Communications Committee](#) was appointed by the Town Board in 2010 to advise and aid in the development of all communication efforts. The Committee established a priority of streaming NCTV programming on our website -- and that goal has been realized!



## NCTV Programming is Available on Demand

NCTV programming is now streaming on our [website](#) with current and past programming, including Board meetings and video segments, archived and available for viewing on demand.

It is easy to access:

From [northcastleny.com](http://northcastleny.com),

under Quick Links, select:

NCTV video archives and web streaming

The Town Clerk's Office is in the development and testing phase of this new service. In the coming weeks, as the process is refined, residents will be able to select an item from the Town Board Agenda posted on the [video player page](#) and access documents while viewing that part of the meeting.



## Forms on the Web

There are many [forms](#) on the web.

We offer the direct submission of applications, such as:

[Volunteer Service Application](#)

[Sign Request](#)

[FOIL Request](#)

**Please stay tuned as we work to provide more information... at your fingertips!**

## Did You Know That You Have to License Your Dog?

According to NYS law, all dogs four months of age and older must be licensed.

Rabies vaccinations may be administered after a puppy reaches three months of age. A current rabies vaccination is required to obtain a dog's first license as well as annual license renewals. If applicable, owners must also submit a spaying or neutering certificate with the appropriate license fee.

Currently, the New York State Department of Agriculture and Markets maintains a database of all dogs which are licensed in the State (with the exception of New York City) and mails license renewal notices to dog owners in local municipalities. Dog owners in North Castle mail or bring the license renewal form, with payment and any required proof of rabies vaccination, to the Town Clerk's Office where we process the renewals.

However, beginning in 2011, dog licensing will be solely a local government function.

## Upcoming Changes in the Dog Licensing Law

Effective January 1, 2011, it will be the responsibility of the Town Clerk's Office to issue new municipal dog tags, maintain a database of all dogs licensed in North Castle and send out annual dog license renewal notices. This change to local municipal oversight is the result of an effort by New York State to reduce spending and prioritize program expenditures. The State has advised that in order to ensure resources for programs for highly contagious animal and human diseases, they must mitigate the cost for non-essential services.

With the change to the dog licensing program, the Town Clerk's Office will be mailing renewal notices to owners. Our office will also issue new local dog tags when a license is renewed in 2011 or when an original license is issued. The payment of license renewal fees and the issuance of original dog licenses will continue to be handled by the Town Clerk's office.

The major impact for North Castle dog owners may be a slight increase in dog licensing fees. The Town Board will hold a public hearing in November to amend the Dog Control Law and to implement the State's dog licensing mandates. Since the Town will have to absorb the costs of the functions previously provided by the State, fee increases may be included in the proposed amendments to the local law. If you have any questions about the upcoming changes to the dog licensing program, please contact the Town Clerk's Office at 273-3321 or [townclerk@northcastleny.com](mailto:townclerk@northcastleny.com).



## PLANNING BOARD NEWS

By Adam Kaufman

### Residential Review Process Proposed to be Further Streamlined

The Planning Department recently recommended to the Town Board a draft concept that would result in a greatly expedited review of some relatively simple residential projects.

The Planning Department believes that there are opportunities to reduce the total review time for residential projects and still achieve high quality results without compromising the appropriateness of the project. Specifically, the Planning Department has recommended that the Residential Project Review Committee (RPRC), which is comprised of the Building Inspector, Town Engineer, Town Planner, a Planning Board member and an Architectural Review Board member, be empowered to review projects up to the maximum permitted amount of Gross Land Coverage and Gross Floor Area. This will eliminate the need for many projects to appear before the Planning Board.

The RPRC is designed to quickly review a project and request changes as compared to the more complicated Planning Board review process.

### RPRC on the Web

The RPRC has a newly created [web page](#) where residents can find information concerning RPRC projects. The web page has up to date status information regarding the completeness of applications, meeting schedules/agendas, review memos and RPRC decisions. The web page permits residents to have instant access to RPRC information at any time.

### Planning Department on the Web

The Planning Department has a well established [web page](#) that contains valuable information about the planning process, Town information and history. Information is available on the following topics:

Information for Applicants, Fees, Planning Board Procedures, Meeting Schedules, Planning Board Review Memos, The Town Comprehensive Plan, The Armonk Main Street Planning & Design Study, The North Castle Biodiversity Plan, Town Mapping (via Westchester County GIS), The Town Zoning Map, Zoning District Regulations, Stormwater Management Information, The Official Map, Flood Maps, Planning Board Minutes and Agendas, Forms & Applications, The Town Code and North Castle Historical Society Documents.

If you are planning a new project, please call the Planning Department (273-3542) so that we may assist you in obtaining all necessary information and to answer any questions.

### Planning Department Extends Submission Deadline

The Planning Department is now accepting continuing business items 12 days prior to a Planning Board meeting. This change will allow Applicants that have appeared on a Planning Board agenda the opportunity to appear at the following Planning Board meeting without the need to "skip" a meeting between appearances.

## FINANCIAL UPDATE AND BUDGET INFORMATION

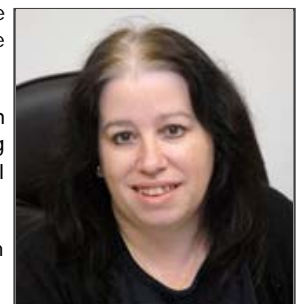
By Dawn Donovan, Comptroller

I presented a financial update during the summer for the first six months of the year to the Town Board. The good news is that two economically sensitive revenue sources, mortgage recording tax and sales tax, are tracking better than projected in the current budget.

Supervisor Weaver and I began planning ahead for the 2011 budget early in 2010. We met with Department Heads to generally compare their 2010 budgets against performance. During September, Supervisor Weaver, the Town Board members and I have met with individual Department Heads to review and revise their budget requests for 2011.

This year the Town Board appointed a Budget and [Financial Review Task Force](#) to advise them regarding this year's budget.

According to New York State law, local government budgets are presented in three stages – the Tentative, the Preliminary and the Adopted.



According to requirements, the "Tentative" budget must be presented to the Town Clerk by October 30 and to the Town Board by November 10. However, in North Castle, the Town Board is involved long before November 10 and participates all during the preparation and planning stages. The hard work is done well before the calendar deadlines.

A Public Hearing on the revised budget, now termed "Preliminary", will be held on November 30. The Final Budget will be adopted by the Town Board by December 15.

The preliminary budget will be posted on the Town website in November. Questions or comments may be directed to Comptroller Donovan at [finance@northcastleny.com](mailto:finance@northcastleny.com) or 273-3322.

## A MESSAGE FROM THE TAX RECEIVER

By Patricia Colombo

### A REMINDER for Non-Escrow Taxpayers:

We will be emailing taxpayers, who have signed up for e-mail reminders, the second half notice for your **2010/2011** School Tax bill.

*If you haven't already*, please sign up for an email reminder; it's not too late. Forward your email address to [pcolombo@northcastleny.com](mailto:pcolombo@northcastleny.com). Please provide your property location, a daytime phone number (we may need to contact you if your email address is rejected for any reason). We also need your tax map number which can be found on your tax bill (same as parcel I.D. or section, block & lot) to properly identify your parcel. If you do not have an email address, why not arrange with a family member to receive your reminder for you?



PLEASE NOTE: **You will continue** to receive a "paper bill" each August with two payment coupons and specified due dates for a timely first half and second half payment. The only change is that for a second year and going forward, we will no longer duplicate the process of mailing you a second bill for your second half payment.

An announcement to pay the second half School Tax on or before January 31st, 2011 will be made at each of our televised Town Board meetings beginning in November through January.

If you are a newcomer and have not contacted our office for tax payment arrangements, please call our office at 273-6620. Or please stop the Tax Receiver's Office located at the Town Hall Annex, 17 Bedford Road, Armonk and introduce yourself.

Visit the Town [website](#) to learn more about the Tax Receiver's Office including Understanding Your Tax Bill, Tax Payment Schedule, Online Tax Payments and more.

On behalf of the staff in the Tax Receiver's Office, myself, Elaine and Lori, our goal is to continually strive to serve the taxpayers of the Town of North Castle with the utmost courtesy, knowledge and dedication.

## PARK AND RECREATION SURVEY DEADLINE - OCTOBER 31ST

A survey was inserted into the Fall Recreation Brochure that was mailed to all households.

Please complete and return the [survey](#) by October 31st to:

Hergenhan Recreation Center, 10 Maple Ave. Armonk

~ or ~

Submit the Survey Here <http://www.surveymonkey.com/s/ZG2H6ZM>



Decisions may be made based on the results of this survey and your opinions and feedback are important.

One survey per family and North Castle residents only.

## The North Castle Recycling Committee Presents...

### Zero Waste Day, Saturday, October 23rd

9:00 am to 3:00 pm  
North Castle Town Hall  
15 Bedford Road

Drop Off Items and Help Others  
(Reduce and Reuse)

E-Waste for Town Residents, Household Furniture,  
Fall & Winter Clothing

Paper Shredding, Scrap Metal & Bulk Items, Bicycles, Supplies for Dogs & Cats [Click for details](#)

The North Castle Recycling Committee hosts Zero Waste Days twice a year. Save your e-waste and slightly used items for donation at the regularly scheduled Zero Waste Days in October and April.

Interested in helping? Please email [communications@northcastleny.com](mailto:communications@northcastleny.com)



### Zero Waste Day at Town Hall was a huge success on April 24th!

The Town's third Zero Waste Day was held on Saturday, April 24. This event was a great success for residents who did their spring cleaning by donating gently used goods to those-in-need and took the opportunity to responsibly dispose of their electronic waste and scrap metals. **(Read More...below)**

Here's a recap of what was collected:

**E-Waste and Scrap Metal:** Residents dropped off hundreds of electronic items, such as computers, TVs, air conditioners, refrigerators, water heaters and almost anything else with a plug. Total weight of e-waste and scrap collected for the day was 25,921 lbs. Last year the event was open to all county residents, as this portion of the event was organized by Westchester County, who collected approximately 35,000 lbs. Due to 2010 budget cuts, the county would only provide e-waste collections for IMA-affiliated towns, and North Castle had to find a way to fill that gap. Fortunately, our carting company, Suburban Carting, very generously provided the collection containers, manpower, and transportation this April. They also covered the disposal costs associated with the collection, all at no additional cost to North Castle residents.

**Furniture ShareHouse:** A large assortment of furniture pieces were donated during the April event. The over 230 items donated by 76 residents helped unfortunate Westchester families to furnish their otherwise empty homes.

**Northern Westchester Community Center:** A total of 2,345 lbs. of women's, men's and children's spring and summer clothing were collected during the day. Congregation B'nai Yisrael, a sponsoring organization of CCNW, provided temple volunteers who collected and transported all these wonderful treasures to the Center throughout the day.

**Recycle a Bicycle:** A total of 38 bicycles were collected, which amounted to over 1,300 lbs. of waste that was averted from a landfill. These bikes were refurbished by volunteers at Recycle a Bicycle and then donated to worthy individuals for use as transportation in NYC.

**Adopt a Dog:** An entire van full of animal crates, beds, leashes, and old bedding and towels were collected during the day. These were then used for the care of stray and abandoned pets at the Armonk center.

## Sustainable North Castle Presents

### Success Stories and Strategies:

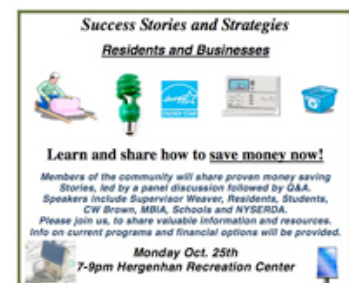
#### \$avings from Energy and Waste Reduction

A town-wide interactive public forum  
October 25, 2010 at 7-9 pm  
Hergenhan Recreation Center,  
40 Maple Avenue, Armonk  
[Click here for the flyer.](#)

#### Share the \$avings Contest sponsored by Sustainable North Castle

**Congratulations to Steve and Dorie Gordon**

#### \$avings from Energy and Waste Reduction



Between April 24th and June 24th, the Sustainable North Castle committee ran a Share the \$avings Contest whereby residents and businesses in North Castle were encouraged to share their success stories about saving money by reducing their energy use. The purpose of the contest was to share information that could be replicated by others in our community, so that we could all work toward saving money as we reduce our individual and collective carbon footprint in North Castle.



Jon Mann: Chair, Sustainable North Castle  
Dorie and Steve Gordon: Share the \$avings Contest Winners

We are pleased to announce Steve and Dorie Gordon as our winners. They have implemented a number of energy saving solutions to their home since it was first constructed 37 years ago. They built the house facing South & West with lots of glass and added a 4 ft overhang which allows the winter sun to come in to heat the interior floors but blocks the higher summer sun from coming in. Sliding glass doors installed on all sides of the house provide cross ventilation in the summer to reduce the need for AC. Proper landscaping with trees blocking the summer setting sun in the West also helps reduce AC use. In addition, there's a blanket of air across the whole house between the flat roof and the insulation which was dropped down 2 ft lower with vents on all sides of house, bringing air in from all directions in the summer for additional cooling. In the winter months, there is a greenhouse on the South side of the house with a stone floor which stores daytime heat which is re-circulated into the house heating system so that the air of the house is preheated before going through the heating system. And lastly, the house is set up in multiple zones to control heating and cooling, as needed.

Many thanks to Steve and Dorie for sharing these great ideas with us and the community!

For more ideas on how to save energy, check out the Energy Saving Tips and Energy Related Resource Links on the North Castle website at: [http://www.northcastleny.com/hall\\_committees\\_sustainable.php](http://www.northcastleny.com/hall_committees_sustainable.php)

## HERE COMES FROSTY THE SNOWMAN, WINTER WALK, DECEMBER 11TH

### Winter Walk Welcomes Frosty the Snowman

December 11th will mark the Homecoming of Frosty the Snowman to Armonk.

Did you know that...

The lyricist of the popular winter-themed song was Steve Nelson, a long-time visitor to Armonk who later moved to the Town in 1950?

Mr. Nelson envisioned Armonk as the home where Frosty lived?

Thus, Armonk is the Hometown of Frosty the Snowman!

On Saturday, December 11th, Frosty will be welcomed home by the children and townspeople in a gala event that includes a Frosty parade, a winter walk down the quaint streets of Armonk, old-time hay rides, visits to Santa, Dickensian carolers strolling the town, children singing and Frosty the Snowman.

After these events, the restaurants in town will honor special Frosty Snowflakes for discounted meals and the Armonk Players will present a themed comedy that evening: It Happened One Christmas Eve, at Whippoorwill Hall in the North Castle Public Library.

Plan to Join the Celebration!



## NEWS FROM THE NORTH CASTLE COURT DANGEROUS DOGS

By Hon. Elyse Lazansky, Town Justice

Pets, especially dogs, are an important part of living here in North Castle. In 2008, the American Veterinary Medical Association stated that 37.2% of American households have at least one dog. Truly, part of the reason many of us choose to live here is the freedom and space we have to enjoy our pets. We feel that our immediate neighborhood almost feels like an extension of our yard, part of our personal home space. Residents share our neighborhood roadways and parks with vehicles, children, cyclists, runners, walkers and exercisers of all ages and abilities. Because we share our space with pets we love, the law creates rights and responsibilities both for pet owners and others, for the safety and comfort of all. The law ultimately places a responsibility on all neighbors to notify dog owners, or the town by way of the Animal Control Officer, of potential problems with pets.



Dogs must be licensed and tagged, with verification of rabies vaccine proof. Dogs may not be allowed by their owners or custodian to be unleashed except on their own property. The Town Code prohibits barking or howling continually for 10 minutes or intermittently for 30 minutes. It is prohibited for a dog to: damage or cause a nuisance upon the property of another resident; chase or harass a person in such a way as to cause intimidation or fear of injury; or chase or attack vehicles or other animals. Violations of the provisions of the Town Dog Law are punishable by a fine of up to \$350; \$350 to \$700 for the second offense within one year; and \$700 to \$1000 for the third and subsequent offenses. These penalties include a potential fifteen day sentence of imprisonment.

In contrast, a state law called the Agriculture and Marketing Law governs dogs that have attacked or caused actual injury to a person. A dog may be determined by a judge to be "dangerous" if it unjustifiably attacks a person and causes physical injury, or behaves in a way which might lead an ordinary reasonable person to believe the dog poses a serious, unjustified, imminent threat of serious physical injury or death to a person. An "attack" does not necessarily require a bite or actual physical injury; it can include *any* overt action by a dog that tends to cause a reasonable fear of harm, together with an apparent ability to inflict that harm, such as growling or baring teeth.

The "dangerous dog" statute allows anyone complaining of an attack or threat by a dog to commence a proceeding, simply by making a sworn statement, in the Town Court. The Court immediately must hold a hearing to determine if the dog is "dangerous", and if so, shall issue an order to seize and hold the dog pending a full determination. A range of remedies are available under the law, from muzzling or leashing the dog, to confinement for a period of time, to euthanasia under certain aggravated circumstances.

Contrary to popular belief, there is no such rule as "one free bite." Instead, a person seeking to recover in court for an attack by a dog is required to show that the dog had a vicious propensity, and that the dog's owner knew or should have known it; proof of the animal's ferocious nature and the owner's knowledge of it are essential elements of a successful suit for injuries sustained in a dog attack. At a trial, courts have allowed plaintiffs to present evidence of prior attacks by the same dog if it can be shown that the owner knew of the prior incident.

New York law imposes strict liability on dog owners under these circumstances.

Courts have held that the way a dog is kept at home can sometimes show knowledge of a vicious propensity: is the dog kept tethered at home? Had it been trained as a guard dog? Is there a "Beware of Dog" sign at the property entrance? On the contrary, has the dog never been the subject of a complaint to the town or the owner, are there children in the home who play and cuddle with the dog, is the dog allowed to roam free at home?

In the past, people injured or threatened by dogs sometimes tried to argue that the dog owner was negligent. In those cases, the law required proof that the dog owner breached a duty to the injured person by negligently failing to prevent a foreseeable injury. A simple violation of a local leash law does not necessarily mean the owner is liable for injuries caused by the dog. Further, a dog causing injury after simply running off its property may not be enough under the law to prove negligence of the owner. As of 2009, negligence is no longer a basis for imposing liability for harm caused by a domestic animal.

Residents who must come into court after having an altercation with a dog are understandably upset and want relief. It is certainly in the community's best interest to prevent dog attacks. However, the legislature has determined that based on the role of dogs and pets in our culture, as well as their natural habits, not every altercation with a dog is entitled to legal relief in court. Where no complaints have previously been made about a dog, either to the owner or to the Town, and the owner of the dog can be shown generally to be careful about the care and keeping of the dog, courts have not always allowed a dog bite victim to recover after an incident. The reasonable limitations of the court system are evident here, in the recognition of citizen responsibility in pet control. Just as judges are unable to take positions to help one side or the other in a court case, the Court and the Town have limits in the ability to punish grievances where the legal requirements of a statute are not fulfilled, and the dog owner can be shown not to know of a dog's "vicious propensity". With respect for others, a sense of

responsibility to the community and consideration of the inherent risks of living with animals, we can all enjoy our daily walks and our pets!

Suggestions for future topics in this column are welcome to be left with the Court Clerk at the Town Hall.

References:

North Castle Town Code Article 92.  
Agriculture and Marketing Law, Section 108.  
People v. Beauvil, 20 Misc.3d 1116A (2008).  
NYS Agriculture & Markets Law, Section 121.  
Fox v. Martin, 174 Ad2d 875 (1991).  
Lynch v. Nacewicz, 126 Ad2d 708 (1987).  
See, NY Jurisprudence, 2d ed., Animals, Section 180.  
Arbanil v. Flannery, 31 AD3d 588 (2006).  
Vavosa v. Stiles, 220 Ad2d 363 (1995).  
Myers v. MacCrea, 61 AD3d 1385 (2009); Alia v. Fiorina, 39 Ad3d 1068 (2007).  
Petrone v. Fernandez, 12 ny3d 546 (2009).

## VOLUNTEERS NEEDED

Use your skills to help your community.

### Town Boards and Committees

A number of standing board, committees, study groups and ad hoc task forces advise and/or assist the Town Board in conducting Town business. The members of these [boards](#) and [committees](#) are volunteers, appointed by the Town Board from within the community.

To become a board or committee member please complete the [Volunteer Service Application](#).

Specific needs we ask residents to consider helping with:

### Delivering Meals on Wheels

Drivers are needed for our Meals on Wheels program. Volunteers may commit to one day per week, month, etc. Hours are Monday thru Friday, 11am - 1pm.

Delivery Bags need to be picked up at Hergenhan Center around 11 am and then meals must be picked up in Pleasantville and delivered to recipients in various locations. Bags must be returned to the Hergenhan Center. Call 273-3325

### Assisting with Senior Activities

**Armonk:** Mondays and Thursdays, 10am - 3pm  
at Hergenhan Recreation Center

**North White Plains:** Wednesdays, 10am - 2pm  
at the North Castle Community Center

Senior activities can be anything from socializing with the seniors, help serving their meals, going on group trips or helping with any craft, hobby etc.  
Call 273-3325.

### Cable TV and Web Development

- Graphic design for slide development
- Filming of local events
- Video editing and programming

### Recycling Committee

The [Recycling Committee](#) is looking for committee members and others to volunteer for specific events. Please email [ncrecyclingcom@aol.com](mailto:ncrecyclingcom@aol.com).