

Town Board Minutes  
Regular Meeting  
Town of North Castle  
15 Bedford Road  
Armonk, New York  
on  
October 25, 2017

The Town Board meeting was called to order at 5:05 p.m. at Town Hall and immediately adjourned to a Work Session on the duly adopted motion of Councilman D'Angelo. All Town Board members, the Town Attorney, Town Administrator and Town Clerk were present for the Work Session. The Work Session adjourned at 6:15 p.m. to an Executive Session. All Town Board members, the Town Attorney and Town Administrator were present for the Executive Session. The regular meeting reconvened at 7:37 p.m. and the following persons were present:

Supervisor:	Michael J. Schiliro
Councilmen:	Stephen D'Angelo
	Barbara W. DiGiacinto
	Barry S. Reiter
	José L. Berra

Town Clerk	Alison Simon
Town Attorney	Roland A. Baroni
Town Administrator	Joan Goldberg

Councilman D'Angelo moved, seconded by Councilman Berra, approval of minutes from the meeting of October 11, 2017.

Vote: Unanimous

Supervisor Schiliro and Town Attorney Baroni provided an update on the decision of the Commissioner of the New York State Office of Mental Health to deny the application of Paradigm Treatment Centers LLC to establish a community residential facility for the mentally disabled at 14-16 Cole Drive.

Councilman D'Angelo moved, seconded by Councilman Berra, receipt of 3rd Quarter 2017 Revenue, Expense Budget Reports, and Bank Reconciliations.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, the rescheduling of a Public Hearing on November 8, 2017 (previously scheduled to be held on October 25, 2107) regarding a Local Law to amend Chapter 325 Vehicles and Traffic, Sections 325-33 Parking Lots, 325-49 Schedule VII: Stop Intersections, 325-55 Schedule XIII: No Parking Any Time.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman Reiter, receipt of memos from Kellard Sessions regarding assignment of new street addresses and referral to the Town E-911 Coordinator as follows:

<u>Section, Block, Lot#</u>	<u>Old Address</u>	<u>New Address</u>
Section 122.08 Block 2, Lot 2.2	3 Morningside Place	5 Morningside Place
Section 108.01, Block 1, Lot 27	125 Old Mount Kisco Road	585 Main Street
Section 108.01, Block 1, Lot 28	123 Old Mount Kisco Road	585 Main Street
Section 108.01, Block 1, Lot 30.3	Mount Kisco Road	585 Main Street
Section 108.03, Block 1, Lot 62.1	1 North Castle Drive	3 North Castle Drive

<u>Section, Block, Lot# (Old)</u>	<u>Old Address</u>
Section 95.04, Block 2, Lot 27	99 Mianus River Road
<u>Section, Block, Lot# (New)</u>	<u>New Address</u>
Section 95.04, Block 2, Lot 27.1 (Lot #1)	97 East Middle Patent Road
Section 95.04, Block 2, Lot 27.2 (Lot #2)	99 East Middle Patent Road

Vote: Unanimous

Pursuant to letters from Tax Receiver Colombo regarding Consent Orders and Judgments for the following Properties in North White Plains, Councilman D'Angelo moved, seconded by Councilman DiGiacinto, the following:

1. North White Properties, LLC, 690 North Broadway, for tax years 2010-2017, approval to issue a refund of \$8,160.20,
2. North White Properties, LLC, 698 North Broadway, for tax years 2012-2017, approval to issue a refund of \$844.61,
3. North White Properties, LLC, 770 North Broadway, for tax years 2012-2017, approval to issue a refund of \$4,018.29.
4. 901 Properties, LLC, 901 North Broadway, for tax years 2011-2017, approval to issue a refund in the amount of \$31,895.99.
5. Virginia Road Associates, 50 Virginia Road, for tax years 2013-2017, approval to issue a refund in the amount of \$1,702.92.
6. Marquis Associates, LLC, 56 Lafayette Avenue, for tax years 2013-2017, approval to issue a refund in the amount of \$16,569.86.

Vote: Unanimous

Pursuant to the recommendations of the Planning Board and Kellard Sessions, Councilman D'Angelo moved, seconded by Councilman DiGiacinto, approval of the reduction of Wetland Mitigation Plantings and Maintenance Bond for KRL Properties, 1 Byram Brook Place, Armonk from present value of \$28,900 to \$3,500.

Vote: Unanimous

Councilman Berra moved, seconded by Councilman DiGiacinto, approval of request to donate a bench in front of the Community Center in North White Plains from Jo-Ann Parrino in memory of her father Joseph Viola, Jr.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, approval for the Highway Department to purchase two new Ford Utility Interceptor vehicles at a total cost of \$26,208 from Westchester County Contract, one vehicle for use by Building Department and one for Fleet (for use by all Departments), to be funded from the General Fund Balance.

Vote: Unanimous

Regarding the purchase of the Pool Complex from the Anita Louise Ehrman Recreation Center, Inc. (ALE), 3 Greenway Road, Armonk, the Town Board took the following actions:

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, receipt of Short Environmental Assessment Form (EAF).

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, adoption of a Negative Declaration.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman Berra, adoption of Resolution to purchase ALE at a price of \$728,000. The Resolution follows.

Vote: Unanimous

RESOLUTION AUTHORIZING PURCHASE OF POOL COMPLEX FROM THE ANITA LOUISE EHRMAN RECREATION CENTER, INC.

RESOLVED, that the Town Board of the Town of North Castle hereby authorizes the purchase of the Pool Complex located at 3 Greenway Road, Armonk, New York from the Anita Louise Ehrman Recreation Center, Inc. (ALE) for a purchase price of \$728,000.; and be it further

RESOLVED, that the Supervisor and the Town's Attorneys are hereby authorized to execute all transfer documents necessary to complete said purchase.

Councilman D'Angelo moved, seconded by Councilman Reiter, authorization for the Supervisor and Town Attorneys to sign all transfer documents necessary to complete said purchase.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, adoption of Bond Resolution Authorizing the Purchase of Pool Complex from the Anita Louise Ehrman Recreation Center, Inc. (ALE) in the amount of \$728,000. The Resolution follows at the end of these minutes.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, approval of a proposal from HydroEnvironmental Solutions, Inc. for Phase 1 Environmental Site Assessment regarding the Anita Louise Ehrman Recreation Center, Inc. (ALE) for a cost of \$3,590.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, approval for Superintendent of Recreation and Parks Matt Trainor to bid for a pool safety cover for the Anita Louise Ehrman Recreation Center, Inc. (ALE).

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, authorization for the Town's Attorneys to execute a Consent Judgment in the following Tax Certiorari matter: Mark and Arlene Comora vs. Town of North Castle et al. – Index Nos. 64305/16 and 65672/17.

Vote: Unanimous

Councilman Berra moved, seconded by Councilman Reiter, approval of request from Anita Cozza for Holiday Display of a Nativity scene in Wampus Brook Park, November 22, 2017 to January 8, 2018.

Vote: Unanimous

Councilman DiGiacinto moved, seconded by Councilman D'Angelo, authorization for the Supervisor to sign a proposal from Lothrop Associates LLP for North White Plains Community Center Generator Architectural, Sound and Engineering Services for a fee of \$11,000.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, salary increases/adjustments for the following Department Heads and Non-Union employees, effective January 1, 2017 and January 1, 2018:

Adam Kaufman, Victoria Sirota, Alison Simon, Patricia Colombo, Jamie Norris, Sal Misiti, Matt Trainor, Patricia Romero, Tanya Orr and Mindy Berard.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, approval of a salary increase for Marianne Bischoff to an hourly rate of \$34, effective January 1, 2017.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, approval of a salary increase for Lori Zawacki to an hourly rate of \$30, effective January 1, 2017.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman Berra, appointment of Alex Bove-Fulgenzi, to Laborer, Water and Sewer Department, effective November 13, 2017.

Vote: Unanimous

The Town Board audited and approved payments of \$430,142.65 as indicated on Warrant #19 dated October 25, 2017.

After all persons were heard who desired to be heard, the Supervisor closed the regular meeting at 9:22 p.m. in memory of Emma Cehula, mother of Barbara Minnitte, Housing Board Secretary and Mary Ann Rinaldi, Police Department.

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Alison Simon, Town Clerk

Dated: December 1, 2017

BOND RESOLUTION  
(effective immediately)

At a regular meeting of the Town Board of the Town of North Castle, Westchester County, New York, held at 15 Bedford Road, in North Castle, New York, in said Town, on the 25th day of October, 2017, at 7:30 o'clock P.M., Prevailing Time.

The meeting was called to order by Supervisor Michael J. Schiliro, and upon roll being called, the following were

PRESENT:

Michael Schiliro, Supervisor  
Stephen D'Angelo, Councilman  
Barbara DiGiacinto, Councilman  
Barry Reiter, Councilman  
José Berra, Councilman  
Alison Simon, Town Clerk  
Roland A. Baroni, Town Attorney  
Joan Goldberg, Town Administrator

ABSENT: None

The following resolution was offered by Councilman D'Angelo, who moved its adoption, seconded by Councilman DiGiacinto, to wit:

BOND RESOLUTION DATED OCTOBER 25, 2017.

A RESOLUTION AUTHORIZING THE PURCHASE OF THE EHRMAN POOL IN ARMONK IN AND FOR THE TOWN OF NORTH CASTLE, WESTCHESTER COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$728,000, AND AUTHORIZING THE ISSUANCE OF \$728,000 BONDS OF SAID TOWN TO PAY THE COST THEREOF.

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Town of North Castle, Westchester County, New York, as follows:

Section 1. The purchase of the Ehrman Pool in Armonk in and for the Town of North Castle, Westchester County, New York, is hereby authorized at a maximum estimated cost of \$728,000.

Section 2. The plan for the financing of such maximum estimated cost is by the issuance of \$728,000 serial bonds of said Town hereby authorized to be issued therefor pursuant to the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is at least five years, pursuant to subdivision 89 (subdivisions 35 and 21) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will not exceed five years.

Section 4. The faith and credit of said Town of North Castle, Westchester County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and

contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. This resolution, which takes effect immediately, shall be published in summary form in the official newspaper of said Town designated for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Michael Schiliro	VOTING Aye
Stephen D'Angelo	VOTING Aye
Barbara DiGiacinto	VOTING Aye
Barry Reiter	VOTING Aye
José Berra	VOTING Aye

The resolution was thereupon declared duly adopted.

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