

Town Board Minutes
Town of North Castle
15 Bedford Road
Armonk, New York
on
December 10, 2014

The meeting was called to order at 5:00 p.m. on the duly adopted motion of Councilman D'Angelo and immediately adjourned to an executive session. All Town Board members, the Town Attorney and the Town Administrator were present for the executive session which adjourned at 7:30 p.m. The Town Clerk joined the regular meeting that reconvened at 7:40 p.m.

Supervisor:	Michael Schiliro
Councilmen:	Stephen D'Angelo
	Barbara DiGiacinto
	Barry Reiter
	José Berra

Town Clerk	Anne Curran
Town Attorney	Roland A. Baroni
Town Administrator	Joan Goldberg

The minutes of the Public Hearings that commenced at 8:00 p.m. follow at the end of these minutes.

Councilman Berra moved, seconded by Councilman D'Angelo, receipt of Board of Election Statement of Canvass for the General Election.
Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman Berra, receipt of Summons and Complaint in the matter of Geoffrey Harisch vs. Joan Cavorti Goldberg, Town of North Castle and North Castle Town Board, and referral to Town Attorneys.
Vote: Unanimous

Nicholas Cerullo & George Pouder presented their report, titled: North Castle's response to President Lincoln's call for draftees 1861-1865 and provided archive copies to the North Castle Public Library.

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, the appointment of a Hearing Officer to conduct the Disciplinary Proceeding concerning employee number 3257.
The roll call vote was as follows:
Ayes: None
Noes: Councilmen D'Angelo, DiGiacinto, Reiter, Berra, Supervisor Schiliro.

The request from the Planning Board to change the mailing requirements for Planning Board actions was tabled pending further study. The Supervisor stated that the matter may be discussed in a work session in early 2015.

Councilman D'Angelo moved, seconded by Councilman Reiter, receipt of a local law to amend Chapter 213 Zoning to establish alternate Zoning Board of Appeals positions for the purpose of substituting for a member in the event such member is unable to participate because of a conflict of interest, and further moved to schedule a Public Hearing on January 14, 2015.
Vote: Unanimous

Michael Levy, representing Armonk Chamber of Commerce, presented the design and concept of "Shop Local" banners for the Armonk Hamlet. Councilman DiGiacinto questioned if there was coordination with the design of signs that has been in development and considered by the ARB.

Councilman D'Angelo moved, seconded by Councilman Berra, approval of request from Matt Trainor, Superintendent of Recreation, to purchase a bus for seniors, camp and general programs, from the General Fund, on State Contract for \$66,596.
Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman Berra, approval of request from Matt Trainor, Superintendent of Recreation, to seek bids for swimming pool rental for 2015 summer camp.

Vote: Unanimous

Councilman Berra moved, seconded by Councilman D'Angelo, receipt of recommendation from Parks and Recreation Advisory Board concerning Wampus Brook Park South. The Town Board expressed agreement with the Parks & Recreation Board recommendation for Option 2 which incorporates access and shared parking with Elide Plaza. However, the Town Board noted it was not realistic to procure a signed easement agreement with the Elide Plaza ownership within 60 days, as included in the Parks & Recreation recommendation. Supervisor Schiliro said Option 2 should be explored to ascertain quickly if the Town will be able to proceed with this option, and if not, to proceed with Option 1.

Vote: Unanimous

Pursuant to a letter from Sal Misiti, Director of Water and Sewer Operations, Councilman D'Angelo moved, seconded by Councilman DiGiacinto, authorization of Payment Application No. 5 in the amount of \$915,108.35 to Bilotta Construction Corp. regarding the Water District No. 2 Water System Replacement Project, for work completed through November 19, 2014.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman Reiter, approval to award the bid for 2015 methanol supply for the Sewer District No. 2 wastewater treatment plant to the sole bidder, Slack Chemical Inc., the Town's current supplier.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, to award the bid for cleaning services of Town buildings from January 1, 2015 to December 31, 2015 to Shining Shield Cleaning Services, Inc., the low bidder, in the amount of \$42,000.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, approval of request of General Foreman Norris to issue a license to R&S Waste Services for collection and disposal of refuse in the Town through March 31, 2015.

Vote: Unanimous

Pursuant to a memo from Superintendent of Recreation Matt Trainor, Councilman D'Angelo moved, seconded by Councilman Berra, acceptance of \$1,000 donation from Mike Jones Memorial Fund for maintenance of the memorial in his name in North Castle Community Park.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, approval of recommendation from Planning Board to authorize the release of the remaining performance bond for the Cider Mill subdivision in the amount of \$275,000.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman Reiter, approval for release of the \$500 cash bond to Marc Mancini regarding Halloween special event.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, authorization for the Supervisor to sign an agreement with Quality Environmental Solutions & Technologies, Inc. (QuES&T) for \$4,600 to draft bid documents for the asbestos removal from the IBM Community Park building prior to demolition.

Vote: Unanimous

Councilman DiGiacinto moved, seconded by Councilman Berra, authorization for the Supervisor to sign agreement with North East Westchester Special Recreation, Inc. for 2015 at a cost of \$6,714.31.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, authorization for the Supervisor to sign network support contracts with Sullivan Data Management in the amount of \$33,038 for the Town contract, and \$13,600 for the Police Department contract for the period January 1, 2015 through December 31, 2015.

Vote: Unanimous

Councilman DiGiacinto moved, seconded by Councilman Reiter, authorization for the Supervisor to sign the 2015 agreement with Westchester ARC for hourly workers doing street maintenance on Main Street, Armonk.

Vote: Unanimous

Councilman Berra moved, seconded by Councilman DiGiacinto, authorization for the Supervisor to sign the agreement with SPCA of Westchester for 2015, with monthly payments of \$409.96.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, authorization for the Supervisor to sign the agreement with Verde Electric Maintenance Corp. for maintenance of traffic light at the intersection of Bedford Road and Maple Avenue, from January 1, 2015 through December 31, 2015, at a base cost of \$2,000.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, authorization for the Supervisor to sign the agreement with Empire Consulting for 2015 drug and alcohol testing of Highway Department personnel for an annual fee of \$250, plus fees for specific tests as outlined in the agreement.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman Reiter, authorization for the Supervisor to sign the Easement and Agreement with AMEC Construction, LLC regarding storm water management system at 2 Bates Lane.

Vote: Unanimous

Councilman Berra moved, seconded by Councilman D'Angelo, approval of salary corrections for General Foreman Jamie Norris and Sal Misiti, Director of Water and Sewer Operations, effective January 1, 2014.

Vote: Unanimous

Pursuant to actions taken by the Library Board of Trustees, Councilman Berra moved, seconded by Councilman DiGiacinto, ratification of year-end bonuses to leadership team members at the Library.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, ratification of action taken by the Library Board of Trustees for salary increases for the following hourly employees effective January 1, 2015:

- Myrna Corda increase from \$14.00/hour to \$15.50/hour
- Susan DeFilipo increase from \$14.00/hour to \$16.00/hour
- Esther Eng from \$11.00/hour to \$12.00/hour
- Heidi Giardina from \$12.00/hour to \$13.00/hour
- Gabrielle Madera from \$12.00/hour to \$14.00/hour
- Jennifer Useted from \$11.00/hour to \$12.50/hour

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, approval of the request from John Madera to carry over 5 (five) 2014 vacation days to 2015.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, approval of salary increases for Department Head/Non-Union employees effective January 1, 2015.

Vote: Unanimous

Councilman Berra moved, seconded by Councilman D'Angelo, the consensus agenda as follows:

- Receipt of Town Clerk's monthly report – November 2014
- Approval of request from General Foreman Norris for release of the following highway bond:
 - o Joseph O'Shea – Permit 0837 in the amount of \$500 for driveway alteration at 41 General Heath Avenue, Section 7, Block 12, Lot 5.
- Receipt of:
 - o Verizon FIOS Franchise fee payment in the amount of \$32,833.13 for 3rd Qtr. 2014.
 - o Cablevision Franchise fee payments, in the amounts of \$30,890.00 for Cablevision system and \$8,733.00 for Cablevision Southern Westchester system, for 3rd Qtr. 2014.

Vote: Unanimous

After all persons were heard who desired to be heard, the Supervisor closed the regular meeting at 10:30 p.m. in memory of Marlene Kaufman, mother of Adam Kaufman, Director of Planning.

Anne Curran, Town Clerk

Dated: December 30, 2014

PUBLIC HEARING
December 10, 2014

At 8:00 p.m., Supervisor Schiliro reconvened the Public Hearing which was adjourned on November 19, 2014 to consider the 2015 Preliminary Town and Special District Budgets.

Supervisor Schiliro said he has been working on the budget with Town Administrator Joan Goldberg and the Assessor and proposed the following changes to the 2015 budget to the Town Board:

- \$25K Increase in Mortgage Tax revenue, from \$650K to \$675K
- \$50K Increase in Sales Tax Revenue, from \$1.5M to \$1.550
- \$30K Reduction related to payment of Open Space Bond, from \$105K to \$75K

Supervisor Schiliro said with the three changes there would a net reduction of \$105K in the 2015 budget. This would reduce the 2015 tax rate increase to about 2.4%, down from the previous projection of 2.97%, and bring down the Town tax increase to about \$73 annually for the median home in North Castle with a market value of about \$862K.

In response to a query from the Supervisor, Ms. Goldberg said the Town would be \$250K below the cap. Mr. Schiliro said he has been working on a multiyear budget to 2019 to ensure the Town can cover increases due to inflation, contractual obligations and other factors. He said the Town's fund balance is very strong and the Town is working on major infrastructure improvements and projects next year, the top one being roads. The Budget and Finance Advisory Committee is working on a recommendation regarding roads to this end. Ms. Goldberg expressed her concern that the lower the Town is beneath the tax cap, the more limited it is in future budgets, particularly since there is a bargaining unit with a contract to be negotiated.

Councilman D'Angelo thanked Ms. Goldberg, Ms. Oakley and the Department Heads for their work; and he expressed support of the budget and the changes proposed by the Supervisor.

Councilman Berra said the budget is conservative due to fiscal restraint in the past years. Mr. Berra said he thought the Town should borrow in the low interest rate environment and get the road work done sooner.

In response to a query from Anthony Futia, North White Plains, regarding the impact of the loss on the MBIA property, Town Attorney Baroni said there is no disposition on the property yet. In response to his query, it was clarified that the salary for the staff position in the Water and Sewer Department is included in the budget. Mr. Futia recommended that the Assistant Superintendent

position previously held by the current head of the department be replaced. He said a Town salary study should be done.

Councilman DiGiacinto said the budget is solid and she is in support of it. Ms. DiGiacinto expressed appreciation for the information provided by the Department Heads, Ms. Goldberg and Ms. Oakley.

Councilman Reiter agreed with Councilman DiGiacinto's comments; and he recognized the time and work by Supervisor Schiliro on the budget process.

Supervisor Schiliro added that the Banksville Fire Department had a \$15,772 adjustment in its tax levy which reduced the overall budget.

After all persons were heard who desired to be heard, Councilman DiGiacinto moved, seconded by Councilman D'Angelo, that the Public Hearing be closed at 8:15 p.m.

The roll call was as follows:

Ayes: Councilmen D'Angelo, DiGiacinto, Reiter, Berra, Supervisor Schiliro

Noes: None.

Councilman D'Angelo moved, seconded by Councilman Reiter, adoption of the 2015 Town Budget and 2015 Special Districts Budget, as amended.

The roll call vote was as follows:

Ayes: Councilmen D'Angelo, DiGiacinto, Reiter, Berra, Supervisor Schiliro

Noes: None

Anne Curran, Town Clerk

Dated: December 30, 2014

PUBLIC HEARING
December 10, 2014

At 8:18 p.m. Councilman Supervisor Schiliro 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 December 10, 2014, at 7:30 p.m., or as soon thereafter, at Town Hall, 15 Bedford Road, Armonk, New York 10504, concerning Grant and Acceptance of Conservation Easement and declaration of restrictive covenants in connection with Levene property by the Mianus River Gorge, located in the Town of North Castle, New York.

ALL PERSONS HAVING AN INTEREST IN THE MATTER ARE INVITED TO ATTEND AND BE HEARD.

By Order of the Town Board
Anne Curran, Town Clerk

Dated: November 26, 2014
Armonk, NY

The Public Notice 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.

The Conservation Easement Agreement.

Town Attorney Roland Baroni said that the 73 acre Levene property is being purchased by the Mianus River Gorge. As part of that effort the Town is purchasing a Conservation Easement over approximately 68 of the acres for the sum of \$500,000. Mr. Baroni said the source of the funding for the Conservation Easement comes from the Open Space bond passed during the Reese Berman administration; and this is the last of that funding as the authorization is now expired. He said that the public hearing is required by General Municipal Law. The Town Board already committed to the funds which needed to be done prior to the expiration of the authorization. He said the closing is scheduled for December 16, 2014.

No other correspondence or comments were entered for the record.

After all persons were heard who desired to be heard, Councilman D'Angelo, moved, seconded by Councilman DiGiacinto, that the Public Hearing be closed at 8:20 p.m.

The roll call vote was as follows:

Ayes: Councilmen D'Angelo, DiGiacinto, Reiter, Berra, Supervisor Schiliro

Noes: None

Councilman Reiter moved, seconded by Councilman D'Angelo, that the Supervisor be authorized to sign the Conservation Easement and Declaration of Restrictive Covenants for the Levene property by the Mianus River Gorge.

The roll call vote was as follows:

Ayes: Councilmen D'Angelo, DiGiacinto, Reiter, Berra, Supervisor Schiliro

Noes: None

Anne Curran, Town Clerk

Dated: December 30, 2014