

Town Board Minutes
Regular meeting
Town of North Castle
Community Center
10 Clove Road
North White Plains, New York
on
July 8, 2015

The Town Board meeting was called to order at 5:10 p.m. at the North White Plains Community Center and immediately adjourned into a Work Session on the duly adopted motion of Councilman D'Angelo. All Town Board members, the Town Clerk, and the Town Administrator were present for the Work Session. The Work Session adjourned to an Executive Session at 7:15 pm and the Town Attorney was present; the Town Clerk joined the regular meeting which reconvened at 7:45 p.m. and the following persons were present:

Supervisor:	Michael J. Schiliro
Councilmen:	Stephen D'Angelo
	Barbara W. DiGiacinto
	Barry S. Reiter
	Guy A. Mezzancello

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

The minutes of the Public Hearing that commenced at 8:40 p.m. follow at the end of these minutes.

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, approval of the minutes of the June 24, 2015 meeting.

Vote: Unanimous

Regarding Long Pond Dam, NYS DEC ID# 232-1094, Class B (Intermediate Hazard Dam), Councilman D'Angelo moved, seconded by Councilman DiGiacinto, receipt of letter from NYS DEC, acknowledging receipt of letter dated June 11, 2015 from Town Attorney Baroni and outlining the actions and documentation the Town must provide to NYS DEC by a deadline of August 14, 2015, including:

1. Inspection & Maintenance Plan, Annual Certification and Emergency Action Plan.
2. Provide a formal schedule, with the advice of a professional engineer who is qualified in dam safety, for completing the Engineering Assessment and implementing any remedial work it recommends, for rehabilitation or for removal, pursuant to a Department permit, assuming approval of the District by the Comptroller's Office by November 1, 2015.
3. Provide a formal plan and schedule, with the advice of a professional engineer who is qualified in dam safety, for completing the Engineering Assessment and implementing any remedial work it recommends, for rehabilitation or for removal, pursuant to a Department permit, for work at the dam in the event the District is not formed.

Vote: Unanimous

In response to a query regarding the establishment of a Long Pond Park District, Town Attorney Baroni explained that according to NYS, the Town cannot be a member of a park district. Instead, the Town will participate in the project by contract, as the Town is a major owner of the pond, and NYS DEC claims the Town owns part of the dam as well. The proposed Long Pond Park District will encompass the 18 residential property owners and charges to those property owners, according to NYS, must be levied on assessed basis. It was noted that the Notice of Violation was issued to three residential property owners and the Town as the fourth property owner.

Councilman D'Angelo moved, seconded by Councilman Reiter, authorization for GEA Engineering to begin work on Long Pond Dam, according to the GEA Limited Proposal for a total amount of \$24,325, to satisfy the requirements for documentation that must be submitted to NYS DEC by August 14, 2015, relative to Notice of Violation from NYS DEC dated April 29, 2015. It was noted that the Town would pay for the work and then recoup it from the Long Pond Park District when formed.

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Vote: Unanimous

Councilman DiGiacinto moved, seconded by Councilman D'Angelo, approval of request of Autism Science Foundation for use of Town roads for a charity cycling event on October 10, 2015.

Vote: Unanimous

Pursuant to a letter of recommendation from Sal Misiti, Director of Water and Sewer Operations, Councilman D'Angelo moved, seconded by Councilman DiGiacinto, approval of Payment Application #12 in the amount of \$755,345.38 to Bilotta Construction Corp. regarding the Water District No. 2 Water System Replacement Project, for work completed through June 19, 2015, and further authorized the Supervisor to sign the payment application.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, approval of request from Administrator Goldberg to add the following piece of highway equipment - 1995 Elgin Pelican Sweeper Vin P1679S - to the list of previously approved equipment to be auctioned.

Vote: Unanimous

In connection with the construction of the Gazebo in Wampus Brook Park, Armonk, and upon the recommendation from Sullivan Architecture, Councilman D'Angelo moved, seconded by Councilman Reiter, authorization for the Supervisor to sign Change Order No. 1 with Jennings Co. Inc. in the amount of \$1,750, representing a decrease to the original contract amount.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, receipt of Building Inspector's Property Maintenance Report concerning abandoned properties and scope of work required, based on failure to respond and comply to notices issued by the Building Department in accordance with the Town's property maintenance ordinance. The properties include: 6 Cliff Place, 45 McDougal Place, 64 Overlook Road, 31 North Greenwich Road, 164 East Middle Patent Road.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, receipt of Article 78 Petition: Application of Anthony and Kristine Patti vs. Town of North Castle and The Zoning Board of Appeals of the Town of North Castle, and Cynthia Kauffman, Jennifer D. Ahrenburg and Donald R. Ahrenburg, and referral to Town Attorneys.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, authorization for the Supervisor to sign Amendment B to the Municipal Snow and Ice agreement with NYS DOT for 2014-2015. The index adjustment is \$149,801.75. The total reimbursement to the Town for the 2014-2015 season is \$239,610.95.

Vote: Unanimous

Councilman DiGiacinto moved, seconded by Councilman D'Angelo, authorization for the Supervisor to sign the renewal of the Mutual Aid and Rapid Response Inter-Municipal Agreement (IMA) between the Town and the Westchester County Department of Public Safety, for a term to commence on July 31, 2015 and terminate on July 30, 2020.

Vote: Unanimous

Consideration of proposals for architectural services from Lothrop Associates LLP Architects regarding the North White Plains Community Center and Library were tabled. Supervisor Schiliro said that more discussion was necessary on proposed options.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman Reiter, approval of request from Chief of Police Peter Simonsen to hire two Police Officers, Christopher Costa and Steven Vitolo, effective July 18, 2015.

Vote: Unanimous

Councilman DiGiacinto moved, seconded by Councilman Reiter, approval of Stipulation of Settlement with Employee #3257.

Vote: Unanimous

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Councilman DiGiacinto moved, seconded by Councilman Reiter, receipt of resignation from Police Officer Douglas Puff, effective June 23, 2015.

Vote: Unanimous

Councilman Reiter moved, seconded by Councilman DiGiacinto, approval of terminal leave payment for Herta Smorol.

Vote: Unanimous

Councilman Reiter moved, seconded by Councilman D'Angelo, authorization to extend the date for consulting services with JF Solutions to July 17, 2015.

Vote: Unanimous

Councilman DiGiacinto moved, seconded by Councilman D'Angelo, approval of request from Comptroller Oakley to attend a KVS seminar in Buffalo, NY from July 20-July 22, 2015.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman Reiter, approval of request to hire Rosalind Cimino, as part-time hourly employee, \$30 per hour, not to exceed \$5,000 in 2015, to evaluate IT software and develop systems and policies for electronic data management.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, adoption of the 2015 Standard Work Day and Reporting Resolution for elected and appointed officials, as required by NYS Local Retirement System.

Vote: Unanimous

Councilman DiGiacinto moved, seconded by Councilman D'Angelo, receipt of work-related injury/illness report for Highway Department employee.

Vote: Unanimous

Councilman Reiter moved, seconded by Councilman D'Angelo, the appointment of Kerri Kazak to the Elijah Miller House Committee to serve at the pleasure of the Town Board.

Vote: Unanimous

Councilman DiGiacinto moved, seconded by Councilman Reiter, the appointment of Stuart Brown to the Landmarks Preservation Committee for a term to expire May 17, 2018.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman Mezzancello, recognition of service of Elise Hutner, Coordinator of Town Clean Up Day in 2014 and 2015.

Vote: Unanimous

Councilman DiGiacinto moved, seconded by Councilman Reiter, the consensus agenda as follows:

- Receipt of Town Clerk's monthly report – June 2015

Vote: Unanimous

The Town Board audited and approved payments of \$1,332,565.69 as indicated on Warrant #12.

After all persons were heard who desired to be heard, the Supervisor closed the meeting at 9:20 p.m. in memory of William Richardson Sr., father of Bill Richardson, Building Dept. and Marty Richardson, Highway Dept.

Anne Curran, Town Clerk

Dated: July 21, 2015