

Town Board Minutes  
Regular meeting  
Town of North Castle  
15 Bedford Road  
Armonk, New York  
on  
August 5, 2015

The Town Board meeting was called to order at 5:00 p.m. and immediately adjourned into a Work Session on the duly adopted motion of Councilman D'Angelo. Councilmen D'Angelo, DiGiacinto, Reiter, Supervisor Schiliro, the Town Attorney, the Town Administrator and the Town Clerk were present for the Work Session. The meeting adjourned to an Executive Session at 7:20 p.m. The regular meeting reconvened at 7:40 pm 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

Councilman Reiter moved, seconded by Councilman D'Angelo, the probationary appointment of Peter Simonsen to Chief of Police, effective August 6, 2015, subject to the Terms and Conditions of employment for Peter Simonsen, Chief of Police, as set forth in a letter directed to him by the Town Supervisor, dated August 5, 2015.

Vote: Unanimous

The minutes of the Public Hearings that commenced at 8:05 p.m. follow at the end of these minutes.

Councilman D'Angelo moved, seconded by Councilman Mezzancello, approval of the minutes of the July 22, 2015 meeting.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, receipt of following reports dated July 2015 from GEA Engineering, P.C. regarding Long Pond Dam:

- Phase 1 Preliminary Evaluation Report
- Emergency Action Plan
- Inspection and Maintenance Plan

Vote: Unanimous

Pursuant to a memo from Rosalind Cimino regarding development of electronic records management, Councilman DiGiacinto moved, seconded by Councilman D'Angelo, approval of software upgrade to the Laserfiche Avante system at a cost of \$14,096.

Vote: Unanimous

With regard to consideration of amendments to the Zoning Code, including the height of a necessary retaining wall revision and modification to the front yard setback in the RB Zoning District, Councilman D'Angelo moved, seconded by Councilman DiGiacinto, to schedule a Public Hearing on September 9, 2015.

Vote: Unanimous

Pursuant to a memo from Kellard Sessions, P.C., Councilman D'Angelo moved, seconded by Councilman DiGiacinto, approval of payment application #1 to GEA Engineering, P.C. in the amount of \$14,555 for engineering services for Long Pond Dam as per the Limited Proposal dated July 2, 2015.

Vote: Unanimous

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Councilman D'Angelo moved, seconded by Councilman DiGiacinto, approval of Town Administrator Goldberg's recommendation to authorize the expenditure of \$1,000,000 for road repair, and approval of funding per budget transfer from the General Fund to Road Maintenance:

Increase	A 1000.1002 General Fund Appropriated Fund Balance	\$1,000,000
Increase	A 9950.0991 General Fund Transfer Out	\$1,000,000
Increase	DA 1000.5031 Highway Transfer In	\$1,000,000
Increase	DA 5112.0206 Paving	\$1,000,000

Vote: Unanimous

Regarding trash collection improvements in North White Plains, Councilman DiGiacinto moved, seconded by Councilman D'Angelo, authorization to accept three waste receptacles from Westchester County to be placed at the following bus stops in North White Plains:

- heading north on Route 22 at the property line, near The Little Spot
- heading south on Route 22 at the cemetery
- heading south on Route 22 by the church, near Church Street

Vote: Unanimous

Regarding trash collection improvements in North White Plains, Councilman DiGiacinto moved, seconded by Councilman Reiter, approval of collection from three additional trash receptacles in North White Plains by Suburban Carting for a monthly fee of \$103.05.

Vote: Unanimous

With regard to sidewalk improvements, Councilman DiGiacinto moved, seconded by Councilman Reiter, authorization for the Supervisor to sign Change Order No. 3 with Vernon Hills in the amount of \$1,276.80 for modifications to sidewalk and heat trace system at the Annex Building.

Vote: Unanimous

With regard to sidewalk improvements, Councilman D'Angelo moved, seconded by Councilman DiGiacinto, authorization for the Supervisor to sign Change Order No. 4 with Vernon Hills in the amount of \$3,102.84 for drainage improvements at the Annex Building, inclusive of perforated pipe and crushed stone underdrains to protect the building from storm water runoff.

Vote: Unanimous

Change Order No. 5 with Vernon Hills in the amount of \$19,791.66 for an added lighted portico structure at the Police Station rear entrance was not approved.

The roll call vote was as follows:

Ayes: Councilmen D'Angelo, Reiter

Noes: Councilmen DiGiacinto, Mezzancello, Supervisor Schiliro

Councilman D'Angelo moved, seconded by Councilman Reiter, approval of request to hold a Triathlon in the Windmill Farm community on Saturday, September 5, 2015, pending approval of insurance and consultation with Police and Highway Depts.

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 #13 in the amount of \$858,856.91 to Bilotta Construction Corp. regarding the Water District No. 2 Water System Replacement Project, for work completed through July 17, 2015, and further authorized the Supervisor to sign the payment application.

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 to accept the proposal of \$3,983.50 from Peak Power Systems for annual emergency generator maintenance and service.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, approval for the Supervisor to make the budget amendments that follow at the end of these minutes, as requested by Comptroller Oakley.

Vote: Unanimous

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Pursuant to the recommendation of The Spain Agency, Councilman DiGiacinto moved, seconded by Councilman D'Angelo, adoption of Minimum Insurance Requirements for Events, including the requirement of Indemnification and Hold Harmless Agreement for Sponsors of Events.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman Reiter, authorization for the Town Attorneys to execute a Consent Judgment in the Tax Certiorari matter of Verizon New York, Inc. vs Town of North Castle, Index Nos. 65514/13 and 66436/14.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman Reiter, authorization for the Town Attorneys to execute a Consent Judgment in the Tax Certiorari matter of BRJS Corporation vs. Town of North Castle, Index No. 26486/10.

Vote: Unanimous

Pursuant to a letter from Tax Receiver Colombo, Councilman D'Angelo moved, seconded by Councilman DiGiacinto, authorization for a refund in the amount of \$3,001.73, based on Entry and Demand for Payment for HZBR LLC, 60 Cox Avenue, Armonk.

Vote: Unanimous

Approval of payment to HydroEnvironmental Solutions, Inc. (Invoice 17208) for underground storage tank remediation at 533-535 Main Street, Armonk was tabled.

Pursuant to a letter of recommendation from Acting Building Inspector Michael Cromwell, Councilman DiGiacinto moved, seconded by Councilman D'Angelo, to award property cleanup and bi-weekly maintenance through 2015 for five properties as follows:

6 Cliff Place, Armonk, NY

North Castle Landscaping & Tree Service, Inc.	Initial Cleanup	\$420.00
Awesome Landscaping Corp.	Biweekly	\$100.00

31 North Greenwich Road, Armonk, NY

Awesome Landscaping Corp.	Initial Cleanup	\$800.00
Awesome Landscaping Corp.	Biweekly	\$ 80.00

45 McDougal Drive, N. White Plains, NY

North Castle Landscaping & Tree Service	Initial Cleanup	\$250.00
Awesome Landscaping Corp.	Biweekly	\$ 80.00

64 Overlook Road, N. White Plains, NY

DCB Tree & Landscaping	Initial Clean up	\$680.00
Awesome Landscaping Corp.	Biweekly	\$165.00

164 East Middle Patent Road, Bedford, NY

North Castle Landscaping & Tree Service, Inc.	Initial Cleanup	\$420.00
Awesome Landscaping Corp.	Biweekly	\$100.00

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman Reiter, approval of the request from Louis M. Spizzirro, Esq. on behalf of his client CAP 111 Enterprises LLC, 111 Bedford Road, Armonk, for a waiver of the 30 day Advance Notice for filing of a liquor license application.

Vote: Unanimous

Councilman Reiter moved, seconded by Councilman D'Angelo, ratification of the following appointments by the Library Board of Trustees:

- Susan Kramer, Librarian, Part-time, \$23.00 per hour, effective July 24, 2015
- Yiwen Wang, Librarian, Part-time, \$23.00 per hour, effective July 24, 2015

Vote: Unanimous

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Councilman D'Angelo moved, seconded by Councilman DiGiacinto, receipt of notification from NYS Retirement System of the approval of Disability Retirement for Sauro DiVitto with date of determination of July 20, 2015.

Vote: Unanimous

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

- Receipt of Town Clerk's monthly report – July 2015
- Receipt of Independent Auditor's Report as of 12/31/14 for North Castle Fire District No. 2
- Approval of request for release of the following highway bonds:
  - o Con Edison – Permits 1091, 1182, 1184, 1185, 1192, 1198, 1199, 1200, 1204, 1208, 1211, and 1212 in the amount of \$12,875 for Street Openings/Rights of Way on various roads in the Town of North Castle
  - o James Groven – Permit 0843 in the amount of \$750.00 for curb cut at 8 Hillandale Drive, Sec. 2, Block 13, Lot 35.-33.
  - o Anthony Marano – Permit 0850 in the amount of \$500.00 for driveway alteration at 24 Blair Road, Sec. 2, Block 08, Lot 13.E-47.
- Receipt of Notice of Claim: Joseph Paresi vs. Town of North Castle and referral to Town Attorneys.
- Receipt of Notice of Claim: Bilotta Construction Corp. vs Town of North Castle and referral to Town Attorneys.
- Receipt of Notice of new application for NYS liquor license for restaurant at 454 Main Street, Armonk.

Vote: Unanimous

The Town Board audited and approved payments of \$1,973,226.54 as indicated on Warrant #14.

After all persons were heard who desired to be heard, the Supervisor adjourned the meeting at 10:35 p.m. in memory of Patricia Duffy, mother-in-law of Liz Thomas, North Castle Senior Citizens Coordinator; resident Mary Jones; and former resident Doris Mariano, mother of Geri Mariano. The Board reconvened to Executive Session on a motion made by Councilman DiGiacinto and seconded by Councilman Reiter. The Executive Session closed at 12:00 a.m. The regular meeting was then closed on the duly adopted motion of Councilman D'Angelo.

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Anne Curran, Town Clerk

Dated: September 3, 2015

### 2015 Budget Amendments

Code	Description	Amount	Explanation
A.3120.0212	Equipment - New Vehicles	18,150	To adjust budget to purchase video cameras for the Police vehicles
A.3120.0211	Equipment - Office & Furniture	(18,150)	To adjust budget to purchase video cameras for the Police vehicles
A.1000.1002	Appropriated Fund Balance	258,000	To fund Highway purchase - Three Dual Auger All Season Stainless Bodies, plows & Pre-wet Packages, from General Fund Balance
A.9950.0991	Interfund Transfer Out	258,000	To fund Highway purchase - Three Dual Auger All Season Stainless Bodies, plows & Pre-wet Packages, from General Fund Balance

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DA.1000.5031	Interfund Transfer In	258,000	To fund Highway purchase - Three Dual Auger All Season Stainless Bodies, plows & Pre-wet Packages, from General Fund Balance
DA.5130.0213.	Highway Machinery/Equipment	258,000	To fund Highway purchase - Three Dual Auger All Season Stainless Bodies, plows & Pre-wet Packages, from General Fund Balance