

Town Board Minutes  
Town of North Castle  
15 Bedford Road  
Armonk, New York  
on  
June 11, 2013

The meeting was called to order at 6:00 p.m. at 15 Bedford Road on the duly adopted motion of Councilman D'Angelo and immediately adjourned into executive session. All Town Board members, the Town Attorney and Town Administrator were present for the executive session which closed at 7:20 p.m. The Town Clerk joined the regular meeting which reconvened at 7:30 p.m. and the following persons were present:

Supervisor	Howard B. Arden
Councilmen:	Michael J. Schiliro
	Diane DiDonato Roth
	John J. Cronin
	Stephen D'Angelo
Town Clerk	Anne Curran
Town Attorney	Roland A. Baroni
Town Administrator	Joan Goldberg

Recognition proclamations for years of service were presented to Reverend John Quinn of St. Patrick's Church in Armonk and Rabbi Douglas Krantz, Congregation B'Nai Yisrael.

The Friends of the North Castle Public Library were recognized for receipt of ARTS Westchester 2013 Community Award with regard to their success in establishing the Armonk Outdoor Art Show as a cultural Hub in Westchester County. The award to Friends of the North Castle Public Library recognized the extraordinary vision and leadership in using the Arts to improve community life, to increase access to cultural experiences and to enrich the county's cultural experiences. Debbie Heidecorn accepted the award on behalf of the FNCPL.

Gordon Deering, VHB Engineering, presented the report on Town's pavement management program, which was received on the duly adopted motion of Supervisor Arden.

Mr. Deering's presentation emphasized the following:

- The VHB model includes inventory and measurement of pavement conditions used to develop Pavement Condition Indexes or "PCI's". The ratings are used to develop a plan of road repairs. Data can be filtered and reevaluated over time to develop a strategy for treatment.
- Roads rated under a score of 60 are deemed necessary to rehabilitate. The average rating Town wide is a score of 65, supporting the conclusion that Town roads are in relatively poor condition.
- An expenditure of \$26M would be necessary to rehab all roads needing attention. With an annual expenditure of \$1.3M, road conditions would be maintained as they are today.
- The Town will have the data developed by VHB for use by staff to evaluate and develop work plans.
- Ultimately, it is up to the Town Board to determine what type of road conditions and what level of funding they are comfortable with.

Town Administrator Goldberg introduced Police Chief Fisher and other presenters to provide a review on Police Department initiatives:

Chief William Fisher gave an overall progress report for the Police Department.

Lieutenant Peter Simonsen reported on the Department's new records management system.

Sargent James Cuffe spoke about the need for a SRO (School Resource/DARE Officer) and a grant application that is being submitted for funding for this position.

Lieutenant Geoffrey Harisch reported on community relations, programs and events.

Councilman DiDonato Roth moved, seconded by Councilman D'Angelo, approval of the minutes of the May 21, 2013 meeting.

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The roll call vote was as follows:

Ayes: Councilmen Schiliro, DiDonato Roth, Cronin, D'Angelo, Supervisor Arden

Noes: None

The minutes of the public hearings that commenced at 8:55 p.m. follow at the end of these minutes.

Regarding the Brynwood Golf & Country Club Petition, Councilman D'Angelo moved, seconded by Councilman Di Donato Roth, receipt of DEIS completeness review comments from BFJ Planning and Kellard Sessions.

The roll call vote was as follows:

Ayes: Councilmen Schiliro, DiDonato Roth, Cronin, D'Angelo, Supervisor Arden

Noes: None

Councilman DiDonato Roth moved, seconded by Councilman D'Angelo, to accept "as complete" the DEIS for the Brynwood Petition.

The roll call vote was as follows:

Ayes: Councilmen Schiliro, DiDonato Roth, Cronin, D'Angelo, Supervisor Arden

Noes: None

Regarding the Brynwood Petition, Councilman Schiliro moved, seconded by Councilman DiDonato Roth, to schedule two public hearings: first on Thursday, June 27, 2013 at the Hergenhan Community Center, and further moved to adjourn the Public Hearing and reconvene on July 10, 2013.

The roll call vote was as follows:

Ayes: Councilmen Schiliro, DiDonato Roth, Cronin, D'Angelo, Supervisor Arden

Noes: None

The request for approval of funding for 2013 road management was tabled on the duly adopted motion of Supervisor Arden. Mr. Arden said the matter would be discussed at the June 13, 2013 Work Session.

Regarding the request from Director of Water and Sewer Operations Misiti for an emergency generator replacement in Sewer District No. 3, Councilman D'Angelo moved, seconded by Councilman Schiliro, the award of bid, and approval for the Supervisor to sign an agreement with Kinsley Power Systems, for a cost of \$32,159.

The roll call vote was as follows:

Ayes: Councilmen Schiliro, DiDonato Roth, Cronin, D'Angelo, Supervisor Arden

Noes: None

Councilman DiDonato Roth moved, seconded by Councilman D'Angelo, authorization of appropriation of \$32,159 from Sewer District No. 3 fund balance for purchase of emergency generator.

The roll call vote was as follows:

Ayes: Councilmen Schiliro, DiDonato Roth, Cronin, D'Angelo, Supervisor Arden

Noes: None

Councilman Cronin moved, seconded by Councilman D'Angelo, approval of request from Jerry Stroud, Sr. Recreation Leader, to award bid to J&R Bus Company for teen camp bus trips at a cost of \$13,294, and to approve the funding for same.

The roll call vote was as follows:

Ayes: Councilmen Schiliro, Cronin, D'Angelo, Supervisor Arden

Noes: None

Abstained: Councilman DiDonato Roth

The Communications Committee update regarding a Town Facebook page was tabled.

Councilman D'Angelo moved, seconded by Councilman DiDonato Roth, approval of request from Jarden Westchester Triathlon for use of some Town roads for their annual event on September 29, 2013, subject to Police Department review and acceptance of insurance certificates.

*Note: Subsequent to the meeting, it was determined that this race would not pass through the Town.*

The roll call vote was as follows:

Ayes: Councilmen Schiliro, DiDonato Roth, Cronin, D'Angelo, Supervisor Arden

Noes: None

Councilman D'Angelo moved, seconded by Councilman Cronin, authorization for the Town's attorneys to execute a Consent Judgment in the matter of Banmonk Realty, LLC vs. Town of North Castle, Index No. 24423/10 et al.

The roll call vote was as follows:

Ayes: Councilmen Schiliro, DiDonato Roth, Cronin, D'Angelo, Supervisor Arden

Noes: None

Councilman DiDonato Roth moved, seconded by Councilman D'Angelo, receipt of letter from Director Misiti, Water & Sewer Operations, regarding needed repair of windmills in Water District No. 2 and approval to solicit Request for Proposals for the repairs.

The roll call vote was as follows:

Ayes: Councilman Schiliro, DiDonato Roth, Cronin, D'Angelo, Supervisor Arden

Noes: None

Councilman DiDonato Roth moved, seconded by Councilman D'Angelo, approval of request from Assessor Sirota to establish a new taxable status date of May 1<sup>st</sup> of each year for purposes of real property assessment. The resolution follows.

The roll call vote was as follows:

Ayes: Councilmen Schiliro, DiDonato Roth, Cronin, D'Angelo, Supervisor Arden

Noes: None

**WHEREAS**, Section 283.141 of the Laws of Westchester County ("the County Code") provides that any town in Westchester County may, subject to approval by its legislative body, elect as the taxable status date for taxable assessment of its real property May 1<sup>st</sup> of each year in place of June 1<sup>st</sup> of each year; and

**WHEREAS**, the Assessor believes that adoption of the taxable status date of May 1<sup>st</sup> of each year will be of assistance to the Town in administering the tax assessment process.

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the taxable status date for real property in the Town of North Castle for purposes of real property assessment shall be May 1<sup>st</sup> of each year commencing in the year 2014, and be it further

**RESOLVED**, that the Assessor or Town Clerk shall notify the Westchester County Department of Finance of this resolution within thirty (30) days of its adoption in accordance with the County Code provision referred to above.

Councilman DiDonato Roth moved, seconded by Councilman D'Angelo, the scheduling of a Public Hearing on June 26, 2013, to amend the Vehicles and Traffic law to restrict parking on the south side of Maple Avenue.

The roll call vote was as follows:

Ayes: Councilmen Schiliro, DiDonato Roth, Cronin, D'Angelo, Supervisor Arden

Noes: None

Councilman DiDonato moved, seconded by Councilman D'Angelo, authorization for the Supervisor to sign an agreement with Sullivan Data Management for installation of Direct Fiber

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Optic Connection between Town Hall and Hergenhan Recreation Center at an estimated cost of \$18,320.

The roll call vote was as follows:

Ayes: Councilmen Schiliro, DiDonato Roth, Cronin, D'Angelo, Supervisor Arden

Noes: None

Councilman DiDonato Roth moved, seconded by Councilman D'Angelo, authorization for the Supervisor to sign the Memorandum of Agreement (MOA) with North Castle Pool & Tennis Club regarding camp use of facilities for the period of July 1, 2013 to August 9, 2013, at a cost of \$56,000.

The roll call vote was as follows:

Ayes: Councilmen Schiliro, DiDonato Roth, Cronin, D'Angelo, Supervisor Arden

Noes: None

Councilman DiDonato Roth moved, seconded by Councilman D'Angelo, authorization for the Supervisor to sign the bus lease agreement with BHCSD (Byram Hills Central School District) for summer camp transportation. The Town agrees to pay BHCSD as rental for lease of school busses, \$1.95 per mile for busses, and \$1.15 per mile for vans, plus fuel.

The roll call vote was as follows:

Ayes: Councilmen Schiliro, DiDonato Roth, Cronin, D'Angelo, Supervisor Arden

Noes: None

Councilman DiDonato Roth moved, seconded by Councilman D'Angelo, approval of request from Martin Richardson to be reinstated to permanent position as Mechanic, Highway Dept., effective June 1, 2013.

The roll call vote was as follows:

Ayes: Councilmen Schiliro, DiDonato Roth, Cronin, D'Angelo, Supervisor Arden

Noes: None

Councilman DiDonato Roth moved, seconded by Councilman D'Angelo, ratification of additional \$2,000 for Marianne Bischoff, hourly support, Finance Dept. through June 21, 2013.

The roll call vote was as follows:

Ayes: Councilmen Schiliro, DiDonato Roth, Cronin, D'Angelo, Supervisor Arden

Noes: None

Councilman Schiliro moved, seconded by Councilman D'Angelo, the reappointment of Assessor Victoria Sirota for a six-year term, effective October 1, 2013, and approval of a salary increase of \$5,000, effective July 1, 2013.

The roll call vote was as follows:

Ayes: Councilmen Schiliro, DiDonato Roth, Cronin, D'Angelo, Supervisor Arden

Noes: None

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

- Receipt of the Town Clerk's monthly report for May, 2013
- Receipt of notice from Comptroller Berland regarding closing of bank accounts in the following banks: Webster Bank, TD Bank and NYCLASS/MBIA.
- Approval of request from General Foreman Norris for release of bond as follows:
  - o Cablevision – Permits 1026, 1050, 1052, 1053, 1057, 1058, 1061, 1062, 1067, 1071, 1072, 1073, 1076, 1099, 1100 and 1101 for right of way work at various locations in the amount of \$12,000 to be reinstated to the \$50,000 bond.

The Town Board audited and approved payments totaling \$521,749.73 as indicated on Warrant #11.

After all persons were heard who desired to be heard, the Supervisor closed the meeting at 10:25 p.m.

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Anne Curran, Town Clerk

Dated: June 25, 2013

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PUBLIC HEARING  
June 11, 2013

At 8:55 p.m. Supervisor Arden 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 in Town Hall, 15 Bedford Road, Armonk, NY, 10504, on June 11, 2013 at 7:30 p.m. or as soon thereafter, for the purpose of considering a local law to amend Chapter 213, Zoning, of the Code of the Town of North Castle, New York, so as to rezone an area of approximately 14.7 acres located along the northerly side of Banksville Avenue, adjacent to the Town of Greenwich, Connecticut, from its present GB General Business District classification to R-1/2B One-Family Residence District and to amend Chapter 213, Zoning, of the Code of the Town of North Castle, New York, so as to rezone an area of approximately 1.0 acres located at the northeasterly corner of the intersection of Bedford Banksville Road and Banksville Avenue from its present GB General Business District classification to CB-B Central Business B District. The proposed local law is available in the Town Clerk's office during regular business hours and on the Town website. 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: May 29, 2013  
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.

Letters from Director of Planning Adam Kaufman to Town Board dated February 24, 2012 and September 11, 2012.

Letter from Westchester County Planning Board dated April 15, 2013 stating that the matter is for local determination in accordance with Town's planning & zoning policies.

Letter from Conservation Board to Town Board dated June 4, 2013.

Memo from the Business Property Owners of Banksville Avenue to Town Board dated March 29, 2012.

Correspondence from Jeff Brown to Supervisor Arden dated March 22, 2013, to the Planning Board dated April 15, 2013, and to the Town Board dated May 15, 2013.

Email from Charles Banks to Mr. Kaufman dated March 28, 2013.

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Memos from Lawrence Nokes to Town Board and Planning Board dated April 14, 2013, May 13, 2013 and June 10, 2013.

Letter from Robert Farquhar to Town Board dated May 1, 2013.

Letter from John Tiernan dated May 13, 2013.

Letter from Banksville Avenue property owners to Town Board dated May 13, 2013.

Letter of Protest of Property Owners representing 20% or more of the subject area received June 10, 2013 stating that the proposal requires a vote by  $\frac{3}{4}$  of the Town Board.

Letter from Dorothea V. Cheslock to Supervisor Arden dated June 6, 2013.

Letter from Nicole Cheslock to Supervisor Arden dated June 6, 2013.

Letter from Ronald Zymont to Town Board dated June 6, 2013.

Letter from Joseph & Donna Santoro to Town Board dated June 10, 2013.

Letter Bridget Thorne to Town Board dated June 10, 20123.

Full Environment Assessment Form.

The proposed local law.

Supervisor Arden said that revised local law must be referred to the Planning Board and the hearing will be adjourned tonight and reconvened following receipt of their report.

Director of Planning Adam Kaufman said this draft law that was finalized last week must be referred to the Planning Board for their report back to the Town Board. Mr. Kaufman said that a previous draft proposed essentially a commercial zoning district starting with a GB-B zoning district and taking out the more intensive uses, but at its core was commercial business similar to other commercial zones in Town. Based upon subsequent meetings, the Town Board is now considering a residentially based zoning district similar to any other residential district, but designated with a B, rather than an A, because the Town Board is considering the addition of some commercial uses to the core residential zone. The major principal permitted use would continue to be single family residential, but as accessory uses the Town Board is considering up to 1,000 square feet of office use, 1,000 square feet of retail use, and some additional storage of commercial vehicles.

In response to a query from Supervisor Arden regarding the grandfathering of present uses, Mr. Kaufman said the grandfathering uses are not included in the law as they are discussed in a different section of the zoning chapter and thereby would be applicable in this zoning district.

Supervisor Arden said the hearing will be adjourned and when it is reconvened public comments will be received by the Board.

Michael Fareri suggested that aerial photography of the area be provided at the Planning Board and at the Town Board meeting when the public hearing is reconvened. Mr. Fareri said that property owners who would like to change their use should not be required to receive approval from the Zoning Board of Appeals.

No other correspondence or comments were entered for the record.

After all persons were heard who desired to be heard, Councilman DiDonato Roth moved, seconded by Councilman D'Angelo, that the Public Hearing be adjourned at 9:05 p.m.

The roll call was as follows:

Ayes: Councilmen Schiliro, DiDonato Roth, Cronin, D'Angelo, Supervisor Arden.

Noes: None.

Councilman D'Angelo moved, seconded by Councilman Cronin, referral of the revised local law to the Planning Board for study and report.

The roll call was as follows:

Ayes: Councilmen Schiliro, DiDonato Roth, Cronin, D'Angelo, Supervisor Arden.

Noes: None.

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Anne Curran, Town Clerk

Dated: June 25, 2013

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## PUBLIC HEARING

June 11, 2013

At 9:05 p.m. Supervisor Arden reconvened the Public Hearing which was adjourned from May 21, 2013 to consider the petition, map, plan and report in the matter of the extension of Sewer District No. 2 to include Cox Avenue Extension (95, 97, 99 and 101 Cox Avenue).

The following correspondence was received since May 21, 2013:

Letter from GHD Engineering Consulting, P.C. dated June 4, 2013 regarding over allocations of several Sewer District No. 2 properties in relation to the subject properties on Cox Avenue in the petition.

Proposed Resolution to extend Sewer District No. 2, including the Negative Declaration.

Kory Salomone, Veneziano & Associates, appeared before the Board on behalf Frank Madonna. Summarizing from the May 21, 2013 hearing, Mr. Salomone said the petition is for the extension of Sewer District No. 2 to 95, 97, 99 and 101 Cox Avenue and that Mr. Madonna proposes to subdivide 95 Cox Avenue into two lots which would extend the district to five lots. Mr. Salomone said each of the five lots would require 300 gallons per day (gpd) of sewer capacity and they have identified five properties already in the district which in their opinion have been over allocated at 600 gpd. Referencing the 2009 Stearns & Wheeler report, Mr. Salomone said that the sewer allocations in the report are based strictly on zoning. He said the five properties in the district would not be able to be subdivided. He said he was not sure who GHD had spoken with and invited the Board to speak with the Town Engineer and Town Planner and get to their thoughts on further subdivision and whether the 600 gpd is really required.

Supervisor Arden said the Board requested GHD to provide a quick analysis of the petition; and GHD provided a conservative wait and see response, not an endorsement. Mr. Arden said GHD is not familiar with the subject parcels and there is a gray area on whether or not there is capacity. He asked Sal Misiti, Director of Water and Sewer Operations to comment. Mr. Misiti said the Board asked GHD to do a study of the overall additional capacity at the sewer treatment plant, what may be needed and next steps. He said it makes sense for all of Cox Avenue to be connected to the sewer district and there may be some wiggle room for the subject properties, but he was not sure. Mr. Misiti said he would like to see the full GHD study which they said would be completed in about four weeks. He said it is for the Board to decide if they want to make the decision regarding the extension now or wait for the full study.

Michael Fareri said he thought the study should be completed and then a decision should be made.

Al Della Vecchia, 99 Cox Avenue, asked the Board to consider the environmental and health issues and to extend the district to the remaining Cox Avenue properties.

Tony Veneziano, Veneziano & Associates, said the results of the study would not necessarily impact the Cox Avenue extension, but that it could create other issues regarding sewer capacity which could cause further delays.

Jose Berra, Rose Hill Drive, said he and his neighbors, the Hinrichs, had spearheaded the Rose Hill Drive and Cox Avenue sewer extension and that it was prudent to wait for the results of the study.

In response to a query from Councilman D'Angelo, regarding whether he thought the Board should wait for the study, Mr. Misiti said he thought there was wiggle room, but that it why the Town hired the professionals to do the study and obtain information.

Supervisor Arden said the total capacity which would be added to the system is .003, which is 3/10 of one percent of the total capacity and that amount is relatively insignificant based on the wiggle room expected to be there. Mr. Arden said the conditions are now a public health issue and the public good outweighs the uncertainty. He said the sewer extension will increase the residents' property values and the best course of action is to provide sewers for the residents and thereby enhance the Town.

In response to an issue raised by from Michael Fareri regarding campaign donations received by Councilman DiDonato Roth from members of the Madonna family, Town Attorney Baroni said his recommendation was that Ms. DiDonato Roth should abstain from voting on the extension.

Councilman Schiliro agreed that sewers should be added whenever possible, but thought it may be beneficial to wait for the study. In response to his query to Mr. Misiti confirming that the study would not address every property at its maximum use, Mr. Misiti said the reserve issue would be addressed in the study and there may be many other issues to consider.

Mr. Veneziano asked if the four Board members could be polled and the hearing be adjourned if the Board is not going to vote on it.

Councilmen Cronin, D'Angelo and Schiliro said they were comfortable with moving forward with the extension.

After all persons were heard who desired to be heard, Supervisor Arden moved, seconded by Councilman Cronin that the Public Hearing be closed at 9:40 p.m.

The roll call vote was as follows:

Ayes: Councilmen Schiliro, DiDonato Roth, Cronin, D'Angelo, Supervisor Arden.

Noes: None.

Supervisor Arden moved, seconded by Councilman Cronin, the adoption of the Resolution, which follows at the end of these minutes, to extend Sewer District No. 2 to include all properties listed as Exhibit "A" of the Resolution.

The roll call vote was as follows:

Ayes: Councilmen Schiliro, Cronin, D'Angelo, Supervisor Arden

Noes: None.

Abstained: Councilman DiDonato Roth

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Anne Curran, Town Clerk

Dated: June 25, 2013



Record & Return to:  
Roland A. Baroni, Jr.  
STEPHENS, BARONI, REILLY  
& LEWIS, LLP  
175 Main Street  
White Plains, NY 10601

At a meeting of the Town Board of the Town of North Castle at the Town Hall, 15 Bedford Road, Armonk, N.Y., in the Town of North Castle, Westchester County, New York on the 11<sup>th</sup> day of June, 2013, at 7:30 P.M.

## **RESOLUTION TO EXTEND SEWER DISTRICT NO. 2**

WHEREAS, a Petition by FRANK MADONNA dated April 18, 2013, for the extension of Sewer District No. 2 of the Town of North Castle, New York was duly presented to this Town Board and subsequently the necessary maps and plans were also duly delivered; and

WHEREAS, an Order was duly adopted by the Town Board on May 8, 2013, reciting the filing of said petition, the improvements proposed, the boundaries of the proposed extension, and the estimated expenses thereof and specifying May 21, 2013, at 7:30 p.m. as the time and the Town Hall in said Town as the place where the said Board would meet to consider the petition and to hear all persons interested in the subject thereof, concerning the same, and

WHEREAS, such order was duly posted, published and served as required by law; and

WHEREAS, a hearing in the matter was duly held by the Board on the 21<sup>st</sup> day of May, 2013, commencing at 7:30 p.m. o'clock, and reconvened on the 11<sup>th</sup> day of June, 2013 commencing at 7:30 p.m. o'clock, at the Town Hall in said Town and considerable discussion upon the matter having been had, and all persons desiring to be heard having been duly heard and thereupon the hearing being duly closed.

NOW, upon the evidence given at such hearing and on motion of Supervisor Arden, seconded by Councilman Cronin, it is

RESOLVED AND DETERMINED, that (a) the petition aforesaid is signed and acknowledged or proved as required by law, it duly complies with the requirements of Section 191 of the Town Law as to sufficiency of signers with respect to the boundaries of the proposed district as herein approved and it is otherwise sufficient; (b) all property and property owners within the proposed district extension are benefitted thereby; (c) all the property and property owners benefitted are included within the limits of the proposed district expansion; and (d) that it is in the public interest to grant in whole the relief sought; and it is further

RESOLVED AND DETERMINED, that the extension of Sewer District No. 2 as proposed in said petition be approved; that such District be designated as Sewer District No. 2 Extension-Area "95-101 Cox Avenue Sewer Extension"; that the improvements to be constructed therein mentioned be constructed at the sole cost and expense of the applicant, including reimbursement of the town's legal and engineering fees and a contribution of Thirty Thousand (\$30,000.) Dollars, and such extension be bounded and described as set forth in Schedule A attached hereto; said property also being known and designated as Section 2, Block 12, Lots 4-K, 4-O, 4-E & 4-E02 on the tax assessment map of the Town of North Castle; and it is further

RESOLVED, that in addition to the proposed improvements to be constructed by the applicant, legal and engineering costs and the costs of an as-built survey shall be paid by the applicant; and it is further

RESOLVED, in accordance with Article 8 of the State Environmental Quality Review Act and 6 NYCRR Part 617, the Town Board hereby makes the determination that based on the information and analysis provided by the applicant, the proposed action will not result in any significant adverse environmental impact; and it is further

RESOLVED, that the Town Clerk of this Town shall file certified copies thereof, in duplicate, in the office of the State Department of Audit and Control in Albany, New York.

Roll Call:	Vote:
Michael J. Schiliro	Aye
Stephen D'Angelo	Aye
Diane DiDonato Roth	Abstained
John Cronin	Aye
Howard Arden	Aye

STATE OF NEW YORK  
COUNTY OF WESTCHESTER  
TOWN OF NORTH CASTLE

I, ANNE CURRAN, Town Clerk of the Town of North Castle, do hereby certify that I have compared the preceding Resolution with the original thereof filed in my office at Town Hall, 15 Bedford Road, Armonk, Westchester County, New York, that the same is a true and correct copy of said original and the whole thereof.

I further certify that all members of the Town Board had due notice of the meeting at which said resolution was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this 11<sup>th</sup> day of June, 2013.

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Town Clerk

STATE OF NEW YORK: COUNTY OF WESTCHESTER: SS:

On the 11<sup>th</sup> day of June in the year 2013 before me, the undersigned personally appeared ANNE CURRAN, Town Clerk of the Town of North Castle, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

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Notary Public

**SCHEDULE A**

1. 95-97-99 and 101 Cox Avenue  
Armonk, New York

Section 2  
Block 12  
Lots 4-K, 4-O, 4-E and 4-E02