

Town Board Minutes
Regular Meeting
Town of North Castle
15 Bedford Road
Armonk, New York
on
February 24, 2016

The Town Board meeting was called to order at 5:15 p.m. at Town Hall and immediately adjourned into an Executive Session on the duly adopted motion of Councilman D'Angelo. All Town Board members, the Town Attorney, and the Town Administrator were present for the Executive Session. The Executive Session adjourned at 7:30 p.m. The Town Clerk joined the regular meeting which reconvened at 7:40 p.m. and the following persons were present:

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

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

The minutes of the Public Hearings that commenced at 8:15 p.m. follow at the end of these minutes.

Councilman Reiter moved, seconded by Councilman D'Angelo, approval of the minutes from the February 10, 2016 meeting.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, receipt of Fareri application for 37 and 41 Maple Avenue regarding Zoning Text Amendments and Special Use Permit and further moved the following:

For Town Attorney Baroni and Director of Planning Kaufman to draft legislation to amend Section 355-22 of the Town of North Castle Town Code to add additional clarifying language regarding multifamily dwellings located on the first floor within the CB-A Zoning District, as well as multifamily dwellings located on the second floor within the CB-A Zoning District regarding six Affordable Housing (AFFH) units, consisting of three two-bedroom and three one-bedroom units, two ground level and four second story level, and maintenance of ground level retail frontage and extension of sidewalks for 37 and 41 Maple Avenue;

To consider authorization to move the Affordable Housing units from the property located at 156 and 170 Bedford Road, known as the Lumberyard, to Maple Avenue; and to require a deed restriction limiting the total number of units to be built at the Lumberyard property to 30 Market Rate residential units, a reduction from the 30 Market Rate and 6 Affordable Housing units previously approved.

It is required and agreed to by Mr. Fareri that he will build both of the aforementioned residential developments, with the requirement that the Affordable Housing property be completed prior to the Market Rate development; the Affordable Housing units must all have Certificates of Occupancy before any Certificates of Occupancy can be issued for the Market Rate units at the Lumberyard.

Zoning Amendments will be presented to the Town Board at the March 9, 2016 Town Board meeting. Pending approval, the Town Board will declare its Intent to Act as Lead Agency, refer the amendments to the Planning Board and the County Planning Board and schedule a Public Hearing.
Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, receipt of Planning Board recommendation to reduce the construction performance bond for the Byram Ridge Road Subdivision based on the work completed, and further moved authorization to reduce the cash bond from \$138,880 to \$82,293.30 and issue a payment to Byram Ridge Estates LLC in the reduction amount of \$56,586.70.

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Vote: Unanimous

Regarding the rehabilitation of existing overburden water supply well, IBM North Well No. 2, Town of North Castle Water District No. 4, Councilman DiGiacinto moved, seconded by Councilman Reiter, the following:

- Award of bid to the low bidder, Subsurface Technologies, for \$43,101;
- Authorization for the Supervisor to sign all contract agreements, and
- Authorization of a budget transfer of the necessary funds (\$43,101) from Water District No. 4 fund balance into the district operating budget.

Vote: Unanimous

Regarding the rehabilitation of existing overburden water supply well, Well No. 4, Town of North Castle Water District No. 2, Councilman DiGiacinto moved, seconded by Councilman D'Angelo, the following:

- Award of bid to the low bidder, Stephen B. Church Company, for \$27,850;
- Authorization for the Supervisor to sign all contract agreements, and
- Authorization of a budget transfer of the necessary funds (\$27,850) from Water District No. 2 fund balance into the district operating budget.

Vote: Unanimous

Councilman Reiter moved, seconded by Councilman D'Angelo, receipt of a letter from Westchester County Department of Parks, Recreation and Conservation stating that the annual license fee for the Fisher Lane commuter parking lot will be \$31,378 for the period of April 1, 2016 to March 31, 2017, an increase of 3%, and further authorized the Supervisor to sign the agreement.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman Berra, receipt of Town Wastewater Treatment Plant Capacity Increase Study for Sewer District No. 2; a presentation on this study is scheduled for the March 9, 2016 Town Board meeting.

Vote: Unanimous

Receipt of a cash bond for Cox Avenue improvements was tabled at the request of the developer Frank Madonna.

Councilman D'Angelo moved, seconded by Councilman Reiter, approval of the 2015 Budget Transfers and Capital Project funding items that are attached to the end of these minutes, as requested by Administrator Goldberg.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman Reiter, authorization for the Supervisor to sign the Renewal Agreement with Westchester Food Services for the food concession at the Anita Louise Ehrman Recreation Center/Town pool to Westchester Food Service, for the period May 15, 2016 through September 15, 2016, for \$2,200 plus a \$300 utility charge.

Vote: Unanimous

Councilman Berra moved, seconded by Councilman D'Angelo, recognition of Certification Credits attained by Director of Planning, Adam Kaufman, by the American Planning Association's Professional Institute and American Institute of Certified Planners (APA and AICP).

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman Reiter, approval of terminal leave pay for Kathlyn See.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman Berra, approval for Administrator Goldberg and Bookkeeper Kieya Glaze to attend the 2016 NYS GFOA Conference in Albany;

- Administrator Goldberg to attend from April 6-8, 2016
- Kieya Glaze to attend from April 4-8, 2016

Approval was also given to use a Town vehicle for travel to and from the conference.

Vote: Unanimous

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Councilman D’Angelo moved, seconded by Councilman Reiter, authorization for the Supervisor to sign Memorandum of Agreement, CSEA Unit I, regarding health insurance premium for Sauro DiVitto.

Vote: Unanimous

Councilman D’Angelo moved, seconded by Councilman Reiter, the consensus agenda as follows:

- Receipt of Franchise fee payments for 4th Quarter, 2015:
 - o Cablevision - \$29,623.00 for Cablevision system; \$8,656.00 for Southern Westchester
 - o Verizon FIOS - \$37,664.25

Vote: Unanimous

The Town Board audited and approved the following payments:

- \$ 3,380.00 as indicated on Warrant # 24-C (for year 2015)
- \$477,981.42 as indicated on Warrant #4 (for year 2016)

After all persons were heard who desired to be heard, the Supervisor closed the meeting at 11:32 p.m.

Alison Simon, Town Clerk

Dated: March 7, 2016

2015 Capital Project Transfers

Project #	Project	Action	Amount
68	WD#1 Chlorination Contact Time	Close project and transfer remaining funds back to SW1	379
103	Water District #4 Extension	Close project and transfer remaining funds back to SW4	21,420
110	Sewer #2 Sand Filter	Close project and transfer remaining funds back to SS2	12,930
109	Sewer #2 Treatment Plant Upgrade	Transfer funds from SS2 and close project	15,563
	Increase	SS2.9950.991	15,563
	Increase	SS2.1000.8021	15,563
118	Sewer Nitrogen Removal	Transfer funds from SS2 and close project	46,570
	Increase	SS2.9950.991	46,570
	Increase	SS2.1000.8021	46,570
HD	Windmill Water Project Design	Transfer funds from SW2	246,000
		SW2.9950.991	246,000
		SW2.1000.8021	246,000

Increase HD budget to \$511,000

HS	Sidewalks	Fund and close	134,455
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2015 Budget Transfers			
General Fund Code	Line description	Amount	Explanation
A 1110.432	Court Contractual Profess'l Svces	(10,000)	Reduced number of court sessions
A 1220.120	Supervisor Salaries Part Time	(5,000)	Available funds
A 1230.120	Administrator Part Time Salary	(7,000)	Available funds
A 1230.432	Administrator Contractual Exp	1,594	Cover balance of CPI-HR original contract for ACA compliance
A 1310.120	Finance Part Time Salaries	24,921	Cover retention/retired bookkeeper
A 1310.432	Finance Contractual Expense	2,711	Cover CPI-HR renewal contract for ACA compliance
A 1310.810	Finance Retirement Expense	(18,000)	Available funds
A 1320.432	Audit Contractual	75	Additional services rendered
A 1330.120	Receiver of Taxes Part Time	(5,000)	Available funds
A 1330.432	Receiver of Taxes Contractual	1,106	Cover cost to add on- line utility payment software
A 1330.840	Receiver of Taxes Health Ins	(9,000)	Available funds
A 1355.110	Town Assessor Salaries	(11,000)	Available funds
A 1355.432	Town Assessor Prof Services	(24,000)	Available funds
A 1355.120	Town Assessor P/Time Salaries	(20,000)	Available funds
A 1355.434.1	Town Assessor Appraisals	(29,000)	Available funds
A 1355.810	Town Assessor Retirement Exp	(8,000)	Available funds
A.1380.435	Fraud	9,787	Fraudulent checks - lost funds
A 1410.110	Town Clerk Salaries	439	Budget shortfall
A 1410.140	Town Clerk Medical Buyout	346	Budget shortfall
A 1410.411	Town Clerk Supplies	165	Budget shortfall
A 1410.434	Town Clerk Bank Fees	221	Budget shortfall
A 1420.470.14	Labor Counsel	24,704	Additional services rendered
A 1440.434.9	Engineering Inspection Fees	(8,000)	Available funds
A 1460.120	Records Management Part-time Salaries	4,710	Hire part time employee to assist with laser fiche
A 1460.432	Records Mgmt Contractual Exp		Fund Laserfiche upgrade

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		8,991	
A 1460.820	Records Mgmt Social Security	361	Fund payroll expenses/part-time employee
A 1480.411	Public Information Supplies	(4,000)	Available funds
A 1480.432	Public Information Prof Svces	(5,000)	Available funds
A 1480.434	Public Info Contractual Other	(4,000)	Available funds
A 1620.452	Shared Building Utility & Gas	(4,000)	Less than anticipated expenses
A 1620.810	Shared Bldgs Retirement Exp	2,417	Budget shortfall
A 1620.830	Shared Bldgs Wkrs Comp Exp	1,969	Reallocation of expenses
A 1650.411	Central Communic Supplies	(6,000)	Available funds
A 1680.432	Data Processing Prof Services	33,832	Reallocation of expenses
A 1680.211	Data Processing Equipment	(33,832)	Reallocation of expenses
A 1920.443	Association Dues	400	Additional expenses
A 1930.400	Tax Refunds	(54,000)	Available funds
A 1950.434.31	Taxes and Assessments	463	Taxes on town owned properties
A 1980.432	MTA Tax	3,081	Budget shortfall
A 1989.444.434	Professional Services GASB	6,600	GASBY 45 statement preparation
A 1990.400	Contingency	(180,000)	Intended purpose
A 3120.110	Police Salaries	272,192	2015 Salary Increase
A 3120.110.0000.0009	Police Salaries Retro	738,343	2011-2014 Salary increases
A 3120.111.0000.0009	Police EMT/Holiday/Etc Retro	41,717	2011-2014 rate increases
A 3120.130	Police Overtime	216,093	2015 Overage
A 3120.130.0000.0009	Police Overtime Retro	174,524	Retro for overtime 2011-2014
A 3120.141.0000.0009	Police Terminal Leave Retro	16,468	Retro/terminal leave 2011-2014
A 3120.212	Police Equipmt - New Vehicles	19,990	Add'l vehicle equipmt purchases
A 3120.411	Police Supplies	(7,000)	Available funds
A 3120.413	Police Uniforms	(29,000)	Available funds
A 3120.431	Police Equipment Repair	(29,000)	Available funds
A 3120.441	Police Seminars	(15,000)	Available funds
A.3120.451	Police Telephone	(9,787)	Available funds
A 3120.491	Police Vehicle Fuel	(32,000)	Available funds
A 3120.492	Police Vehicle Repairs	(9,000)	Available funds
A 3120.810	Police Retirement System Exp	274,264	Cover retiremt expense for retro pay
A 3310.411	Traffic Control Supplies		Additional signage expense

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		1,102	
A 3510.830	Animal Control Wkrs Comp	145	Reallocation of expenses
A 3620.432	Bldg Dept Contractual Services	(6,000)	Deferral of scanning project
A 3620.810	Bldg Dept Retirement Exp	107	Budget shortfall
A 3620.830	Bldg Dept Workers Comp	15,292	Reallocation of expenses
A 3989.451	Emergency Op's Telephone Line	(6,000)	Reallocation of expenses
A 4020.116	Registrar/Vital Statis Stipend	289	Increase in stipend
A 5010.110	Transportation Salaries	2,795	Cover salary increases
A 5010.810	Transportation Retirement Exp	1,461	Budget shortfall
A 5010.820	Transportation Social Security	198	Budget shortfall
A 5410.130	Sidewalk Overtime	870	Additional precipitation
A 5410.810	Sidewalk Retirement Expense	97	Budget shortfall
A 5410.820	Sidewalk Social Security	67	Budget shortfall
A 5680.432.32	Underground Facility Protection	2,909	Additional dig code expense
A 6140.434.17	Home Meals/Pleasantville Contract	(6,000)	Available funds
A 6772.120	Seniors Part Time Salaries	(13,000)	Available funds
A 6772.810	Seniors Retirement Expense	742	Budget shortfall
A 7020.110	Recreation Admin Salaries	(30,000)	Available funds
A 7020.432	Recreation Contractual Svces	13,766	Additional programs (offset by addit'l revenue)
A 7020.434	Recreation Bank Fees	19,093	Fees/on-line credit card transactions
A 7020.830	Recreation Wkrs Comp Exp	6,552	Reallocation of expenses
A 7110.110	Parks Salaries	(5,000)	Available funds
A 7110.212	Parks Equipment New Vehicles	(21,000)	Delayed purchase
A 7110.214	Parks Equipment Other	(9,000)	Available funds
A 7110.411	Parks Supplies	(11,000)	Available funds
A 7110.432	Parks Contractual Expense	(8,000)	Available funds
A 7110.810	Parks Retirement Expense	10,394	Budget shortfall
A 7110.840.1	Parks Retiree Health Insurance	(7,000)	Available funds
A 7111.432	NC Community Pk Contractual Expense	85,895	Asbestos abatement/demo existing bldg
A 7140.416	Community Center Bldg Mtnce	11,398	Engineering costs for NWCC generator design
A 7140.432	Community Ctr Contractual Exp	13,550	New A/C system in NWCC

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A 7141.121.102	Salary Recreation Programs	(15,000)	Available funds
A 7141.433	Contractual Recreation Programs	(17,000)	Available funds
A 7142.434	Kick A Poo Camp	(14,000)	Budgeted use of pool (prior to town operation)
A 7143.120	Chippewa Part Time Salaries	(22,000)	Less than anticipated expenses
A 7143.433	Chippewa Contractual	(5,000)	Less than anticipated expenses
A 7143.434	Chippewa Contractual Other	(49,000)	Budgeted use of pool (prior to town operation)
A 7180.120	Pool Part Time Salaries	(36,000)	Lower than anticipated salaries
A 7180.211	Pool Equipment	(58,000)	Reallocation of expenses
A 7180.432	ALE Recreation Ctr Contr Exp	50,950	Reallocation of expenses
A 7180.820	ALE Recreation Ctr Social Security	6,608	Unbudgeted expense
A 7550.434	Historical Celebrations	100	Additional expense
A 8020.110	Planning Department Salaries	1,237	Cover salary increases
A 8020.432	Planning Contractual Prof Svces	(21,000)	Available funds
A 8020.470	Planning Legal Expenses	(18,000)	Available funds
A 8140.432	Storm Sewers Prof Services	(5,000)	Available funds
A 8140.432.29	Storm Water Management	(8,000)	Available funds
A 8160.432	Refuse Contractual Services	10,148	Cover monthly E-Waste collections
A 8510.435.3	Community Beautification	681	Budget shortfall
A 8560.432.101	Shade Tree Contractual Work	(10,000)	Deferred work
A 8560.432.102	Highway Contractual Tree Work	(5,000)	Remaining balance
A 8612.120	Housing Board P/Time Salaries	(4,000)	Available funds
A 8710.120	Conservation P/Time Salaries	335	Budget shortfall
A 9730.0070	Ban Interest	(5,000)	Available funds
A 1000.1002	Appropriated Fund Balance	1,149,646	Available funds
A 9950.991	Gen Fund Transfers Out (to HS)	134,455	Cover sidewalk and bldg walkway construction expense
A 1000.1002	Appropriated Fund Balance	134,455	Available funds
Highway Fund			
DA 1440.434.0020	Pavement Management Sys	12,975	Updated pavement mgmt study
DA 1980.432	Highway MTA tax	941	Additional payroll expense
DA 5110.110	General Repair Salaries		Correct 2015 budget

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		4,818	
DA 5110.130	General Repair Overtime	11,417	Additional payroll expense
DA 5110.411	General Repair Supplies	(41,000)	Available funds
DA 5110.479	Highway Drainage	(16,000)	Available funds
DA 5110.491	Highway Vehicle Fuel	(23,944)	Lower than anticipated expenses
DA 5112.205	Permanent Improvement Chips	9,161	Additional state funding
DA 5130.213	Highway Equipment	(83,000)	Deferred purchases to fund paving
DA 5130.416	Machinery Bldg Maintenance	3,875	Necessary building repairs
DA 5130.492	Machinery Vehicle Repairs	16,793	Addit'l equipment repair expenses
DA 5140.110	Miscellaneous Salaries	(16,000)	Available funds
DA 5140.120	Miscellaneous Part Time Salaries	(8,000)	Available funds
DA 5142.130	Snow Overtime	100,218	Additional storms
DA 5142.411.101	Sand and Salt	(7,000)	Available funds
DA 5142.820	Snow Social Security	7,665	Additional payroll expense
DA 8989.432	Contractual Composting	(16,000)	Available funds
DA 9010.810	Highway Retirement	13,450	Additional expense
DA 9040.830	Highway Wkrs Compensation	46,631	Increase in rates
DA 9060.840	Highway Health Insurance	(9,000)	Available funds
DA 9060.840.0001	Highway Retiree Health Ins	(8,000)	Available funds
Library Fund			
L 1980.432	MTA Tax	107	Additional payroll expense
L 7410.110.0.9	Library Salaries Retro	51,065	Contract settlement
L 7410.0203.0012.0002	Library Equipment Other	2,109	Additional expense
L 7410.410.12.6	Library Books Digital	10,663	Additional expense
L 7410.0452.0012	Library Bldg/Equipment Repair	42,966	Addt'l bldg repairs/improvements
L 7410.469.12	Library Bldg Services Contract	16,429	Additional building work
L 7410.820	Library Social Security	1,487	Additional payroll expense
L 9010.810	Library Retirement Expense	1,119	Additional payroll expense
L 9040.830	Library Workers Comp Expense	1,889	Additional payroll expense
L 9060.840.1	Library Retiree Health Insurance	(16,000)	Available funds
L 1000.1002	Appropriated Fund Balance	111,834	Available funds
Banksville Fire Protection			

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SF1.1930.0401	Judgements & Claims	992	Court ordered refunds
SF1.3410.432.6	Armonk-Fire/Ambulance Svce	17,500	2015 budget error
SF1.1000.1002	Appropriated Fund Balance	18,492	Deficit position
NWP Street Lighting #1			
SL1.1930.401	Judgements & Claims	2,419	Court ordered refunds
SL1.5181.432	Contractual Professional Svces	(2,419)	Available funds
Ambulance District #1			
SM1.1930.0401	Judgements & Claims	4,627	Court ordered refunds
SM1.4540.432	Contractual Professional Svces	(4,627)	Available funds
Sewer 1 North White Plains			
SS1.1930.401	Judgements & Claims	5,231	Court ordered refunds
SS1.8120.431	Contractual Repairs	(5,231)	Available funds
Sewer 2 - Armonk			
SS2.9710.0060	Principal	0.10	Additional expense
SS2.9710.0070	Interest	(0.10)	Available funds
Sewer 4 -Orchard/Rt 22			
SS4.9040.830	Workers Compensation	375	Additional payroll expense
SS4.8120.453	Utility-Heat & Fuel	(375)	Available funds
Water 1 - NWP			
SW1.1930.401	Judgements & Claims	19,884	Court ordered refunds
SW1.8320.451.102	Excess per capita	(20,540.14)	Available funds
SW1.9040.830	Workers Compensation	656	Additional payroll expense
SW1.9710.0060	Principal	0.02	Rounding
SW1.9710.0070	Interest	0.12	Rounding
Water District #2			
SW2.8310.432	Contractual Professional Svces	1,541	Additional expense
SW2.8320.444.12	Prof Exp County Lab	2,362	Additional expense
SW2.9710.0060	Principal	0.23	Rounding
SW2.9710.0070	Interest	1.23	Rounding
SW2.9010.810	NYS Retirement	1,560.00	Adjust 2015 bill allocation
SW2.9010.810	Retirement Expense		Available funds

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		(3,904.46)	
SW2.9040.830	Workers Compensation	(1,560.00)	Available funds
Water District #4			
SW4.9010.0810	NYS Retirement System	18,500	Additional expense allocation
SW4.8310.431	Contractual Repair	(18,500)	Available funds
Water District #5			
SW5.8320.0451.0101	Utility Water	1,617	Additional expense
SW5.9040.830	Workers Compensation	81	Additional expense
SW5.9010.810	Retirement Expense	(781)	Available funds
SW5.9060.840	Health Insurance	(917)	Available funds
Water District #7			
SW7.9040.0830	Workers Compensation	391	Additional expense
SW7.9710.0070	Interest	0.27	Additional expense
SW7.8310.411	Supplies	(391.27)	Available funds