

Town Board Minutes
Town of North Castle
15 Bedford Road
Armonk, New York
on
December 14, 2011

Supervisor Weaver called the meeting to order at 6:00 p.m. and the following persons were present:

Supervisor	William R. Weaver
Councilmen	Rebecca A. Kittredge
	Michael J. Schiliro
	Diane Roth
	John J. Cronin

Town Clerk	Anne Curran
Town Attorney	Roland A. Baroni

The meeting was immediately adjourned into an executive session which was then closed at 7:25 p.m. The regular meeting was reconvened at 7:35 p.m.

Councilman Roth moved, seconded by Councilman Schiliro, approval of the minutes of the November 30, 2011 meeting.

The roll call vote was as follows:

Ayes: Councilmen Kittredge, Schiliro, Roth, Cronin, Supervisor Weaver.

Noes: None.

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

Supervisor Weaver welcomed Marian Hamilton and Susan Geffen who were at the meeting to present the Spirit of Community Award from the Friends of the North Castle Library to Girl Scout Troop 2928. Ms. Hamilton commended the girl scouts for their outstanding volunteerism at the 50th Annual Armonk Outdoor Art Show.

Councilman Kittredge moved, seconded by Councilman Roth, receipt of a letter from Fire District No. 2 listing items which the Fire Chief and Board of Fire Commissioners requested be included in the proposed assisted living facility at 90 Business Park Drive, and further moved referral to the Planning Board for study and report.

The roll call vote was as follows:

Ayes: Councilmen Kittredge, Schiliro, Roth, Cronin, Supervisor Weaver

Noes: None

Councilman Kittredge moved, seconded by Councilman Schiliro, receipt of a letter from Veneziano and Associates with regard to the Armonk Square project and request for acceptance of traffic signal bond in the amount of \$130,000, infrastructure bond in the amount of \$225,000, sidewalk bond in the amount of \$350,000, and letter of credit, to expire on December 15, 2012, in the amount of \$30,000.

The roll call vote was as follows:

Ayes: Councilmen Kittredge, Schiliro, Roth, Cronin, Supervisor Weaver

Noes: None

With regard to a request to consider a budget revision for the Hamlets Design Reference Manual, Councilman Roth said that all project expenses should be reviewed against proposal amounts as work is completed to ensure additional costs are not incurred without prior Town Board review and approval.

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Councilman Kittredge moved, seconded by Councilman Schiliro, approval to pay Sullivan Architecture the incremental amount of \$4,560 for the completion of the North Castle Hamlet Design Manual and \$1,185.12 in reimbursable expenses.

The roll call vote was as follows:

Ayes: Councilman Kittredge, Schiliro, Roth, Cronin, Supervisor Weaver

Noes: None

Councilman Kittredge moved, seconded by Councilman Schiliro, to accept ownership of Pine Ridge Road and Cross Road, due to In Rem Foreclosure.

The roll call vote was as follows:

Ayes: Councilmen Kittredge, Schiliro, Roth, Cronin, Supervisor Weaver

Noes: None

With regard to consideration of the emergency declaration for snow and ice control in the Sands Mill subdivision, Supervisor Weaver said the roads have not yet been completed. Councilman Kittredge moved, seconded by Councilman Roth, the adoption of an emergency declaration for snow and ice control services for the roadways in the Sands Mill Subdivision. The resolution follows:

Resolved, that the Town Board of the Town of North Castle hereby declares an emergency situation to enable the roads in the Sands Mill Subdivision (which have been improved and are acceptable for dedication to the Town) to receive snow removal, sanding and ice control services during the winter months due to title issues which will likely temporarily delay the road dedication process.

The roll call vote was as follows:

Ayes: Councilmen Kittredge, Schiliro, Roth, Cronin, Supervisor Weaver

Noes: None

Pursuant to a letter from Tax Receiver Colombo regarding a Consent Judgment for Eden Enterprises, LLC, 450 Main Street, Armonk, NY 10504, Parcel I.D. 2-13-17-A, Councilman Kittredge moved, seconded by Councilman Schiliro, authorization to issue a refund in the amount of \$2,279.23.

The roll call vote was as follows:

Ayes: Councilmen Kittredge, Schiliro, Roth, Cronin, Supervisor Weaver

Noes: None

Councilman Kittredge moved, seconded by Councilman Roth, adoption of the Information Systems Usage Policy, and further moved that the policy be distributed to and written acknowledgment of receipt be completed by all Town employees.

The roll call vote was as follows:

Ayes: Councilmen Kittredge, Schiliro, Roth, Cronin, Supervisor Weaver

Noes: None

Councilman Kittredge moved, seconded by Councilman Schiliro, approval of an extension of a market license to George Bridge to sell plant materials at 23 Bedford-Banksville Road for a term beginning December 1, 2011 and ending November 30, 2012, subject to the conditions in the resolution. The resolution follows at the end of these minutes.

The roll call vote was as follows:

Ayes: Councilmen Kittredge, Schiliro, Roth, Cronin, Supervisor Weaver

Noes: None

Pursuant to a letter from Kellard Sessions Consulting, Councilman Schiliro moved, seconded by Councilman Kittredge, authorization to pay \$401,045.87 for Requisition #2 to Bilotta Construction Corp. for work completed to repair town roadways through the period ending November 30, 2011.

The roll call vote was as follows:

Ayes: Councilman Kittredge, Schiliro, Roth, Cronin, Supervisor Weaver

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Noes: None

Town Clerk Curran advised the Board that she and Technical Specialist Rich Walz had investigated VOIP phone service through Optimum Lightpath. Although they hoped to complete research and recommend an alternate phone system by the end of 2011, they concluded that more work needed to be done. In order to build on the research, Rich Walz prepared a report for the Town Board so that the information could be useful for future consideration.

Councilman Kittredge moved, seconded by Councilman Roth, receipt of report from Technical Support Specialist Richard Walz on VOIP phone service.

The roll call vote was as follows:

Ayes: Councilmen Kittredge, Schiliro, Roth, Cronin, Supervisor Weaver

Noes: None

Councilman Schiliro moved, seconded by Councilman Roth, receipt of letter from Robert Barnett regarding a dangerous tree at 6 Maryland Avenue, Armonk and further moved referral of the matter to the Highway Department.

The roll call vote was as follows:

Ayes: Councilmen Kittredge, Schiliro, Roth, Cronin, Supervisor Weaver

Noes: None

Upon the recommendation of Town Clerk Curran, Councilman Kittredge moved, seconded by Councilman Roth, approval of the award of the bid for cleaning services for various Town-owned buildings to Empire Maintenance Services, Inc., the lowest bidder, in the amount of \$36,000 per year, with an optional fee of \$2,500 for cleaning of Community Park Field House.

The roll call vote was as follows:

Ayes: Councilmen Kittredge, Schiliro, Roth, Cronin, Supervisor Weaver

Noes: None

Councilman Kittredge moved, seconded by Councilman Roth, receipt of memo from Comptroller Gobeo requesting the following budget transfers:

From:	To:
A.7410.0211 Furniture \$310.00	A.67720.0211 Furniture \$310.00
To cover the purchase cost of the office desk for the Programs for the Aging Department.	

The roll call vote was as follows:

Ayes: Councilmen Kittredge, Schiliro, Roth, Cronin, Supervisor Weaver

Noes: None

Councilman Roth moved, seconded by Councilman Kittredge, receipt of sales tax update from Comptroller Gobeo. The Town received \$379,018 for the third quarter of 2011, as compared to \$356,478 for the third quarter of 2010.

The roll call vote was as follows:

Ayes: Councilmen Kittredge, Schiliro, Roth, Cronin, Supervisor Weaver

Noes: None

Councilman Kittredge moved, seconded by Councilman Roth, authorization for the Supervisor to sign network support contracts with Sullivan Data Management in the amount of \$30,038.00 for the Town contract and the amount of \$9,600.00 for the Police Department contract for the period January 1, 2012 – December 31, 2012.

The roll call vote was as follows:

Ayes: Councilman Kittredge, Schiliro, Roth, Cronin and Supervisor Weaver.

Notes: No

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Councilman Kittredge moved, seconded by Councilman Schiliro, ratification and acceptance of a Memorandum of Agreement with CSEA, Unit II for a one-time payment of \$660 to full-time employees (prorated for part-time employees) in consideration of a wage freeze for 2011.

The roll call vote was as follows:

Ayes: Councilmen Kittredge, Schiliro, Roth, Cronin, Supervisor Weaver

Noes: None

Councilman Kittredge moved, seconded by Councilman Schiliro, ratification and acceptance of a Memorandum of Agreement with CSEA, Unit III – Library for a one-time payment of \$660 to full-time Library employees (prorated for part-time employees) in consideration of a wage freeze for 2011.

The roll call vote was as follows:

Ayes: Councilmen Kittredge, Schiliro, Roth, Cronin, Supervisor Weaver

Noes: None

Councilman Kittredge moved, seconded by Councilman Schiliro, authorization for the Supervisor to sign the agreement with Armonk Baseball League for use of the building at 85 Cox Avenue for the period January 1, 2012 – December 31, 2013.

The roll call vote was as follows:

Ayes: Councilmen Kittredge, Schiliro, Roth, Cronin, Supervisor Weaver

Noes: None

Councilman Kittredge moved, seconded by Councilman Roth, authorization for the Supervisor to sign the 2012 maintenance agreement for the traffic signal at Maple Avenue and Bedford Road with Verde Electric Maintenance Corp. for a base contract amount of \$1,600.

The roll call vote was as follows:

Ayes: Councilmen Kittredge, Schiliro, Roth, Cronin, Supervisor Weaver

Noes: None

Councilman Schiliro moved, seconded by Councilman Roth, authorization for the Supervisor to sign Extensions to the Municipal Snow and Ice Agreement with New York State (NYSDOT) for the period June 30, 2013 - June 30, 2014 at a cost of \$1,554.00 per land mile for 57.57 land miles, in the amount of \$89,463.78.

The roll call vote was as follows:

Ayes: Councilmen Kittredge, Schiliro, Roth, Cronin, Supervisor Weaver

Noes: None

Councilman Kittredge moved, seconded by Councilman Roth, ratification of the agreement with Empire Consulting for drug and alcohol testing for Highway Department personnel for 2012, fees as outlined in agreement.

The roll call vote was as follows:

Ayes: Councilman Kittredge, Schiliro, Roth, Cronin and Supervisor Weaver.

Notes: None

Councilman Kittredge moved, seconded by Councilman Schiliro, approval of request from Assistant Superintendent Misiti for payment of 30 unused vacation days.

The roll call vote was as follows:

Ayes: Councilmen Kittredge, Schiliro, Roth, Cronin, Supervisor Weaver

Noes: None

Councilman Kittredge moved, seconded by Councilman Schiliro, approval of request from General Foreman Norris for payment of 35 unused vacation days, at his Assistant General Foreman salary.

The roll call vote was as follows:

Ayes: Councilmen Kittredge, Schiliro, Roth, Cronin, Supervisor Weaver

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Noes: None

Councilman Kittredge moved, seconded by Councilman Roth, receipt of letter of resignation from George Nagle, Zoning Board of Appeals Chairman, effective December 31, 2011.

The roll call vote was as follows:

Ayes: Councilmen Kittredge, Schiliro, Roth, Cronin, Supervisor Weaver

Noes: None

Councilman Kittredge moved, seconded by Councilman Schiliro, receipt of letter of retirement from Thomas DeVesta, Sewer & Water Department, effective February 24, 2012.

The roll call vote was as follows:

Ayes: Councilmen Kittredge, Schiliro, Roth, Cronin, Supervisor Weaver

Noes: None

Councilman Kittredge moved, seconded by Councilman Schiliro, approval of terminal leave pay for Anna Marie Marrone.

The roll call vote was as follows:

Ayes: Councilmen Kittredge, Schiliro, Cronin, Supervisor Weaver

Noes: Councilman Roth

Councilman Kittredge moved, seconded by Councilman Schiliro, approval of a promotional salary increase for Jamie Norris effective December 1, 2011.

The roll call vote was as follows:

Ayes: Councilmen Kittredge, Schiliro, Supervisor Weaver

Noes: Councilmen Roth, Cronin

Councilman Kittredge moved, seconded by Councilman Schiliro, approval of the following items on the consensus agenda:

- Receipt of the Town Clerk's monthly report for November, 2011.
- Letter of Agreement with Friends of North Castle Public Library and Recreation and Parks Department regarding use of storage container # E513101C in Community Park.
- Receipt of worker compensation reports for Highway workers.
- Approval of request from General Foreman Norris for release of bonds as follows:
 - Cross County Asphalt – Permit 0698 for driveway alteration at 23 Nichols Road in the amount of \$500.
 - HPM Consulting – Permit 0715 for driveway alteration at 40 Wampus Avenue, in the amount of \$500.
 - Con Edison – Permits 0913, 0957, 0617, 0618, 0623, 0624 and 0625 for street opening at various locations in the amount of \$7,000 to be reinstated to the \$65,000 bond.
 - Ken Fliegel – Permit 0717 for driveway alteration at 27 Creemer Road, in the amount of \$500.

The roll call vote was as follows:

Ayes: Councilmen Kittredge, Schiliro, Roth, Cronin, Supervisor Weaver

Noes: None

Councilman Kittredge moved, seconded by Councilman Schiliro, authorization for the Supervisor to sign a contract with WeatherWorks for weather consulting services for January 1, 2012 through December 31, 2012 in the amount of \$1,710.

The roll call vote was as follows:

Ayes: Councilmen Kittredge, Schiliro, Roth, Cronin, Supervisor Weaver

Noes: None

Councilman Schiliro moved, seconded by Councilman Roth, authorization for the Supervisor to sign an interagency agreement for 2012 with North East Westchester Special Recreation, Inc. to operate a therapeutic recreation program for individuals with disabilities.

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The roll call vote was as follows:

Ayes: Councilmen Kittredge, Schiliro, Roth, Cronin, Supervisor Weaver

Noes: None

Councilman Kittredge moved, seconded by Councilman Schiliro, receipt of notice of sale of the Public Improvement Bond to Roosevelt and Cross at a net interest of 2.2069% and maturity date of 2026.

The roll call vote was as follows:

Ayes: Councilmen Kittredge, Schiliro, Roth, Cronin, Supervisor Weaver

Noes: None

Councilman Kittredge moved, seconded by Councilman Schiliro, receipt of notice of resignation from Neal Baumann, Vice Chairman of Parks and Recreation Advisory Board, effective December 31, 2011.

The roll call vote was as follows:

Ayes: Councilmen Kittredge, Schiliro, Roth, Cronin, Supervisor Weaver

Noes: None

Councilman Kittredge moved, seconded by Councilman Roth, receipt of a letter from Westchester County Department of Health acknowledging receipt of As-Built plans engineer's certification of construction compliance for the sewage treatment facility improvement at the North Castle Sewage Treatment Plant. Per the letter, information submitted by GHD Consulting Engineers LLC and inspections by the County Department of Health, indicate that the wastewater treatment facility modification complies with the terms and conditions of the approval of plans issued by the County of Health Department.

The roll call vote was as follows:

Ayes: Councilmen Kittredge, Schiliro, Roth, Cronin, Supervisor Weaver

Noes: None

Councilman Kittredge moved, seconded by Councilman Schiliro, receipt of notice of claim from Mark and Deborah Lazarus.

The roll call vote was as follows:

Ayes: Councilmen Kittredge, Schiliro, Roth, Cronin, Supervisor Weaver

Noes: None

Councilman Schiliro moved, seconded by Councilman Roth, the following resolution with regard to change in the Town's insurance.

Resolved that the Town Board hereby authorizes the Supervisor to execute those documents necessary to transfer the Town's insurances to NYMIR to be serviced by the Spain Agency, Inc. effective January 1, 2012.

The roll call vote was as follows:

Ayes: Councilmen Kittredge, Schiliro, Roth, Cronin, Supervisor Weaver

Noes: None

The Town Board audited and approved payments totaling \$3,440,179.77 as indicated on Warrant #21.

After all persons were heard who desired to be heard, the Supervisor closed the meeting at 9:15 p.m. in memory of residents Deborah Yale and Thomas Aller, and Evelyn Morrow, mother of Sharon Tomback.

Anne Curran, Town Clerk

Dated: January 6, 2012

RESOLUTION

Action:	Market License
Application Name:	Bridge Market License
Owner:	Banmonk Realty, LLC
Applicant:	George Bridge
Designation:	Section 1, Block 11, Lot 9C-24-A
Zone:	CB-B
Acreage:	Approx. 4-acres
Location:	23 Bedford Banksville Road
Date of Approval:	December 14, 2011
Term of License:	December 1, 2011 – November 30, 2012

WHEREAS, an application dated January 4, 2010 was previously submitted by George Bridge to operate a market at 23 Bedford Banksville Road pursuant to Chapter 131 of the Town Code; and

WHEREAS, the Town Board previously approved a market license to operate a market at 23 Bedford Banksville Road on January 27, 2010, June 23, 2010, July 28, 2010, October 27, 2010 and February 9, 2011; and

WHEREAS, Mr. Bridge is seeking a year extension beginning December 1, 2011 and ending November 30, 2012 to sell plant material out of doors in the parking lot of the former Banksville Hardware store; and

WHEREAS, the operation of the market would not require any construction since the sales area will occur in the former hardware store's parking lot; and

WHEREAS, the site plan was previously forwarded to the Chief of Police, Fire Inspector and the Banksville Fire Chief so that they may make any pertinent recommendations to the Planning Board including, but not limited to, the designation of no-parking zones, emergency vehicle access or any other issues deemed important to providing emergency services; and

WHEREAS, the Police Department indicated that they did not have any issues of concern with the operation of the market; and

WHEREAS, the 4-acre property is located in the CB-B Zoning District and is designated on the Tax Maps of the Town of North Castle as Section 1, Block 11, Lot 9C-24-A; and

WHEREAS, the Town Board is familiar with the nature of the site and surrounding area;

WHEREAS, the Town Board has previously requested, received and considered comments from the Town Attorney, the Town Engineer and Town Planner regarding the development; and

WHEREAS, the proposed action is a Type II Action which has been determined not to have a significant impact on the environment and are otherwise precluded from environmental review under Environmental Conservation Law, article 8 under the State Environmental Quality Review Act (SEQR); and

NOW, THEREFORE, BE IT RESOLVED, that the market license is approved for a year extension beginning December 1, 2011 and ending November 30, 2012, subject to the conditions identified below; and

BE IT FURTHER RESOLVED, that this license shall be deemed to authorize only the particular use or uses specified, and shall expire if the site is not maintained and if all conditions and standards are not complied with throughout the duration of the use.

Prior to the Issuance of the Market License:

(The Town Clerk's initials and date shall be placed in the space below to indicate that the condition has been satisfied.)

- _____1. Pursuant to Section 131-8 of the Town Code, the applicant is required to furnish a comprehensive general liability insurance policy to the town, or evidence thereof, in an amount of not less than \$1,000,000 combined single limit coverage for bodily injury or property damage liability, which also names the Town of North Castle as an additional insured landlord.
- _____2. Pursuant to Section 131-10 of the Town Code, the Town Clerk shall collect a fee in the amount of \$500 for each calendar year or \$50 for a monthly license or any part thereof.
- _____3. The applicant is required to provide written approval from property owner for use of the property to sell plant material beginning December 1, 2011 and ending November 30, 2012.

Other Conditions:

1. No sales shall be conducted after sunset.
2. Parking of motor vehicles for patrons attending the said business shall be maintained off-street only. Traffic shall be regulated in the area immediately adjacent to the premises, and parking must be maintained in good order with adequate supervision thereof at the expense of the licensee as prescribed by the Chief of Police.
3. The regulations of the Police Department, local Fire Department and Building Inspector must be adhered to.
4. All rubbish from the premises where business is conducted, and from any parking area used by said licensee in connection therewith, must be gathered and deposited in closed containers by no later than 6:00 p.m. of the day following and removed from the premises by 6:00 p.m. of the next day following.
5. Concessions serving food or drink for human consumption shall not be permitted.
6. The licensee shall not permit any unnecessary or unreasonable noise by means of loudspeakers, power amplifier devices or any other means which would create or tend to create a public nuisance.
7. Each vendor shall have a sign conspicuously placed where same may be visible, containing the name and address of the person conducting said concession.
8. Compliance with all applicable local laws and ordinances of the Town of North Castle and any conditions attached to permits issued thereunder.

PUBLIC HEARING

December 14, 2011

At 8:05 p.m. Supervisor Weaver reconvened the Public Hearing to consider the 2012 Preliminary Town and Special District Budgets, which was adjourned from November 30, 2011.

Supervisor Weaver described the major additional changes to the budget that have been made since the last public hearing, including:

- Increases of \$25,000 each in sales tax and mortgage revenues.
- Increase of \$50,000 to the contingency fund, based on reduced expenses.
- The recent sale of the bond for Public Improvements came in at a favorable rate, representing a reduction in payment of \$50,000.
- A switch to NYMIR for the Town's general liability insurance carrier represents a cost reduction of nearly \$61,000 and \$25,000 was added to the contingency fund.

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Mr. Weaver said these reductions along with other minor adjustments reduced the Town tax rate to a proposed 1.59% increase which is \$2.39 per \$1,000 of assessed value. For the average home, the increase represents a \$47.00 increase in Town taxes.

John Diaconis, Orchard Drive, commented that the Town's new insurance carrier, NYMIR, bases its premiums on loss experience and cautioned the Town to monitor their future experience throughout the State.

With regard to a query from Barry Malvin, Green Valley Road, Larry Ruisi, member of the Budget and Financial Review Task Force, explained that approximately \$500,000 of the Town's budget is considered non-controllable costs in mandated pension and health care costs. Mr. Ruisi added that the budget reflects reductions to Town expenses and the increases realized in revenues to date.

Supervisor Weaver expressed his appreciation to Mr. Ruisi and members of the Budget and Financial Review Task Force and also thanked the Town's Comptroller, Dawn Gobeo.

Councilman Schiliro said that the Supervisor had worked diligently to keep costs down and he said that the 2012 budget is a responsible budget, with a slight budget increase. He commented that the amount budgeted in 2012 for General Fund, Highway and Library is less than the amounts budgeted for those in 2008. Mr. Schiliro said that while there is a lot of work yet to do, significant progress has been made.

No other correspondence or comments were entered for the record.

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

The roll call vote was as follows:

Ayes: Councilmen Kittredge, Schiliro, Roth, Cronin, Supervisor Weaver.

Noes: None.

Councilman Kittredge moved, seconded by Councilman Schiliro, adoption of the amended 2012 Town Budget and 2012 Special District Budget.

The roll call vote was as follows:

Ayes: Councilmen Kittredge, Schiliro, Cronin, Supervisor Weaver.

Noes: Councilman Roth

Anne Curran, Town Clerk

Dated: December 30, 2011

PUBLIC HEARING

December 14, 2011

At 8:16 p.m. Supervisor Weaver 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 14, 2011 at 7:30 PM, or as soon thereafter, at North Castle Town Hall, 15 Bedford Road, Armonk, New York 10504, for the purpose of considering the New York City Department of Environmental Protection's Open Water and Wetland Mitigation at the former Armonk Bowling Alley site for Wetland/Fill/Erosion & Sediment Control /Floodplain Development application review.

The subject parcel is located at Old Route 22 (1 George Smith Place), Armonk, NY 10504, at the location of the former Armonk Bowling Alley, and is designated on the tax assessment maps of the Town of North Castle as Section 2, Block 11, Lot 11.A and part of lots 11.A1-2 and 11.A1-3.

A copy of the application for this project is available at the Town Clerk's office during regular business hours. 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: December 3, 2011
Armonk, New York

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.

Permit Application and Drawings from New York City Department of Environmental Protection dated October, 2011, were marked Exhibit "D" for the record.

Notice of Complete Application from New York State Department of Environmental Conservation dated October 11, 2011 was marked Exhibit "E" for the record.

Memo from John Fava, Conservation Board Chairman, dated November 23, 2011 was marked Exhibit "F" for the record.

Memo from Kellard Sessions Consulting dated December 14, 2011 was marked Exhibit "G" for the record.

The green cards denoting receipt of certified mail by adjoining property owners.

Jose Nieves and Mike Usai from NYCDEP and Laura Csoboth and John Robig from HDR Architecture and Engineering, P.C., were present at the meeting. Laura Csoboth provided an update on the project and said that NYCDEP is seeking a resolution of the wetlands and drainage permit. She said that there has been unavoidable impact to the wetlands in the Town of Mount Pleasant due to three projects that DEP is undertaking in the Town. A watershed-wide search for a site for mitigation of wetland impact was done and the location in North Castle was selected as an ideal location. Ms. Csoboth said the proposed project is to demolish the existing parking lot and realign Bear Cutter Creek which currently flows around the site to its historic location and changes to the project include increased flood storage by creating deeper wetland pockets and protection of wetland plantings with deer fencing.

In response to a question from Councilman Kittredge regarding future plans to incorporate paths on this property to connect to Betsy Sluder Preserve, and whether hunting is allowed in the areas, Ms. Csoboth said that the DEP does not have plans to open the area to pedestrian access. DEP representatives said that hunting was permitted.

Supervisor Weaver expressed the Board's interest in improvements on Old Route 22 which borders the property and off-street parking improvements.

Councilman Roth also expressed interest in the parking and streetscape being improved.

Ms. Csoboth requested that any language used in the resolution for wetlands and drainage not be restrictive for obtaining an easement in place before construction is to begin.

Supervisor Weaver asked for contact information for the new Supervisor, the Director of Planning, and the Town Engineer to coordinate with DEP with regard to parking and street improvements. Mike Usai said he would be the appropriate contact person.

In response to an inquiry from Supervisor-elect Howard Arden regarding plans for plantings along Route 22, Ms. Csoboth said the Conservation Board has requested that seven trees be planted. Based on further comment, it was agreed that the plantings would need to be addressed in conjunction with parking improvements. Ms. Csoboth said construction was planned for late 2013.

No other correspondence or comments were entered for the record.

After all persons were heard who desired to be heard, Councilman Kittredge moved, seconded by Councilman Schiliro that the Public Hearing be closed at 8:30 p.m.

The roll call vote was as follows:

Ayes: Councilman Kittredge, Schiliro, Roth, Cronin, Supervisor Weaver

Noes: None

Anne Curran, Town Clerk

Dated: January 6, 2012