

Town Board Minutes  
Town of North Castle  
15 Bedford Road  
Armonk, New York  
on  
July 11, 2012

The meeting was called to order at 5:30 p.m. on the duly adopted motion of Councilman D'Angelo and immediately adjourned into executive session. All Town Board members and the Town Attorney were present for the executive session which closed at 7:30 p.m. The Town Clerk joined the regular meeting which reconvened at 7:40 p.m.

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

Supervisor Arden stated that he asked Town Clerk Curran to review and revise the June 27<sup>th</sup> Town Board minutes, as he believed that the remarks in reference to the Compensation and Benefits Manual reflected more attention to citizen remarks that opposed the policy changes and other remarks in support of benefit reductions were abbreviated. Anne Curran explained that she reviewed the video tape and did not feel the minutes should be changed since much of the speaker's remarks was not related to material included in the policy manual, and therefore not under consideration by the Town Board. The Supervisor requested that an addendum he would provide be made part of the record, and the Town Clerk agreed to this.

Councilman Schiliro moved, seconded by Councilman D'Angelo, approval of the minutes of the June 27, 2012 meeting.

The roll call was as follows:

Ayes: Councilmen Schiliro, D'Angelo

Noes: Councilmen DiDonato Roth, Cronin, Supervisor Arden

Note: At the July 25, 2012 Town Board meeting, Councilman Roth moved, seconded by Councilman Cronin, approval of the minutes of the June 27, 2012 meeting to include the Supervisor's addendum.

With regard to the Special Use Permit application of St. Nersess Armenian Seminary, all Town Board members praised the applicant and their professionals for adjustments to their plans in order to compromise and work with requests of the Town and most residents. Councilman DiDonato Roth emphasized her concern was related to parking and safety and requested that the Seminary work to contain parking on site for special events.

Councilman Cronin commended the applicant's efforts and expressed his support for the work of St. Nersess, but stated his objection to the proposed location of the seminary. Based on research from NYS Department of Transportation, he stated that this area of Route 22 is the fourth most heavily trafficked in Town, and that he believed that the traffic study conducted by the Town's professional did not take into account the intent of the Seminary to expand its operations. Stating that the project reflects a major intensification of use of the property, he said that the occupancy level is too high and the density of the project is too great.

Commenting that the application was submitted over nine months ago, Supervisor Arden applauded both the applicant and professionals for their patience, and the analysis of Councilman Cronin, that as a result, made the project better for the entire community. He said that he believed that this is a good project and he would support it and welcome St. Nersess to North Castle.

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Supervisor Arden moved, seconded by Councilman D'Angelo, approval of a Special Use Permit for St. Nersess Armenian Seminary, Inc. for the renovation and adaptive reuse of existing buildings and construction of a new theological center located at 486 Bedford Road.

The roll call vote was as follows:

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

Noes: Councilman Cronin

With regard to the scheduling of a public hearing to consider the CVS Special Use Permit application, Jeffrey Baker, Young/Summer LLC, on behalf of Concerned Citizens of Armonk, submitted a letter to the Town Board dated July 11, 2012, and summarized his objections, including that the public hearing not be scheduled until the SEQR process was completed and the request that Councilman DiDonato Roth recuse herself from voting or taking part in discussion concerning the property. In response, Town Attorney Baroni stated that the SEQR Act does not preclude the Board from opening the public hearing and to keeping it open pending the receipt of environmental determination from the Planning Board.

Councilman D'Angelo expressed his concern that many people could be out of town and miss a Public Hearing scheduled for July, and the possibility of further inconvenience by reconvening the Hearing in August. Councilman Schiliro questioned the timing of a July 25th Public Hearing, particularly if the final environmental determination is not available.

Councilman DiDonato Roth moved, seconded by Councilman Cronin, receipt of memos from Director of Planning Kaufman and Kellard Sessions Consulting, P.C. regarding CVS Special Use Permit application, and further moved the scheduling of a public hearing for July 25, 2012.

The roll call vote was as follows:

Ayes: Councilmen DiDonato Roth, Cronin, Supervisor Arden

Noes: Councilmen Schiliro, D'Angelo

Following discussion of the proposed local law regarding expanded recreation uses in Industrial Zoning Districts, in connection with the application for a zoning text amendment for a dramatic arts school at 1 Labriola Court, Councilman DiDonato Roth moved, seconded by Councilman D'Angelo, that the Town Board declare its intent to be Lead Agency.

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 report from Tax Receiver Colombo regarding Small Claims Assessment Review Settlements and the Board approved refunds as follows:

<u>Name</u>	<u>Parcel I.D.</u>	<u>Reduction</u>	<u>Refund</u>
Melnick	1-05-11.-33	6,000	\$1,032.66
Wu	1-05-13.M04	4,200	722.86
Schwartz	1-05-13.N-1	4,600	791.71
Heath	1-01H-6.-7	1,900	292.65
Scribner	2-02-5.-16	1,800	277.25
Tauber	2-02-22.-10	9,750	1,518.51
Thadini	2-02-22.-11	1,200	186.89

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 for the Friends of the North Castle Public Library, Inc. to conduct the 2<sup>nd</sup> Annual Armonk Outdoor Art Show Road Race on September 23, 2012 which will begin and end in Wampus Brook Park; and approval for the Friends of the Library to place a sign by the eagle to publicize this event from September 9, 2012 to September 23, 2012.

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The roll call vote was as follows:

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

Noes: None

Pursuant to a memo from Town Clerk Anne Curran, Councilman DiDonato Roth moved, seconded by Councilman D'Angelo, approval of request to solicit proposals for the redesign of the Town of North Castle website.

The roll call vote was as follows:

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

Noes: None

Pursuant to a letter from General Foreman Norris, Councilman DiDonato moved, seconded by Councilman Schiliro, approval of request to lease equipment from LaRosa Leasing, LLC in the amount of \$18,476 (\$9,238 per month, for two months) for annual cleaning of catch basins.

The roll call vote was as follows:

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

Noes: None

Pursuant to a letter from Kellard Sessions Consulting, Councilman DiDonato Roth moved, seconded by Councilman D'Angelo, authorization to pay \$47,559.61 for Requisition #9 to Bilotta Construction Corp. for work completed to repair town roadways through the period ending June 30, 2012.

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 Special Event Permit application from Marc Mancini, Haunted Dead End, and further moved the scheduling of a public hearing for July 25, 2012.

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 Schiliro, approval for the Supervisor to sign the Stormwater Maintenance and Access agreement with Engel Burman at Amonk, LLC in connection with 90 Business Park Drive.

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 Schiliro, approval to exercise the option to extend the Sani-Pro refuse collection agreement for 2013, and for the Town Clerk to send notification of same.

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 for the Supervisor to sign dedication of Water District No. 1 and Sewer District No. 1 improvements in connection with Massaro subdivision, Section 6, Block 5, Lots 2 and 3.

The roll call vote was as follows:

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

Noes: None

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Councilman DiDonato Roth moved, seconded by Councilman D'Angelo, authorization for the Supervisor to sign the agreement with F. P. Clark Associates to conduct an analysis of traffic operations at Route 22 and Business Park Drive and Maple Avenue intersection, at a cost of up to \$2,200, plus out of pocket expenses.

The roll call vote was as follows:

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

Noes: None

Councilman Schiliro moved, seconded by Supervisor Arden, receipt of letter of resignation from Edward Berman, Chair of the Board of Ethics Committee, effective August 31, 2012.

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 Schiliro, adoption of 2012 Standard Work Day Reporting Resolution for elected and appointed officials, as required by NYS Local Employees Retirement System.

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, the appointments of the following members of the Town Administrator Search Committee: Steve Altieri, Mamaroneck Town Administrator; Jerry Faiella, former New Castle Town Administrator; Don Gregg, member of the 2009 Town Administrator Task Force; Reese Berman, former North Castle Supervisor; Alex Greene and David Grove, both members of the Budget and Finance Advisory Task Force.

The roll call vote was as follows:

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

Noes: None

Councilman Schiliro moved, seconded by Councilman DiDonato Roth, the consensus agenda as follows:

- Receipt of Town Clerk's report for the month of June, 2012;
- Receipt of Notice of Claim in the matter of Tower Ins A/S/O PSK Supermarkets vs. Town of North Castle and referral to Town Attorney

The roll call vote was as follows:

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

Noes: None

The Town Board audited and approved payments totaling \$425,479.02 as indicated on Warrant #13.

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

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Anne Curran, Town Clerk

Dated: July 24, 2012