

Town Board Minutes
Regular Meeting
Town of North Castle
15 Bedford Road
Armonk, New York
on
February 8, 2017

The Town Board meeting was called to order at 5:00 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 pm; the Town Clerk joined the regular meeting which reconvened at 7:36 p.m. and the following persons were present

Supervisor:	Michael J. Schiliro
Councilmen:	Stephen 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 Hearing that commenced at 7:51 p.m. follow at the end of these minutes.

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, approval of the minutes from the January 25, 2017 meeting.

Vote: Unanimous

Pursuant to a request from Sal Misiti, Director of Sewer and Water Operations, Councilman Reiter moved, seconded by Councilman DiGiacinto, approval of GHD Proposal for the design of the Sewer District No. 2 waste water treatment plant upgrade which will increase the plant daily flow capacity from .500 to .700 MGD, at a cost of \$1,105,000.

Vote: Unanimous

David Simonds provided an update regarding the Board of Ethics. Mr. Simonds said that at its December 2016 meeting, the Board voted for him to serve as Chairman for one year and for Brett Summers to serve as Secretary. The Board reviewed its internal procedures and best practices of Ethics Boards in New York State. He said the Board agreed that it will meet at least twice a year and report annually to the Town Board.

Pursuant to a letter of recommendation from Kellard Sessions Consulting and request from General Foreman, Jamie Norris, Councilman DiGiacinto moved, seconded by Councilman Reiter, approval of Payment Application #4, final payment, to National Lawn Sprinklers, Inc. and for the release of full retainage in the amount of \$35,719.63 for work done through November 7, 2016 regarding Windmill Neighborhood Drainage Improvements.

Vote: Unanimous

Councilman Berra moved, seconded by Councilman DiGiacinto, receipt of surety bond No. 553505-M in the amount of \$714,392.53 from National Law Sprinklers, Inc. regarding Windmill Neighborhood Drainage Improvements.

Vote: Unanimous

Councilman DiGiacinto moved, seconded by Councilman Reiter, authorization for the Town's Attorneys to execute a Consent Judgment in the follow Tax Certiorari matter: Bright Horizons Children's Center, Inc. vs. Town of North Castle – Index Nos. 65865/2012 et al.

Vote: Unanimous

Councilman DiGiacinto moved, seconded by Councilman Reiter, authorization for the Town's Attorneys to execute a Consent Judgement in the following Tax Certiorari matters:

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1. United Rentals vs. Town of North Castle – Index Nos. 67659/2012 et al.
2. Sigma, LLC vs. Town of North Castle – Index Nos. 67002/2015 et al.

Vote: Unanimous

Permission to bid Old Route 22 Streetscape improvements was tabled.

Councilman Reiter moved, seconded by Councilman Berra, approval to close Town offices for Records Management Day on May 2, 2017, with the exception of the Police Department, the Library, and Recreation programs.

Vote: Unanimous

Pursuant to a request from Highway General Foreman Jamie Norris, Councilman Reiter moved, seconded by Councilman DiGiacinto, approval to purchase a 2018 Freightliner Plow/Dump truck equipped with plow and sander from the Onondaga County contract for \$228,134.14, plus a 1635 gallon liquid anti-ice tank system from the NJPA contract for \$22,994.00; both items have been budgeted.

Vote: Unanimous

Pursuant to a letter from Sal Misiti, Director of Water and Sewer Operations, Councilman Reiter moved, seconded by Councilman DiGiacinto, the award of bid for Water District No. 4 bedrock well drilling to Torlish & Sons, the sole bidder, for \$75,134.00.

Vote: Unanimous

Pursuant to a request from Sal Misiti, Director of Water and Sewer Operations, Councilman Berra moved, seconded by Councilman DiGiacinto, acceptance of proposal from Leggette, Brashears & Graham, Inc. for engineering services relative to Whippoorwill Ridge Wells upgrade, Water District No. 4, for a total cost of \$6,000-\$7,000.

Vote: Unanimous

Pursuant to a request from Sal Misiti, Director Water and Sewer Operations, Councilman Berra moved, seconded by Councilman DiGiacinto, acceptance of proposal from Leggette, Brashears & Graham, Inc. for \$10,000, for engineering services relative to IBM South Well rehabilitation, Water District No. 4.

Vote: Unanimous

Pursuant to a request from Sal Misiti, Director of Water and Sewer Operations, Councilman DiGiacinto moved, seconded by Councilman Reiter, acceptance of proposal from Leggette, Brashears & Graham, Inc. for \$10,750, for engineering services relative to the rehabilitation of Well No. 5, Water District No. 2.

Vote: Unanimous

Councilman Reiter moved, seconded by Councilman DiGiacinto, receipt of letter dated February 1, 2017 from NYS Office of Mental Health, Office of Counsel, to Robert Christmas, Nixon Peabody LLP, regarding Community Facility Residence proposed by Paradigm Treatment Centers at 14-16 Cole Drive, Armonk.

Vote: Unanimous

Councilman Reiter moved, seconded by Councilman Berra, receipt of letter dated January 31, 2017 from NYS Senator George Latimer and NYS Assemblyman David Buchwald to NYS Office of Mental Health Commissioner, Ann Marie Sullivan, M.D., regarding Community Facility Residence proposed by Paradigm Treatment Centers at 14-16 Cole Drive, Armonk.

Vote: Unanimous

Authorization for the Supervisor to sign an agreement with Scarsdale Security for alarm monitoring, service and maintenance contract was tabled.

Councilman Reiter moved, seconded by Councilman DiGiacinto, 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, for the period May 15, 2017 through September 15, 2017, for \$2,700 plus a \$300 utility charge.

Vote: Unanimous

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Councilman Berra moved, seconded by Councilman D'Angelo, ratification of hiring Betty Sanchirico on an hourly basis in the Town Clerk's office, not to exceed 16.5 hours per week, effective January 30, 2017.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman Berra, approval of accrued sick leave payments for Highway General Foreman Jamie Norris, and Director of Water and Sewer Operations, Sal Misiti.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman Berra, adoption of a Resolution for the appointment of Kenneth Bernstein, Esq of Hyde Park, NY for \$185 per hour, as a Hearing Officer pursuant to Local Law Section 68-8 B., Chapter 104 of the Laws of 1936, as amended, a/k/a/ the Westchester County Police Act and New York State Town Law Section 155, to conduct a hearing with respect to disciplinary charges and specifications, and any amendments made thereto, and issue findings of fact and a recommendation on guilt or innocence and the appropriate penalty, if any, to the Town Board for Employee Number 2025.

The roll call vote was as follows:

Ayes: Councilmen D'Angelo, DiGiacinto, Reiter, Berra, Supervisor Schiliro

Noes: None

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, adoption of a Resolution for Kenneth Bernstein, Esq. as Hearing Officer pursuant to Local Law Section 68-8 B., Chapter 104 of the Laws of 1936, as amended, a/k/a the Westchester County Police Act and New York State Town Law Section 155 to hold a hearing and make recommendations for Employee Number 2025.

The roll call vote was as follows:

Ayes: Councilmen D'Angelo, DiGiacinto, Reiter, Berra, Supervisor Schiliro

Noes: None

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, adoption of a Resolution for the appointment of Kenneth Bernstein, Esq. of Hyde Park, NY for \$185 per hour, as a Hearing Officer pursuant to Local Law Section 68-8 B., Chapter 104 of the Laws of 1936, as amended, a/k/a/ the Westchester County Police Act and New York State Town Law Section 155, to conduct a hearing with respect to disciplinary charges and specifications, and any amendments made thereto, and issue findings of fact and a recommendation on guilt or innocence and the appropriate penalty, if any, to the Town Board for Employee Number 3347.

The roll call vote was as follows:

Ayes: Councilmen D'Angelo, DiGiacinto, Reiter, Berra, Supervisor Schiliro

Noes: None

Councilman D'Angelo moved, seconded by Councilman Berra, adoption of a Resolution for Kenneth Bernstein, Esq. as Hearing Officer pursuant to Local Law Section 68-8 B., Chapter 104 of the Laws of 1936, as amended, a/k/a the Westchester County Police Act and New York State Town Law Section 155 to hold a hearing and make recommendations for Employee Number 3347.

The roll call vote was as follows:

Ayes: Councilmen D'Angelo, DiGiacinto, Reiter, Berra, Supervisor Schiliro

Noes: None

Councilman DiGiacinto moved, seconded by Councilman Berra, the consensus agenda as follows:

- Receipt of Town Clerk's monthly report, January, 2017.
- Receipt of 2016 Annual Financial Report Update document for the North Castle Fire District No. 2.

Vote: Unanimous

The Town Board audited and approved payments of \$294,267.51 as indicated on Warrant #3 dated February 8, 2017 as follows:

\$ 80,739.46 (for year 2016)

\$213,528.05 (for year 2017)

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After all persons were heard who desired to be heard, the Supervisor closed the regular meeting at 10:03 p.m. in memory of resident Roderick (Roddy) Green; Robert Rinaldi, husband of Maryann Rinaldi, Police Department; and Andrew Suozzi.

Alison Simon, Town Clerk

Dated: March 1, 2017