

Town Board Minutes  
Town of North Castle  
15 Bedford Road  
Armonk, New York 10504

on  
April 28, 2010

Supervisor Weaver called the meeting to order at 5:30 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 Counsel	Roland A. Baroni

The meeting was immediately adjourned into executive session, which was then closed at 7:30 p.m. The regular meeting was reconvened at 7:35 p.m.

Supervisor Weaver announced that the Tuesday, May 25th Town Board Meeting will be held at the North Castle Community Center in North White Plains. Mr. Weaver also announced that the Town Board is looking for volunteers for the Library and Conservation Boards.

Councilman Schiliro moved, seconded by Councilman Roth, approval of the minutes of April 14, 2010

The roll call vote was as follows:

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

Noes: None.

Memos from Comptroller Dawn Donovan regarding financial highlights for the first quarter of 2010 and a mortgage tax update for March 2010 were presented by Ms. Donovan and received on the duly adopted motion of Councilman Kittredge.

Councilman Kittredge moved, seconded by Councilman Roth, the reappointments of Doris Finch Watson and Kate Hohl and the appointments of Gail Norris, Maureen Keller, Bonnie Feit, Kerri Kazak and Richard Nardi to the Elijah Miller House Committee to serve at the pleasure of the Board.

The roll call vote was as follows:

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

Noes: None.

Supervisor Weaver stated that he hoped to get another group of residents organized to start a fundraising program to work with the Committee. Resident Frank Benish offered to contact roofing manufacturers to donate materials for Miller House.

Councilman Kittredge moved, seconded by Councilman Schiliro, receipt of a letter from the Westchester County Planning Board regarding the amended petition for the A & P Supermarket zoning text amendment.

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 Director of Planning Kaufman regarding the petition to amend the zoning code to create a new Residential – Multifamily Single Structure (RMF-SS) zoning district. Supervisor Weaver asked

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Director of Planning Kaufman to prepare the amendments and the changes to the Town's Comprehensive Plan, and said that June 9<sup>th</sup> is a possible date for the public hearing.

The roll call vote was as follows:

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

Noes: None.

Pursuant to the recent 2009 auditor's report and favorable comments concerning budget management, a letter from former Supervisor, Reese Berman, commending the collaboration and effort of the 2009 Town Board, Comptroller Dawn Donovan, Departments Heads and Town staff, was received on the duly adopted motion Councilman Kittredge.

Councilman Kittredge moved, seconded by Councilman Schiliro, receipt of a letter and Full Environmental Assessment Form from New York City Department of Environmental Protection (NYCDEP) regarding its Notification of Intent to be Lead Agency for environmental review of the Armonk Bowling Alley demolition project.

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 donation from the North Castle PBA to the North Castle DAR.E Program in the amount of \$1,500.

The roll call vote was as follows:

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

Noes: None.

Councilman Kittredge moved, seconded by Councilman Schiliro, receipt of a proposed local law to amend Chapter 126 of the Town Code entitled Landmarks Preservation; and further moved the scheduling of a public hearing for May 25, 2010.

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 the New York State Government Finance Officers' Association, Inc. (GFOA) commending Comptroller Donovan for her service as the Downstate Region Council Chair and member of the Executive Committee.

The roll call vote was as follows:

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

Noes: None.

Upon the recommendation of Comptroller Donovan, Councilman Kittredge moved, seconded by Councilman Schiliro, authorization for the Supervisor to sign agreements with M&T Bank and HSBC Bank for the Town's investing and borrowing services.

The roll call vote was as follows:

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

Noes: None.

Upon the recommendation of General Foreman Useted, Councilman Kittredge moved, seconded by Councilman Schiliro, the issuance of a license to Sani-Pro Disposal Services Corp. d/b/a Suburban Carting Company to collect and dispose of refuse in the Town of North Castle.

The roll call vote was as follows:

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

Noes: None.

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Councilman Kittredge moved, seconded by Councilman Schiliro, receipt of a memo from the North Castle Justice Court informing the Board that the books and records for the year 2009 are available for review.

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 the request from Wilson, Elser, Moskowitz, et al., on behalf of its client Citigroup, Inc. d/b/a Sanford Weill Center for Strategy and Executive Development, that the Town waive the 30-day waiting period to file a liquor license application and send a waiver letter to its office stating same.

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 Town's Attorneys to execute Consent Judgments in the following Matters:

1. Jam Airport, LLC – Index No. 19791/06 et al.
2. New King Street Associates – Index No. 19792/06 et al.
3. New King Street Holding, LLC – Index No. 19793/06 et al.

The roll call vote was as follows:

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

Noes: None.

Councilman Kittredge moved, seconded by Councilman Schiliro, that the Westchester County Fair and Affordable Housing Implementation Plan, submitted January 29, 2010, be received and referred to the Planning Board.

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 Kellard Sessions Consulting, P.C. regarding its agreement to retain Thomas C. Merritts Land Surveyors P.C. for the preparation of a survey in the amount of \$5,500 and a property line stakeout in the amount of \$1,800 of the Town's organic recycling facility.

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 the purchase of two vehicles for the Police Department in the amount of \$49,982. Funding for the vehicles is in the budget.

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 of the purchase of a new plow truck (from the New York Sate contract) for the Highway Department in the amount of \$187,000.

The roll call vote was as follows:

Ayes: Councilmen Kittredge, Schiliro, Supervisor Weaver

Noes: Councilmen Roth, Cronin.

Councilman Kittredge moved, seconded by Councilman Schiliro, authorization for an amendment to the 2010 Capital Fund Budget in the amount of \$37,000 to fill the shortfall for the purchase of a snow plow.

The roll call vote was as follows:

Ayes: Councilmen Kittredge, Schiliro, Supervisor Weaver

Noes: Councilmen Roth, Cronin.

Councilman Kittredge moved, seconded by Councilman Schiliro, receipt of a copy of a letter from Superintendent Anthony Futia to the New York State Department of Environmental Conservation (NYSDEC) in response to its inspection report of the North Castle waste water treatment plan (SPDES permit # NY0109584) dated March 3, 2010.

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 Mutual Aid and Rapid Response Inter-Municipal Agreement (IMA) between the Town and the Westchester County Department of Public Safety, for a term to commence on July 31, 2010 and terminate on July 30, 2015.

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 the request of Chief Robert D'Angelo to attend the annual New York State Association of Chiefs of Police Conference, July 17 - 22, 2010, in Fairport, New York.

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 Amelia DeFeo.

The roll call vote was as follows:

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

Noes: None.

Councilman Kittredge moved, seconded by Councilman Schiliro, the following:

Receipt of Workers Compensation Reports for Castle Janicki and Anthony Miceli, Highway Department.

Receipt of a letter from the Westchester County Department of Health regarding its Annual Sanitary Survey of North Castle Water District No. 1 public water supply.

Receipt of a letter from the Westchester County Department of Health regarding its Annual Sanitary Survey of North Castle Water District District Nos. 2, 5, and 7 public water supplies.

Approval of the request of Westchester County Department of Parks to use Clove Road Field on July 3, 2010 for overflow for its Music Fest and fireworks display at Kensico Dam Plaza.

Approval of the request of General Foreman Useted to release highway bonds to Miranda Cable, Permit #625, in the amount of \$1,312; to reinstate \$1,500 of the \$50,000 bond provided by Cablevision for Permit #s 651 and 824; and to reinstate \$3,130 of the \$50,000 bonds provided by Con Edison for Permit #s 726 and 973.

The roll call vote was as follows:

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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 BFJ Planning for Phase 1, Financial Impact Analysis, of the PLI Zoning District Study. The developer will pay the fee for the study.

The roll call vote was as follows:

Ayes: Councilmen Kittredge, Schiliro, Roth, Cronin, Supervisor Weaver  
Noes: None.

Councilman Kittredge moved, seconded by Councilman Roth, approval of the request of the Armonk Fire Department, Fire District No. 2, to erect a sign at the site of the eagle to publicize EMS Week and Open House, May 15 and 16, 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, approval of the request of Byram Hills High School to erect a sign at the site of the eagle to publicize its annual Science Research Symposium, May 12, 2010.

The roll call vote was as follows:

Ayes: Councilmen Kittredge, Schiliro, Roth, Cronin, Supervisor Weaver  
Noes: None.

Pusuant to a memo from Gen. Fore. Useted, Councilman Kittredge moved, seconded by Councilman Schiliro, to secure price quotes from tree removal companies for chipping services in order to speed up brush removal from roadsides.

The roll call vote was as follows:

Ayes: Councilmen Kittredge, Schiliro, Roth, Cronin, Supervisor Weaver  
Noes: None.

Approval of the Armonk Rotary Club to hold its annual Duck Race at Wampus Brook Park, May 8, 2010 and to place a sign at the eagle to promote the race was granted on the duly adopted motion of Councilman Kittredge.

The Town Board audited and approved payments totaling \$2,006,305.19 as indicated on Warrant #7.

After all persons were heard who desired to be heard, the Supervisor closed the meeting at 9:25 p.m. in memory of Alan Miller's sister.

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Anne Curran, Town Clerk

Dated: May 7, 2010