

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

on  
May 12, 2010

Supervisor Weaver called the meeting to order at 7:30 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

Councilman Schiliro moved, seconded by Councilman Roth, approval of the minutes of April 28, 2010.

The roll call vote was as follows:

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

Noes: None.

Co-Chairs of the Recycling Committee, April Paresi and Deborah Cerar, reported to the Town Board on the success of the Zero Waste Day event on April 24, 2010. Collections for all categories were reported and volunteers were recognized. The Recycling Committee and the Town Board expressed appreciation to Sani-Pro for the e-waste and scrap metal collection which they provided at no charge. Sani-Pro agreed to provide these collections since the County did not provide this service as it had in the past.

Councilman Roth moved, seconded by Councilman Kittredge, the appointment of David Africk to the Recycling 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.

Town Clerk Curran reported on the work of the Communications Committee over the past six months, including the following:

- Cable TV Programming: Concepts have been identified; a video segment on summer recreation programs is in development and another one on North Castle Citizens Corps Council is planned.
- Cable TV Bulletin Board: Slides for recreation programs and local events are being created and many new slides appear on the NCTV. A Byram Hills high school intern has been very helpful with this effort.
- E-News Updates: More varied e-communications have been sent out including messages from the Supervisor, safety and emergency response, and local events.
- Web Streaming: The Communications Committee has evaluated proposals from several vendors and recommends Granicus as the best company to provide web streaming management so that Town Board and Planning Board meetings may be viewed from the Town's web site. A slide presentation was used to highlight the capabilities of Granicus. Ms. Curran stated that she and Deputy Clerk Pesquera visited the Village of Rye Brook where web streaming, managed by Granicus, operates with excellent results. She expects to present a Granicus proposal to the Board for consideration in the near future.

Councilman Kittredge moved, seconded by Councilman Schiliro, receipt of a draft local law with regard to Residential Multifamily – Single Structure (R-FM-SS); and to create a new Section 213.22.4 of the Town Code to create standards for the R-MF-SS. The Planning Board declared its intent to be Lead Agency; and a Public Hearing was scheduled for June 9.

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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 Roth, receipt of Fordham University Calder Center amended special use permit application for student housing and a memo from the Planning Board with a positive recommendation and its suggestion that the Town Board take into consideration any concerns of the Architectural Board of Review, and further moved that a Public Hearing be scheduled for June 9, 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 memo from Town Attorney Baroni summarizing a proposed Cell Antennae Lease for Sewer District No. 2 Tower from MetroPCS New York LLC, and further moved adoption of the following resolution:

“Resolved, that the Town Board hereby approves the terms of the proposed lease with MetroPCS of New York LLC for space on the existing cell tower at the Sewer District No. 2 plant, authorizes the commencement of the permissive referendum notice period and directs the applicant to proceed with the site plan approval process before the Planning Board”.

This action enables the applicant to proceed with permitting and site plan approval process. The actual resolution to authorize the proposed lease agreement would occur upon completion of the SEQR review process.

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 the Armonk Lions Club, Inc. for the use of Wampus Brook Park for the 36<sup>th</sup> Fol-de-Rol, scheduled for June 10 – 13, 2010. Permission was also granted to host a parade on Saturday, June 12.

The roll call vote was as follows:

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

Noes: None.

Upon the request of Comptroller Donovan, Councilman Schiliro moved, seconded by Councilman Kittredge, authorization for the Supervisor to sign the collateral agreement with Citibank which may be used for investing and borrowing.

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 resolution to support New York State statute to expand permissible funding sources for sustainable energy financing programs:

**WHEREAS** the Town of North Castle shares the goal of increasing energy efficiency throughout its community, reducing energy costs for residents, reducing carbon emissions to help mitigate climate disruption, and reducing the negative health effects of fossil fuel emissions, while increasing availability of jobs in our area;

**WHEREAS** Governor Paterson has called for New Yorkers to meet 45% of New York State’s electricity needs through improved energy efficiency and clean renewable energy by 2015;

**WHEREAS** the Town of North Castle is uniquely positioned because of its clear mandate to protect and enhance the local community while sharing an interest in:

- a. Informing and inspiring the public of energy saving opportunities;
- b. Making energy efficiency and renewable energy the options of first choice;
- c. Creating and retaining local jobs;
- d. Reducing fossil fuel emissions and total energy use in a manner that is environmentally sustainable and, to the maximum extent practicable, maximizes additional benefits for local and regional communities;

**WHEREAS** the Town of North Castle is uniquely positioned to run good programs because of its clear mandate to protect and enhance the local community while sharing the objectives of establishing mechanisms and strategies for:

- a. Achieving broader community participation and greater energy efficiency savings from building retrofits;
- b. Achieving broad community acceptance of renewable energy sources;
- c. Creating programs that demonstrate the benefits of gaining economies of scale and designing a viable strategy for program sustainability;
- d. Delivering verified energy savings from a variety of projects locally , with a particular emphasis on efficiency improvements in buildings; and
- e. Achieving inter-municipal cooperation in other efficient ways.

**WHEREAS** the Town of North Castle wishes to explore mutually beneficial ways of:

- a. Leveraging private sources of capital with other public and private resources to accomplish these objectives; and
- b. Coordinating efforts with Federal, State, and other agencies and authorities to assure that activities are compatible with the plans and programs of the cooperating municipalities;

**WHEREAS**, by Chapter 497 of the Laws of 2009, the State of New York authorized an amendment of the General Municipal Law by creating Article 5-L to allow municipalities to create Sustainable Energy Financing Programs to promote the deployment of renewable energy systems and energy efficiency improvement measures at residential and commercial properties and,

**WHEREAS**, The establishment of a Sustainable Energy Financing Program in the Town of North Castle would serve to assist in achieving statewide energy efficiency and renewable energy goals, reducing greenhouse emissions to mitigate the effect of global climate disruption, and creating a clean energy economy and,

**WHEREAS**, A Sustainable Energy Financing Program would also bolster the economy of the Town of North Castle by saving residents monies which they would otherwise spend on energy costs and by creating jobs for residents, and reduce the negative health effects of burning fossil fuels;

**WHEREAS**, Sustainable Energy Financing Programs are designed to be self supporting and are designed to have no adverse budgetary impact to the Town and will be an “opt-in” benefit affecting only those residents who choose to participate by undertaking renewable energy or energy efficiency projects on properties they own;

**WHEREAS**, A Sustainable Energy Financing Program may create an opportunity for the Town of North Castle to obtain American Recovery and Reinvestment Act of 2009 ("ARRA") funding to support the program,

**WHEREAS**, the Sustainable Energy Financing Program enabled by Article 5-L should be amended to allow broader sources of funding while securing and facilitating such programs. Such legislation is now pending in the New York State Senate and Assembly,

**NOW, THEREFORE BE IT RESOLVED** that the Town of North Castle supports pending legislation in the NYS Senate (#S7683) and companion legislation in the NYS Assembly (#TBA) to amend, strengthen and correct technical deficiencies within the current enabling laws authorizing Sustainable Energy Financing Programs.

The roll call vote was as follows:

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

Noes: None.

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Councilman Schiliro moved, seconded by Councilman Kittredge, receipt of letters from Tax Receiver Colombo regarding Small Claims Assessment Review Settlements and the Board approved refunds as follows:

Alex Scoufaras	\$ 357.66
Ross Alan	\$1,028.26
Daniel Strick	\$ 357.66
Steven White	\$ 432.17
Joseph Palotta	\$ 527.81

The roll call vote was as follows:

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

Noes: None.

Councilman Roth moved, seconded by Councilman Schiliro, approval of the request of Carol DeLisa to place signs in Town on Thursdays beginning May 20 through October to promote the Farmer's Market. Signs will be erected each Thursday before 3:00 p.m. and removed after the markets closes at 7:00 p.m.

The roll call vote was as follows:

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

Noes: None.

Councilman Schiliro moved, seconded by Councilman Roth, that the adoption of a bond resolution for purchase of highway equipment be tabled.

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 a sales tax update from Comptroller Donovan. The Town received \$342,334 for first 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 Schiliro, receipt of the Town Clerk's report for the month of April.

The roll call vote was as follows:

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

Noes: None.

Councilman Schiliro moved, seconded by Councilman Kittredge, authorization for the Supervisor to sign a contract with USI Consulting Group for valuation services of post employment benefits for the 2010 and 2011 fiscal years in the amount of \$6,600.

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 an interagency agreement for 2010 with North East Westchester Special Recreation, Inc. to operate a therapeutic recreation program for individuals with disabilities.

The roll call vote was as follows:

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

Noes: None.

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Councilman Roth moved, seconded by Councilman Schiliro, the reappointment of John Fava as a member of the Conservation Board for a term to expire on April 8, 2012; and as Chairman, 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.

Councilman Roth moved, seconded by Councilman Schiliro, the reappointment of Maggie Pack as a member of the Conservation Board for a term to expire April 8, 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, authorization to extend unpaid leave of absence for Charles Bucolo, Sewer and Water Department, May 20 – October 1, 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 to extend unpaid leave of absence for Gary Ristaino, Highway Department, May 1 – June 1, 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, the following:

Receipt of a letter from Supervisor Feiner, Town of Greenburgh, to County Executive Astorino requesting countywide study comparing salaries and benefits, union contracts and overtime pay. Supervisor Weaver will send a letter to Mr. Astorino in support of a study.

Receipt of a memo from Director of Planning Kaufman regarding the intent of the Planning Board to act as Lead Agency for the Cockren property middle income homes.

Receipt of a letter from Castle Janicki, Highway Department, commending Highway secretary Maureen Trautmann on her dedicated effort and support of the department.

Receipt of a Workers Compensation Report for Marc DiFiore, Highway Department.

Receipt of a letter from Ed Lobermann regarding the hiring of outside contractors for brush removal.

Approval of the request of the following to place signs at the site of the eagle:

Byram Hills High School stage productions of: Children's Hour and Good Man, Charlie Brown, May 20 – 21, 2010.

Armonk Baseball League Memorial Weekend Classic, May 29.

Hillside Church Tag Sale and Car Wash, May 22.

The roll call vote was as follows:

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

Noes: None.

Approval of the request of General Foreman Useted for the release of Highway Bonds for:

1) Cablevision : To reinstate \$14,500 of the \$50,000 Bond provided for Permits #: 722, 731, 732, 738, 742, 748, 749, 805, 811, 818, 819, 825, 828, 830, 834, 835, 837, 838;

2) Verizon: To reinstate \$3,597 of \$100,000 Bond for ROW Permits #: 723 and 750

3) David Brodlie, Permit # 891, in the amount of \$750;

4) Intercounty Paving, Permit # 954, in the amount of \$500;

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5) Tina Tsavalas, Permit # 958, 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, approval of the recommendation of Superintendent Futia to award the bid for Sewer District No. 3 Replacement Emergency Generator to Kinsley Power Systems, the lower bidder, in the amount of \$13,449.

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 Supervisor Weaver to sign Memorandum of Agreement with CSEA, Unit I, regarding compensatory time.

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 \$3,409,597.84 as indicated on Warrant #9.

After all persons were heard who desired to be heard, the Supervisor closed the meeting at 8:30 p.m. in memory of Caesar John Palotta.

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Anne Curran, Town Clerk

Dated: May 13, 2010