

Town Board Minutes
Town of North Castle
15 Bedford Road
Armonk, New York
on
September 7, 2010

Supervisor Weaver called the meeting to order at 5:30 p.m. and the following persons were present:

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

Councilman Kittredge moved, seconded by Councilman Schiliro, approval of the minutes of the regular meeting of August 18, 2010, the Work Session of August 19, 2010 and the regular meeting of August 19, 2010.

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 8:20.m. follow at the end of these minutes.

Councilman Kittredge moved, seconded by Councilman Schiliro, approval of the request of Jarden Westchester Triathlon to use some local streets in the Town of North Castle for its annual race on September 26, 2010.

The roll call vote was as follows:

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

Noes: None.

With regard to the continuation of the public hearing for the special use permit application for the storage of contractor’s equipment at 7 Round House Road, Councilman Kittredge moved, seconded by Councilman Schiliro, receipt of the following letters from:

- O’Connor Redd LLP requesting that the Board schedule a date for the continuation and completion of the hearing
- Veneziano & Associates including a request that the Board schedule a date for the continuation of the hearing and a description of mitigation measures
- Donnellan Weingarten , Wise & Wiederkehr, LLP including a request to submit a written response prior to the next scheduled public hearing
- Sive, Paget & Riesel, P.C. regarding its intention to represent its clients at the next scheduled public hearing

Further moved was the scheduling of the public hearing for September 29, 2010.

The roll call vote was as follows:

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

Noes: None.

Councilman Roth moved, seconded by Councilman Schiliro, receipt of a letter from Anthony Futia regarding the Highway Superintendent position

The roll call vote was as follows:

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

Councilman Roth moved, seconded by Councilman Schiliro, approval of the request of Carol DeLisa, Market Lady Inc., to extend the Farmers Market currently held at Kent Place on Thursdays from 3 p.m. to 7 p.m., through the end of November, 2010.

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 letter from Westchester County Department of Health including its *Approval of Plans for Public Water Supply Improvements* for water treatment plant upgrades at Water District No. 2.

The roll call vote was as follows:

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

At the request of Councilman Schiliro, the request for approval from Superintendent Futia for the purchase of a replacement vehicle from the State Bid list was tabled.

Councilman Kittredge moved, seconded by Councilman Roth, approval of the request from the North White Plains Fire Company #1, Inc. for the renewal of its Special Use Permit to sell Christmas trees for the 2010 Season.

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 General Foreman Useted to rent one garbage truck from Big Truck Rental, in the amount of \$6,500 per month, for a period of two months, upon the condition that the price be compared to and competitive with a proposal from Suburban Carting for bagged leaf collection.

The roll call vote was as follows:

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

Councilman Schiliro moved, seconded by Councilman Roth, approval of the request of General Foreman Useted to rent a Vac-all from Acorn-Thompson, in the amount of \$9,238 per month, for a period of two months.

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 Consent Judgments and Small Claims Assessment Review Settlements and the Board approved refunds as follows:

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|----------------------------|-------------|
| R & V Consulting, LLC | \$ 2,947.51 |
| New King Holding, LLC | \$20,297.27 |
| Jam Airport, LLC | \$14,368.38 |
| New King Street | \$ 8,394.69 |
| Mr. & Mrs. Michael Murphy | \$ 1,072.98 |
| Michael Frank | \$ 791.04 |
| Mr. & Mrs. Michael Cornell | \$ 382.69 |
| Mr. Angelo Monaco | \$ 2,004.38 |
| Mr. & Mrs. Steven Konstadt | \$ 774.93 |

The roll call vote was as follows:

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

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Noes: None.

Upon the recommendation of Superintendent Fon, Councilman Kittredge moved, seconded by Councilman Roth, approval to award the bid for backflow valve testing to L & L Backflow Prevention Testers, Port Chester, the lowest bidder, in the amount of \$550.

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 Cablevision franchise fee payments for the second quarter of 2010 from Cablevision System in the amount of \$30,159, and from Southern Westchester System in the amount of \$7,107.

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 Town's Attorneys to execute the Consent Judgment in the following matter: 99 Business Park Drive, LLC ag. The Assessor of the Town of North Castle, et al. – Index Nos. 21890/08 and 23883/09.

The roll call vote was as follows:

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

Noes: None.

Upon the recommendation of Superintendent Barnard, Councilman Kittredge moved, seconded by Councilman Schiliro, approval to increase the utility portion of the Town's agreement with Armonk Baseball League for use of the Recreation Building at 85 Cox Avenue to \$2,500, an increase of \$500, July 1, 2010 – July 1, 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 letters from New York City Department of Environmental Protection (NYCDEP) as follows:

1. Lead Agency Declaration and Notice of Environmental Review for Kensico Dam Road closure and traffic improvements.
2. Land Acquisition Project #1508, Whippoorwill Road, Section 107.02, Block 1, Lot 5.
3. Proposed Amendments to Rules for Recreational Use of Water Supply Lands and Waters, Allowing Recreational Boating.

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 and filing of the Town Clerk's report for the month of August, 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 a lease agreement with Westchester County Department of Parks, Recreation and Conservation for the Fisher Lane commuter parking lot, April 1, 2010 – March 31, 2011.

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 Roth, receipt of a letter from Supervisor Weaver to Town employees regarding the Board's decision to offer participation in the New York State Early Retirement Incentive Program only to employees of CSEA Unit I, Highway Department.

The roll call vote was as follows:

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

Noes: None.

Councilman Schiliro moved, seconded by Councilman Roth, approval of the request of Assessor Marrone to attend the Annual Meeting & Seminar on Assessment Administration in Lake Placid, New York from September 26 – 29, 2010.

The roll call vote was as follows:

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

Noes: None.

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

Receipt of a letter of resignation, with regret, from William O'Neill, architectural consultant and non-voting member of the Landmarks Preservation Committee, effective immediately.

Receipt of Workers Compensation Reports for Douglas Ross, Highway Department.

Receipt of Notice of Claim: Stephen Turner vs. Town of North Castle.

Receipt of memos from General Foreman Ussted requesting approval to:

Release highway bonds to Stephen Kalaidjian, Permit #1008, in the amount of \$500; Luppino Landscaping, Permit #989, in the amount of \$750; and to Briga Landscaping Inc., Permit #988, in the amount of \$500.

Reinstate \$33,000 of the \$50,000 bond provided by Cablevision for right of way openings, for Permit #s 888, 889, 892, 893, 894, 902, 903, 909, 910, 911, 926, 935, 936, 938, 939, 940, 946, 949, 950, 951, 952, 953, 955, 956, 961, 965, 966, 974, 976, 977, 986, 987, 990, 991, 992, 993, 994; and \$7,250 of the \$50,000 bond provided by Cablevision for right of way openings for Permit #s 803, 973, 847, 874, 901, 908.

The roll call vote was as follows:

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

Noes: None.

Councilman Kittredge moved, seconded by Councilman Schiliro, acceptance of the donation from Joseph Palotta, Palotta Landscaping, Inc., of a Star Magnolia tree and labor to plant the tree in front of the Hergenhan Recreation Center, along with placement of a plaque, in memory of his father, Caesar J. Palotta.

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 \$566,424.13 as indicated on Warrant #16.

After all persons were heard who desired to be heard, the Supervisor closed the meeting at 9:57 p.m.

Anne Curran, Town Clerk

Dated: September 17, 2010

PUBLIC HEARING
September 7, 2010

At 8:20 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 September 7, 2010, at 7:30 p.m., or as soon thereafter, at Town Hall, 15 Bedford Road, Armonk, New York 10504, for the purpose of considering the Special Event Permit request for a Halloween Special Event to be open to the public and to hold not more than 200 people on Fridays, Saturdays and Sundays during the month of October. The property is located at Rocky Ledge Swim Club, 1402 Old Orchard Street and known on the North Castle Tax Maps as Section 3, Block 74, Lot 1.H and located within the R-1A Zoning District.

By Order of the Town Board
Anne Curran, Town Clerk

Dated: August 20, 2010
Armonk, New York

The Public Notice read by the Town Clerk 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.

The following were marked Exhibit "D" for the record:

- Application documents dated May 12, 2010, June 15, 2010, August 11, 2010 and September 3, 2010.
- A memo from Director of Planning Adam Kaufman dated August 16, 2010.
- Short Environmental Assessment Form, Part I dated August 19, 2010.
- A memo from Fire Marshal William Richardson dated August 30, 2010.
- A memo from Police Chief Robert D'Angelo and Lt. Simonsen dated September 3, 2010.
- A letter from the Westchester County Planning Board to Town Clerk Curran dated September 4, 2010 stating that the action is a matter for local determination.
- A letter from Arthur and Mabel Davidson dated September 4, 2010.
- The proposed resolution of approval.

Marc Mancini, the applicant, appeared before the Board with his wife Amy Mancini, to request the Board's approval to hold a Halloween event during the last three weekends of October. Mr. Mancini said the event would consist of activities, including face painting and pumpkin painting, for young children from 1 p.m. to 3 p.m. on Friday, Saturday and Sunday. Activities for older children and adults, including a graveyard and haunted house and corn mazes, would be scheduled from 8 p.m. to 11 p.m. on Friday and Saturday and from 7 p.m. to 10 p.m. on Sunday. Mr. Mancini said he had met with Lt. Simonsen who walked the site with him.

Director of Planning Kaufman said the applicant is required to have a police officer on site and a fire watch by the North White Plains Fire Department or the Town's Fire Marshal. Mr. Kaufman said the plans and related documentation were sent to the Police Department, Fire Department and the Fire Marshal for their recommendations. Per Town Code, the areas to be used for the special event cannot be within 250 feet of any residential property. Mr. Kaufman said the applicant had provided a schematic of the property survey and has designated the locations of the areas to be used, but since the schematic was not prepared by a professional and the distances have not been included and therefore could not be verified.

Mabel Davidson, 1448 Old Orchard Street read aloud a letter in which she and her husband expressed their opposition to the event, citing concerns about noise and adequate parking.

Lisa Dorfman, Memorial Lane, expressed her opposition and her concern about increased traffic on narrow roads in White Plains which she said are in very bad condition.

Mario Ruggiero, Limestone Road, said he was not opposed to the event, adding that some of the problems being cited were not related to the event.

In response to an inquiry from Joe Fontanella, 1450 Old Orchard Street, on how the number of attendees would be limited to 200, Councilman Kittredge said a police officer would be at the site to control traffic and ensure people did not park on streets where parking is not permitted. Councilman Roth suggested that a method be devised to determine the number of attendees. Mrs. Mancini said she had experience in recreational events and would work out a plan for a staff member to handle this.

Councilman Kittredge recommended that the Building Department do a walk through prior to the start of the event and schedule a meeting after the first weekend of the event with the applicant and the Police and Building Departments, to insure that there are no problems.

In response to an inquiry from Trish Fontanella, about how noise from sound effects and the crowd would be controlled, Mr. Mancini said he would try to muffle the sounds.

Grace Sorrentino, Old Orchard Street, who lives a short distance from the swim club, said her barn has been vandalized and asked why the location was selected. Mr. Mancini said it provided the open space and the parking needed.

Steven O'Connor, Round House Court, recommended that access to the property be controlled, backpacks be checked, more than one police officer be on site, and that the Town ensure the applicant has the appropriate insurance.

Councilman Roth confirmed with Town Attorney Baroni that the event could be stopped if it did not go well.

Tony Futia, Custis Avenue, said that he thought the site was fenced on all sides and people would need to enter through the gate. Mrs. Davidson reported that despite fencing, she has called the Police Department to report that teens had entered the pool at night,

Sara Doto, Hobby Lane, said she sympathized with the residents and suggested there be a compromise and the event take place on one or two days.

Mr. Mancini said he lives in the neighborhood and planned to hold an event which would not cause problems for his neighbors. He said it would not be cost effective to hold the event for a short period of time. He added that he would ensure that all attendees would exit the site by midnight on Friday and Saturday nights.

Councilman Schiliro said there were many regulations in place to ensure the event would operate within the parameters of Town Code.

Councilman Cronin expressed his concern that the event would take place in a residential neighborhood and said it was not of value to the Quarry Heights residents.

The Board requested that Mr. Kaufman modify the first condition in the resolution to exclude the requirement that an exhibit, demonstrating any area to be used for special events not be located within 250 feet to an existing residential footprint, must be prepared by a qualified professional. The Board asked Mr. Kaufman to review the exhibit to be submitted by the applicant demonstrating that any area to be used meets the required setbacks and that Mr. Kaufman work with the applicant to ensure the requirements are met to the satisfaction of the Planning Department.

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 9:05 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, that based upon review of the Environmental Assessment Form and all other materials, it has been determined that there will be no significant adverse environmental impact and the Town Board hereby adopts a Negative Declaration.

The roll call vote was as follows:

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

Noes: Councilman Cronin

Councilman Kittredge moved, seconded by Councilman Schiliro, the approval of the Special Event Permit application of Haunted Dead End for a Halloween Special Event at the Rocky Ledge Swim Club, 1402 Old Orchard Street (Section 3, Block 74, Lot 1.H), for a term beginning October 15, 2010 and ending October 31, 2010, for a total of nine days, subject to the conditions in the resolution.

The roll call vote was as follows:

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

Noes: Councilman Cronin

The resolution follows at the end of these minutes.

Anne Curran, Town Clerk

Dated: September 16, 2010

R E S O L U T I O N

| | |
|--------------------------------------|-------------------------------------|
| Action: | Special Event Permit |
| Application Name: | Haunted Dead End |
| Owner: | Rocky Ledge Swim Club |
| Applicant: | Haunted Dead End – Marc Mancini |
| Designation: | Section 3, Block 14, Lot 1.H |
| Zone: | R-1A |
| Acreage: | Approx. 14-acres |
| Location: | 1402 Old Orchard Street |
| Date of Approval: | September 7, 2010 |
| Term of Special Event Permit: | October 15, 2010 – October 31, 2010 |

WHEREAS, an application dated August 11, 2010 was submitted by Haunted Dead End to operate a special event at the Rocky Ledge Swim Club pursuant to Chapter 83 of the Town Code; and

WHEREAS, Haunted Dead End is requesting permission to conduct a Halloween special event that is open to the public and will hold not more than 200 people, at any one time, on Fridays, Saturdays and Sundays during the month of October; and

WHEREAS, activities will include a late afternoon/early evening family event that includes face painting, pumpkin painting and Disney characters and an evening adult/teen event that includes a graveyard, vortex tunnel, corn maze and haunted house maze; and

WHEREAS, the operation of the special event would not require any permanent construction; and

WHEREAS, the site plan was forwarded to the Chief of Police, Fire Inspector and the North White Plains Fire Chief so that they may make any pertinent recommendations to the Town 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 application was referred to the Westchester County Planning Board pursuant to § 239-m of New York State General Municipal Law (GML) on August 20, 2010; and

WHEREAS, the 14-acre property is located in the R-1A Zoning District and is designated on the Tax Maps of the Town of North Castle as Section 3, Block 14, Lot 1.H; and

WHEREAS, a duly advertised public hearing was held on said application before the Town Board on September 7, 2010 and closed on that date at which time all those wishing to be heard were given the opportunity to be heard; and

WHEREAS, the notice of public hearing was sent to the City of White Plains City Clerk and the Town Clerk of the Town/Village of Harrison pursuant to § 239-nn of New York State General Municipal Law (GML) since the subject site is located within 500 feet of the City of White Plains and the Town/Village of Harrison; and

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

WHEREAS, the Town Board has requested, received and considered comments from the Town Attorney, the Town Engineer and Town Planner regarding the proposed special event; and

WHEREAS, the proposed action is an Unlisted Action pursuant to the State Environmental Quality Review Act (SEQRA); and

WHEREAS, the Town Board determined to conduct an uncoordinated SEQRA Review; and

NOW, THEREFORE, BE IT RESOLVED, that in accordance with Article 8 of the New York State Environmental Quality Review Law and 6 NYCRR Part 617 and the North Castle Environmental Quality Review Law, the Town Board hereby makes a determination that the

proposed action will not have a significant adverse impact on the environment and that a draft environmental impact statement will not be prepared; and

BE IT FURTHER RESOLVED, that the special event permit is approved for a term beginning October 15, 2010 and ending October 31, 2010, for a total of nine days, subject to the conditions identified below; and

BE IT FURTHER RESOLVED, that this permit 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; and

Prior to the Issuance of the Special Event Permit:

(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 83-3.C of the Town Code, the Applicant shall submit an exhibit demonstrating that any area to be used for special event purposes is not be located closer than 250 feet to an existing residential house footprint to the satisfaction of the Planning Department.
- _____2. Pursuant to Section 83-3.D of the Town Code, the Applicant shall provide documentation confirming that bathroom facilities are provided that are accessible, and adequate in number, to satisfy the needs of patrons of the special event to the satisfaction of the Building Inspector.
- _____3. Pursuant to Section 83-4.D of the Town Code, the Applicant is required to submit plans showing the layout of the event area, including the location of all existing structures and improvements, the location and description of all event-related temporary structures, tents, stands, ingress and egress, parking, signs, lighting, electrical equipment, sound equipment, mechanical equipment, portable toilets. At a minimum, the plan shall contain the following information to the satisfaction of the Planning and Building Departments:
 - a. Plan that depicts the footprints of all residential structures in the vicinity of the property.
 - b. Plan that depicts the layout (or description) of the proposed corn maze as well as layout (or description) of activities that are proposed in the open fields, basketball court, handball court, covered porch and picnic shelter.
 - c. Plan that depicts all existing and proposed lighting. At a minimum, it is recommended that emergency lighting of the entire special event area should be provided. In addition, adequate lighting shall be provided in and around the food, restroom and office area. Furthermore, the plans shall demonstrate that adequate lighting is provided in the parking area.
 - d. Width of all pathways
 - e. Plan that depicts all property lines
- _____4. Revision of the plans addressing any written comments received from the Police, Fire and Building Departments to the satisfaction of the Planning Department.
- _____5. Pursuant to Section 83-4.F of the Town Code, a certificate of insurance from an insurance company licensed to do business in New York State with the following minimum coverages to the satisfaction of the Town Clerk:
 - (1) Bodily injury: \$300,000, one person.
 - (2) Bodily injury: \$1,000,000, one accident.
 - (3) Property damage: \$100,000, one accident.

In addition, the Town shall be identified as additionally insured to the satisfaction of the Town Attorney.

- _____6. Pursuant to Section 83-4.G of the Town Code, the Applicant shall submit all documentation demonstrating approval from the Westchester County Department of Health to the satisfaction of the Building Department.
- _____7. Pursuant to Section 83-4.I of the Town Code, the Applicant shall post a cash bond of \$500 to guarantee cleanup by the exhibitor after the special event, except where the special event is conducted on premises owned by the person making the application.

Other Conditions:

1. Pursuant to Section 83-3.A of the Town Code, all special events shall require the provision of a "fire watch" by the local Fire Department and/or North Castle Fire Marshal, the cost of which shall be paid for by the applicant. The Fire Marshal may also approve other fire-protection measures to the satisfaction of the North Castle Fire Marshal, the cost of which shall be paid for by the applicant.
2. Pursuant to Section 83-3.B of the Town Code, all special events shall require the provision of security and/or traffic control by the Town of North Castle Police Department, the cost of which shall be paid for by the applicant. The Chief of Police may also approve other security and/or traffic control measures to the satisfaction of the Chief of Police, the cost of which shall be paid for by the applicant.
3. This special event permit is not assignable.
4. This special event permit is revocable for a violation of the Town Code or any other ordinance or law, pursuant to Chapter 83-6 of the Town Code.
5. The Applicant shall observe all state, county and Town laws, rules and regulations as to health, safety and general welfare and shall be subject to reasonable regulations of the Building Department, Fire Marshal, Police Department and Highway Department of the Town of North Castle.
6. The special event shall not be conducted prior to 10:00 a.m. or after 12:00 midnight.
7. All rubbish from the premises and from any parking area 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.
8. The Applicant 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.

PUBLIC HEARING
September 7, 2010

At 9:15 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 September 7, 2010, at 7:30 p.m., or as soon thereafter, at Town Hall, 15 Bedford Road, Armonk, New York 10504, for the purpose of considering the adoption of a Local Law to amend the Town Code, Chapter 196-47, Schedule VII, entitled "Stop Intersections", to install a stop sign at the intersection of James Street and William Street.

By Order of the Town Board
Anne Curran, Town Clerk

Dated: August 26, 2010
Armonk, New York

The Public Notice read by the Town Clerk 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.

A memo from Police Chief Robert D'Angelo dated August 12, 2010 was marked Exhibit "D" for the record.

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 9:15 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 Local Law 7 of the year 2010 to amend the Town Code, Chapter 196-47, Schedule VII, entitled "Stop Intersections", to install a stop sign at the intersection of James Street and William Street.

The Local Law follows at the end of these minutes.

The roll call vote was as follows:

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

Noes: None.

Anne Curran, Town Clerk

Dated: September 17, 2010

TOWN OF NORTH CASTLE
Local Law No. 7 For the Year 2010
Adopted September 7, 2010

A Local Law to amend Chapter 196 entitled Vehicles and Traffic of the Code of the Town of North Castle.

Be It Enacted by the Town Board of the Town of North Castle as follows:

1. Article II, Section 196-14 and Section 196-47 Schedule VII entitled Stop Intersections is hereby amended to add the following:

| <u>Name of Street</u> | <u>Direction of Travel</u> | <u>At Intersection of</u> |
|-----------------------|----------------------------|---------------------------|
| James Street | East | William Street |

2. Effective Date: This Local Law shall be effective upon filing of same with the Secretary of State of the State of New York.