

Town Board Minutes
Town of North Castle
Town Hall
15 Bedford Road
Armonk, New York
on
November 20, 2013

The meeting was called to order at 6:00 p.m. at 15 Bedford Road on the duly adopted motion of Supervisor Arden and immediately adjourned into executive session. Supervisor Arden, Council members Cronin and DiDonato Roth and the Town Attorney were present for the executive session which closed at 7:20 p.m. The Town Clerk joined the regular meeting which reconvened at 7:35 p.m. and the following persons were present:

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
Town Administrator	Joan Goldberg

The November 6, 2013 Town Board meeting minutes were duly adopted on the motion of Councilman DiDonato Roth.

The minutes of the Public Hearings that commenced at 8:20 p.m. follow at the end of these minutes.

Councilman DiDonato Roth called on representatives of the Engel Burman Group, Steven Kreiger and Nancy Campagna, who presented a \$25,000 check to the Town Board as sponsorship donation for the restoration of the Eagle. They spoke about the Bristol Senior Living Center, scheduled for a February, 2014 opening. They said they look forward to establishing good community relationships and to providing a welcoming environment for senior residents. The Town Board expressed gratitude for the generous donation to the Eagle restoration.

Nanette Yarocek and Connie Quarry, representatives of the Eagle Restoration Committee, spoke of the Eagle's history and the plans for replacement of the wood structure with a metal structure.

Councilman DiDonato Roth called on Director of Planning Kaufman to describe and display samples of Welcome to North Castle hamlet signs and new street signs. The locations presented by Mr. Kaufman were samples of where signs could be located, as he said final decisions would be up to the Town Board.

Members of the Beautification Committee were recognized with proclamations for their efforts in enhancing the natural beauty and streetscapes in the three hamlets in North Castle.

Director Sal Misiti, Water and Sewer Operations, reported on emergency generator upgrade work which was purchased and installed in-house and thereby saved approximately \$15,000 by using the Town's own work force. The Supervisor thanked Mr. Misiti for his efforts.

Councilman Cronin moved, seconded by Councilman DiDonato Roth, adoption of the following resolution for the Town to acquire NYS owned land east of Maple Avenue at the intersection of Route 22 (Wampus Brook Park-South).

The roll call vote was as follows:

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

Noes: None

RESOLUTION

Action: Request to Acquire “Wampus Brook Park – South” Land from the New York State Department of Transportation for \$1 Payment Waived

Date of Approval: November 20, 2013

WHEREAS, the Town of North Castle submitted a request (Request # 1309, Surplus Case File # 08-III-8202) to the NYS DOT to acquire 20,600± s.f. of State-owned land on the east side of Maple Avenue at the Intersection of NYS Route 22, which is a portion of Map 41, Parcel 53 acquired by the State on December 28, 1966, for the construction of an expanded park within Wampus Brook Park and is officially requesting that the NYS DOT convey this parcel to the Town of North Castle for \$1 payment waived; and

WHEREAS, the Town of North Castle acknowledges that, as a condition of sale, the New York State Department of Transportation will retain a permanent easement over the property for culvert maintenance/repair/replacement; and

WHEREAS, if the request to obtain the land is approved, the Town of North Castle agrees to accept ownership and maintenance responsibility for the subject parcel (excluding culvert maintenance/repair/replacement); and

WHEREAS, the Town Supervisor is authorized to execute any agreements/documents on the Town of North Castle’s behalf that are necessary to complete the conveyance and file the deed in the office of the Westchester County Clerk; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby fully supports, and agrees to all of the statements contained above; and

BE IT FURTHER RESOLVED, the Town Board hereby requests that the New York State Department of Transportation transfer the “Wampus Brook Park – South” land from the NYSDOT for \$1 Payment Waived.

Conservation Board Chairman Fava stated his objections to the tree removal at Wampus Brook Park South, and concerns over the lack of procedure in developing the park’s landscape plan without input from the Conservation Board, Planning Dept., Parks Board, Town Engineer and all the professionals that are available to determine the best decisions for a project such as this.

Kerri Kazak, Chair of Open Space Committee, expressed her support of John Fava’s comments. She asked what is the rush in getting this work done, and why wasn’t the normal process involving other associated groups followed. Ms. Kazak said the Parks and Recreation Board is an advisory party and does not have the power to approve plans such as this without a process to include input from other advisory parties and ultimately Town Board approval is needed. She quoted NY Dept. of State SEQR requirements and asked that, going forward, the proper communication and involvement of Town agencies be followed.

With regard to the Supervisor’s query, Planning Director Kaufman stated that the reduced scope of the project, eliminating any stream disturbance and new plantings, would not require SEQR review.

Thomas Arnold and Norma Hill, Wampus Close residents, objected to the tree removal and the lack of involvement of Town Departments and Agencies other than the Parks and Recreation Board. It was recommended that the park plan should have been approved by the Town Board before the work was bid and the work was authorized. A Petition in opposition to the tree removal at the park on behalf of Wampus Close residents was presented for the record.

Barbara DiGiacinto suggested that when the Conservation Board meets to review the plan that residents of Wampus Close be invited to attend.

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Councilman D'Angelo moved seconded by Councilman Schiliro to refer the Wampus Brook Park South development plan to the Planning Department for advice and input and to coordinate with appropriate Departments and Agencies and then report back to the Town Board.

The roll call vote was as follows:

Ayes: Councilmen Schiliro, D'Angelo, Supervisor Arden

Noes: Councilmen DiDonato Roth, Cronin,

Councilman D'Angelo moved, seconded by Councilman Schiliro, approval to schedule a Public Hearing on December 11, 2013 to amend Town Code to permit the establishment of an escrow account for Town Engineer site inspections of commercial site plans.

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, authorization for the Town's Attorneys to execute a Consent Order and Judgment in the matter of Mark Real Estate, LLC (Mariani's) vs. Town of North Castle – Index No. 23728/2010 et al.

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, authorization for the Town's Attorneys to execute a Consent Order and Judgment in the matter of AREC 13, LLC (1 Virginia Road) vs. Town of North Castle – Index No. 22062/08 et al.

The roll call vote was as follows:

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

Noes: None

Councilman Schiliro moved, seconded by Councilman D'Angelo, authorization to award 2014 sludge removal bid to Residuals Management Services, LLC and authorization for the Supervisor to sign agreement for same.

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, authorization of payment No. 1 in the amount of \$234,131.95 to Rockwood Corp. regarding Water District No. 1 water storage tank rehabilitation project.

The roll call vote was as follows:

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

Noes: None

At Councilman D'Angelo's request, the proposed sign legislation was tabled for consideration by the next Town Board after all stakeholders (property and business owners) are involved.

Councilman Schiliro moved, seconded by Councilman D'Angelo, authorization for the Supervisor to make the budget transfers that follow at the end of these minutes as requested by Comptroller Berland.

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 of request from Administrator Goldberg to go out to bid for computer and networking equipment.

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The roll call vote was as follows:

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

Noes: None

Councilman Schiliro moved, seconded by Councilman DiDonato Roth, the award of bid for replacement of the Eagle to Signs Ink, the sole bidder, at a revised cost of \$25,000.

The roll call vote was as follows:

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

Noes: None

Councilman Schiliro moved, seconded by Councilman D'Angelo, authorization for the Supervisor to sign a lease termination agreement with Nextel for communications facility at 115 Business Park Drive, effective April 30, 2014. (Town Attorney Baroni explained that as Sprint and Nextel have merged, the Nextel lease is being terminated, with loss of revenue to the sewer district.)

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, authorization for the Supervisor to sign the 2014 agreement with Westchester ARC for hourly workers doing street maintenance on Main Street, Armonk.

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, authorization for the Supervisor to sign the 2014 agreement with Westchester County which allows the Assessor's office to access Westchester Records Online.

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, authorization of a \$2,000 stipend increase for Barbara Pesquera, Deputy Town Clerk, effective January 1, 2013.

The roll call vote was as follows:

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

Noes: Councilman DiDonato Roth

Councilman Cronin moved, seconded by Councilman Schiliro, receipt of letter from legal counsel retained by Town Comptroller Berland and referral to Town's labor counsel.

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 DiDonato Roth, authorization of terminal leave payment for Lefkothea Manos, Senior Clerk, Library.

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, the appointment of Rebecca Berman to the Communications Committee to serve at the pleasure of the Board.

The roll call vote was as follows:

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

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Noes: None

Councilman D'Angelo moved, seconded by Councilman DiDonato Roth, the consensus agenda as follows:

- Receipt of Notices of Claim from (1) Robert S. Michaels and (2) Ian & Fara Horowitz, and referral of same to Town Attorney.
- Approval of request from General Foreman Norris for release of Highway bond as follows:
 - o DiPietro Construction Co. – Permit 0898 in the amount of \$500 for driveway alteration at 37 Maryland Ave., Sec. 2, Block 13, Lot 35.-13.A.
 - o Con Edison – Permits 1079, 1081 and 1083 for right of way work at various locations in the amount of \$2,250 to be reinstated to the \$65,000 bond.
 - o One Kent Place, Inc. – Permit 0815 in the amount of \$1,000 for street opening at 1 Kent Place, Sec. 2, Block 11, Lot 6.-5. Work has been cancelled.

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 \$806,953.19 as indicated on Warrant #21.

After all persons were heard who desired to be heard, the Supervisor closed the meeting at 11:00 p.m. in memory of residents Richard Vlachos, Joseph Mroz and Achilles (Mike) Lanni.

Anne Curran, Town Clerk

Dated: December 10, 2013

Budget Transfers Nov 20, 2013

General Fund from:

A.1110.0120	Part time	(4,611.44)
A.1330.0411	Supplies	(771.00)
A.1330.0110	Salaries	(351.15)
A.1330.0110	Salaries	(10,000.00)
A.1440.0434	Cont Other	(2,000.00)
A.1930.0400	Tax Refunds	(500.00)
A.1989.0434	Cont Other	(19,601.20)
A.3120.0441	Prof Ed & Seminars	(1,685.00)
A.3620.0432	Cont Prof Svc	(500.00)
A.3620.0840	Health	(2,300.00)
A.7020.0110	Salaries	(224.18)
A.7020.0110	Salaries	(750.22)
A.7020.0110	Salaries	(6,000.00)
A.7110.0431	Cont Equip Repair	(327.14)
A.7110.0212	Equip New Vehicle	(13,220.00)
A.7020.0110	Salaries	(936.40)
A.7020.0110	Salaries	(5,874.38)
A.7020.0110	Salaries	(1,339.72)
A.8020.0840	Health	(499.38)

General Fund to:

A.1110.0211	Office Equip	4,611.44
A.1330.0431	Cont Equip Repair	771.00
A.1330.0431	Cont Equip Repair	351.15
A.8510.0435.0003	Beautification	10,000.00
A.1440.0434.0009	Inspection Fees	2,000.00
A.1680.0411	Supplies	500.00
A.1680.0432	Data Process repair and rent	19,601.20
A.3120.0451	Utility Telephone	1,685.00
A.3620.0120	Part Time	500.00
A.3620.0850	Dental & Vision	2,300.00
A.7020.0431	Cont Equip Repair	224.18
A.7020.0432	Cont Prof Svc	750.22
A.7110.0411	Supplies	6,000.00
A.7110.0416	Bldg Maintenance	327.14
A.7111.0432	Cont Prof Svc	13,220.00
A.7140.0433	Cont Rec Programs	936.40
A.7141.0433	Cont Rec Programs	5,874.38
A.7143.0433	Contractual	1,339.72
A.8020.0840.00	Retiree Health	499.38

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A.8710.0411	Supplies	(29.60)	01 A.8710.0441	Prof Ed & Seminar	29.60
DA from:			DA to:		
DA.5140.0820	Social Security	(2,360.79)	DA.5110.0820	Social Security	2,360.79
DA.5110.0110	Salaries	(4,500.00)	DA.1440.0434.0	Pavement	4,500.00
			020	Mgmt	
DA.5110.0110	Salaries	(64.02)	DA.5130.0213	Equip Hwy	64.02
L from:			L to:		
L.7410.0410.00	Books	(60.77)	L.7410.0413.00	Lib - periodical	60.77
12.0002			12.0001	micro	
L.7410.0410.00	Books	(57.90)	L.7410.0413.00	Lib - periodical	57.90
12.0002			12.0002		
L.7410.0410.00	Books	(109.08)	L.7410.0413.00	Lib - other	109.08
12.0002			12.0005	serials	
L.7410.0410.00	Books	(3,000.00)	L.1980.0432	Cont Prof Svc	3,000.00
12.0002					
L.9060.0840	Health	(2,782.30)	L.9060.0840.00	Retiree Health	2,782.30
			01		
SW1 from:			SW1 to:		
SW1.8310.0211	Equip office	(500.00)	SW1.8310.0411	Supplies	500.00
SW1.8320.0453	Heat	(1,436.03)	SW1.8310.0453	Heat	1,436.03
SW2 from:			SW2 to:		
SW2.8310.0110	Salary	(1,500.00)	SW2.8310.0130	Over time	1,500.00
SW4 from:			SW4 to:		
SW4.8310.0431	Cont Repair	(500.00)	SW4.8320.0411.	Chemicals	500.00
			0003		
SW4.8310.0431	Cont Repair	(50.07)	SW4.8310.0432	Cont Prof Svc	50.07
SW5 from:			SW5 to:		
SW5.8310.0411	Supplies	(600.00)	SW5.8310.0431	Cont Equip Repair	600.00
SW7 from:			SW7 to:		
SW7.8310.0411	Supplies	(20.00)	SW7.8310.0432	Cont Prof Svc	20.00
S1B from:			S1B to:		
S1B.8120.0431	Cont Repair	(750.00)	S1B.8120.0411	Supplies	750.00
S1B.8120.0431	Cont Repair	(50.00)	S1B.8120.0451	Telephone	50.00

PUBLIC HEARING
November 20, 2013

At 8:20 p.m., Supervisor Arden stated that Public Hearings would be held in accordance with the Public Notices that follow:

NOTICE IS HEREBY GIVEN THAT THE Preliminary Budget of the Town of North Castle for the year 2014 has been completed and that the same has been filed in the office of the Town Clerk of said Town where the same is available for inspection by any person interested therein, and that a Public Hearing thereon will be held by and before the Town Board of said Town at Town Hall, 15 Bedford Road, Armonk, NY, on November 20, 2013 at 7:30 p.m., or as soon thereafter, when any person may be heard in favor of or against the Preliminary Budget as compiled, or for or against any item therein contained.

Supervisor	\$50,000
Four Town Council Members	\$72,544
Town Clerk	\$94,760

NOTICE IS HEREBY GIVEN that the Preliminary Budgets for the year 2014 have been completed for Sewer District Nos. 1, 1B, 2, 3, and 4; Water District Nos. 1, 2, 4, 5, 6 and 7; Street Light District Nos. 1, 2 and 3; Parking District No. 1; Ambulance District Nos. 1 and 2; and Fire Protection District No. 1; and that the same have been filed in the office of the Town Clerk of said Town, and

FURTHER NOTICE IS GIVEN that the Town Board of the Town of North Castle, NY, has been assessed the amount of estimated expenditures for Sewer District Nos. 1, 1B, 2, 3, and 4 for the year 2013 less the estimated revenues as set forth in proportion as nearly as may be to the benefits which each lot or parcel will derive therefrom, and has prepared an assessment roll describing the several properties, the names of the owners or reputed owners thereof and the aggregate amount of assessment levied there against, and filed the same with the Town Clerk of said Town where it may be examined by any person interested therein, and

FURTHER NOTICE IS GIVEN that the Town Board will meet and review such Preliminary Budgets and such assessment roll at a Public Hearing to be held by and before said Board on November 20, 2013 at 7:30 p.m., or as soon thereafter, at Town Hall, 15 Bedford Road, Armonk, NY, at which time any person may be heard in favor of or against the estimates and/or assessment roll as compiled or in favor of or against any item therein contained.

By Order of the Town Board
Town of North Castle, NY
Anne Curran, Town Clerk

Dated: November 9, 2013
Armonk, NY

The Public Notices were marked Exhibit "A" for the record.

The Affidavits of Posting calling the Public Hearings were marked Exhibit "B" for the record.

The Affidavits of Publication from The Journal News calling the Public Hearing were marked Exhibit "C" for the record.

The 2014 Preliminary Budget was marked as Exhibit "D" for the record.

Town Administrator Joan Goldberg provided a brief overview of the theory behind the 2014 Town budget. Ms. Goldberg said she spent the past year listening to residents' complaints and trying to respond to them. She said the 2014 budget included input from elected officials, Department Heads, employees and residents. She said the budget she is proposing includes funding to address road maintenance, brush clearing, and maintenance and repair of buildings and parks. The budget maintains two vacant laborer positions in the Highway Department and two vacant positions in the Parks Department. The addition of two new police officers has been included in an effort to reduce Police Department overtime which was \$800,000 in 2012. Ms. Goldberg said that in order to ensure that the Town can sustain its workforce into the future it was imperative that the Town reduce its expenses by creating a new level of benefits with lower time accruals, lower days off and a greater level of employee sharing of benefits costs. She said that the budget she is proposing will include an additional \$7.30 per month, or \$87 a year for the median home in North Castle.

Comptroller Faith Berland presented a summary of the budget, including the following points:

The Town has been working diligently to reduce spend in 2013 and develop a 2014 budget and tax rate increase which is as low as possible. The focus this year and next is operating efficiently, having transparency in our operations and providing high quality services at the lowest cost to the residents

There are three main parts to your tax bill.

1. The bulk of your taxes are based on the school district in which you reside.
2. County taxes, which are determined by Westchester County
3. Town taxes, which is summarized here.

The Town wide tax rate is made up of the General, Highway & Library Budgets, and is what the taxes raised through real property tax contributes to.

The General Fund is made up of the Town Board, Police Department, Parks and Recreation Department, Building Department, Town Clerk, Court, Finance, Supervisor, Administrator, Planning, Tax Receiver and Assessor.

The town tax rate does not include the Special Districts because those charges depend on the district you reside in. For example, if you have your own septic and well, you do not pay sewer and water taxes.

The total 2014 budget is \$29,886,189 up \$984,861 or 3.4% from 2013. General, Highway and Library represent \$25,167,520 or 84% of the total budget.

In 2011 Governor Cuomo established a tax levy limit or tax cap whereby the amount raised through property taxes is capped at 2% or the rate of inflation, whichever is less. The inflation factor for 2014 is 1.66% and therefore the tax cap has been reduced to 1.66%. The Office of the State Comptroller developed a property tax cap calculation used by each municipality in order to regulate the increase. The calculation takes into account adjustments including an adjustment for prior years if the entire tax cap limit was not levied which is how the calculation resulted in a 3.53% or \$736,245 increase for North Castle in 2014. North Castle increased the tax levy by 1.23% and 1.75% in 2012 and 2013 respectively.

The preliminary budget calls for a \$614,448 or 2.95% growth in taxes levied, which is \$121,797 under the tax cap.

Increases in expenses of approx. \$985k are due to:

- Increased Police expenses for: 2 new Police officers approx. \$100k each, 2 new cars total \$100k, and an increase in over-time expense \$50k,
- New equipment: A hybrid truck for the Building Department \$40k, a Truck with a plow \$60k and a snow tractor for Parks \$25k, a truck, crack sealer and claw for highway \$175k and a truck for S&W \$28k
- Water expenses as a result of increased water sales and per-capita charges \$174k
- S2 plant upgrades including a rebuild of clarifier boxes and replacement of UV disinfection unit \$63k

These additional expenses were partially offset by:

- Reduced garbage expenses of \$56k
- A reduction to budgeted certs/scars

Revenue increased approximately \$400k from:

- Increased water sales in districts 4 and 2 and a projected increase in per-capita charges in district 1 \$200k
- Projected increase in camp revenue in line with 2013 actuals (\$74k),
- Revenue from Byram Hills School District for the new School Resource Officer (SRO) or Officer Bill as your children now know him. The school district will be paying half the fully loaded cost or \$69k
- New administrative Wetlands fee as result of the change in the Wetlands code to develop an administrative review process, the majority of which is paid to Kellard, \$30k
- \$20k increase in PILOT revenue as IJAN has cancelled their PILOT and Engel Berman's payments begin ramping up, and additional tax penalty revenue in line with actual revenue in the current year, \$25k.

Real Estate Taxes are calculated based on the General, Highway, and Library Fund expenses, revenue and fund balance. We take our expenses for these funds and subtract revenue and fund balance contributions to get to the money to be raised from real property taxes.

General, Highway and Library Expenses increased by 2.95% or \$721,575 year on year and Revenue increased by 3.18% or \$196,516.

Overall the money levied from real property taxes increased 3.02% or \$549,620

The tax rate is then calculated by taking the money raised from property taxes divided by the total assessed value. Assessed values have remained flat year on year.

The real property tax rate increased 2.98% or \$4.66.

Average tax rate increases:

5 years 3.28%,
10 years 4.63%
20 years 3.07%

Providing an example for homeowners, the Comptroller said the Town calculates the 2014 general town taxes by taking the assessed value of \$18,800 divided by \$1,000 and then multiplied by \$160.99, which is the tax rate in the 2014 preliminary budget. This equals \$3,027.

The difference in the general taxes versus last year is \$87.67 which is the dollar value of the increase on the median home's town taxes. This represents a 2.98% increase year on year.

Explaining how the Town generates funds outside of property taxes which includes:

- Our PILOTS (Payment of lieu of taxes) which represents revenue from agreements with a few large corporations in town (Special tax agreements) IBM, Swiss Re and Engel Berman

- Each municipality receives a share of the mortgage tax and sales tax collected by Westchester County.
- Department Income includes Town Clerk Fees, Recreation Fees, Rebillables (police special detail), and Cable Franchise Fees. (the largest slice)
- License and Permits are collected through the Building Department, town clerk's office and to a smaller extent from parks and recreation.
- In addition we generate revenue from Fines & Forfeitures associated with the courts, Interest Income based on investing of our funds and other revenue from state aid, Insurance Recoveries and other Miscellaneous Sources.

On the expenses side, personnel costs are 64% of the overall budget. The 2014 budget includes 2 additional full time staff (namely 2 new police officers) compared to the 2013 budget. However, none of the 8 budgeted new full time positions in 2013 were filled.

In 2013 we delivered services that residents have been requesting, namely road repairs, park maintenance and refurbishment, first class programming through the Library and Recreation Department along with beautification efforts. This targeted focus on operating efficiently, having transparency in our operations and providing high quality services at the lowest cost to the residents will continue into 2014.

Capital Improvement projects continue to be a focus in the 2014 budget with money allocated to road pavement, vehicle replacement, and Town-wide technology upgrades.

In summary, the preliminary budget is \$29,886,189. The proposed tax levy is 2.95% or \$614,448 which is \$121,797 under the cap.

The tax rate increase is 2.98% and results in an impact on the median home's general town taxes of \$87.67.

Susan Shimer, speaking as Chair of the Landmarks Preservation Committee, said she reviewed the proposed budget and could not find any response to the Committee's request for \$2,250 to create for an audio tour of the Historic District. Supervisor Arden confirmed that this amount was not included in the budget because some members of the Board thought the funds could be raised privately. Ms. Shimer said the Committee had tried to do this for a year before they made its request. In response to Ms. Shimer's query regarding the funds in the proposed budget for concerts in the park, Ms. Goldberg said there was \$20,000 for special projects which included the concerts in the parks and other events.

Shelia Tyler, CSEA Labor Relations Specialist, said it was important for the Town to purchase new equipment to keep residents safe and for the Town to have an inventory of the equipment it already has.

After all persons were heard who desired to be heard, Councilman D'Angelo moved, seconded by Councilman Schiliro, that the Public Hearing be adjourned at 8:39 p.m.

The roll call was as follows:

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

Noes: None.

Supervisor Arden said that the public hearing will be reconvened at the December 11, 2013 Town Board meeting and a Work Session regarding the budget would probably be held prior to the public hearing.

Anne Curran, Town Clerk

Dated: December 9, 2013

PUBLIC HEARING
November 20, 2013

At 8:40 p.m. Supervisor Arden reconvened the Public Hearing, which was adjourned from November 6, 2013, at Town Hall, 15 Bedford Road, Armonk, New York, 10504, for the purpose of considering a local law to amend the Zoning Code of the Town of North Castle concerning three parcels of land located on Old Mount Kisco Road, Armonk, New York (Section 2, Block 12, Lot 2.-

1, 2.-2, and 3), with respect to the definition of senior housing and the calculation of affordable affirmatively furthering fair housing (AFFH) in the R-MF-SCH Zoning District, the mapping of the R-MF-SCH Zoning District to Petitioner's property, and establishment of bulk and area requirements.

A revised local law was received, since the November 6, 2013 meeting, amending Section 213-3 of the Town Code with the following definition of "Senior Citizen Housing":

"Housing limited in occupancy to persons who have attained the age of (a) 62 years or more on the date that they initially occupy the dwelling unit, as regulated by the Federal Fair Housing Act, or (b) 55 years or more on the date that they initially occupy the dwelling unit, as regulated by the Federal Fair Housing Act, to be determined by the Town Board on a case-by-case basis at the time of each zoning approval."

At 8:40 p.m. Supervisor Arden reconvened the Public Hearings which adjourned from November 6, 2013 in accordance with the Orders calling the Public Hearings, which follow at the end of these minutes, to consider the petition, map and plan in the matter of the extension of Sewer District No. 2, Old Mount Kisco Road (Section 108.01, Block 1, Lots 18, 19, 20, 21, 22, 23, 26, 27, 28, 29) and to consider the petition, map and plan in the matter of the extension of Water District No. 4, Old Mount Kisco Road, (Section 108.01, Block 1, Lots 27, 28, 29).

A letter from GHD Consulting Services, dated November 15, 2013, was received since the November 6, 2013 meeting and marked Exhibit "G" for the record.

Tony Veneziano, attorney for the applicant, Frank Madonna, Jr., spoke of the November 14, 2013 meeting, attended by Sal Misiti, Director of Water and Sewer Operations, Jan Salzman, Project Manager, GHD, and NYSDEC, to discuss the increase in flow capacity of Sewer District No. 2. Mr. Veneziano said the local law has been modified with regard to the definition of senior housing to provide for an age requirement of either age of 62 years or more, or age of 55 years or more.

Mr. Misiti reviewed the following points, detailed in the GHD letter, dated November 15, 2013, which summarized the meeting with NYSDEC to review the possibility of expanding flow capacity of the Sewer District No. 2 Wastewater Treatment Plant and associated modification to the plant SPDES (State Pollutant Discharge Elimination System) permit to increase flow.

- NYSDEC would not be opposed to modifying the permit in accordance with re-rated plant capacity.
- NYSDEC is pleased with the performance of the Town's wastewater treatment plant in terms of nitrogen removal. Mr. Misiti said the Town met the 2014 nitrogen discharge limits three years ago.
- If the Town wants to increase flow capacity, it has to demonstrate to NYSDEC that the current nitrogen limits can be maintained.
- With regard to the possibility of obtaining nitrogen "credits" for connecting currently unsewered properties, NYSDEC said it would require a re-opening of the Total Monitoring Discharge Limit (TMDL) and modification of the 2014 nitrogen limits which is unlikely to be accomplished in the near future.
- GHD is developing a pilot study to review increases to 600,000 gpd (0.6 mgd) and 700,000 gpd (0.7 mgd) to assist the Town in selecting the desired flow limit.
- Following the pilot study, GHD will develop an engineering report for submission to NYSDEC.

Mr. Misiti said the amount of flow for the applicant's project is not significant. He said it is for the Town Board to decide if it will require buy-in recapture fee for entry into sewer district based on the formula he developed and the calculations confirmed by GHD. The applicant should be advised of the requirements to upgrade the pump station.

In response to a query from Councilman Schiliro, Mr. Misiti said he would ask GHD about obtaining a benchmark at the stream near the applicant's site prior to the hookup of sewers.

In response to queries from Craig Useted regarding changes to the local law during the course of the public hearings, Director of Planning Adam Kaufman clarified that it was the recommendation of the Planning Board to include affordable affirmatively furthering fair housing (AFFH) units and this was not a new issue. Mr. Useted expressed his concerns with the screening of the property, the type of building being proposed, and rear setbacks of ten feet. In response to his queries, it was clarified that the market units would be taxed as fee simple and the AFFH units would be taxed based on the

price for which they could be sold. It was also clarified that not less than 10% of the units on any site in an R-MF-SCH District was required to be set aside as AFFH units. Mr. Veneziano said that they will work with the Planning Board regarding the rear setbacks.

In response to queries from Christine Eggleton regarding which of the 14 units would be AFFH units and how they will be administered, Town Attorney Baroni explained that the two AFFH units would be deed restricted, not aged restricted. Twenty per cent, or three if the 12 market units could be occupied by people under age 55; eighty percent, the remaining nine market units have to be age restricted.

In response to a query from John Diaconis regarding the income levels to qualify for a MIU unit as compared to an AFFH unit, Councilman Schiliro said it was approximately \$105,000 for a MIU as compared to \$85,000 for an AFFH.

In response to a comment from Susan Shimer that the local law should include in the definition of affordable affirmatively furthering fair housing the phrase *as provided in the model ordinance*, Mr. Baroni said he agreed the law should be amended to include this language. In response to Ms. Shimer's comment that there is no criteria in the law regarding when an age 55 or age 62 minimum would be used, Mr. Baroni said this matter was reviewed and it was determined that this would be reviewed by the Town Board on a case-by-case basis at the time of each zoning approval.

In response to a query from Kyra Goldsmith to confirm that the rear of the proposed buildings would be facing her property on Old Mount Kisco Road and what the setback would be, Mr. Madonna said that the rear setbacks are averaging about 30 feet. Mr. Kaufman advised the Board that the minimum rear yard setback of 10 feet would apply to all senior floating zones if the proposed law is adopted as written.

Joseph DiMauro expressed his opposition to the project.

In response to a query from Mr. Baroni if the Town could build a well at the project location, Mr. Veneziano confirmed that the Town has the right to build it and the applicant provided the Town with an easement.

In response to a query from Councilman Cronin regarding the cost to hookup the eight properties to the sewer district, Mr. Madonna said it was approximately \$250,000.

After all persons were heard who desired to be heard, Councilman D'Angelo moved, seconded by Councilman DiDonato Roth, that the public hearings be closed at 9:25 p.m.

Councilman DiDonato Roth moved, seconded by Councilman Cronin, adoption of Local Law 11 of the year 2013, as amended, to amend Chapter 213 of the Town of North Castle Town Code, concerning three parcels of land located on Old Mount Kisco Road, Armonk, New York (Section 2, Block 12, Lot 2.-1, 2.-2, and 3), with respect to the definition of senior housing and the calculation of affordable affirmatively furthering fair housing (AFFH) in the R-MF-SCH Zoning District, the mapping of the R-MF-SCH Zoning District to Petitioner's property, and establishment of bulk and area requirements.

The roll call vote was as follows:

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

Noes: None.

The local law follows at the end of these minutes.

Councilman D'Angelo moved, seconded by Councilman DiDonato Roth, the adoption of the Resolution, which follows at the end of these minutes, to extend Sewer District No. 2 to include all properties listed as Exhibit "A" of the Resolution.

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 DiDonato Roth, the adoption of the Resolution, which follows at the end of these minutes, to extend Water District No. 4 to include all properties listed as Exhibit "A" of the Resolution.

The roll call vote was as follows:

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

Noes: None.

In response to a query from Councilman Cronin as to the requirements for the Board to eliminate the senior floating zone from being applied to other properties, Mr. Baroni said that it would be a separate process which would require a public hearing, referral to the Planning Board and an environmental review.

Following discussion among the Board regarding the proposed access to the project site from Route 128, Supervisor Arden moved, seconded by Councilman Cronin, referral of the request to the Planning Board to review access to the site.

The roll call vote was as follows:

Ayes: Councilmen DiDonato Roth, Cronin, Supervisor Arden.

Noes: Councilmen Schiliro, D'Angelo

Anne Curran, Town Clerk

Dated: December 9, 2013

TOWN OF NORTH CASTLE

Local Law No. 11 For the Year 2013

(Adopted November 20, 2013)

A Local Law to amend Chapter 213 of the Town of North Castle Town Code with respect to the R-MF-SCH Zoning District.

Section 1. Amend Section 213-3 of the Town of North Castle Town Code, Definitions, by amending the definition of "Senior Citizen Housing" to read as follows:

"Housing limited in occupancy to persons who have attained the age of (a) 62 years or more on the date that they initially occupy the dwelling unit, as regulated by the Federal Fair Housing Act, or (b) 55 years or more on the date that they initially occupy the dwelling unit, as regulated by the Federal Fair Housing Act, to be determined by the Town Board on a case-by-case basis at the time of each zoning approval."

Section 2. Amend Section 213-22.3(B)(5) by amending the first sentence thereof to read as follows:

"Not less than 10% of the units on any site in an R-MF-SCH District shall be set aside as affordable affirmatively furthering fair housing (AFFH), as defined in the Town's AFFH draft model ordinance.

Section 3. Amend Section 213-5 by amending the Town of North Castle Zoning Map to remove Section 2, Block 12, Lot 3 from both the R-1A and R-10 Zoning Districts and adding it to the R-MF-SCH Zoning District and further amending the Town of North Castle Zoning Map to remove Section 2, Block 12, Lots 2-1 and 2-2 from the R-10 Zoning District and adding said lots to the R-MF-SCH Zoning District and, in accordance with Section 213-22.3(B)(2) and Section 213-19 (Schedule of Residents District Regulations), establishing the following requirements for the foregoing parcels in conjunction with the rezoning of said parcels:

Maximum Floor Area Ratio:	0.4
Minimum Lot Area:	3.0 acres
Minimum Lot Frontage:	750 feet
Minimum Lot Width:	500 feet
Minimum Lot Depth:	100 feet

Minimum Perimeter Front Yard:	20 feet
Minimum Perimeter Side Yard:	20 feet
Minimum Perimeter Rear Yard:	10 feet
Minimum Dwelling Unit Size:	1 bedroom unit – 800 s.f. 2 bedroom unit – 1,000 s.f.
Maximum Building Coverage:	20%

Section 4. Conflicting Standards.

Where the requirements of this Local Law impose a different restriction or requirement than imposed by other sections of the Code of the Town of North Castle, the Town Law of the State of New York, or other applicable rules or regulations, the requirements of this Local Law shall prevail.

Section 5. Severability.

The invalidity of any word, section, clause, paragraph, sentence, part or provision of this Local Law shall not affect the validity of any other part of this Local Law that can be given effect without such invalid part or parts.

Section 6. Effective Date.

This Local Law shall take effect immediately upon its adoption and filing with the Secretary of State.

Dated: November 20, 2013

At a meeting of the Town Board of the Town of North Castle at the North Castle Library, Whippoorwill Road East, Armonk, New York in the Town of North Castle, Westchester County, New York, on the 9th day of October, 2013, at 7:30 p.m.

P R E S E N T :

Hon. Howard Arden
Michael J. Schiliro
Stephen D’Angelo
Diane DiDonato-Roth
John Cronin

-----X

In the Matter of the Extension of
Sewer District No. 2 in the Town of North Castle,
Westchester County, New York, pursuant to Article 12
of the Town Law.

ORDER

-----X

WHEREAS, an amended petition, a map and plan have been prepared by petitioners in such manner and in such detail as has heretofore been determined by the Town Board relating to the extension of Sewer District No. 2 in the Armonk area of the said Town, and

WHEREAS, said amended petition, map and plan have been duly filed in the office of the Town Clerk of said Town, and

WHEREAS, said amended petition, map and plan have been prepared by an engineer, duly licensed by the State of New York, showing the boundaries of the proposed extension and a general plan of the sewer system connection, and

WHEREAS, said map shows the transmission mains and appurtenant facilities to be connected to the existing sewer mains, and

WHEREAS, the boundaries of the proposed extension to said district to be known as “Madonna-Route 128 Extension” are as follows:

SEE EXHIBIT A

WHEREAS, the improvements proposed are as set forth in the amended petition; and
WHEREAS, the cost of the improvements including professional fees will be paid
for by the applicant; and

WHEREAS, the maximum amount proposed to be expended for said improvements is One Hundred Twenty Five Thousand (\$125,000.00) Dollars; and

WHEREAS, said map and plan describing said improvements are on file in the Town Clerk's office for public inspection during normal business hours.

NOW, on motion of Councilman Schiliro, seconded by Councilman DiDonato Roth,
it is hereby

ORDERED, that the Town Board of the Town of North Castle shall meet and hold a public hearing at the Town Hall, 15 Bedford Road in said Town on the 6th day of November, 2013, at 7:30 p.m. in that day to consider said amended petition, map and plan and to hear all persons interested in the subject thereof concerning the same and to take such action thereon as is required or authorized by law; and it is hereby

The adoption of the foregoing order was duly put to vote, and on a roll call the vote was as follows:

Hon. Howard Arden voting Aye

Michael J. Schiliro voting Aye

Stephen D'Angelo voting Aye

Diane DiDonato-Roth voting Aye

John Cronin voting Aye

and the order was thereupon declared duly adopted.

Dated: Armonk, New York
October 9, 2013

[illegible]

I, the undersigned Town Clerk of the Town of North Castle, Westchester County,
New York, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Town Board of said Town, including the resolution contained therein, held on October 9, 2013, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

I FURTHER CERTIFY that, PURSUANT TO Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, the time and place of all regular meetings of the Town Board for the year were announced at an Organizational Meeting held in January, 2013.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town on October 9, 2013.

Anne Curran
Town Clerk
Town of North Castle

(Corporate Seal)

EXHIBIT A

1. Route 128/Old Mount Kisco Road
Armonk, New York
Section 108.01
Block 1
Lots 18, 19, 20, 21, 22, 23, 26, 27, 28, 29
-

Record & Return to:
Roland A. Baroni, Jr.
STEPHENS, BARONI, REILLY
& LEWIS, LLP
175 Main Street
White Plains, NY 10601

At a meeting of the Town Board
of the Town of North Castle at the Town Hall,
15 Bedford Road, Armonk, N.Y., in the Town
of North Castle, Westchester County, New
York on the on 20th day of November, at 7:30
P.M.

RESOLUTION TO EXTEND SEWER DISTRICT NO. 2

WHEREAS, an Amended Petition by FRANK MADONNA, ET AL. dated October 4, 2013, for the extension of Sewer District No. 2 of the Town of North Castle, New York was duly presented to this Town Board and subsequently the necessary maps and plans were also duly delivered; and

WHEREAS, an Order was duly adopted by the Town Board on October 9, 2013, reciting the filing of said petition, the improvements proposed, the boundaries of the proposed extension, and the estimated expenses thereof and specifying November 6, 2013, at 7:30 p.m. as the time and the Town Hall in said Town as the place where the said Board would meet to consider the amended petition and to hear all persons interested in the subject thereof, concerning the same, and

WHEREAS, such order was duly posted, published and served as required by law; and

WHEREAS, a hearing in the matter was duly held by the Board on the 6th day of November, 2013, and reconvened on 20th day of November, 2013 commencing at 7:30 p.m. o'clock at the Town Hall in said Town and considerable discussion upon the matter having been had, and all persons desiring to be heard having been duly heard and thereupon the hearing being duly closed.

NOW, upon the evidence given at such hearing and on motion of Councilman D'Angelo, seconded by Councilman DiDonato Roth, it is

RESOLVED AND DETERMINED, that (a) the petition aforesaid is signed and acknowledged or proved as required by law, it duly complies with the requirements of Section 191 of the Town Law as to sufficiency of signers with respect to the boundaries of the proposed district as herein approved and it is otherwise sufficient; (b) all property and property owners within the proposed district extension are benefitted thereby; (c) all the property and property owners benefitted are included within the limits of the proposed district expansion; and (d) that it is in the public interest to grant in whole the relief sought; and it is further

RESOLVED AND DETERMINED, that the extension of Sewer District No. 2 as proposed in said petition be approved; that such District be designated as Sewer District No. 2 Extension-Area "Madonna-Route 128 Sewer Extension"; that the improvements to be constructed therein mentioned be constructed at the sole cost and expense of the applicant, including reimbursement of the town's legal and engineering fees and the cost of an as-built survey, and such extension be bounded and described as set forth in Schedule A attached hereto; and it is further

RESOLVED, in accordance with Article 8 of the State Environmental Quality Review Act and 6 NYCRR Part 617, the Town Board hereby makes the determination that based on the information and analysis provided by the applicant, the proposed action will not result in any significant adverse environmental impact; and it is further

RESOLVED, that the Town Clerk of this Town shall file certified copies thereof, in duplicate, in the office of the State Department of Audit and Control in Albany, New York.

Roll Call:	Vote:
Michael J. Schiliro	Aye
Stephen D'Angelo	Aye
Diane DiDonato Roth	Aye
John Cronin	Aye
Hon. Howard Arden	Aye

STATE OF NEW YORK
COUNTY OF WESTCHESTER
TOWN OF NORTH CASTLE

I, ANNE CURRAN, Town Clerk of the Town of North Castle, do hereby certify that I have compared the preceding Resolution with the original thereof filed in my office at Town Hall, 15 Bedford Road, Armonk, Westchester County, New York, that the same is a true and correct copy of said original and the whole thereof.

I further certify that all members of the Town Board had due notice of the meeting at which said resolution was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this 20th day of November, 2013.

Town Clerk

STATE OF NEW YORK: COUNTY OF WESTCHESTER: SS:

On the 20th day of November in the year 2013 before me, the undersigned personally appeared ANNE CURRAN, Town Clerk of the Town of North Castle, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

SCHEDULE A

1. Route 128/Old Mount Kisco Road
Armonk, New York

Section 108.01
Block 1
Lots 18, 19, 20, 21, 22, 23, 26, 27, 28, 29

At a meeting of the Town Board of the Town of North Castle at the North Castle Library, Whippoorwill Road East, Armonk, New York in the Town of North Castle, Westchester County, New York, on the 9th day of October, 2013, at 7:30 p.m.

PRESENT:

Hon. Howard Arden
Michael J. Schiliro
Stephen D'Angelo
Diane DiDonato Roth
John Cronin

-----X

In the Matter of the Extension of
Water District No. 4 in the Town of North Castle,
Westchester County, New York, pursuant to Article 12
of the Town Law.

ORDER

-----X

WHEREAS, a petition, a map and plan have been prepared by petitioners in such manner and in such detail as has heretofore been determined by the Town Board relating to the extension of Water District No. 4 in the Armonk area of the said Town, and

WHEREAS, said petition, map and plan have been duly filed in the office of the Town Clerk of said Town, and

WHEREAS, said petition, map and plan have been prepared by an engineer, duly licensed by the State of New York, showing the boundaries of the proposed extension and a general plan of the water system connection, and

WHEREAS, said map shows the transmission mains and appurtenant facilities to be connected to the existing water mains, and

WHEREAS, the boundaries of the proposed extension to said district to be known as “Madonna-Route 128 Extension” are as follows:

SEE EXHIBIT A

WHEREAS, the improvements proposed are as set forth in the petition; and

WHEREAS, the cost of the improvements including professional fees will be paid for by the applicant; and

WHEREAS, the maximum amount proposed to be expended for said improvements is Ninety Thousand (\$90,000.00) Dollars; and

WHEREAS, said map and plan describing said improvements are on file in the Town Clerk's office for public inspection during normal business hours.

NOW, on motion of Councilman Schiliro, seconded by Councilman DiDonato Roth,
it is hereby

ORDERED, that the Town Board of the Town of North Castle shall meet and hold a public hearing at the Town Hall, 15 Bedford Road in said Town on the 6th day of November, 2013, at 7:30 p.m. in that day to consider said petition, map and plan and to hear all persons interested in the subject thereof concerning the same and to take such action thereon as is required or authorized by law; and it is hereby

The adoption of the foregoing order was duly put to vote, and on a roll call the vote was as follows:

Hon. Howard Arden	voting Aye
Michael J. Schiliro	voting Aye
Stephen D'Angelo	voting Aye
Diane DiDonato Roth	voting Aye
John Cronin	voting Aye

and the order was thereupon declared duly adopted.

Dated: Armonk, New York
October 9, 2013

Board and subsequently the necessary maps and plans were also duly delivered; and

WHEREAS, an Order was duly adopted by the Town Board on October 9, 2013, reciting the filing of said petition, the improvements proposed, the boundaries of the proposed extension, and the estimated expenses thereof and specifying November 6, 2013, at 7:30 p.m. as the time and the Town Hall in said Town as the place where the said Board would meet to consider the petition and to hear all persons interested in the subject thereof, concerning the same, and

WHEREAS, such order was duly posted, published and served as required by law; and

WHEREAS, a hearing in the matter was duly held by the Board on the 6th day of November, 2013, commencing at 7:30 p.m. o'clock at the Town Hall in said Town and considerable discussion upon the matter having been had, and all persons desiring to be heard having been duly heard and thereupon the hearing being duly closed.

NOW, upon the evidence given at such hearing and on motion of Councilman D'Angelo seconded by Councilman DiDonato Roth, it is

RESOLVED AND DETERMINED, that (a) the petition aforesaid is signed and acknowledged or proved as required by law, it duly complies with the requirements of Section 191 of the Town Law as to sufficiency of signers with respect to the boundaries of the proposed district as herein approved and it is otherwise sufficient; (b) all property and property owners within the proposed district extension are benefitted thereby; (c) all the property and property owners benefitted are included within the limits of the proposed district expansion; and (d) that it is in the public interest to grant in whole the relief sought; and it is further

RESOLVED AND DETERMINED, that the extension of Water District No. 4 as proposed in said petition be approved; that such District be designated as Water District No. 4 Extension-Area "Madonna-Route 128 Water Extension"; that the improvements to be constructed therein mentioned be constructed at the sole cost and expense of the applicant, including reimbursement of the town's legal and engineering fees and the cost of an as-built survey, and such extension be bounded and described as set forth in Schedule A attached hereto; and it is further

RESOLVED, in accordance with Article 8 of the State Environmental Quality Review Act and 6 NYCRR Part 617, the Town Board hereby makes the determination that based on the information and analysis provided by the applicant, the proposed action will not result in any significant adverse environmental impact; and it is further

RESOLVED, that the Town Clerk of this Town shall file certified copies thereof, in duplicate, in the office of the State Department of Audit and Control in Albany, New York.

Roll Call:	Vote:
Michael J. Schiliro	voting Aye
Stephen D'Angelo	voting Aye
Diane DiDonato Roth	voting Aye
John Cronin	voting Aye
Hon. Howard Arden	voting Aye

STATE OF NEW YORK
COUNTY OF WESTCHESTER
TOWN OF NORTH CASTLE

I, ANNE CURRAN, Town Clerk of the Town of North Castle, do hereby certify that I have compared the preceding Resolution with the original thereof filed in my office at Town Hall, 15 Bedford Road, Armonk, Westchester County, New York, that the same is a true and correct copy of said original and the whole thereof.

I further certify that all members of the Town Board had due notice of the meeting at which said resolution was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this 6th day of November, 2013.

Anne Curran, Town Clerk

STATE OF NEW YORK: COUNTY OF WESTCHESTER: SS:

On the 6th day of November in the year 2013 before me, the undersigned personally appeared ANNE CURRAN, Town Clerk of the Town of North Castle, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

SCHEDULE A

1. Route 128/Old Mount Kisco Road
Armonk, New York

Section 108.01
Block 1
Lots 27, 28, 30
-