

Town Board Minutes
Organizational Meeting
Town of North Castle
15 Bedford Road
Armonk, New York
on
January 14, 2015

Supervisor Schiliro called the meeting to order at 5:00 p.m. at 15 Bedford Road on the duly adopted motion of Councilman D'Angelo and immediately adjourned into executive session. All Town Board members and the Town Attorney were present for the executive session which closed at 7:35 p.m. The Town Clerk joined the regular meeting which reconvened at 7:45 p.m. and the following persons were present:

Supervisor	Michael J. Schiliro
Councilmen	Stephen D'Angelo
	Barbara DiGiacinto
	Barry Reiter
	Guy A. Mezzancello
Town Clerk	Anne Curran
Town Counsel	Roland A. Baroni
Town Administrator	Joan Goldberg

Supervisor Schiliro stated that the meeting would begin with the organizational business for the new year.

Councilman Reiter moved, seconded by Councilman D'Angelo, the following:
To authorize the continuation of all depositories and accounts of the Town as heretofore established in the prior fiscal year:

Designating Depositories for the Town of North Castle Funds are as follows:

- a. J.P. Morgan Chase Bank, White Plains, NY
- b. Wells Fargo, Armonk, NY
- c. Signature Bank, New Rochelle, NY
- d. Bank of America, Armonk, NY

And further, to authorize and direct that payment from all Town accounts be made by checks using facsimile signatures of the Supervisor and the Town Clerk. The exception should be noted that the Town Clerk and the Town Justices are authorized to continue their own accounts.

The roll call was as follows:

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

Noes: None

Councilman DiGiacinto moved, seconded by Councilman Reiter, the following appointments:

Deputy Town Supervisor	Pleasure of the Supervisor
Stephen D'Angelo	
Records Management Officer	Pleasure of the Town Board
Town Clerk Anne Curran	
Registrar of Vital Statistics	Pleasure of the Town Board
Town Clerk Anne Curran	
Deputy Town Clerk and Deputy Registrar	Pleasure of the Town Clerk
Barbara Pesquera	
Sub-Registrar	Pleasure of the Town Clerk
Betty Sanchirico	
Sub-Registrar	Pleasure of the Town Clerk
Rita Ross	
Liaison to the Board of Elections	Pleasure of the Town Board
Town Clerk Anne Curran	
Town Comptroller	Pleasure of the Town Board
Denise Oakley	

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Town Historian	Pleasure of the Town Board
Pending	
Secretary to Zoning Board of Appeals	Pleasure of the Town Board
Lori Zawacki	
Secretary to Planning Board	Pleasure of the Town Board
Valerie Desimone	
Secretary to Architectural Review Board	Pleasure of the Town Board
Lori Zawacki	
Fire Prevention Inspector	Pleasure of the Town Board
William Richardson	
Engineering Consultants	Contract with Town Board
Kellard Sessions Consulting, P.C.	
Town Counsel	Contract with Town Board
Stephens Baroni Reilly & Lewis	
Deputy Tax Receiver	Pleasure of the Tax Receiver
Pending	
Confidential Secretary to the Supervisor	Pleasure of the Supervisor
Mindy Berard	

The roll call vote for above appointments was as follows:

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

Noes: None.

Councilman DiGiacinto moved, seconded by Councilman D'Angelo, the following appointments of Liaisons to Departments, Boards and Committees by Supervisor Schiliro:

Police Department	Councilman D'Angelo & Councilman Reiter
Highway Department	Councilman Reiter
Building Department	Councilman DiGiacinto
Fire Departments:	
1. Armonk	Councilman Reiter
2. Banksville	Councilman Mezzancello
3. North White Plains	Councilman DiGiacinto
Library Liaison	Councilman DiGiacinto
Personnel	Councilman D'Angelo & Administrator Goldberg
Planning Board	Councilman DiGiacinto
Recreation & Parks Department	Councilman D'Angelo
Water & Sewer Department	Councilman D'Angelo
Intergovernmental Affairs	Supervisor Schiliro
School Board Liaisons	Supervisor Schiliro & Councilman Reiter
Architectural Review Board	Councilman DiGiacinto
Beautification Committee	Councilman DiGiacinto
Board of Ethics	Councilman D'Angelo
Budget & Financial Advisory Committee	Councilman D'Angelo
Chamber of Commerce	Councilman D'Angelo
Conservation Board	Councilman Mezzancello
Communications Committee	Councilman Mezzancello
Housing Board	Councilman DiGiacinto
Landmarks Preservation Committee	Councilman Mezzancello
NC4 Liaison	Councilman Reiter
Open Space Committee	Councilman Mezzancello
Real Estate Committee	Councilman Reiter
Recycling Committee	Councilman Mezzancello
Safety/Risk Committee	Councilman Reiter & Comptroller Oakley
Sustainable North Castle	Councilman Mezzancello

The roll call vote for the above appointments was as follows:

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

Noes: None

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Councilman D'Angelo moved, seconded by Councilman DiGiacinto, the following:

To authorize the continuation of the Town's policy of placing legal notices in The Journal News and authorize the continuation of the policy of holding regular Town Board meetings on the second and fourth Wednesdays of each month at 7:30 p.m. with the exception of holidays that may conflict, and unless otherwise determined by the Town Board.

To authorize the policy of paying 57.5 cents per mile, as set by the Internal Revenue Service, for the use of personal automobiles by Town employees involved in the performance of Town business with claims subject to the approval of the Town Board.

The roll call vote was as follows:

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

Noes: None

Councilman D'Angelo moved, seconded by Councilman DiGiacinto the following:

To authorize the continuation of the Town's Vehicle Policy as adopted by the Town Board on February 13, 2013.

To authorize the continuation of the Town's Purchase Order and Procurement Policy as reviewed by the Town Board.

To authorize the continuation of the Town's Investment Policy as reviewed by the Town Board.

The roll call vote was as follows:

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

Noes: None

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, authorization of the Town's Master Fee Schedule for 2015, with changes recommended by Planning Director Kaufman, Department Heads and Town consultants.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, to authorize the posting of the Town of North Castle Code of Ethics and Article 18 of General Municipal Law in each public building under the jurisdiction of the Town of North Castle.

Vote: Unanimous

Councilman Reiter moved, seconded by Councilman D'Angelo the following:

To authorize the Comptroller to make payment in advance of audit of claims for public utility services, postage, freight, and express charges when necessary. All such claims must be presented for the next regular Town Board meeting.

To authorize the Highway Department, Police Department, Recreation & Parks Department, Sewer & Water Department and Town Clerk to call for and receive bids for certain materials, supplies, equipment and services needed in those departments.

To authorize the General Foreman of the Highway Department to purchase implements and tools required by the Highway Department in accordance with the Town Purchase Order and Procurement Policy.

The roll call vote was as follows:

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

Noes: None

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, authorization for the Supervisor to pay 2015 salaries in installments on the following dates: January 9 and 23, February 6 and 20, March 6 and 20, April 3 and 17, May 1, 15 and 29, June 12 and 26, July 10 and 24,

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August 7 and 21, September 4 and 18, October 2, 16 and 30, November 13 and 27, December 11 and 24.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, that elected and appointed officials shall maintain and submit time records in accordance with the guidelines established by the New York State Comptroller's Office.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, authorization for the Supervisor to use a charge card for payment of Town-related expenses.

Vote: Unanimous

Councilman Reiter moved, seconded by Councilman D'Angelo to approve professional agreements, as follows:

To authorize the Supervisor to sign the agreement between the Town of North Castle and The Bonadio Group to audit the financial statements for the Town and Justice Court as prescribed by NYS for fiscal year ending 2014.

To authorize the Supervisor to sign the agreement between the Town of North Castle and Stephens, Baroni, Reilly & Lewis, LLP for legal services in 2015.

To authorize the Supervisor to sign the agreement between the Town of North Castle and Patrick Bliss, Esquire, to represent the Town for legal matters with regard to the Justice Court in 2015.

To authorize the Supervisor to sign the agreement between the Town of North Castle and Kellard Sessions Engineering & Consulting for engineering services in 2015.

To authorize the Supervisor to sign the agreement between the Town of North Castle and Kellard Sessions & Consulting, P.C. for wetlands consultation services in 2015.

To authorize the Supervisor to sign the agreement between the Town of North Castle and Keane and Beane for labor consulting services in 2015.

The roll call vote was as follows:

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

Noes: None

Councilman D'Angelo moved, seconded by Councilman DiGiacinto:

To authorize the Supervisor to sign the agreement between Ambulance District No. 1 in the Town of North Castle and Valhalla Ambulance Corps for ambulance service in North White Plains for 2015.

To authorize the Supervisor to sign the agreement between the Town of North Castle, on behalf of Fire Protection District No. 3, and Banksville Independent Fire Company for fire protection in 2015.

To authorize the Supervisor to sign the agreement between Fire District No. 2 and Fire Protection District No. 3 for emergency ambulance service to persons within the boundaries of Banksville Fire Protection District No. 3 for 2015.

To authorize the Supervisor to sign the Hydrant Use Agreement for 2015 between Water District No. 1 of the Town of North Castle and North Castle South Fire District No. 1.

To authorize the Supervisor to sign the Hydrant Use Agreements between Water District No. 2, Water District No. 4, Water District No. 5 and Water District No. 7 of the Town of North Castle and Fire District No. 2 for 2015.

The roll call vote was as follows:

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Ayes: Councilmen D’Angelo, DiGiacinto, Reiter, Mezzancello, Supervisor Schiliro

Noes: None

Councilman D’Angelo moved, seconded by Councilman DiGiacinto authorization for the Supervisor to sign the agreement between the Town of North Castle and Eleven Virginia Road Realty Corp. to lease commuter parking spaces for the period January 1, 2015 through December 31, 2016.
Vote: Unanimous

Councilman Reiter moved, seconded by Councilman DiGiacinto, authorization for the Supervisor to confirm the agreement with Board of Fire Commissioners, Armonk Fire District No. 2, in which the Town advances Fire District taxes to the District in the amount of \$500,000 at an interest rate of 1%, for 2015.
Vote: Unanimous

Councilman D’Angelo moved, seconded by Councilman Reiter, ratification of the 2015 Waste and Recycling Schedule.
Vote: Unanimous

After all persons were heard who desired to be heard, the Supervisor closed the organizational meeting at 8:20 p.m.

Anne Curran, Town Clerk

Dated: February 13, 2015

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Regular Meeting
Town of North Castle
15 Bedford Road
Armonk, New York
on
January 14, 2015

Supervisor Schiliro announced the continuation of the regular meeting agenda at 8:20 p.m. and the following persons were present:

Supervisor:	Michael J. Schiliro
Councilmen:	Stephen A. D’Angelo
	Barbara W. DiGiacinto
	Barry S. Reiter
	Guy A. Mezzancello
Town Clerk	Anne Curran
Town Attorney	Roland A. Baroni
Town Administrator	Joan Goldberg

The minutes of the Public Hearing which commenced at 8:50 p.m. follow at the end of these minutes.

Doris (Dorrie) Finch Watson, Town Historian 1993-2014, passed away on December 30, 2014. In recognition, Town Clerk Curran described a video narrated by Dorrie, taped in October 2012, which has been retitled and is airing on NCTV and is posted on the Town website. In the video, Dorrie describes the five North Castle Historic Sites that were officially marked in 1976:

- Middle Patent Rural Cemetery, Banksville
- Historic Smith's Tavern, Armonk
- Maj. John Andre's Containment at Wrights Mill, Mile Square, Armonk
- Miller Hill Revolutionary War Battle Ground, North White Plains
- The Elijah Miller House, North White Plains

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Ms. Curran read the closing slide of the video:

Doris (Dorrie) Finch Watson

Historian, Town of North Castle 1993 – 2014

The Town of North Castle is indebted to Dorrie for:

Serving as Town Historian since 1993, helping to found The North Castle Historical Society, nurturing the Banksville Community House, administrating the Middle Patent Rural Cemetery, chairing the Elijah Miller House Committee, helping to found Friends of Miller House/Washington's Headquarters, serving on the Landmarks Preservation Committee and the Ethics Board, and for most competently and willingly sharing her knowledge of North Castle history with us. She is missed.

Councilman DiGiacinto moved, seconded by Councilman Reiter, receipt of notification of withdrawal of Petition for a zone text amendment from Breezemont Day Camp.

Vote: Unanimous

Councilman DiGiacinto moved, seconded by Councilman Reiter, receipt of letter from Rod Christie, Executive Director, Mianus River Gorge, noting appreciation to the Town Board, the Open Space Committee and the Conservation Board for support and collaboration regarding the purchase of the Levene Property and Conservation Easement to the Town.

Vote: Unanimous

Councilman Reiter moved, seconded by Councilman D'Angelo, receipt of a letter from the NYS Department of Transportation (DOT) regarding the traffic signal warrant analysis provided by John Meyer Consulting for the intersection of Route 22 and Cox Avenue. Based on the analysis, DOT review of crash history, and existing conditions at the intersection, NYS DOT determined that a traffic signal should not be installed at the intersection.

Vote: Unanimous

Councilman Reiter moved, seconded by Councilman DiGiacinto, receipt and ratification of work performed by Kellard Sessions for design of new sidewalks, and design, preparation and evaluation of bid documents. The following is an excerpt from the Kellard Sessions letter dated January 5, 2015:

This work was performed under verbal authorization from the Town. A contract has since been awarded to Vernon Hills Contracting Corp. to repair deteriorated sidewalks and construct new sidewalks and handicap ramps on Bedford Road from the intersection of Maple Avenue to the intersection of MacDonald Avenue, Maple Avenue in front of Hergenhan Recreation Center, the corner of Bedford Road and Main Street, the North Castle Annex Building, North Castle Building Department, a new stone paver sidewalk in front of the North Castle Library along Whippoorwill Road East and new concrete steps at the North Castle Police Station.

To date, Kellard Sessions Consulting has billed the Town \$10,385. This fee includes all engineering services required for the design and preparation of bid documents, bid services and evaluation and contract recommendation. Fees for providing construction services shall be billed on a Time and Materials (T&M) basis, with an estimated cost of \$6,000.

Vote: Unanimous

With regard to the Gazebo reconstruction design in Wampus Brook Park, Architect John Sullivan presented options for handicapped accessibility of a ramp design versus a mechanical lift. He said both options have drawbacks as a ramp can be an attraction for skateboarding and some type of chain to prevent access might be warranted. A mechanical lift would require a key or password, effectively eliminating spontaneous access to the gazebo for someone with a disability. Supervisor Schiliro stated that he wants all citizens to have the same ability to use the gazebo. If Town employees or the Police Department have to be contacted to operate a lift or open the ramp, that is not equal access. Mr. Sullivan said he will revisit options based on this direction.

Regarding timing of construction and when the Gazebo might be completed, Councilman D'Angelo said the Gazebo does not have to be finished by June, but there should not be an active construction site in Wampus Brook Park in early June when the Fol de Rol will take place.

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The appointment of Special Counsel to advise the Town Board regarding disciplinary hearing concerning employee number 3257 was tabled.

Councilman Reiter moved, seconded by Councilman D'Angelo, receipt of Notice of Commencement of Action: Gail Wenger vs. Town of North Castle and North Castle Public Library, and referral to Town Attorneys.

Vote: Unanimous

Pursuant to a referral from Planning Board regarding mailing requirements for Planning Board meeting notices, Councilman Reiter moved, seconded by Councilman D'Angelo, to consider amending the Town Code for this purpose, and approval to schedule a public hearing on January 28, 2015.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman Reiter, approval of the Town's 2015 membership in the Association of Towns of the State of New York (AOTSNY), and the designation of Councilman DiGiacinto as the Town's voting delegate at the Association of Towns of the State of New York annual business meeting in February, 2015.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman Reiter, recognition of the Recycling Committee's coordination of 2015 Zero Waste Day on Saturday, April 25, 2015.

Vote: Unanimous

Councilman Reiter moved, seconded by Councilman D'Angelo, confirmation of 2015 Town Wide Clean-Up Day on Sunday, April 26, 2015, and appointment of Elise Hutner as Coordinator.

Vote: Unanimous

Councilman Reiter moved, seconded by Councilman D'Angelo, approval for Stayin' Alive 5K Run in Windmill on Saturday, May 30, 2015.

Vote: Unanimous

Councilman DiGiacinto moved, seconded by Councilman D'Angelo, approval of recommendation from Recreation Superintendent Trainor for changes to 2015 Summer Camp fees, including the following:

- 3 year olds early bird rates are \$940 for 6 weeks and \$545 for a 3 week session. Standard rates are \$1,080 for 6 weeks and \$625 for a 3 week session.
- 4 & 5 year olds early bird rates are \$210/ week, standard rates are \$240 per week and rates increase to \$300 per week as of 6/20/15.
- K-8th grade early bird rates are \$225/ week, standard rates are \$250 per week and rates increase to \$360 per week as of 6/20/15.

There will be a 5% reduction of fees applied to the registration of additional children.

Vote: Unanimous

Councilman Reiter moved, seconded by Councilman DiGiacinto, approval of request from General Foreman Jamie Norris to authorize Rocco's Landscaping to supervise and supply rental equipment for removal of Town trees in 2015 as follows:

- Rental of 57' bucket truck with operator and one grounds man for various tree service per 8-hour day: \$850.
- Rental of 70' bucket truck with operator and one grounds man for various tree service per 8-hour day: \$850
- Emergency pricing per hour: \$120

Vote: Unanimous

Pursuant to a letter from Sal Misiti, Director of Water and Sewer Operations, Councilman D'Angelo moved, seconded by Councilman DiGiacinto, authorization of Payment Application #6 in the amount of \$624,790.88 to Bilotta Construction Corp. regarding the Water District No. 2 Water System Replacement Project, for work completed through December 23, 2014.

Vote: Unanimous

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Councilman Reiter moved, seconded by Councilman D'Angelo, approval of Payment Application No. 4 to Eventus Construction Company, Inc., in the amount of \$9,590 which represents the release of retainage in connection with Water District No. 4 Groundwater Rule Project.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman Reiter, authorization for the Town Attorneys to execute a Consent Judgment in the matter of Stop & Shop Companies, Inc. vs. Town of North Castle, et al. Index No. 11-56656 et al.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman Reiter, authorization for the Town Attorneys to execute a Final Order & Judgment on Consent in the following matter: BGB Realty, LLC. vs. Town of North Castle Index No. 67161/13 et al.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman Reiter, authorization for the Supervisor to sign the weather consulting service agreement with WeatherWorks for 2015, at a cost of \$1,725.

Vote: Unanimous

Authorization for the Supervisor to sign an agreement with Awesome Landscaping Corp. for \$5,000, for property clean up at 5 Hopes Farm Lane was tabled.

Councilman D'Angelo moved, seconded by Councilman Reiter, authorization for the Supervisor to sign the KVS agreement for \$9,776, in payment for software modules utilized by the Finance Dept. from January 1, 2015 through December 31, 2015.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, receipt of Code of Conduct from ARC of Westchester regarding maintenance contract for Main Street, Armonk, for 2015.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman Reiter, authorization for the Supervisor to sign Letter of Agreement with CSEA Unit II regarding establishment of CSEA job title "Assessment Aide" White Collar, Group 1, and the appointment of Kevin Keneally as Assessment Aide, Full Time, Group 1, starting step, effective December 15, 2014.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman Reiter receipt of letter of resignation from Guy Mezzancello, Planning Board, effective December 31, 2014.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman Reiter, receipt of letter of resignation from Lorraine Pompei, Deputy Tax Receiver, effective December 31, 2014.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman Reiter, ratification of appointment of Lisa Meyer Chorne to Library Board of Trustees for a term to expire December 31, 2019.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman Reiter, notification of resignations from Brian Kaminer and Eileen Joy as co-chairs, Sustainable North Castle, effective January 5, 2015.

Vote: Unanimous

Approval of carryover of 2014 vacation days for Matthew Harisch, Highway Dept. and Donna Daley, Finance Dept., was tabled.

Councilman D'Angelo moved, seconded by Councilman Reiter, approval of request from Tax Receiver Patricia Colombo to hire an hourly worker effective January 15, 2015 through January 30, 2015, at an hourly rate of \$20.

Vote: Unanimous

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

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- Receipt of Town Clerk's monthly report – December, 2014
- Receipt and referral of Notice of Claim from Bilotta Construction Corp. to Town Attorneys.
- Receipt of NYS Alcohol Beverage License renewal application for American Legion Post 1097, Armonk.
- Approval of request from General Foreman Norris for release of the following highway bond:
 - o Fatmir Pushka – Permit 0836 in the amount of \$1,250 for driveway alteration/right of way at 90 Cox Avenue, Section 2, Block 05, Lot 22.0.

Vote: Unanimous

The Town Board audited and approved payments as indicated on the following warrants:

No. 22 dated December 15, 2014 - \$4,285,597.51

No. 22A dated January 14, 2015 for \$136,861.83 (Dec. 30th Library warrant & Dec 31st payments)

No. 22B dated January 14, 2015 for \$819,606.08 (2014 accounts payables)

After all persons were heard who desired to be heard, the Supervisor closed the meeting at 10:20 p.m. in memory of residents George Pappalardo, Charles D'Onofrio, Joseph Ambrosecchio, Dean Sanden, Doris Finch Watson- resident and Town Historian, and Linda Hang, sister-in-law of Joan Goldberg, Town Administrator.

Anne Curran, Town Clerk

Dated: February 13, 2015

PUBLIC HEARING

January 14, 2015

At 8:50 p.m. Supervisor Schiliro 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 in Town Hall, 15 Bedford Road, Armonk, NY, 10504, on January 14, 2015 at 7:30 p.m. or as soon thereafter, to consider proposed zoning amendments to amend Section 213-65 of the North Castle Town Code regarding establishing alternate Zoning Board of Appeals positions for purposes of substituting for a member in the event such member is unable to participate because of a conflict of interest.

The proposed local law is available in the Town Clerk's office during regular business hours and on the Town website. ALL PERSONS HAVING AN INTEREST IN THE MATTER ARE INVITED TO ATTEND AND BE HEARD.

By Order of the Town Board
Anne Curran, Town Clerk

Dated: December 30, 2014
Armonk, NY

The Public Notice 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.

Proposed Local Law.

Supervisor Schiliro said that in the rare instance when a member of the Zoning Board of Appeals needs to recuse himself, there would be an alternate member. Mr. Schiliro said this is not

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common, but is done in other municipalities and was recommended by the Chair of the Zoning Board of Appeals.

Town Attorney Roland Baroni reiterated that the alternate member would only be able to be used in a very limited circumstance where there is a conflict; the alternate cannot be used when a member is simply unavailable for a meeting

Supervisor Schiliro said his concern regarding the continuity of an application was answered by the Chair of the Zoning Board of Appeals who said that it is rare when a decision regarding an application goes beyond one meeting.

The Board agreed that the term of the alternate position would be two years.

After all persons were heard who desired to be heard, Councilman D'Angelo moved, seconded by Councilman Reiter, that the Public Hearing be closed at 8:53 p.m.

The roll call vote was as follows:

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

Noes: None

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, the adoption of Local Law 1 of 2015, to amend Section 213-65 of the North Castle Town Code regarding establishing alternate Zoning Board of Appeals positions with a term of two years for purposes of substituting for a member in the event such member is unable to participate because of a conflict of interest.

The roll call vote was as follows:

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

Noes: None

The Local Law follows at the end of these minutes.

Anne Curran, Town Clerk

Dated: February 20, 2015

TOWN OF NORTH CASTLE

**Local Law No. 1 of the Year 2015
Adopted January 14, 2015**

A Local Law to amend the Code of the Town of North Castle to amend Chapter 213 entitled ZONING.

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

1. Section 213-65 Board of Appeals Subsection A. Organization is hereby amended to read as follows:

1. The Board of Appeals, as heretofore established by the Town Board, is hereby maintained.
2. Alternate Members - The Town Board hereby establishes alternate Zoning Board of Appeals positions for purposes of substituting for a member in the event such member is unable to participate because of a conflict of interest. Alternate members of the Zoning Board of Appeals shall be appointed by resolution of the Town Board for terms established by the Town Board.
3. The chairperson of the Zoning Board of Appeals may designate an

alternate member to substitute for a member when such member is unable to participate because of a conflict of interest on an application or matter before the Board. When so designated, the alternate member shall possess all the powers and responsibilities of such member of the Board. Such designation shall be entered into the minutes of the initial Zoning Board of Appeals meeting at which the substitution is made.

4. All provisions of this section relating to Zoning Board of Appeals member training and continuing education, attendance, conflict of interest, compensation, eligibility, vacancy in office, removal, and service on other boards, shall also apply to alternate members.

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