

Town Board Minutes  
Regular meeting  
Town of North Castle  
15 Bedford Road  
Armonk, New York  
on  
December 9, 2015

The Town Board meeting was called to order at 7:35 p.m. on the duly adopted motion of Councilman D'Angelo and the following persons were present:

Supervisor:	Michael J. Schiliro
Councilmen:	Stephen D'Angelo
	Barbara W. DiGiacinto
	Barry S. Reiter
	Guy A. Mezzancello

Town Clerk	Anne Curran
Town Counsel	Roland A. Baroni
Town Administrator	Joan Goldberg

The minutes of the Public Hearings that commenced at 8:23 p.m. follow at the end of these minutes.

In honor of John Fava's resignation effective December 3, 2015, Supervisor Schiliro read aloud the following Proclamation to honor Mr. Fava's achievements:

WHEREAS, John Fava, a founding member of the North Castle Conservation Board (1975), and Chairman for 14 years, has announced his resignation effective December 3, 2015; and

WHEREAS, John worked for Westchester County more than 35 years in the Department of Planning and of Parks, Recreation and Conservation until his retirement in 1991; and

WHEREAS, John has generously volunteered his time and expertise without personal or political bias to numerous Town Committees and Boards and special projects including 10 years of service on the North Castle Recreation and Parks Board; during this time he filled a pivotal role in the development of the 24 acre North Castle Community Park;

WHEREAS, the Armonk Lions Club recognized John's vast contributions to the citizens of North Castle by presenting him the 1996 Pat J. Bresha Award for Distinguished Service to the Community; and

WHEREAS, the NYS Association Conservation Commission recognized John's environmental legacy by their award recognizing an individual for "Life-Long Environmental Concern and Service"; and

WHEREAS, John's 40 years of volunteer service have set a standard for professionalism and commitment producing a body of work that stands as a model for anyone interested in public service;

WHEREAS, the citizens of the Town of North Castle wish to honor John Fava's dedicated volunteerism, shared knowledge regarding our natural environment both above and below the ground, commitment to conserving our open space and parkland, unfailing good humor, kindness and generosity of spirit;

NOW, THEREFORE, BE IT RESOLVED, that on this 9th day of December, 2015, The Town Board presented the Proclamation to John Fava with gratitude for his invaluable contributions to the Town of North Castle and wished him well on a long and very successful career.

Supervisor Schiliro read aloud a Resolution in honor of Town Clerk Anne Curran, as this was the last Town Board meeting of the year and the last meeting for Clerk Curran.

Town Clerk Anne Curran stated that during five Town Board administrations, she had the opportunity to work with and learn from fine professionals and contribute to various projects that gave her great personal satisfaction. In addition, she said she enjoyed getting to know so many residents, wonderful volunteers and dedicated election workers and she greatly enjoyed serving the public in the variety of ways that connect the community to the Clerk's Office. Ms. Curran expressed gratitude to former Town Clerk Ann Leber, Town Attorney Baroni, Department Heads and others with whom she worked closely with, and in particular Deputy Clerk Barbara Pesquera, Rita Ross and Betty Sanchirico, noting that the team in the Town Clerk's Office is always pleasant, ready to help and incredibly resourceful. Ms. Curran said that the new Town Clerk, Alison Simon, will be

dedicated to building upon the strong foundation in the Clerk's Office and continue to serve the public with enthusiasm.

Councilman DiGiacinto moved, seconded by Councilman Reiter, approval of the minutes of the November 18, 2015 meeting.

Vote: Unanimous

Regarding the development of a municipal parking lot behind the Hergenhan Recreation Center in Armonk, Councilman DiGiacinto moved, seconded by Councilman Reiter the following:

- that the Town Board declare its intent to act as Lead Agency, and
- to adopt the following resolution to authorize the funding of \$195,000 for this project:

WHEREAS, the Town of North Castle is proposing the construction of a 73 space off-street parking lot located behind the Hergenhan Recreation Center in the Armonk Hamlet within the Town of North Castle; and

WHEREAS, the Town has anticipated that the project cost is \$445,000; and

WHEREAS, the Town was awarded a \$250,000 State and Municipal Facilities Program grant from the State of New York; and

WHEREAS, the Town anticipates contributing \$195,000 toward the project;

NOW, THEREFORE, BE IT RESOLVED, that the Town of North Castle hereby commits that \$195,000 will be available to construct the subject project.

Vote: Unanimous

Regarding the Madonna Age-Restricted Project, Old Mount Kisco Road, Councilman D'Angelo moved, seconded by Councilman DiGiacinto, receipt of revised Local Law for Zoning Text Amendments.

Vote: Unanimous

Regarding the Madonna Age-Restricted Project, Old Mount Kisco Road, Councilman Reiter moved, seconded by Councilman DiGiacinto, that the Town Board declare its intent to act as Lead Agency regarding a local law to amend Chapter 213 of the Town of North Castle Town Code with respect to the R-MF-SCH Zoning District.

Vote: Unanimous

Councilman DiGiacinto moved, seconded by Councilman Mezzancello, confirmation of the following address changes:

<b><u>Owner</u></b>	<b><u>Section, Block, Lot</u></b>	<b><u>Old Address</u></b>	<b><u>New Address</u></b>
Linda & Steven Sacripanti	122.16-4-14.2	2 Oak Street	2 Deer Hill Place
Linda & Steven Sacripanti	122.16-4-14.1	4 Oak Street	4 Deer Hill Place
Janet & Harold Ripolone	122.16-4-12	5 Oak Street	5 Deer Hill Place
Isaac & Nazi Cohen	107.01-1-17	12 Whippoorwill Crossing	14 Whippoorwill Crossing
Randi Felton & Hardy Johnson	107.01-1-18	14 Whippoorwill Crossing	12 Whippoorwill Crossing

Regarding the East of Hudson Watershed Corporation agreement, Councilman DiGiacinto moved, seconded by Councilman D'Angelo, adoption of a resolution accepting its Operation and Maintenance Policy and agreement to maintain the stormwater retrofit practices, as follows:

WHEREAS, the Town of North Castle is a member of the East of Hudson Watershed Corporation ("EOHWC"), a not-for-profit local development corporation formed to assist the member municipalities in complying with the stormwater retrofit requirements of the Municipal Separate Storm Sewer System Permit (MS4 Permit); and

WHEREAS, EOHWC has installed and will continue to install stormwater retrofit projects (SRPs) or has reimbursed member municipalities for installing SRPs in compliance with the first five-year Regional Stormwater Retrofit Plan and intends to do so for the second five-year plan to the extent funding is provided by New York City Department of Environmental Protection (DEP); and

WHEREAS, the MS4 Permit requires member municipalities to maintain each SRP for its useful life to ensure that it continues to operate as it was designed; and

WHEREAS, the Board of Directors of EOHWC has adopted an O&M Policy providing for the equitable sharing of the costs and responsibilities of O&M by all member municipalities in a manner consistent with the MS4 Permit bubble compliance concept, conditioned on the legislative body of each member municipality agreeing to comply with the terms and conditions of the O&M Policy; and

WHEREAS, approval of the O&M Policy is a Type II action exempt from the State Environmental Quality Review Act (SEQRA) under 6 NYCRR 617.5(c)(1) as it relates to the routine maintenance of the SRPs; and

WHEREAS, approval of the O&M Policy is in the best interests of the Town of North Castle as it assures continued compliance by the Town with the MS4 Permit;

NOW THEREFORE IT IS HEREBY RESOLVED by the Town Board of the Town of North Castle that:

1. The Town of North Castle accepts and agrees to the terms and conditions of the EOHWC O&M Policy; and

2. Authorizes the Supervisor to take whatever other actions are required to implement this resolution.

Vote: Unanimous

Councilman Reiter moved, seconded by Councilman D'Angelo, the award of bid for cleaning services for Town buildings to Milveen Environmental Services, the lowest bidder at \$29,500, effective January 1, 2016 through December 31, 2016.

Vote: Unanimous

Regarding the LT2 UV Disinfection Project of North Broadway booster pump station in Water District No. 1, Councilman D'Angelo moved, seconded by Councilman Mezzancello, the award of bid for construction to Kings Capital Construction for \$1,093,750 and further authorized the Supervisor to sign the agreement.

Vote: Unanimous

Regarding the LT2 UV Disinfection Project of North Broadway booster pump station in Water District No. 1, Councilman D'Angelo moved, seconded by Councilman DiGiacinto, authorization of an amendment to the agreement with GHD Consulting Services, Inc. for an additional \$46,500 for the following work:

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|--|----------|
| - Final Design of Emergency Generator                | \$ 8,500 |
| - PLC Programming/Process Control System Development | \$38,000 |

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, a resolution to support increased NYS funding for transportation infrastructure.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman Reiter, approval for release of the \$500 cash bond to Marc Mancini regarding Halloween special event.

Vote: Unanimous

Pursuant to a letter from Tax Receiver Colombo regarding a consent judgment for BRJS Corporation, 825 N Broadway, North White Plains, NY, Tax Map #122.12-4-29, Councilman D'Angelo moved, seconded by Councilman DiGiacinto, authorization to issue a refund in the amount of \$10,898.45 for tax years 2011 through 2015.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, authorization for the Town's Attorneys to execute a Consent Judgment in the Tax Certiorari matter of Con Edison Company of NY, Inc. vs. Town of North Castle et al – Index No. 67123/14.

Vote: Unanimous

Town Board Minutes  
December 9, 2015

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, receipt of Small Claims Notice of Hearing regarding Craig Marderstein claim and referral to Town attorneys.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, authorization for the Supervisor to sign the following two change orders with Jennings Company regarding reconstruction of the Gazebo in Wampus Brook Park:

- Proposal 2R for Electrical enhancements: \$2,102
- Proposal 3R for Ceiling access door: \$1,717

Vote: Unanimous

Councilman Reiter moved, seconded by Councilman DiGiacinto, authorization for the Supervisor to sign an engagement agreement with Bonadio & Company to audit the financial statements for the Town and Justice Court as prescribed by NYS for fiscal year ending 2015.

Vote: Unanimous

Councilman Reiter moved, seconded by Councilman D'Angelo, authorization for the Supervisor to sign an agreement with Virtual Towns & Schools for a complete redesign of the website and conversion to Responsive Web Design content management system for a net fee of \$3,000.

Vote: Unanimous

Councilman Reiter moved, seconded by Councilman D'Angelo, authorization for the Supervisor to sign network support contracts with Sullivan Data Management in the amount of \$33,038.00 for the Town contract, and \$13,600.00 for the Police Department contract for the period January 1, 2016 through December 31, 2016.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, authorization for the Supervisor to sign the agreement with Empire Consulting for 2016 drug and alcohol testing of Highway Dept. personnel for an annual fee of \$250, plus fees for specific tests as outlined in the agreement.

Vote: Unanimous

Councilman Reiter moved, seconded by Councilman D'Angelo, authorization for the Supervisor to sign the weather consulting service agreement with WeatherWorks for 2016, at a cost of \$1,750.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, authorization for the Supervisor to sign an interagency agreement for 2016 with North East Westchester Special Recreation, Inc. to operate a therapeutic recreation program for individuals with disabilities at a cost of \$6,939.37.

Vote: Unanimous

Councilman DiGiacinto moved, seconded by Councilman Reiter, authorization for the Supervisor to sign the 2016 agreement with Westchester ARC for hourly workers doing street maintenance on Main Street, Armonk.

Vote: Unanimous

Councilman Reiter moved, seconded by Councilman D'Angelo, receipt of letter of resignation from John Fava, Conservation Board, effective December 3, 2015.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman Reiter, receipt of letter of resignation from Anne Curran, Town Clerk, effective December 31, 2015.

Vote: Unanimous

Councilman DiGiacinto moved, seconded by Councilman Reiter, the probationary appointment of Megan Dean to Assistant Library Director II, effective December 14, 2015, subject to Library Board ratification.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman Reiter, the promotion of Motor Equipment Operator, Alexander Farquhar to Highway Maintenance Foreman, effective December 14, 2015.

Town Board Minutes  
December 9, 2015

Vote: Unanimous

Councilman Reiter moved, seconded by Councilman DiGiacinto, the following Board reappointments, effective January 1, 2016:

- Frank Lattarulo, Parks and Recreation Board for a term to expire December 31, 2018
- Les Berkelhamer, Zoning Board for a term to expire December 31, 2020
- Sean Ryan, Library Board of Trustees for a term to expire December 31, 2020
- Matthew Manfredi, Housing Board for a term to expire December 31, 2020

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman Reiter, to ratify the change in effective date to November 23, 2015 of title change for Gabrielle Madera, Librarian Trainee.

Vote: Unanimous

Councilman DiGiacinto moved, seconded by Councilman Reiter, the consensus agenda as follows:

- Receipt of Town Clerk's monthly report, November 2015
- Approval of request of General Foreman Norris for release of the following Highway Bonds:
  - o Seminara & Sons – Permit 0873 for driveway alteration at 111 Bedford Road in the amount of \$500
  - o John Zastenchik – Permit 0881 for driveway alteration at 14 Overlook Road North in the amount of \$500
  - o Hartshorn Paving – Permit 0879 for driveway alteration at 114 Cox Avenue in the amount of \$500
- Receipt of Cablevision Franchise fee payments, 3<sup>rd</sup> quarter
  - o Cablevision system in the amount of \$30,628.00
  - o Southern Westchester system in the amount of \$8,794.00

Vote: Unanimous

The Town Board audited and approved payments of \$3,795,318.67 as indicated on Warrant #21.

After all persons were heard who desired to be heard the Supervisor adjourned the regular meeting at 12:05 a.m. to Executive Session. The regular meeting was adjourned in memory of residents Thomas Fraser and Betty Martineau; former resident Arcangelo (Arky) Bollella, and Nicholas Troiano, father of Rocco Troiano on a motion made by Councilman D'Angelo, seconded by Councilman DiGiacinto. The Executive Session closed at 1:10 a.m on a motion made by Councilman D'Angelo and seconded by Councilman DiGiacinto.

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Anne Curran, Town Clerk

Dated: December 30, 2015