

Town Board Minutes
Organizational Meeting
Town of North Castle
15 Bedford Road
Armonk, New York
on
January 13, 2016

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 7:40 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 W. DiGiacinto
	Barry S. Reiter
	José L. Berra
Town Clerk	Alison Simon
Town Counsel	Roland A. Baroni
Town Administrator	Joan Goldberg

Councilman D’Angelo moved, seconded by Councilman DiGiacinto, 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

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.

Vote: Unanimous

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 Alison Simon	
Records Access Officer	Pleasure of the Town Board
Town Clerk Alison Simon	
Registrar of Vital Statistics	Pleasure of the Town Board
Town Clerk Alison Simon	
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 Alison Simon	
Town Comptroller	Pleasure of the Town Board
Pending	
Town Co-Historians	Pleasure of the Town Board
Sharon Tomback & North Castle Historical Society	
Secretary to Zoning Board of Appeals	Pleasure of the Town Board
Lori Zawacki	
Secretary to Planning Board	Pleasure of the Town Board
Valerie Desimone	

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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

Patricia Romero

Confidential Secretary to the Supervisor Pleasure of the Supervisor

Mindy Berard

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, 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 Berra
3. North White Plains	Councilman DiGiacinto
Library Board 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 & Finance Advisory Committee	Councilman D'Angelo
Chamber of Commerce	Councilman D'Angelo
Conservation Board	Councilman Berra
Communications Committee	Councilman TBD
Housing Board	Councilman DiGiacinto
Landmarks Preservation Committee	Councilman Berra
NC4 Liaison	Councilman Reiter
Open Space Committee	Councilman Berra
Real Estate Committee	Councilman Reiter
Recycling Committee	Councilman Berra
Safety/Risk Committee	Councilman Reiter

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman Reiter:

To authorize the continuation of the Town's policy of placing legal notices in The Journal News, and

To 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.

Vote: Unanimous

Councilman DiGiacinto moved, seconded by Councilman Reiter:

To authorize the policy of paying 54 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.

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

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman Berra:

To authorize the adoption of the Town's revised 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.

To authorize the Town's Master Fee Schedule for 2016.

Vote: Unanimous

Councilman Berra 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 D'Angelo moved, seconded by Councilman DiGiacinto:

To authorize the Town Comptroller, and in the absence of the Town Comptroller, authorize the Town Administrator 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, Water & Sewer 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.

Vote: Unanimous

Councilman Berra moved, seconded by Councilman D'Angelo:

To authorize the Supervisor to pay 2016 salaries in installments on the following dates: January 8 and 22, February 5 and 19, March 4 and 18, April 1, 15 and 29, May 13 and 27, June 10 and 24, July 8 and 22, August 5 and 19, September 2, 16 and 30, October 14 and 28, November 11 and 25, December 9 and 23.

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 Reiter, authorization for the Supervisor to use a Town issued charge card for payment of Town-related expenses.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman DiGiacinto:

To authorize the Supervisor to sign the agreement between the Town of North Castle and Stephens, Baroni, Reilly & Lewis, LLP for legal services in 2016.

To authorize the Supervisor to sign the agreement between the Town of North Castle and Patrick Bliss, Esquire, for legal services with regard to the Justice Court in 2016.

To authorize the Supervisor to sign the agreement between the Town of North Castle and Kellard Sessions Engineering & Consulting P.C., for engineering services in 2016.

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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 2016.

To authorize the Supervisor to sign the agreement between the Town of North Castle and Keane & Beane, P.C., for legal consulting services with regard to labor matters in 2016.

Vote: Unanimous

Councilman Reiter 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 2016.

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, Inc. for fire protection in 2016.

To authorize the Supervisor to sign the agreement between Fire District No. 2 of the Town of North Castle on behalf of Banksville and Fire Protection District No. 3 for emergency ambulance service to persons within the boundaries of Banksville Fire Protection District No. 3 for 2016.

To authorize the Supervisor to confirm the Hydrant Use Agreement for 2016 between Water District No. 1 of the Town of North Castle and North Castle South Fire District No. 1 for the term of January 1, 2015 – December 31, 2017.

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 2016.

Vote: Unanimous

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

Vote: Unanimous

Councilman Reiter moved, seconded by Councilman D'Angelo, authorization for the Supervisor to sign an 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 2016.

Vote: Unanimous

Councilman Berra moved, seconded by Councilman D'Angelo, ratification of the 2016 Waste and Recycling Schedule.

Vote: Unanimous

After all persons were heard who desired to be heard, the Supervisor closed the organizational meeting at 7:55 p.m.

Alison Simon, Town Clerk

Dated: January 25, 2016

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Regular Meeting
Town of North Castle
15 Bedford Road
Armonk, New York
on
January 13, 2016

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Supervisor Schiliro announced the continuation of the regular meeting agenda at 7:56 p.m. and the following persons were present:

Supervisor:	Michael J. Schiliro
Councilmen:	Stephen D'Angelo
	Barbara W. DiGiacinto
	Barry S. Reiter
	José L. Berra

Town Clerk	Alison Simon
Town Attorney	Roland A. Baroni
Town Administrator	Joan Goldberg

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, approval of the minutes from the December 9, 2015 meeting.

The roll call vote was as follows:

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

Noes: None

Abstained: Councilman Berra

With regard to the Madonna Wampus Mills Project at 805 - 809 Route 128, Kory Salomone, Veneziano & Associates, appeared before the Board with his client Frank Madonna in connection with the zoning petition and sewer district extension petition submitted in September 2015. Mr. Salomone described the subject property of two adjacent parcels, lots 6 and 7, of approximately 10 acres and currently zoned as R-2A, two acre zoning. The zoning petition requests that the property be rezoned to R-1A, one acre zoning. The petition to extend Sewer District No. 2 includes the two parcels as well as eight additional parcels on the second half of Old Mt. Kisco Road. Mr. Salomone noted that Mr. Madonna's age-restricted project on Old Mt. Kisco Road includes the extension of the District to the first half of Old Mt. Kisco Road. He said the Town Board referred the Wampus Mills project to the Planning Board which adopted a positive recommendation (5-0) in favor of the rezoning in November 2015.

In response to queries from the Board, Mr. Salomone confirmed that the plan for the Wampus Mills Project is to develop six units and four units can be built as of right under the existing zoning.

In response to queries from Councilman D'Angelo, Sal Misiti, Director of Water and Sewer Operations, said the draft sewer capacity report is expected in a few weeks and suggested that when the report is finalized a Work Session be held for the engineers to present the report with the options requested by the Board. Mr. Misiti said that the six new units being proposed were not included in the original allocation for the sewer extension to all lots on Old Mt. Kisco Road as included in the first Sewer Task Force Study and in the original expansion of the sewer plant. With regard to the sewer extension on Old Mt. Kisco Road, Mr. Misiti said everyone concerned needs to know exactly what is going to be done regarding the individual home connections and this should be detailed for the residents.

In response to queries from Councilman DiGiacinto regarding protecting the subject property from becoming a larger subdivision if the zoning were amended, and from Supervisor Schiliro if there could be a deed restriction to ensure a maximum density of six units, Director of Planning Adam Kaufman said this could be done.

Councilman DiGiacinto expressed concerns regarding comments from the Planning Board regarding the proposed sewer use and Kellard Sessions regarding stormwater mitigation and sewer capacity. Ms. DiGiacinto said she would like written information for the residents of Old Mt. Kisco Road regarding the sewer connections to their homes. Town Attorney Roland Baroni said the map, plan and report would be the subject of a public hearing on the sewer district extension. Mr. Kaufman said that the comments from the Planning Board and Kellard Sessions were technical subdivision comments separate from the zoning request.

Mr. Baroni said two public hearings are required, one regarding the zoning and the other regarding the amendment to the Comprehensive Plan Map, which could be held at the same meeting. He added that a public hearing regarding the sewer district extension could be held soon after the

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hearing on the zoning, and added that a proceeding for the extension should not begin until it is certain that the zoning will be put in place.

With regard to Madonna Wampus Mills Project 805 - 809 Route 128, Councilman D'Angelo moved, seconded by Councilman Reiter, receipt of a letter from Veneziano & Associates dated January 4, 2016, and Planning Board memos dated November 20, 2015 and November 24, 2015, and further moved the scheduling of Public Hearings regarding the zoning petition and amendment to the Comprehensive Plan Map on February 24, 2016.

Vote: Unanimous

The Fareri application for 37 and 41 Maple Avenue regarding Zoning Text Amendments and Special Use Permit was tabled at the applicant's request.

Councilman Reiter moved, seconded by Councilman D'Angelo, receipt of updated Well Field Assessment Report dated December 2015 as part of the original Brynwood Petition to join Water District No. 2.

Vote: Unanimous

Councilman Reiter moved, seconded by Councilman DiGiacinto, authorization for the Supervisor to execute a Settlement Agreement with Bilotta Construction Corp. in the amount of \$200,000 in connection with the Water District No. 2 Water System Replacement Project.

Vote: Unanimous

Councilman Reiter moved, seconded by Councilman Berra, approval of the Town's 2016 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 AOTSNY annual business meeting in February, 2016.

Vote: Unanimous

Councilman Berra moved, seconded by Councilman DiGiacinto, to award the bid for 2016 methanol supply for the Sewer District No. 2 wastewater treatment plant to the low bidder, George S. Coyne Chemical Company, Inc. and further authorized the Supervisor to sign the agreement.

Vote: Unanimous

Councilman Reiter moved, seconded by Councilman DiGiacinto, receipt of mortgage tax collection update for the period April 2015 through September 2015.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, receipt of the Planning Board recommendation to reduce the construction performance bond for the Byram Ridge Road Subdivision based on the work completed, and further moved authorization to reduce the cash bond from \$191,500 to \$138,880 and issue a payment to Byram Ridge Estates LLC in the reduction amount of \$52,620.

Vote: Unanimous

Councilman Reiter moved, seconded by Councilman DiGiacinto, authorization of payments to The GEA Group for engineering services regarding Long Pond Dam in the total amount of \$2,688.85 for the following two invoices:

- Invoice No. 589-4 in the amount of \$992.41
- Invoice No. 589-5 in the amount of \$1,696.44

Councilman Berra recused himself due to a professional conflict.

The roll call vote was as follows:

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

Noes: None

Abstained: Councilman Berra

Councilman Reiter moved, seconded by Councilman Berra, authorization of request from Director of Sewer and Water Operations Misiti, to purchase a turbine well pump for Water District No. 4 from S.B. Church Company at a cost of \$15,490.

Vote: Unanimous

Councilman Berra moved, seconded by Councilman DiGiacinto, receipt of notification from Cablevision Systems Westchester Corporation and Cablevision of Southern Westchester, Inc. of

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intent to renew franchise agreements to continue to provide service to the Town. The current agreements are due to expire on December 5, 2018.

Vote: Unanimous

Pursuant to the recommendation of Kellard Sessions Consulting, Councilman Reiter moved, seconded by Councilman DiGiacinto, approval of final payment, requisition #3, in the amount of \$10,688.40 to Vernon Hills Contracting Corp in connection with the Town's sidewalk improvement project.

Vote: Unanimous

Councilman Reiter moved, seconded by Councilman DiGiacinto, approval of request from Director of Water and Sewer Operations Misiti to seek bids for the rehabilitation of Water District No. 4 IBM North Well.

Vote: Unanimous

Councilman Reiter moved, seconded by Councilman DiGiacinto, approval of payment No. 7 to Jennings Company Inc. in the amount of \$44,929.00 in connection with the reconstruction of the Gazebo at Wampus Brook Park.

Vote: Unanimous

Councilman DiGiacinto moved, seconded by Councilman Reiter, approval of request from Superintendent of Recreation and Parks Matt Trainor to receive a donation from the Scotto/Perlmutter family to the North Castle Recreation Seniors program in honor of Maria DiMartino's 90th birthday.

Vote: Unanimous

Councilman Reiter moved, seconded by Councilman DiGiacinto, approval of request from Kristie Fontana to hold her wedding ceremony at the Gazebo in Wampus Brook Park on Saturday, September 24, 2016.

Vote: Unanimous

Councilman DiGiacinto moved, seconded by Councilman D'Angelo, ratification of the renewal terms of the Sani-Pro Refuse and Recyclables Collection/Transfer and Disposal Contract from January 1, 2016 through December 31, 2016 with amendments to the option year pricing as follows:

Section IB-3: 2016 commercial collection rate is \$15.41 per unit

Section IVB-3: 2016 residential rate is \$9.52 per unit

Section IIB-3: 2016 commercial transfer and disposal: \$30.73 per unit

Vote: Unanimous

Councilman Berra moved, seconded by Councilman DiGiacinto, authorization for the Supervisor to sign the KVS/Accela agreement for software services utilized by the Finance Department, from January 1, 2016 through December 31, 2016, in the amount of \$10,140.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, authorization for the Supervisor to sign the agreement with Verde Electric Maintenance Corp. for maintenance of traffic light at the intersection of Bedford Road and Maple Avenue, and four flashing beacon assemblies, from January 1, 2016 through December 31, 2016, at a base contact price of \$4,000.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, authorization for the Supervisor to sign a five-year renewal agreement with Westchester County, from October 1, 2016 through September 30, 2020, for removal of snow and ice from County roads; terms of payment for the five years are specified in the agreement.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman Reiter, authorization for the Supervisor to extend the license and operating agreement with Anita Louise Ehrman (ALE) Recreation Center for operation of the pool, for a term to expire October 31, 2016.

Vote: Unanimous

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Councilman D'Angelo moved, seconded by Councilman DiGiacinto, approval of salary increases for the following Department Head and Non-Union employees, effective January 1, 2016:

Adam Kaufman, Victoria Sirota, Patricia Colombo, Jamie Norris, Sal Misiti, Matt Trainor, Mindy Berard and Patricia Romero.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, approval of an hourly salary increase to \$32.00 per hour for Marianne Bischoff, Intermediate Account Clerk, effective January 1, 2016.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, approval of salary correction regarding promotion of Alexander Farquhar to Road Maintainer/Foreman, effective December 14, 2015.

Vote: Unanimous

Councilman DiGiacinto moved, seconded by Councilman Reiter, authorization for an increase to 35 hours per week for Tanya Orr, Full-Time Personnel Manager, effective January 14, 2016.

Vote: Unanimous

Councilman Reiter moved, seconded by Councilman Berra, ratification of the Library Board's probationary appointment of Edie Martimucci to Library Director II with no change in salary.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, authorization for Supervisor to sign an amendment to the Collective Bargaining Agreement, dated January 1, 2012 through December 31, 2016, between the Town and CSEA Unit II. The following employees will receive a one-time increase in base pay as a snow removal differential effective January 1, 2016 and a one-time stipend for snow removal duties in 2015: Don Brandes, Kevin Foley, John Madera, Greg Wilson and Roger Zepp.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, the appointment of Susan Lichten to Chairman of Parks and Recreation Advisory Board to serve at the pleasure of the Town Board.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, the appointment of Brendan Molloy to the Parks and Recreation Advisory Board for a term to expire December 31, 2018.

Vote: Unanimous

Councilman Berra moved, seconded by Councilman D'Angelo, recognition of service of Art Adelman to the Planning Board.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, recognition of service of Joe DiMauro to the Parks and Recreation Advisory Board.

Vote: Unanimous

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

- Receipt of Town Clerk's report – December 2015
- Receipt of 2014 audit and financial statements from North Castle South Fire District No. 1.
- Approval of request from General Foreman Norris for release of the following highway bonds:
 - o JCM Services, Inc. – Permit 0877 for driveway alteration at 69 High Street in the amount of \$500.
 - o John Protos – Permit 0840 for curb cut/street opening at 95 High Street in the amount of \$1,750.
 - o Craig Hall – Permit 0864 for driveway alteration at 13 Smallwoods Place in the amount of \$500.
 - o Antonio Maiuolo – Permit 0865 for driveway alteration at 12 Smallwoods Place in the amount of \$500

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- o Maureen Keller – Permit 0863 for driveway alteration at 24 Smallwoods Place in the amount of \$500.00.
 - Receipt of Notice of Claim and referral to Town Attorneys regarding Anna A. Macsai vs. Town of North Castle.
- Vote: Unanimous

Councilman DiGiacinto moved, seconded by Councilman Reiter, a Resolution to amend the Resolution dated August 5, 2015 in connection with the establishment of the Long Pond Park District. The Resolution follows at the end of these minutes

The roll call vote was as follows:

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

Noes: None

Abstained: Councilman Berra

The Town Board audited and approved payments of:

\$413,191.80 as indicated on Warrant # 22 (for fiscal year 2015)

\$83,106.19 as indicated on Warrant #1 (for year 2016)

After all persons were heard who desired to be heard, the Supervisor closed the meeting at 10:00 p.m. in memory of residents Gertrude Ungemack and Rocco Russo, Sr.; former resident and member of Zoning Board of Appeals James Mahon; and Sara Wilbur, sister of Martin Wilbur.

Alison Simon, Town Clerk

Dated: January 25, 2016

RESOLUTION AMENDING
RESOLUTION DATED AUGUST 5, 2015

A Resolution Making Certain Determinations
In Relation to the Proposed Establishment of
Long Pond Park District in the Town of North Castle
Westchester County, New York

WHEREAS, pursuant to Section 190 of the Town Law, the Town Board of the Town of North Castle, Westchester County, New York, has heretofore received a petition therefore and duly caused a map, plan and report to be prepared and filed in the office of the Clerk of said Town in relation to the establishment of the Long Pond Park District in said Town.

WHEREAS, an order was duly adopted by said Town Board on June 24, 2015, reciting a description of the boundaries of said proposed District by Tax Map Designation, the improvements proposed, the maximum amount proposed to be expended for said improvements, the proposed method of financing to be employed, the fact that said map, plan and report were on file in the Town Clerk's Office for public inspection and specifying the 22nd day of July, 2015, at 7:30 o'clock P.M., Prevailing Time, at Town Hall, in North Castle, New York, as the time when and the place where said Town Board would meet for the purpose of holding a public hearing to hear all persons interested in the subject thereof concerning the same; and

WHEREAS, such order was duly published and posted in the manner and within the time prescribed by Section 193 of the Town Law, and proof of said publication and posting has been duly presented to said Town Board; and

WHEREAS, said public hearing was duly held at the time and place set forth in said order, as aforesaid, at which all persons desiring to be heard were duly heard, and the public hearing was then adjourned; and

WHEREAS, the public hearing was re-convened on August 5, 2015, at which time all persons desiring to be heard were duly heard and the public hearing then closed; and

WHEREAS, said Town Board has duly considered said petition, map, plan and report and the evidence given at said public hearing;

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of North Castle, Westchester County, New York, as follows:

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined as follows:

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- a) The petition was signed and acknowledged as required by law and is otherwise sufficient;
 - b) The notice of hearing was published, posted and mailed as required by law, and is otherwise sufficient;
 - c) All the property and property owners within said proposed District are benefitted thereby;
 - d) All the property and property owners benefitted are included within the limits of said proposed District; and
 - e) It is in the public interest to grant, in full, the relief sought.
- Section 2. The resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Michael Schiliro	voting Aye
Stephen D'Angelo	voting Aye
Barbara DiGiacinto	voting Aye
Barry Reiter	voting Aye
José Berra	voting Abstained

and the resolution was thereupon declared duly adopted.

Dated: January 13, 2016
Armonk, New York

I, Alison Simon, Town Clerk of the Town of North Castle, do hereby certify that the above resolution was duly adopted at a regularly scheduled meeting of the Town Board of the Town of North Castle held on January 13, 2016 and that the above resolution is a true and correct transcript thereof.

Alison Simon, Town Clerk