

**REGULAR MEETING/WORKSESSION
TOWN HALL ANNEX
SEPTEMBER 14, 2010**

PRESENT: Supervisor: Warren Lucas
Councilman: Stephen Bobolia
Councilman: Peter Kamenstein
Councilwoman: Elizabeth Reeve
Councilwoman: Amy Rosmarin
Town Clerk: Veronica Howley
Attorney for Town: Roland Baroni

The meeting was called to order by Supervisor Lucas at 7:50 P.M. The following Public Hearings were held prior to the Regular Meeting/Worksession:

- **\$75,000 Bonds – Improvements to Sunset Ridge Water District**
- **\$60,000 Bonds – Candlewood Lake Park Dam**
- **\$163,000 Bonds – Improvements to Croton Falls Water District**

APPROVAL OF MINUTES

The following Minutes as submitted by the Town Clerk were approved:

08/10/10 – Regular Meeting/Worksession
08/10/10 – Public Hearing – Amend Chapter 250, Seasonal Outdoor Dining
08/24/10 – Regular Meeting/Worksession
08/24/10 – Public Hearing Cont'd. – Amend Chapter 250, Seasonal Outdoor Dining
08/27/10 – Special Meeting

REPORTS

The following reports were approved:

1. Building Inspector's Monthly Report – August 2010.
2. Highway Department Monthly Report – August 2010.
3. Planning Board Financial Report – August 2010.
4. Police Department Monthly Report – August 2010.
5. Receiver of Taxes Monthly Report – August 2010.
6. Recreation Department Monthly Report – August 2010.
7. Supervisor's Monthly Report – August 2010.
8. Town Clerk's Monthly Report – August 2010.

RESOLUTIONS

RESOLUTION #210-TO PAY TOWN BILLS

Motion made by Supervisor Lucas
Seconded by Councilman Bobolia

RESOLVED, that Town Bills totaling \$1,380,247.51 as listed on Abstract #9, claims 800 through 930 be audited, approved and ordered paid.

Supervisor Lucas – Aye
Councilman Bobolia - Aye
Councilman Kamenstein – Aye
Councilwoman Reeve – Aye
Councilwoman Rosmarin - Aye
Resolution Adopted.

RESOLUTION #211-TO PAY HIGHWAY BILLS

Motion made by Supervisor Lucas
Seconded by Councilwoman Reeve

RESOLVED, that Highway Bills totaling \$54,521.84 as listed on Abstract #9, claims 323 through 347 be audited, approved and ordered paid.

Supervisor Lucas – Aye
Councilman Bobolia - Aye
Councilman Kamenstein – Aye
Councilwoman Reeve – Aye
Councilwoman Rosmarin - Aye
Resolution Adopted.

RESOLUTION #212-TO AUTHORIZE BID REFUNDS

Motion made by Supervisor Lucas
Seconded by Councilwoman Rosmarin

RESOLVED, that the Town Board of the Town of North Salem hereby authorizes refunds to each of the following for the return of bid packages, in the amounts indicated below:

- Landi Contracting, Inc., 13 Bradhurst Avenue, Hawthorne, NY 10532
Bid Package – Croton Falls Water District Stormwater Management - receipt #017531 - \$50.00
- Con-Tech Construction Technology - 28 Lakeview Drive, Yorktown Heights, NY 10598
Bid Packages - Candlewood Lake Dam – receipt #017525 - \$ 50.00 and Croton Falls Water District Stormwater Management – receipt #017539 - \$ 50.00
- Salem Electric Inc. – P.O. Box 38, North Salem, NY 10560
Bid Packages - Candlewood Lake Dam & Lobdell/Annex Painting – receipt #017533 - \$100.00
- Foremost Development, LLC – 37 Old Albany Road, Ossining, NY 10562
Bid Package - Candlewood Lake Dam – receipt #017529 - \$50.00
- Butler Excavating Corp. – 201 June Road, North Salem, NY 10560
Bid Packages - Candlewood Lake Dam & CFWD Stormwater Management – receipt #017535 - \$100.00

Supervisor Lucas – Aye
Councilman Bobolia - Aye
Councilman Kamenstein – Aye
Councilwoman Reeve – Aye
Councilwoman Rosmarin - Aye
Resolution Adopted.

RESOLUTION #213-TO AUTHORIZE PARKING PERMIT REFUND

Motion made by Supervisor Lucas
Seconded by Councilwoman Rosmarin

RESOLVED, that the Town Board of the Town of North Salem hereby authorizes a refund in the amount of two hundred ninety dollars (\$290.00) to Brian Kavanaugh, 61 Lakeside Drive, North Salem, NY 10560 for the return of Croton Falls Parking Permit #117 (Receipt #017769).

Supervisor Lucas – Aye
Councilman Bobolia - Aye
Councilman Kamenstein – Aye
Councilwoman Reeve – Aye
Councilwoman Rosmarin - Aye
Resolution Adopted.

RESOLUTION #214-TO APPROVE BUDGET TRANSFERS

Motion made by Supervisor Lucas
Seconded by Councilwoman Reeve

RESOLVED, that the Town Board of the Town of North Salem hereby approves the following transfers:

\$12,000 from D51404 Contractual - To: DA91004 Allowances

\$10,283 from DA51101 Salaries Regular - To: DA51401 Miscellaneous Salaries

\$5000 form DA511013 Salaries Summer - To: DA51401 Miscellaneous Salaries

Supervisor Lucas – Aye
Councilman Bobolia - Aye
Councilman Kamenstein – Aye
Councilwoman Reeve – Aye
Councilwoman Rosmarin - Aye
Resolution Adopted.

RESOLUTION #215-TO APPROVE BUDGET MODIFICATION

Motion made by Supervisor Lucas
Seconded by Councilwoman Reeve

RESOLVED, that the Town Board of the Town of North Salem hereby approves the following budget modification:

Debit A2680 – Insurance Recovery \$2,010.78

Credit A7620.4 – Senior Recreation Cont. \$2,010.78

Supervisor Lucas – Aye
Councilman Bobolia - Aye
Councilman Kamenstein – Aye
Councilwoman Reeve – Aye
Councilwoman Rosmarin - Aye
Resolution Adopted.

RESOLUTION #216-TO APPROVE CHANGE ORDER NUMBER 3 PEACH LAKE ENVIRONMENTAL CENTER

Motion made by Supervisor Lucas
Seconded by Councilwoman Rosmarin

RESOLVED, that the Town Board of the Town of North Salem hereby approves Change Order Number 3, for Arben Group, LLC, in connection with the Peach Lake Environmental Center, in the amount of three thousand three hundred twenty-four dollars (\$3,324.00) as approved in a Letter of Transmittal dated August 10, 2010, by Sarah Cwikla, Stearns & Wheler, LLC, Project Manager for the Peach Lake Sewer District Project.

Supervisor Lucas – Aye
Councilman Bobolia - Aye
Councilman Kamenstein – Aye
Councilwoman Reeve – Aye
Councilwoman Rosmarin - Aye
Resolution Adopted.

RESOLUTION #217-TO AUTHORIZE SUPERVISOR TO EXECUTE ENVIRONMENTAL EASEMENT DINO & ARTIE’S

Motion made by Supervisor Lucas
Seconded by Councilwoman Reeve

RESOLVED, that the Town Board of the Town of North Salem, hereby authorizes the grant of an Environmental Easement pursuant to Article 71, Title 36 of the New York State Environmental

Conservation Law to The People of the State of New York acting through the Department of Environmental Conservation (“NYSDEC” for real property owned by North Salem at 610-612 Route 22, North Salem, New York and identified on the Tax Maps of the Town of North Salem as Section 1.1, Block 1727, Lots 3, 4, & 5 (formerly the site occupied by Dino & Artie’s Automatic Transmission Shop) and that the Supervisor be authorized to execute the form of easement and necessary recording documents associated with the same. This resolution is adopted subject to Permissive Referendum.

Supervisor Lucas – Aye
Councilman Bobolia - Aye
Councilman Kamenstein – Aye
Councilwoman Reeve – Aye
Councilwoman Rosmarin - Aye
Resolution Adopted.

RESOLUTION #218-TO REAPPOINT MEMBER TO BOARD OF ASSESSMENT REVIEW

Motion made by Supervisor Lucas
Seconded by Councilwoman Reeve

RESOLVED, that the Town Board of the Town of North Salem hereby reappoints William Monti as an alternate member of the Board of Assessment Review, for a term to expire on September 30, 2015.

Supervisor Lucas – Aye
Councilman Bobolia - Aye
Councilman Kamenstein – Aye
Councilwoman Reeve – Aye
Councilwoman Rosmarin - Aye
Resolution Adopted.

RESOLUTION #219-TO REAPPOINT MEMBER TO BOARD OF ASSESSMENT REVIEW

Motion made by Supervisor Lucas
Seconded by Councilman Bobolia

RESOLVED, that the Town Board of the Town of North Salem hereby reappoints Elaine Sweeney as a member of the Board of Assessment Review, for a term to expire on September 30, 2015.

Supervisor Lucas – Aye
Councilman Bobolia - Aye
Councilman Kamenstein – Aye
Councilwoman Reeve – Aye
Councilwoman Rosmarin - Aye
Resolution Adopted.

RESOLUTION #220-TO REAPPOINT MEMBER TO HISTORIC PRESERVATION COMMISSION

Motion made by Supervisor Lucas
Seconded by Councilwoman Rosmarin

RESOLVED, that the Town Board of the Town of North Salem hereby reappoints Francis X. Tuoti as a member of the Historic Preservation Commission, for a term to expire on September 1, 2015.

Supervisor Lucas – Aye
Councilman Bobolia - Aye
Councilman Kamenstein – Aye
Councilwoman Reeve – Aye
Councilwoman Rosmarin - Aye
Resolution Adopted.

**RESOLUTION #221-TO AUTHORIZE SUPERVISOR TO SIGN SERVICE CONTRACTS
HERITAGE FUEL, INC.**

Motion made by Supervisor Lucas
Seconded by Councilwoman Reeve

RESOLVED, that the Supervisor of the Town of North Salem is hereby authorized to sign the Annual Service Agreements with Heritage Fuel, Inc. for the maintenance of the boilers at Delancey Hall, Lobdell House and The Annex for the period of 9/1/10 through 8/31/11 in the amount of two hundred ninety-nine dollars (\$299.00) for each of the buildings.

Supervisor Lucas – Aye
Councilman Bobolia - Aye
Councilman Kamenstein – Aye
Councilwoman Reeve – Aye
Councilwoman Rosmarin - Aye
Resolution Adopted.

**RESOLUTION #222-TO ACCEPT MAINTENANCE BOND AND GENERAL RELEASE DINO
& ARTIE’S PROJECT**

Motion made by Supervisor Lucas
Seconded by Councilman Bobolia

RESOLVED, that the Town Board of the Town of North Salem hereby accepts the Maintenance Bond No. 105289551-001 in the amount of \$90,636, dated 8/17/10 and general release submitted by Commerical Sweeping in connection with the Dino and Artie’s Project.

Supervisor Lucas – Aye
Councilman Bobolia - Aye
Councilman Kamenstein – Aye
Councilwoman Reeve – Aye
Councilwoman Rosmarin - Aye
Resolution Adopted.

**RESOLUTION #223-TO RESCIND RESOLUTION #205-10 AWARDDING BID -
CANDLEWOOD LAKE DAM MAINTENANCE PROJECT**

Motion made by Supervisor Lucas
Seconded by Councilman Bobolia

RESOLVED, that the Town Board of the Town of North Salem hereby rescinds resolution #205 awarding the bid for the Candlewood Lake Dam Maintenance Project to Hill Construction Co., LLC for sixteen thousand eight hundred dollars (\$16,800.00) in accordance with a memorandum August 20, 2010 from Frank D. Annunziata, P.E. with Hahn Engineering.

Supervisor Lucas – Aye
Councilman Bobolia - Aye
Councilman Kamenstein – Aye
Councilwoman Reeve – Aye
Councilwoman Rosmarin - Aye
Resolution Adopted.

**RESOLUTION #224-TO AWARD BID CANDLEWOOD LAKE DAM MAINTENANCE
PROJECT**

Motion made by Supervisor Lucas
Seconded by Councilman Bobolia

RESOLVED, that the Town Board of the Town of North Salem hereby awards the bid for the Candlewood Lake Dam Maintenance Project to the low bidder, Gentile Construction Corp., for sixteen thousand seven hundred fifty dollars (\$16,750.00) pursuant to the written recommendation dated August 26, 2010 of Frank D. Annunziata, P.E. with Hahn Engineering.

Supervisor Lucas – Aye
Councilman Bobolia - Aye

Councilman Kamenstein – Aye
Councilwoman Reeve – Aye
Councilwoman Rosmarin - Aye
Resolution Adopted.

RESOLUTION #225-TO REJECT TREE TRIMMING BIDS

Motion made by Supervisor Lucas
Seconded by Councilwoman Reeve

RESOLVED, that the Town Board of the Town of North Salem hereby rejects the tree trimming bids for the Highway Department, which were received and opened in the Town Clerk's Office on August 30, 2010.

Supervisor Lucas – Aye
Councilman Bobolia - Aye
Councilman Kamenstein – Aye
Councilwoman Reeve – Aye
Councilwoman Rosmarin - Aye
Resolution Adopted.

RESOLUTION #226-TO AUTHORIZE TOWN OF NORTH SALEM HIGHWAY DEPARTMENT TO SELL TWO USED SWENSON SPREADERS

Motion made by Supervisor Lucas
Seconded by Councilwoman Reeve

RESOLVED that the Town Board of the Town of North Salem hereby authorizes the Highway Department of the Town of North Salem to sell two used Swenson Spreaders for the total sum of \$4,000 allocated \$2,000 each.

Supervisor Lucas – Aye
Councilman Bobolia - Aye
Councilman Kamenstein – Aye
Councilwoman Reeve – Aye
Councilwoman Rosmarin - Aye
Resolution Adopted.

RESOLUTION #227-TO ADOPT PUBLIC INTEREST ORDER SUNSET RIDGE WATER DISTRICT

Motion made by Supervisor Lucas
Seconded by Councilman Kamenstein

ATTACHED

Supervisor Lucas – Aye
Councilman Bobolia - Aye
Councilman Kamenstein – Aye
Councilwoman Reeve – Aye
Councilwoman Rosmarin - Aye
Resolution Adopted.

RESOLUTION #228-TO AUTHORIZE ISSUANCE OF \$75,000 BONDS SUNSET RIDGE WATER DISTRICT

Motion made by Supervisor Lucas
Seconded by Councilwoman Reeve

ATTACHED

Supervisor Lucas – Aye
Councilman Bobolia - Aye
Councilman Kamenstein – Aye
Councilwoman Reeve – Aye
Councilwoman Rosmarin - Aye
Resolution Adopted.

RESOLUTION #229-TO ADOPT PUBLIC INTEREST ORDER CANDLEWOOD PARK DISTRICT

Motion made by Supervisor Lucas
Seconded by Councilman Kamenstein

ATTACHED

Supervisor Lucas – Aye
Councilman Bobolia - Aye
Councilman Kamenstein – Aye
Councilwoman Reeve – Aye
Councilwoman Rosmarin - Aye
Resolution Adopted.

RESOLUTION #230-TO AUTHORIZE ISSUANCE OF \$60,000 BONDS CANDLEWOOD PARK DISTRICT

Motion made by Supervisor Lucas
Seconded by Councilwoman Reeve

ATTACHED

Supervisor Lucas – Aye
Councilman Bobolia - Aye
Councilman Kamenstein – Aye
Councilwoman Reeve – Aye
Councilwoman Rosmarin - Aye
Resolution Adopted.

RESOLUTION #231-TO ADOPT PUBLIC INTEREST ORDER CROTON FALLS WATER DISTRICT

Motion made by Supervisor Lucas
Seconded by Councilwoman Reeve

ATTACHED

Supervisor Lucas – Aye
Councilman Bobolia - Aye
Councilman Kamenstein – Aye
Councilwoman Reeve – Aye
Councilwoman Rosmarin - Aye
Resolution Adopted.

RESOLUTION #232-TO AUTHORIZE ISSUANCE OF \$163,000 BONDS CROTON FALLS WATER DISTRICT

Motion made by Supervisor Lucas
Seconded by Councilman Kamenstein

ATTACHED

Supervisor Lucas – Aye
Councilman Bobolia - Aye
Councilman Kamenstein – Aye
Councilwoman Reeve – Aye
Councilwoman Rosmarin - Aye
Resolution Adopted.

RESOLUTION #233-TO AUTHORIZE SUPERVISOR TO SIGN PROPOSAL JOSEPH COSTANTINO – LOBDELL PORCH REPAIR

Motion made by Supervisor Lucas
Seconded by Councilman Kamenstein

RESOLVED, that the Town Board of the Town of North Salem hereby authorizes the Supervisor to sign an agreement with Joseph Costantino to replace the front beam under the porch of Lobdell per his proposal dated September 14th, at the cost of one thousand two hundred eighty-five dollars (\$1,285.90).

Supervisor Lucas – Aye
Councilman Bobolia - Aye

Councilman Kamenstein – Aye
Councilwoman Reeve – Aye
Councilwoman Rosmarin - Aye
Resolution Adopted.

There being no further business and all those wishing to be heard having been heard, the meeting adjourned at 8:30 P.M. Motion was made by Supervisor Lucas, seconded by Councilman Kamenstein. All voted in favor.

S E A L

Veronica Howley
Town Clerk