

Town Board Minutes
Regular Meeting
Town of North Castle
15 Bedford Road
Armonk, NY
on
September 14, 2016

The Town Board meeting was called to order at 5:07 p.m. at Town Hall and immediately adjourned to a Work Session on the duly adopted motion of Councilman D'Angelo. All Town Board members, the Town Attorney, Town Administrator and the Town Clerk were present for the Work Session. The Work Session adjourned to an Executive Session at 6:49 p.m. on the duly adopted motion of Councilman D'Angelo. All Town Board members, the Town Attorney and the Town Administrator were present for the Executive Session. The Executive Session adjourned at 7:35 p.m. The regular meeting reconvened at 7:38 p.m. and the following persons were present:

Supervisor	Michael J. Schiliro
Councilmen:	Stephen A. 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 August 10, 2016 Town Board meeting.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, receipt of Planning Board recommendation regarding a proposed Local Law to create clarifying language regarding temporary tents, and further moved to schedule a Public Hearing for September 28, 2016.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, approval of the recommendation from the Road Naming Committee to name a new Town road within the Wampus Mills Subdivision, Shoemaker Lane, and to notify the Town of North Castle E-911 Coordinator for distribution.

Vote: Unanimous

Assemblyman David Buchwald was present at the meeting with regard to the notification of a NYS Water Grant in an amount not to exceed \$870,000 from the NYS Environmental Facilities Corporation for upgrades to the water treatment plant, Water District No. 1, North White Plains. Supervisor Schiliro thanked Assemblyman Buchwald for being instrumental in securing the grant. Mr. Buchwald thanked the Town Board, Town Administration, and Director of Water and Sewer Operations Sal Misiti for utilizing the grant fund to provide for clean drinking water. Mr. Buchwald noted that the grant fund was created by the State to supplement its long time existing loan fund. He said that the grant fund will provide \$870,000 for clean water in North White Plains, and the remaining portion of the cost of the project of approximately \$580,000 will be funded through the aforementioned State low-interest loan fund.

Councilman Berra moved, seconded by Councilman D'Angelo, receipt of notification of a NYS Water Grant from the NYS Environmental Facilities Corporation in an amount not to exceed \$870,000 for upgrades to the water treatment plant, Water District No. 1, North White Plains.

Vote: Unanimous

Supervisor Schiliro also thanked Assemblyman Buchwald for being instrumental in securing the award of a \$250,000 State and Municipal Facilities Program grant from NYS for the development of a municipal parking lot behind the Hergenhan Recreation Center.

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Councilman D'Angelo moved, seconded by Councilman DiGiacinto, receipt of letter from Kory Salomone, Esq. dated August 11, 2016 regarding the Madonna 16-unit senior housing project on Route 128 regarding the location of the two required AFFH units.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, authorization to renew the option to extend the License term with Anita Louise Ehrman Recreation Center, Inc. (ALE) for an additional one (1) year period through October 31, 2017.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, authorization to seek \$12,790 from the Hudson River Valley Greenway for trail improvements at the Betsy Sluder Nature Preserve, and adoption of a Resolution endorsing the application for a grant under the 2016 Greenway Conservancy Small Grant Program.

Vote: Unanimous

Councilman Reiter moved, seconded by Councilman DiGiacinto, receipt of a Petition dated August 17, 2016 from North Castle Town Assessor, Victoria Sirota, regarding the Kurnit Subdivision, Mianus River Road.

Vote: Unanimous

Councilman Reiter moved, seconded by Councilman DiGiacinto, receipt of a Letter of Credit dated August 19, 2016 from BankUnited, N.A. in the amount of \$56,250 regarding wetland mitigation work by Brynwood Partners, LLC. The expiration date of the Letter of Credit is August 19, 2017.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, approval of proposal from Leggette, Brashears & Graham for professional services associated with the exploration of a bedrock water supply well for Water District No. 4 located at 15 Business Park Drive, Armonk, for up to \$33,900 for Phases I through IV.

Vote: Unanimous

Councilman DiGiacinto moved, seconded by Councilman Reiter, authorization for the Supervisor to sign the following forms relative to exploration of a bedrock water supply well for Water District No. 4:

1. DEC Permission Form to grant permission to inspect property
2. DEC Joint Application Form
3. Short Environmental Assessment Form

Vote: Unanimous

Pursuant to a request from Director of Sewer & Water Misi, Councilman DiGiacinto moved, seconded by Councilman Reiter, acceptance of proposal from GHD Consultants for a Water District No. 4 Capacity Study for \$6,300 and further moved authorization for the Supervisor to sign the agreement.

Vote: Unanimous

Pursuant to a letter of recommendation from GHD Consulting Services and request from Sal Misi, Director of Water and Sewer Operations, Councilman DiGiacinto moved, seconded by Councilman D'Angelo, approval of Payment Application #7 to Kings Capital Construction Group, Inc. in the amount of \$189,565.71 regarding Water District No. 1 Ultraviolet Disinfection Project, for work completed through September 1, 2016, and further authorized the Supervisor to sign the payment application.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman Berra, receipt of letter dated August 23, 2016 from Dr. Brenda Myers, Superintendent of Schools, Valhalla Union Free School District, regarding Zoning Petition for *The Vue*, 1700 Old Orchard Street.

Vote: Unanimous

Councilman DiGiacinto moved, seconded by Councilman Berra, approval of request from North White Plains Fire Co. #1, Inc., for the renewal of its Special Use Permit to sell Christmas trees

during the 2016 holiday season, starting Thanksgiving weekend through the weekend before Christmas, and further gave permission to install signs at the following locations:

- On the grassy island at the junction of Route 22 and North Broadway, opposite Sir John's restaurant.
- On the grassy area immediately opposite the church located at the junction of North Broadway and the Central Westchester Parkway.

Vote: Unanimous

Councilman DiGiacinto moved, seconded by Councilman Reiter, approval of an alcohol permit application for Atlantic Westchester, Inc. for use at Lombardi Park on September 25, 2016.

Vote: Unanimous

Councilman Reiter moved, seconded by Councilman DiGiacinto, approval of an alcohol permit application for Michael Keeler for use at Lombardi Park on October 1, 2016.

Vote: Unanimous

Pursuant to a letter from Tax Receiver Colombo regarding a consent judgment for Blas and Maryann Diaz, 48 Washington Avenue, Tax Map #122.16-2-12, Councilman DiGiacinto moved, seconded by Councilman D'Angelo, authorization to issue a refund in the amount of \$4,088.02.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman Berra, approval of the recommendations of Kellard Sessions and the Planning Board for KRL Properties, 1 Byram Brook Place, to provide a mitigation plantings bond in the amount of \$25,400 and maintenance bond in the amount of \$3,500, and to pay an inspection fee of \$11,600, which equates to 5% of the cost of construction, and further moved authorization for the Supervisor to sign the Stormwater Control Facility Maintenance Agreement for 1 Byram Brook Place, as approved by the Planning Board.

Vote: Unanimous

Councilman DiGiacinto moved, seconded by Councilman Berra, approval of a Holiday Display permit application from Anita Cozza to place a nativity scene in Wampus Brook Park from November 18, 2016 to January 14, 2017.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, receipt of application for approval of Amended Preliminary Concept Plan regarding additional parking at 113 King Street, the former location of MBIA's Corporate Headquarters, and further moved referral to the Planning Board with the recommendation that the Planning Board declare its intent to act as Lead Agency.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman Reiter, authorization for the Supervisor to sign the 2016-2017 NYS DOT Municipal Snow and Ice agreement. The Town will receive \$1,634.34 per lane mile, for 57.57 miles, for a total of \$94,088.95.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, receipt of letter from NYS Assessors Association, Institute of Assessing Officers, recognizing Tax Assessor, Victoria Sirota, for passing the Institute of Assessing Officers examination.

Vote: Unanimous

Councilman DiGiacinto moved, seconded by Councilman Reiter, approval of the updated terms and conditions of employment for Chief of Police, Peter Simonsen, from probationary to permanent, effective August 6, 2016 to August 5, 2017.

Vote: Unanimous

Councilman Reiter moved, seconded by Councilman Berra, receipt of notice of retirement of Sergeant Robert Barnett effective August 20, 2016, and further moved approval of his terminal leave payment.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman Berra, approval of request from Chief of Police, Peter Simonsen, for Investigative Interviewing Training for four Police Officers, November 21-23, 2016, in Valhalla, NY, for a fee of \$500 each.

Vote: Unanimous

Councilman DiGiacinto moved, seconded by Councilman Reiter, ratification of the following Library Board actions:

- Appointment of Anne Beier, Librarian, Part-time, at the rate of \$24.00 per hour, effective August 29, 2016.
- Appointment of Julio Lazo, Library Page, Part-time, at the rate of \$11.00 per hour, effective September 12, 2016.
- Increase in hourly rate for Susanne Meccio, from \$11.00 per hour to \$13.00 per hour, effective September 12, 2016.

Vote: Unanimous

Councilman Berra moved, seconded by Councilman D'Angelo, adoption of a Resolution regarding disciplinary charges against employee No. 2276 and further moved suspension of employee No. 2276.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, adoption of a Resolution for the appointment of Ken Bernstein, Attorney at Law, Hyde Park, NY for \$185 per hour, as Hearing Officer regarding suspension of employee No. 2276 pursuant to section 75 of the Civil Service Law.

Vote: Unanimous

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

- Receipt of Worker's Compensation Report, Highway Department
- Approval of request from General Foreman Norris for release of the following highway bonds:
 - o Cablevision – Permits 1012 and 1237 for Street openings at 20 Mianus Drive and 26 Woodcrest Drive in the amount of \$2,000.
 - o Verizon – Permits 1077, 1080, 1105 & 1171 for Right of Ways at various locations in the amount of \$3,000.
 - o Con Edison – Permit 1191 for street opening on Brett Lane in the amount of \$1,000.
 - o Olive Branch Plaza – Permit 0910 for ROW for sidewalk repair at 386 Main Street in the amount of \$2,250.
 - o C&P Paving – Permit 0913 for driveway alterations at 9 Greenway Road in the amount of \$500.
 - o Elissa Weinhoff – Permit 0911 for driveway alterations at 5 Maple Way in the amount of \$500.
 - o Pietro DiSisto – Permit 0915 for driveway alterations at 18 Cole Drive in the amount of \$500.
- Receipt of Franchise fee payments for 2nd Quarter, 2016:
 - o Verizon FIOS - \$37,822.68
 - o Cablevision - \$29,992 for Cablevision system; \$8,738 for Southern Westchester
- Receipt of NYS Alcohol Beverage License renewal application for the Townhouse Diner, North White Plains.
- Receipt of Town Clerk's monthly report, August 2016

Vote: Unanimous

The Town Board audited and approved payments of \$206,882.35 as indicated on Warrant # 15-A dated August 25, 2016, and \$578,220.90 as indicated on Warrant #16 dated September 15, 2016.

After all persons were heard who desired to be heard, the Supervisor adjourned the regular meeting at 9:31 p.m. to Executive Session. The regular meeting was adjourned in memory of the following residents: Bruce Glickman and William Lyons, III of North White Plains.

Alison Simon, Town Clerk

Dated: September 23, 2016