

Town Board Minutes
Regular Meeting
Town of North Castle
15 Bedford Road
Armonk, NY
on
October 13, 2016

The Town Board meeting was called to order at 5:05 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 Administrator and the Town Clerk were present for the Work Session. The Work Session adjourned to an Executive Session at 6:45 p.m. on the duly adopted motion of Councilman D'Angelo. All Town Board members and the Town Administrator were present for the Executive Session. The Executive Session adjourned at 7:35 p.m. The regular meeting reconvened at 7:40 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 Administrator	Joan Goldberg

Town Attorney Roland A. Baroni was absent from the meeting.

Councilman D'Angelo announced that the Water District No. 2 Distribution System Replacement Project in Windmill Farm received the 2016 Advancement Award from the Westchester Water Works Conference, Inc. Director of Sewer and Water Operations Sal Misiti said he had the honor of accepting the award for the Town and the Water District. Mr. Misiti acknowledged Sharon Reiner, Water and Sewer Department, for preparing the presentation for the application to the Conference. He also acknowledged and expressed appreciation of the Water District residents whose neighborhood was impacted during the replacement of the existing water distribution system. Supervisor Schiliro, Town Board members, and Administrator Goldberg commended Mr. Misiti for his commitment to the Town.

Councilman DiGiacinto moved, seconded by Councilman D'Angelo approval of the minutes from the September 28, 2016 Town Board meeting.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman Berra, receipt of Notification of the Planning Board Intent to Act as Lead Agency for the multifamily development of 48 AFFH units at Armonk Close (formerly known as the Lumberyard and Green property) 162 Bedford Road, Armonk.

Vote: Unanimous

Regarding the Brynwood Subdivision and Golf Course site, Councilman D'Angelo moved, seconded by Councilman DiGiacinto, approval of the recommendations of Kellard Sessions and the Planning Board to establish a Wetland Mitigation Plantings Bond in the amount of \$49,500, and a five-year maintenance bond in the amount of \$6,750.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman Berra, receipt of Petition of Assessor Sirota regarding apportionment to the 2017 assessment roll as it relates to 17 and 19 Creemer Road, Armonk.

Vote: Unanimous

Councilman DiGiacinto moved, seconded by Councilman Berra, approval of request from Director of Sewer and Water Operations Sal Misiti to bid for the exploration of an additional water supply well for Water District No. 4 (downtown Armonk).

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, receipt of Letter of Credit for \$28,867 dated October 3, 2016 from JP Morgan Chase Bank, N.A. whereby KRL Properties LLC, 1 Byram Brook Place, Armonk, is to perform or maintain wetland mitigation work as it relates to the JMC Project 15075 parking extension which was approved by Resolution of the Planning Board dated June 20, 2016.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, receipt of Notice of Complete Permit Application from NYSDEC Division of Environmental Permits regarding the disturbance of NYS freshwater wetlands at the Duck Pond, 43 Long Pond Road.

Vote: Unanimous

Councilman DiGiacinto moved, seconded by Councilman D'Angelo, approval of final payment of \$1,491 to GEA Engineering for Phase 2 engineering services for Long Pond Dam.

Councilman Berra recused himself from the vote.

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 DiGiacinto, authorization for the Town's Attorneys to execute a Consent Order and Judgment (Assessment years 2015-2016) and Stipulation of Discontinuance (Assessment years 2012, 2013, 2014) in the Tax Certiorari matter of 200 Business Park Drive, LLC vs. Town of North Castle – Index No. 64988/12 et al.

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 11 Virginia Road Realty Corp. vs. Town of North Castle – Index Nos. 26223/10 et al.

Vote: Unanimous

Councilman Berra moved, seconded by Councilman DiGiacinto, approval of Photography Permit Application from Proof Films, Inc. regarding a Verizon photo shoot at 161 Hickory Kingdom Road, Bedford, on October 28, 2016.

Vote: Unanimous

Consideration of the North Castle Justice Court budget transfer was rescheduled for consideration by the Town Board at their October 26, 2016 meeting. Action taken at the October 13, 2016 meeting, subject to procedural review by Town Attorney Roland Baroni, to approve this action pending further review by Councilmen DiGiacinto, was deemed procedurally incorrect by Mr. Baroni.

Regarding the Pine Ridge Road Subdivision, Councilman D'Angelo moved, seconded by Councilman DiGiacinto, authorization for the Supervisor to execute the following agreements:

- Declaration of Covenants and Restrictions and Stormwater Control Facility Easement & Maintenance Agreement
- Underground Cistern Easement, License & Maintenance Agreement

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman Reiter, approval of terminal leave payment for Martin Richardson, effective September 30, 2016.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman Reiter, the adoption of the disciplinary charges and specifications preferred by the Chief of Police against Employee No. 2025, dated October 10, 2016, without making any findings; Councilman D'Angelo moved, seconded by Councilman Berra, to suspend Employee No. 2025 without pay pursuant to Chapter 104 of the laws of 1936 (the "Westchester County Police Act") and New York Town Law Section 155.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, the adoption of the disciplinary charges and specifications preferred by the Chief of Police against Employee No.

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2230, dated October 10, 2016, without making any findings, and further moved to suspend Employee No. 2230 without pay pursuant to Chapter 104 of the laws of 1936 (the “Westchester County Police Act”) and New York Town Law Section 155.

Vote: Unanimous

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

- Receipt of Town Clerk’s monthly report, September 2016
- Approval of request from General Foreman Norris for release of the following highway bonds:
 - o Makan Land Development – Permit 0839 for curb cut at 25 Limestone Road in the amount of \$750.
 - o Con Edison – Permits 1070, 1174, 1209, 1210, 1216, 1219, 1221, 1224, 1225, 1226, 1240, 1241, and 1261 for street openings at various locations in the amount of \$15,407.

Vote: Unanimous

The Town Board audited and approved payments of \$501,043.94 as indicated on Warrant #18 dated October 13, 2016.

After all persons were heard who desired to be heard, the Supervisor closed the regular meeting at 8:48 p.m. in memory of Robert Anderson, resident and active member of the community, and Thomas DeVesta, former employee of Water and Sewer Department.

Alison Simon, Town Clerk

Dated: October 21, 2016