

Town Board Minutes
Regular Meeting
Town of North Castle
Whippoorwill Hall
North Castle Public Library
19 Whippoorwill Road East, Armonk, NY
on
November 30, 2016

The Town Board meeting was called to order at 5:00 p.m. at Town Hall and immediately adjourned to an Executive Session on the duly adopted motion of Councilman D'Angelo. All Town Board members, the Town Attorney and Town Administrator were present for the Executive Session. The Executive Session adjourned at 7:10 p.m. on the duly adopted motion of Councilman D'Angelo. The Town Clerk joined the regular meeting that reconvened at 7:48 p.m. at Whippoorwill Hall 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 Counsel	Roland Baroni
Town Administrator	Joan Goldberg

Councilman D'Angelo moved, seconded by Councilman DiGiacinto approval of the minutes from the November 9, 2016 Town Board meeting.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, receipt of the Planning Board recommendation regarding Armonk Close and 470 Main Street.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, to schedule two Public Hearings for Special Use Permits at 470 Main Street for January 25, 2017; to allow for more than one residential unit per building; and to allow residential units on the first floor.

Vote: Unanimous

Councilman DiGiacinto moved, seconded by Councilman D'Angelo, receipt of official notification of the interest and intent of Paradigm Treatment Centers LLC to establish a community residential facility for the mentally disabled at 14-16 Cole Drive in the Town of North Castle, and receipt of the following associated documents:

- Revised official notification of the interest and intent of Paradigm Treatment Centers LLC to establish a community residential facility for the mentally disabled at 14-16 Cole Drive in the Town of North Castle, pursuant to Section 41.34 of the New York State Mental Hygiene Law.
- Petition from residents regarding opposition to the establishment of a community residential facility by Paradigm Treatment Centers at 14-16 Cole Drive, Armonk.
- Letter from Cuddy and Feder LLP on behalf of The Davis Conservancy, Inc., dated November 28, 2016 regarding opposition to the establishment of a community residential facility by Paradigm Treatment Centers at 14-16 Cole Drive, Armonk.
- Letter from Cuddy and Feder LLP on behalf of The Davis Conservancy, Inc., dated November 29, 2016 regarding opposition to the establishment of a community residential facility by Paradigm Treatment Centers at 14-16 Cole Drive, Armonk.
- Letter from Cuddy and Feder LLP on behalf of The Davis Conservancy, Inc., dated November 30, 2016 regarding opposition to the establishment of a community residential facility by Paradigm Treatment Centers at 14-16 Cole Drive, Armonk.

Vote: Unanimous

Councilman Berra moved, seconded by Councilman DiGiacinto, approval of request from the North Castle Recycling Committee to hold Town Wide Clean Up (and shredder) day on April 22, 2017.

Vote: Unanimous

Councilman Reiter moved, seconded by Councilman DiGiacinto, approval of request from Chabad of Armonk to display a Menorah in North White Plains on the median across from Sir John's plaza from December 22, 2016 to January 3, 2017.

Vote: Unanimous

Councilman Reiter moved, seconded by Councilman DiGiacinto, approval of Filming Permit application from Deep Creek Productions to film the Netflix Docu-Series "Wormwood" at Fordham University Louis Calder Center Cabin, 32 Whippoorwill Road, on December 1, 2016 from 12:00 p.m. to 1:00 a.m. and December 2-3, 2016 from 4:00 p.m. to 5:00 a.m.

Vote: Unanimous

Councilman DiGiacinto moved, seconded by Councilman D'Angelo, approval of termination of contract of sale for 45 McDougal Drive, North White Plains in exchange for \$20,000 forfeiture payment.

Vote: Unanimous

Councilman DiGiacinto moved, seconded by Councilman Reiter, receipt of a letter to the Town Supervisor from Bartels and Feureisen, LLP regarding Westmoreland Sanctuary, dated November 9, 2016, and response letter from Town Attorney dated November 21, 2016.

Vote: Unanimous

Councilman Reiter moved, seconded by Councilman DiGiacinto, adoption of the following Resolution regarding the conveyance of property known as Section 122.16, Block 1, Lot 13, for consideration of \$15,000, to Joyce Greaves, subject to Permissive Referendum.

RESOLVED, that the Town Board of the Town of North Castle hereby authorizes the conveyance of real property known as Section 122.16, Block 1, Lot 13 for consideration of \$15,000, to Joyce Greaves, subject to permissive referendum; and that the Supervisor be authorized to execute all conveyance documents to effectuate same.

I certify that the foregoing resolution was unanimously adopted by the Town Board of the Town of North Castle at a Regular Meeting held on November 30, 2016.

ALISON SIMON, Town Clerk

Vote: Unanimous

Councilman DiGiacinto moved, seconded by Councilman Reiter, adoption of the following Resolution regarding the conveyance of property known as Section 101.03, Block 3, Lot 76, for consideration of \$12,000, to John DiFede and Maryann DiFede, subject to Permissive Referendum.

RESOLVED, that the Town Board of the Town of North Castle hereby authorizes the conveyance of real property known as Section 101.03, Block 3, Lot 76 for consideration of \$12,000, to John DiFede and Maryann DiFede, subject to permissive referendum; and that the Supervisor be authorized to execute all conveyance documents to effectuate same.

I certify that the foregoing resolution was unanimously adopted by the Town Board of the Town of North Castle at a Regular Meeting held on November 30, 2016.

ALISON SIMON, Town Clerk

Vote: Unanimous

Pursuant to a letter of recommendation from Kellard Sessions Consulting and request from General Foreman, Jamie Norris, Councilman DiGiacinto moved, seconded by Councilman Reiter, approval of Payment Requisition #2 to National Lawn Sprinklers, Inc. in the amount of \$342,933.85 for work done and materials used through October 31, 2016 regarding Windmill neighborhood drainage improvements.

Vote: Unanimous

Pursuant to a letter of recommendation from Kellard Sessions Consulting and request from General Foreman, Jamie Norris, Councilman DiGiacinto moved, seconded by Councilman D'Angelo,

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approval of Payment Requisition #3 to National Lawn Sprinklers, Inc. in the amount of \$123,966.37 for work done and materials used through November 7, 2016 regarding Windmill neighborhood drainage improvements.

Vote: Unanimous

Pursuant to a request from General Foreman Jamie Norris, Councilman DiGiacinto moved, seconded by Councilman Reiter, authorization for the Supervisor to extend the agreement with Skyline Electric for street light maintenance from January 1, 2017 through December 31, 2017, at a cost of \$20,040.

Vote: Unanimous

The approval of an Inter-Municipal agreement with the Town of Bedford to transfer tax assessment review cases when personal conflict is involved was tabled until January, 2017.

Councilman DiGiacinto moved, seconded by Councilman Berra, 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, 2017 through December 31, 2017, at a base contract price of \$4,200.

Vote: Unanimous

Councilman Berra moved, seconded by Councilman DiGiacinto, authorization for the Supervisor to sign a License Agreement with Suzanne Vitale regarding the maintenance and repair of fence at 53 Custis Avenue, North White Plains.

Vote: Unanimous

Authorization for the Supervisor to execute Amendment #1 to the IBM Sewer Capacity Agreement permitting 35,000 GPD to be transferred to Lot 4-A was tabled.

Councilman DiGiacinto moved, seconded by Councilman Berra, 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 2016, for a fee not to exceed \$42,500.

Vote: Unanimous

Councilman DiGiacinto moved, seconded by Councilman Reiter, acceptance of the recommendation of hearing officer and termination of Employee No. 2276, effective October 14, 2016.

Vote: Unanimous

Councilman DiGiacinto moved, seconded by Councilman Berra, the appointment of Scott Stopnik to the Zoning Board of Appeals for a five-year term to expire December 31, 2021.

Vote: Unanimous

Councilman DiGiacinto moved, seconded by Councilman Berra, the creation of a Communications Franchise Task Force and the appointment of the following members to serve at the Pleasure of the Town Board: Andy Block, Allen Blum, Bob Klein, Steve Russell and Michael Frank.

Vote: Unanimous

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

- Receipt of Franchise fee payments for 3rd Quarter, 2016:
 - o Verizon FIOS - \$37,985.63
 - o Altice-Cable Television \$30,932; \$8,767 for Southern Westchester
- Approval of request from General Foreman, Jamie Norris for release of the following highway bonds:
 - o Muhart – Permit 0924 for driveway alteration at 7 Hobby Farm Drive in the amount of \$500.
 - o Sherman – Permit 0878 for driveway alteration at 1 Lyons Road in the amount of \$500.

Vote: Unanimous

The Town Board audited and approved payments of \$1,516,943.58 as indicated on Warrant #21 dated November 30, 2016.

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After all persons were heard who desired to be heard, the Supervisor adjourned the regular meeting in memory of resident Charles Pound at 1:30 a.m.

Alison Simon, Town Clerk

Dated: December 13, 2016