

Town Board Minutes
Town of North Castle
15 Bedford Road
Armonk, New York
on
September 26, 2018

The Town Board meeting was called to order at 5:30 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 and the Town Attorney were present for the Executive Session. The Executive Session adjourned at 7:30 p.m.; the Town Clerk joined the regular meeting which reconvened at 7:35 p.m. and the following persons were present:

Present: Supervisor: Michael Schiliro
 Councilman: Stephen D'Angelo
 Councilman: Barbara DiGiacinto
 Councilman: Barry Reiter
 Councilman: José Berra
 Town Clerk: Alison Simon
 Town Attorney: Roland A. Baroni

Councilman: Stephen D'Angelo moved, seconded by Councilman: José Berra, approval of Town Board Minutes: September 12, 2018.
Vote- Unanimous

In regard to Airport Campus, 113 King Street, Armonk, a Public Scoping Session opened to provide an opportunity for the public to identify specific issues and environmental impacts that should be addressed in a Draft Environmental Impact Statement (DEIS). The Town Board determined that the Scoping Session would remain open and written comments would be received through October 26, 2018.

In regard to Sewer District No. 2 Wastewater Treatment Plant Improvements, Councilman: Barry Reiter moved, seconded by Councilman: Barbara DiGiacinto, receipt of Full EAF Parts 2 and 3; and Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, adoption of Negative Declaration Resolution. The Resolution follows.
Vote- Unanimous

**A RESOLUTION TO ISSUE A NEGATIVE DECLARATION UNDER STATE
ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA)
Town of North Castle Sewer District No. 2 Wastewater Treatment Plant
Improvements**

Adopted September 26, 2018

WHEREAS, The Town of North Castle proposes to undertake the following action on the Sewer District No. 2 Wastewater Treatment Plant Improvements Project, located in the Town of North Castle:

- Replacement and upgrades of equipment.
- Improvement of treatment processes.
- Improvement of existing infrastructure.
- The installation of the following new buildings and tankage:
 - One primary clarifier
 - One equalization tank
 - One nitrifying Rotating Biological Contactor (RBC) train
 - Two denitrifying filter cells
 - One Administration Building
 - Granular Activated Carbon (GAC) Adsorption System

(hereinafter referred to as “said Action”), and;

WHEREAS said Action requires review under the New York State Environmental Quality Review Act (SEQRA), per 6NYCRR Part 617, and;

WHEREAS said proposed Action is an Unlisted Action under 6NYCRR Part 617 because the action is not listed under 6NYCRR Part 617.4 or 617.5, and;

WHEREAS, the Town of North Castle having approval authority over the proposed Action, duly declared itself lead agency on September 12, 2018 for a coordinated review amongst multiple authorizing agencies per 6NYCRR Part 617.6(b)(2)(i), and has received no objection to this declaration from other agencies within 30 days, and;

WHEREAS, the Town of North Castle, as lead agency, must make a determination of significance of the proposed Action per 6NYCRR Part 617.7, and;

WHEREAS, the Town of North Castle has considered the proposed Action as defined in 6NYCRR Part 617.2(b) and 617.3(g), and;

WHEREAS, the Town of North Castle has reviewed a Full Environmental Assessment Form prepared for the proposed action under criteria outlined in 6NYCRR Part 617.7(c), and;

WHEREAS, the Town of North Castle finds that the proposed work will not result in significant adverse environmental impacts to:

- Land
- Water
- Air
- Plants and Animals
- Agricultural Resources
- Aesthetic Resource
- Cultural or Archeological Resources
- Open Space
- Critical Environmental Areas
- Transportation
- Energy
- Noise or Odor
- Public Health
- Community Character

And;

WHEREAS, the Town of North Castle finds, based on the criteria outlined in 6NYCRR Part 617.7(c), that the proposed Action will not have a significant adverse impact on the environment for the following reasons:

- The proposed action will not significantly adversely affect regulated resources.
- The proposed action is not located within a state-regulated viewshed.
- The proposed action will not impact local traffic or adversely affect public health or community character.
- The proposed action will not result in significant adverse environmental impacts.
- The proposed action is anticipated to provide long-term water quality and environmental benefits by improving wastewater treatment at an existing wastewater treatment facility.

Therefore, upon a motion duly made by Barbara DiGiacinto, seconded by Barry Reiter and a vote was held with the following results: Vote: Unanimous.

Therefore, be it

RESOLVED that the Town of North Castle shall adopt in its determination of significance under 6NYCRR Part 617.7, this *NEGATIVE DECLARATION*, indicating that information provided in the Full Environmental Assessment Form attached hereto has sufficiently demonstrated that the proposed action will not result in significant adverse environmental impacts, and that an Environmental Impact Statement needed not be prepared.

Councilman: Barry Reiter moved, seconded by Councilman: Barbara DiGiacinto, approval of request from Superintendent of Recreation & Parks Matt Trainor to purchase storage containers for use by Parks and Police Departments for a total cost of \$17,700.
Vote- Unanimous

Councilman: Barry Reiter moved, seconded by Councilman: Barbara DiGiacinto, approval of request for Holiday Display of Nativity Crèche at the peninsula across from Sir John's in North White Plains from December 1, 2018 to January 7, 2019.
Vote- Unanimous

Items for consideration regarding 45 Bedford Road LLC, site of Mariani Gardens Nursery, were tabled.

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Councilman: Barry Reiter moved, seconded by Councilman: Barbara DiGiacinto, receipt of letter from North Lake Association regarding Costello/North Pond, dated September 19, 2018, and referral to Conservation Board and Parks and Recreation Advisory Board.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: José Berra, approval of Film Permit Application from North Six to film at 161 Hickory Kingdom Road, Bedford on September 27-28, 2018 from 8 AM to 7 PM.

Vote- Unanimous

Councilman: Stephen D'Angelo moved, seconded by Councilman: Barbara DiGiacinto, authorization for the Supervisor to sign Stormwater Management Facilities Construction, Maintenance and Access Easement Agreement with Scott Kurnit regarding subdivision of property located on the southeasterly side of Mianus River Road, Bedford.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, authorization for the Supervisor to sign agreement with Kellard Sessions Consulting to prepare bid documents and provide consulting services for Duck Pond Dam and Betsy Sluder Nature Preserve Dam repairs for a fee of \$17,500, to be funded from General Fund Balance.

Vote- Unanimous

In regard to the Wampus Brook Park Bridge Renovations, Councilman: Stephen D'Angelo moved, seconded by Councilman: Barbara DiGiacinto, authorization for the Supervisor to sign Agreement with Kellard Sessions Consulting for civil engineering services for a total fee of \$21,700, and Proposal from Grossfield Macri Consulting Engineers, PC (GMCE PC) for structural engineering services for a fee of \$26,800.

Vote- Unanimous

Councilman: Stephen D'Angelo moved, seconded by Councilman: Barbara DiGiacinto, authorization for the Supervisor to extend the Lease Agreement with Anita Louise Ehrman (ALE) Recreation Center through October 31, 2019, pending Attorney General approval of sale.

Vote- Unanimous

Councilman: Barry Reiter moved, seconded by Councilman: Barbara DiGiacinto, authorization for the Supervisor to sign agreement with GHD Consulting Services for a Hydraulic Modeling Study regarding Water District No. 1 for a fee of \$25,000.

Vote- Unanimous

Councilman: Stephen D'Angelo moved, seconded by Councilman: Barbara DiGiacinto, ratification of authorization for Supervisor to sign agreement with Dawn Donovan to provide professional services, on an hourly basis, in the areas of budget and personnel management effective September 19, 2018.

Vote- Unanimous

Councilman: Stephen D'Angelo moved, seconded by Councilman: Barbara DiGiacinto, authorization of Termination of Employee No. 3739 for Probationary failure, effective September 26, 2018.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: José Berra, ratification of Library Board appointment of Angela Cooke as hourly Librarian I, effective August 20, 2018.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: José Berra, ratification of Library Board appointment of Jane Rothschild as hourly Librarian I, effective September 5, 2018.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: José Berra, ratification of Library Board appointment of Annlee F. Milani as hourly Page, effective August 20, 2018.

Vote- Unanimous

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Councilman: Barbara DiGiacinto moved, seconded by Councilman: José Berra, approval of Terminal Leave Payment for James Cuffe.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Barbara DiGiacinto, reappointment of Robert Greer to the Assessment Board of Review, for a five year term to expire September 30, 2023.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: José Berra, reappointment of Angelo Monaco to the Architectural Review Board for a five year term to expire September 13, 2023.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: José Berra, receipt of Letter of Resignation of Faith Berland from the Beautification Committee.

Vote- Unanimous

Councilman: Stephen D'Angelo moved, seconded by Councilman: José Berra, approval of Consensus Agenda as follows:

- Receipt of Letter from T-Mobile Northeast LLC regarding updating of equipment located at 46 Custis Avenue, North White Plains, per Tower Lease with Town of North Castle.
- Receipt of Summons and Verified Complaint in the matter of Charlotte Bushee vs. Town of North Castle, Timothy C. Idoni, solely in his capacity as Westchester County Clerk.
- Receipt of Verified Answer to Plaintiff's Complaint regarding Susan M. Vock and Daniel Vock vs. Town of North Castle and Cidermill Homeowners Association, Inc.
- Receipt of Notice of Claim from Elliot Ledner vs. Town of North Castle and referral to Town Attorneys.
- Receipt of Cash Bond from Marc Mancini regarding Haunted Dead End Special Event.
- Release of Highway Bonds:
 - SHR Bldg. Corp. – Permit 0883 for street opening at 4 Deer Hill Place (formerly 2 Oak Street) in the amount of \$1,000.

Vote- Unanimous

The Town Board audited and approved payments of \$581,930.89 as indicated on Warrant # 17 dated September 26, 2018.

After all persons were heard who desired to be heard, the Supervisor closed the regular meeting at 8:53 p.m. in memory of Town residents Eileen Sullivan, Marcia Evans and Joyce Tulis.

Alison Simon, Town Clerk

Dated: October 5, 2018