

Town Board Minutes  
Town of North Castle  
15 Bedford Road  
Armonk, New York  
on  
November 14, 2018

The Town Board meeting was called to order at 5:00 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 Interim Town Administrator and the Town Clerk were present for the Work Session. The Work Session adjourned to an Executive Session at 6:06 p.m. All Town Board members, the Town Attorney, and the Interim Town Administrator 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  
Interim Town Administrator: Patti Dwyer

Councilman: Stephen D'Angelo moved, seconded by Councilman: José Berra, approval of Town Board Minutes: October 24, 2018.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Stephen D'Angelo, approval of Town Board Minutes: November 6, 2018.

The roll call vote was as follows:

Ayes: Councilmen D'Angelo, DiGiacinto, Reiter, Supervisor Schiliro.

Noes: None

Abstained: Councilman Berra.

With regard to Airport Campus, 113 King Street, Armonk, Draft Environmental Impact Statement (DEIS), Councilman: Barbara DiGiacinto moved, seconded by Councilman: Stephen D'Angelo, receipt of the following written comments:

1. Letter from New York State Department of Transportation, dated October 23, 2018;
2. Letter from Zarin & Steinmetz as legal representatives of Swiss Re Holding Corporation, dated October 25, 2018.

Vote- Unanimous

Councilman: Barry Reiter moved, seconded by Councilman: José Berra, to schedule Public Hearings on Preliminary Town and Special Districts Budgets on November 28, 2018.

Vote- Unanimous

Regarding the Modification to Site Plan for 45 Bedford Road, site of Mariani Gardens Nursery, the Town Board took the following actions:

1. Councilman: Barry Reiter moved, seconded by Councilman: Barbara DiGiacinto, to confirm Town Board status as Lead Agency.
2. Councilman: Barry Reiter moved, seconded by Councilman: José Berra, to refer the Preliminary Concept Plan to the Town Planning Board and the County Planning Board.
3. Councilman: José Berra moved, seconded by Councilman: Barbara DiGiacinto, to receive the Revised Residential Zoning Petition and Concept Plan.

Vote- Unanimous

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Regarding 850 North Broadway (Ralph's Ices), North White Plains, Councilman: Barbara DiGiacinto moved, seconded by Councilman: José Berra, receipt of report from Kellard Sessions and approval of extension of Performance Bond to December 12, 2018.

Vote- Unanimous

Councilman: Barry Reiter moved, seconded by Councilman: Barbara DiGiacinto, award of bid to Sani-Pro Disposal Services for Refuse and Recyclables Collection/Transfer and Disposal for 2019 and 2020, with option years 2021, 2022 and 2023, and authorization for the Supervisor to sign Agreement.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, to reject the bids regarding the North White Plains Community Center Renovation and Expansion Project.

Vote- Unanimous

Councilman: Barry Reiter moved, seconded by Councilman: Barbara DiGiacinto, approval of payment application No. 1 in the amount of \$194,408.00 to Peter J. Landi, Inc. for work done and materials used regarding Whippoorwill Crossing Intersection Improvements and Culvert Replacement.

Vote- Unanimous

With regard to Hergenhan Recreation Center Parking Lot expansion, Councilman Barbara DiGiacinto moved, seconded by Councilman Barry Reiter as follows:

1. Acceptance of Certificate of Substantial Completion.
2. Acceptance of Maintenance Bond in the amount of \$572,453.
3. Approval of payment application No. 3, final payment, including the full release of the retainage, in the amount of \$74,079.76 to Tony Casale, Inc. for work done and materials used.

Vote- Unanimous

Councilman: Barry Reiter moved, seconded by Councilman: Barbara DiGiacinto, approval of request from Chief of Police Peter Simonsen to purchase an additional marked police car in 2018, to be paid from the General Fund Balance.

Vote- Unanimous

Councilman: Barry Reiter moved, seconded by Councilman: Barbara DiGiacinto, acceptance of proposal in the estimated amount of \$6,000 from Cowell Construction, Inc. regarding property maintenance work, 1649 Hall Avenue, North White Plains.

Vote- Unanimous

Councilman: Barry Reiter moved, seconded by Councilman: Barbara DiGiacinto, receipt of email from Richard Panetta and receipt of memo from the Planning Board regarding request from Richard Panetta, 7 McDougal Drive, North White Plains for removal of deed restriction, and denied Richard Panetta's request for the unconditional removal of deed restriction from 7 McDougal Drive, North White Plains.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, receipt of memos from Kellard Sessions regarding assignment of new street addresses and referral to Town E-911 Coordinator for the following addresses:

1. Section 101.04; Block 2, Lot 28; assignment of 21 Windmill Road to Windmill Road (Omit Street #);
2. Section 103.01, Block 1, Lot 9; assignment of 17 East Middle Patent Road to East Middle Patent Road (Omit Street #);
3. Section 108.03, Block 3, Lot 19; assignment of Gressel Place to 1 Gressel Place;
4. Section 122.12, Block 1, Lot 6; assignment of 121 Lafayette Avenue to 123 Lafayette Avenue;
5. Section 103.01, Block 1, Lot 11; assignment of 3 East Middle Patent Road to 4 East Middle Patent Road.

Vote- Unanimous

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Councilman: Barry Reiter moved, seconded by Councilman: Barbara DiGiacinto, receipt of letter from Town Assessor Victoria Sirota dated June 27, 2018 regarding merger of Section 118.03, Block 1, Lot 22; 1519 Old Orchard Street, and Section 118.03, Block 1, Lot 23; 1517 Old Orchard Street merger to Section 118.03, Block 1, Lot 22, 1519 Old Orchard Street.  
Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Barry Reiter, receipt of Petition of Assessor Victoria Sirota regarding apportionment and corrections to the 2019 Assessment and 2020 Tax Rolls as it relates to Section 96.01, Block 1, Lot 6; 114 Mianus River Road and Section 96.01, Block 1, Lot 5; Mianus River Gorge.  
Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, approval of request from General Foreman Jamie Norris to accept the dedication of following roads as Town roads, and addition into the NYS Department of Transportation Local Highway Inventory:

1. Wrights Mill Lane - .05 miles
2. Sands Mill Lane - .08 miles
3. Hillview Court - .05 miles
4. Raven Road - .04 miles

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, authorize the Town's Attorneys to execute a Consent Order and Judgment in the following Tax Certiorari matter: BayberryNY, LLC f/k/a Exline NY LLC vs. Town of North Castle – Index No. 65862/18.

Vote- Unanimous

Councilman: Barry Reiter moved, seconded by Councilman: Barbara DiGiacinto, receipt of contribution from Frank Madonna to Water District No. 4 in the amount of \$20,000 to be used to help fund additional water sources.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Barbara DiGiacinto, approval of requests from Friends of Frosty for use of Town roads and Wampus Brook Park for annual Frosty Day Parade and Holiday Tree Lighting, Sunday, November 25, 2018 subject to acceptance of certificates of insurance.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, approval of request for holiday display of a menorah in Wampus Brook Park from November 30, 2018 through December 10, 2018.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Barbara DiGiacinto, approval of request from the North Castle Recycling Committee to hold Town Wide Clean Up day on Saturday April 27, 2019 with a rain date of April 28, 2019.

Vote- Unanimous

Councilman: Stephen D'Angelo moved, seconded by Councilman: José Berra, approval of and authorization for the Supervisor to sign proposal in the estimated amount of \$2,500 from Peter J. Landi Inc. for additional work regarding Woodcrest Drive-Westmoreland Sanctuary Drainage Improvements.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Stephen D'Angelo, approval to extend sludge hauling agreement for Sewer District No. 2 with Spectraserv, Inc. for 2019 fiscal year.

Vote- Unanimous

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Councilman: Stephen D'Angelo moved, seconded by Councilman: Barbara DiGiacinto, authorization for the Supervisor to sign proposal in the amount of \$5,000 from Aquarius Capital for actuarial consulting services for 2018 regarding Town's OPEB (Other Postemployment Benefits) valuation under GASB No. 75.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Barbara DiGiacinto, approval of probationary appointment of Nicola Buetti to Maintenance Laborer, Parks Department, effective November 19, 2018.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Stephen D'Angelo, approval of probationary appointment of Trevor Caviola to Maintenance Laborer, Parks Department, effective November 19, 2018.

Vote- Unanimous

Councilman: Stephen D'Angelo moved, seconded by Councilman: Barbara DiGiacinto, ratification of Library Board provisional appointment of Stephanie Hartwell-Mandella to Assistant Library Director II, effective November 26, 2018.

Vote- Unanimous

Councilman: Stephen D'Angelo moved, seconded by Councilman: José Berra, receipt of letter of retirement from Gerardo DiFeo, Highway Department, effective December 28, 2018.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Barbara DiGiacinto, approval of Consensus Agenda as follows:

- Receipt of Notice of Claim in the matter of David Rogal vs. Town of North Castle.
- Town Clerk's Report October 2018.
- Release of Highway Bonds:
  - Eric Capolino – Permit 0989 for driveway alteration at 13 Cole Drive in the amount of \$500.
  - Salvatore Pepe – Permit 1013 for driveway alteration at 4 Lyons Rd. in the amount of \$1,000.
  - American Building Technologies Inc. – Permit 1019 for driveway alteration at 7 Thornewood Road in the amount of \$500.
  - Michael Bellantoni, Inc. – Permit 0984 for driveway alteration at 40 General Heath Avenue in the amount of \$500.

Vote- Unanimous

The Town Board audited and approved payments of \$445,537.34 as indicated on Warrant #20 dated November 14, 2018

After all persons were heard who desired to be heard, the Supervisor adjourned the meeting at 9:21 p.m. in memory of residents Hugh Robert Gallagher, Jo-Ellen Rowitt, and Doris Zaros; and Doris Fisher, mother of William "Buffy" Fisher, former Chief of Police. The Board reconvened to Executive Session. The Executive Session closed at 10:00 p.m.

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Alison Simon, Town Clerk

Dated: November 26, 2018