

Town Board Minutes  
Regular meeting  
Town of North Castle  
Hergenhan Recreation Center  
40 Maple Avenue  
Armonk, New York  
on  
June 24, 2015

The Town Board meeting was called to order at 5:00 p.m. at Town Hall and immediately adjourned into Executive Session 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 7:15 pm; the Town Clerk joined the regular meeting which reconvened at 7:40 p.m. at the Hergenhan Recreation Center and the following persons were present:

Supervisor:	Michael J. Schiliro
Councilmen:	Stephen D'Angelo
	Barbara W. DiGiacinto
	Barry S. Reiter
	Guy A. Mezzancello

Town Clerk	Anne Curran
Town Attorney	Roland A. Baroni
Town Administrator	Joan Goldberg

The minutes of the Public Hearing that commenced at 8:45 p.m. follow at the end of these minutes.

Supervisor Schiliro invited County Legislator Michael Smith for a discussion of the status of the Elijah Miller House.

Supervisor Schiliro recalled the events of nearly one year ago when the Town Board passed a resolution calling for the County to rehabilitate Miller House in its current location. He said that a meeting between Town representatives and County officials took place last July, when it seemed progress was made, as Westchester Parks Commissioner Kathleen O'Connor agreed with a prior study concluding that the house could be seriously damaged if it was moved. However, the Supervisor said the Town received a letter from the County about three weeks ago stating that it had no interest in paying for restorative work if Miller House was not relocated. He added that the county offered no solution other than to try and find another site. Mr. Schiliro emphatically stated that the condition of the house continues to deteriorate and its survival could be in jeopardy if there is no resolution to the issue.

County Legislator Smith said County Executive Astorino does not want to authorize significant money to repair Miller House in an area that is not conducive to allowing visitors comfortable access to the property. He added that the location across from a cement factory was not suitable and that will be an ongoing issue with whatever happens. When questioned about the \$1.2 million funding approved four years ago by the county for restoration, Legislator Smith said those funds have expired.

Town Co-Historian, Sharon Tomback, sharply criticized the County's disappearing trust fund to maintain Miller House and the County's intent to move it to town land as an attempt to dodge its commitment and responsibility to the preserve the property that it owns. Mrs. Tomback reiterated the deliberate neglect that the County has demonstrated over many years. Several other residents expressed frustration with the County and the importance of Miller House reconstruction and preservation, including: Lawrence and Mina Nokes, Susan Shimer, George Pouder, Nancy Battistelli, Tony Futia, Linda Fernberg, Ed Woodyard and John Diaconis.

Town Board Members DiGiacinto and D'Angelo reiterated to County Legislator Smith that the condition of Miller House is disgraceful, that residents have spoken loud and clear and that the County needs to act now before this historic treasure falls down. Mr. Smith replied that he will bring the message back to the County Executive and that he is interested in getting something done.

Town Board Minutes  
June 24, 2015

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, approval of the minutes of the June 10, 2015 meeting.

Vote: Unanimous

Regarding the formation of Long Pond Dam, Councilman D'Angelo moved, seconded by Councilman DiGiacinto, receipt of Town Attorney's letter to the NYSDEC regarding actions the Town has taken to address the Notice of Violation concerning the condition of the dam.

Vote: Unanimous

Regarding the formation of Long Pond Dam Park Improvement District, Councilman D'Angelo moved, seconded by Councilman DiGiacinto, receipt of amended Supplemental Report to Map, Plan and Report by Kellard Sessions Consulting, P.C. dated June 11, 2015.

Vote: Unanimous

Regarding the formation of the Long Pond Dam Park Improvement District, Councilman D'Angelo moved, seconded by Councilman Reiter, receipt of a memo from Assessor Victoria Sirota verifying the revised Petition was signed by property owners representing 68% of the total taxable assessed value of the proposed district.

Regarding the formation of Long Pond Park Improvement District, Councilman D'Angelo moved, seconded by Councilman Reiter, receipt of the revised Petition, and further moved adoption of the Order calling for a Public Hearing on July 22, 2015.

The roll call was as follows:

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

Noes: None

The Order follows at the end of these minutes.

Regarding the Madonna Age-Restricted Development project located between Old Mount Kisco Road and Route 128, Councilman Reiter moved, seconded by Councilman D'Angelo, referral to the Planning Board for review of single structure plan and an alternate hybrid plan.

The roll call vote was as follows:

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

Noes: None

Councilman D'Angelo moved, seconded by Councilman Reiter, receipt of Mortgage and Sales Tax collection updates through May 2015 from Comptroller Oakley.

Vote: Unanimous

Approval of budget amendments as requested by Comptroller Oakley was tabled.

Councilman DiGiacinto moved, seconded by Councilman D'Angelo, approval of request from Water & Sewer Director Misiti to receive and establish the *Confined Space Program* which establishes a vital working program for the safety and wellbeing of our employees. Mr. Misiti has been reformatting this document with revisions reflecting current regulatory standards and also incorporated our Highway Department operations. The formulation of this document has been fully vetted with CSEA OSH Specialist Jeff Hyman, Union employees, PESH, General Foreman Norris and Administrator Goldberg.

Vote: Unanimous

Pursuant to a letter of recommendation from Kellard Sessions Consulting, Councilman Reiter moved, seconded by Councilman DiGiacinto, approval of Payment Application #1 in the amount of \$105,070.51 to Vernon Hills Contracting Corp. for sidewalk repairs and improvements in Town, for work completed through May 3, 2015, and further authorized the Supervisor to sign the payment application.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, authorization to release two Letters of Credit: #1187 in the amount of \$75,000 and #1015 in the amount of \$200,000, for the Cider Mill Subdivision, Crabapple Properties, LLC, as the Planning Board has acknowledged that

Town Board Minutes

June 24, 2015

all of the conditions with regard to the development of the Cider Mill AFFH units on the Cockren Property have been satisfied.

Vote: Unanimous

Councilman Reiter moved, seconded by Councilman DiGiacinto, approval of request from David Africk on behalf of the Friends of the North Castle Library, for the Friends to hold their 54th annual Armonk Outdoor Art Show at Community Park, September 26-27, 2015 and to place their sign advertising the show for the two week period from September 12 to September 25, 2015.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, approval of the Town Administrator's request to auction used Highway equipment and vehicles.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, the award of bid for reconstruction of the Gazebo in Wampus Brook Park to Jennings Company, Inc. for a total cost of \$251,600, and further authorized the Supervisor to sign the agreement.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman Mezzancello, acceptance of proposal from Kellard Session for 2015 storm water outfall inspection for \$2,800 and a fee not to exceed \$3,000 for GIS mapping services; the Board further authorized the Supervisor to sign the agreement.

Vote: Unanimous

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

- Approval of request from General Foreman Norris for release of the following highway bond:
  - o Ann Silvestri – Permit 0852 in the amount of \$500.00 for driveway alteration at 21 Annadale St., Sec. 2, Block 02, Lot 23.I.
- Approval to issue a license to Darling International to collect and dispose of refuse in Town through March 31, 2016.

Vote: Unanimous

The Town Board audited and approved payments of \$562,914.97 as indicated on Warrant #11.

After all persons were heard who desired to be heard, the Supervisor closed the meeting at 11:20 p.m. in memory of North White Plains resident-Marie Reilly, and former resident-Nick Spyreas, father of Georgann Richardson, Assessor's office, and Elaine Vrouletis, former Deputy Tax Receiver.

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Anne Curran, Town Clerk

Dated: July 6, 2015

At a meeting of the Town Board of the Town of North Castle at the Hergenhan Center, Maple Avenue, Armonk, New York in the Town of North Castle, Westchester County, New York, on the 24<sup>th</sup> day of June, 2015, at 7:30 p.m.

P R E S E N T :

Hon. Michael J. Schiliro  
Stephen D'Angelo  
Barbara DiGiacinto  
Barry Reiter  
Guy Mezzancello

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In the Matter of the Application of

VARIOUS PROPERTY OWNERS

of Taxable Real Property in an Unincorporated Portion  
of the Town of North Castle, Westchester County,  
New York to Establish, Pursuant to Article 12 of the  
Town Law, a Park District to be known as the Long Pond  
Park District in the Town of North Castle

**ORDER CALLING FOR  
PUBLIC HEARING**

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WHEREAS, an amended petition and map, plan and report have been prepared and received by the Town Board of the Town of North Castle in such manner and in such detail as has heretofore been determined by the Town Board relating to the establishment of a park district in the Windmill Farm area of the said Town, and

WHEREAS, said petition and map, plan and report, as amended and revised, have been duly filed in the office of the Town Clerk of said Town, said amended petition having been reviewed for sufficiency and accuracy by the Town Tax Assessor in and for said Town, and

WHEREAS, said map, plan and report, as amended and revised, have been prepared by an engineer duly licensed by the State of New York, showing the boundaries of the proposed park district and a general plan of the park district improvements, including its financial impact on petitioner's real property within the proposed district, and

WHEREAS, the boundaries of the proposed district to be known as "Long Pond Park

**SEE EXHIBIT “A”**

WHEREAS, the improvements proposed are as set forth in the petition, and

WHEREAS, the cost of the improvements, including professional fees, will be paid for by the district, and

WHEREAS, the maximum amount proposed to be expended for said improvements is Three Hundred and Thirty Five Thousand (\$335,000.00) Dollars, all as set forth in Exhibit “B” attached hereto, and

WHEREAS, said map, plan and report describing said improvements are on file in the Town Clerk’s office for public inspection during normal business hours.

NOW, on motion of Councilman D’Angelo, seconded by Councilman Reiter, it is hereby

ORDERED, that the Town Board of the Town of North Castle shall meet and hold a public hearing at the Town Hall, 15 Bedford Road in said Town on the 22<sup>nd</sup> day of July, 2015, at 7:30 p.m. in that day to consider said petition, map, plan and report and to hear all persons interested in the subject thereof concerning the same and to take such action thereon as is required or authorized by law.

The adoption of the foregoing order was duly put to vote, and on a roll call the vote was as follows:

Hon. Michael J. Schiliro	voting	<u>Aye</u>
Stephen D’Angelo	voting	<u>Aye</u>
Barbara DiGiacinto	voting	<u>Aye</u>
Barry Reiter	voting	<u>Aye</u>
Guy Mezzancello	voting	<u>Aye</u>

and the order was thereupon declared duly adopted.

Dated: North Castle, New York  
June 24, 2015

I, Anne Curran, Town Clerk of the Town of North Castle, do hereby certify that the above resolution was duly adopted at a regularly scheduled meeting of the Town Board of the Town of North Castle held on June 24, 2015 and that the above resolution is a true and correct transcript thereof.

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Anne Curran, Town Clerk

Town Board Minutes  
June 24, 2015

Dated: June 24, 2015  
Armonk, New York