

Town Board Minutes
Regular meeting
Town of North Castle
15 Bedford Road
Armonk, New York
on
September 24, 2015

The Town Board meeting was called to order at 7:00 p.m. and immediately adjourned into an 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 7:25 p.m. The regular meeting reconvened at 7:35 pm 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 7:56 p.m. follow at the end of these minutes.

Councilman Reiter moved, seconded by Councilman Mezzancello, approval of the minutes of the September 9, 2015 meeting.

Vote: Unanimous

Supervisor Schiliro provided an update regarding the Brynwood petition to join Water District No. 2. He reported that engineers and professionals are gathering information to put together a fact sheet with regard to some of the questions that have been received. They hope to have this completed by the middle of October. A Special Meeting is planned for October 28th at 7:00 pm (location to be determined) which is specific to Windmill Water District #2 residents, but anyone can attend. Engineering and financial facts will be presented at this time. After this meeting, the Town will solicit input from Windmill residents, most likely through a survey, to learn how residents within Water District No. 2 feel about this project moving forward. At the November 4th Town Board meeting, a public hearing will be scheduled for December 9th.

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, approval for Supervisor to execute the Community Benefits Agreement with Brynwood Partners, LLC, with the modification defined by Town Attorney Baroni.

Vote: Unanimous

Regarding the Madonna Property at 805-809 Route 128, Councilman D'Angelo moved, seconded by Councilman Reiter, receipt of Petitions to rezone the property from R-2A to R-1A and to extend Sewer District No. 2 to include the subject property and eight additional Old Mt. Kisco Road parcels, and further moved that the Town Board declare its intent to act as Lead Agency, and referral to Planning Board and Westchester County Planning Board. The applicant, Frank Madonna, stated that he is asking for the referral to the Planning Board to advance the review of this development, with a plan to develop six homes since he feels this is the right number for this property, and he is trying to do this project simultaneously with the Senior Housing project on Old Mount Kisco Road.

Vote: Unanimous

Regarding Wampus Brook Park South, Councilman D'Angelo moved, seconded by Councilman DiGiacinto, authorization for a survey of NYS DOT property by Thomas C. Merritts for a fee of \$1,800. The survey is a requirement for the acquisition of a small piece of NYS property.

Vote: Unanimous

A lengthy discussion took place concerning the Michael Fareri application with regard to 37 and 41 Maple Avenue for zone text amendments and a Special Use Permit, with the request to relocate the

six required AFFH units from the former Lumberyard to 37-41 Maple Avenue. The Supervisor reviewed the history of the approval process allowing for greater density for the multifamily housing on the Lumberyard and Green properties. The Supervisor and Councilman DiGiacinto expressed reasons why they do not support the transfer of the AFFH units from the Lumberyard property to Maple Avenue. The Town Board did not vote to refer the proposal to the Planning Board. While the Supervisor expressed appreciation for Mr. Fareri's plan to develop 37 and 41 Maple Avenue for residential units with retail space built out towards the sidewalk, Mr. Fareri concluded that the project is not workable for him without moving the AFFH units to Maple Avenue.

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, receipt of a \$3,000 donation from Montessori School, 67 Old Route 22, to replace the Sluder Nature Preserve bridge, with notification to Superintendent of Parks and Recreation Trainor, for evaluation.

Vote: Unanimous

Pursuant to recommendation of the Town Engineer in an October 12, 2012 memo from Director of Planning Kaufman regarding the Byram Ridge Subdivision, Councilman D'Angelo moved, seconded by Councilman DiGiacinto, receipt of the following:

- \$191,500 cash which represents a performance bond.
- \$8,700 cash which represents 5% of the performance bond for inspection fees.

Vote: Unanimous

Pursuant to a letter from Tax Receiver Colombo regarding a consent judgment for Verizon New York Inc., 23 Whippoorwill Road East, Armonk, NY, Tax Map #108.01-6-51, Councilman D'Angelo moved, seconded by Councilman DiGiacinto, authorization to issue a refund in the amount of \$13,746.62.

Vote: Unanimous

Pursuant to a memo from Kellard Sessions, Councilman DiGiacinto moved, seconded by Councilman D'Angelo, authorization of payment to GEA Engineering in the amount of \$9,423.81 which represents the balance due for professional engineering services for Long Pond Dam, as per the limited proposal dated July 2, 2015 for a total cost of \$23,978.81, less the previously billed work in the amount of \$14,555.

Vote: Unanimous

Pursuant to a request for Superintendent Parks and Recreation Trainor, Councilman Mezzancello moved, seconded by Councilman DiGiacinto, approval to purchase a Ventrac 4500z tractor for all season multi-purpose use for a total price of \$42,530.32, to be funded by Parks & Recreation Dept. The purchase piggybacks from the Pennsylvania State Contract No. 4400011404.

Vote: Unanimous

In preparation for the upcoming winter season, Councilman DiGiacinto moved, seconded by Councilman D'Angelo, approval of request from General Foreman Norris to purchase salt for roads; purchase would be from the 2015 fund balance and reimbursed in 2016.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, reappointments to the Architectural Review Board as follows:

- Susan Geffen for a term to expire on September 13, 2018
- Angelo Monaco for a term to expire on September 13, 2018

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, receipt of letter of resignation from the Housing Board from Lewis Massi, effective August 31, 2015.

Vote: Unanimous

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

- Receipt of Notices of Claim and referral to Town Attorneys:
 - o Maria Passaro vs. Town of North Castle
 - o Katherini Hazan vs. Town of North Castle

Town Board Minutes
September 24, 2015

Vote: Unanimous

The Town Board audited and approved payments of \$12,686,844.09 as indicated on Warrant #16.

After all persons were heard who desired to be heard the Supervisor adjourned the regular meeting at 11:55 p.m. to Executive Session to discuss volunteer board and committee interviews, matters of real estate, and matters of personnel/specific persons on the duly adopted motion of Councilman DiGiacinto. The regular meeting was adjourned in memory of resident, Raymond Butti. The executive session closed at 1:05 a.m. on a motion made by Councilman D'Angelo and seconded by Councilman Reiter.

Anne Curran, Town Clerk

Dated: October 6, 2015