

Town Board Minutes  
Town of North Castle  
15 Bedford Road  
Armonk, New York  
on  
July 10, 2019

The Town Board Work Session was called to order at 5:07 p.m. at Town Hall. All Town Board members, the Town Administrator and the Town Clerk were present for the Work Session. The Town Board Meeting was called to order at 5:49 p.m. and immediately adjourned to an Executive Session on the duly adopted motion of Councilman D'Angelo. All Town Board members, the Town Administrator and the Town Attorney were present for the Executive Session. The Executive Session adjourned at 7:45 p.m.; the Town Clerk joined the regular meeting which reconvened at 7:47 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

The Supervisor dedicated the meeting in memory of Barbara and Lew Massi, former long term Town residents.

A Public Hearing was held regarding the Zoning Petition of John Magnotta Realty for the rezoning of a portion of existing R-2F (Residential Two Family) Zoning District on Emmalon Avenue, adjacent to the Sir John's (Broadway) Plaza shopping center in North White Plains, to CB (Central Business) Zoning District for the purpose of parking expansion.

The Public Hearing was reconvened for the opportunity to provide comment on the Draft Environmental Impact Statement ("DEIS") prepared in connection with the proposed Eagle Ridge development at 3 North Castle Drive, Armonk.

The Public Hearing was reconvened to consider the following Local Laws to amend Chapter 355, Zoning, with regard to the proposed Eagle Ridge development at 3 North Castle Drive, Armonk:

- Local Law to amend Section 355-23, Schedule of Office and Business Regulations: by amending Permitted Principal Use #1 in the OBH (Office Business Hotel) Zoning District, by adding a provision to include multifamily dwellings as a Permitted Principal Use in the OBH Zoning District, and by modifying requirements in the OBH Zoning District;  
amend Section 355-30 (G) Additional office and industrial district regulations – Hotels.
- Local Law to amend Chapter 355, Zoning, so as to rezone an area of approximately 26.25 acres along North Castle Drive, from its present OBH Office Business Hotel Zoning District to the R-MF-A Multifamily-A Residence Zoning District.

The Minutes of the Public Hearings which began at 7:59 p.m. follow at the end of these Minutes.

Councilman: Stephen D'Angelo moved, seconded by Councilman: Barry Reiter, approval of Town Board Minutes: June 26, 2019.  
Vote- Unanimous

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In regard to the special permit requirements in the R-MF-DA (Residential – Multifamily – Downtown Armonk) Zoning District (with regard to the Zoning Petition for 45 Bedford Road LLC, site of Mariani Gardens Nursery), Councilman: Stephen D'Angelo moved, seconded by Councilman: Barry Reiter, receipt of Special Use Permit Application and referral of Application to the County Planning Board and the Town Planning Board with the request that the Planning Board pay close attention to the following items outlined in the Westchester County Planning Board letter dated May 17, 2019: Sidewalks and Green Building Technology, and that the Planning Board also consider the feasibility of a sidewalk from Bedford Road into Armonk Square.

Vote- Unanimous

Consideration of the award of proposal to Con-Tech Construction Technology Inc. for the Wampus Brook Park North Bridge Replacement, and authorization for the Supervisor to sign the agreement was tabled.

Councilman: Barry Reiter moved, seconded by Councilman: Barbara DiGiacinto, approval of the award of bid to ELQ Industries, Inc., for the Wampus Brook Park South Bridge Replacement, in the amount of \$220,214, and authorization for the Supervisor to sign the agreement.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, approval of the award of bid to Aqua Works Inc. for Duck Pond Dam and Betsy Sluder Nature Preserve Dam repairs in the amount of \$81,698.75, and authorization for the Supervisor to sign the agreement.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Barbara DiGiacinto, approval of proposal from TC Merritts Land Surveyors to survey Tax Lot 76, Faraway Road, Armonk for a fee of \$940.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, approval of request of General Foreman Jamie Norris for permission to auction off vehicles and equipment from the Highway Department.

Vote- Unanimous

Councilman: Barry Reiter moved, seconded by Councilman: Barbara DiGiacinto, return of the \$20,000 contribution from Frank Madonna to Water District No. 4 in connection with a condemnation action of property on Business Park Drive as the Town does not intend to move forward with the condemnation of the property.

Vote- Unanimous

Councilman: Stephen D'Angelo moved, seconded by Councilman: Barry Reiter, approval of request from Armonk Chamber of Commerce to hold Armonk Cider and Donut Festival featuring Jamie's 5k Run for Love on Sunday, September 15, 2019.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Barbara DiGiacinto, receipt of Special Event Permit application from Haunted Dead End for a Halloween event; and scheduling a Public Hearing on September 11, 2019.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Barry Reiter, approval of request from John Bernson to hold wedding ceremony at the Gazebo in Wampus Brook Park on Monday, August 5, 2019.

Vote- Unanimous

Councilman: Stephen D'Angelo moved, seconded by Councilman: Barry Reiter, authorization for the Supervisor to sign agreements with Value Payment Systems (VPS) and Worldpay US, Inc. for credit card payment processing services at no cost to the Town.

Vote- Unanimous

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Councilman: Stephen D'Angelo moved, seconded by Councilman: Barbara DiGiacinto, authorization to extend the agreement with GenQuip for Water & Sewer Annual Emergency Generator Maintenance Service for the period of August 1, 2019 through August 1, 2020 for an annual fee of \$3,820.

Vote- Unanimous

Councilman: Stephen D'Angelo moved, seconded by Councilman: José Berra, authorization to approve updated terms and conditions of employment for the Chief of Police, Peter Simonsen, effective January 1, 2019.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Stephen D'Angelo, approval of probationary promotional appointment of Maria Scharf to Senior Office Assistant: Automated Systems, effective July 8, 2019.

Vote- Unanimous

Councilman: Stephen D'Angelo moved, seconded by Councilman: Barbara DiGiacinto, approval of probationary promotional appointment of Lisa Larsen to Senior Office Assistant: Recreation, effective July 8, 2019.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: José Berra, approval of a salary increase for Lori Zawacki, Intermediate Clerk, effective January 1, 2019; and further moved approval of compensation for Lori Zawacki for attendance and minutes at Zoning Board of Appeals (ZBA) meetings and Architectural Review Board (ARB) meetings, at a rate per meeting, effective July 10, 2019.

Vote- Unanimous

Councilman: Stephen D'Angelo moved, seconded by Councilman: José Berra, ratification of Library Board appointment of Emma Mandella to Library Page, effective July 1, 2019.

Vote- Unanimous

Councilman: Stephen D'Angelo moved, seconded by Councilman: José Berra, ratification of Library Board appointment of Julia Dorfman to Library Page, effective July 1, 2019.

Vote- Unanimous

Councilman: Barry Reiter moved, seconded by Councilman: Stephen D'Angelo, approval of probationary appointment of Douglas Neeson to Police Officer, effective July 15, 2019.

Vote- Unanimous

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

- Receipt of North Castle South Fire District No.1 Financial Statements December 31, 2018.
- Audit and approval of payments in the amount of \$656,439.70 as indicated on Warrant #13, dated July 10, 2019.
- Release of Highway Bonds.
  - Thomas Shinnick – Permit 1021 for right of way at 16 Hunter Avenue in the amount of \$750.
- Town Clerk's Report: June 2019.

Vote- Unanimous

After all persons were heard who desired to be heard, the Supervisor closed the regular meeting at 10:18 p.m. in memory of Joseph A. Walsh, resident; Barbara & Lew Massi, former longtime residents; and Ostilio Salerno, resident and son of former Highway employee Frank Salerno.

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Alison Simon, Town Clerk

Dated: July 18, 2019