

Town Board Minutes
Town of North Castle
15 Bedford Road
Armonk, New York
on
August 7, 2019

The Town Board meeting was called to order at 6:30 p.m. at Town Hall and immediately adjourned to Executive Session on the duly adopted motion of Councilman DiGiacinto. All Town Board members, the Town Administrator and the Town Attorney were present for the Executive Session. The Executive Session adjourned at 7:39 p.m. and the regular meeting reconvened at 7:42 p.m. and the following persons were present:

Present: Supervisor: Michael Schiliro
Councilman: Barbara DiGiacinto
Councilman: Barry Reiter
Councilman: José Berra
Town Counsel: Roland A. Baroni
Town Administrator: Kevin Hay
Deputy Town Clerk: Barbara Pesquera

Absent: Councilman: Stephen D'Angelo
Town Clerk: Alison Simon

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, approval of Town Board Minutes: July 24, 2019

Vote- Unanimous

In regard to the Special Use Permit Application of 45 Bedford Road LLC (site of Mariani Gardens Nursery) regarding special permit requirements in the R-MF-DA (Residential - Multifamily - Downtown Armonk) Zoning District: Councilman: Barry Reiter moved, seconded by Councilman: Barbara DiGiacinto, receipt of the following:

- o Planning Board letter, dated July 30, 2019.
- o Planning Department memos, dated July 26, 2019.
- o County Planning Board letter, dated July 22, 2019.
- o Veneziano & Associates letter, dated August 2, 2019.

Vote- Unanimous

In regard to the Special Use Permit Application of 45 Bedford Road LLC (site of Mariani Gardens Nursery) regarding special permit requirements in the R-MF-DA (Residential - Multifamily - Downtown Armonk) Zoning District: Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, the scheduling of a Public Hearing for September 25, 2019.

The roll call vote was as follows:

Ayes: Councilman: Barbara DiGiacinto, Councilman: Barry Reiter,
Supervisor: Michael Schiliro
Noes: Councilman: José Berra
Absent: Councilman: Stephen D'Angelo

Councilman: Barry Reiter moved, seconded by Councilman: José Berra, approval of request from Chief of Police Peter Simonsen to purchase a Chevrolet Tahoe marked police vehicle as an alternate to the vehicle previously budgeted for, and to upgrade the Lieutenant's vehicle and the Chief's vehicle, to be paid from the Police Budget.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, approval of request from Chief of Police Peter Simonsen to purchase a RICCI digital arrest processing machine and authorization to transfer budgeted funds to support this purchase.

Vote- Unanimous

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Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, receipt of Building Inspector Property Maintenance Report and recommendation, dated July 26, 2019, and authorization for completion of work.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, receipt of letter from Jason and Paige Berger regarding erosion in public right of way on property located at 14 Faraway Road, Armonk, dated July 24, 2019, and referral to Town Engineer Kellard Sessions Consulting, Highway General Foreman Jamie Norris, and Town Attorney Roland Baroni.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Barry Reiter, approval to issue a license to Better Carting to collect refuse and dispose of same for the period April 1, 2019 to March 31, 2020.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, receipt of Stipulation of Discontinuance and Consent Judgment and authorization to pay regarding Deep Waters Portage LLC, 5 Gene Curry Drive (Section 95.01, Block 2, Lot 18) for tax years 2018 and 2019.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, receipt of Notice of NYS Liquor License for new owner of Kira Asian Bistro Corp, 575 Main Street, Armonk, and waiver of the 30 day Notice requirement.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: José Berra, receipt of Notice of NYS Liquor License application for new restaurant Meraki Taverna, 450 Main Street, Armonk.

Vote- Unanimous

Councilman: Barry Reiter moved, seconded by Councilman: Barbara DiGiacinto, authorization to rebid the North Castle Public Library Children's Room Expansion Project, Armonk Branch, subject to review by the Building Inspector.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, authorization for the Supervisor to sign the Town of North Castle Wetland Permit Application for Brynwood Partners, LLC to conduct exploratory drilling of test wells in Water District No. 2, Windmill Farms.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: José Berra, authorization for the Supervisor to sign the Consulting Agreement with Sourced Municipal Solutions, L.L.C. for management advisory services, effective July 1, 2019.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Supervisor: Michael Schiliro, authorization for the Supervisor to sign the Community Benefits Agreement with Brynwood Partners, LLC; and receipt of first benefits payment of \$190,000.

Vote- Unanimous

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Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, authorization for the Supervisor to sign the Community Benefits Agreement with 45 Bedford Road LLC, site of Mariani Gardens Nursery conditioned upon receipt of payment of \$250,000 payable to Stephens, Baroni, Reilly & Lewis LLP as escrow agents by close of business on Friday, August 16, 2019.

The roll call vote was as follows:

Ayes: Councilman: Barbara DiGiacinto, Councilman: Barry Reiter
Supervisor: Michael Schiliro
Noes: Councilman: José Berra
Absent: Councilman: Stephen D'Angelo

Note: On Friday, August 16, 2019, escrow payment in the amount of \$250,000 was received by Town Attorney Stephens, Baroni, Reilly & Lewis LLP as escrow agents, and the Supervisor signed the Community Benefits Agreement with 45 Bedford Road LLC, site of Mariani Gardens Nursery.

Councilman: Barbara DiGiacinto moved, seconded by Councilman: José Berra, authorization for the Supervisor to sign the proposal from Carlin Simpson & Associates for Subsurface Soil and Foundation Investigation regarding IBM Community Park Bathroom Facilities.

Vote- Unanimous

Councilman: Barry Reiter moved, seconded by Councilman: José Berra, approval of the probationary promotional appointment of Kevin C. Finateri to Sergeant, Police Department, effective August 10, 2019.

Vote- Unanimous

Councilman: Barry Reiter moved, seconded by Councilman: José Berra, approval of the probationary promotional appointment of Anthony V. Sabatella to Detective, Police Department, effective August 10, 2019.

Vote- Unanimous

Councilman: Barry Reiter moved, seconded by Councilman: Barbara DiGiacinto, approval of the probationary promotional appointment of Seamus C. Conlan to Detective, Police Department, effective August 10, 2019.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Barbara DiGiacinto, approval of the reappointment of Victoria Sirota as Assessor for a 6 year term to expire September 30, 2025.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Barbara DiGiacinto, approval of the change of status of Stephanie Hartwell-Mandella from Provisional Library Director II to Probationary Library Director II, effective August 7, 2019.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: José Berra, approval of the probationary promotional appointment of Nicola Bueti to Motor Equipment Operator, effective August 12, 2019.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: José Berra, approval of the probationary promotional appointment of Antonny Rigoberto Dela Cruz Solorzano to Motor Equipment Operator, effective August 12, 2019.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: José Berra, approval of the probationary promotional appointment of Michael Ross to Motor Equipment Operator, effective August 12, 2019.

Vote- Unanimous

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Councilman: José Berra moved, seconded by Councilman: Barbara DiGiacinto, approval of the probationary promotional appointment of Paul Santoro to Motor Equipment Operator, effective August 12, 2019.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: José Berra, approval of the probationary appointment of Hugh Pender to Laborer, Step 1, effective August 12, 2019.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Barbara DiGiacinto, approval of probationary appointment of Greg Petre to Laborer, Step 1, effective August 19, 2019.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Barbara DiGiacinto, approval of probationary appointment of William Murphy to Laborer, Step 1, effective August 26, 2019.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: José Berra, approval of probationary promotional appointment of Michael Arco to Road Maintenance Foreman, Step 1, effective August 12, 2019.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: José Berra, approval of Robin Glat as an Alternate to the Board of Ethics, effective August 1, 2019.

Vote- Unanimous

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

- Audit and approval of payments as indicated on Warrant #15, dated August 7, 2019.
- Town Clerk's Report: July 2019.
- Receipt of North Castle Fire District 2 Financial Statements, December 31, 2018.
- Release of Highway Bonds.
 - Pietro DiSisto – Permit 1050 for driveway alteration at 28 Thornwood Road in the amount of \$1,000.
 - Robert Silpe – Permit 1048 for driveway alteration at 5 Hobby Farm Drive in the amount of \$500.
 - Cross County Asphalt – Permit 1047 for driveway alteration at 1511 Old Orchard Street in the amount of \$500.

Vote- Unanimous

After all persons were heard who desired to be heard, the Supervisor closed the regular meeting at 9:43 p.m. in memory of Town resident Joseph A. Mattola; and all who perished in El Paso, Texas and Dayton, Ohio.

Alison Simon, Town Clerk

Dated: August 22, 2019