

Town Board Minutes
Town of North Castle
15 Bedford Road
Armonk, New York
On
April 26, 2023

The Town Board Meeting was held in person at 15 Bedford Road, Armonk, New York. The Meeting was called to order at 5:30 p.m. and adjourned to an Executive Session, on the duly adopted motion of Councilman DiGiacinto.

- All Town Board members, the Town Attorney and the Town Administrator were present for the Executive Session.

The Executive Session adjourned at 7:39 p.m. The regular meeting reconvened at 7:43 p.m.

The following persons were present in person in the Meeting Room:

Supervisor: Michael Schiliro
Councilman: Barbara DiGiacinto
Councilman: Saleem Hussain
Councilman: Matt Milim
Councilman: José Berra
Town Clerk: Alison Simon
Town Attorney: Roland A. Baroni
Town Administrator: Kevin Hay

A Public Hearing was reconvened to consider granting and acceptance of Conservation Easement and Declaration of Restrictive Covenants for properties, consisting of approximately 130 acres, located at address commonly known as Summit Club (formerly Brynwood), 568 Bedford Road, Armonk, New York.

A Public Hearing was reconvened to consider adoption of a proposed Local Law to amend Section 355-27, Zoning, regarding Airport Campus, 113 King Street, Armonk, to permit density at the discretion of the Town Board for office building to senior housing conversions in the R-MF-SCH (Multifamily-Senior Citizen Housing) Zoning District and reclassify the property from the DOB-20A (Designed Office Business 20A) Zoning District to the R-MF-A (Multifamily-A Residence) and R-MF-SCH Zoning Districts.

The Minutes of the Public Hearings, which opened at 8:13 p.m., follow at the end of these minutes.

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, approval of Town Board Minutes: April 12, 2023.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, receipt of recommendation from Director of Water and Sewer Operations Sal Misiti to create Fire Hydrant Districts in the Town of North Castle, dated April 13, 2023.

Vote- Unanimous

Regarding 45 Bedford Road LLC, The Gardens, (former site of Mariani Gardens), the Town Board took the following actions:

- Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, receipt of the following: Letters from Hardesty & Hanover, LLC, Traffic Engineer regarding Peer Review, dated April 7, 2023; Response to Comments, dated April 25, 2023; and revised Site Plan Rendering, dated April 26, 2023.
Vote- Unanimous
- Councilman: Matt Milim moved, seconded by Councilman: Saleem Hussain, referral to Town Planning Department for a Report; and to the Town and County Planning Boards. The roll call vote was as follows:

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Ayes: Supervisor: Michael Schiliro, Councilman: Barbara DiGiacinto,
Councilman: Saleem Hussain, Councilman: Matt Milim
Noes: None
Abstained: Councilman José Berra

- Councilman: Matt Milim moved, seconded by Councilman: Saleem Hussain, scheduling of a Public Hearing on June 14, 2023.

The roll call vote was as follows:

Ayes: Supervisor: Michael Schiliro, Councilman: Barbara DiGiacinto,
Councilman: Saleem Hussain, Councilman: Matt Milim
Noes: None
Abstained: Councilman José Berra

Regarding Eagle Ridge 88 unit multi-family development, 3 North Castle Drive, Armonk (108.03-1-62.1), the Town Board took the following actions: Councilman: Barbara DiGiacinto moved, seconded by Councilman: Matt Milim, receipt of the following: Planning Board Recommendation, dated March 28, 2023; County Planning Board response, dated March 31, 2023; letter from Zarin & Steinmetz LLP, dated April 4, 2023; letter from Hardesty & Hanover, LLC, Traffic Engineer regarding Peer Review, dated April 6, 2023; memo from Director of Planning Adam Kaufman, Substantive Review of Technical Memo regarding Revised Eagle Ridge Plan, dated March 27, 2023; and memo from Kellard Sessions regarding Eagle Ridge Subdivision, dated April 25, 2023. Councilman: Barbara DiGiacinto further moved, seconded by Councilman: Matt Milim, the scheduling of a Public Hearing on May 10, 2023.

Councilman Hussain recused himself from the discussion and the vote because he is an employee of IBM, the adjacent property owner.

Vote- Unanimous

Consideration of a Zoning Amendment for a proposed Battery Energy Storage project at 10 New King Street in North Castle, NY was tabled at the applicant's request.

Councilman: José Berra moved, seconded by Councilman: Matt Milim, approval of payment application No. 3 to WND Construction Corp. for the North Castle Public Library Restroom Alterations Project in the amount of \$16,466.68.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, approval of lifting the July 8, 2020 suspension of the issuance of Peddling, Soliciting and Canvassing permits established in response to the COVID-19 pandemic.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, authorization for the Highway Department to install a new utility pole at the Fisher Lane Commuter Parking Lot. This resolution is to be considered an emergency declaration and is effective immediately.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Matt Milim, approval of IBM Team Picnic/Outing event at Community Park Pavilion on June 22, 2023.

Councilman Hussain recused himself from the discussion and the vote because he is an employee of IBM.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Saleem Hussain, approval of License Agreement from Westchester County for Fisher Lane Commuter Parking Lot for the period of April 1, 2023 through March 31, 2024 at a cost of \$36,723; and authorization for the Supervisor to sign the agreement.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, authorization for the Supervisor to sign Summer Camp Bus Lease Agreement with Byram Hills Central School District effective June 26, 2023 to August 4, 2023.

Vote- Unanimous

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Councilman: José Berra moved, seconded by Councilman: Saleem Hussain, authorization for the Supervisor to sign Summer Camp agreement with Byram Hills Central School District for use of Coman Hill and Wampus Elementary Schools for the last week in June through the first week in August, 2023.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, authorization to renew the Delta Dental agreement for the Police Department dental plan for the period of May 1, 2023 to April 30, 2024.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: José Berra, approval of the promotion of Sergeant Thomas McCormack to the rank and position of Operations Lieutenant, effective May 6, 2023.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Saleem Hussain, approval of hourly appointment of Emma Smith-Marrone, Town Clerk's Office, effective May 16, 2023.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, approval of promotional provisional appointment of Joseph Maselli to Water & Sewer Maintenance Worker Grade II, Water and Sewer Department, effective April 22, 2023.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, authorization of Termination of Employee No. 98762 for Probationary Failure, effective April 21, 2023.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Saleem Hussain, approval for the Town Administrator Kevin Hay to attend NYSCMA Annual Conference in Lake George from May 29 through June 1, 2023.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, approval of appointment of Brad Lerman to the Parks and Recreation Advisory Board for a three-year term to expire on April 26, 2026.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Saleem Hussain, receipt of resignation from Andy Block for the Conservation Board, dated April 5, 2023, and Recognition of Andy's service to the Town of North Castle.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, approval of Consensus Agenda as follows:

- Audit and approval of payments in the amount of \$5,796,738.68 as indicated on Warrant No. 8 dated April 26, 2023.
- Release of Highway Bond:
 - Manor Paving - Permit 1229 for a driveway alteration at 4 Renker Farm Lane in the amount of \$1,200.

Vote- Unanimous

After all persons were heard who desired to be heard, the Supervisor closed the regular meeting at 11:49 p.m. in memory of former resident Edward "Ned" Strianese.

Alison Simon, Town Clerk

Dated: May 3, 2023