

Town Board Minutes  
Town of North Castle  
10 Clove Road  
North White Plains, NY 10603  
on  
March 28, 2018

The Town Board meeting was called to order at 6:00 p.m. at North White Plains Community Center and immediately adjourned to a Work Session on the duly adopted motion of Councilman D'Angelo. All Town Board members, the Town Attorney and the Town Clerk were present for the Work Session. The Work Session adjourned at 7:30 p.m.; the Town Clerk joined the regular meeting which reconvened at 7:41 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

Absent:        Town Administrator: Joan Goldberg

Councilman: Stephen D'Angelo moved, seconded by Councilman: Barbara DiGiacinto,  
Approval of Town Board Minutes: March 14, 2018.  
Vote- Unanimous

Supervisor Schiliro provided an update regarding the Elijah Miller House, Washington's Headquarters. Mr. Schiliro noted that, as part of the recent public hearing on the Comprehensive Plan Update, the Town Board received correspondence and comments regarding the Miller House, focusing on the location of the House. On July 23, 2014 the Town Board adopted a resolution urging Westchester County to restore the Miller House at its current location on Virginia Road, noting this was recommended by the Elijah Miller House Committee, Friends of Miller House, the Daughters of Liberty Legacy, and the North Castle Historical Society, and also for the County to retain ownership of the House. Mr. Schiliro said that County Executive George Latimer supports the Town's position. All Town Board members reaffirmed their support of the 2014 resolution. Supervisor Schiliro said he will send a letter to the County Executive regarding the Board's reaffirmation.

Councilman: Stephen D'Angelo moved, seconded by Councilman: José Berra, authorization of pay application No.4 to Wernert Construction for the Windmill rehabilitation project in the amount of \$54,853.89.  
Vote- Unanimous

Councilman: Stephen D'Angelo moved, seconded by Councilman: José Berra, approval of change order No. 1 for the Windmill rehabilitation project Water District No. 2 and authorization for the Supervisor to sign the order with an increase in price of \$38,150.19, which raises the overall contract from \$295,582 to \$333,732.19.  
Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Stephen D'Angelo, award of bid for Water District No. 4 well drilling on IBM property to the sole bidder Torlish & Sons for a maximum fee of \$89,719, and authorization for the Supervisor to sign the contract.  
Vote- Unanimous

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Regarding the Zoning Petition for Eagle Ridge, 3 North Castle Drive, Armonk from Madd Madonna Armonk LLC Councilman: Stephen D'Angelo moved, seconded by Councilman: Barry Reiter, Receipt of Zoning Petition; Declaration of Intent to Act as Lead Agency; and Referral to the County Planning Board and Town Planning Board with a request to review Affirmatively Furthering Fair Housing (AFFH) requirements.

Vote- Unanimous

Consideration of the request to Bid the North White Plains Community Center Renovation and expansion project was tabled.

Councilman: Stephen D'Angelo moved, seconded by Councilman: Barry Reiter, authorization to pay invoice of Lothrop Associates LLP for architectural work done at the North White Plains Community Center in the amount of \$62,777.18.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Barry Reiter, approval of Friends of The North Castle Public Library request to use the Community Park for the 57th Annual Armonk Outdoor Art Show and approval for an alcohol permit, September 29 - 30, 2018, and a waiver of the \$50 permit fee.

Vote- Unanimous

Councilman: Stephen D'Angelo moved, seconded by Councilman: Barbara DiGiacinto, receipt of Petition of Tax Assessor Sirota regarding apportionment to the 2018 Assessment Roll as it relates to:

- 568 and 570 Bedford Road, Armonk, along with receipt of memo from Town Engineer Kellard Sessions.
- 64 and 70 Overlook Road, North White Plains.
- 43 and 41 Washington Avenue, North White Plains.

Vote- Unanimous

Pursuant to recommendations from the Planning Board and Kellard Sessions Councilman: Barbara DiGiacinto moved, seconded by Councilman: Stephen D'Angelo, reduction of the Construction Performance Bond Deer Ridge Subdivision, Armonk from \$544,360 to \$136,090.

Vote- Unanimous

Councilman: Stephen D'Angelo moved, seconded by Councilman: Barry Reiter, authorization for Supervisor to sign Kellard Sessions proposals for engineering services regarding Stormwater Management Program:

1. MS4 Municipal Compliance Certification and Annual Report Semi Annual Progress Report for a fee not to exceed \$5,000;
2. Illicit Discharge Detection and Elimination Stormwater Outfall Inspection/GIS mapping for a fee for Field Inspection of Outfalls of \$3,850 and GIS Stormwater Data Maintenance as required and not to exceed \$3,000 unless otherwise approved in advance by the owner.

Vote- Unanimous

Councilman: Stephen D'Angelo moved, seconded by Councilman: José Berra, authorization for the Supervisor to sign Engagement Letter with William Maker, Jr. of Maker, Fragale & Di Costanzo, LLP for representation on a certiorari matter at a billable rate of \$225 per hour plus disbursements.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Barry Reiter, authorization for the Supervisor to sign Agreement with Lothrop Associates LLP for Architectural Services regarding expansion of the Children's Room in the North Castle Public Library Armonk branch for a fee of \$16,000.

Vote- Unanimous

Councilman: Barry Reiter moved, seconded by Councilman: José Berra, Receipt of Letter of Resignation from Personnel Manager Tanya Orr, effective April 6, 2018.

Vote- Unanimous

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Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, approval of terminal leave payment for Scott Svendsen, Police Officer.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: José Berra, the reappointment of Jane Black as a member of the Conservation Board for a two year term to expire April 8, 2020; and as Co-Chairman, to serve at the pleasure of the Town Board.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: José Berra, the reappointment of George Drapeau to the Conservation Board for a two year term to expire April 8, 2020.

Vote- Unanimous

Councilman: Barry Reiter moved, seconded by Councilman: Barbara DiGiacinto, Receipt of letter of resignation from John Tiernan for his service on the Conservation Board effective April 8, 2018.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, approval of request of Town Clerk Alison Simon to attend the New York State Town Clerks Association (NYSTCA) Conference in Albany from April 22 – 24, 2018, and permission to use a Town vehicle.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: José Berra, receipt of the consensus agenda as follows:

- Receipt of Decision and Order dismissing the Article 78 Proceeding: In the Matter Sierra Club vs. The Town of North Castle, NY, The Town of North Castle, NY Planning Board, The Town of North Castle, NY Town Board, 11 New King Street, LLC and JAM Airport LLC.
- Receipt of Summons and Complaint Re Lois McCarthy vs. County of Westchester and Town of North Castle and referral to Town Attorneys.
- Receipt of Notice of Claim from Richard Weiss vs. Town of North Castle and referral to Town Attorneys.
- Receipt of Notice of Claim from Anne-Marie Annunziato vs. Town of North Castle and referral to Town Attorneys.
- Receipt of Notice of Claim from Joanne Goldstein vs. Town of North Castle and referral to Town Attorneys.
- Receipt of Notice of Claim from Bogden and Angele Petre vs. Town of North Castle and referral to Town Attorneys.
- Receipt of Notice of Intention to Claim from Susan Vock vs. Town of North Castle and referral to Town Attorneys.
- Release of Highway Bonds:
  - Cox Avenue Development – Permit 0831 for street opening at 97 Cox. Avenue in the amount of \$6,000.00
- Receipt of 2016 and 2015 audit and financial statements from Banksville Independent Fire Company, Inc.

Vote- Unanimous

The Town Board audited and approved payments of \$634,150.99 as indicated on Warrant #6 dated March 28, 2018.

After all persons were heard who desired to be heard, the Supervisor closed the regular meeting at 10:28 p.m. in memory of Norman “Bingo” Anderson, former North White Plains resident and North Castle Highway Superintendent.

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Alison Simon, Town Clerk

Dated: April 5, 2018