

Town Board Minutes
Town of North Castle
15 Bedford Road
Armonk, New York
on
April 25, 2018

The Town Board meeting was called to order at 5:00 p.m. at Town Hall and immediately adjourned to a Work Session on the duly adopted motion of Councilman D'Angelo. All Town Board members, the Town Attorney, the Town Administrator and the Town Clerk were present for the Work Session. The Work Session adjourned to an Executive Session at 6:00 p.m. All Town Board members, the Town Attorney, and the Town Administrator were present for the Executive Session. The Executive Session adjourned at 7:30 p.m.; the Town Clerk joined the regular meeting which reconvened at 7:37 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
Town Administrator: Joan Goldberg

Councilman: Stephen D'Angelo moved, seconded by Councilman: Barry Reiter, approval of Town Board Minutes: April 11, 2018.

Vote- Unanimous

Councilman: Stephen D'Angelo moved, seconded by Councilman: Barbara DiGiacinto, the adoption of the Town of North Castle Comprehensive Plan. The Resolution follows.

The roll call vote was as follows:

Ayes: Councilmen D'Angelo, DiGiacinto, Reiter, Berra, Supervisor Schiliro

Noes: None

WHEREAS, the North Castle Town Board is responsible for the preparation and adoption of the Town of North Castle Comprehensive Plan ("Comprehensive Plan"), pursuant to NYS Town Law; and

WHEREAS, said Comprehensive Plan has been prepared in accordance with NYS Town Law and provides a guide for land use and development decisions, the adoption of municipal regulations and the investment of public funds for infrastructure; and

WHEREAS, the adoption of a Comprehensive Plan is classified as a Type I action under Part 617 of the State Environmental Quality Review Act ("SEQR"); and

WHEREAS, the Town Board declared itself lead agency for this action on November 8, 2017, and authorized the circulation of the EAF and draft Plan to adjacent municipalities and the Westchester County Department of Planning; and

WHEREAS, the Town Board held a public hearing on the Plan on January 24 and February 14, 2018, at which time all those wishing to be heard were given an opportunity to be heard, and the Town Board accepted written public comments on the Plan through March 1, 2018; and

WHEREAS, the Town Board adopted a Negative Declaration on February 28, 2018, with respect to the adoption of the Comprehensive Plan ("Proposed Action"), and found that, based upon the information contained in the full EAF, the Proposed Action will not have any significant adverse impacts on the environment, no environmental impact statement (EIS) needs to be prepared, and the SEQRA process is complete.

NOW, THEREFORE, BE IT RESOLVED, that the North Castle Town Board hereby adopts the proposed Town of North Castle Comprehensive Plan, dated April 2018, as an important planning tool which identifies a range of issues, initiatives, studies, projects and programs which can be undertaken by various entities in the short-term and long-term.

This resolution shall take effect immediately.

Councilman: Stephen D'Angelo moved, seconded by Councilman: Barbara DiGiacinto, approval to Bid the North White Plains Community Center Renovation and expansion project.
Vote- Unanimous

Councilman: Barry Reiter moved, seconded by Councilman: Barbara DiGiacinto, receipt of recommendation from Director of Planning Adam Kaufman regarding Chemical Storage Warehouse Operating Permit Requirement, 6 Labriola Court, Armonk; and adoption of resolution to require chemical storage uses to obtain annual Operating Permit. The Resolution follows.

Vote- Unanimous

WHEREAS, Section 127-10.A(1)(e) of the Town Code, permits the Town Board to require Operating Permits for “buildings whose use or occupancy classification may pose a substantial potential hazard to public safety, as determined by resolution adopted by the Town Board of this Town;” and

WHEREAS, due to the inherent dangers associated with chemical storage, the Planning Board, Building Department and Fire Department recommend that the Town require chemical storage uses to obtain an annual Operating Permit; and

WHEREAS, an Operating Permit requires that the Applicant supply yearly information to the Town sufficient to permit a determination by the Building Inspector that quantities, materials and activities conform to the requirements of the NYS Building Code; and

NOW THEREFORE BE IT RESOLVED, the Town Board finds that a Chemical Storage Warehouse use may pose a substantial potential hazard to public safety; and

BE IT FURTHER RESOLVED, the Town Board shall require Chemical Storage Warehouses within the Town of North Castle to obtain an annual Operating Permit pursuant to Section 127-10 of the Town Code.

Councilman: José Berra moved, seconded by Councilman: Barbara DiGiacinto, receipt of Parks and Recreation Advisory Board letter regarding prefabricated restrooms for IBM Community Park.

Vote- Unanimous

Councilman: Barry Reiter moved, seconded by Councilman: José Berra, receipt of Westchester Library System Grant Award in the amount of \$135,749.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: José Berra, adoption of Budget Amendment as follows:

Increase	L.1000.3840	State Aid	\$120,000
Increase	L.7410.0752.0012	Building Repair	\$120,000

Vote- Unanimous

Councilman: Barry Reiter moved, seconded by Councilman: Barbara DiGiacinto, approval of Proposal for Subsurface Soil and Foundation Investigation regarding Proposed Renovations to the North Castle Public Library, Armonk Branch Children’s Addition from Carlin, Simpson and Associates Consulting Geotechnical and Environmental Engineers for a total cost between \$5,575 and \$12,175, with additional services at hourly fees as indicated in the Proposal.

Vote- Unanimous

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Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, receipt of 1st Quarter 2018 Revenue/Expense Budget Reports, Bank Reconciliations, and Mortgage Recording Tax Update.

Vote- Unanimous

Councilman: Barry Reiter moved, seconded by Councilman: Barbara DiGiacinto, authorization to pay 1/8 of the Winkler Pond repair in the amount of \$1,937.50 as required by the Town's inclusion in the Winkler Farm Homeowner's Association.

Vote- Unanimous

Councilman: Barry Reiter moved, seconded by Councilman: Barbara DiGiacinto, approval of request of General Foreman Jamie Norris for the purchase and installation of new stainless steel bodies, sanders, and plows for two highway trucks, from New York State Contract, for a total cost of \$175,884, to be paid from General Fund in the amount of \$150,000, and Highway Equipment Balance in the amount of \$25,884.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, approval of request from North Castle Public Library for use at "Paint and Sip" event at the Library, May 21, 2018, and waiver of permit fee.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: José Berra, approval of request for alcohol permit from Friends of the North Castle Public Library for use at event at the Library, June 14, 2018, and waiver of permit fee.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, approval of request from William Kapp for alcohol permit at Lombardi Park Pavilion for a birthday party on May 20, 2018.

Vote- Unanimous

Councilman: Stephen D'Angelo moved, seconded by Councilman: José Berra, approval of salary increase for Director of Finance Abbas Sura, effective March 6, 2018.

Vote- Unanimous

Councilman: Stephen D'Angelo moved, seconded by Councilman: Barbara DiGiacinto, probationary appointment of Antonny Rigoberto Dela Cruz Solorzano to Laborer, Highway Department, effective May 7, 2018.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: José Berra, appointment of Tyrese W. Richardson, as Seasonal Employee, Highway Department, at an hourly rate of \$15 effective May 7, 2018.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: José Berra, approval of request for Police Officers Anthony Sabatella and Donald Ahrenberg to attend Advanced Juvenile Officer Training from August 27, 2018 to August 31, 2018 in Binghamton, NY.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Stephen D'Angelo, receipt of notification of Resignation from Maureen Keller from the following committees: Elijah Miller House Committee, and Beautification Committee, North White Plains, effective immediately.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Stephen D'Angelo, approval of revised terminal leave payment for Scott Svendsen, Police Officer.

Vote- Unanimous

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Councilman: José Berra moved, seconded by Councilman: Stephen D'Angelo, receipt of Consensus agenda with the exception of receipt of Settlement in the matter of Weaver vs. Town of North Castle as that matter was tabled by the Town Board.

- Receipt of Dismissal of Article 78 Proceeding: In the Matter of Anthony Futia, Jr., Rosemary Bellantoni, and Susan Coppola against Town of North Castle; Michael Schiliro, Town Supervisor of the Town of North Castle; Stephen D'Angelo, Barbara W. DiGiacinto, José L. Berra, and Barry S. Reiter, Members of the Town Board of the Town of North Castle; Alison Simon, Town Clerk of the Town of North Castle; and Roland A. Barone, Esq., Town Attorney of the Town of North Castle.
- Receipt of Notice of Claim Mark Donsky vs. Town of North Castle and referral to Town Attorneys.
- Receipt of Notice of Claim Federal Insurance Company a/s/o LGI Forensic Engineering, P.C. vs. Town of North Castle and referral to Town Attorneys.
- Receipt of Notice of Claim: Hope Parker vs. Metropolitan Transportation Authority, MTA Metro-North Railroad, County of Westchester, Town of North Castle and Hamlet of North White Plains and referral to Town Attorneys.
- Receipt of Settlement in the matter of Weaver vs. Town of North Castle was tabled by the Town Board.

Vote- Unanimous

The Town Board audited and approved payments of \$237,589.78 as indicated on Warrant # 8 dated April 25, 2018.

After all persons were heard who desired to be heard, the Supervisor closed the regular meeting at 8:56 p.m. in memory of Town resident Delores Atilas-Moravick.

Alison Simon, Town Clerk

Dated: May 4, 2018