

Town Board Minutes
Town of North Castle
15 Bedford Road
Armonk, New York
on
February 27, 2019

The Town Board meeting was called to order at 5:00 p.m. at Town Hall and immediately adjourned to an Executive Session on the duly adopted motion of Councilman D'Angelo. All Town Board members, the Town Attorney, and the Interim Town Administrator were present for the Executive Session. The Executive Session adjourned to a Work Session at 6:08 p.m. All Town Board members, the Town Attorney, the Town Administrator and the Town Clerk were present for the Work Session. The Work Session adjourned at 6:34 p.m. to Executive Session which adjourned at 7:30 p.m.; the regular meeting reconvened at 7:39 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

A Public Hearing was held to consider a Local Law to amend Chapter 325, Vehicles and Traffic, Section 325-58 Schedule XVI: No Parking or Standing Certain Hours; Section 325-49 Schedule VII: Stop Intersections; and Section 325-55 Schedule XIII: No Parking Any Time.

A Public Hearing was held to consider a Local Law to amend Chapter 355, Zoning, to eliminate the limitation on form of ownership of residences in the GCCFO (Golf Club Community Floating Overlay) District (with regard to the Zoning Petition of Brynwood Partners LLC, the owner of Brynwood Golf & Country Club) so that multifamily residences can be condominium units.

A Public Hearing was held to consider a Local Law to amend Chapter 355, Zoning, to add the R-MF-DA (Residential – Multifamily – Downtown Armonk) Zoning District and to map said district (with regard to the Zoning Petition for 45 Bedford Road LLC, site of Mariani Gardens Nursery).

The Minutes of the Public Hearings which began at 7:49 p.m. follow at the end of these minutes.

Councilman: Barbara DiGiacinto, seconded by Supervisor: Stephen D'Angelo, approval of Town Board Minutes: February 13, 2019.

Vote- Unanimous

The rescheduling of a Public Hearing to consider an amendment to the Town of North Castle Comprehensive Plan regarding the residential use of property in the NB (Nursery Business) Zoning District was tabled.

Councilman: Barry Reiter moved, seconded by Councilman: José Berra, approval of Change Order No. 2 for Peter J. Landi, Inc. regarding Whippoorwill Crossing Intersection Improvements and Culvert Replacement at a cost of \$2,300.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Barbara DiGiacinto, approval of request from the Friends of the North Castle Public for use of North Castle Community Park, including the access road and parking area, and approval of alcohol permit and waiver of permit fee, for the 58th Annual Armonk Outdoor Art Show September 21 - 22, 2019.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Barbara DiGiacinto, adoption of resolution regarding Home Rule Requests to New York State Senate and Assembly to exempt the position of Receiver of Taxes from the Town residency requirement. The Resolution follows.

AUTHORIZING THE SUBMISSION OF A NYS HOME RULE REQUEST TO EXEMPT THE TOWN RESIDENCY REQUIREMENT FOR THE POSITION OF RECEIVER OF TAXES

On a motion made by Councilman Berra and seconded by Councilman DiGiacinto, the following resolution was adopted:

WHEREAS, the Town of North Castle desires to exempt the Town residency requirement for the position of Receiver of Taxes;

WHEREAS, the Town of North Castle desires to authorize a person to hold the office of receiver of taxes in the Town of North Castle while living outside of such municipality;

WHEREAS, NYS Senator Shelley Mayer has introduced NYS legislation to the Senate with bill number S.2927 and NYS Assemblyman David Buchwald has introduced NYS legislation to the Assembly with bill number A.4767; and

WHEREAS, this legislation requires the passage of a Home Rule Request to the NYS Senate and NYS Assembly by the Town of North Castle.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of North Castle hereby approves the submission of a Home Rule Request to the NYS Senate and Assembly for bill numbers S.2927 and A.4767 that would authorize a person to hold the office of receiver of taxes in the Town of North Castle while living outside of such municipality; and

BE IT FURTHER RESOLVED, that the Supervisor and Town Clerk are authorized to submit the Home Rule Request and execute and deliver all necessary documents to NYS.

COUNCILMAN DiGIACINTO	VOTING	AYE
COUNCILMAN REITER	VOTING	AYE
COUNCILMAN BERRA	VOTING	AYE
COUNCILMAN D'ANGELO	VOTING	AYE
SUPERVISOR SCHILIRO	VOTING	AYE

Councilman: José Berra moved, seconded by Councilman: Barbara DiGiacinto, receipt of memo from Assessor Victoria Sirota regarding Stipulation of Discontinuance (Assessment years 2015-2018 and 2016-2019), Consent Order and Judgment (Tax assessment years 2013-2014) and approval of refund to David Hsu, 736 North Broadway, North White Plains in the amount of \$1,753.41.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Barbara DiGiacinto, receipt of updated information from CXT Concrete Buildings regarding restrooms at IBM Community Park and referral to the Parks and Recreation Advisory Board.

Vote- Unanimous

Councilman: Barry Reiter moved, seconded by Councilman: Stephen D'Angelo, authorization for the Supervisor to sign revised proposal from Nelson/Nygaard Consulting Associates, Inc. for an Armonk Hamlet Parking Study for a fee of \$41,875.

Vote- Unanimous

Councilman: Barry Reiter moved, seconded by Councilman: José Berra, authorization for the Supervisor to sign proposal from Lothrop Associates LLP regarding plans and specifications for the North White Plains Community Center Renovation and Expansion Project for a fee of \$137,390.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, authorization for the Supervisor to sign agreement with Verde Electric Maintenance Corp for traffic signal maintenance at intersection of Bedford Road and Maple Avenue, Armonk at cost of \$4,900 for 2019.

Vote- Unanimous

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Councilman: Barbara DiGiacinto moved, seconded by Councilman: Stephen D'Angelo, appointment of Jennifer Giusti to the position of Acting Superintendent of Recreation & Parks and authorization of stipend, effective Monday, February 18, 2019.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Stephen D'Angelo, approval of salary adjustment for Elizabeth Duffy, Recreation Department, effective March 4, 2019.

Vote- Unanimous

Consideration of personnel items regarding disciplinary actions against Employee No. 3190 were tabled.

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Stephen D'Angelo, approval of request of Town Clerk Alison Simon to attend the New York State Town Clerks Association (NYSTCA) Conference in Syracuse from May 5 – 8, 2019.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Stephen D'Angelo, approval of the Consensus Agenda as follows:

- Release of Highway Bonds.
 - JVD Industries – Permits 0987 & 0988 for street openings at 12 Hissarlik Way and 21 Smith Farm Road in the amount of \$2,000.
 - Arrow Blacktop – Permit 0975 for driveway alteration at 6 Birch Grove Drive in the amount of \$500 as job was cancelled by homeowner.
 - Con Edison – Permits 1332, 1335, 1344, 1345, 1354, 1355, 1356, 1330, 1331, 1358, 1359 and 1342 in the amount of \$12,167.50 for street openings.
- Receipt of franchise fees payments, 4th Quarter, 2018 from Cablevision North and South, and Verizon FIOS.

Vote- Unanimous

The Town Board audited and approved payments of \$18,847.50 as indicated on Warrant #4A-2018 and \$674,048.33 as indicated on Warrant #4-2019 dated February 27, 2019

After all persons were heard who desired to be heard, the Supervisor adjourned the meeting at 12:39 a.m. in memory of Carlo DeMarco, former Sergeant in the North Castle Police Department. The Board reconvened to Executive Session. The Executive Session closed at 1:15 a.m.

Alison Simon, Town Clerk

Dated: March 8, 2019