

Town Board Minutes
Town of North Castle
15 Bedford Road
Armonk, New York
on
June 26, 2019

The Town Board meeting was called to order at 5:00 p.m. at Town Hall and immediately adjourned to Executive Session on the duly adopted motion of Councilman D'Angelo. All Town Board members, the Interim Town Administrator and the Town Attorney were present for the Executive Session. The Executive Session adjourned to a Work Session at 6:55 p.m. All Town Board members, the Town Attorney, the Interim Town Administrator and the Town Clerk were present for the Work Session. The Work Session adjourned at 7:30 p.m.; and the regular meeting reconvened at 7:38 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 Counsel: Roland A. Baroni
 Interim Town Administrator: Patti Dwyer

Kensico Road closure and traffic improvement project update by Mark DelBalzo of the New York City Department of Environmental Protection (NYCDEP).

A Public Hearing was held regarding the Draft Environmental Impact Statement ("DEIS") prepared in connection with the proposed Eagle Ridge development at 3 North Castle Drive, Armonk.

A Public Hearing was held to consider the following Local Laws to amend Chapter 355, Zoning, with regard to the proposed Eagle Ridge development at 3 North Castle Drive, Armonk:

1. Local Law to amend Section 355-23, Schedule of Office and Business Regulations: by amending Permitted Principal Use #1 in the OBH (Office Business Hotel) Zoning District, by adding a provision to include multifamily dwellings as a Permitted Principal Use in the OBH Zoning District, and by modifying requirements in the OBH Zoning District; amend Section 355-30 (G) Additional office and industrial district regulations – Hotels.
2. Local Law to rezone an area of approximately 26.29 acres along North Castle Drive, from its present OBH Office Business Hotel Zoning District to the R-MF-A Multifamily-A Residence Zoning District.

The Minutes of the Public Hearings which began at 8:56 p.m. follow at the end of these Minutes.

Councilman: Barry Reiter moved, seconded by Councilman: Barbara DiGiacinto, approval of Town Board Minutes: June 12, 2019.
Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Barbara DiGiacinto, receipt of memo from the Conservation Board and authorization for Pond and Lake Connection to perform evaluation and treatment of Epstein's Pond in the year 2020 at a cost of \$4,250.
Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, award of bid for 2019 computer and networking equipment upgrades to Sullivan Data Management, Inc., the sole bidder, with modification to the warranties as outlined in the letter from Dianna Sullivan, dated June 27, 2019, for a total cost of \$42,660.10.
Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Barbara DiGiacinto, authorization of payment to Town of Mount Pleasant for Ambulance Services for 2018 in the amount of \$115,998.94 from the Ambulance District's fund balance.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, authorization for the Town's Attorneys to execute a Consent Judgment and Stipulation of Discontinuance in the following Tax Certiorari matter: Deep Waters Portage, LLC vs. Town of North Castle – Index Nos. 65869/18.

Vote- Unanimous

Councilman: Stephen D'Angelo moved, seconded by Councilman: Barry Reiter, adoption of a resolution to participate in the New York State Municipal Workers' Compensation Alliance Plan and adoption of a Workers' Compensation – Self Insurance Resolution; and authorization for the Supervisor to sign the Member Participation Agreement for the 18-month period from July 1, 2019 to January 1, 2021, at a cost of \$705,828. The Resolutions follow:

Vote- Unanimous

NEW YORK STATE MUNICIPAL WORKERS COMPENSATION ALLIANCE PLAN PARTICIPATION RESOLUTION

WHEREAS there has been proposed a "NEW YORK STATE MUNICIPAL WORKERS' COMPENSATION ALLIANCE PLAN DOCUMENT" pursuant to Section 50 3-a of the Workers' Compensation Law (hereinafter "the Plan"); and

WHEREAS the Town of North Castle is eligible for membership in the Plan; and

WHEREAS the Town of North Castle has made an independent investigation of the Plan and reviewed the Plan document, and has concluded that it would be in the interests of the Town of North Castle to participate therein; now, therefore, be it

RESOLVED that the Town of North Castle enter into membership in the Plan pursuant to Section 50 Subdivision 3-a of the Workers' Compensation Law; and be it further

RESOLVED, that the Town Supervisor be and hereby is authorized and instructed to execute the Plan's charter document on behalf of the Town of North Castle; and be it further

RESOLVED, that the custody of all joint Plan moneys by the Plan Administrator under the Plan be and the same hereby is approved.

WORKERS' COMPENSATION - SELF INSURANCE RESOLUTION

RESOLVED, that the Town of North Castle hereby elects, pursuant to Subdivision 3-a of Section 50 of the Workers' Compensation Law, to become a self-insurer as to Workers' Compensation claims against this Municipality; and be it further

RESOLVED, that pursuant to Section 50 Subdivision 3-a of said Workers' Compensation Law, notice of such election shall be filed forthwith with the Chairman of the Workers' Compensation Board, Self-Insurance Section; and be it further

RESOLVED, that this election shall become effective on July 1, 2019.

Councilman: Barry Reiter, moved, seconded by Councilman Barbara DiGiacinto: authorization for the Supervisor to sign bus agreement with Byram Hills School District for Town Camp transportation for the period of July 1, 2019 through August 9, 2019.

Vote- Unanimous

Consideration of engineering proposals regarding the IBM Community Park Bathroom Facilities was tabled.

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, approval of the proposal from Muncity Software Consulting Associates for computer software upgrades in the Building and Planning Departments at a cost for the upgrade and maintenance in 2019 of \$26,000 and an annual maintenance cost of \$11,600 beginning in 2020.

Vote- Unanimous

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Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, elimination of the position of Deputy Receiver of Taxes, effective June 1, 2019.

Vote- Unanimous

Councilman: Stephen D'Angelo moved, seconded by Councilman: José Berra, probationary appointment of Adrian R. Muschett to Police Officer, effective June 29, 2019.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: José Berra, appointment of Michael Lambert, Seasonal Laborer, Parks and Recreation, effective date June 13, 2019.

Vote- Unanimous

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

- Audit and approval of payments of \$1,493,345.48 as indicated on Warrant #12 in dated June 26, 2019.
- Release of the following Highway Bonds:
 - Wally Sroka – Permit 1037 for driveway resurfacing at 112 Cox Avenue in the amount of \$500. Work has been completed and approved.
 - Palmer Holdings – Permit 1039 for curb cut at 85 Byram Ridge Rd. in the amount of \$500. Original release was for only \$1,000 and should have been \$1500. Work has been completed and approved.
 - Gilead Construction – Permit 0999 for curb cut at 4 Ridgeview Drive in the amount of \$725. Work has been completed and approved.
 - Manor Paving – Permit 1038 for driveway alteration at 11 Fox Ridge Rd. in the amount of \$1,000. Work has been completed and approved.

After all persons were heard who desired to be heard, the Supervisor closed the regular meeting at 11:12 p.m. in memory of Town resident Richard Henry Wietsma.

Alison Simon, Town Clerk

Dated: July 5, 2019