

Town Board Minutes  
Town of North Castle  
15 Bedford Road  
Armonk, New York  
on  
July 24, 2019

The Town Board Work Session was called to order at 5:00 p.m. at Town Hall. All Town Board members, the Town Administrator and the Town Clerk were present for the Work Session. The Town Board Meeting was called to order at 5:51 p.m. and immediately adjourned to an Executive Session on the duly adopted motion of Councilman D'Angelo. All Town Board members, the Town Administrator and the Town Attorney were present for the Executive Session. The Executive Session adjourned at 7:39 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  
Interim Town Administrator: Patti Dwyer

Councilman: Stephen D'Angelo moved, seconded by Councilman: Barry Reiter, approval of Town Board Minutes: July 10, 2019.

Vote- Unanimous

Councilman: Stephen D'Angelo moved, seconded by Councilman: Barbara DiGiacinto, approval of request of 11 New King Street, LLC for a two-year extension of the Special Use Permit for a Long-Term Parking Structure regarding Park Place, 11 New King Street, Armonk. The Resolution follows at the end of these minutes.

Vote- Unanimous

Councilman: Stephen D'Angelo moved, seconded by Councilman: Barbara DiGiacinto, approval of recommendations from Planning Board and Kellard Sessions to release Construction Performance Bond for CVS, 450 Main Street, Armonk, to CVS Albany LLC, in the amount of \$200,675.

Vote- Unanimous

Councilman: Stephen D'Angelo moved, seconded by Councilman: Barbara DiGiacinto, acceptance of proposal from DD Hotel Advisory (DD|HA) to review Eagle Ridge Market Feasibility Study, as presented by JF Capital Advisors, and authorization for the Supervisor to sign agreement. The cost of the review will be paid by the applicant.

Vote- Unanimous

Councilman: Stephen D'Angelo moved, seconded by Councilman: Barbara DiGiacinto, adoption of revised Master Fee Schedule for Building Department fees with added language that the Legalization Fee is at the discretion of the Building Inspector in cases where it can reasonably be determined that the current owner is not responsible for the noncompliant construction, effective immediately, and adoption of the revised Fire Safety and Property Maintenance Inspections Fee Schedule, effective January 1, 2020.

Vote- Unanimous

Councilman: Stephen D'Angelo moved, seconded by Councilman: Barbara DiGiacinto, authorization for Director of Finance Abbas Sura to transfer funds from Trust and Agency account for the Elijah Miller House to General Fund operating budget.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: José Berra, authorization for Director of Finance Abbas Sura to transfer funds from the General Fund to the Highway Fund for roadway capital improvements.

Vote- Unanimous

Councilman: Stephen D'Angelo moved, seconded by Councilman: José Berra, receipt of 2nd Quarter 2019 Revenue/Expense Budget Reports and Bank Reconciliations.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Barbara DiGiacinto, receipt of NYS Liquor License application from GTS Investor Corp for a new restaurant Casa Tequila Cocina and Bar, 465 Main Street, Armonk.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: José Berra, approval of request for alcohol permit from St. Stephen's Church for the Comedy Show at Whippoorwill Hall, December 7, 2019, and a waiver of the permit fee.

Vote- Unanimous

Councilman: Stephen D'Angelo moved, seconded by Councilman: José Berra, authorization for Supervisor to sign Prisoner Transportation Agreement with County Department of Correction for the two-year period 2019-2020.

Vote- Unanimous

Councilman: Barry Reiter moved, seconded by Councilman: Barbara DiGiacinto, approval of the probationary promotional appointment of Jennifer Giusti as Assistant Superintendent of Recreation and Parks, effective July 24, 2019.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Stephen D'Angelo, adoption of Resolution authorizing the funding of a new Sergeant's position and authorizing the canvassing of the promotional eligible list by the Chief of Police.

Vote- Unanimous

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

- Audit and approval of payments in the amount of \$529,045.24 as indicated on Warrant #14, dated July 24, 2019.
- Receipt of Notice of Claim in the Matter of Amy Dworetzky vs. Town of North Castle.
- Release of Highway Bonds.
  - KRL Landscaping – Permit 1041 for driveway alteration at 75 Byram Ridge Rd. in the amount of \$500.
  - Manor Paving – Permit 1044 for driveway alteration at 27 Whippoorwill Rd. E. in the amount of \$500.
  - Manor Paving – Permit 1043 for driveway alteration at 6 Elm Place in the amount of \$500.
  - 58A JVD Industries – Permits 1005 & 1006 for right of way openings at 8 Finch Lane and 20 Banks Farm Rd. in the amount of \$2,000.
  - Raymond Rodriguez – Permit 1022 for driveway alteration at 3 Long Pond Road in the amount of \$500.

Vote- Unanimous

After all persons were heard who desired to be heard, the Supervisor adjourned to Executive Session at 9:01 p.m. The Executive Session adjourned at 9:45 p.m.

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Alison Simon, Town Clerk

Dated: August 2, 2019

## RESOLUTION

**Action:** Special Use Permit for a Long-term Parking Structure – Extension of Time  
**Application Name:** Park Place  
**Owner/Applicant:** 11 New King Street LLC  
**Zone:** IND-AA (Industrial AA District)  
**Location:** 11 New King Street  
**Original Date of Approval:** July 11, 2018  
**1<sup>st</sup> Extension Date of Approval:** July 24, 2019  
**Expiration Date:** July 11, 2021 (2 years)

WHEREAS, the Town of North Castle Town Board received a special use permit application to construct a multi-level automated parking structure at 11 New King Street to alleviate an existing parking shortage at Westchester County Airport; and

WHEREAS, the proposed project would involve construction of a building with an approximately 31,493 square foot footprint and would house an enclosed automated parking structure capable of accommodating 850 vehicles; and

WHEREAS, the SEQRA review of the Proposed Action has been concluded; and

WHEREAS, the Town Board adopted a Findings Statement on June 28, 2017.

WHEREAS, the Town Board, based upon its review of the entire record, found that the potential environmental impacts associated with the project would be adequately mitigated; and

WHEREAS, the resolution of approval is set to expire on July 11, 2019 and the Applicant has not yet met all of the conditions of such approval; and

WHEREAS, the Applicant has requested a 2-year extension of time; and

WHEREAS, on July 24, 2019 the Town Board reviewed said request and determined that there were no reasons to deny an extension of time; and

NOW, THEREFORE, BE IT RESOLVED, that the request for an extension of time is granted; and

BE IT FURTHER RESOLVED, that all conditions of the resolution of Special Use Permit Approval dated July 11, 2018 shall remain valid and in full force and effect.