

Town Board Minutes
Town of North Castle
15 Bedford Road
Armonk, New York
on
September 11, 2019

The Town Board meeting was called to order at 5:45 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 Town Administrator were present for the Executive Session. The Executive Session adjourned at 7:45 p.m.; the Town Clerk joined the regular meeting which reconvened at 7:47 p.m. and the following persons were present:

Present: Supervisor: Michael Schiliro
Councilman: Stephen D'Angelo
Councilman: Barbara DiGiacinto
Councilman: José Berra
Town Clerk: Alison Simon
Town Attorney: Roland A. Baroni
Town Administrator: Kevin Hay

Absent: Councilman: Barry Reiter

A Public Hearing was held regarding the Special Event Permit application of Haunted Dead End for a Halloween Special Event at Rocky Ledge Swim Club, 1402 Old Orchard Street, to be open to the public on specified Fridays, Saturdays and Sundays during the months of October and November 2019.

The Minutes of the Public Hearing which began at 8:01 p.m. follow at the end of these Minutes.

Councilman: Barbara DiGiacinto moved, seconded by Councilman: José Berra, approval of Town Board Minutes: August 7, 2019.

The roll call vote was as follows:

Ayes: Supervisor: Michael Schiliro, Councilman: Barbara DiGiacinto,
Councilman: José Berra

Noes: None

Absent: Councilman: Barry Reiter

Abstained: Councilman: Stephen D'Angelo who was absent from the August 7, 2019 meeting.

Councilman: Stephen D'Angelo moved, seconded by Councilman: José Berra, receipt of Local Law to amend Town Code Chapter 250, Sewers, Article III, Use Regulations, Section 250-66, Connection Standards, regarding subsequent extensions to the Orchard Drive Sewer Extension; and Councilman: Stephen D'Angelo moved, seconded by Councilman: Barbara DiGiacinto, the scheduling a Public Hearing for September 25, 2019.

Vote- Unanimous

Councilman: Stephen D'Angelo moved, seconded by Councilman: Barbara DiGiacinto, adoption of Resolution authorizing a rate increase for Water District No. 1, effective October 1, 2019, as per the rate tables for residential and commercial water use approved by the Town Board on May 11, 2011.

Vote- Unanimous

Councilman: Stephen D'Angelo moved, seconded by Councilman: José Berra, approval of request from Director of Water and Sewer Operations Sal Misiti for authorization to proceed with an alternate drilling method for Water District No. 4 on Sewer District No. 2 property as recommended by WSP USA, Inc. and Hydrogeologic Architecture, Land Surveying, Landscape Architecture Services, P.C. at an estimated cost of \$79,150 to be paid from the Water District No. 4 fund balance.

Vote- Unanimous

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Councilman: Stephen D'Angelo moved, seconded by Councilman: Barbara DiGiacinto, adoption of Resolution authorizing the transfer of roadbed of former Whippoorwill Road East to its contiguous property owners, Merritt Capital and Consulting, LLC, property owner of 82 Whippoorwill Road East, Section 107.02, Block 2, Lot 20; and to James Shallo and Rose Shallo, Husband and Wife with Right of Survivorship, property owners of 84 Whippoorwill Road East, Section 2 Block 11, Lot 3-C; subject to permissive referendum; and further moved authorization for the Supervisor to execute deeds of conveyance.

Vote- Unanimous

Councilman: Stephen D'Angelo moved, seconded by Councilman: Barbara DiGiacinto, approval of recommendations from Planning Board and Kellard Sessions Consulting to establish Wetland Mitigation Bond in the amount of \$62,782, and Wetland Maintenance and Monitoring Bond in the amount of \$8,561 for Carquest, IJAN Realty Companies/IJAN-B Realty regarding Warehouse Expansion, 215 Business Park Drive, Armonk.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Barbara DiGiacinto, receipt of memo from Kellard Sessions Consulting, dated September 5, 2019, regarding improvements within the public right of way on property owned by Jason and Paige Berger located at 14 Faraway Road, Armonk, and authorization for the Supervisor to sign required license agreement.

Vote- Unanimous

Councilman: Stephen D'Angelo moved, seconded by Councilman: José Berra, approval to issue a license to Sani-Pro Disposal Services to collect and dispose of refuse for the period of April 1, 2019 to March 31, 2020.

Vote- Unanimous

Councilman: Stephen D'Angelo moved, seconded by Councilman: Barbara DiGiacinto, approval of requests from Jewish Board of Family and Children Services for use of roads and parks for cycling event on Sunday, September 15, 2019.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Stephen D'Angelo, approval of request from Westchester Triathlon for use of Town roads on Sunday, September 22, 2019.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Barbara DiGiacinto, approval of request from Hospital for Special Surgery for use of Town roads for a charity bike ride on Saturday, September 28, 2019.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: José Berra, approval of request from Stayin' Alive charity to schedule the 7th annual 5k Fun Run on Saturday, May 16, 2020 in the Windmill Community.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Stephen D'Angelo, approval of renewal of Special Use Permit to North White Plains Fire Company No.1 to sell Christmas trees from Thanksgiving weekend through the weekend before Christmas, and permission to install signs.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: José Berra, approval of Film Permit Application from TangentVector to film on Route 22 between Old Orchard Street and Route 120 from 12 PM to 6 PM on Saturday, September 28, 2019 with a rain date of Sunday, September 29, 2019. Note: The Permit was approved with no reduction in fee.

Vote- Unanimous

Note: TangentVector opted not to film.

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Councilman: Barbara DiGiacinto moved, seconded by Councilman: José Berra, approval of request on behalf of St. Stephen's Church for a waiver of Planning and Engineering fees associated with Site Plan Application for Church parking and site improvements.

Note: The Town Engineer Kellard Sessions Consulting verbally agreed to waive Engineering fees associated with this project.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Barbara DiGiacinto, approval of Photography Permit Application from Get It Productions for a photo shoot at 21 Middle Patent Road, Armonk from 8 AM to 7 PM on Thursday, September 19, 2019 or Friday, September 20, 2019.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Supervisor: Michael Schiliro, authorization for the Supervisor to sign Right of First Refusal Agreement regarding Town owned property at 52 McDougal Drive, North White Plains with adjacent property owner Susan E. Jaeger, 54 McDougal Drive, North White Plains.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: José Berra, authorization for the Supervisor to sign Modification to Water Main Easement Agreement at 3 Frog Rock Road, Armonk.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Stephen D'Angelo, authorization for the Supervisor to extend the License Agreement with the Anita Louise Ehrman (ALE) Recreation Center, Inc. through October 31, 2020, which includes the extensions of the Option Agreement, dated March 30, 2015, and the Purchase and Sale Agreement, dated May 30, 2018, to and including September 30, 2021.

Vote- Unanimous

Councilman: José Berra moved, seconded by Supervisor: Michael Schiliro, authorization for the Supervisor to sign agreement with John Micewicz for Cable TV and Web Streaming Technical Services, effective September 9, 2019.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: José Berra, authorization for the Supervisor to sign agreement with Sport Tech for resurfacing of tennis courts at Winkler Park at a cost of \$23,000.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Supervisor: Michael Schiliro, authorization for the Supervisor to sign agreement with Value Payment Systems to provide payment processing services for tax and water bill collections.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Stephen D'Angelo, approval of appointment of Paula Landi to Library Page, effective September 15, 2019.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Stephen D'Angelo, approval of appointment of Vicenta Mauri to Library Page, effective September 15, 2019.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Stephen D'Angelo, approval of appointment of Justin Ciaramella to Library Page, effective September 15, 2019.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Stephen D'Angelo, approval of appointment of Karen Christopher to Librarian, effective September 15, 2019.

Vote- Unanimous

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Councilman: Stephen D'Angelo moved, seconded by Councilman: Barbara DiGiacinto, receipt of letter of resignation for purposes of retirement from Jerry Stroud, Senior Recreation Leader, effective November 30, 2019.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Stephen D'Angelo, approval of request for Town Assessor Victoria Sirota to attend NYS Assessors' Association Seminar on Assessment Administration in Lake Placid, NY, September 22-25, 2019, and permission to use a Town vehicle.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Stephen D'Angelo, receipt of letter of resignation of Andrea Shayegani from the Beautification Committee, effective August 28, 2019.

Vote- Unanimous

Supervisor: Michael Schiliro moved, seconded by Councilman: Barbara DiGiacinto, approval of Consensus Agenda

- Audit and approval of payments in the amount of \$ 1,232,596.95 as indicated on Warrant #16, dated September 11, 2019.
- Town Clerk's Report: August 2019.
- Release of Highway Bonds.
 - Marya Shapiro – Permit 1030 for driveway alteration at 41 Banksville Road in the amount of \$1,000.
 - Land Tec Excavating – Permit 1052 for driveway alteration at 8 Evergreen Row in the amount of \$500.
- Receipt of Notice of Claim in the Matter of Christina White vs. Town of North Castle.
- Receipt of franchise fees payments, 2nd Qtr. 2019:
 - Cablevision - No. and So. agreements.
 - Verizon FIOS.
- Release of cash bond in the amount of \$500 to Armonk Chamber of Commerce regarding the 2019 3rd Thursday Special Events.

Vote- Unanimous

After all persons were heard who desired to be heard, the Supervisor closed the regular meeting at 8:31 p.m. in memory of all who passed on September 11, 2001 and all who subsequently passed due to illnesses from that day; Ann M. Cremins, mother of Laura Cremins, North Castle Library employee; Michael S. Bruno, Jr. resident; Frances French, resident; James Kenny, brother of John Kenny; Mark Sanders, brother of Mike Sanders; and Vito Castellano, father of Linda Cantatore and father-in-law of Rich Cantatore.

Alison Simon, Town Clerk

Dated: September 19, 2019