

Town Board Minutes  
Town of North Castle  
15 Bedford Road  
Armonk, New York  
on  
September 25, 2019

The Town Board meeting was called to order at 6:00 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 Town Administrator were present for the Executive Session. The Executive Session adjourned at 7:41 p.m.; the Town Clerk joined the regular meeting which reconvened at 7:43 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: Kevin Hay

A Public Hearing was held to consider the Special Use Permit Application of 45 Bedford Road LLC (site of Mariani Gardens Nursery) regarding special permit requirements in the R-MF-DA (Residential – Multifamily – Downtown Armonk) Zoning District.

A Public Hearing was held to consider adoption of a 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.

The minutes of the Public Hearings which began at 8:14 p.m. follow at the end of these minutes.

Councilman: Barbara DiGiacinto moved, seconded by Councilman: José Berra, approval of Town Board Minutes: September 11, 2019.

The roll call vote was as follows:

Ayes: Councilman: Stephen D'Angelo, Councilman: Barbara DiGiacinto,  
Councilman: José Berra, Supervisor: Michael Schiliro.

Noes: None

Abstained: Councilman: Barry Reiter who was absent from the September 11, 2019 meeting.

Councilman: Stephen D'Angelo moved, seconded by Councilman: José Berra, approval of Payment Application No.1 to Pat Kearns Electric Ltd in the amount of \$155,395.30, for work done regarding Water and Sewer SCADA Project, and authorization for the Supervisor to sign the payment application.

Vote- Unanimous

Councilman: Stephen D'Angelo moved, seconded by Councilman: José Berra, authorization to utilize HMMH (Harris Miller Miller & Hanson Inc.) as a noise consultant for review of the Airport Campus, 113 King Street, project, to be paid for by the applicant.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, authorization for the Supervisor to sign a Correction Deed regarding real property known as Section 101.03, Block 3, Lot 76 owned by John DiFede and Maryann DiFede.

Vote- Unanimous

Councilman: Barry Reiter moved, seconded by Councilman: Barbara DiGiacinto, adoption of the Hotel Occupancy Tax Extension Resolution. The Resolution follows.

Vote- Unanimous

AUTHORIZATION TO EXTEND A HOTEL OCCUPANCY TAX

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

WHEREAS, the Town of North Castle desires to adopt an occupancy tax extender to September 1, 2022 on any room for hire within the Town; and

WHEREAS, the rate of such tax shall not exceed three (3) percent of the per diem rental rate for each room; and

WHEREAS, the Town of North Castle desires to repair and improve our Town roads and infrastructure and to stimulate our area economy and to create local construction jobs; and

WHEREAS, the Town of North Castle intends to utilize hotel tax revenue for the purpose of Town wide road and construction projects; and

WHEREAS, NYS Senator Shelley Mayer has introduced NYS legislation to the Senate with bill number S.3708, and NYS Assemblyman David Buchwald has introduced NYS legislation to the Assembly with bill number A.5269; and

WHEREAS, at the meeting held on March 13, 2019, The Town of North Castle adopted a Resolution authorizing a Home Rule Request to the NYS Senate and NYS Assembly to extend a Hotel Occupancy Tax.

WHEREAS, the NYS Senate and NYS Assembly passed the Extension of the Town of North Castle Hotel Occupancy Tax through September 1, 2022, and the bill was signed into law by Governor Andrew Cuomo on August 29, 2019.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of North Castle hereby approves the Extension of the Hotel Occupancy Tax that would not exceed a three (3) percent daily room tax for a hotel, motel, or similar place of public accommodation.

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, authorization for Director of Finance Abbas Sura to establish a new Capital Fund for the Wampus Brook Park South Bridge replacement project in the amount of \$275,000.

Vote- Unanimous

Councilman: Stephen D'Angelo moved, seconded by Councilman: Barbara DiGiacinto, authorization for Director of Finance Abbas Sura to establish a short term loan from Water District No. 4 to Water District No. 1 in the amount of \$300,000.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Barbara DiGiacinto, approval of request for alcohol permit from Friends of North Castle Library for Art Show Celebration at the Armonk branch of the Library, October 16, 2019, and waiver of permit fee.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, authorization for the Supervisor to sign agreement with Software Consulting Associates for an upgrade of the Property Assessment System (PAS), Municipality GIS, and Defender software at a one-time upgrade fee of \$25,500 and annual maintenance and support fee of \$7,650, for a three year period commencing upon delivery of the software.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: José Berra, authorization for the Supervisor to sign renewal agreement with Vehicle Tracking Solutions Inc. for Town vehicles at a cost of \$1,645 per month for a three-year period beginning July 1, 2019.

Vote- Unanimous

Town Board Minutes  
September 25, 2019

Councilman: Barbara DiGiacinto moved, seconded by Councilman: José Berra, reappointment of Eric Gordon to the Landmark Preservation Committee (LPC) for a three-year term to expire May 17, 2022.

Vote- Unanimous

Councilman: Barry Reiter moved, seconded by Councilman: Barbara DiGiacinto, receipt of letter of resignation of Lisa Meyer from the Library Board of Trustees, effective September 12, 2019.

Vote- Unanimous

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

- Release of Highway Bonds
  - Alykhan Lalani – Permit 1056 for right of way at 4 Skyview Drive in the amount of \$750.
  - Amorosa Landscaping – Permit 1058 for right of way at 616 North Broadway in the amount of \$750.
- Audit and approval of payments of \$ 431,833.31 as indicated on Warrant #17, dated September 25, 2019.

Vote- Unanimous

After all persons were heard who desired to be heard, the Supervisor adjourned the meeting at 11:32 p.m. in memory of Angelo P. Cortecelli, resident. The Board reconvened to Executive Session. The Executive Session closed at 12:15 a.m.

---

Alison Simon, Town Clerk

Dated: October 10, 2019