

Town Board Minutes  
Town of North Castle  
15 Bedford Road  
Armonk, New York  
on  
February 12, 2020

The Town Board Work Session was called to order at 5:35 p.m. at Town Hall. All Town Board members, the Town Attorney, the Town Administrator, and the Town Clerk were present for the Work Session. The Town Board Meeting was called to order at 7:11 p.m. and immediately adjourned to an Executive Session. 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: Barbara DiGiacinto  
Councilman: Barry Reiter  
Councilman: José Berra  
Councilman: Saleem Hussain  
Town Clerk: Alison Simon  
Town Attorney: Roland A. Baroni  
Town Administrator: Kevin Hay

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, approval of Town Board Minutes: January 22, 2020.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, adoption of a resolution opposing proposed legislation by the State of Connecticut regarding installation of a toll on I-684 overpassing the Byram River in the Town of Greenwich, CT.

The Resolution follows at the end of these Minutes.

Vote- Unanimous

Councilman: Saleem Hussain moved, seconded by Councilman: José Berra, approval of request for a fee reduction regarding a Temporary Certificate of Occupancy for 873 North Broadway, location of The Greener Dry Cleaner in North White Plains, from \$4,800 to \$1,500.

Vote- Unanimous

Councilman: Saleem Hussain moved, seconded by Councilman: Barbara DiGiacinto, approval of a Change Order for Giacorp Contracting Inc. for foundation underpinning work in the amount of \$14,843.75 regarding the North Castle Public Library Children's Area Project, Armonk.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Barbara DiGiacinto, approval of a Change Order for Superior Building Maintenance regarding cleaning of the North Castle Public Library, Armonk for an additional fee of \$12,999.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, authorization for Superintendent of Parks and Recreation Todd Orłowski to purchase Bobcat S70 Skid-Steer Loader from NYS Contract for a cost of \$24,966.60, with funds from the 2020 operating budget.

Vote- Unanimous

Councilman: Saleem Hussain moved, seconded by Councilman: Barbara DiGiacinto, authorization for Superintendent of Parks and Recreation Todd Orłowski to purchase a Ford Transit truck from Sourcewell Contract (Formerly NJPA) for a cost of \$46,072.99; and approval of budget transfer in the amount of \$1,072.99 to purchase the vehicle.

Vote- Unanimous

Town Board Meeting  
February 12, 2020

Councilman: Saleem Hussain moved, seconded by Councilman: Barbara DiGiacinto, authorization for Superintendent of Parks and Recreation Todd Orłowski to go to bid for resurfacing of tennis and basketball courts at Lombardi Park.  
Vote- Unanimous

Councilman: Saleem Hussain moved, seconded by Councilman: José Berra, authorization for Superintendent of Parks and Recreation Todd Orłowski to seek proposals for Pool Concession Services for 2020 Season.  
Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: José Berra, receipt of Petition of Assessor Victoria Sirota regarding apportionment and corrections to the 2019 Assessment and 2020 Tax Rolls as it relates to 7 Thornewood Road, 5 Thornewood Road, and Thornewood Road.  
Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Barbara DiGiacinto, authorization for Highway General Foreman Jamie Norris to purchase a MUNIBody II for 2020 Freightliner Chassis from the Sourcewell Contract (Formerly NJPA) at a cost of \$110,695, and a 2021 Freightliner with Chipper Body from the Onondaga County Contract at a cost of \$125,972.20; these items have been budget for.  
Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: José Berra, authorization for Highway General Foreman Jamie Norris to auction off vehicles and equipment from the Highway and Police Departments.  
Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: José Berra, approval of request from Stephanie Goldman to hold wedding ceremony at the Gazebo in Wampus Brook Park on June 12, 2020.  
Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, authorization for the Supervisor to sign Annual License and Service Agreement with CivicPlus LLC for website hosting, support and maintenance services for an annual cost of \$2,887.50 in 2020, with an annual 5 percent Technology Fee increase.  
Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, authorization for Supervisor to sign Infrastructure Easement and Maintenance Agreement with Joshua and Heather Balaban, 3 Shoemaker Lane, Armonk.  
Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, approval of proposal from Perry Verrone, LLC for replacement of roof at the North Castle Public Library, Armonk at a cost of \$19,800.  
Vote- Unanimous

Councilman: Barry Reiter moved, seconded by Councilman: José Berra, approval of probationary promotional appointment of Evan Cicale to Park Groundskeeper, effective February 12, 2020.  
Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Saleem Hussain, approval of probationary promotional appointment of Trevor Caviola to Park Groundskeeper, effective February 12, 2020.  
Vote- Unanimous

Town Board Meeting  
February 12, 2020

Councilman: José Berra moved, seconded by Councilman: Saleem Hussain, approval of probationary promotional appointment of Robert Kelly to Motor Equipment Operator, Highway Department, effective February 17, 2020.

Vote- Unanimous

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

- Audit and approval of payments of \$803,640.61 as indicated on Warrant #3, dated February 12, 2020.
- Town Clerk's Report: January 2020.
- Receipt of letters from Sive, Paget & Riesel P.C. regarding 375 Main Street, Armonk.
- Receipt of Summons and Verified Petition-Complaint in the matter of Zeidan Realty Corp., Vincent Masi, and Steven Karl vs. Town of North Castle Planning Board; Robert Melillo, in his official capacity as the North Castle Building Inspector; the Town of North Castle; Michael J. Schiliro, in his official capacity as the Town Supervisor of the Town of North Castle; the Revocable Living Trust of Merrie Hughes; the Nadine Kent Trust; Armonk Levine LLC; Armonk Smith LLC; NY Dealer Stations, LLC; and NY Fuel Distributors, LLC (Regarding 375 Main Street, Armonk).
- Receipt of report from Safe Flight Instrument Corporation, dated January 23, 2020, regarding heliport activities.

Vote- Unanimous

After all persons were heard who desired to be heard, the Supervisor adjourned the meeting at 8:21 p.m. in memory of Amy L. Fenno, resident; Lillian Giachino, mother-in-law of John Madera; Marion Giaccio, mother of Michael Giaccio, Highway Department; Dr. Henry Evan Powderly, former principal of HC Crittenden Middle School; and John Hergenhan, son of former North Castle Police Chief John Hergenhan and Goldie Hergenhan, husband of Laura, and brother of Joyce. The Board reconvened to Executive Session. The Executive Session closed at 9:15 p.m.

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Alison Simon, Town Clerk

Dated: February 21, 2020

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

**RESOLUTION: TOWN OF NORTH CASTLE – February 12, 2020**  
**IN CONSIDERATION OF PROPOSED LEGISLATION IN THE STATE OF  
CONNECTICUT TO CONSTRUCT A TOLL ON I-684 OVER THE BYRAM RIVER IN  
GREENWICH CT**

**WHEREAS**, the General Assembly in the State of Connecticut will consider Bill No. LCO 373 which authorizes the Connecticut Department of Transportation to collect tolls from large commercial trucks at limited access highway bridges requiring construction, reconstruction or replacement; and

**WHEREAS**, Bill No. LCO 373 includes placing a toll on I-684, a limited 1.4 mile stretch of road that briefly passes through the State of Connecticut; and

**WHEREAS**, the portion of the road that briefly passes through Connecticut has no egress in the State of Connecticut but rather at Exit 2, Route 120 Westchester County Airport, and Exit 3, Route 22 Armonk, both in the Town of North Castle; and

**WHEREAS**, in 1966 the State of New York and the State of Connecticut mutually agreed that it was in the best interest of both States to enter into an agreement enumerating the responsibility of each State:  
and

**WHEREAS**, the 1966 agreement clearly states that Connecticut would be responsible for, including but not limited to the “bridge” and New York would be responsible for including but not limited to, pavement maintenance, repair and cleaning, snow and ice control, traffic control and emergency response; and

**WHEREAS**, the State of New York, the New York State Department of Transportation, Westchester County and the Town of North Castle have carried the financial burden for these services for 54 years; and

**WHEREAS**, the 1966 agreement provided that the State of New York indemnify and save harmless the State of Connecticut and that the State of New York carry Public Liability Insurance in the name of Connecticut; and

**WHEREAS**, both States knew the collective benefits of building I-684 for residents and businesses in both States, and they also were aware of their projected legacy cost; and

**WHEREAS**, the only egresses to avoid the proposed toll are in the Town of North Castle just south (Exit 2) and just north (Exit 3) of that portion of I-684 and the diversion of large trucks through the Town of North Castle will have a significant negative impact on quality of life for our residents, add additional stress to our roads from heavy trucks, create hazardous conditions for our residents, have an adverse environmental impact; and

**WHEREAS**, three exits off I-287 provide additional alternative egresses to avoid the proposed toll, Exit 6 Eastbound and Exit 6 Westbound – Route 22 North White Plains, and Exit 7 Central Westchester Parkway. All three egresses lead truck drivers directly through the Hamlet of North White Plains in the Town of North Castle via N. Broadway (Route 22), an already stressed roadway due to the federally mandated closing of the Kensico Dam upper roadway. This additional traffic will have a significant negative impact on quality of life for our residents, add additional stress to our roads from heavy trucks, create hazardous conditions for our residents, have an adverse environmental impact;

**NOW THEREFORE BE IT RESOLVED**, that the Town of North Castle adamantly opposes the installation of a toll on I-684 overpassing the Byram River in the Town of Greenwich, CT; and

**BE IT FURTHER RESOLVED**, that a copy of this Resolution is provided to the Governor of the State of New York, the New York State Assembly, the New York State Senate, the Governor of the State of Connecticut, the Connecticut General Assembly, the Westchester County Executive, the Westchester County Board of Legislators, the Supervisor of the Town of Bedford, the Supervisor of the Town of Lewisboro, Supervisor of the Town of Harrison, Mayor of the City of White Plains, Supervisor of the Town of Yorktown, Mayor of the Village of Tarrytown, Supervisor of the Town of North Salem, Supervisor of the Town of Somers, Mayor of the Village of Pleasantville, Supervisor of the Town of Greenburgh, Supervisor of the Town of Pound Ridge, Supervisor of the Town of Rye, Supervisor of the Town of Eastchester, Supervisor of the Town of Ossining, Mayor of the Village of Buchanan, Supervisor of the Town of New Castle.

I, Alison Simon, Town Clerk of the Town of North Castle, do hereby certify that the above resolution was duly adopted at a regular meeting of the Town Board of the Town of North Castle held on

February 12, 2020 and that the above resolution is a true and correct transcript thereof.

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Alison Simon, Town Clerk

Dated: February 13, 2020  
Armonk, New York