

Town Board Minutes
Town of North Castle
Online at NCTV
Armonk, New York
on
April 15, 2020

The Town Board meeting was called to order at 7:30 p.m. online via web conference due to the Coronavirus (COVID-19) pandemic, 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

Westchester County Executive George Latimer provided an update regarding the number of cases in and the impact of Coronavirus on Westchester County, and the various government resources delivered in response to the virus.

County Legislator Margaret Cunzio also spoke about resources, and working with the County Executive to get the equipment needed to volunteer fire departments, ambulance corps, police departments and first responders. Ms. Cunzio thanked Supervisor Schiliro for the mask drive he conducted.

Supervisor Schiliro and Town Board members recognized the heroic efforts of hospital workers and first responders; and also recognized the Town's residents, businesses, and employees, including its first responders, for their help to the community during these unprecedented times.

Supervisor Schiliro asked for donations of masks for healthcare workers. He put a drop box in his front yard where, over the course of 2 months, residents and employees deposited over 600 handmade and store bought masks which were then distributed to local hospitals.

A Public Hearing was reconvened to consider a Local Law for a Comprehensive Town Code Update to amend various Chapters of the Town Code to improve the administration of the Code by the Building Department.

The minutes of the Public Hearing which reconvened at 8:41 p.m. follow at the end of these minutes.

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, approval of Town Board Minutes: March 11, 2020.

Vote- Unanimous

Councilman: Barry Reiter moved, seconded by Councilman: Barbara DiGiacinto, receipt of Notification of Intent to Act as Lead Agency from the Planning Board regarding redevelopment of the Shell Gas Station, 375 Main Street, Armonk, and to send a letter to the Planning Board with the Town Board's comments. With regard to the proposed site plan, Town Board members requested that the Planning Board consider the following: Positioning of the building and whether the front of the convenience store face Kent Place or Main Street; the proposed number of fuel bays; and that the exterior design of the building is complementary to existing Town architecture.

Vote- Unanimous

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Councilman: Barry Reiter moved, seconded by Councilman: Barbara DiGiacinto, approval of recommendations from Planning Board and Kellard Sessions regarding reduction of Construction Performance Bond for Wampus Mills Subdivision to a total of \$333,160 from \$1,062,990.

Vote- Unanimous

Councilman: Barry Reiter moved, seconded by Councilman: Barbara DiGiacinto, receipt of the following regarding Wampus Mills Subdivision, 805-809 Route 128/Shoemaker Lane Sewer Extension:

- Dedication of 805-809 Route 128/Shoemaker Lane Sewer Extension by Bill of Sale from Madonna Enterprises LLC.
- Sewer Maintenance Bond from Wampus Mills Subdivision in the amount of \$13,132.20.
- Approval from Westchester County Department of Health and Receipt of As-Built Drawings, dated February 18, 2020.
- Memo from Town Engineers Kellard Sessions, dated March 11, 2020.
- Memo from Director of Water & Sewer Operations Sal Misiti, dated March 13, 2020.
- Planning Board Recommendation.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Barry Reiter, approval to reject proposals for Water District No. 4 new well testing project; and authorization to issue a new Request for Proposals.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Barbara DiGiacinto, approval of award bids for the following: catch basins, highway materials, pavement markings, and guide rails; and authorization for Supervisor to sign the agreements. The bid awards follow at the end of these minutes.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, approval of Payment Requisition No. 4 in the amount of \$47,162.75 to Giacorp Contracting Inc. for North Castle Public Library Children's Room Expansion Project, Armonk.

Vote- Unanimous

Receipt of letter from Dolf Beil regarding the purchase of 16 Nethermont Avenue, North White Plains, and referral to Planning Department and Assessor's Office was tabled. The Town Board noted receipt of email correspondence from the following Town residents: Alex Malescio, Carolyn Cooper, Christine Eggleton, Cynthia Kauffman, Diana Sinnott, Edward Woodyard, Elisa Mennonna, Jeffrey Spinelli, Jennifer and Donald Ahrenberg, Jennifer Paulson Lee, Jessica Jacobs, JoAnn Gala, Judith Corticelli, Laken and Kaitlin Masterson, Michele Falot, Nancy Battistelli, Nora Kanze Manuele, Patricia and David Chong, Sharon Tomback as Co-Town Historian, and Theresa Lobermann.

Councilman: Barry Reiter moved, seconded by Councilman: José Berra, approval of request for permit from the Armonk Lions Club Fol-De-Rol at Wampus Brook Park, June 11-14, 2020.

Vote- Unanimous

Councilman: Barry Reiter moved, seconded by Councilman: Barbara DiGiacinto, approval of request from The Friends of the North Castle Public Library for use of North Castle Community Park, including access road and parking area, for the 59th Annual Armonk Outdoor Art Show October 3-4, 2020, and approval of alcohol permit and waiver of permit fee.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Barbara DiGiacinto, approval of request from Stayin' Alive charity to reschedule the date of the 7th annual 5k Fun Run in the Windmill Community to August 30, 2020.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, approval of Payment Application No. 5 in the amount of \$101,555 to Pat Kearns Electric Ltd, for work done regarding Water and Sewer SCADA Project, and authorization for the Supervisor to sign.
Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Barbara DiGiacinto, adoption of resolution in support of Westchester County Legislation to provide relief for property taxpayers due to the Coronavirus Pandemic. The Resolution follows.
Vote- Unanimous

RESOLUTION: TOWN OF NORTH CASTLE – APRIL 15, 2020
IN CONSIDERATION OF PROPOSED LEGISLATION TO PROVIDE RELIEF FOR
PROPERTY TAXPAYERS DUE TO THE CORONAVIRUS PANDEMIC

WHEREAS, the Westchester County Board of Legislators is considering a Local Law amending Chapter 283 of the Laws of Westchester County relating to Westchester County Tax Law; and

WHEREAS, the Tax Relief Legislation is being considered because of the substantial negative impact on businesses, residents, and local municipalities due to the COVID-19 Pandemic; and

WHEREAS, the Tax Relief Legislation would give Towns the authority to substantially reduce penalties for late payments of County, Town and Special District taxes; and

WHEREAS, the Tax Relief Legislation would greatly reduce penalties as stated below; and

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|------------------------------------------|--------------------------------------|
| • If you pay by April 30: | NO PENALTY |
| • If you pay by May 30: | Penalty - 0.5% (2% standard penalty) |
| • If you pay by June 30: | Penalty - 1% (5% standard penalty) |
| • If you pay by July 15th: | Penalty - 1.5% (7% standard penalty) |
| • If you pay from July 16th – July 31st: | Penalty- 5% (7% standard penalty) |
| • If you pay after July 31st: | Penalty - 7% |

WHEREAS, the Tax Relief Law provides consistent dates and discounts for all taxes as the Receiver of Taxes cannot legally accept partial payments of a Tax Bill; and

WHEREAS, the Tax Relief Law would provide Towns with the ability to pay the different jurisdiction tax warrants on time, including but not limited to 60% of the taxes due by May 25, 2020 to the County Commissioner of Finance, as required by law; and

WHEREAS, the proposed legislation allows Towns to opt-out of this provision of the law, in whole or only with respect to Town and Town district taxes or assessments;

THEREFORE, BE IT RESOLVED, that the Town of North Castle Town Board fully supports the adoption of the Tax Relief Law, amending Section 283.221;

BE IT FURTHER RESOLVED, that a copy of this Resolution is provided to the Westchester County Board of Legislators, the Westchester County Executive and the Westchester County Attorney.

Councilman: Barry Reiter moved, seconded by Councilman: Barbara DiGiacinto, release of the Letter of Credit for the establishment of the Wetland Mitigation Plantings Bond in the amount \$41,493.84, and the Release of a Wetland Maintenance and Monitoring Bond in the amount of \$5,658.25, for DiPietro Residence, 137 Bedford Banksville Road.
Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: José Berra, approval of License Agreement from Westchester County for Fisher Lane Commuter Parking Lot and authorization for the Supervisor to sign agreement in the amount of \$34,974, effective April 1, 2020 through March 31, 2021.
Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: José Berra, authorization for the Supervisor to sign agreement with Environmental Maintenance Contractors, Inc. (EMC) for asbestos abatement in the North Castle Public Library, Armonk for a fee of \$15,840.
Vote- Unanimous

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Councilman: José Berra moved, seconded by Councilman: Barbara DiGiacinto, approval of appointment of Georgann Richardson to the position of Acting Assessor and authorization of stipend, effective March 6, 2020.

Vote- Unanimous

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

- Audit and approval of payments of \$491,001.07 as indicated on Warrant No. 6, dated March 25, 2020 and \$3,708,560.31 as indicated on Warrant No. 7, dated April 15, 2020.
- Town Clerk's Report: March 2020.

Vote- Unanimous

After all persons were heard who desired to be heard, the Supervisor closed the regular meeting at 9:56 p.m. in memory of Rosa Valente, grandmother of Tino Valente, Parks & Recreation Department; Michael Flynn, son of Barbara Viola; Antonio Montuoro, father of Michelina Affrunti; Rob Vetterman, former Texaco Mechanic; resident William L. Bosco, former Fire Chief and Commissioner of Armonk Fire Company; resident Martin Feldman; Al Calabrese, former resident and brother of Lucille Bates; and all those who lost their lives during this COVID-19 crisis, including those frontline workers that are literally putting their lives on the line every day.

Alison Simon, Town Clerk

Dated: April 23, 2020

HIGHWAY BID AWARDS

Highway Materials: Aggregates:

Bank Run	NO BID	
Washed Stone	1/4"	\$32.00 per ton del.
	3/8"	\$32.00 per ton del.
	3/4"	\$30.00 per ton del.
	1-1/2"	\$30.75 per ton del.
Washed Limestone	3/4"	\$28.95 per ton del.
	1 1/2"	\$28.95 per ton del.
Shoulder Material		\$25.75 per ton del.
Screened Top Soil	NO BID	
Mason Sand	NO BID	
		Thalle Industries, Inc., Fishkill, NY
		Thalle Industries
		Thalle Industries
		Wingdale Materials, Brewster, NY
		Putnam Materials, White Plains, NY
		Putnam Materials
		Putnam Materials

Highway Materials: Winter Materials

SKID CHAIN		
7/0 Clawcross	\$644.00 per 100 ft.	Chemung Supply Corp., Elmira, NY
7/0 Sidechain	\$354.00 per 100 ft.	Chemung Supply Corp.
Pewag #3007	\$644.00 per 100 ft.	Chemung Supply Corp.
Pewag #1007	\$354.00 per 100 ft.	Chemung Supply Corp.
J Hooks – Pewag #507	\$ 4.94 a piece	Chemung Supply Corp.
Clevis Hooks – Pewag #312	\$ 12.44 a piece	Chemung Supply Corp.

SNOW PLOW AND GRADER BLADES

6"X5/8" THICKNESS (WESTERN)	\$ 9.24 Per Foot, Chemung Supply, Elmira, NY
8"x5/8" THICKNESS	\$12.94 Per Foot, Chemung Supply
8"X5/8" THICKNESS 3 SECTION FOR TENCO	\$14.75 Per Foot, Chemung Supply
8"X5/8" THICKNESS 3 SECTION FOR HENDERSON	\$14.75 Per Foot, Chemung Supply
CARBIDE BLADES	\$50.94 Per Foot, Chemung Supply

Highway Materials: Asphalt: Peckham Materials:

BITUMINOUS CONCRETE

403.138902 Type 3 Binder	\$85.90 Per Ton FOB
403.178302 Top Coarse Type 6F	\$86.65 Per Ton FOB
403.198302 Top Coarse Type 7F	\$94.15 Per Ton FOB
714.06 Asphalt Curb	\$98.90 Per Ton FOB
403-118902 Type 1 Base	\$85.15 Per Ton FOB
402-128102 12.5 MM S/P Top	\$86.65 Per Ton FOB
402-258901 25.0 MM S/P Binder	\$85.90 Per Ton FOB
402-378901 37.5 MM S/P Base	\$85.90 Per Ton FOB
402-068101 6.3 POLY MOD S/P Top	\$95.90 Per Ton FOB
404-178902 6F3 Top Warm Mix	\$90.65 Per Ton FOB
404-118902 Type 1 Base Warm Mix	\$89.90 Per Ton FOB
407.01 Tack Coat	\$13.95 Per gallon

Pavement markings:

Seneca Pavement Marking is low bidder at a total cost of \$530.00 per linear mile.

Guiderails: Chemung Supply Corp.:

Galvanized corrugated beam rail, Material only	\$24.94 per linear foot
Galvanized corrugated beam rail w/post, Material only	\$19.24 per linear foot
Galvanized 6 in. x 6 in box beam rail, including all splice plates, hardware, etc. Installed to NYSDOT specifications.	
Using type one end sections	\$47.94 per linear foot
Using type two end sections	\$60.64 per linear foot
6 in x 6 in box beam rail shop cut and metered curve	\$72.10 per linear foot

Precast Concrete Structures (Catch Basins) award as follows:

30"X48" CATCH BASIN STRUCTURE WITH FOUR (4) KNOCKOUTS			
1CB-NS3	3' DEPTH WITHOUT SUMP	Chemung Supply	\$225.00
1CB-S3	3' DEPTH WITH SUMP	Chemung Supply	\$225.00
1CB-NS4	4' DEPTH WITHOUT SUMP	Chemung Supply	\$260.00
1CB-S4	4' DEPTH WITH SUMP	Chemung Supply	\$255.00
1CB-NS5	5' DEPTH WITHOUT SUMP	Chemung Supply	\$620.00
1CB-S5	5' DEPTH WITH SUMP	Chemung Supply	\$640.00
1CB-NS6	6' DEPTH WITHOUT SUMP	Chemung Supply	\$720.00
1CB-S6	6' DEPTH WITH SUMP	Chemung Supply	\$725.00
FRAMES AND GRATES		Chemung Supply	\$705.00
1D1 30"x30" DRAIN INLET WITH FOUR (4) KNOCKOUTS			
1DI-NS3	3' DEPTH WITHOUT SUMP	Chemung Supply	\$280.00
1DI-S3	3' DEPTH WITH SUMP	Chemung Supply	\$280.00
1DI-NS4	4' DEPTH WITHOUT SUMP	Chemung Supply	\$405.00
1DI-S4	4' DEPTH WITH SUMP	Chemung Supply	\$405.00
1DI-NS5	5' DEPTH WITHOUT SUMP	Chemung Supply	\$495.00
1DI-S5	5' DEPTH WITH SUMP	Chemung Supply	\$495.00
1DI-NS6	6' DEPTH WITHOUT SUMP	Chemung Supply	\$560.00
1DI-S6	6' DEPTH WITH SUMP	Chemung Supply	\$560.00
FRAMES AND GRATES		Chemung Supply	\$455.00