

Town Board Minutes
Town of North Castle
Online at NCTV
Armonk, New York
on
May 27, 2020

The Town Board meeting was online via web conference due to the Coronavirus (COVID-19) pandemic. The meeting was called to order at 5:30 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 to a Work Session at 6:52 p.m. All Town Board members, the Town Administrator and the Town Clerk were present for the Work Session. The regular meeting reconvened at 7:34 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: May 13, 2020.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, receipt of the following regarding Town Code Amendments to Chapter 127, Building Code Administration and Enforcement, Section 127-17, Inspections; and Chapter 275 Subdivision of Land, Sections 275-18, Inspections of improvements, and 275-38, Inspection fees, to permit the Building Department to require escrow accounts for the cost of inspections by Town engineering consultants and professionals; proposed Local Law; Environmental Assessment Form (EAF) Parts 1, 2, and 3; and Letter from Director of Planning Adam Kaufman, dated May 20, 2020.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Barry Reiter, the scheduling of a Public Hearing for June 10, 2020 to consider a Local Law regarding Town Code Amendments to Chapter 127, Building Code Administration and Enforcement, Section 127-17, Inspections; and Chapter 275 Subdivision of Land, Sections 275-18, Inspections of improvements, and 275-38, Inspection fees, to permit the Building Department to require escrow accounts for the cost of inspections by Town engineering consultants and professionals.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Barbara DiGiacinto, award of Proposal for consulting services regarding improvements to Waste Water Treatment Plant, Sewer District No. 2 to Environmental Design & Research (EDR) for a fee of \$249,300, and authorized the Supervisor to sign the agreement, subject to review of the agreement by the Town Attorney.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, award of Proposal for services related to a 72 hour pump test on the new Water District No. 4 Supply Well on Sewer District No. 2 property to Subsurface Technologies for a fee of \$39,185 to be paid from the Water District No. 4 fund balance, and authorized the Supervisor to sign the agreement.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Barbara DiGiacinto, receipt of the following regarding Eagle Ridge, 3 North Castle Drive, Armonk: letter from Kory Salomone, dated May 15, 2020, regarding Alternative Townhouse Plan; emailed correspondence from Phil Goulet,

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Armonk Fire Chief, dated May 9, 2020; emailed correspondence from residents Steven Justman, dated May 4, 2020; Betsy and Michael Mackey, dated May 5, 2020; and Jeremy Jacobs, dated May 14, 2020. Town Clerk Alison Simon read aloud emails from residents Jeffrey Barker, dated May 26, 2020; and Lisa Theisss, of William Raveis real Estate, dated May 27, 2020. Councilman Hussain recused himself from the vote.

The roll call vote was as follows:

Ayes: Supervisor: Michael Schiliro, Councilman: Barbara DiGiacinto,
Councilman: Barry Reiter, Councilman: José Berra
Noes: None
Abstained: Councilman: Saleem Hussain

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, receipt of Interim and Annual MS4 Stormwater Reports from Town Engineer Kellard Sessions.
Vote- Unanimous

Councilman: Barry Reiter moved, seconded by Councilman: Barbara DiGiacinto, approval of proposal from F.P. Clark Associates/Hardesty & Hanover to provide an analysis of the proposed changes at the intersection of New York State Route 22 at Maple Avenue/Business Park Drive which would allow both lanes to turn left, for a fee of \$3,900.
Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, receipt of Cash Bond from Santucci Construction in the amount of \$3,000 regarding Tree Planting, 29 Orchard Drive, Armonk.
Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Barbara DiGiacinto, not to consider the request for use of alternate fields for the 59th Annual Armonk Outdoor Art Show, October 3-4, 2020.
Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Barbara DiGiacinto, receipt of Special Event Permit application from Nick Livanos for a private event at Moderne Barn, 430 Bedford Road, Armonk on May 22, 2021; and Councilman: Barry Reiter moved, seconded by Councilman: Barbara DiGiacinto, the scheduling of a Public Hearing for June 24, 2020.
Vote- Unanimous

Councilman: Barry Reiter moved, seconded by Councilman: José Berra, approval of request from Byram Hills Education Foundation for use of Wampus Brook Park for the month of June to create a "Senior Walk" to honor the Byram Hills High School Graduating Class of 2020.
Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, approval of payment application from J.D.R. Tree Service Inc. in the amount of \$7,000 for tree removal work along Route 22 along the Windmill Farm stone wall, to be paid from the Brynwood Community Benefits Agreement escrow account.
Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, authorization to the Town's Attorneys to execute a Consent Judgment in the Tax certiorari matter: 82-84 Round Hill Road LLC vs Town of North Castle, -- Index No. 53718/20.
Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter receipt of the following regarding proposed Local Law permitting vehicle fueling and service stations in the Commercial Business (CB) Zoning District and creating additional CB requirements pertaining to vehicle fueling and service stations in the Town of North Castle: Letter from Westchester County Planning Board, dated May 8, 2020, and Letter from Director of Planning Adam Kaufman providing Planning Board response, dated May 12, 2020, and Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, the scheduling of a Public Hearing for June 10, 2020.
Vote- Unanimous

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Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, approval of proposal from Sullivan Architects for the North White Plains Community Center Renovation Project for a fee of \$60,500 or \$55,000 if previously prepared CAD drawings and digital specifications are used.

Vote- Unanimous

Councilman: Barry Reiter moved, seconded by Councilman: Barbara DiGiacinto, approval of Consensus Agenda as follows:

- Audit and approval of payments in the amount of \$11,100,323.74 as indicated on Warrant #10, dated May 27, 2020.
- Receipt of North Castle South Fire District No.1 Annual Financial Report Update Document for Fiscal Year Ended December 31, 2019.
- Receipt of franchise fee payments, 1st Qtr. 2020: Altice (Cablevision) – North and South Agreements and Verizon FIOS.

Vote- Unanimous

After all persons were heard who desired to be heard, the Supervisor closed the regular meeting at 9:09 p.m. in memory of Bernice (Bea) Kissel, former resident and employee of the Library, North White Plains branch; former residents Paul Pember and Frank O'Reilly; Janet Katherine Gallagher, mother of William Gallagher, Water Department employee; and Claire Pulise Birney, sister of Claudia Pulise, Court Clerk.

Alison Simon, Town Clerk

Dated: June 5, 2020