

Town Board Minutes
Town of North Castle
15 Bedford Road
Armonk, New York
on
November 18, 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 at 7:50 p.m.; the Town Clerk joined the regular meeting which reconvened at 7:52 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

Assemblyman David Buchwald gave an update regarding NYS Road Paving and North White Plains Community Center Renovation Funding.

A Public Hearing was held to consider the 2021 Town and Special Districts Preliminary Budgets.

A Public Hearing was held to consider a proposed Local Law to amend Chapter 122 of the Town Code from Blasting and Explosives to Blasting, Explosives and Chipping.

The Minutes of the Public Hearings which opened at 8:36 p.m. follow at the end of these Minutes.

Councilman: Barry Reiter moved, seconded by Councilman: Saleem Hussain, approval of Town Board Minutes: November 4, 2020.

Vote- Unanimous

Councilman: Barry Reiter moved, seconded by Councilman: Barbara DiGiacinto, the scheduling of a Special Meeting on Wednesday, December 16, 2020 at 7 PM, via Zoom, regarding The Summit Club at Armonk (formerly known as Brynwood Golf & Country Club) to present a proposal to Water District No. 2 residents to develop an alternate groundwater supply on two Town-owned parcels located on Willow Pond Lane. This proposal amends the original plan accepted by the Board of Water Commissioners in 2016.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, receipt of memo from Building Inspector Rob Melillo, dated November 12, 2020, regarding the increase in Building Permit applications since the onset of the COVID-19 Pandemic; and further moved approval for Town Administrator Kevin Hay to authorize overtime as needed for employees in the Building Department.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, acceptance of Interim and Annual MS4 Stormwater Reports for the period of March 10, 2020 to September 10, 2020 from Town Engineer Kellard Sessions, and authorization for the Supervisor to sign the reports.

Vote- Unanimous

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Councilman: José Berra moved, seconded by Councilman: Barry Reiter, receipt of the application from A&R Real Estate Holdings LLC for Variance from Town Code Section 177-14(3) Floodplain Compensatory Storage for a new warehouse at 100 Business Park Drive, Armonk; and receipt of memo from Town Engineers Kellard Sessions, dated November 12, 2020. The Town Board requested that Kellard Sessions review specifics of the application with the applicant and provide the Board with a revised memo at the December 9, 2020 Town Board Meeting.

Vote- Unanimous

In regard to 64 Overlook Road North, North White Plains, Sewer Connection, Sewer District No. 1, Councilman: José Berra moved, seconded by Councilman: Barbara DiGiacinto, receipt of Bill of Sale dated October 2, 2020, from Matthew and Gretchen Manfredi, in consideration of the sum of \$10; letter from Westchester County Department of Health, dated October 30, 2020, regarding Approval of Completed Works for Sanitary Sewer Main Extension; and a letter from Town Engineers Kellard Sessions, dated November 12, 2020.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, approval of the dedication of Sanitary Sewer Main Extension at 64 Overlook Road North; and acceptance of the Sewer Maintenance Bond in the amount of \$1,380 from Matthew and Gretchen Manfredi.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Barry Reiter, approval of the following actions regarding the Water & Sewer SCADA Project: approval of Change Order No. 1 from Pat Kearns, Electric, Ltd. for antenna pole relocation in the amount of \$1,256; approval of Payment Application No. 7, final payment, to Pat Kearns, Electric, Ltd. in the amount of \$97,297.67, which includes the release of all retainage, and authorization for the Supervisor to sign the payment application; Receipt of Notice of Completion, Final Release and Waiver of Liens; and receipt of Maintenance Bond for Water & Wastewater SCADA Upgrades from Pat Kearns, Electric, Ltd., in the amount of \$698,725.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Barry Reiter, approval of the recommendation from Conservation Board, dated November 18, 2020, regarding Epstein's Pond in Windmill Farm, Armonk, subject to a confirming report to be received from Kellard Sessions.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, authorization to rebid the North White Plains Community Center (NWPCC) Renovation Project.

Vote- Unanimous

Approval of request from Police Chief Peter Simonsen to auction a Police boat on the duly adopted motion by Councilman: Barbara DiGiacinto.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: José Berra, approval of Film Permit Application from Jay Squared Productions, LLC to film the television show Manifest at Cranberry Lake Preserve on November 23, 2020 from 6 AM to 10 PM.

Vote- Unanimous

Councilman: Barry Reiter moved, seconded by Councilman: José Berra, approval of requests for Holiday Displays in Wampus Brook Park, Armonk and Miller Park, North White Plains.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, approval of recommendations from Planning Board and Kellard Sessions Consulting to establish Wetland Mitigation Bond in the amount of \$20,878, and Wetland Maintenance and Monitoring Bond in the amount of \$2,847 for Fidziukiwwicz Project, 82 Round Hill Road, Armonk

Vote- Unanimous

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Councilman: Barry Reiter moved, seconded by Councilman: Barbara DiGiacinto receipt of the following regarding the review of the proposed Final Environmental Impact Statement (FEIS) dated October 2020 for the Eagle Ridge project, 3 North Castle Drive, Armonk: memo from Town Engineer Kellard Sessions Consulting, dated October 21, 2020; memo from Director of Planning Adam Kaufman, dated October 22, 2020; and letter from Frederick P. Clark Associates, dated November 13, 2020; and further moved authorization for Director of Planning Adam Kaufman to commence preparation of a draft Findings Statement.

Councilman Hussain recused himself from the discussion and 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, authorization for Supervisor to sign the License Agreement with Leslie Needham R/T for use of public right of way to maintain and repair the stone wall at 14 Mianus River Road, Bedford in consideration of the sum of \$10.

Vote- Unanimous

Councilman: Barry Reiter moved, seconded by Councilman: Barbara DiGiacinto, approval of the extension of the Methanol purchase agreement for the 2021 fiscal year with Slack Chemical Company, Inc. at the current price of \$0.817 minimum to \$1.029 maximum per gallon.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Barbara DiGiacinto, approval of proposal from Westchester Green Remodeling Corp. for renovation of bathroom at the North Castle Public Library, Armonk, for a fee of \$27,550, and authorization for the Supervisor to sign the agreement.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, receipt of letter of resignation from Marcus Renna, Part-Time Library Clerk, effective November 20, 2020.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Barbara DiGiacinto, reappointment of John Krupa to the Conservation Board for a two-year term to expire on November 1, 2022, and appointment as Co-Chairman, to serve at the pleasure of the Town Board.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, reappointment of Dr. Martin Rube to the Landmarks Preservation Committee (LPC) to a three-year term to expire May 17, 2023.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, approval for Donald Caturano, Highway Department, to save vacation days and use them as payment towards his health insurance.

Vote- Unanimous

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

- Audit and approval of payments of \$3,616,859.46 as indicated on Warrant No. 21, dated November 18, 2020.
- Receipt of 2021 Adopted Budget: North Castle South Fire District No. 1.
- Receipt of Verizon and Cablevision Franchise Fees 3rd Quarter 2020.

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- Release of Highway Bonds.
 - Mark DeVincenzo – Permit 1106 for driveway resurfacing at 69 Round Hill Road in the amount of \$1,200.
 - Jon Zinman – Permit 0983 for curb cut at 73 Round Hill Road in the amount of \$750.
 - 155 Lafayette Building LLC – Permit 1075 for driveway alteration at 155 Lafayette Avenue in the amount of \$500.
 - Con Edison – Permits 1333, 1334, 1336, 1339, 1340, 1341, 1343, 1346, 1350, 1353, 1361, 1366, 1367, 1376, 1377, 1379, 1387, 1388, 1389, 1395, 1396, 1398, 1399, 1401, 1403, 1404, 1405, 1408, 1411, 1419, 1420, 1429 and 1434 for various locations in the amount of \$38,397.50.
 - Arrow Blacktop – Permit 1093 for driveway resurfacing at 19 Cat Rocks Drive in the amount of \$1,200.

After all persons were heard who desired to be heard, the Supervisor closed the regular meeting at 12:45 a.m. in memory of former resident J. Peter Benzie; and Elizabeth (Betty) Caesar, former Secretary to the Conservation Board

Alison Simon, Town Clerk

Dated: December 3, 2020