

Town Board Minutes
Town of North Castle
15 Bedford Road
Armonk, New York
on
December 9, 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 7:51 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

A Public Hearing was reconvened to consider the adoption of the 2021 Town and Special Districts Preliminary Budgets.

The Minutes of the Public Hearing which opened at 8:09 p.m. follow at the end of these Minutes.

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, approval of Town Board Minutes: November 18, 2020.

Vote- Unanimous

Supervisor Schiliro provided information on the Special Meeting to be held on Wednesday, December 16, 2020 at 7 p.m., 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.

Supervisor Schiliro provided an overview and information regarding the Police Reform Comprehensive Review; and the Public Comment Meeting to be held on December 15, 2020 at 7 p.m. via Zoom.

In regard to the review of the proposed Final Environmental Impact Statement (FEIS) dated October 2020 for the Eagle Ridge project, 3 North Castle Drive, Armonk, Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, receipt of the following: memo regarding Third Review Comments from Director of Planning Adam Kaufman, dated December 3, 2020; responses to October 22, 2020 Second Review Comments from Patrick Cleary, Cleary Consulting, dated November 30, 2020; and letter regarding Third Traffic Review from Michael Galante, Frederick P. Clark Associates/Hardesty & Hanover, dated December 7, 2020. The Town Board accepted the FEIS as complete subject to the receipt by Director of Planning Adam Kaufman of the remaining comments and the complete document. The Town Clerk will then circulate the Notice of Completion of FEIS to Interested and Involved Agencies.

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

In regard to the extension of Temporary Outdoor Dining Permit Regulations providing additional outdoor seating opportunities in North Castle's three Hamlets, Councilman: Barry Reiter moved, seconded by Councilman: Barbara DiGiacinto, receipt of memo from Building Inspector Robert Melillo, dated December 1, 2020, and receipt of Short Environmental Assessment Form (EAF). Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, adoption of the Negative Declaration and adoption of the Resolution.

Vote- Unanimous

Councilman: Barry Reiter moved, seconded by Councilman: Barbara DiGiacinto, receipt of memo, from HydroEnvironmental Solutions, Inc. (HES) dated December 2, 2020, regarding review of Water District No. 2 Additional Water Supply Well Investigations proposed by the Summit Club at Armonk (formerly known as Brynwood Golf & Country Club).

Vote- Unanimous

Councilman: Barry Reiter moved, seconded by Councilman: Barbara DiGiacinto, receipt of memo from Town Engineers Kellard Sessions, dated December 3, 2020, regarding 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.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, approval of request 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.

The roll call vote was as follows:

Ayes: Supervisor: Michael Schiliro, Councilman: Barbara DiGiacinto,
Councilman: Barry Reiter, Councilman: Saleem Hussain

Noes: None

Abstained: Councilman: José Berra

In regard to the Proposed Local Law to amend Chapter 355 Zoning, Section 355-28 Additional R-MF-SS Residence District Regulations, Subsection C. AFFH Units regarding 162 Bedford Road, Armonk (formerly known as the Lumberyard), Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, receipt of letter from Michael Fareri, dated December 6, 2020, and receipt of Short Environmental Assessment Form (EAF). Councilman: Barry Reiter moved, seconded by Councilman: Barbara DiGiacinto, declaration of Intent of the Town Board to act as Lead Agency.

Vote- Unanimous

Councilman: Barry Reiter moved, seconded by Councilman: Barbara DiGiacinto, referral to the North Castle Planning Board and the Westchester County Planning Board, subject to resubmission of a corrected EAF acceptable to Director of Planning Adam Kaufman.

The roll call vote was as follows:

Ayes: Supervisor: Michael Schiliro, Councilman: Barbara DiGiacinto,
Councilman: Barry Reiter, Councilman: Saleem Hussain

Noes: Councilman: José Berra

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, approval of payment to Silverman & Associates in the amount of \$5,003.80 for legal representation in the matter of Futia vs. Town of North Castle.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Barbara DiGiacinto, receipt of donation of a park bench in memory of Ruth and Bill Golub to be placed in Wampus Brook Park, Armonk.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, authorization for the North Castle Police Department to participate in the Westchester County STOP-DWI Patrol/Datamaster Project for the period of January 1, 2021 through December 31, 2025 in an amount not to exceed \$8,400 per year, and authorization for the Supervisor to sign the Inter-Municipal Agreement with the Westchester County Department of Public Safety.

Vote- Unanimous

Consideration for the Supervisor to sign engagement agreements with Bonadio & Co. regarding 2020 financial audits was tabled.

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, authorization for the Supervisor to sign 2021 renewal agreement with ESI Group regarding the Employee Assistance Program for a cost of \$4,309.20.

Vote- Unanimous

Councilman: Barry Reiter moved, seconded by Councilman: Barbara DiGiacinto, authorization for the Supervisor to sign 2021 agreement with Verde Electric Maintenance Corp for traffic signal maintenance at intersection of Bedford Road and Maple Avenue, and 4-flashing beacon assembly on at Route 22 and Banksville Road, for a cost of \$5,000.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Saleem Hussain, approval of recommendation from Town Engineer Kellard Sessions, dated December 3, 2020, and approval of proposal from Aquatic Ecosystems Consulting for Epstein's Pond Water Quality Monitoring and Management for 2021 at an estimated cost of \$3,100, plus \$25 per individual Carp.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, approval of proposal from Healy Electric Contracting Inc./Healy Data Com for Electrical Work on the Elevator project at the North Castle Public Library, Armonk for a cost of \$34,850, and authorization for the Supervisor to sign the agreement.

Vote- Unanimous

Councilman: Barry Reiter moved, seconded by Councilman: Barbara DiGiacinto, authorization for the acceptance of renewal premium from U.S. Specialty Insurance in conjunction with services provided by FOA & Son Corporation for Property and Casualty Insurance Policy for 2021 for the renewal amount of \$297,336.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, receipt of letter of resignation for purposes of retirement from Thomas MacInnes, Highway Department, effective December 25, 2020.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, receipt of letter of resignation for purposes of retirement from Robert Lombardi, Highway Department, effective January 4, 2021.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Saleem Hussain, approval of probationary appointment of Lazaro Castro to Laborer, Highway Department, effective December 14, 2020.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Barbara DiGiacinto, approval of probationary appointment of Albert Marrero to Automotive Mechanic, Highway Department, effective December 7, 2020.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, approval of probationary promotional appointment of Joseph Montalegre to Motor Equipment Operator, Highway Department, effective December 7, 2020.

Vote- Unanimous

Councilman: Barry Reiter moved, seconded by Councilman: Barbara DiGiacinto, approval of 2020 Payout for Paid Time Off to Highway General Foreman Jamie Norris.

Vote- Unanimous

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Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, receipt of letter of resignation from Matthew Manfredi from the Housing Board, dated December 3, 2020.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, approval of reappointment of Karl Hinrichs to the Parks and Recreation Advisory Board for a three-year term to expire December 31, 2023, and appointment as Chairperson, to serve at the pleasure of the Board.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: José Berra, reappointment of Norma Hill to the Parks and Recreation Advisory Board for a three-year term to expire December 31, 2023.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: José Berra, approval of reappointment of James Jensen to the Planning Board for a five-year term to expire December 31, 2025.

Vote- Unanimous

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

- Audit and approval of payments of \$1,146,142.06 as indicated on Warrant 26, dated December 9, 2020.
- Town Clerk's Report: November 2020.
- Release of Highway Bonds.
 - RJ Construction Mgmt. – Permit 1082 for curb cut at 7 Hadley Road in the amount of \$750 to be rolled over to Permit 1110 for curb cut at 45 Byram Ridge Rd.
 - Con Edison – Permits 1382 and 1391 for various locations in the amount of \$1,750.

Vote- Unanimous

After all persons were heard who desired to be heard, the Supervisor closed the regular meeting at 10:45 p.m. in memory of former Town Assessor Marion Woods; and resident Orestes J. Mihaly.

Alison Simon, Town Clerk

Dated: December 23, 2020