

Town Board Minutes
Town of North Castle
15 Bedford Road
Armonk, New York
on
January 13, 2021

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 7:40 p.m.; the Town Clerk joined the regular meeting which reconvened at 7:48 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

The minutes of the Organizational Agenda follow at the end of these minutes.

Update by NY State Senator Shelley Mayer.

Presentation by Chief of Police Peter Simonsen:

- Recognition of Award and Certificate of Accreditation of the North Castle Police Department from the NYS Division of Criminal Justice Services.
- Recognition of Award of Equipment from Stayin' Alive Charity.

Councilman: Barry Reiter moved, seconded by Councilman: Barbara DiGiacinto, approval of the Town Board Minutes: December 9, 2020, December 10, 2020, and December 16, 2020.

Vote- Unanimous

Councilman: Barry Reiter moved, seconded by Councilman: Saleem Hussain, receipt of memo from Director of Planning Adam Kaufman, dated December 14, 2020, regarding Airport Campus, 113 King Street, Armonk Draft Environmental Impact Statement (DEIS) Second Completeness Review.

Vote- Unanimous

Councilman: Barry Reiter moved, seconded by Councilman: José Berra, receipt of Application from Summit Club Partners LLC for Special Use Permit for a Membership Club to be known as “The Summit Club”, 568 and 570 Bedford Road (formerly known as Brynwood Golf & Country Club), and referral to the Planning Board.

Vote- Unanimous

Councilman: Barry Reiter moved, seconded by Councilman: Saleem Hussain, receipt of Declaration of Sanitary Sewer Easement for 1466 Old Orchard Street from Michael Pisani.

Vote- Unanimous

Councilman: Barry Reiter moved, seconded by Councilman: Saleem Hussain, adoption of a Resolution directing the Town Assessor to continue temporary suspension and modification of laws relating to the pandemic disaster emergency, specifically as it pertains to senior and disability exemptions, Section 467 and 459c of the Real Property Tax Law.

The Resolution follows.

Vote- Unanimous

RESOLUTION DIRECTING THE TOWN ASSESSOR, PURSUANT TO NYS GOVERNOR'S EXECUTIVE ORDER 202.83 CONTINUING TEMPORARY SUSPENSION AND MODIFICATION OF LAWS RELATING TO THE PANDEMIC DISASTER EMERGENCY, SPECIFICALLY AS IT PERTAINS TO SENIOR AND DISABILITY EXEMPTIONS, SECTION 467 AND 459C OF THE REAL PROPERTY TAX LAW

WHEREAS, on March 7, 2020, Andrew M. Cuomo, Governor of the State of New York issued Executive Order number 202, declaring a State disaster emergency for the entire State of New York; and

WHEREAS, on December 18, 2020, the Governor issued Executive Order 202.83 , a portion of which includes a local option pertaining to Senior Citizens' and Persons with Disabilities' partial property tax exemption, Subdivisions 7, 7-a and 8 of Section 459-c of the Real Property Tax Law (Partial Tax Exemption for Persons with Disabilities), and Subdivisions 5, 5-a, 5-b, 5-c and 6 of Section 467 of the Real Property Tax Law (Partial Tax Exemption for Low Income Senior Citizens), to the extent necessary to permit the governing body of an assessing unit to adopt a resolution directing the assessor to grant exemptions pursuant to such section on the 2021 assessment roll to all property owners who received either of those exemption on the 2020 assessment roll , unless there has been a change in status that would no longer qualify the homeowner, dispensing with the need for renewal applications from such persons, and further dispensing with the requirement for assessors to mail renewal applications to such persons ; and

WHEREAS, the Town is desirous to adopt such resolution while also allowing the assessor to require a renewal application to be filed when the assessor has reason to believe that an owner who qualified for the exemption on the 2020 assessment roll may have since changed primary residence, added another owner to the deed, transferred the property to a new owner, or died;

NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of North Castle directs the Town Assessor, pursuant to the NYS Governor's Executive Order 202 .83 Continuing Temporary Suspension and Modification of Laws relating to the pandemic disaster emergency, specifically as it pertains to Senior and Disability Exemptions, Section 467 and 459c of the Real Property Tax Law, to grant exemptions on the 2021 Assessment Roll to all property owners who received that exemption on the 2020 Assessment Roll, except in the case that there is a change of status that would no longer qualify the homeowner, thereby dispensing with the need for renewal applications from such persons, and further dispensing with the requirement for assessors to mail renewal applications to such persons.

Councilman: Barry Reiter moved, seconded by Councilman: Saleem Hussain, approval of request from Highway General Foreman Jamie Norris to purchase the following vehicles: 2021 Front End Loader from OGS State Contract at a cost of \$192,771.14; 2021 Freightliner Model 114SD from Oneida County Contract at a cost of \$300,045.36; and 2021 Freightliner Model 108SD from Oneida County Contract at a cost of \$229,094.14. Items have been budgeted for.

Vote- Unanimous

Councilman: Barry Reiter moved, seconded by Councilman: Saleem Hussain, receipt of Performance Bond in the amount of \$1,250,000 and Payment Bond in the amount of \$1,250,000 from Sani-Pro Disposal Services.

Vote- Unanimous

Councilman: Barry Reiter moved, seconded by Councilman: Saleem Hussain, receipt of recommendation from Kellard Sessions and approval to extend Wetland Mitigation Plantings Bond for six months and the Wetland Maintenance and Monitoring Bond for a period of five years from the date of installation of plantings regarding Cardarelli Project, 7 Patriots Farm Court, Armonk.

Vote- Unanimous

Town Board Meeting
January 13, 2021

Councilman: José Berra moved, seconded by Councilman: Barry Reiter, receipt of recommendation from Kellard Sessions and approval to extend Sidewalk Improvement Bond regarding GDC Equities, LLC, 873 North Broadway, North White Plains a period of one year.
Vote- Unanimous

Councilman: Barry Reiter moved, seconded by Councilman: José Berra, approval of 2021 membership in NYS Association of Towns and designation of Councilman Barbara DiGiacinto as the Town's voting delegate at AOTSNY annual meeting to be held virtually in February 2021.
Vote- Unanimous

Councilman: Barry Reiter moved, seconded by Councilman: Saleem Hussain, receipt of Notice of NYS Liquor License Application from La Cremaillere Restaurant II Inc., 46 Bedford-Banksville Road, Bedford, and waiver of the thirty-day Notice.
Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, authorization for the Supervisor to sign the Memorandum of Agreement (MOA) with the Police Benevolent Association (PBA), effective January 1, 2019 to December 31, 2023.
Vote- Unanimous

Councilman: Barry Reiter moved, seconded by Councilman: Saleem Hussain, receipt of memo from Director of Water and Sewer Operations Sal Misiti, dated December 15, 2020, and approval of proposal from WSP USA, Inc. regarding new water supply well for Water District No. 4 at an estimated engineering cost of \$110,000 to \$135,000; and authorization for the Supervisor to sign the agreement.
Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Barbara DiGiacinto, authorization for the Supervisor to sign agreement with CAI Tax Map Maintenance and Internet Service for 2021 for an annual fee of \$8,000 plus an additional \$15 per building addition or change.
Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, authorization for the Supervisor to sign network support contracts with Sullivan Data Management for 2021 for the Town of North Castle in the amount of \$39,290 and the North Castle Police Department in the amount of \$14,280.
Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Barbara DiGiacinto, authorization for the Supervisor to sign agreement with WeatherWorks for Forecasting Services for 2021 for a fee of \$1,795.

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: Saleem Hussain, approval to renew agreement with Skyline Electric Corp for Street Light Maintenance for 2021 for a fee of \$20,040.
Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, authorization for the Supervisor to sign the following agreements from Kellard Sessions for engineering services regarding Stormwater Management Program: MS4 Municipal Compliance Certification and Annual Report, Semi Annual Progress Report for a fee not to exceed \$5,250; and Illicit Discharge Detection and Elimination Stormwater Outfall Inspection/GIS Mapping for a field Inspection of Outfalls fee of \$4,500 and GIS Stormwater Data Maintenance for a fee not to exceed \$3,150.
Vote- Unanimous

Town Board Meeting
January 13, 2021

Councilman: José Berra moved, seconded by Councilman: Barbara DiGiacinto, authorization for the Supervisor to sign agreement with North East Westchester Special Recreation, Inc. for 2021 at a cost of \$6,996.84.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Barbara DiGiacinto, authorization for Supervisor to sign agreement with The Arc Westchester for maintenance of Main Street, Armonk for 2021.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, receipt of memo from Town Administrator Kevin Hay dated January 7, 2021; and approval of proposal from Nu-Air Solutions regarding air duct and ventilation systems cleaning at a cost of \$23,205; and authorization for the Supervisor to sign the agreement.

Vote- Unanimous

Councilman: Barry Reiter moved, seconded by Councilman: Barbara DiGiacinto, receipt of letter of resignation for purposes of Retirement from Rita Ross, Town Clerk's Office, effective February 1, 2021.

Vote- Unanimous

Councilman: Barry Reiter moved, seconded by Councilman: Barbara DiGiacinto, approval of Terminal Leave Payment for Thomas MacInnes, Highway Department, and use of saved vacation days as payment towards his health insurance.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, approval of Terminal Leave Payment for Robert Lombardi, Highway Department, and use of saved vacation days as payment towards his health insurance.

Vote- Unanimous

Councilman: Barry Reiter moved, seconded by Councilman: Barbara DiGiacinto, receipt of Resignation of Janet Morley from the Budget and Finance Advisory Committee, effective February 15, 2019.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, reinstatement of Craig Benedict to the Conservation Board, effective December 11, 2021, to continue his two-year term to expire May 10, 2021.

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, receipt of letter of resignation for purposes of Retirement from Norma Minicus, Justice Court, effective January 16, 2021.

Vote- Unanimous

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

- Audit and approval of payments of \$3,458,690.37 as indicated on Warrant No.1, dated January 13, 2021.
- Receipt of Town Clerk's Report: December 2020.
- Release of Highway Bonds.
 - Pietro DiSisto – Permit 1111 for driveway resurfacing at 43 Windmill Road in the amount of \$1,200.
 - Tavo Realty – Permit 1068 for curb cut at 6 Deer Ridge Lane in the amount of \$750.
- Receipt of Notice of Claim in the matter of Karanjit Singh vs. Town of North Castle.

Vote- Unanimous

Town Board Meeting
January 13, 2021

After all persons were heard who desired to be heard, the Supervisor closed the regular meeting at 10:13 p.m. in memory of Maretta Gay, former resident and member of the Conservation Board; and Lefkothea (Lefke) Manos, longtime resident and former employee of the Library; Anthony Carpenito, resident; and Stephen Francis Delligatti, father of Mindy Berard, Confidential Secretary to Town Supervisor; and the five people who perished at the United States Capital on January 6, 2021.

Alison Simon, Town Clerk

Dated: January 21, 2021