

Town Board Minutes
Town of North Castle
15 Bedford Road
Armonk, New York
on
October 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 6:30 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 7:35 p.m.; the Town Clerk joined the regular meeting which reconvened at 7:37 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

County Legislator Margaret Cunzio provided an update on County matters.

Langan Engineering provided an overview of Milling Storage.

A Public Hearing was held to consider a Local Law to amend Chapter 355, Zoning to revise the Accessory Apartment provisions in the Town Code to encourage additional accessory apartment development within the Town of North Castle.

A Public Hearing was held to consider a Local Law to amend Chapter 355, Zoning to establish Home-Based Business regulations and Repeal Home Occupation regulations.

The Minutes of the Public Hearings, which opened at 11:00 p.m. follow at the end of these Minutes.

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, approval of Town Board Minutes: September 22, 2021 and October 6, 2021.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Barry Reiter, receipt of the following comments on the Draft Environmental Impact Statement (“DEIS”) and Draft Generic Impact Statement (“DGEIS”) prepared in connection with the proposed Airport Campus development, 113 King Street, Armonk:

- Letter from Director of Planning Adam Kaufman, dated September 14, 2021.
- Letter from Michael Galante, Hardesty & Hanover -Traffic Review, dated September 27, 2021.
- Letter from Westchester County Planning Board, dated September 28, 2021.
- Comments from the Watershed Inspector General, dated September 29, 2021.
- Letter from the Conservation Board, September 30, 2021.
- Letter from Daniel M. Richmond, Zarin & Steinmetz, dated October 7, 2021.
- Letter from the Open Space Committee, dated October 12, 2021.

Vote- Unanimous

In regard to the Amended Special Use Permit Application for additional horses and establishment of grooms’ quarters at 6 Ashfields Lane from Artemis Farms NY, LLC, Councilman: Saleem Hussain moved, seconded by Councilman: José Berra, receipt of Amended Special Use Permit Application; and Short Environmental Assessment Form (EAF); and Councilman: Barry Reiter moved, seconded by Councilman: José Berra, referral to the Planning Board and County Planning Board.

Vote- Unanimous

Note: As of December 6, 2021, this application has been withdrawn at the applicant’s request.

In regard to the Amended Special Use Permit Application for outdoor display and sales at Buck's Flower Garden, 65 Bedford Banksville Road, Bedford from Bukov Family Trust, the Town Board took the following actions:

1. Councilman: José Berra moved, seconded by Councilman: Barry Reiter, receipt of the Amended Special Use Permit Application and the Short Environmental Assessment Form (EAF); and further moved approval of a verbal request from P. Daniel Hollis, attorney for the applicant, for a waiver under the Town Code Chapter 114 Application Processing Restrictions Law.
Vote- Unanimous
2. Councilman: Barry Reiter moved, seconded by Councilman: Saleem Hussain, referral to the Planning Board and County Planning Board.
Vote- Unanimous
3. Councilman: Barry Reiter moved, seconded by Councilman: José Berra, Declaration of Intent of the Town Board to act as Lead Agency.
Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, approval of request from 45 Hurlingham, LLC for a mulch path within a Conservation Easement on 45 Hurlingham Drive.
Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, approval of Payment Application No. 5 to Abbott & Price, Inc. in the amount of \$36,678.99 for the Elevator Project, North Castle Public Library, Armonk.
Vote- Unanimous

Consideration of Payment Application No. 1 to Healy Electric Contracting Inc. for electrical work on the Elevator Project, North Castle Public Library, Armonk was tabled.

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, approval of Payment Requisition No. 2 to Aqua Works, Inc. for the Community Park Comfort Station in the amount of \$63,471.88.
Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, receipt of Consent Judgment regarding 606 N Broadway for the 2019 assessment year and refund of the 2020 taxes and authorization to pay refund in the amount of \$1,099.16 to Griffin, Coogan, Sulzer & Horgan, P.C. Attorneys for petitioner South Silver Lake Realty.
Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, approval to bid for the cleaning of Town offices.
Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, approval of request for Holiday Display of Nativity Crèche at Miller Park, North White Plains, from December 1, 2021 to January 7, 2022.
Vote- Unanimous

Councilman: Barry Reiter moved, seconded by Councilman: Barbara DiGiacinto, ratification of approval of request from A New Chance Animal Rescue for use of Mianus River Road for a charity dog walk event on October 2, 2021.
Vote- Unanimous

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Councilman: Barry Reiter moved, seconded by Councilman: Saleem Hussain, authorization to hire outside counsel for an employment matter.

Councilman DiGiacinto recused herself from the discussion and the vote.

Councilman Berra was absent from the meeting from 1:26 am through the remainder of the meeting.

The roll call vote was as follows:

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

Noes: None

Abstained: Councilman: Barbara DiGiacinto

Absent: Councilman: José Berra

Councilman: Barry Reiter moved, seconded by Councilman: Saleem Hussain, receipt of letter of resignation from Greg Petre, Highway Department, effective October 1, 2021.

The roll call vote was as follows:

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

Noes: None

Absent: Councilman: José Berra

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, receipt of letter of resignation from Trevor Caviola, Parks and Recreation, effective October 8, 2021.

The roll call vote was as follows:

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

Noes: None

Absent: Councilman: José Berra

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, approval of probationary promotional appointment of Thomas Zeoli to Motor Equipment Operator, Highway Department, effective October 12, 2021.

The roll call vote was as follows:

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

Noes: None

Absent: Councilman: José Berra

Councilman: Saleem Hussain moved, seconded by Councilman: Barry Reiter, approval of appointment of Jamie Funigiello to Laborer, Highway Department, effective October 12, 2021.

The roll call vote was as follows:

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

Noes: None

Absent: Councilman: José Berra

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, approval of Consensus Agenda as follows:

- Audit and approval of payments in the amount of \$41,527,854.97 as indicated on Warrant No.18 dated October 13, 2021.
- Town Clerk's Report: September 2021.
- Release of Highway Bonds.
 - Elias Ubeda – Permit 1139 for driveway alteration at 8 Denim Place in the amount of \$1,200.
 - Arrow Blacktop – Permit 1160 for driveway resurfacing at 35 Windmill Road in the amount of \$1,200.
 - Derek Thielman – Permit 1156 for driveway alteration at 14 Fox Ridge Road in the amount of \$1,200.

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The roll call vote was as follows:

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

After all persons were heard who desired to be heard, the Supervisor closed the regular meeting at 1:30 a.m.

Alison Simon, Town Clerk

Dated: October 22, 2021