

Town Board Minutes
Town of North Castle
15 Bedford Road
Armonk, New York
on
October 27, 2021

The Town Board meeting was online via web conference due to the Coronavirus (COVID-19) pandemic. The meeting was called to order at 6:15 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 7:13 p.m. All Town Board members, the Town Attorney, the Town Administrator, and the Town Clerk were present for the Work Session. The Work Session closed at 7:45 p.m. The regular meeting 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

Sharon Tomback, Town Co-Historian, spoke about the 50th Anniversary of the North Castle Historical Society.

A Public Hearing was held to consider a Local Law to amend Chapter 355, Zoning, of the Code of the Town of North Castle to amend the provisions of RELIP Research, Electronic and Light Industrial Park Zoning District to permit outdoor dog areas associated with a Commercial Dog Care Facility, Re Pleasant Grooming of Armonk, 1 Labriola Court.

The Minutes of the Public Hearing, which opened at 9:02 p.m. follow at the end of these Minutes.

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, approval of Town Board Minutes: October 13, 2021.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, receipt of 2022 Town and Special Districts Tentative Budgets; and Councilman: Barry Reiter moved, seconded by Councilman: Barbara DiGiacinto, the scheduling of Public Hearings on Town and Special Districts Preliminary Budgets on November 17, 2021.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, receipt of 3rd Quarter 2021 Revenue/Expense Budget Reports and Bank Reconciliations.

Vote- Unanimous

Councilman: Barry Reiter moved, seconded by Councilman: Barbara DiGiacinto, approval of requests from Friends of Frosty for Use of Town Roads and Wampus Brook Park for annual Frosty Day Parade and Holiday Tree Lighting, Sunday, November 28, 2021.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, approval of proposal from Verde Electric Maintenance Corp. for Traffic Signal Improvements at Bedford Road at Maple Avenue, Armonk at a cost of \$17,644.

Vote- Unanimous

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Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, receipt of letters from Veneziano & Associates, dated October 15, 2021 and October 27, 2021 regarding request for Extension of Time of the Special Use Permit for 45 Bedford Road LLC (site of Mariani Gardens Nursery) for Attached, Semidetached, Detached, or Multifamily Dwellings in the Residential- Multifamily-Downtown Armonk (R-MF-DA) Zoning District.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, approval of a 90 day Extension of Time of the Special Use Permit for 45 Bedford Road LLC (site of Mariani Gardens Nursery) to expire on January 14, 2022.

The Resolution follows at the end of these Minutes.

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: Barry Reiter moved, seconded by Councilman: Barbara DiGiacinto, approval of request from Director of Water & Sewer Operations Sal Misiti to bid for 2022 Sewer District No. 2 Sludge Hauling & Disposal.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Saleem Hussain, approval of request from Director of Water & Sewer Operations Sal Misiti to bid for 2022 Sewer District No. 2 Methanol Supply.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, approval of waiver to allow Crown Atlantic Company LLC (Crown Castle) to present an application for collocation on behalf of DISH regarding cell tower lease agreement with Town of North Castle Sewer District No.2, Business Park Drive, Armonk.

Vote- Unanimous

Councilman: Saleem Hussain moved, seconded by Councilman: Barry Reiter, approval of proposal from Carlucci Welding and Fabrication in the amount of \$24,435.00 for structural repairs to the Lombardi Park pavilion.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, adoption of resolution regarding a donation from the Green Acres Garden Club in the amount of \$10,686.58 for plantings projects in Armonk and North White Plains. The Resolution follows at the end of these minutes

Vote- Unanimous

Councilman: Barry Reiter moved, seconded by Councilman: Saleem Hussain, receipt of donation of an American Flag for display at the Hergenhan Recreation Center from the Mid-Westchester Elks Lodge 535.

Vote- Unanimous

Councilman: Barry Reiter moved, seconded by Councilman: Saleem Hussain, agreement with Langan Engineering for assistance with environmental issues pertaining to PFAS Perfluorooctane sulfonic acid (PFOS) and Perfluorooctanoic acid (PFOA) and related matters excluding Phase I, and conditioned upon changes recommended by the Town Attorney and that are acceptable to the Town Attorney and the Town Administrator.

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

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Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, receipt of letter of Resignation for purposes of Retirement from Claudia Pulise, Court Clerk, effective January 29, 2022.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Saleem Hussain, approval of reappointment of Chris Tuzzo to the Architectural Review Board for a five-year term to expire September 13, 2026.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, approval of appointment of Sharon Weiss to the Parks and Recreation Advisory Board to fill a vacated seat for a term to expire December 31, 2024.

Vote- Unanimous

The Consensus Agenda was approved on a duly adopted motion of Councilman: Barbara DiGiacinto as follows:

- Audit and approval of payments in the amount of \$7,412,519.95 as indicated on Warrant No.19 dated October 27, 2021.

After all persons were heard who desired to be heard, the Supervisor closed the regular meeting at 11:15 p.m. in memory of former residents Elizabeth Ceasar, Mary Jane Cohen, Carole Elias, and Anne Dinkel.

Alison Simon, Town Clerk

Dated: November 3, 2021

RESOLUTION

Action: Special Use Permit – Second Extension of Time for Attached, Semidetached, Detached, or Multifamily dwellings in the Residential Multifamily—Downtown Armonk (R-MF-DA) District

Application Name: Mariani Residential Development

Owner/Applicant: 45 Bedford Road LLC

Zone: Residential Multifamily—Downtown Armonk (R-MF-DA) District

Location: 45 Bedford Road

Original Date of Approval: October 16, 2019

1st Extension Date of Approval: October 14, 2020

2nd Extension Date of Approval: October 27, 2021

Expiration Date: January 14, 2022 (90 days)

WHEREAS, on October 16, 2019 the Town of North Castle Town Board approved a special use permit application to construct 43 residential units containing 76 bedrooms in four buildings; and

WHEREAS, the resolution of approval was set to expire on October 16, 2020 and the Applicant had not yet met all of the conditions of such approval; and

WHEREAS, the Applicant had requested an extension of time in which to complete all conditions of approval; and

WHEREAS, the Town Board believed and found that it was in the mutual best interest of both the Town and the Applicant to grant an extension of the special permit approval expiration to October 16, 2021; and

WHEREAS, the first extension of time resolution of approval is set to expire on October 16, 2021 and the Applicant has not yet met all of the conditions of such approval; and

WHEREAS, the Applicant has requested an extension of time in which to complete all conditions of approval; and

WHEREAS, the Town Board believes and finds that it is in the mutual best interest of both the Town and the Applicant to grant an extension of the special permit approval expiration to January 14, 2022;

NOW, THEREFORE, BE IT RESOLVED, that based on the Applicant's stated intention to redevelop the property, and pursuant to Article VII of the Zoning Chapter of the Town Code, the expiration date of the special permit shall be extended so that special permit approval shall expire on January 14, 2022; and

BE IT FURTHER RESOLVED, that all prior conditions of the October 16, 2019 resolution of special permit approval shall remain valid and in full force and effect.

**RESOLUTION: TOWN OF NORTH CASTLE
GREEN ACRES GARDEN CLUB DONATION TO THE TOWN OF NORTH CASTLE**

WHEREAS, the Green Acres Garden Club was founded in 1939 to enhance the beauty of The Town of North Castle, and;

WHEREAS, the objectives and the purposes of the club were to further study and practice horticulture, to encourage civic planting, beautification of roadsides and preservation of scenic and historic locations, to sustain interest in conservation of our natural resources, and to promote garden therapy, and;

WHEREAS, the Green Acres Garden Club raised awareness through fundraising events and raffles, to purchase various plantings and other supplies for all three North Castle Hamlets, and;

WHEREAS, the Green Acres Garden Club voluntarily planted each and every shrub, tree and perennial, and;

WHEREAS, after close to 80 years serving the Town of North Castle, the Green Acres Garden Club has been dissolved, and;

WHEREAS, the Green Acres Garden Club will donate \$10,686.58 to the Town of North Castle, to be used specifically for two projects, one in the Hamlet of Armonk and one in the Hamlet of North White Plains, and;

WHEREAS, the project in the Hamlet of Armonk is located at the Wampus Bridge, to include clearing out the existing brush, and restoration of the soil for planting of recommended flora, and;

WHEREAS, the project in the Hamlet of North White Plains would consist of plantings in entrance to the Hamlet to be designated at a later date, and;

WHEREAS, the Green Acres Garden Club will submit a list of recommended plantings, and;

WHEREAS, the recommendations made by previous Conservation Board Chairperson, John Fava, as submitted herein be used as further guidance, and;

WHEREAS, the current Green Acres Garden Club members be present and/or participate during the planning and planting, and;

NOW THEREFORE BE IT RESOLVED, that the North Castle Town Board gratefully accepts this generous donation to the Town and recognize the nearly eight decades of service to the Town and the beautification and preservation of the Town's historic and scenic locations through out the Town of North Castle.