

Town Board Minutes
Town of North Castle
15 Bedford Road
Armonk, New York
on
November 17, 2021

The Town Board meeting was called to order at 7:00 p.m. at Town Hall and immediately adjourned to a Work Session on the duly adopted motion of Councilman DiGiacinto. 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 7:33 p.m. The regular meeting reconvened at 7:44 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

Update from New York State Assemblyman Chris Burdick.

A Public Hearing was held to consider the 2022 Town and Special Districts Preliminary Budgets.

A Public Hearing was reconvened to consider a Local Law to repeal Chapter 292 of the Town of North Castle Town Code entitled Telecommunication Facilities and create a new Chapter 292 entitled Wireless Communication Facilities.

The Minutes of the Public Hearings, which opened at 8:45 p.m. follow at the end of these Minutes.

Regarding the Town of North Castle proposed Sewer District No. 2 Waste Water Treatment Plant Enhancement Project, Councilman: Barry Reiter moved, seconded by Councilman: Barbara DiGiacinto, receipt of the Environmental Assessment Form (EAF) parts 1, 2 and 3; and adoption of a Resolution to Issue a Negative Declaration Under the State Environmental Quality Review Act (SEQRA). The Resolution follows at the end of these Minutes.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Barbara DiGiacinto, adoption of an Order calling a Public Hearing on December 8, 2021 to consider bonding for costs in connection with the proposed Sewer District No. 2 Waste Water Treatment Plant Enhancement Project. The Order follows at the end of these minutes.

The roll call vote was as follows:

Ayes: Councilmen DiGiacinto, Reiter, Berra, Hussain, Supervisor Schiliro

Noes: None

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, authorization for the Supervisor to sign the grant application forms for WIIA and CWSRF regarding Sewer District No. 2 Waste Water Treatment Plant Enhancement Project.

Vote- Unanimous

Discussion of bid and bid award to AC Landworks Services, Inc. for highway yard millings removal.

Councilman: José Berra moved, seconded by Councilman: Barbara DiGiacinto, receipt of a petition regarding traffic safety in the neighborhood of Cox Avenue and School Street, Armonk and referral to the Police Department.

Vote- Unanimous

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Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, adoption of Resolution authorizing the adoption of the 2022 Westchester County, NY Hazard Mitigation Plan Update. The Resolution follows at the end of these Minutes.

Vote- Unanimous

Regarding the proposed Zoning Text Amendment to add recreation centers as a permitted principal use in the RELIP Zoning District in regard to 1 Labriola Court, Armonk:

- Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, receipt of letter from McLaughlin & Stern, LLP, dated November 5, 2021; receipt of report from Director of Planning Adam Kaufman, dated November 12, 2021; receipt of Environmental Assessment Form; and receipt of the Proposed Local Law.

Vote- Unanimous

- Councilman: José Berra moved, seconded by Councilman: Barbara DiGiacinto, Declaration of Intent of the Town Board to Act as Lead Agency and referral to the Town Planning Board and the County Planning Board.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, approval of recommendation from Town Engineers Kellard Sessions regarding release of Maintenance Bond in the amount of \$81,654.00 for the Deer Ridge Subdivision, Armonk.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, approval of transfer from 29 Orchard Drive to 27 Orchard Drive of the existing \$3,000 cash bond from Santucci Construction regarding tree planting.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Barbara DiGiacinto, approval of payment application from Arcari & Iovino Architects PC for work related to the ADA compliant ramp in the amount of \$2,227.50 at the North Castle Community Center, North White Plains.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Barbara DiGiacinto, approval of request from Superintendent of Recreation & Parks Matt Trainor to auction parks equipment.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Saleem Hussain, receipt of donation of a park bench in Memory of James “Jimbo” Ross to be placed in Wampus Brook Park, Armonk.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Barbara DiGiacinto, approval of request for Holiday Display of Star and Crescent at Wampus Brook Park, Armonk.

Vote- Unanimous

Councilman: Barry Reiter moved, seconded by Councilman: Saleem Hussain, approval of appointment of Maria Scharf to position of Deputy Town Clerk, effective December 13, 2021.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Saleem Hussain, approval of hiring of Barbara Pesquera on an hourly basis in the Town Clerk's Office, effective January 1, 2022.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Saleem Hussain, approval of hiring of Rita Ross on an hourly basis in the Town Clerk's Office, effective November 18, 2021.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Saleem Hussain, approval of probationary promotional appointment of Nancy Hall to Court Clerk, effective January 31, 2022.

Vote- Unanimous

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Councilman Saleem Hussain moved, seconded by Councilman Barry Reiter, approval of probationary promotional appointment of Elisabeth Esposito from Junior Clerk-Seasonal to Assistant Court Clerk, effective November 19, 2021

Vote- Unanimous

Councilman: Barry Reiter moved, seconded by Councilman: Saleem Hussain, approval of appointment of Nia Soulette as Junior Clerk for a period of three months, effective November 19, 2021.

Vote- Unanimous

Councilman: Barry Reiter moved, seconded by Councilman: José Berra approval of Consensus Agenda as follows:

- Audit and approval of payments in the amount of \$399,900.97 as indicated on Warrant No. 21 dated November 17, 2021.
- Receipt of Cable Franchise Fees for 3rd Quarter 2021 from Cablevision/Altice and Verizon FIOS.

After all persons were heard who desired to be heard, the Supervisor closed the regular meeting at 11:18 p.m. in memory of residents Eleanore Altman, Judith Axenfeld, Frances Cerullo, and Angela Goldfuss.

Alison Simon, Town Clerk

Dated: November 24, 2021

RESOLUTION

Action: To Issue a Negative Declaration Under the State
Environmental Quality Review Act (SEQRA)
Date of Approval: November 17, 2021

WHEREAS the Town of North Castle is performing upgrades to the existing North Castle Sewer District No. 2 Wastewater Treatment Plant (WWTP). The proposed improvements may include equipment upgrades and improvements at their existing wastewater treatment plant, hereinafter referred to as “said Actions”, and

WHEREAS said Actions require review under the New York State Environmental Quality Review Act (SEQRA), per 6NYCRR Part 617, and

WHEREAS said Actions are classified as Unlisted Actions as they do not exceed the Type I thresholds included in 6NYCRR Part 617, Section 617.4(b), and

WHEREAS a Short or Full Environmental Assessment Form may be prepared for an Unlisted Action, and

WHEREAS multiple agencies have approval or funding authority over said Actions, and

WHEREAS the Town of North Castle Town Board will process this Unlisted Action as an uncoordinated review under SEQRA, and

WHEREAS, under the uncoordinated review option, each involved agency acts as a lead agency, and independently conducts an environmental review and determines the significance of the action and If all involved agencies issue negative declarations, the project may go forward; and

WHEREAS the Town of North Castle and their consultants have prepared and filed a Full Environmental Assessment Form which identifies the potential environmental impacts which may result from said Actions, and

WHEREAS, the potential impacts as enumerated below were reviewed by the Town of North Castle with consultation from Town consultants, and determined to have “no or small impacts” (see Attached Parts 2 and 3 of the EAF):

- Impact on Land;
- Impact on Geological Features;
- Impact on Groundwater;
- Impact on Surface Water
- Impact on Plants and Animals;
- Impact on Flooding;
- Impact on Agricultural Resources;
- Impact on Aesthetic Resources;
- Impacts on Air;
- Impact on Historic and Archeological Resources;
- Impact on Open Space/Recreation;
- Impact on Critical Environmental Areas;
- Impact on Transportation;
- Impact on Energy;
- Impact on Noise, Odor and Light;
- Impact on Human Health;
- Consistency with Community Plans;
- Consistency with Community Character; and

WHEREAS, the completed Part 3 of the EAF indicated how impacts have been avoided, minimized and/or mitigated to the extent practicable, and

WHEREAS, said Actions will result in improvements to the existing wastewater treatment plant and regional surface water quality.

Therefore, be it

RESOLVED, that the Town of North Castle declares that, based on the Environmental Record which has been prepared, the project will result in no significant adverse environmental impacts and that a Negative Declaration under SEQRA is therefore issued for this project.

A meeting of the Town Board of the Town of North Castle, Westchester County, New York (the "Town") convened in public session at the Town Hall, in the Town of North Castle, New York on November 17, 2021, at 7:30 o'clock p.m., local time.

PRESENT:

Michael J. Schiliro, Supervisor
Barbara DiGiacinto, Board Member
Barry Reiter, Board Member
José Berra, Board Member
Saleem Hussain, Board Member

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In the Matter of the Improvement of Facilities of
Sewer District No. 2 and the undertaking of improvements
therein, in the Town of North Castle, County
of Westchester, New York pursuant to Section 202-b
of the Town Law.

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**ORDER CALLING PUBLIC
HEARING TO BE HELD ON
DECEMBER 8, 2021**

WHEREAS, the Town Board of the Town of North Castle (herein called "Town Board" and "Town", respectively), in the County of Westchester, New York, on behalf of the Town of North Castle Sewer District No. 2 (the "District"), and has directed Environmental Design and Research, a professional engineering firm licensed in New York (the "Engineer"), to prepare a map, plan and report for the District's sewer system improvements, including but not limited to, the acquisition, construction and reconstruction of improvements to the District's wastewater treatment plant (the "Project"); and all of the forgoing to include all necessary site work, equipment, apparatus and other improvements and costs incidental thereto; and pursuant to the direction of the Town, the Engineer has completed and filed with the Town Board such map and plan for said improvement to facilities of the District, where the same are available during regular office hours for examination by any persons interested in the subject matter thereof, including the estimated cost thereof;

WHEREAS, the Engineer has estimated the maximum cost of the Project to be \$4,800,000; which amount shall be allocated and charged as the cost of improving the facilities of the District and shall be borne by the District; and

WHEREAS, the proposed method of financing the cost of the Project, in whole or in part, shall be by the issuance of serial bonds of the Town maturing in annual installments over a period not exceeding forty (40) years, offset by federal and state grants received in connection therewith; and

WHEREAS, pursuant to the State Environmental Quality Review Act (SEQRA), constituting Article 8 of the Environmental Conservation Law, and 6 N.Y.C.R.R., Regulations Part 617, the Town Board has duly considered the impact the project may have on the environment and has determined that the project is an Unlisted Action as defined in Section 617.2(al) of the SEQRA regulations and no further environmental review is required;

WHEREAS, it is now desired to call a public hearing with respect to the undertaking of the Project, and to hear all persons interested in the subject thereof, in accordance with the provisions of Section 202-b of the Town Law;

NOW, THEREFORE, BE IT ORDERED that a meeting of the Town Board of the Town of North Castle will be held at the Town Hall, 15 Bedford Road, Armonk, New York, on December 8, 2021 at 7:30 p.m. o'clock P.M. (Prevailing Time) for the purpose of a public hearing to consider if it is in the public interest to undertake the Project at a maximum cost of

\$4,800,000, and to hear all persons interested in the subject matter thereof concerning the same and for such other action on the part of the Town Board with relation thereto as may be required by law; and be it

FURTHER ORDERED, that the Town Clerk publish at least once in The Journal News, a newspaper designated as the official newspaper of the Town for such publication, and post on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law, a copy of this Order, certified by said Town Clerk, the first publication thereof and said posting to be not less than ten (10) nor more than twenty (20) days before the date of such public hearing.

DATED: November 17, 2021

TOWN BOARD OF THE
TOWN OF NORTH CASTLE

(SEAL)

The adoption of the foregoing Order Calling for Public Hearing was duly put to a vote on roll call, which resulted as follows:

AYES: Michael J. Schiliro, Barbara DiGiacinto, Barry Reiter, José Berra, Saleem Hussain

NOES: None

ABSENT: None

The Order Calling for Public Hearing was declared adopted.

RESOLUTION

Action: Adoption of the 2022 Westchester County, NY
Hazard Mitigation Plan Update
Date of Approval: November 17, 2021

WHEREAS, all jurisdictions within Westchester County have exposure to natural hazards that increase the risk to life, property, environment, and the County and local economy; and

WHEREAS; pro-active mitigation of known hazards before a disaster event can reduce or eliminate long-term risk to life and property; and

WHEREAS, The Disaster Mitigation Act of 2000 (Public Law 106-390) established new requirements for pre and post disaster hazard mitigation programs; and

WHEREAS, a coalition of Westchester County municipalities with like planning objectives has been formed to pool resources and create consistent mitigation strategies within Westchester County; and

WHEREAS, the coalition has completed a planning process that engages the public, assesses the risk and vulnerability to the impacts of natural hazards, develops a mitigation strategy consistent with a set of uniform goals and objectives, and creates a plan for implementing, evaluating and revising this strategy;

NOW, THEREFORE, BE IT RESOLVED that the North Castle Town Board:

- 1) Adopts in its entirety, the 2022 Westchester County Hazard Mitigation Plan (the “Plan”) as the jurisdiction’s Natural Hazard Mitigation Plan, and resolves to execute the actions identified in the Plan that pertain to this jurisdiction.
- 2) Will use the adopted and approved portions of the Plan to guide pre- and post-disaster mitigation of the hazards identified.
- 3) Will coordinate the strategies identified in the Plan with other planning programs and mechanisms under its jurisdictional authority.
- 4) Will continue its support of the Mitigation Planning Committee as described within the Plan.
- 5) Will help to promote and support the mitigation successes of all participants in this Plan.
- 6) Will incorporate mitigation planning as an integral component of government and partner operations.
- 7) Will provide an update of the Plan in conjunction with the County no less than every five years.