

Town Board Minutes
Town of North Castle
15 Bedford Road
Armonk, New York
on
April 27, 2022

The Town Board meeting was called to order at 5:30 p.m. at Town Hall and immediately adjourned to an Executive Session on the duly adopted motion of Councilman DiGiacinto. 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 7:46 p.m. and the following persons were present:

Present: Supervisor: Michael Schiliro
Councilman: Barbara DiGiacinto
Councilman: José Berra
Councilman: Saleem Hussain
Councilman: Matt Milim
Town Clerk: Alison Simon
Town Attorney: Roland A. Baroni
Town Administrator: Kevin Hay

A Public Hearing was held to consider a Local Law to convert the R-MF-SCH (Residential Multifamily Senior Citizen Housing) Zoning District from a floating zone to a mapped district: The Minutes of the Public Hearing, which opened at 8:23 p.m., follow at the end of these Minutes.

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, approval of Town Board Minutes: April 6, 2022.
Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Saleem Hussain, approval of request from The Friends of the North Castle Public Library for use of North Castle Community Park, including access road and parking area, for the 60th Annual Armonk Outdoor Art Show, October 1 and 2, 2022, contingent on NYS, County and local COVID-safety protocols; and approval of alcohol permit and waiver of permit fee.
Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, adoption of Resolution regarding Home Rule Requests to NYS Senate and Assembly to Extend the Hotel Occupancy Tax Legislation to September 1 2025. The Resolution follows:

WHEREAS, the Town of North Castle desires to adopt an occupancy tax extender to September 1, 2025 on any room for hire within the Town; and

WHEREAS, the rate of such tax shall not exceed three (3) percent of the per diem rental rate for each room; and

WHEREAS, the Town of North Castle desires to repair and improve our Town roads and infrastructure and to stimulate our area economy and to create local construction jobs; and

WHEREAS, the Town of North Castle intends to utilize hotel tax revenue for the purpose of Town wide road and construction projects; and

WHEREAS, NYS Senator Shelley Mayer has introduced NYS legislation to the Senate with bill number S08040, and NYS Assemblyman Chris Burdick has introduced NYS legislation to the Assembly with bill number A09612; and

WHEREAS, this legislation requires the passage of a Home Rule Request to the NYS Senate and NYS Assembly by the Town of North Castle.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of North Castle hereby approves the submission of a Home Rule Request to the NYS Senate and Assembly for bill numbers S08040 and A09612 that would not exceed a three (3) percent daily room tax for a hotel, motel, or similar place of public accommodation; and

BE IT FURTHER RESOLVED, that the Supervisor and Town Clerk are authorized to submit the Home Rule Request and execute and deliver all necessary documents to NYS.

COUNCILMAN DiGIACINTO	VOTING	AYE
COUNCILMAN BERRA	VOTING	AYE
COUNCILMAN HUSSAIN	VOTING	AYE
COUNCILMAN MILIM	VOTING	AYE
SUPERVISOR SCHILIRO	VOTING	AYE

Councilman: Barbara DiGiacinto moved, seconded by Councilman Matt Milim, award of bid to J.C. Land and Site Development Inc. for the replacement of the Clove Road Field Dugouts at a cost of \$92,486; and authorization for the Supervisor to sign the agreement.
Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Barbara DiGiacinto, approval of request from Matt Trainor, Superintendent of Parks and Recreation to bid for the Wampus Brook Park North Bridge replacement.
Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman Matt Milim, approval of request from Matt Trainor, Superintendent of Parks and Recreation to bid for the Hergenhan Center partial roof replacement.
Vote- Unanimous

With regard to the Whippoorwill Hills Homeowners Association project, located at 345 Main Street, Armonk, the Town Board took the following actions:
Councilman: Barbara DiGiacinto moved, seconded by Councilman Matt Milim, receipt of recommendation from Kellard Sessions; and approval of the establishment of Landscape Maintenance Mitigation Plan Bond in the amount of \$11,945; and Monitoring and Maintenance Plan Bond in the amount of \$1,628 for a 2 year period.
Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Barbara DiGiacinto, authorization for the Supervisor to sign agreement with the Whippoorwill Hills Homeowners Association, Inc. regarding Tree Removal and Replacement, as revised.
Vote- Unanimous

With regard to the Amore Pizza project, located at 1 Kent Place, Armonk Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, receipt of recommendation from Kellard Sessions; and approval of the establishment of new Wetland Mitigation Plan Bond in the amount of \$8,626.20, and Monitoring and Maintenance Plan Bond in the amount of \$1,176 for a 5 year period.
Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, award of bid to WND Construction Corp. for the North Castle Public Library Restroom Alterations Project, Armonk at a cost of \$52,000; and authorization for the Supervisor to sign the agreement.
Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, receipt of Certificate of Achievement for Excellence in Financial Reporting awarded to the Town of North Castle for its Annual Comprehensive Financial Report for Year Ended December 31, 2021, and receipt of Award of Financial Reporting Achievement to the Finance Department, both awarded by the Government Finance Officers Association (GFOA).
Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, approval of request from Highway General Foreman Jamie Norris to auction equipment.
Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, approval of request from Director of Water and Sewer Operations Sal Misiti to auction equipment.
Vote- Unanimous

Discussion regarding letter to Con Edison.

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, receipt of Special Event Permit Application from CSM Sport & Entertainment, for Cycle for Survival a Fundraising Event for Memorial Sloan Kettering, on May 14, 2022, at 99 Business Park Drive; and scheduling of a public hearing on May 11, 2022.
Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, authorization for the Supervisor to sign network support contract for the Town with Logically for 2022, contingent upon the changes as agreed to at the meeting.
Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, approval of Second Amendment to Lease Agreement with Crown Atlantic Company LLC (Crown Castle) at Sewer District No. 2 to allow sublease or license to Dish Wireless L.L.C. ("Dish"), and authorization for the Supervisor to sign the amendment.
Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, approval of agreement with Consorti Brothers Paving to remove materials from Middle Patent Highway Yard at no cost to the Town, and authorization for the Supervisor to sign the agreement.
Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, approval of probationary appointment of Kathryn Feeley to the position of Library Director II.
Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, approval of probationary appointment of Christopher Addorosisio to Laborer, Highway Department, effective May 2, 2022.
Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Saleem Hussain, approval of Terminal Leave Payment for Edie Martimucci, Library.
Vote- Unanimous

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

- Audit and approval of payments in the amount of \$4,282,405 as indicated on Warrant No. 8 dated April 27, 2022.
- Release of Highway Bond.
 - The Pinewood Organization LLC - Permit 1062 for a curb cut at 2 Deer Ridge Lane in the amount of \$750.

Vote- Unanimous

After all persons were heard who desired to be heard, the Supervisor adjourned the regular meeting at 10:54 p.m. in memory of Robert Peter Kalian, father of resident Chris Kalian. The Board reconvened to Executive Session. The Executive Session closed at 11:58 p.m.

Alison Simon, Town Clerk

Dated: May 6, 2022