

Town Board Minutes
Town of North Castle
15 Bedford Road
Armonk, New York
on
July 13, 2022

The Town Board Meeting was held in person at 15 Bedford Road, Armonk, New York and via videoconference. The Meeting was called to order at 5:30 p.m. and 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 7:42 p.m. The regular meeting reconvened at 7:47 p.m.

The following persons were present:

Supervisor: Michael Schiliro

Councilman: Barbara DiGiacinto

Councilman: Saleem Hussain

Councilman Matt Milim

Town Clerk: Alison Simon

Town Attorney: Roland A. Baroni

Town Administrator: Kevin Kay

The following person participated via videoconference:

Councilman: José Berra

A Public Hearing was held to consider adoption of a Local Law to replace Chapter 127 for the administration and enforcement of the New York State Uniform Fire Prevention and Building Code (the Uniform Code) and the State Energy Conservation Construction Code (the Energy Code) in the Town of North Castle.

A Public Hearing was held to consider adoption of a Local Law to amend Chapter 12, Boards, Bureaus and Committees, Section 12-22 of the Town Code to eliminate review of sheds, fences and generators from the purview of the Residential Project Review Committee (RPRC).

The Minutes of these Public Hearings, which opened at 8:13 p.m., follow at the end of these minutes.

Councilman: José Berra moved, seconded by Councilman: Saleem Hussain, approval of Town Board Minutes: June 22, 2022.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, receipt of the following regarding a resolution establishing 16 Nethermont Avenue, North White Plains, the location known as Mount Misery, as an Open Space Parcel for its historical significance; and Councilman: José Berra moved, seconded by Councilman: Saleem Hussain, the scheduling of a public hearing on July 27, 2022:

- Resolution.
- Letter from Erik Weiselberg, Ph.D., Principal Historian Revolutionary Westchester 250, dated June 19, 2022.
- Letter from North Castle Historical Society (NCHS), dated June 20, 2022.
- Email from Landmarks Preservation Committee (LPC), dated June 30, 2022.
- Letter from Open Space Committee dated July 8, 2022.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, receipt of letter from Zarin & Steinmetz, dated July 5, 2022 regarding amended Special Use Permit Applications from Brothers Green Nursery, 11 Bedford Banksville Road, Bedford, to formalize existing nursery use and for a contractor's yard; and scheduled Public Hearings on August 10, 2022.

Vote- Unanimous

Councilman: Saleem Hussain moved, seconded by Councilman: Barbara DiGiacinto, to confirm the actions of the Records Access Officer in response to the appeal of Asad Gilani regarding the Town Clerk's response to his May 29, 2022 Freedom of Information Law Request.

Note: Mr. Gilani was not present at the meeting.

Vote- Unanimous

Supervisor Michael Schiliro moved, seconded by Councilman Saleem Hussain, authorization for the Town Administrator to issue a Request for Proposals to retain alternate Labor Counsel and Environmental Counsel.

The roll call vote was as follows:

Ayes: None

Noes: Supervisor: Michael Schiliro, Councilman: Barbara DiGiacinto, Councilman: José Berra, Councilman: Saleem Hussain, Councilman Matt Milim

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, authorization for the Director of Water & Sewer Operations Sal Misiti, to issue a Request for Proposals (RFP) for annual emergency generator service of the 15 associated units in Water and Sewer Department.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Saleem Hussain, receipt of notification from T-Mobile Northeast, LLC regarding equipment updating at Custis Avenue site for its wireless telecommunications network; and authorization for the Supervisor to sign the notice.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, approval of proposal from Open Systems Metro for new Fire Alarm System at the Hergenhan Recreation Center to be purchased from NYS Contract at a cost of \$27,405.28, to be paid from Fund Balance; and authorization for the Supervisor to sign the agreement.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, approval of proposal from NBB Office Environments for desks and chairs for the Town Clerk's Office to be purchased from NYS Contract in the amount of \$3,412, to be paid from Fund Balance.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, approval of request from Highway General Foreman Jamie Norris to purchase a 2022 John Deere Tiger Wildkat Mower from the Sourcewell Contract at a cost of \$148,126.38, to be paid from the Highway Budget.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, approval of Payment Application No. 7 (Final Payment) to Abbott & Price, Inc. in the amount of \$23,909.24 for Elevator Project, North Castle Public Library, Armonk branch, and receipt of General Release and Guarantee Bond.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Saleem Hussain, receipt of Notice of new Liquor License application from Pare Restaurants, LLC, 873 North Broadway, North White Plains, and waiver of 30-day Notice requirement.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, approval of request from the Armonk Chamber of Commerce and the Byram Hills Preschool Association (BHPA) to hold Armonk Cider and Donut Festival featuring Jamie's 5k Run for Love and Byram Hills Preschool Association (BHPA) Carnival on Sunday, September 18, 2022.

Vote- Unanimous

No action was taken regarding lifting of the July 8, 2020 suspension of the issuance of Peddling, Soliciting and Canvassing permits established in response to the COVID-19 pandemic.

Councilman: Saleem Hussain moved, seconded by Councilman: Barbara DiGiacinto, to amend and readopt the Videoconferencing Policy regarding public participation and Board member participation at Town Meetings.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, approval of proposal from WSP for School Street Well No. 2 Rehabilitation in Water District No. 4 in the amount of \$12,000; and authorization for the Supervisor to sign the proposal.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, approval of proposal from R & A Ice Cream for operation of North Castle Town Pool Concession for the 2022 Season; and authorization for the Supervisor to sign the agreement.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, authorization for the Supervisor to sign Memorandum of Understanding with the Byram Hills School District for the provision by the Town of School Resource Police Officer (SRO) for the 2022-2023 school year.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, adoption of 2022 Standard Work Day and Reporting Resolution for elected and appointed officials, as required by NYSLRS.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Saleem Hussain, approval of probationary appointment of Joseph Petrella to Automotive Mechanic, Highway Department, effective July 18, 2022.

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 \$1,260,051.48 as indicated on Warrant No.13 dated July 13, 2022.
- Town Clerk's Report: June 2022.
- Release of Highway Bonds:
 - Dmitriy Frolov - Permit 1174 for a driveway alteration at 51 Banksville Road in the amount of 1,200.
 - Manor Paving - Permit 1185 for a driveway alteration at 5 Pond Lane in the amount of 1,200.
- Receipt of Article 78 Proceeding: In the Matter of Pro Se Asad Gilani's Freedom of Information Law Request vs. Town of North Castle, Town of North Castle Supervisor Michael H. Schiliro, Town of North Castle Administrator Kevin Hay, Town of North Castle Access/Appeal Officer Alison Simon, and Town of North Castle Police Department.

Vote- Unanimous

After all persons were heard who desired to be heard, the Supervisor closed the regular meeting at 10:50 p.m. in memory of Judy Early, resident and member of The North Castle Historical Society; residents Jean Dolan and Bonalea Eisenhower; and Anne M. Hannahoe, mother of resident Margaret Poppo.

Alison Simon, Town Clerk

Dated: July 22, 2022