

Town Board Minutes
Town of North Castle
15 Bedford Road
Armonk, New York
on
July 27, 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 to a Work Session at 6:55 p.m. The Work Session closed at 8:10 p.m.

- All Town Board members, the Town Attorney, the Town Administrator and the Town Clerk were present for the Work Session.

The regular meeting reconvened at 8:16 p.m.

The following persons were present:

Supervisor: Michael Schiliro

Councilman: Barbara DiGiacinto

Councilman: Saleem Hussain

Councilman: Matt Milim

Town Clerk: Alison Simon

Town Administrator: Kevin Hay

The following persons participated via videoconference:

Councilman: José Berra

Town Attorney: Roland A. Baroni

A Public Hearing was held to consider proposed Local Law to amend the Code of the Town of North Castle, Chapter 325 entitled “Vehicles and Traffic,” Section 325-12, Schedule VII entitled “Stop Intersections,” to place a stop sign on Cox Avenue at its intersection with School Street, Armonk.

A Public Hearing was held to consider proposed Local Law to Amend Section 355-21 of the Town of North Castle Town Code to add additional restrictions pertaining to parking vehicles on lawns.

A Public Hearing was held to consider adoption of Resolution designating 16 Nethermont Avenue, North White Plains, location known as Mount Misery, as open space for its historical significance.

The Minutes of these Public Hearings, which opened at 8:29 p.m., follow at the end of these Minutes.

Approval of Town Board Minutes: July 13, 2022.

Councilman: Barbara DiGiacinto moved, seconded by Councilman Matt Milim, approval of Town Board Minutes: July 13, 2022.

Vote- Unanimous

Councilman Matt Milim moved, seconded by Councilman: Saleem Hussain, approval of proposal to retain labor counsel and environmental counsel.

The roll call vote was as follows:

Ayes: Councilman: Matt Milim, Councilman: Saleem Hussain, Councilman: José Berra

Noes: Councilman: Barbara DiGiacinto, Supervisor: Michael Schiliro

Councilman Matt Milim moved, seconded by Councilman José Berra: approval of the procedure to retain labor counsel and environmental counsel as follows:

- Town Administrator Kevin Hay and Town Attorney Roland Baroni will procure a list of labor and environmental law firms (Firms).
- The Town Board will interview said Firms and deliberate their credentials in Executive Session.
- All interaction with the potential firms must be done as a Board, there shall be no interaction with the Firms by individual Board members.
- Approval of new retainer agreements will be done publicly and included on a future Town Board Meeting Agenda.

The roll call vote was as follows:

Ayes: Councilman: Matt Milim, Councilman: José Berra, Councilman: Saleem Hussain

Noes: Councilman: Barbara DiGiacinto, Supervisor: Michael Schiliro

Councilman: José Berra moved, seconded by Councilman Matt Milim, adoption of Resolution to purchase 18 Nethermont Avenue, North White Plains, and designated it as Open Space. The Resolution follows:

Vote- Unanimous

Whereas, on July 13, 2022 the Town Board received a resolution that 16 Nethermont Avenue, a town owned parcel, would be preserved as an open space parcel due to its historical significance as a strategic defensive post during the Battle of White Plains in 1776 and scheduled a public hearing thereon; and

Whereas, 18 Nethermont Avenue, a contiguous parcel, also being equally historically important, may be available for purchase by the Town so that it too may be preserved; and

Whereas, both parcels are part of Mount Misery which was a refuge for some of General George Washington's soldiers; and

Whereas, grants for the purchase may be available from state and county sources.

Now Therefore Be It Resolved, that the Town of North Castle will purchase 18 Nethermont Avenue to be designated as Open Space to be permanently preserved for a purchase price not to exceed \$165,000 dollars.

And that the Supervisor be authorized to sign all documents in furtherance thereof all upon the following terms and conditions:

1. The Town will be responsible for all Town closing costs as Purchaser and all funding will be from the fund balance.
2. The Town will, prior to closing, have an appraisal of the property performed in accordance with the Uniform Standards of Professional Appraisal Practice.
3. The Town will provide public access to the parcel and provide signs and markers for same.
4. This resolution is adopted subject to Permissive Referendum and the Town Clerk is directed to publish and post a Notice of Permissive Referendum within 10 days hereof.

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, approval of request from Town Assessor Georgann Richardson to obtain an appraisal to value the property at 18 Nethermont Avenue, North White Plains, using Uniform Standards of Professional Appraisal Practice (USPAP) standards.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, approval of request from Highway General Foreman Jamie Norris to purchase a 2023 Freightliner at a cost of \$257,465.54 from Onondaga Contract, to be paid for from Highway budget, and a 2023 Freightliner at a cost of \$527,483.23 from Sourcewell Contract, to be paid for with CHIPS funds.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman Saleem Hussain, receipt of recommendation from Kellard Sessions Consulting; and approval of the establishment of a new Wetland Mitigation Plan Bond in the amount of \$6,897.00 and Maintenance Plan Bond in the amount of \$940.50; and further moved receipt of letter from Hocherman Tortorella & Wekstein, LLP, dated July 20, 2022.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, receipt of letter from Bleakley Platt & Schmidt, LLP Re Rocky Ledge Swimming Association, 1402 Old Orchard Road, North White Plains, dated July 19, 2022, and further moved to deny the request for a waiver pursuant to Section 114-5 of the Town Code.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, receipt of donation of a park bench in memory of Michael Vincent Bottiglieri to be placed in Wampus Brook Park, Armonk.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, receipt of 2nd Quarter 2022 Revenue/Expense Budget Reports and Bank Reconciliations.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, approval of probationary appointment of Jeffrey Dato to position of Parks Groundsman, Parks Department, effective August 1, 2022.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, approval of placing Employee No. 3640 on an involuntary leave of absence pursuant to Section 72 of the New York State Civil Service Law and further directing Employee No. 3640 to undergo a medical examination in accordance with Section 72 of the New York State Civil Service Law.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Saleem Hussain, approval of request from Nancy Hall to attend Court Clerk's Conference in Albany, October 16 to 19, 2022.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Saleem Hussain, approval of reappointment of Jane Black to the Conservation Board for a two year term to expire April 8, 2024.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, approval of appointment of Megan Wilt to the Library Board, to fill a vacated seat, for a term to expire March 24, 2026.

Vote- Unanimous

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

- Audit and approval of payments in the amount of \$400,923.28 as indicated on Warrant No. 14 dated July 27, 2022.
- Release of Highway Bond:
 - Manor Paving - Permit 1184 for a driveway alteration at 66 Round Hill Road in the amount of \$2,400.

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After all persons were heard who desired to be heard, the Supervisor closed the regular meeting at 11:48 p.m. in memory of Lois Colombo, sister of Patricia Colombo, Tax Office; and residents Anna Pavone, Noel B. Donohoe, and Barbara Connolly.

Alison Simon, Town Clerk

Dated: August 5, 2022