

Town Board Minutes  
Town of North Castle  
15 Bedford Road  
Armonk, New York  
On  
September 14, 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 in person for the Executive Session.

The Executive Session adjourned at 7:45 p.m. The regular meeting reconvened at 7:50 p.m.

The following persons were present in the Meeting Room:

Supervisor: Michael Schiliro

Councilman: Barbara DiGiacinto

Councilman: Saleem Hussain

Councilman: Matt Milim

Town Clerk: Alison Simon

Town Attorney: Roland A. Baroni

Town Administrator: Kevin Hay

The following persons participated via videoconference:

Councilman: José Berra

A Public Hearing was held to consider the Special Use Permit Application of Brothers Green Nursery, 11 Bedford Banksville Road, Bedford, to legalize existing nursery use.

A Public Hearing was held to consider the Special Use Permit Application of Brothers Green Nursery, 11 Bedford Banksville Road, Bedford, for a contractor's yard.

The Minutes of these Public Hearings, which opened at 8:08 p.m., follow at the end of these Minutes.

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, approval of the Town Board Minutes: August 10, 2022 and August 24, 2022.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, receipt of letter from Lance Klein of Keane & Beane PC, dated August 10, 2022.

Vote- Unanimous

There was a discussion of the Board of Ethics recommendations to amend Chapter 27, Code of Ethics regarding: Education of Department Heads and Volunteer Board and Committee Members; and Review of modifications to the Board of Ethics Disclosure Statement.

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, receipt of recommendation from Kellard Sessions Consulting; and approval of the establishment of a NYSDOT Sidewalk Improvement Bond for 873 North Broadway, North White Plains, in the amount of \$38,941.10 from 873 Holding Company, LLC.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, receipt of the following regarding proposed Zoning Text Amendment from Volta Charging, LLC for Electric Vehicle Charging Kiosks at 670 North Broadway, North White Plains: Letter from Cuddy & Feder LLP, dated September 6, 2022; and Report from Director of Planning Adam Kaufman, dated September 6, 2022.

Vote- Unanimous

Regarding proposed Local Law to amend Chapter 177 entitled “Flood Damage Prevention” to comply with the floodplain management requirements of the National Flood Insurance Program contained in 44 CFR 60.3(b,c,&d) and authorized by the New York State Constitution, Article IX, Section 2, and Environmental Conservation Law, Article 36, Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, receipt of the following: Letter from Director of Planning Adam Kaufman, dated July 26, 2022; Full Environmental Assessment Form Parts 1, 2 & 3; proposed Local Law; and further moved approval of scheduling of a Public Hearing on October 12, 2022.

Vote- Unanimous

Regarding proposed Local Law to Amend Chapter 241 Section 3.E Property Maintenance to clarify maintenance requirements of wildflowers, Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, receipt of letter from Director of Planning Adam Kaufman, dated September 6, 2022; and the proposed Local Law. The Town Board discussion indicated that further review is required of the proposed local law prior to scheduling of a Public Hearing.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, receipt of recommendation from Kellard Sessions Consulting; and approval of the establishment of a Wetland Mitigation Bond in the amount of \$31,854 and Monitoring and Maintenance Bond for a five-year term in the amount of \$4,343 for Rozov project located at 1503 Orchard Street, North White Plains.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, receipt of Real Estate Appraisal regarding 18 Nethermont Avenue, North White Plains, prepared by RDM Valuations, Inc., dated August 1, 2022. The property was appraised at One Hundred Seventy Thousand Dollars (\$170,000).

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, approval of Payment Requisition No. 7 to AFL General Construction Inc. regarding North White Plains Community Center Renovation project.

The roll call vote was as follows:

Ayes: Supervisor: Michael Schiliro, Councilman: Barbara DiGiacinto, Councilman: Saleem Hussain, Councilman Matt Milim

Abstained: Councilman José Berra

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, approval of request from Highway General Foreman Jamie Norris to purchase two Heavy Duty Dumpsters and Understructures at a cost of \$21,561.79 from the Sourcewell Contract, to be paid from the Highway Budget.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, approval of request from Michael Keeler for alcohol permit at Community Park Pavilion for the Byram Hills High School 41st Reunion on Saturday, October 8, 2022.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, approval of request from The North Castle Historical Society for use of North Castle Public Library, Armonk branch for an educational program on Sunday, November 13, 2022; and waiver of the permit fee.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Saleem Hussain, receipt of donation to the Recreation and Parks Department in the amount of \$500 from the Byram Hills Preschool Association to be used for programming for preschoolers.

Vote- Unanimous

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Councilman Matt Milim moved, seconded by Councilman: Saleem Hussain, authorization for the Supervisor to sign the Extension Agreement with Anita Louise Ehrman (ALE) Recreation Center, Inc. extending the License Agreement for a one year period to October 31, 2023.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, authorization for the Supervisor to execute the Stormwater Control Facility Maintenance and Access Agreement for 154 Bedford Road.

Vote- Unanimous

Consideration of the proposal from Verizon Connect for GPS equipment and subscription for use by the Highway Department; and authorization for the Supervisor to sign the agreement was tabled.

Councilman: José Berra moved, seconded by Councilman: Saleem Hussain, receipt of letter of resignation for purposes of retirement from Steve Gallo, Library Custodian/Caretaker effective August 19, 2022.

Vote- Unanimous

Councilman: Saleem Hussain moved, seconded by Councilman Matt Milim, receipt of letter of resignation from Matthew Pugni, Motor Equipment Operator, Highway Department, effective September 9, 2022.

Vote- Unanimous

Councilman: Saleem Hussain moved, seconded by Councilman Matt Milim, receipt of letter of resignation from Steven Cambareri, Parks Groundsman, Parks Department, effective August 18, 2022.

Vote- Unanimous

Councilman: Saleem Hussain moved, seconded by Councilman Matt Milim, approval of probationary appointment of Jake Terenzi to Parks Groundsman, Parks Department, effective September 6, 2022.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Saleem Hussain, approval of stipend for Angela Cooke for administrative work outside of job description at the North Castle Public Library.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Saleem Hussain, approval of stipend for Susan Grieco for administrative work outside of job description at the North Castle Public Library.

Vote- Unanimous

Councilman: Saleem Hussain moved, seconded by Councilman: Jose Berra, approval of appointment of Amanda Park to hourly Library Page, effective September 19, 2022.

Vote- Unanimous

Councilman: Saleem Hussain moved, seconded by Councilman José Berra, authorization of Termination of Employee No. 4004 for Probationary Failure, effective August 26, 2022.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Saleem Hussain, approval of request from Highway General Foreman Jamie Norris to attend the League of Municipalities Conference in Atlantic City, November 15 to 17, 2022, with Lead Mechanic Matthew Harisch, and permission to use a Town Vehicle.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Saleem Hussain, approval of appointment of Nora Kanze Manuele to the Conservation Board for a two year term to expire September 14, 2024.

Vote- Unanimous

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Councilman: Saleem Hussain moved, seconded by Councilman Matt Milim, approval of Consensus Agenda as follows:

- Audit and approval of payments in the amount of \$2,078,293.39 as indicated on Warrant No.16 dated September 14, 2022.
- Town Clerk's Report: August 2022.
- Receipt of Cable Franchise Fees for 2nd Quarter 2022 from Cablevision/Altice and Verizon.
- Release of Highway Bonds:
  - John Rinaldi - Permit 0990 for a driveway alteration at 7 Perry Ct in the amount of \$1,000.
  - Marianna, LLC - Permit 1135 for a curb cut at 5 Rose Hill Dr in the amount of \$1,200.
  - Vivid Custom Home - Permit 1193 for a driveway alteration at 19 Sniffen Rd in the amount of \$1,200.
  - Pietro Disisto - Permit 1194 for a driveway alteration at 9 Fox Ridge Rd in the amount of \$1,200.
  - Robert Orlofsky - Permit 1188 for a driveway alteration at 5 Green Valley Rd in the amount of \$1,200.
  - Jordan Matusow - Permit 1203 for a driveway alteration at 8 Carpenter Way in the amount of \$1,200.

Vote- Unanimous

After all persons were heard who desired to be heard, the Supervisor closed the regular meeting at 12:52 a.m. in memory of residents Howard Pinchbeck, Julius J. Heller, and Madeline Musgrove, aunt of Valerie Desimone, Planning Board Secretary.

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Alison Simon, Town Clerk

Dated: September 22, 2022