

Town Board Minutes
Town of North Castle
15 Bedford Road
Armonk, New York
on
May 10, 2023

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 7:35 p.m. on the duly adopted motion of Councilman DiGiacinto.

The following persons were present in the Meeting Room:

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

The following person participated via videoconference:

Assistant to the Town Administrator: Eliana Diaz

Absent: Town Administrator: Kevin Hay

A Public Hearing was reconvened to consider grant and acceptance of Conservation Easement and Declaration of Restrictive Covenants for properties, consisting of approximately 130 acres, located at address commonly known as known as Summit Club (formerly Brynwood), 568 Bedford Road, Armonk, New York.

A Public Hearing was held to consider proposed Local Law to amend Chapter 355-6, Zoning Map, of the Town of North Castle, to reclassify the Eagle Ridge Property (3 North Castle Drive – 108.03-1-62.1) from the OBH (Office Business Hotel) and R-MF-SCH (Multifamily-Senior Citizen Housing) Zoning Districts to the R-MF-A (Multifamily-A Residence) Zoning District.

The Minutes of the Public Hearings, which opened at 8:01 p.m., follow at the end of these minutes.

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, to table approval of the Town Board Minutes: April 26, 2023.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Matt Milim, approval of recommendation to Planning Board to reduce recreation fees for Summit Club (formerly Brynwood), 568 Bedford Road, Armonk, to \$1,000 per market rate and AFFH unit.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Matt Milim, receipt of memo from Director of Water & Sewer Operations Sal Misiti regarding Westchester Joint Water Works potential water distribution improvements for Quarry Heights, dated May 4, 2023.

Vote- Unanimous

Regarding Zoning Amendment for a proposed Battery Energy Storage project at 10 New King Street in North Castle, NY, Councilman: Barbara DiGiacinto moved, seconded by Councilman: Matt Milim, receipt of the following: Letter from New York State Historic Preservation Office (SHPO), dated April 10, 2023; letter from Waldron regarding Environmental Assessment Form (EAF), dated April 18, 2023; letter from Waldron, regarding Natural Heritage Request, dated April 18, 2023; long Environmental Assessment Form (EAF) Part 1; revised long Environmental Assessment Form (EAF) Part 1; and letter from New York State Department of Environmental

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Conservation (NYSDEC), dated May 2023. In addition, the Town Board requested that Town Administrator Kevin Hay research professionals experienced in battery storage.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Matt Milim, receipt of recommendation from Kellard Sessions and release of Wetland Mitigation Maintenance Bond for Karen Lake (KRL Properties, LLC) 1 Byram Brook Place, Armonk, in the amount of \$3,500.

Vote- Unanimous

Supervisor: Michael Schiliro moved, seconded by Councilman: Saleem Hussain, receipt of letter from New York State Department of Environmental Conservation, dated May 1, 2023 regarding Long Pond Dam inspection and referral to Town Engineer Kellard Sessions. Councilman: José Berra recused himself from the discussion and vote because he consulted with a resident on this matter.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Saleem Hussain, receipt of Interim and Annual MS4 Stormwater Reports from Town Engineer Kellard Sessions.

Vote- Unanimous

Councilman: Saleem Hussain moved, seconded by Councilman: Matt Milim, approval of request for alcohol permit from Atlantic Westchester, Inc. for a company picnic at Lombardi Park Pavilion on May 20, 2023.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Saleem Hussain, approval of Byram Hills Soccer Club event at Community Park Pavilion and Soccer Field on June 4, 2023.

Vote- Unanimous

Councilman: Matt Milim moved, seconded by Councilman: Saleem Hussain, authorization for the Supervisor to sign the Amendment to Purchase and Sale Agreement regarding Anita Louise Ehrman (ALE) Recreation Center.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Saleem Hussain, termination of agreement with Eleven Virginia Road Realty Corp. for commuter parking lot, effective May 31, 2023.

Vote- Unanimous

Councilman: Saleem Hussain moved, seconded by Councilman: Matt Milim, authorization for the Supervisor to sign a Public Employment Relations Board (PERB) Settlement Agreement with the Police Association of North Castle (PBA).

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Saleem Hussain, approval of the reappointment of Craig Benedict to the Conservation Board for a two-year term to expire on May 10, 2025.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Saleem Hussain, approval of the appointment of John Ettenson to the Recycling Committee to serve at the pleasure of the Town Board.

Vote- Unanimous

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

- Town Clerk Report: April 2023.
- Audit and approval of payments in the amount of \$3,499,083.86 as indicated on Warrant No. 9 dated May 10, 2023.
- Release of the following Highway Bonds:
 - Arrow Black Top - Permit 1233 for a driveway alteration at 27 Day Road in the amount of \$1,200.
 - Hickory Homes & Properties, Inc. - Permit 1231 for a driveway alteration at 35 Whippoorwill Road E. in the amount of \$1,200.

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- Wilder Reyes - Permit 1228 for a driveway alteration at 25 McDougal Drive in the amount of \$2,400.

Vote- Unanimous

After all persons were heard who desired to be heard, the Supervisor adjourned the regular meeting to Executive Session at 11:56 p.m. in memory of residents Steven Fisher; B. Richard Boscamp; and Russell Patrick Ross, brother-in-law of Rita Ross, Town Clerk's Office and uncle of Michael Ross, Highway Department. The Executive Session closed at 12:10 a.m.

Alison Simon, Town Clerk

Dated: May 19, 2023