

Town Board Minutes
Town of North Castle
15 Bedford Road
Armonk, New York 10504
on
July 23, 2014

The meeting was called to order at Town Hall at 5:00 p.m. on the duly adopted motion of Councilman D'Angelo and immediately adjourned to an executive session. All Town Board members, the Town Attorney and the Town Administrator were present for the executive session which adjourned to a work session at 6:30 p.m. The regular meeting reconvened at 7:35 p.m.

Supervisor	Michael J. Schiliro
Councilmen:	Stephen D'Angelo
	Barbara DiGiacinto
	Barry Reiter
	José Berra

Town Clerk	Anne Curran
Town Attorney	Roland A. Baroni
Town Administrator	Joan Goldberg

Police Chief Peter Simonsen addressed the Town Board to present two candidates for the position of Police Officer. He said that both of the candidates were subjected to a complete and thorough background investigation and extensive medical, psychological and physical fitness testing, and that both men passed all phases of the application process quite admirably. After a brief summary of their backgrounds, Chief Simonsen said that all factors indicate that both candidates are upstanding citizens of high moral character and recommended that the Town Board appoint Peter Ciardiello and Seamus Conlan to the position of Probationary Police Officer with the North Castle Police Department with an effective date of July 26, 2014.

Councilman Berra moved, seconded by Councilman D'Angelo, approval of request from Chief of Police Simonsen to hire two Police Officers: Peter Cardiello and Seamus Conlan, effective July 26, 2014.

Vote: Unanimous

Councilman DiGiacinto moved, seconded by Councilman D'Angelo, approval of the minutes of the July 9, 2014 meeting.

Vote: Unanimous

Councilman Reiter moved, seconded by D'Angelo, approval of a resolution, as revised, for the repair and restoration of the Elijah Miller House, Washington's Headquarters, at the current location on Virginia Road.

Vote: Unanimous

RESOLUTION

Adopted by North Castle Town Board on July 23, 2014

**Repair and Restoration of Elijah Miller House – Washington's Headquarters
By Westchester County at Current Location, Virginia Road, North White Plains**

BE IT RESOLVED that the Town Board of the Town of North Castle requests the immediate repair and restoration, by its owner Westchester County, of the Elijah Miller House – Washington's Headquarters at its current location where it has stood since before the American Revolution, on today's Virginia Road in North White Plains; and

WHEREAS, the Town Board emphasizes that the Elijah Miller House – Washington's Headquarters has been owned by Westchester County since 1917, and that on November 2, 1994 an agreement titled Assurance of Discontinuance, pursuant to Executive Law §63(15), underscored the County's ownership and responsibility for the building and its contents; and

WHEREAS, the Elijah Miller House – Washington's Headquarters is a Westchester County museum and shrine to the memory of the fallen at the Battle of White Plains and that it continues to signify the central and defining role of that battle in the birth of the American freedom that we cherish today; and

WHEREAS, based on the deplorable condition of this important national historic site under ownership of Westchester County, the Town of North Castle Landmarks Preservation Committee issued a Repair Order to The Westchester County Clerk and the County Board of Legislators on October 2, 2013; and WHEREAS, the Town Board of the Town of North Castle implores the County to begin repairs at once to save the Elijah Miller House – Washington’s Headquarters from further deterioration; and BE IT FURTHER RESOLVED, the Town Board of the Town of North Castle affirms that the Elijah Miller House - Washington's Headquarters was accepted by the National Register of Historic Places on September 29, 1976; The New York State Register of Historic Places on July 26, 1980; the Westchester County Inventory of Historic Places on January 5, 1988; and was given Town of North Castle Local Landmark Status on August 25, 1977.

Councilman D’Angelo moved, seconded by Councilman Berra, authorization for the Town Administrator to request proposals to demolish the recreation building at North Castle Community Park.

Vote: Unanimous

Councilman Berra moved, seconded by Councilman D’Angelo, authorization for the Town Administrator to request proposals for architectural services to rebuild the Gazebo at Wampus Brook Park.

Vote: Unanimous

Michael Fareri appeared before the Board with regard to a petition requesting a zoning amendment to apply an amended Residential Multifamily Single Structure (RMF-SS) Zoning District to the property located at 156 Bedford Road, Armonk, currently in the Roadside Business Zoning District.

During Mr. Fareri’s presentation, the Town Board offered some remarks, including Councilman Berra’s comment that he had serious concerns regarding tax structure and density, and his preference that the project not move forward.

Town Attorney Baroni advised Mr. Fareri that a petition for extension of Water District No. 7 to include the subject lot 108.03-1-41 should be submitted to the Town Board and that a separate public hearing for this petition is required.

The Town Board authorized the following actions:

1. Councilman D’Angelo moved, seconded by Councilman Reiter, that the Town Board declare its intent to act as Lead Agency regarding the zoning amendment to apply an amended Residential Multifamily Single Structure (RMF-SS) Zoning District to the property located at 156 Bedford Road, Armonk, and the amendment to revise the Town Development Map of the Comprehensive Plan.

The roll call vote was as follows:

Ayes: Councilman D'Angelo, DiGiacinto, Reiter, Supervisor Schiliro.

Noes: Councilman Berra

2. Councilman D’Angelo moved, seconded by Councilman DiGiacinto, to refer the zoning petition, including the proposed amendment to the Town Development Map of the Comprehensive Plan, to place Lot 108.03-1-41 within a residential category, to the North Castle Planning Board and the Westchester County Planning Board. The Town Board also directed the Planning Department to draft language regarding the amendment to the Comprehensive Plan.

The roll call vote was as follows:

Ayes: Councilman D'Angelo, DiGiacinto, Reiter, Supervisor Schiliro.

Noes: Councilman Berra

Councilman D’Angelo moved seconded by Councilman Berra, approval of request from Sal Misiti, Director of Water & Sewer Operations, to award the contract for annual service for generator maintenance (Water & Sewer Districts) to Gen Quip in the amount of \$4,075.00.

Vote: Unanimous

Councilman DiGiacinto moved, seconded by Councilman D’Angelo, receipt of draft legislation to amend Town Code to add Chapter 161: Property Maintenance, and further moved to schedule a public hearing on September 10, 2014.

Vote: Unanimous

Councilman Reiter moved, seconded by Councilman DiGiacinto, receipt of letter from Veneziano & Associates regarding a Conservation Easement for the 96-98 Cox Avenue Subdivision, and further moved to schedule a public hearing on August 13, 2014.

The roll call vote was as follows:

Ayes: Councilman D'Angelo, DiGiacinto, Reiter, Supervisor Schiliro

Noes: None

Abstain: Councilman Berra recused himself from the vote

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, authorization for the Town's Attorneys to execute a Final Order and Consent Judgment in the matter of Parastu Group, LLC vs. Town of North Castle - Index No. 15995/11 et al.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman Reiter, receipt of maintenance bond in the amount of \$3,000 for new private road within Madonna subdivision, 95-97 Cox Avenue.

Vote: Unanimous

Councilman D'Angelo moved, seconded by Councilman Reiter, authorization for the Supervisor to sign the agreement with HydroEnvironmental Solutions, Inc. for removal of two fuel oil underground storage tanks (USTs) and environmental cleanup at 533-535 Main Street, Armonk. Approval was based on the following revisions to the agreement, as recommended by Town Engineers:

- UST Closure/Cleanup and related activities \$12,905.00
- Laboratory Total \$7,460.00
- Excavation and Removal Total \$46,070.00

Line Item Costs:

- Liquid Disposal 5,000 gallons @ \$.85 per gallon \$4,250 (estimated cost based on volume)
- Contaminated Soil Disposal 600 tons @ \$62 per ton \$37,200 (estimated cost based on volume)

Vote: Unanimous

Authorization for the Supervisor to sign the agreement with LynStaar Engineering, P.C. for emergency generator design for North Castle Community Center on Clove Road, North White Plains, was tabled.

Councilman D'Angelo moved, seconded by Councilman Berra, authorization for the Supervisor to sign the proposal for Bond Counsel Services with Orrick, Herrington & Sutcliffe, LLP, at rates specified in the agreement.

Vote: Unanimous

Councilman DiGiacinto moved, seconded by Councilman Berra, the consensus agenda as follows:

- Receipt of Notice of Claim from Dorothy Lander vs. Town of North Castle and referral to Town Attorneys.
- Approval of request from General Foreman Norris to release the following Highway bonds:
 - Cross County Asphalt – Permit 0822 in the amount of \$500 for driveway alteration at 2 Ridgeview Circle, Sec. 2 Block 05, Lot 2.D-9.
 - Cristello – Permit 0821 in the amount of \$500 for driveway alteration at 97 Washington Avenue, Section 6, Block 08, Lot 31.
- Receipt of thank you letter from Constance Quarrie, Chair of Afghan Fundraiser for North Castle Historical Society

Vote: Unanimous

The Town Board audited and approved payments totaling \$457,405.01 as indicated on Warrant #14.

After all persons were heard who desired to be heard, the Supervisor adjourned the regular meeting at 10:15 p.m. in memory of Anthony Scaglione; the Town Board reconvened to an Executive Session which closed at 10:55 p.m.

Anne Curran, Town Clerk

Dated: August 11, 2014