

Town Board Minutes  
Town of North Castle  
15 Bedford Road  
Armonk, New York  
on  
January 11, 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 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 7:41 p.m. The regular meeting reconvened at 7:44 p.m.

The following persons were present in person 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  
Town Administrator: Kevin Hay

The Pledge of Allegiance was led by Cub Scout Pack Troop 94 – Armonk.

The Minutes of the Organizational Agenda follow at the end of these minutes.

A Public Hearing was held to consider Adoption of the Special Use Permit application for more than one residential use within a building in the CB Zoning District 731 N. Broadway, North White Plains.

A Public Hearing was held to consider proposed Local Law to amend Chapter 355 Zoning, Section 355-28 Additional R-MF-SS Residence District Regulations, to revise Subsection C. AFFH Units to receive a permanent certificate of occupancy by December 31, 2024 regarding 162 Bedford Road, Armonk (formerly known as the Lumberyard).

The Minutes of the Public Hearings, which opened at 8:18 p.m., follow at the end of these minutes.

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, approval of Town Board Minutes: December 14, 2022.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Saleem Hussain, receipt of memo from Assessor Georgann Richardson, dated December 13, 2022, regarding Senior Tax Exemption levels; and scheduling of a Public Hearing on February 8, 2023.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Saleem Hussain, receipt of revised recommendation from Conservation Board regarding 25 Edgar Road, Armonk, dated January 5, 2023, regarding the Town's acceptance of trees as payment in lieu of fines and a 2 to 1 mitigation plan as defined by Town Code. Councilman DiGiacinto recused herself from the discussion and vote because the property is owned by a family member.

Vote- Unanimous

Regarding Breezemont Day Camp, 62-64 Cox Avenue, Armonk Special Use Permit application to amend Zoning to allow day camps as a conforming permitted use, Councilman: José Berra

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moved, seconded by Councilman: Saleem Hussain, receipt of the following: Letter from Kirkpatrick Law, LLC, dated December 7, 2022; letter from Director of Planning Adam Kaufman, dated January 5, 2023; Short Environmental Assessment Form Part 1; and the proposed Local Law. Councilman: José Berra further moved, seconded by Councilman: Saleem Hussain, declaration of the Town Board's intent to act as Lead Agency; and referral to Town and County Planning Boards.

Vote- Unanimous

Regarding Zoning Amendment for a proposed Battery Energy Storage project at 10 New King Street in North Castle, NY, Councilman: José Berra moved, seconded by Councilman Matt Milim, receipt of letter from Catalyze Energy, dated December 14, 2022.

Vote- Unanimous

Councilman: Saleem Hussain moved, seconded by Councilman Matt Milim, approval of 2023 membership in NYS Association of Towns and designation of a Town Board member Barbara DiGiacinto as the Town's voting delegate at the Association of Towns annual meeting to be held in February 2023. Councilman DiGiacinto recused herself from the discussion and the vote.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, approval of request for Alcohol Permit from Judika Lieberman for an Art Exhibition at the North Castle Public Library, Armonk Branch, on August 12, 2023.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, approval of request from Stayin' Alive charity to schedule the 10th annual 5K Fun Run on Saturday, October 7th, 2023, contingent on NYS, County, and local COVID-safety protocols.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Barbara DiGiacinto, approval of agreement with North East Westchester Special Recreation Inc. for 2023 for a fee of \$7,428.98, and authorization for Supervisor to sign the agreement.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, authorization for the acceptance of renewal premium from U.S. Specialty Insurance in conjunction with services provided by FOA & Son Corporation for Property and Casualty Insurance Policy for 2023.

Vote- Unanimous

Regarding the Lombardi Park Public Water Distribution Project, Councilman: José Berra moved, seconded by Councilman: Saleem Hussain, approval of the following proposals and authorization for the Supervisor to sign the agreements:

- Kellard Sessions Consulting for a total fee of \$41,200;
- OLA Consulting Engineers for Mechanical and Electrical Engineering Services for a fee of \$16,100.

Vote- Unanimous

Councilman: Saleem Hussain moved, seconded by Councilman Matt Milim, approval of proposal from OLA Consulting Engineers for Electrical Engineering Services regarding Parking Improvement Plan for Kent Place Parking Lot (former Verizon Property), for a fee of \$16,200, and authorization for the Supervisor to sign the agreement. Councilman DiGiacinto recused herself from the discussion and the vote because the adjacent commercial property is owned by family members.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Saleem Hussain, approval of Financial Advisory Services Agreement with Capital Market Advisors, LLC (CMA) for 2023, and authorization for the Supervisor to sign the agreement.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Saleem Hussain, approval of proposal from RISK Strategies for actuarial consulting services for Town's OPEB (Other Postemployment

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Benefits) valuation under GASB No. 75 for Fiscal Years 2022-2023, and authorization for Supervisor to sign the agreement.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, receipt of letter of resignation from Thomas Zeoli, Motor Equipment Operator, Highway Department, effective December 30, 2022.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, approval of probationary promotional appointment of Anthony LoConte to Motor Equipment Operator, Highway Department, effective January 11, 2023.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, approval of 2022 vacation day payout for Matthew Harisch, Highway Department.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Matt Milim, approval of probationary appointment of Maria Tierney to Senior Office Assistant and stipend for performing the Office Manager position, Building Department, effective January 12, 2023.

Vote- Unanimous

Supervisor: Michael Schiliro moved, seconded by Councilman: Saleem Hussain, approval of annual stipend for Barbara DiGiacinto, Deputy Town Supervisor, effective January 1, 2023.

Councilman DiGiacinto recused herself from the discussion and the vote.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Saleem Hussain, approval of annual stipend for Patrick Ricci for assisting Receiver of Taxes, effective January 1, 2023.

Vote- Unanimous

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

Vote- Unanimous

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

Vote- Unanimous

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

Vote- Unanimous

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

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Saleem Hussain, approval of appointment of Ed Lashins to the Budget and Finance Advisory Committee to fill a vacated term to expire December 31, 2023.

Vote- Unanimous

Councilman Matt Milim moved, seconded by Councilman: José Berra, approval of appointment of Arthur Elias as an Alternate to the Board of Ethics.

Vote- Unanimous

Recognition of Scott Stopnik for his service as President to the North Castle Library Board of Trustees.

Recognition of Stephanie Paul for her service as Treasurer to the North Castle Library Board of Trustees.

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

- Audit and approval of payments of \$671,236.62 as indicated on Warrant No. 1 dated January 11, 2023.
- Town Clerk Report: December 2022.
- Release of Highway Bond:
  - Manor Paving - Permit 1220 for a driveway alteration at 21 Pond Lane in the amount of \$1,200.
- Receipt of Notice of Claim in the matter of Joseph L. Cardillo vs. Town of North Castle.

Vote- Unanimous

After all persons were heard who desired to be heard, the Supervisor closed the regular meeting at 11:20 p.m. in memory of Martin Abramowitz, uncle of Town Clerk Alison Simon, and resident Maria C. Maiuolo.

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Alison Simon, Town Clerk

Dated: January 20, 2023

Town Board Minutes  
Organizational Meeting  
Town of North Castle  
15 Bedford Road  
Armonk, NY  
on  
January 11, 2023

The Town Board Organizational Meeting was called to order at 7:44 p.m. at Town Hall on the duly adopted motion of Councilman DiGiacinto and the following persons were present:

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

Councilman: José Berra moved, seconded by Councilman Saleem Hussain, authorization of the following:

The continuation of all depositories and accounts of the Town as heretofore established in the prior fiscal year: Designating Depositories for the Town of North Castle Funds are as follows:

- J.P. Morgan Chase Bank, White Plains, NY
- J.P. Morgan Brokerage
- Signature Bank, New Rochelle, NY
- New York Cooperative Liquid Assets Securities System (NYCLASS).
- Metropolitan Commercial Bank

Authorize and direct that payment from all Town accounts be made by ACH, wire or checks using facsimile signatures of the Supervisor and the Town Clerk. The exception should be noted that the Town Clerk and the Town Justices are authorized to continue their own accounts.  
Vote: Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman Saleem Hussain, the following appointments:

Deputy Town Supervisor	Pleasure of the Supervisor
Councilman Barbara DiGiacinto	
Records Management Officer	Pleasure of the Town Board
Town Clerk Alison Simon	
Records Access Officer	Pleasure of the Town Board
Town Clerk Alison Simon	
Registrar of Vital Statistics	Pleasure of the Town Board
Town Clerk Alison Simon	
Deputy Town Clerk & Deputy Registrar	Pleasure of the Town Clerk
Maria Scharf	
Sub-Registrar	Pleasure of the Town Clerk
Beverly Peterson	
Sub-Registrar	Pleasure of the Town Clerk
Rita Ross	
Liaison to the Board of Elections	Pleasure of the Town Board
Town Clerk Alison Simon	
Director of Finance	Pleasure of the Supervisor
Abbas Sura	
Assessor	Six Year Term
Georgann Richardson	
Receiver of Taxes	Pleasure of the Town Board
Patricia Colombo	

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Confidential Secretary to Supervisor Mindy Berard	Pleasure of the Supervisor
Town Co-Historians Sharon Tomback North Castle Historical Society	Pleasure of the Town Board
Secretary to Zoning Board of Appeals Lori Zawacki	Pleasure of the Town Board
Secretary to Planning Board Valerie Desimone	Pleasure of the Town Board
Secretary to Architectural Review Board Lori Zawacki	Pleasure of the Town Board
Fire Inspector Thomas Glass	Pleasure of the Town Board
Engineering Consultants Kellard Sessions Consulting	Contract with the Town
Town Counsel Stephens Baroni Reilly & Lewis	Contract with the Town
Vote: Unanimous	

Councilman: José Berra moved, seconded by Councilman Saleem Hussain, authorization of the following appointments of Liaisons to Departments, Boards & Committees by Supervisor Schiliro:

Police Department	Councilman Berra & Councilman Milim
Highway Department	Councilman Berra
Building Department	Councilman DiGiacinto & Councilman Milim
Fire Departments:	
1. Armonk	Councilman Berra
2. Banksville	Councilman Milim
3. North White Plains	Councilman DiGiacinto
Library Liaison	Councilman Hussain
Personnel	Councilman DiGiacinto
Planning Board	Councilman DiGiacinto
Recreation & Parks Department	Councilman Milim
Water & Sewer Department	Councilman Hussain
Intergovernmental Affairs	Supervisor Schiliro
School Board Liaisons	Supervisor Schiliro & Councilman Hussain
Architectural Review Board	Councilman Milim
Beautification Committee	Councilman DiGiacinto
Board of Ethics	Councilman Berra
Budget & Financial Advisory Committee	Councilman Milim
Chamber of Commerce	Councilman DiGiacinto
Conservation Board	Councilman Berra
Communications Committee	Councilman Hussain
Housing Board	Councilman Milim
Landmarks Preservation Committee	Councilman Berra
NC4 Liaison	Councilman Hussain
Open Space Committee	Councilman Berra
Real Estate Committee	Councilman Milim
Recycling & Sustainability Committee	Councilman Berra
Safety/Risk Committee	Councilman Berra
Elijah Miller House Committee	Councilman Hussain
Vote: Unanimous	

Councilman: Barbara DiGiacinto moved, seconded by Councilman Saleem Hussain, to authorize the following:

- The Town's policy of placing legal notices in The Journal News and The Examiner.
- The continuation of policy of holding regular Town Board meetings on the second and fourth Wednesdays of each month at 7:30 p.m. with the exception of holidays that may conflict and unless otherwise determined by the Town Board.

Vote: Unanimous

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Councilman: Barbara DiGiacinto moved, seconded by Councilman Saleem Hussain, to authorize the following:

- The policy of paying 65.5 cents per mile for use of personal automobiles by Town employees involved in the performance of Town business with claims subject to the approval of the Town Board.
- The Town's Vehicle Policy as adopted by the Town Board February 13, 2013.

Vote: Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman Saleem Hussain, to authorize the following:

- The Town's Master Fee Schedule for 2023.
- The Town's Purchase Order and Procurement Policy as reviewed by the Town Board.
- The Town's Investment Policy as reviewed by the Town Board.

Vote: Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman Saleem Hussain, to authorize the following:

- The posting of the Town of North Castle Code of Ethics and Article 18 of General Municipal Law in each public building under the jurisdiction of the Town of North Castle. Each employee and volunteer to a Board or Committee shall receive an annual reminder of their mandatory adherence to the Code of Ethics.
- Notification of the continued authorization of the following Town Work Place Policies:
  - Work Place Violence Prevention Policy
  - Sexual Harassment Policy
  - Smoking Policy
  - North Castle Information Systems and Usage and Security Policy

Vote: Unanimous

Councilman: José Berra moved, seconded by Councilman Saleem Hussain, the following:

- Authorize the Director of Finance, and in the absence of the Director of Finance authorize the Town Administrator, to make payment in advance of audit of claims for public utility services, postage, freight, and express charges when necessary. All such claims must be presented for the next regular Town Board meeting.
- Authorize the Highway Department, Police Department, Parks & Recreation Department, Library, Water & Sewer Department and Town Clerk to call for and receive bids for certain materials, supplies, equipment and services needed in those Departments.
- Authorize the General Foreman of the Highway Department to purchase implements and tools required by the Highway Department in accordance with the Town Purchase Order and Procurement Policy.

Vote: Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman Saleem Hussain, to authorize the following:

- The Supervisor to pay 2023 salaries in installments on the following dates: January 13 and 27, February 10 and 24, March 10 and 24, April 7 and 21, May 5 and 19, June 2, 16 and 30, July 14 and 28, August 11 and 25, September 8 and 22, October 6 and 20, November 3 and 17, December 1, 15, and 29.
- Elected officials shall maintain and submit time records in accordance with the guidelines established by the NYS Comptroller's Office.
- The Supervisor, Administrator and Department Heads to use a Town-issued charge card for payment of Town-related expenses.

Vote: Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman Saleem Hussain, to authorize the following:

- The Supervisor to sign the agreement between the Town of North Castle and Stephens, Baroni, Reilly & Lewis, LLP for legal services in 2023.
- The Supervisor to sign the agreement between the Town of North Castle and Patrick Bliss, Esq. for legal services with regard to the Justice Court in 2023.

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- The Supervisor to confirm the agreement with Bond Schoeneck & King (BSK) for legal services with regard to labor matters in 2023.
- The Supervisor to sign the agreement between the Town of North Castle and Kellard Sessions Consulting for engineering services in 2023.
- The Supervisor to sign the agreement between the Town of North Castle and Kellard Sessions Consulting for wetlands consultation services in 2023.
- The Supervisor to sign the agreement between the Town of North Castle and Kellard Sessions Consulting for Stormwater Management Program Year 2023: MS4 Municipal Compliance Certification and Annual Report and Semi-Annual Progress Reports.
- The Supervisor to sign the agreement between the Town of North Castle and Kellard Sessions Consulting for Stormwater Management Program – Year 2023: Illicit Discharge Detection and Elimination and Stormwater Outfall Inspection/GIS Mapping.

Vote: Unanimous

Councilman: José Berra moved, seconded by Councilman Saleem Hussain, authorization of the following:

- The Supervisor to confirm the agreement between Ambulance District No. 1 and the Valhalla Ambulance Corps for ambulance service in North White Plains for 2023.
- The Supervisor to confirm the agreement between the Town of North Castle, on behalf of Fire Protection District No. 3, and Banksville Independent Fire Company for fire protection for 2023.
- The Supervisor to confirm the agreement between the Town of North Castle, on behalf of Banksville Fire Protection District No. 3, and Fire District No. 2 for emergency ambulance service for 2023.
- The Supervisor to confirm the Hydrant Use Agreements with Water District No. 2, Water District No. 4 and Water District No. 5 of the Town of North Castle and North Castle Fire District No. 2 for 2023.
- The Supervisor to confirm the agreement with Board of Fire Commissioners, Armonk Fire District No. 2, in which the Town advances Fire District taxes to the District for 2023.

Vote: Unanimous

Councilman: José Berra moved, seconded by Councilman Saleem Hussain, authorization of the following:

- The Supervisor to sign the agreement between the Town of North Castle and Eleven Virginia Road Realty Corporation to lease commuter parking spaces for the period January 1, 2023 – December 31, 2024.
- The Supervisor to confirm the Inter-Municipal Agreement with the Town of Bedford to transfer tax assessment review cases when personal conflict is involved.
- The Supervisor to confirm the agreement between the Town of North Castle and Capital Markets Advisors, LLC for Financial Advisory Services for 2023.

Vote: Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman Saleem Hussain, to authorize the Supervisor to confirm the agreement between the Town of North Castle and the Town of North Castle Long Pond Park District for 2023. Councilman José Berra recused himself from the vote.

After all persons were heard who desired to be heard, the Supervisor closed the organizational meeting at 7:56 p.m.

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Alison Simon, Town Clerk

Dated: January 20, 2023