

PUBLIC HEARING

July 27, 2022

At 9:30 p.m. Supervisor Schiliro stated that a Public Hearing, would be opened in accordance with the Public Notice that follows:

NOTICE IS HEREBY GIVEN THAT the North Castle Town Board will hold a Public Hearing on July 27, 2022, at 7:30 PM, or as soon thereafter as practical, at Town Hall, 15 Bedford Road, Armonk, NY 10504, to consider a Resolution establishing 16 Nethermont Avenue in North White Plains, the location known as Mount Misery, as an Open Space Parcel, Section 122.16, Block 4, Lot 10, on the Tax Assessment Map of the Town of North Castle.

The proposed Resolution is available in the Town Clerk's office during regular business hours and on the Town website. ALL PERSONS HAVING AN INTEREST IN THE MATTER ARE INVITED TO ATTEND AND BE HEARD.

By Order of the Town Board
Alison Simon, Town Clerk

Dated: July 17, 2022
Armonk, NY

The Public Notice was marked Exhibit "A" for the record.

The Affidavit of Posting calling the Public Hearing was marked Exhibit "B" for the record.

The Affidavit of Publication from The Journal News calling the Public Hearing was marked Exhibit "C" for the record.

The Board previously received the following correspondence: Letter from Erik Weiselberg, Ph.D., Principal Historian Revolutionary Westchester 250, dated June 19, 2022; Letter from North Castle Historical Society (NCHS), dated June 20, 2022; Email from Landmarks Preservation Committee (LPC), dated June 30, 2022; and Letter from Open Space Committee dated July 8, 2022.

The Town Clerk noted there was a proposed Resolution for consideration.

Emails were received from the following expressing support: residents Nancy Battistelli, Carolyn Cooper, Judith Corticelli, JoAnn Gala, Jessica Jacobs, Kerri A. Kazak, Ed and Terri Lobermann, Kim Longo, Nora Manuele, and Thomas C. Rice; and Westchester County Legislator Margaret A. Cunzio and Assemblymember Chris Burdick.

Resident Nora Manuele provided a history of the property and the strategic importance of Mount Misery in the Revolutionary War.

Councilman Barbara DiGiacinto explained that 16 Nethermont Avenue is Town owned property with a building lot and the Board is voting tonight to designate it as Open Space.

Residents Cynthia Abbott Kaufman, Tom Rice, Ed Woodyard and Ed Lobermann expressed support of the Town's efforts in preserving this property and honoring its historic significance.

Director of Revolutionary Westchester 250 Constance Messerly Kehoe applauded the Town's efforts in historic preservation.

Discussion of support of this resolution and the importance of preserving the history of the property ensued among the Board.

Town Board Minutes
July 27, 2022

After all persons were heard who desired to be heard, Councilman Berra moved, seconded by Councilman Hussain, that the Public Hearing be closed at 9:49 p.m.

The roll call vote was as follows:

Ayes: Councilmen DiGiacinto, Berra, Hussain, Milim, Supervisor Schiliro

Noes: None

Councilman Berra moved, seconded by Councilman Hussain, the adoption of a Resolution establishing 16 Nethermont Avenue in North White Plains, the location known as Mount Misery, as an Open Space Parcel, Section 122.16, Block 4, Lot 10, on the Tax Assessment Map of the Town of North Castle. The Resolution follows at the end of these minutes.

The roll call vote was as follows:

Ayes: Councilmen DiGiacinto, Berra, Hussain, Milim, Supervisor Schiliro

Noes: None

Alison Simon, Town Clerk

Dated: August 5, 2022

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF NORTH CASTLE

Dated July 27, 2022

**Establishing 16 Nethermont Avenue in North White Plains
as an Open Space Parcel, Section 122.16, Block 4, Lot 10,
on the Tax Assessment Map of the Town of North Castle**

WHEREAS, Mount Misery, of which 16 Nethermont Avenue is a part, is located on the crest of Nethermont Avenue and is a historically important hill that served as a strategic defensive post during the Battle of White Plains in 1776; and

WHEREAS, 16 Nethermont Avenue is owned by the Town of North Castle, the parcel having been included in an In Rem Foreclosure in 2014; and

WHEREAS, previous town boards have declined to sell the parcel due to its historical significance; and

WHEREAS, the present Town Board desires to preserve 16 Nethermont Avenue in perpetuity by declaring it an open space parcel; and

NOW THEREFORE BE IT RESOLVED, that the Town Board declares 16 Nethermont Avenue as an Open Space Parcel and that the Assessor is hereby directed to reclassify said parcel as Open Space (Property Class 900) as of this date.