

PUBLIC HEARING  
November 4, 2020

At 8:05 p.m. Supervisor Schiliro stated that a Public Hearing would be held in accordance with the Order calling the Public Hearing which is attached to the end of these minutes to consider the petition, map and plan in the matter of the extension of Water District No. 7, to include 150 Bedford Road, Section 108.03, Block 1, Lot 40.

The Order calling the Public Hearing 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 petition, map, plan, and report, dated September 25, 2020, and Short Environmental Assessment Form, Part 1, prepared by JMC Planning, Engineering, Landscape Architecture & Land Surveying, PLLC, on behalf of the applicant R&R 150 Bedford Road, were marked Exhibit "D" for the record.

Letter from P. Daniel Hollis III, Hollis Laidlaw & Simon P.C., attorney for the applicant, dated September 25, 2020, was marked exhibit "E" for the record.

Memo from Sal Misiti, Director of Water & Sewer Operations, dated October 6, 2020, was marked Exhibit "F" for the record.

Proposed Resolution for adoption.

Mr. Hollis and Paul Sysak, of JMC Planning, Engineering, Landscape Architecture & Land Surveying, PLLC, engineer for the applicant, appeared before the Board via web conference.

Supervisor Schiliro noted that there is an existing water main on the street of the subject property.

Referencing his memo dated October 6, 2020, Mr. Misiti noted that no infrastructure extension is involved with the property coming into the Water District and that the property owner is responsible for their own service connections. He said he has been in communication with the applicant's engineer.

Mr. Hollis described the subject property, as detailed in the Petition. He said that the combined water usage for the both residential and office use is projected to be 325 gallons per day.

After all persons were heard who desired to be heard, Councilman Berra moved, seconded by Councilman DiGiacinto, that the Public Hearing be closed at 8:10 p.m.

The roll call vote was as follows:

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

Noes: None

Councilman DiGiacinto moved, seconded by Councilman Hussain, the adoption of the Resolution to extend the boundaries of Water District No. 7 to include all properties listed as Exhibit "A" of the Resolution. The Resolution follows at the end of these minutes.

The roll call vote was as follows:

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

Noes:

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Alison Simon, Town Clerk

Dated: November 12, 2020

At a meeting of the Town Board of the Town of North Castle at the Town Hall, 15 Bedford Road, Armonk, New York in the Town of North Castle, Westchester County, New York, on the 14th day of October, 2020, at 7:30 p.m.

P R E S E N T :

Hon. Michael J. Schiliro  
Barbara DiGiacinto  
Barry Reiter  
José Berra  
Saleem Hussain

-----X

In the Matter of the Extension of  
Water District No. 7 in the Town of North Castle,  
Westchester County, New York, pursuant to Article 12  
of the Town Law.

ORDER CALLING  
PUBLIC HEARING

-----X

WHEREAS, a petition, a map and plan have been prepared by R&R 150 BEDFORD ROAD, LLC in such manner and in such detail as has heretofore been determined by the Town Board relating to the extension of Water District No. 7 in the Armonk area of the said Town, and

WHEREAS, said petition, map and plan have been duly filed in the office of the Town Clerk of said Town, and

WHEREAS, said petition, map and plan have been prepared by an engineer, duly licensed by the State of New York, showing the boundaries of the proposed extension and a general plan of the water system connection, and

WHEREAS, said map shows the service connection and appurtenant facilities to be connected to the existing water mains, and

WHEREAS, the boundaries of the proposed extension to said district to be known as “150 Bedford Road Extension” are as follows:

SEE EXHIBIT A

WHEREAS, the improvements proposed are as set forth in the petition, and

WHEREAS, the cost of the improvements, including professional fees, will be paid for by the applicant, and

WHEREAS, the maximum amount proposed to be expended for said improvements will not exceed \$10,000.00.

WHEREAS, said map and plan describing said improvements are on file in the Town Clerk’s office for public inspection during normal business hours.

NOW, on motion of Councilman José Berra, seconded by Councilman Barbara DiGiacinto, it is hereby

ORDERED, that the Town Board of the Town of North Castle shall meet and hold a public hearing at the Town Hall, 15 Bedford Road in said Town on the 4th day of November, 2020, at 7:30 p.m. in that day to consider said petition, map and report and to hear all persons

interested in the subject thereof concerning the same and to take such action thereon as is required or authorized by law.

The adoption of the foregoing order was duly put to vote, and on a roll call the vote was as follows:

Hon. Michael J. Schiliro	voting Aye
Barbara DiGiacinto	voting Aye
Barry Reiter	voting Aye
José Berra	voting Aye
Saleem Hussain	voting Aye

and the order was thereupon declared duly adopted.

Dated: Armonk, New York

October 14, 2020

STATE OF NEW YORK )  
 ) ss.:  
COUNTY OF WESTCHESTER )

I, the undersigned Town Clerk of the Town of North Castle, Westchester County, New York, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Town Board of said Town, including the resolution contained therein, held on October 14, 2020, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

I FURTHER CERTIFY that, PURSUANT TO Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, the time and place of all regular meetings of the Town Board for the year were announced at an Organizational Meeting held in January, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town on October 14, 2020.

Alison Simon  
Town Clerk  
Town of North Castle

(Corporate Seal)

EXHIBIT A

Tax Map Parcel ID  
108.03-1-40

At a meeting of the Town Board of the Town of North Castle at the Town Hall, 15 Bedford Road, Armonk, N.Y., in the Town of North Castle, Westchester County, New York on the 14th day of November, 2020, at 7:30 P.M.

**RESOLUTION TO EXTEND WATER DISTRICT NO. 7**

WHEREAS, a Petition by R&R 150 BEDFORD ROAD, LLC, dated September 25, 2020, for the extension of Water District No. 7 of the Town of North Castle, New York was duly presented to this Town Board together with the necessary maps and plans attached thereto, and

WHEREAS, an Order was duly adopted by the Town Board on October 14, 2020, reciting the filing of said petition, the improvements proposed, the boundaries of the proposed extension, and the estimated expenses thereof and specifying November 4, 2020, at 7:30 p.m. as the time and the Town Hall in said Town as the place where the said Board would meet to consider the petition and to hear all persons interested in the subject thereof, concerning the same, and

WHEREAS, such order was duly posted, published and served as required by law, and

WHEREAS, a hearing in the matter was duly held by the Board on the 4th day of November, 2020, commencing at 7:30 p.m. o'clock at the Town Hall in said Town and considerable discussion upon the matter having been had, and all persons desiring to be heard having been duly heard and thereupon the hearing being duly closed.

NOW, upon the evidence given at such hearing and on motion of Councilwoman Barbara DiGiacinto, seconded by Councilman Saleem Hussain, it is

RESOLVED AND DETERMINED, that (a) the petition aforesaid is signed and acknowledged or proved as required by law, it duly complies with the requirements of Section 191 of the Town Law as to sufficiency of signers with respect to the boundaries of the proposed district as herein approved and it is otherwise sufficient; (b) all property and property owners within the proposed district are benefitted thereby; (c) all the property and property owners benefitted are included within the limits of the proposed district expansion; and (d) that it is in the public interest to grant in whole the relief sought, and it is further

RESOLVED AND DETERMINED, that the extension of Water District No. 7 as proposed in said petition be approved; that such District be designated as Water District No. 7 Extension-Area "150 Bedford Road Extension"; that the improvements to be constructed therein mentioned be constructed at the sole cost and expense of the applicant, and such extension be bounded and described as set forth in Schedule A attached hereto, and it is further

RESOLVED, that in addition to the proposed improvements to be constructed by the applicant, legal and engineering costs and the costs of an as-built survey, shall be paid by the applicant, and it is further

RESOLVED, in accordance with Article 8 of the State Environmental Quality Review Act and 6 NYCRR Part 617, the Town Board hereby makes the determination that based on the information and analysis provided, the proposed action will not result in any significant adverse environmental impact, and it is further

RESOLVED, that the Town Clerk of this Town shall file certified copies thereof, in duplicate, in the office of the State Department of Audit and Control in Albany, New York.

Roll Call:		Vote:
Councilwoman	Barbara DiGiacinto	AYE
Councilman	Saleem Hussain	AYE
Councilman	Barry Reiter	AYE
Councilman	José Berra	AYE
Supervisor	Michael J. Schiliro	AYE

STATE OF NEW YORK  
COUNTY OF WESTCHESTER  
TOWN OF NORTH CASTLE

I, ALISON SIMON, Town Clerk of the Town of North Castle, do hereby certify that I have compared the preceding Resolution with the original thereof filed in my office at Town Hall, 15 Bedford Road, Armonk, Westchester County, New York, that the same is a true and correct copy of said original and the whole thereof.

I further certify that all members of the Town Board had due notice of the meeting at which said resolution was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this 4<sup>th</sup> day of November, 2020.

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ALISON SIMON  
Town Clerk

STATE OF NEW YORK:  
COUNTY OF WESTCHESTER: SS:

On the 4<sup>th</sup> day of November in the year 2020 before me, the undersigned personally appeared ALISON SIMON, Town Clerk of the Town of North Castle, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

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Notary Public

SCHEDULE A

Section 108.03  
Block 1  
Lot 40