

PUBLIC HEARING
September 25, 2019

At 11:15 p.m. Supervisor Schiliro stated that a Public Hearing would be held in accordance with the Public Notice that follows:

NOTICE IS HEREBY GIVEN THAT the North Castle Town Board will hold a Public Hearing on September 25, 2019, at 7:30 p.m., or as soon thereafter, at Town Hall, 15 Bedford Road, Armonk, NY 10504, to consider a Local Law to amend the Code of the Town of North Castle by amending Chapter 250 entitled SEWERS, Article III, Use Regulations, Section 250-66, Connection Standards, with regard to subsequent extensions to the Orchard Drive Sewer Extension.

The proposed local law 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: September 13, 2019
Armonk, NY

Supervisor Schiliro confirmed with Town Attorney Roland Baroni that he had advised that the Supervisor did not need to recuse himself from the public hearing as a resident of Orchard Drive.

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 Town Clerk noted there was a proposed Local Law for consideration.

Town Attorney Roland Baroni explained that he had prepared a draft of a local law that included comments from the Westchester County Department of Health. The developer who had built the sewer, and who Mr. Baroni believes is building the houses on Orchard Drive, had suggested a modification to the local law allowing for the use of an alternate pump plan. Mr. Baroni had asked Director of Water and Sewer Operations Sal Misiti to check with the County to make sure it would approve of the modification to the language.

Mr. Misiti explained that the particular section of sewer that was extended on Orchard Drive includes a force main that is in the public right of way. The Health Department required that the Sewer District show the willingness to change the Code to abide by and follow the design of that particular section of sewer before they would consider the extension. At this point, the Health Department has asked the Town to act on changing the Code.

Following discussion between Mr. Baroni and Mr. Misiti, it was determined that the proposed Local Law be amended to add the following language:

"Alternatively, subsequent extensions to the Orchard Drive Sewer Extension shall conform to the detail on file with the Town dated September 13, 2019, Last Revised September 25, 2019, entitled Integrated Pump and Storage Tank".

After all persons were heard who desired to be heard, Councilman D'Angelo moved, seconded by Councilman Reiter, that the Public Hearing be closed at 11:21 p.m.

The roll call vote was as follows:

Ayes: Councilmen D'Angelo, DiGiacinto, Reiter, Berra, Supervisor Schiliro
Noes: None

Town Board Minutes
September 25, 2019

Councilman D'Angelo moved, seconded by Councilman Berra, the adoption of Local Law 6 of 2019, as amended, to amend Chapter 250 entitled SEWERS, Article III, Use Regulations, Section 250-66, Connection Standards, with regard to subsequent extensions to the Orchard Drive Sewer Extension. The Local Law follows at the end of these minutes.

The roll call vote was as follows:

Ayes: Councilmen D'Angelo, DiGiacinto, Reiter, Berra, Supervisor Schiliro

Noes: None

Alison Simon, Town Clerk

Dated: October 11, 2019

TOWN OF NORTH CASTLE

**Local Law No. 6 for the Year 2019
Adopted September 25, 2019**

A Local Law to amend the Code of the Town of North Castle by amending Chapter 250 entitled SEWERS.

Be It Enacted by the Town Board of the Town of North Castle as follows:

1. Article III - Use Regulations, Paragraph 250-66 Connection Standards is hereby amended to add the following at the end thereof:

“All subsequent extensions to the Orchard Drive Sewer Extension which require pumping shall conform and follow the design of Ralph G. Mastromonaco, P.E., P.C. dated 3/20/18; last revised 6/26/18 and approved by Westchester County Department of Health on 8/2/18 including force main, service connection valves and pump design requirements”.

“Alternatively, subsequent extensions to the Orchard Drive Sewer Extension shall conform to the detail on file with the Town dated September 13, 2019, Last Revised September 25, 2019, entitled Integrated Pump and Storage Tank”.

2. Effective Date. This Local Law shall be effective upon filing of same with the Secretary of State of the State of New York.