

Town Board Minutes
Town of North Castle
15 Bedford Road
Armonk, New York
on
May 27, 2026

The Town Board Meeting was called to order at 5:30 p.m. at 15 Bedford Road, Armonk, New York, and adjourned to an Executive Session.

All Town Board members, the Town Attorney and the Town Administrator were present for the Executive Session. The Executive Session adjourned. The Town Board Meeting reconvened at 6:50 p.m. to a Work Session with the Superintendent of Recreation and Parks Matt Trainor and the Parks and Recreation Advisory Board regarding Pickleball Courts.

The following persons were present in the Meeting Room:

Supervisor: Joseph A. Rende
Councilman: Barbara DiGiacinto
Councilman: Saleem Hussain
Councilman: Sonny Vataj
Councilman: José Berra
Town Clerk: Alison Simon
Town Attorney: Robert Spolzino
Town Administrator: Kevin Hay

Basha Gudas, Byram Hills High School student, presented “A Moment in History” on behalf of the North Castle Revolutionary War 250th Committee and the North Castle Historical Society.

A Public Hearing was held to consider approval of a Special Use Permit (SUP) Application from Livbo Corp. for a Cigar Bar, the Socialite Members Club, 911 N. Broadway, North White Plains.

A Public Hearing was held to consider adoption of proposed Local Law to amend the Town Code, Chapter 325: Vehicle and Traffic.

The Minutes of the Public Hearings, which opened at 8:38 p.m., following at the end of these minutes.

Councilman: Barbara DiGiacinto resolved, seconded by Councilman: José Berra, approval of Town Board Minutes: May 13, 2026.

Vote: Unanimous

Councilman: Barbara DiGiacinto resolved, seconded by Councilman: Saleem Hussain, receipt and presentation of Annual Comprehensive Financial Report for year ended December 31, 2025 and letter dated May 20, 2026 by The Bonadio Group.

Vote: Unanimous

Councilman: Barbara DiGiacinto resolved, seconded by Councilman: Sonny Vataj, approval of recommendation from Town Engineer KSCJ Consulting regarding Eagle Ridge, 3 North Castle Drive, Armonk to establish a Subdivision Performance Bond in the amount of \$17,439,395 and Subdivision Inspection Fee in the amount of \$792,699.70. Councilman Saleem Hussain recused himself from the discussion and vote because he is an employee of adjacent property owner IBM.

Vote: Unanimous

Councilman: Barbara DiGiacinto resolved, seconded by Councilman: Saleem Hussain, authorization for the Supervisor to sign the Certificate of Final Completion of the North Castle Community Park Turf Fields from Shaw Sports Turf.

Vote: Unanimous

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Councilman: Barbara DiGiacinto resolved, seconded by Councilman: Saleem Hussain, approval of Payment Requisition No. 2 from Shaw Integrated and Turf Solutions, Inc. for the Artificial Turf Field Improvements in the amount of \$1,574,579.40.

Vote: Unanimous

Councilman: José Berra resolved, seconded by Councilman: Barbara DiGiacinto, to table consideration of proposal from Hardesty & Hanover, LLC (H&H) to provide an evaluation and detail plans for a crosswalk on Old Route 22.

Vote: Unanimous

Councilman: Sonny Vataj resolved, seconded by Councilman: Barbara DiGiacinto, approval of a proposal from AI Engineers to create bid specifications regarding Water district No. 9 (Quarry Heights) for William Street and James Street water service connections for a total cost of \$90,000; and authorization for the Supervisor to sign the agreement.

Vote: Unanimous

Councilman: José Berra resolved, seconded by Councilman: Barbara DiGiacinto, approval of probationary appointment of Michelle MacDevitt to the position of Full-Time Library Assistant, North Castle Public Library, effective June 1, 2026.

Vote: Unanimous

Councilman: José Berra resolved, seconded by Councilman: Barbara DiGiacinto, approval of probationary appointment of Joseph Patti to the position of hourly Library Clerk, North Castle Public Library, effective June 11, 2026.

Vote: Unanimous

Councilman: Barbara DiGiacinto resolved, seconded by Councilman: José Berra, receipt of letter of resignation from William Seegmuller, Assistant Building Inspector, Building Department, effective May 22, 2026.

Vote: Unanimous

Councilman: Barbara DiGiacinto resolved, seconded by Councilman: José Berra, receipt of letter of resignation from Yvonne Henriquez, Office Assistant, Building Department, effective May 27, 2026.

Vote: Unanimous

Councilman: Sonny Vataj resolved, seconded by Councilman: Barbara DiGiacinto, approval of appointment of Lauren Lombardi to the position of Records Digitization Intern in the Town Clerk's Office, effective June 1, 2026.

Vote: Unanimous

Councilman: Barbara DiGiacinto resolved, seconded by Councilman: Sonny Vataj, approval of Consensus Agenda as follows:

- Audit and approval of payments in the amount of \$11,762,072.13 as indicated on Warrant No. 10 dated May 27, 2026.
- Receipt of Cable Franchise Fees for the 1st Quarter 2026 from Cablevision/Altice and Verizon FIOS.
- Release of the following Highway Bonds:
 - Madeline Weiner (1380) for a driveway alteration at 13 Windmill Place - \$1200.
 - DBS Construction (1315) for a curb cut at 4 Alpine Drive - \$1200.
- Receipt of Article 78 Proceeding In The Matter of the Petition of Michael Fareri vs. Town of North Castle Building Inspector, 12 Bedford Road, LLC and Antonette Ruocco.
- Receipt of Notice of Claim in the Matter of Christina Calicchia vs. Town of North Castle.
- Receipt of 30-Day Advance Notice of Liquor License Class Change Application from Airport Mart, Inc., 240 Airport Road, West Harrison, NY.

Vote: Unanimous

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After all persons were heard who desired to be heard, the Supervisor closed the meeting at 10:54 p.m.

Alison Simon, Town Clerk

Date: May 28, 2026

PUBLIC HEARING
May 27, 2026

At 8:38 p.m. Councilman Barbara DiGiacinto resolved, seconded by Councilman Saleem Hussain that a Public Hearing, would be opened in accordance with the Public Notice that follows.

Vote: Unanimous

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that the North Castle Town Board will hold a public hearing on Wednesday May 27, 2026, at 7:30 p.m., or as soon thereafter as practical, at Town Hall, 15 Bedford Road, Armonk, New York, 10504, to consider the Special Use Permit (SUP) Application from Livbo Corp. for a Cigar Bar and The Socialite Members Club. The property is located at 911 N. Broadway (Sir John's Plaza), North White Plains and known on the North Castle Tax Maps as lot 122.12-4-52 and located within the CB zoning district.

The special use permit application 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: May 13, 2026
Armonk, NY

Documents included in the Public Hearing record:

- The Public Notice.
- The Affidavit of Posting calling for the Public Hearing.
- The Affidavit of Publication from The Journal News calling for the Public Hearing.
- Certificates denoting mailing of Notice of Hearing to adjacent property owners.
- Special Use Permit (SUP) Application from Livbo Corp., dated April 15, 2026
- North Castle Planning Department Staff Report dated April 16, 2026.

Councilman José Berra resolved, seconded by Councilman Barbara DiGiacinto, receipt of the Environmental Assessment Form (EAF) and Town Planning Board recommendation, dated May 12, 2026.

Vote: Unanimous

Attorney for the applicant, James Monteleon, explained that the purpose of the public hearing was to consider the applicant's request for a Special Use Permit (SUP) to operate a Cigar Club. He stated that a copy of the proposed Cigar Club Rules and Regulations had been submitted for the Board's review. Mr. Monteleon further noted that the site plan submitted to the Planning Board provides 18 parking spaces, which complies with the Town Code parking requirements.

Discussion ensued regarding the distinction between occupancy limits and membership limits. Director of Planning Adam Kaufman explained that Building Code occupancy limits are separate from the maximum number of club memberships. Occupancy is regulated by the Building Code, whereas membership limits may be imposed by the Town Board as a condition of a SUP. Town Attorney Robert Spolzino noted that the applicant had requested a membership cap of 150 and that any future increase would require an application to modify the SUP.

Councilman Saleem Hussain expressed concern that both the number of members and the occupancy limits could impact on-site parking availability.

Supervisor Joseph Rende and Councilman Sonny Vataj stated their opposition to restricting the total number of club memberships. Councilmen Hussain, Barbara DiGiacinto and José Berra expressed support for establishing a membership cap as a safeguard for the public.

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Councilman Sonny Vataj resolved, seconded by Councilman Barbara DiGiacinto, to adjourn to Executive Session for Matters of Attorney Client Privilege; and Councilman Sonny Vataj resolved, seconded by Councilman Saleem Hussain, to reconvene the Public Hearing.
Vote: Unanimous

The Board determined that because a membership limit of 150 was included as part of the application, that limitation would be incorporated into the SUP.

Resident Nikko Marino expressed concerns regarding parking availability and noted that the presence of a 24-hour gym within Sir John's Plaza could contribute to parking constraints. Mr. Kaufman responded that the gym operates without a SUP.

Resident Pat Sama expressed concerns regarding the proposed hours of operation and potential noise impacts of the Cigar Club. In response to an inquiry, the applicant confirmed that no outdoor activities would be permitted on-site and that no live music would be allowed.

Addressing concerns raised by Councilman Hussain regarding indoor air quality, Mr. Monteleon explained that the installed HVAC system would provide the necessary air circulation and purification. Mr. Kaufman confirmed that such ventilation standards are required under the New York State Building Code.

Councilman Hussain recommended that the Special Use Permit include language restricting smoking activities to cigars and cigarettes only. Following discussion, the Board and the applicant agreed to include a condition prohibiting the smoking of hookah and marijuana on the premises in the SUP.

After all persons were heard who desired to be heard, Councilman José Berra resolved, seconded by Councilman Barbara DiGiacinto, that the Public Hearing be closed at 9:30 p.m.
Vote: Unanimous

Councilman Barbara DiGiacinto resolved, seconded by Councilman Sonny Vataj, approval of Special Use Permit Application from Livbo Corp. for a Cigar Bar and The Socialite Members Club. The property is located at 911 N. Broadway (Sir John's Plaza), North White Plains and known on the North Castle Tax Maps as lot 122.12-4-52 and located within the CB zoning district. The Resolution follows at the end of these minutes.
Vote: Unanimous

Alison Simon, Town Clerk

Dated: June 1, 2026

RESOLUTION

Action: Special Use Permit Approval for a Membership Club
Application Name: Socialite Members Club Special Use Permit
Applicant: Livbo Corp.
Owner: John A Magnotta Realty Inc.
Zone: CB Zoning District
Location: 911 N. Broadway (Sir John’s Plaza), NWP
Property ID: 122.12-4-52
Date of Approval: May 27, 2026

WHEREAS, the Socialite Members Club is a not-for-profit corporation organized and operated solely for the use and benefit of its members and their guests; and

WHEREAS, the club will provide lounge and table seating, sale of cigars and cigar accessories, food and beverage service prepared in a dedicated food preparation area and a conference room equipped with computers, Wi-Fi, and video conferencing capabilities; and

WHEREAS, there will be no live entertainment, no nightclub component, and no amplified sound beyond ambient background audio; and

WHEREAS, on May 11, 2026, the Planning Board reviewed and discussed the project and positively recommended that the Town Board consider the proposed special use permit (5-0 vote); and

WHEREAS, the application for special use permit was referred to the Westchester County Planning Board pursuant to Section 239 L, M and N of the New York State General Municipal Law and Section 277.61 of the County Administrative Code; and

WHEREAS, a duly advertised public hearing on said application was conducted on May 27, 2026, at which time all those wishing to be heard were given the opportunity to be heard; and

WHEREAS, § 355-37 of the North Castle Code establishes certain general standards for all special permit uses; and

WHEREAS, in order for the Town Board to approve a special use permit, the Town Board must find that all of the conditions and standards have been met; and

WHEREAS, § 355-37 of the North Castle Code establishes certain general standards for all special permit uses; and

WHEREAS, in order for the Town Board to approve a special use permit, the Town Board must find that all of the conditions and standards have been met; and

WHEREAS, pursuant to § 355-37(A) of the Town Code, in order to grant a special permit, the Town Board must find that “the location and size of the use, the nature and intensity of the operations involved in it or conducted in connection with it, the size of the site in relation to it and the location of the site with respect to streets giving access to it are such that it will be in harmony with the appropriate and orderly development of the district in which it is located and that it complies with all special requirements for such use established in” the Town Code; and

WHEREAS, the subject property is located within the CB Zoning District; and

WHEREAS, the Club is proposing appropriate improvements to the shopping center space; and

WHEREAS, the Town Board and Planning Board have studied the proposed club and have determined that the club is compatible with the neighborhood and surrounding commercial character; and

WHEREAS, based upon the submitted information, while the club is visible from the road and surrounding properties, the Town Board finds that the proposed club would not have a significant negative visual impact; and

WHEREAS, the Town Board, based upon its review of the entire record, finds that the location and size of the use, the nature and intensity of the operations involved in it or conducted in connection with it, the size of the site in relation to it and the location of the site with respect to streets giving access to it are such that it will be in harmony with the appropriate and orderly development of the district in which it is located and that it complies with all requirements for such use established in the Town Code; and

WHEREAS, pursuant to § 355-37(B) of the Town Code, “the location, nature and height of buildings, walls, fences and the nature and extent of existing or proposed plantings on the site are such that the use will not hinder or discourage the appropriate development and use of the adjacent land and buildings;” and

WHEREAS, the Town Board, based upon its review of the entire record finds that the location, nature and height of buildings, walls, fences and the nature and extent of existing or proposed plantings on the site are such that the use will not hinder or discourage the appropriate development and use of the adjacent land and buildings; and

WHEREAS, pursuant to § 355-37(C), “operations in connection with any special permit use will not be more objectionable to nearby properties by reason of noise, fumes, vibration or other characteristics than would be the operations of any permitted uses not requiring a special permit;” and

WHEREAS, the proposed uses will be the similar to other commercial uses in the shopping center; and

WHEREAS, the Town Board, based upon its review of the entire record finds that the operations in connection with this special permit use will not be more objectionable to nearby properties by reason of noise, fumes, vibration or other characteristics than would be the operations of any permitted uses not requiring a special permit; and

WHEREAS, pursuant to § 355-37(D) of the Town Code, “parking areas will be of adequate size for the particular use, properly located and suitably screened from adjoining residential uses, and the entrance and exit drives shall be laid out so as to achieve maximum convenience and safety;” and

WHEREAS, the site plan depicts an adequate number of off-street parking spaces for members and staff; and

WHEREAS, the Town Board, based upon its review of the entire record finds that the proposed parking areas are of adequate size for the proposed use, properly located and suitably screened from adjoining residential uses, and the entrance and exit driveways are laid out so as to achieve maximum convenience and safety; and

WHEREAS, pursuant to § 355-37(E) of the Town Code, “where required, [with] the provisions of the Town Flood Hazard Ordinance;” and

WHEREAS, no development is proposed within the floodplain; and

WHEREAS, the Town Board, based upon its review of the entire record finds that development is not proposed within the floodplain; and

WHEREAS, pursuant to § 355-37(F), it is required that “the Town Board finds that the proposed special permit use will not have a significant adverse effect on the environment;” and

WHEREAS, the membership club would be considered a Type II Action pursuant to SEQRA is will not have a significant adverse impact upon the environment; and

WHEREAS, § 355-40.I of the North Castle Code establishes certain specific standards for all Membership Club special permit uses; and

WHEREAS, in order for the Town Board to approve a special use permit, the Town Board must find that all of the conditions and standards have been met; and

WHEREAS, pursuant to § 355-40.I(2) of the Town Code where clubs do not front on or have direct access to a major or a collector road as shown on the Town Development Plan Map, the intensity of use shall be limited by the Town Board to the extent necessary to assure that the excepted average traffic generation of such use will not exceed that which would be expected if the premises were developed for permitted residential purposes; and

WHEREAS, the Town Board finds that the club has direct access to a major or collector road as shown on the Town Development Map (NYS Route 22); and

WHEREAS, pursuant to § 355-40.I(3) of the Town Code a landscaped buffer area of at least 25 feet in width shall be required along all lot lines adjoining or across the street from properties in residence districts; and

WHEREAS, the Town Board finds that the existing and proposed screening of the club is adequate; and

WHEREAS, pursuant to § 355-40.I(4) of the Town Code all active recreational facilities, such as tennis courts and swimming pools, shall be located out of doors; and

WHEREAS, the proposal does not propose any recreational amenities; and

NOW THEREFORE BE IT RESOLVED, that this special permit shall be deemed to authorize only the particular use of uses specified in the permit and shall expire if work is not initiated within one year from the date of issue, or if said use or uses shall cease for more than one year for any reason or if all required improvements are not completed within two years from the date of issue or if all such required improvements are not maintained and all conditions and standards complied with throughout the duration of the use; and

BE IT FURTHER RESOLVED, that the special permit be, and it hereby is, approved, subject to the conditions set forth below:

Conditions:

1. Membership shall be limited to 150 members.
2. Activities of the club will be limited to lounge and table seating, sale of cigars and cigar accessories, food and beverage service prepared in a dedicated food preparation area and a conference room equipped with computers, Wi-Fi, and video conferencing capabilities. Smoking of marijuana and hookah smoking shall be prohibited.
3. The Applicant shall obtain Planning Board site plan approval. At that time, the site plan shall demonstrate that the club contains adequate off-street parking facilities for the proposed use. The Town Code requires 1 space for each 3 members, plus 1 for each 3 seats in meeting and/or dining rooms.
4. The building plans shall be forwarded to the Building Department so that they may review the plan for conformance with the NYS Building Code.
5. Compliance with all applicable local laws and ordinances of the Town of North Castle.
6. All operations associated with the club shall be in full compliance with the Noise Chapter of the Town Code.
7. Use of facilities shall be limited to bona fide members of the club and their guests and shall not be open to the public either directly or indirectly through the guise of special, temporary, honorary or other type of membership.

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8. No exterior amplification of sound that is audible outside of the property shall be permitted for any purpose.
9. Restaurant facilities shall be of a type operated for member and their guests and shall not be open to the public.

Vote: Unanimous

I, Alison Simon, Town Clerk, of the Town of North Castle, do hereby certify that the above resolution was duly adopted at a regularly scheduled meeting of the Town Board of the Town of North Castle held on May 27, 2026 and that the above resolution is a true and correct transcript thereof.

Alison Simon

Dated: May 29, 2026
Armonk, New York

Insert Resolution HERE

PUBLIC HEARING
May 27, 2026

At 9:32 p.m. Councilman José Berra resolved, seconded by Councilman Sonny Vataj that a Public Hearing, would be opened in accordance with the Public Notice that follows.

Vote: Unanimous

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that the North Castle Town Board will hold a public hearing on Wednesday May 27, 2026, at 7:30 p.m., or as soon thereafter as practical, at Town Hall, 15 Bedford Road, Armonk, New York, 10504, to consider a Local Law to amend the Town Code, Chapter 325: Vehicle and Traffic as follows: Chapter 325-44 Schedule IIA: One-Way Streets to amend direction of travel on William Street and McClure Street in North White Plains; Chapter 325-55 Schedule XIII: No Parking Any Time to amend parking on portions of William Street, McClure Street and Old Orchard Street, in North White Plains; and Chapter 325-33 Parking Lots to amend McClure Street off-street parking areas.

The 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: May 13, 2026
Armonk, NY

Documents included in the Public Hearing record:

- The Public Notice.
- The Affidavit of Posting calling for the Public Hearing.
- The Affidavit of Publication from The Journal News calling for the Public Hearing.
- Memo from Police Chief Regen Hufnagle dated May 4, 2026.
- Local Law for consideration.

Police Chief Regen Hufnagle appeared before the Town Board to outline the public safety concerns that prompted proposed amendments to the Town's Vehicle and Traffic Code in the vicinity of Quarry Park. Chief Hufnagle stated that North Castle Highway Department General Foreman Jamie Norris recommend a review of the area and collaborated with members of the Police Department to develop the proposed parking and traffic safety improvements intended to enhance roadway safety, improve traffic flow, and ensure access for emergency vehicles.

Chief Hufnagle explained that William Street, between James Street and McClure Street, is not of sufficient width to safely accommodate two-way traffic when vehicles are parked along the roadway. To address these safety and traffic circulation concerns, the proposed modifications include designating McClure Street as a one-way roadway, along with the corresponding designation of William Street between James Street and McClure Street as one-way due to the roadway configuration and lack of a turnaround area.

Chief Hufnagle further stated that, as part of the Quarry Park improvements and in recognition of existing parking challenges in the area, two off-street parking areas were created within the Park boundaries along McClure Street.

Resident Nikko Marino spoke in opposition to the proposed modifications and raised additional concerns regarding ongoing water issues in the area. Ms. Marino also questioned the procedures followed and the extent of resident consultation conducted during the planning and implementation of Quarry Park improvements.

Resident Fred Gizmondi expressed support for the proposed traffic restrictions and questioned the proposed placement of traffic signs.

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Resident Robert Candrea questioned the proposed overnight parking restrictions at Quarry Park, to which Chief Hufnagel responded that while “No Parking” signs are legally required, overnight parking restrictions would not be actively enforced.

Resident Martha Rosen raised concerns regarding the proposed traffic pattern and potential line-of-sight issues.

Members of the Board expressed support for the proposed modifications to improve traffic safety and ensure access for emergency vehicles. Supervisor Rende stated that he relied upon the recommendations and expertise of professional staff regarding safety and traffic concerns. Councilman Berra expressed concern that proposed “No Parking” restrictions on Old Orchard Street could create additional issues for residents.

After all persons were heard who desired to be heard, Councilman José Berra resolved, seconded by Councilman Barbara DiGiacinto, that the Public Hearing be closed at 10:12 p.m.

Vote: Unanimous

Councilman Barbara DiGiacinto resolved, seconded by Councilman Saleem Hussain, adoption of Local Law No. 3 to amend the Town Code, Chapter 325: Vehicle and Traffic as follows: Chapter 325-44 Schedule IIA: One-Way Streets to amend direction of travel on William Street and McClure Street in North White Plains; Chapter 325-55 Schedule XIII: No Parking Any Time to amend parking on portions of William Street, McClure Street and Old Orchard Street, in North White Plains; and Chapter 325-33 Parking Lots to amend McClure Street off-street parking areas. The Local Law follows at the end of these minutes.

Vote: Unanimous

Alison Simon, Town Clerk

Dated: May 29, 2026

TOWN OF NORTH CASTLE

**Local Law No. 3 For the Year 2026
Adopted May 27, 2026**

A LOCAL LAW to amend the Code of the Town of North Castle by amending Chapter 325 entitled Vehicles and Traffic.

BE IT ENACTED by the Town Board of the Town of North Castle as follows:

1. Chapter 325-44 Schedule IIA: One-Way Streets is hereby amended to add the following:

<u>Name of Street</u>	<u>Direction of Travel</u>	<u>Limits</u>
William Street	South	Between James Street and McClure Street
McClure Street	East	Between William Street and Old Orchard Street

2. Chapter 325-55 Schedule XIII: No Parking Any Time is hereby amended to add the following:

<u>Name of Street</u>	<u>Side</u>	<u>Limits</u>
William Street	Both	From its intersection with James Street south to its intersection with McClure Street
McClure Street	Both	From its intersection with William Street east to its intersection with Old Orchard Street
Old Orchard Street	West	From its intersection with William Street south to its intersection with McClure Street

3. Chapter 325-33 Parking Lots is hereby amended to add the following:

K. McClure Street off-street parking areas. No person or persons shall stand or park a vehicle within the two designated Quarry Park parking areas anytime between dusk and dawn.

4. Effective Date. This local law shall be effective immediately upon filing of same with the Secretary of State of the State of New York.

Dated: May 27, 2026