

Town Board Minutes
Town of North Castle
19 Whippoorwill Road, E
Armonk, New York
on
February 26, 2025

The Town Board Meeting was held in person in Whippoorwill Hall, located at the North Castle Public Library, 19 Whippoorwill Road E, Armonk, New York. The Meeting was called to order at 5:30 p.m. and adjourned to an Executive Session.

All Town Board members, the Town Attorneys and the Town Administrator were present for the Executive Session. The Executive Session adjourned. The regular meeting reconvened at 7:37 p.m.

The following persons were present in the Meeting Room:

Supervisor: Joseph A. Rende
Councilman: Barbara DiGiacinto
Councilman: Saleem Hussain
Councilman: Matt Milim
Councilman: José Berra
Town Clerk: Alison Simon
Town Attorney: Roland A. Baroni
Town Attorney: Robert Spolzino
Town Administrator: Kevin Hay

*Attorney Robert Spolzino left the meeting after the Public Hearing at 10:06 p.m.

A Public Hearing was reconvened to consider the Matter of the Acquisition of 333 Main Street, Armonk, New York, pursuant to the Eminent Domain Procedure Law.

The Minutes of the Public Hearing, which opened at 7:45 p.m., follow at the end of these minutes.

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Matt Milim, and resolved approval of Town Board Minutes: February 12, 2025.

Vote: Unanimous

Regarding 23 Bedford Banksville Road Special Use Permit (SUP) application, Councilman: José Berra moved, seconded by Councilman: Matt Milim, and resolved the following:

- Receipt of letters from Veneziano & Associates, dated February 17, 2025 and February 26 2025.
- Receipt of revised long Environmental Assessment Form (EAF).
- Referral to the Town and County Planning Boards.
- The scheduling of a Public Hearing on March 26, 2025.

Councilman Barbara DiGiacinto recused herself from the discussion and the vote because her husband has an interest in the property.

Vote: Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, and resolved receipt of a letter from Kory Salomone of Zarin & Steinmetz LLP regarding Lot Line Realignment between 10 and 20 Round Hill Way; and authorization for the Supervisor to sign a new Declaration of Access and Utility Agreement subject to the reasonable satisfaction of the Town Attorney.

Vote: Unanimous

Regarding IBM Community Park Turf Field Improvements, Councilman: Matt Milim moved, seconded by Councilman: José Berra, and resolved approval of Declaration of Intent to Act as Lead Agency and Circulation to all Interested and Involved Agencies; and resolved receipt of Environmental Assessment Form (EAF), Negative Declaration; and proposal regarding IBM Community Park Turf Fields.

Vote: Unanimous

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Councilman: José Berra moved, seconded by Councilman: Matt Milim, and resolved approval to go to bid for the construction of Water District No. 4 Extension, known as "The School Street Extension".
Vote: Unanimous

Councilman: José Berra moved, seconded by Councilman: Barbara DiGiacinto, and resolved adoption of a Final Resolution to Extend Water District No. 4, known as the "School Street WD 4 Extension". The roll call vote was as follows:

Ayes: Councilman: José Berra, Councilman: Barbara DiGiacinto, Councilman: Saleem Hussain, Councilman: Matt Milim, Supervisor: Joseph A. Rende
Nos: None

Councilman: Barbara DiGiacinto moved, seconded by Councilman: José Berra, and resolved adoption of a Resolution Pursuant to Section 923-A of the General Municipal Law authorizing negotiation of a Payment In Lieu of Taxes (PILOT) agreement associated with repurposing a portion of the former MBIA Headquarters Site into an Age Restricted Multifamily Apartment Building (project known as Airport Campus).

Vote: Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: José Berra, and resolved adoption of a Resolution to Adopt Electronic Records Policy stating that moving forward the electronic copies may be the official saved records.

Vote: Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Matt Milim, and resolved receipt of memo from KSCJ Consulting regarding assignment of new street address for 143 Old Mt. Kisco Road, Armonk to 801 Mt. Kisco Road, Armonk; and 47 High Street, Armonk to 1 Cobblers Lane, Armonk; and referral to the Town E-911 Coordinator.

Vote: Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: José Berra, and resolved approval of request from the Friends of the North Castle Public Library for use of North Castle Community Park, including access road and parking area, for the Annual Armonk Outdoor Art Show September 27th and September 28, 2025; approval of alcohol permit and waiver of permit fee; and waiver of tent permit fee.

Vote: Unanimous

Councilman: José Berra moved, seconded by Councilman: Barbara DiGiacinto, and resolved approval of request from Stayin' Alive charity to schedule the 12th annual 5k Fun Run in the Windmill Community on Saturday, October 4, 2025.

Vote: Unanimous

Councilman: José Berra moved, seconded by Councilman: Saleem Hussain, and resolved approval of proposal from CCTV Services for the installation of security cameras and monitoring devices at the Hergenhan Community Center for fee in the amount of \$9,250 to be paid from Fund Balance; and authorization for the Supervisor to sign the agreement.

Vote: Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, and resolved authorization for the Supervisor to sign the proposal from Nu-Clear Swimming Pool Services, LLC for the rehabilitation of the exteriors of the Sand Filter Tanks for the Main Pool for a fee of \$7,750, to be paid from Fund Balance.

Vote: Unanimous

Councilman: José Berra moved, seconded by Councilman: Barbara DiGiacinto, and resolved approval of appointment of Marie Pierre to the position of Substitute/Hourly Librarian I, North Castle Public Library, effective February 27, 2025.

Vote: Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, and resolved approval of a salary adjustment for Robert Melillo, Building Inspector, retroactively effective January 1, 2024.

Vote: Unanimous

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Councilman: José Berra moved, seconded by Councilman: Barbara DiGiacinto, and resolved approval of the Consensus Agenda as follows:

- Audit and approval of payments in the amount of \$543,305.23 as indicated on Warrant No. 4 dated February 26, 2025.
- Receipt of Cable Franchise Fees for 4th Quarter 2024 from Cablevision/Altice and Verizon FIOS

Vote: Unanimous

After all persons were heard who desired to be heard, the Supervisor closed the regular meeting at 11:46 p.m.

Dated: February 28, 2025

Alison Simon, Town Clerk

PUBLIC HEARING
February 26, 2025

At 7:44 p.m. Councilman José Berra moved, seconded by Councilman Matt Milim, and resolved that a Public Hearing, which was opened and adjourned on February 12, 2025, would be reconvened in accordance with the Public Notice that follows.

Vote: Unanimous

PLEASE TAKE NOTICE that in accordance with the provisions of Eminent Domain Procedure Law (EDPL) § 202, the Town Board of the Town of North Castle will conduct a public hearing at the Whippoorwill Hall, 19 Whippoorwill Road E., Armonk, New York, on February 12, 2025, at 7:30 p.m., with respect to the acquisition of the property known as 333 Main Street, Armonk, New York, for use as a Town Hall. At the public hearing, all interested persons will be given the opportunity to express their views concerning the economic and social effects of the action, its impacts on the environment and its consistency with the goals and objectives established by the community. The proceedings will be recorded. Persons may make oral statements and/or file written statements. Written statements submitted at the hearing or otherwise received by the Town Clerk no later than the commencement of the hearing will be made part of the record.

PLEASE TAKE FURTHER NOTICE that pursuant to EDPL § 202(C)(2), those property owners who may subsequently wish to challenge the condemnation of their property may do so only on the basis of issues, facts, and objections raised at the hearing (and

PLEASE TAKE FURTHER NOTICE that each individual assessment record billing owner (“property owner”) or his or her attorney of record whose property may be acquired shall note that, under EDPL § 207(A), a petition to seek judicial review of the Town Board’s determination and findings must be filed within 30 days after the Town Board’s completion of its publication of its determination and findings, and that exclusive jurisdiction for judicial review of the Town Board’s determination and findings resides in the Appellate Division of the Supreme Court of the State of New York.

Alison Simon
Town Clerk
Town of North Castle

Dated: Armonk, New York
January 27, 2025

Councilman Barbara DiGiacinto moved, seconded by Councilman Matt Milim, and resolved receipt of the following correspondence:

- Email from resident Keith B Rosenthal, dated February 11, 2025.
- Letter from resident Deborah DeMasi, dated February 13, 2025.
- Email from resident Karl Hinrichs, dated February 19, 2025.
- Letter from residents Gordon Josey and Walter Kowalczyk, dated February 19, 2025.
- Letter from resident Kerri Kazak, dated February 20, 2025.
- Email from resident Russ Lewis, dated February 20, 2025.
- Email from resident Alfio DellaVecchia, dated February 22, 2025.
- Email from resident Phil Maresco, dated February 22, 2025.
- Email from resident Bruce Wuebber, dated February 24, 2025.
- Email from resident Susan Geffen, dated February 26, 2025.
- Email from resident Geri Mariano, dated February 26, 2025.

Vote: Unanimous

Stenographer Nathan Davis of Veritext transcribed the Public Hearing. A transcription of the Public Hearing will be saved with these Minutes.

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Supervisor Joseph Rende acknowledged the public's concerns regarding the proposed purchase of 333 Main Street in Armonk and the relocation of the Town Hall and that there is significant interest in the future of the current Town Hall site and buildings. To address these concerns, he announced the formation of a Concept Study Committee to explore and assess potential ideas for the existing property, examine the details of relocating the Town Hall offices to 333 Main Street, and consider alternative options. The Committee will include residents with diverse areas of expertise and will work closely with the Planning Department.

All residents who spoke at the meeting recognized the need for new work spaces for Town employees.

Resident Keith Rosenthal stated his belief that, should Town Hall be relocated to 333 Main Street, the current site will be sold to developers. He said the Town has many new multi-family developments and he is concerned with congestion and traffic. He also stated that a referendum regarding the purchase of 333 Main Street should include a referendum not to sell the existing Town Hall property.

Residents Betty Sanchirico, Eric Detmer, Nora Manuele, Ed Lobermann, Carolyn Hoffman, Charlene Decker, Susan Shimer, Marilyn Hufffield, Karl Hinrichs, Ed Woodyard, and Sharon Tomback expressed their opposition to the purchase of 333 Main Street, citing the following concerns: the unknown and uncontrollable costs associated with purchasing and retrofitting the property, as well as its inadequacy for meeting the Town's current needs; uncertainty regarding the tax impact; ambiguity surrounding the future use of the existing Town Hall at 15 Bedford Road; potential unwanted changes to the character of the Town; possible negative effects on historically significant areas; and concerns about increased congestion and traffic.

Residents Neal Bauman, Tom Rice, and Brendan Molloy emphasized the need for more information regarding the cost of purchasing 333 Main Street, suggesting that any decision should be made after reviewing studies on the potential development of the existing Town Hall property. They requested detailed plans outlining the costs and potential development for both properties before proceeding.

Resident Julie DeFilippo urged the Board to explore other options beyond the purchase of 333 Main Street, proposing the acquisition of nearby properties, such as the vacant 45 Bedford Road and/or the American Legion property, to expand the Town Hall campus.

Resident Tim Radice reminded the Board that the Town has the option to exercise eminent domain at any time, advocating for a more measured approach and no immediate rush to move forward with the property purchase.

Resident Fred Cohen raised the possibility of utilizing County Police in North Castle, but his suggestion was met with opposition from both the Board and the public.

Resident Stefan Martinovic expressed his support for purchasing 333 Main Street and proposed selling the current Highway Yard property as a means to fund the acquisition.

Police Chief Peter Simonsen stated the need to move the Police Department and Court facilities into a safer space to meet the current and future needs of both departments.

Councilman José Berra stated concerns about the risks associated with using eminent domain to acquire a building, noting that if the Town moves forward, he would prefer to negotiate a purchase price with the seller. He explained that in an eminent domain case, a Court determines the price, and there may be tax benefits for the seller. Mr. Berra also stated his preference for keeping the Town Hall at its current location and raised concerns about potential traffic and congestion issues.

Councilman Matt Milim stated his view that the purchase of 333 Main Street is a great opportunity for the Town. He acknowledged that the public's concerns are valid and emphasized the need for the Board to thoroughly study alternatives.

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Councilman Saleem Hussain outlined several key questions and concerns he believes should be addressed, including: the reasons behind the Town's consideration of relocating Town Hall, the available options for relocation, why 333 Main Street is being considered, issues related to historic preservation, traffic and congestion, the process and timeline for decision-making, financial considerations, clarification of what the public referendum will entail, future planning, and potential environmental impacts.

Councilman Barbara DiGiacinto expressed her desire to preserve the 15 Bedford Road property and raised concerns about the costs associated with purchasing 333 Main Street and how the Town plans to fund the acquisition. She emphasized the importance of reviewing the costs of all current and proposed Town capital projects. Ms. DiGiacinto stressed that Capital Improvements should be presented and reviewed together to provide a clear understanding of necessary actions, their funding sources, and the potential impact these expenditures may have on taxes both now and in the future.

Supervisor Rende stated that the Town is thoroughly exploring all options and gathering information on the cost of purchasing and retrofitting 333 Main Street. He assured the public that a comprehensive review of all available options to improve or relocate Town Hall facilities will be conducted. Mr. Rende stated that the Town is not ready to act on eminent domain and hold a public referendum at this time.

After all persons were heard who desired to be heard, Councilman José Berra moved, seconded by Councilman Matt Milim, and resolved that the Public Hearing be adjourned to March 12, 2025 at 10:06 p.m.

Vote: Unanimous

Alison Simon, Town Clerk

Dated: March 3, 2025