

A meeting of the Town Board of the Town of Lewisboro, Westchester County, New York, was held on February 25, 2013, at 7:30 p.m. at the Lewisboro Library, 15 Main Street, South Salem, New York.

PRESENT: Supervisor - Peter H. Parsons  
Councilmen - Frank Kelly, John Pappalardo, Daniel Welsh  
Town Clerk - Janet Donohue

ABSENT: Councilman - Peter DeLucia

Also in attendance were Facilities Maintenance Manager Joel Smith and Attorney for the Town Anthony Mole'.

Mr. Parsons called the meeting to order at 7:37 p.m.

#### PLEDGE OF ALLEGIANCE

Supervisor Parsons led the Pledge of Allegiance to the flag.

#### PUBLIC COMMENT PERIOD

##### Double Yellow Lines on Town Roads

During public comment period a Mead Street resident, Amanda Alfieri, wanted to hear about the plans for double yellow lines in our area. She doesn't feel they will "calm" traffic in any way. The Board explained that the issue is visibility and to help avoid head on collisions. She asked about having only one single line going down the center. The Board explained that the lines have to be double yellow unless the road is less than 16 feet, in which case a single yellow line would be allowed. Ms. Alfieri asked if special character districts were exempt and the answer is no. She asked about reflectors down the middle of the road and the State does not allow this. The Board will make sure that the Highway Superintendant makes available the map that he has put together with the roads that he has suggested be lined. Mr. Kelly suggested that residents look at the New York State Department of Transportation and look at the traffic markings manual. Mr. Welsh suggested looking at other sites such as "People for Public Spaces". Another Waccabuc resident, Melissa Martin, said that she has lived here for over 20 years and has never known of a head on collision on Mead Street. She doesn't feel that double lines will keep her on one side versus the other. Mr. Kelly explained that double lines will soon be mandatory.

##### Chinese Ballet

A promoter for Shen Yun International, a Chinese Ballet, gave a brief presentation promoting the Chinese ballet and gave out some literature and a calendar.

CONSENT AGENDA

Under the consent agenda format, the Board voted 4-0 on Motion by Mr. Kelly, seconded by Mr. Pappalardo, to approve Town Board minutes of February 4, 2013 and February 12, 2013.

THE VOTE:	Yes	- Parsons, Kelly, Pappalardo, Welsh	(4)
	No	- None	(0)
	Absent	- DeLucia	(1)

MINUTES – Approved

On the above motion and second, the Board voted 4-0 to approve the minutes of February 4, 2013 and February 12, 2013

RECEIVER OF TAXES – Annual Report

On the previous motion and second the Board received the annual report from the Receiver of Taxes. (Copy attached.)

REFUSE LICENSE – Renewal authorized for County Waste

On motion by Mr. Parsons, seconded by Mr. Kelly, the Board voted as follows:

THE VOTE:	Yes	- Parsons, Kelly, Pappalardo, Welsh	(4)
	No	- None	(0)
	Absent	- DeLucia	(1)

RESOLUTION

RESOLVED, that the Town Clerk be and hereby is authorized to issue a renewal license for the collection of residential refuse to County Waste for a period of one year.

RECORDS MANAGEMENT DAY – Designated

On motion by Mr. Parsons, seconded by Mr. Kelly, the Board voted as follows:

THE VOTE:	Yes	- Parsons, Kelly, Pappalardo, Welsh	(4)
	No	- None	(0)
	Absent	- DeLucia	(1)

RESOLUTION

RESOLVED, that April 12, 2013, be and hereby is designated Records Management Day.

PUBLIC HEARING - Proposed Amendment to Chapter 212: Vehicles and Traffic, Section 212-27.1, Schedule VIA, to the Town Code of the Town of Lewisboro

Mr. Parsons called the public hearing to order. There was no objection to the time or form of the public notice (attached). Mr. Parsons called for comments from the public.

John Goodman, a resident of Kitchawan Road, feels that commercial traffic on Kitchawan Road is a big problem and that this is a great idea. He along with a few other Kitchawan residents feels that there is also a problem with speeding. Mr. Parsons will speak with Chief Secret and Joel Smith about putting the speed monitor on that road, which may be difficult due to the nature of the road. Also mentioned was that the stop sign at the corner of Route 123 and Kitchawan Road has disappeared. Mr. Parsons will speak with the Highway Superintendent regarding this issue.

On motion by Mr. Parsons, seconded by Mr. Kelly, the Board voted as follows:

THE VOTE:	Yes	- Parsons, Kelly, Pappalardo, Welsh	(4)
	No	- None	(0)
	Absent	- DeLucia	(1)

RESOLVED, that the public hearing for the proposed local law amending Chapter 212: Vehicles and Traffic, Section 212-27.1, Schedule VIA, to the Town Code of the Town of Lewisboro, is now closed.

TOWN CODE – Proposed Amendment to Chapter 212: Vehicles and Traffic, Section 212-27.1 Schedule VIA

On motion by Mr. Parsons, seconded by Mr. Kelly, the Board voted as follows:

THE VOTE:	Yes	- Parsons, Kelly, Pappalardo, Welsh	(4)
	No	- None	(0)
	Absent	- DeLucia	(1)

RESOLVED, that Chapter 212: Vehicles and Traffic, Section 212-27.1 Schedule VIA, to the Town Code of the Town of Lewisboro, has been amended as follows:

**LOCAL LAW NUMBER 1-2013 OF THE TOWN OF LEWISBORO**

**SECTION 1 -- TITLE**

This Local Law shall be known as 2013 Amendments to Section 212-27.1 Schedule VIA: Commercial Vehicles Excluded, of Chapter 212: Vehicles & Traffic.

**SECTION 2 -- ADOPTION**

Now therefore be it enacted by the Town Board of the Town of Lewisboro Local Law 1-2013 that this law shall take effect immediately upon its passage:

SECTION 3 – VEHICLES & TRAFFIC

**Amend §212-27.1 – Schedule VIA: Commercial Vehicles Excluded**

- A. No commercial vehicle, except as listed below, shall be driven or operated on the following roads or parts of roads:

<b>Name of Street</b>	<b>Location</b>
Chapel Road	Entire length
Kitchawan Road	Entire length
Meadow Street	Entire length
Old Bedford Road	South of Railroad Avenue
Park Avenue	Entire length
Ridgefield Avenue	Entire length
Schoolhouse Road	Entire length
Todd Road	Entire length

- B. The restrictions or exclusions set forth in Subsection A above shall not apply to:

- (1) Vehicles owned or leased by residents of the road driving to and from their residences on the road;
- (2) Vehicles delivering to and/or picking up from residences or rendering services to or relating to residences located on the road;
- (3) Vehicles on Town of Lewisboro or school district business; and
- (4) Emergency vehicles.

SECTION 4 – HOME RULE

Nothing in this Local Law is intended, or shall be construed (a) to limit the home rule authority of the Town under State Law to limit the Town's discretion in setting fees and charges in connection with any applications requiring Town approval.

SECTION 5 -- SEVERABILITY

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part of provision or application directly involved in the controversy in which judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Town of Lewisboro hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

SECTION 6 – EFFECTIVE DATE

This Local Law shall take effect immediately upon filing in the office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

PUBLIC HEARING - Proposed Amendment to Chapter 195-15(G), Subdivision and Chapter 217-6 (F) 6, Wetlands of the Town Code of the Town of Lewisboro, in order to amend the public notice requirements for subdivision and wetland permit applications.

Mr. Parsons called the public hearing to order. There was no objection to the time or form of the public notice (attached). Mr. Parsons called for comments from the public.

South Salem resident, Fred Cowles, feels that this is a good idea. He feels that early notice to the public can bring in input and it can assist the Planning Board with ramifications. South Salem resident Paul Lewis also feels that this is an excellent idea.

On motion by Mr. Parsons, seconded by Mr. Kelly, the Board voted as follows:

THE VOTE:	Yes	- Parsons, Kelly, Pappalardo, Welsh	(4)
	No	- None	(0)
	Absent	- DeLucia	(1)

RESOLVED, that Chapter 195-15(G), Subdivision and Chapter 217-6 (F) 6, Wetlands of the Town Code of the Town of Lewisboro, is now closed.

This law will be passed once the planners present the Town Board with an Environmental Assessment Form (EFA) and a Negative Declaration.

WESTCHESTER EMS LETTER – Continued Discussion

The Board again discussed a letter that was sent to them by Lewisboro Volunteer Ambulance Corp (LVAC) regarding the Westchester EMS. Al Kim from Stellaris, along with Bob Stoddard, from LVAC, made a presentation to the Board (see attached).

On motion by Mr. Parsons, seconded by Mr. Welsh, the Board voted as follows:

THE VOTE:	Yes	- Parsons, Kelly, Pappalardo, Welsh	(4)
	No	- None	(0)
	Absent	- DeLucia	(1)

RESOLUTION

RESOLVED, that the Town Board authorizes the Supervisor to co-sign a letter with Lewisboro Volunteer Ambulance Corp Captain Robert Stoddard, and send it to Westchester County Emergency Communications Center regarding a request to alter Motor Vehicle Accidents (MVAs) dispatch.

PARKS & RECREATION – Fireworks Request for Proposal

On motion by Mr. Parsons, seconded by Mr. Kelly, the Board voted as follows:

THE VOTE:	Yes	- Parsons, Kelly, Pappalardo, Welsh	(4)
	No	- None	(0)
	Absent	- DeLucia	(1)

RESOLUTION

RESOLVED, that the Town Board authorizes the Parks and Recreation Department to go out to bid for the Town fireworks.

PARKS & RECREATION – Concession Stand at Town Pool

On motion by Mr. Parsons, seconded by Mr. Kelly, the Board voted as follows:

THE VOTE:	Yes	- Parsons, Kelly, Pappalardo, Welsh	(4)
	No	- None	(0)
	Absent	- DeLucia	(1)

RESOLUTION

RESOLVED, that the Town Board authorizes the Parks and Recreation Department to go out to bid for the concession stand at the Lewisboro Town Pool.

ENERGIZE NEW YORK – Municipal Membership Agreement

Mark F. Thielking, the Director of Energy Resources, and the Chairman of Energy Improvement Corporation, made a presentation to the Board. The Energy Improvement Corporation municipal membership package includes wording for a local law that would need to be passed, a municipal agreement, an energy improvement charge process, membership criteria along with a membership sample letter and sample resolution, and underwriting standards. Mark did meet with the Town's Assessor, Receiver of Taxes, Attorney and Supervisor. There is very little that the town would have to do other than the collection of the charge.

Energize will be on the next Town Board meeting so that a public hearing can be set for a local law.

SUPERVISOR – Prevailing Wage

The Supervisor informed the Board that he is joining an effort with neighboring Town Supervisors to combat prevailing wage. He will keep the Board members informed as to their progress.

CLAIMS – Authorized for Payment

On motion by Mr. Kelly, seconded by Mr. Welsh, the Board voted 4-0 to authorize payment of the Town's bills in the amount of \$159,356.43.

ENERGY COACH – Energy Audits

Mr. Welsh expressed that the Energize/Energy Audit that was held at the library over the weekend was a great success. The program seems to be picking up steam.

INTERNS - Solicit

Mr. Kelly would like to solicit interns for Town Government to work with the Town Board, similar to what the School Board has. It would be a great introduction to the Town Government. The Town Board would sign off on community hours. He asked anyone who was interested to send a letter of interest to his attention. Mr. Welsh suggested sending a message to the PTO/PTA's and Mr. Parsons will communicate this to the school administration.

LEON LEVY - Lecture

This was a very good program that was held at the Waccabuc Carriage House over the weekend. Mr. Parsons is pleased to see that there is huge amount of momentum gathering in the Preserves Committee. They are working very hard to get the trails in the best shape for strollers, dog walkers, etc.

MEETINGS – Dates Set

The Supervisor noted there will be a Town Board meeting on Monday, March 18, 2013, at 7:30 p.m. at the Lewisboro Library, 15 Main Street, South Salem, NY. There will also be Town Board work sessions on Monday, March 4, 2013 and on Monday, April 8<sup>th</sup> at 7:30 p.m. at the Lewisboro Library, 15 Main Street, South Salem, NY.

EXECUTIVE SESSION – Various Appointments

On motion by Mr. Parsons, seconded by Mr. Pappalardo, the Board voted 4-0 to go into executive session to discuss various appointments.

On motion by Mr. Parsons, seconded by Mr. Kelly, the Board voted 4-0 to come out of executive session.

PARKS & RECREATION ADVISORY COMMITTEE – Appointment of Members

On motion by Mr. Parsons, seconded by Mr. Kelly, the Board voted as follows:

THE VOTE:	Yes	- Parsons, Kelly, Pappalardo, Welsh	(4)
	No	- None	(0)
	Absent	- DeLucia	(1)

RESOLUTION

RESOLVED, that Jennifer N. Bardavid has been appointed to the Parks and Recreation Advisory Committee for a term ending December 31, 2014.

RESOLVED, that Peter DeVittorio has been appointed to the Parks and Recreation Advisory Committee for a term ending December 31, 2014.

ADJOURNMENT

On motion by Mr. Parsons, seconded by Mr. Kelly, the Board voted 4-0 to adjourn at 10:07 p.m.

Janet L. Donohue  
Town Clerk