A meeting of the Town Board of the Town of Lewisboro, Westchester County, New York, was held on Monday, May 4, 2015, at 7:30 p.m. at the Town House, 11 Main Street, South Salem, New York.

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

Also attending was the Attorney for the Town Anthony Mole´, Facilities Maintenance Manager Joel Smith, Comptroller Leo Masterson, Parks and Recreation Superintendent Dana Mayclim and Confidential Secretary/Benefits Coordinator Mary Hafter.

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

PLEDGE OF ALLEGIANCE

Deputy Supervisor DeLucia led the Pledge of Allegiance to the flag.

PUBLIC COMMENT PERIOD

There were no public comments.

COMMUNICATIONS

RESIGNATION – Police Officer Michael Martell

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

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

RESOLUTION

RESOLVED, that the Town Board does accept the letter of resignation from Police Officer Michael Martell as of May 26, 2015 and be it also

RESOLVED, that Police Officer Michael Martell will be reinstated to his current position as a Police Officer on May 28, 2015 at a salary to be determined by the Chief of Police and the Comptroller.

EAGLE SCOUTS – Congratulations to Robert King of Vista Boy Scout Troop 101

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

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

RESOLUTION

WHEREAS, ROBERT SAMUEL KING of Lewisboro, New York, is a member of Vista Boy Scout Troop 101, and

WHEREAS, ROBERT SAMUEL KING by his conduct, responsibility, principles and achievements in following the trail of Scouting, has acquired the resourcefulness and leadership ability that will stand him in good stead in his future life, and

WHEREAS, ROBERT SAMUEL KING by virtue of his Scouting experience and unselfish service to home and community has earned the highest honor of the Boy Scouts of America, the rank of Eagle Scout, and

WHEREAS, ROBERT SAMUEL KING re-built a one and one half mile trail at Onatru Farm Park which had been destroyed by Hurricane Sandy including one third of a mile which after consulting with the Town's Wetland Inspector was re-routed to avoid harming wetlands, and

WHEREAS, completion of this project required that he assemble and lead a team of volunteers to build and install three bridges and two benches using natural materials from the Park, and
WHEREAS, ROBERT SAMUEL KING by this work has greatly enhanced the population's enjoyment of Onatru Farm Park, and

WHEREAS, this honor is deserving of public notice, now therefore,

BE IT RESOLVED, that the Town Board of the Town of Lewisboro, in recognition of the worthy achievement of this citizen of the Town of Lewisboro, does hereby offer the congratulations of its populace to Eagle Scout ROBERT SAMUEL KING, and

BE IT FURTHER RESOLVED, that this resolution be spread upon the minutes of this May 4, 2015 Town Board Meeting for future generations to see and that copies of this resolution be presented to Eagle Scout ROBERT SAMUEL KING and his parents.

EAGLE SCOUTS – Congratulations to Alexander Wagner of Goldens Bridge Boy Scout Troop 154

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

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

RESOLUTION

WHEREAS, ALEXANDER ROBERT WAGNER of Lewisboro, New York, is a member of Goldens Bridge Boy Scout Troop 154, and

WHEREAS, ALEXANDER ROBERT WAGNER by his conduct, responsibility, principles and achievements in following the trail of Scouting, has acquired the resourcefulness and leadership ability that will stand him in good stead in his future life, and

WHEREAS, ALEXANDER ROBERT WAGNER by virtue of his Scouting experience and unselfish service to home and community has earned the highest honor of the Boy Scouts of America, the rank of Eagle Scout, and

WHEREAS, ALEXANDER ROBERT WAGNER built the new one mile long Green hiking Trail at the Leon Levy Preserve creating a loop with the main trail system and access into the preserve from Ridgefield Avenue, and

WHEREAS, at the same time he built a short spur trail off the Green Trail to a vernal pool together with an interpretive sign which he crafted and designed to educate the public on the importance of these pools, and

WHEREAS, this honor is deserving of public notice, now therefore,

BE IT RESOLVED, that the Town Board of the Town of Lewisboro, in recognition of the worthy achievement of this citizen of the Town of Lewisboro, does hereby offer the congratulations of its populace to Eagle Scout ALEXANDER ROBERT WAGNER, and

BE IT FURTHER RESOLVED, that this resolution be spread upon the minutes of this May 4, 2015 Town Board Meeting for future generations to see and that copies of this resolution be presented to Eagle Scout ALEXANDER ROBERT WAGNER and his parents.

EAGLE SCOUTS – Congratulations to Ben Weinstein of Goldens Bridge Boy Scout Troop 154

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

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

RESOLUTION

WHEREAS, BENJAMIN RYAN WEINSTEIN of Lewisboro, New York, is a member of Goldens Bridge Boy Scout Troop 154, and

WHEREAS, BENJAMIN RYAN WEINSTEIN by his conduct, responsibility, principles and achievements in following the trail of Scouting, has acquired the resourcefulness and leadership ability that will stand him in good stead in his future life, and

WHEREAS, BENJAMIN RYAN WEINSTEIN by virtue of his Scouting experience and unselfish service to home and community has earned the highest honor of the Boy Scouts of America, the rank of Eagle Scout, and

WHEREAS, BENJAMIN RYAN WEINSTEIN designed and constructed a geocaching and orienteering course at Mountain Lakes Park in North Salem in the park's Camp Morty where it benefits the underprivileged children of Westchester County by introducing them to the wonders of the outdoors, and

WHEREAS, BENJAMIN RYAN WEINSTEIN is continuing to serve Scouting and his community as Assistant Scoutmaster of his Troop, as an adult leader of the "Trail-to-Eagle" program and as a Staff Member of a Boy Scout summer camp in the Adirondacks, and

WHEREAS, this honor is deserving of public notice, now therefore,

BE IT RESOLVED, that the Town Board of the Town of Lewisboro, in recognition of the worthy achievement of this citizen of the Town of Lewisboro, does hereby offer the congratulations of its populace to Eagle Scout BENJAMIN RYAN WEINSTEIN, and

BE IT FURTHER RESOLVED, that this resolution be spread upon the minutes of this May 4, 2015 Town Board Meeting for future generations to see and that copies of this resolution be presented to Eagle Scout BENJAMIN RYAN WEINSTEIN and his parents.

CONSENT AGENDA

On motion by Mr. Kelly, seconded by Mr. Pappalardo, the Board voted 4-0 to approve meeting minutes and the Board voted 4-0 to receive and file departmental reports.

MINUTES - Approved

On the above motion and second, the minutes of the April 20, 2015, Town Board meeting were approved.

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

REPORTS – Monthly Reports

On the above motion and second, the April reports from the Building and Police Departments were received and filed.

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

LEWISBORO BASEBALL ASSOCIATION – Update on Upgrades at Local Parks (7:50 p.m. – 7:59 p.m.)
At the last meeting, Mr. Pappalardo suggested that they ask the president of the LBA, Adam Giardina, to come to a board meeting and give a presentation relative to what projects they have completed at local parks, what the cost contribution of the LBA was and what the money is needed for.

Adam Giardina discussed the upgrades that had been completed by the LBA at the Town Park, Fox Valley Upper field and the Vista Fields. He stated that LBA had held many fundraisers and raised approximately $58,000 towards these improvements which actually will cost approximately $90,000.

Mr. Giardina stated that in the past year or so they have addressed three major concerns in the Town Parks; playing surfaces at the Vista field, surfaces at the Fox Valley field and the bleacher platforms at the Town Park. They are looking at this as a three year plan.

Mr. Giardina explained that at Vista they added drainage, graded and re-sodded. At Fox Valley they also added drainage, diverted water and re-sodded and rebuilt the infield. At the Town Park, they replaced the bleacher platforms.

Mr. Giardina stated that more work needs to be done. He stated that another project that they are looking at is fixing the lower wall behind the dugout at the Town Park since it is rotted and has become a safety issue. He also stated that new clay needs to be put down on all the fields. They have already ordered the clay, at a reduced rate, but they are about $8,000 short and are looking at the town for some financial help.

Mr. DeLucia also stated that he wanted to give special thanks to the Vista and Goldens Bridge Fire Departments for watering the new sod during this very dry spring.

The Board thanked Mr. Giardina and LBA for all of the great work that they are doing around our town. The Board will discuss with the Supervisor and the Comptroller the financial request and will report back to Mr. Giardina in the very near future.

BUSINESS INCUBATOR – Obtain Grants To Further Utilize Lewisboro Elementary School (8:00 p.m. – 8:25 p.m.)

Resident Mike Oats, who has a background in economic development in New York State, now heads his own company, attended the Town Board meeting to discuss the opportunity of obtaining grants to help further utilize the Lewisboro Elementary School.

Peter DeLucia did reach out to both the School Board President and the Interim School Superintendent and invited them to attend the meeting, but they did state that it is against their process and they opted not to attend the meeting. Mr. DeLucia stated that dead space is not good space and he does not understand why they wouldn't just attend the meeting to hear about these opportunities.

Mr. Oates explained that Governor Andrew M. Cuomo launched two major economic development programs – the Upstate Revitalization Initiative and Round V of the Regional Economic Development Councils – officially kicking off the 2015 competitions for $1.5 billion and up to $750 million in state economic development resources, respectfully.

The Consolidated Funding Application (CFA) will open to applicants on May 1 with a deadline of July 31 at 4:00pm, allotting more time than past years for the Regional Councils to solicit and identify projects in their areas. This extended period also provides additional time for businesses, municipalities, not-for-profits and the public to apply for assistance from dozens of state funding programs for job creation and community development projects.

Mr. Oates feels that the Lewisboro Elementary school is a good candidate for conversion to business incubator space. Ideally businesses with winning applications come in for one to three years until they graduate into larger space. The business incubator program seeks to expand services and assist early stage companies in their growth and development. The program is interested in a number of different types of businesses, including those that are food and beverage related. They believe that these industries have a good chance of success in the Hudson River Valley area.

Other business models that have received financing from the program include biotech, fashion and design, health care, media, and a wide range of technology, with a special focus on clean initiatives. The funds could also be used for equipment among other items and needs.

Mr. DeLucia stated that they could have local people with local products that need more space and would be able to get it through this program. He stated that start-ups only need a small amount of space and the school could house several of them.

Mr. Oates stated that the presence of a large kitchen at the LES made it an ideal candidate for a food business. He also stated that any grant received would provide funds for running and managing the incubator business. The funds could also be used for equipment, among other items and needs.

Dan Welsh noted that the Katonah-Lewisboro School District would have to commit to the idea before anything could happen. Mr. DeLucia stated that he feels as elected officials both the Town

Board and School Board should have a look at this. Mr. DeLucia also feels that it is very shortsighted that no one from the school board was interested in attending this meeting and that he was disappointed.

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

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

RESOLUTION

RESOLVED, that the Town Board does offer a memorandum to the School Board in favor of the proposed Business Incubator Program and exhorting the school board to complete the Consolidated Funding Application for an opportunity to get the Lewisboro Elementary School building, which is currently sitting idle, to be used as an incubator and that the Town Board would offer their assistance in any way needed or required for said application process.

FUNDRAISER - Town Property (8:26 p.m. – 8:33 p.m.)

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

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

RESOLUTION

RESOLVED, that the Town Board does approve the Youth Group of St. John's Church and the South Salem Presbyterian Church to hold an Antique Car Show fundraiser during the Fireworks Spectacular at Onatru Farm on Saturday, June 27, 2015 and that it is subject to a plan approved by the Parks and Recreation Department and Police Department and said plan must be approved by Memorial Day, May 25, 2015.

STORMWATER AMENDMENT - Planning Board Proposal (8:33 p.m. – 8:48 p.m.)

Ron Tetelman, a member of the Planning Board approached the Board regarding a proposal to amend Chapter 189 of the Town Code as it pertains to stormwater management and erosion and sediment control.

Mr. Tetelman read the following statement: "As you know, the law was proposed by the Planning Board following some concerns/complaints regarding erosion of properties near Lake Truesdale. These particular projects involved small additions or driveway modifications that resulted in land disturbance (grading) that totaled less than 5,000 square feet. These properties were located on a steep slope and sediment ended up washing down the hill and into the road, finding its way to the lake. Since these projects resulted in less than 5,000 square feet of disturbance, a stormwater

permit was not required. Further, at the time, the building inspector was not comfortable requiring the owner/contractor to install the erosion controls because there was no provision to do so in the code.

The purpose of the proposed amendment is in dealing with projects that result in land disturbance which could lead to erosion/siltation but are categorically exempt from needing a stormwater permit. The proposed legislation does not require the owner to obtain a permit, it just allows the Building Inspector during the course of his/her review to require the installation of basic erosion controls to prevent erosion, when deemed necessary. Basically, if the building inspector is reviewing an application or comes upon a project that involves grading and he/she feels it has or could result in erosion, he/she can require the installation of silt fencing or other basic controls (which would typically be installed by any good contractor anyway).

As the stormwater management officer (in Lewisboro's case also the building inspector) administers the erosion and stormwater law, I believe he is the appropriate person to implement this".

The Board suggested that Anthony Mole´, Town Counsel, reach out to the Building Inspector and discuss this situation at length with him. This will be discussed further at a future meeting.

FEES – Renewal of Building Permits and Certificate of Occupancy's in Multi-Family Developments (8:49 p.m. – 8:51 p.m.)

At the April 6, 2015 Town Board meeting the Board members discussed setting new fees to renew building permits and certificates of occupancy in multifamily developments in town. The example that was given was the Laurel Ridge condominium project in Vista. In 2013, the Town became concerned that residents were starting projects on their homes, getting a building permit, and then extending the building permit for several months if not years. Severe penalties were put in place for this. However, the town did not consider the situation of a multi-family development where the developer builds the "shell" but does not complete the inside until the unit is sold. It was suggested that the Building Inspector could use his discretion with these extensions.

The Town Attorney stated that in the code it states that the Building Inspector can grant a six month extension. It is not plural the way it is worded. It appears that he has the discretion of one extension, and then they would have to pay. The Supervisor asked the Town Attorney to work with the Building Inspector on the wording.

Mr. Mole´ suggested the following statement be added to Chapter 92, Section 92-4(I) entitled "Building Permits": Building permits may be renewed without a fee for units in a multifamily residential development that remain incomplete due to the fact that the items remaining to be completed are to be selected by a purchaser of such unit, as long as such unit is being actively marketed for sale.

PUBLIC HEARING ANNOUNCED – Building Permits

On motion by Mr. DeLucia, seconded by Mr. Pappalardo, the Board voted as follows:

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

RESOLUTION

RESOLVED, that the Town Board of the Town of Lewisboro, will hold a public hearing on Monday, May 18, 2015 at 7:30 p.m., or shortly thereafter, at the Lewisboro Town House, 11 Main Street, South Salem, New York, for the purpose of hearing the public with regard to amendments to Chapter 92, Section 92-4(I), entitled "Building Permits" of the Town Code of the Town of Lewisboro.

HIGHWAY- No Parking on Town Roads During Winter Months

During the last Town Board meeting, Mr. DeLucia suggested that the Board invite the Highway Superintendant and the Police Chief in to discuss what their thoughts would be on the easiest way to rectify the parking situation on the roads during the winter months. Mr. DeLucia received a call from the Highway Superintendent Peter Ripperger who discussed the situation with Police Chief Frank Secret and both feel that the current code is more than sufficient.

CLAIMS – Authorized for Payment

On motion by Mr. Kelly, seconded by Mr. Pappalardo, the Board voted 4-0 to authorize payment of the Town's bills in the amount of $163,020.59.

MEETINGS – Date Set

There will be a Town Board meeting on Monday, May 18, 2015 at 7:30 p.m. at the Town House, 11 Main Street, South Salem, NY.

EXECUTIVE SESSION – To Discuss Potential Legal Action

On motion by Mr. DeLucia, seconded by Mr. Kelly, the Board voted 4-0 to go into executive session at 8:53 p.m. to discuss potential legal action.

On motion by Mr. DeLucia, seconded by Mr. Kelly, the Board voted 4-0 to come out of executive session at 9:10 p.m.

PARKS AND RECREATION – Contract with Sport Tech

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

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

RESOLUTION

RESOLVED, that the Town Board awards the basketball court bid to Sport Tech for the amount stated in the bid, to do the concrete basketball courts, subject to periodic payments based upon stages of completion of the project and be it further

RESOLVED, that the Town is authorized to engage the services of a structural engineer and/or concrete testing contractor to oversee the concrete work at a cost not to exceed $5,000.

ADJOURNMENT

On motion by Mr. DeLucia, seconded by Mr. Welsh, the Board voted 4-0 to adjourn at 9:15 p.m.

Janet L. Donohue
Town Clerk