



**AGENDA
TOWN OF LEWISBORO
TOWN BOARD MEETING
TOWN HOUSE
AUGUST 24, 2015
7:30 P.M.**

I. PUBLIC COMMENT PERIOD

II. COMMUNICATIONS

1. **New York State Parks, Recreation and Historic Preservation Letter
Regarding Waccabuc Historic District**

**III. PUBLIC HEARING Regarding Petition by Visnar Property LLC to Re-Zone Two
Lots at 469 Smith Ridge Road and One Lot at 471 Smith Ridge Road from RB
(Retail Business) to GB (General Business)**

IV. CONSENT AGENDA

1. **Approval Of Minutes July 27, 2015**
2. **Monthly Reports June 2015**
 - i. **Building Department**
 - ii. **Planning Board**
 - iii. **Police Department**

V. NEW BUSINESS

1. **Resolution Authorizing the 12th Annual Tour de Foliage in Support of the
Dysautonomia Foundation to Ride Through Lewisboro on September 20,
2015 – Town Clerk Janet Donohue**

2. **Resolution Granting Permission for the Lake Waccabuc Association to Close Lakeview Road on Sunday, September 6, 2015 at 4:00 p.m. for a Community Block Party – Town Clerk Janet Donohue**
3. **Resolution Authorizing Revision of a Bond Resolution from a Five-Year Term to a Fifteen-Year Term – Comptroller Leo Masterson**
4. **Discussion Regarding Noise Ordinance**
5. **Resolution Authorizing Supervisor to Sign License Agreement Between Jennifer Cipriano and Pietro Cipriano and the Town Regarding the Landscaping Plan and East Street Right of Way**
6. **Promotion of John Daniel Ray to Lead Maintenance Mechanic (Labor) in the Highway Department**

VI. APPROVAL OF CLAIMS

VII. POLLING OF BOARD

VIII. ANNOUNCEMENTS

Town Board Meeting on Monday, September 15 at 7:30 p.m. at the Town House, 11 Main Street, South Salem.

IX. MOTION TO GO INTO EXECUTIVE SESSION

Items submitted for inclusion on the agenda for regular Town Board Meetings must be received by the Supervisor's Office by noon on the Thursday preceding the meeting. Items of significant importance may be added if deemed necessary by the Town Board or Supervisor.

Town Board Meetings Accessibility: The Town of Lewisboro is committed to providing equal access to all its facilities, services and activities to the fullest extent possible. The Town House, Cyrus Russell Community House, Onatru Farmhouse, and the Town Offices at Orchard Square are accessible to persons with physical handicaps. If anyone who wishes to attend any meeting of the Town Board has special needs, please contact the Supervisor's Office (763-3151) at least one week before any scheduled meeting, and we will try to accommodate whenever possible.



Parks, Recreation
and Historic Preservation

ANDREW M. CUOMO
Governor

ROSE HARVEY
Commissioner

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August 10, 2015

Mr. Peter Parsons
Supervisor, Twn. Of Lewisboro
Town House
11 Main Street, P.O. Box 500
South Salem, NY 10590

Re: Waccabuc Historic District
Waccabuc, NY 10597
Westchester County

Dear Mr. Parsons:

I am pleased to inform you that the above referenced property was listed July 28, 2015 on the National Register of Historic Places. As you may know, the National Register is the nation's official list of properties worthy of preservation. Listing on the National Register recognizes the importance of these properties to the history of our country and provides them with a measure of protection. *In addition, owners of income producing properties may qualify for federal and/or state income tax benefits. Homeowners in qualifying census tracts may qualify for state income tax benefits for approved work.* Properties owned by municipalities and not-for-profit organizations are eligible to apply for state historic preservation matching grants.

If you would like more information about any of these programs, please contact your field representative, in this case, Jennifer Betsworth, at the *Division for Historic Preservation* (518) 268-2189. The Division maintains a continuing interest in all registered properties and will be happy to answer any questions you may have.

Sincerely,

Ruth L. Pierpont
Deputy Commissioner for Historic
Preservation

Michael Fuller Sirignano
Attorney and Counselor at Law

Old Post Road Professional Building
892 Route 35, P. O. Box 784
Cross River, New York 10518

Tel: (914) 763-5500
Fax: (914) 763-9589
e-mail: michael@sirignano.us

June 8, 2015

Hon. Peter Parsons
Lewisboro Town Supervisor
Town House
11 Main Street
P. O. Box 500
South Salem, NY 10590

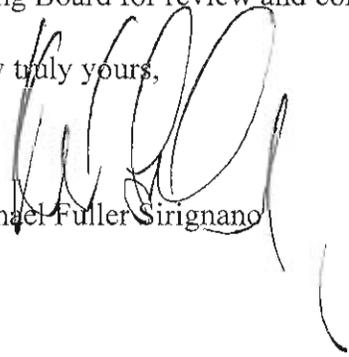
Re: Visnor Realty, LLC – Zoning Map Change Petition

Dear Mr. Parsons and
Members of the Lewisboro Town Board:

I represent Visnor Realty, LLC, the owner of three tax lots in the Vista hamlet (including the Vista Market). My client wishes to have its lots rezoned for General Business use. Enclosed please find our Petition for a Zoning Map Change pursuant to Town Law Sections 264 and 265.

Kindly acknowledge receipt of this Petition filing. I request that the Town Board refer our Petition to the Zoning Board and Planning Board for review and comment.

Very truly yours,


Michael Fuller Sirignano

MFS/cp
Enclosure

cc: Visnor Realty, LLC

TOWN BOARD OF THE TOWN OF LEWISBORO
COUNTY OF WESTCHESTER: STATE OF NEW YORK
-----X

In the Matter of the Application of

VISNOR PROPERTY, LLC

**PETITION FOR
ZONING MAP
AMENDMENT**

For amendments to the Zoning Map of the Town of Lewisboro changing the Zoning Designation of Certain Properties Zoned RB and R-1A to GB affecting three tax lots located at 469 and 471 Smith Ridge Road, also known and designated on the Tax Assessment Map of the Town of Lewisboro as Sheet 53, Block 9834, Lots 32, 33 and 34.

-----X

VISNOR PROPERTY, LLC (the "Petitioner") hereby petitions the Town Board of the Town of Lewisboro to adopt certain amendments to the Zoning Map pursuant to New York State Town Law Sections 264 and 265.

The Petitioner & Its Parcels

1. Petitioner VISNOR PROPERTY, LLC is the owner of two tax lots located at 469 Smith Ridge Road and a third tax lot located at 471 Smith Ridge Road which are known and designated on the Tax Assessment Map of the Town of Lewisboro as Sheet 53, Block 9834, Lots 32-33 and 34, respectively. Lots 32 and 34 have frontage along the easterly side of Smith Ridge Road (New York State Highway, Route 123) and are currently zoned RB (Retail Business). Lot 33 has 160 feet of frontage on Smith Ridge Road and the front or westerly portion of the lot is zoned RB (Retail Business) while the rear or easterly portion of the lot is zoned R-1A (Residential One Acre). The RB/R-1A

zoning district line thus bisects Lot 33. Complete metes and bounds descriptions of these parcels are contained in the Schedule “A” annexed hereto.

The Town of Lewisboro’s Master Plan

2. The Master Plan acknowledges that a “second Vista Hamlet Business area is located in the northeast corner of East Street and Route 123 (Page 93). Vista and the other Lewisboro hamlets serve as centers for locally-oriented retail and service businesses (Page 60). “Hamlet Business area are intended to be the site of all types of locally-oriented business services including retail stores, personal services, offices, restaurants and trade services” (Page 81). The Master Plan recommends that Vista (as well as Goldens Bridge and Cross River) be maintained as neighborhood centers (Page 79). The lots being proposed for a change to General Business meet the criteria set forth in the Master Plan.

The Proposed Rezoning

3. Petitioner requests that the Town Board rezone Lots 32 and 34, the two RB zoned parcels, to GB (General Business) and rezone Lot 33 from its split RB/R-1A zoning to GB (General Business). A General Business district is zoned for any principle use, including special uses, that are permitted in the RB District as well as those business operations specifically permitted as a principal use in the GB District. Consistent with the Master Plain, §220-30 states that GB Districts are established to provide “areas in Lewisboro’s hamlets for non-retail commercial establishments and neighborhood business services, including retail stores, personal services, offices, restaurants and trade services as well as for small residential units.” The three (3) subject tax lots are located in the Vista hamlet and abut parcels located at 475 Smith Ridge Road and 5 East Street

which were rezoned by the Town Board as of November 3, 2014 from RB & R-1A, respectively, to GB. The instant rezoning Petition is in conformity with such other recent GB rezoning in the hamlet.

4. This rezoning will allow Petitioner to remedy the split zoning (RB/R-1A) of Lot 33 and to utilize the entire 3.13 acres of Lots 32 & 33 and the 0.36 acre Lot 34 for general business purposes in a manner consistent with the Master Plan. Lots 32 & 33 contain a former church building (now office space) and the Vista Market. As previously noted, said lots abut the recently rezoned GB District to the south. Rezoning the Petitioner's three parcels to GB will permit the integrated use of its parcels and will further enhance the hamlet. Said rezoning will not adversely affect or impact the residences in the R-1A District to the east as these properties are not accessed from Smith Ridge Road, a state highway. Lots 32 & 33 and 34 are in an appropriate location for a GB District as they have frontage on a state highway. Said rezoning will facilitate future improvements to these three lots, create local jobs and increase tax revenues, thereby contributing to the fiscal well-being of not only the Vista hamlet but the entire Town of Lewisboro and its residents.

WHEREFORE, Petitioner respectfully requests that the Town Board grant this Petition and amend the zoning map to re-designate Petitioner's three tax lots (#s 32, 33 and 34) for GB (General Business) use.

Respectfully submitted,

VISNOR PROPERTY, LLC


By: Avraam Apazidis, Manager

Dated: May 29, 2015

THE JUDICIAL TITLE INSURANCE AGENCY LLC

Title No. 57536FA-W

SCHEDULE A

ALL that certain plot, piece or parcel of land, situate, lying and being in the Town of Lewisboro, County of Westchester and State of New York being more particularly bounded and described as follows:

BEGINNING at the point of the intersection of the easterly side of Smith Ridge Road (Route 123) and the division line between premises herein described and lands now or formerly of Luca F. Deeda;

THENCE RUNNING from said point of beginning along the easterly side of Smith Ridge Road (Route 123) the following courses and distances:

North 1 degrees 21 minutes 55 seconds east, 78.90 feet;
North 5 degrees 00 minutes 00 seconds east, 120.46 feet; and
North 7 degrees 04 minutes 20 seconds east, 101.63 feet to a point on the division line between premises herein described and land now or formerly of Peter C. Ripperger;

THENCE RUNNING along the last mentioned division line the following courses and distances:

South 44 degrees 58 minutes 00 seconds east, 10.23 feet;
South 72 degrees 02 minutes 00 seconds east, 8.20 feet;
North 89 degrees 06 minutes 00 seconds east, 46.06 feet;
North 77 degrees 04 minutes 40 seconds east, 236.09 feet; and
North 76 degrees 06 minutes 40 seconds east, 169.12 feet to a point on the division line between premises herein described and lands now or formerly of Romeo Fraccaroli and lands now or formerly of Antonio Russo;

THENCE RUNNING along the last mentioned division line, South 9 degrees 08 minutes 20 seconds east, 310.10 feet to a point on the division line between premises herein described and lands now or formerly of Stephen E. Kitchen, lands now or formerly of Dominick Vavala and lands now or formerly of Luca F. Deeda;

- continued on next page -

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THE JUDICIAL TITLE INSURANCE AGENCY LLC

Title No. 57536FA-W

SCHEDULE A (continued)

THENCE RUNNING along the last mentioned division line the following courses and distances:

South 80 degrees 40 minutes 20 seconds west, 179.65 feet;
South 78 degrees 59 minutes 30 seconds west, 63.37 feet;
South 78 degrees 25 minutes 40 seconds west, 28.71 feet;
South 81 degrees 21 minutes 10 seconds west, 90.86 feet;
South 79 degrees 21 minutes 50 seconds west, 25.68 feet;
South 81 degrees 42 minutes 00 seconds west, 32.83 feet;
South 87 degrees 42 minutes 00 seconds west, 40.47 feet;
South 83 degrees 54 minutes 37 seconds west, 47.78 feet; and
South 87 degrees 40 minutes 42 seconds west, 26.41 feet to the point or place of
BEGINNING.

FOR
CONVEYANCING
ONLY

The policy to be issued under this report will insure the title to such buildings and improvements erected on the premises which by law constitute real property.

TOGETHER with all the right, title and interest of the party of the first part, of, in and to the land lying in the street in front of and adjoining said premises.

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TOWN OF LEWISBORO

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Lewisboro, will hold a public hearing on August 10, 2015, at 7:30 p.m. or soon thereafter as time permits, at the Lewisboro Town House, 11 Main Street, South Salem, New York, for the purpose of hearing the public with regard to the amendment of the Zoning Map for 469 Smith Ridge Road and 471 Smith Ridge Road, South Salem, NY, from Retail Business (RB) to General Business (GB) subject to the Planning Board's and Zoning Board's agreement. Lewisboro is committed to equal access for all. Anyone needing accommodations to attend or participate in this meeting is encouraged to call the Town Clerk's office at 914-763-3511 in advance. Notices can also be viewed on the town's website at www.lewisborogov.com.

BY ORDER OF THE TOWN BOARD
TOWN OF LEWISBORO
JANET L. DONOHUE
TOWN CLERK

Dated at South Salem, New York
this 18th day of June, 2015

TOWN OF LEWISBORO
Westchester County, New York



Tel: (914) 763-5592
Fax: (914) 763-3637
Email: planning@lewisborogov.com
Website: www.lewisborogov.com

Planning Board
PO Box 725
Cross River, New York 10518

August 4, 2015

Honorable Peter Parsons
Supervisor
Town of Lewisboro
Town House
11 Main Street
South Salem, New York 10590

Re: Petition for Zoning Map Amendment -
Visnor Property, LLC

Dear Supervisor Parsons:

The Planning Board has received a referral from the Town Board concerning the above-referenced Petition for a Zoning Map Amendment submitted by Visnor Property, LLC. The Petition proposes a rezoning of three (3) tax parcels, which are identified as Sheet 53, Block 9834, Lots 32, 33 and 34. The requested rezoning would reclassify (1) Lots 32 and 34 from Retail Business (RB) to General Business (GB) and (2) Lot 33 from Retail Business (RB) and Residential (R-1A) to General Business (GB). The combined lots would thus consist of approximately 3.13 acres of lands zoned for General Business (GB) use.

The Planning Board considered the Petition at its July 21, 2015 meeting. The attorney for Visnor Property, LLC, Michael Sirignano, Esq., presented the request for rezoning at this meeting.

Based upon the Petition and the July 21st presentation, the Planning Board recommends that the zoning of the tax lots referenced in the Petition remain unchanged.

The Planning Board finds that a compelling basis for reclassifying these parcels to General Business (GB) use has not been presented. The Planning Board has considered the current zoning classification of this property and determined a wide range of appropriate, and commercially viable, uses can be made of the parcels under the Retail Business (RB) zoning regulations. The requested change to General Business (GB) zoning would add motor vehicle sales, landscape nurseries, storage and sale of building materials, commercial kennels, fast food establishments, manufacturing, fabrication, finishing of products and research laboratories as potential uses for this site, which is in a hamlet setting. Moreover, the Planning Board cannot meaningfully gauge the manner in which the requested zoning reclassification would affect the current character and zoning scheme of the area surrounding these parcels because no definite plan of development has been presented by Visnor Property, LLC. The Planning Board submits such a plan is necessary to fully evaluate any rezoning of this property, especially in light of the Lot 33's status as a parcel

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partially within a Residential (R-1A) district and the proximity of these parcels to neighboring residentially zoned and utilized lands.

I thank the Town Board for its consideration of this recommendation.

Respectfully submitted,

PLANNING BOARD OF THE
TOWN OF LEWISBORO

By: Jerome Kerner / 
Jerome Kerner, Chairman

Memo

To: Honorable Peter Parsons, Supervisor
& Members of the Town Board

From: Robin Price, Chairman &
Members of the Zoning Board of Appeals

Date: August 10, 2015

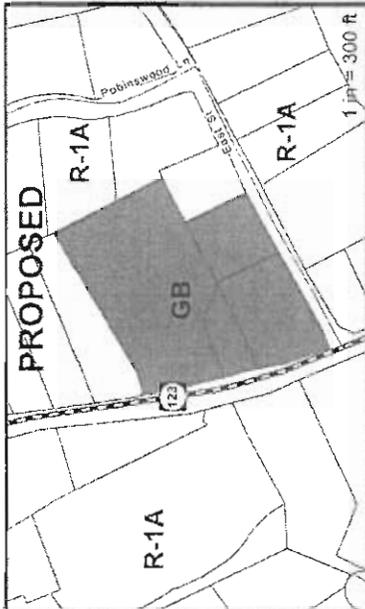
Re: Re-zoning request of Visnor Realty, LLC

At the July 29, 2015 meeting of the Zoning Board of Appeals, the members reviewed and discussed the petition submitted to the Town Board by Michael Fuller Sirignano, Esq. on behalf of his clients Visnor Realty, LLC requesting a zoning map amendment changing the zoning designation of their property located at 469 & 471 Smith Ridge Road in the Vista Hamlet currently zoned RB [Retail Business] and R1A [Residential One Acre] to General Business.

Two of the three members in attendance suggest that the residential zoning designation remain in the rear of the lot as it currently exists to protect the adjacent residential properties. These members support the amendment changing the RB designation to GB.

The third member suggested changing the RB designation to GB and moving the GB designation to match the property line of Copia Garden Center. This will leave a small portion of the residential district intact that abuts the adjacent residential properties. (Please see attached zoning map)

Thank you for the opportunity to review and offer our comments.



VISNOR PROPERTIES - ZONING PETITION

**Mr. and Mrs. Peter Ripperger
463 Smith Ridge Road
South Salem, NY 10590**

August 7, 2015

To the Town Board:

It has come to our attention that the Town Board will be considering a zoning change with the properties of the Vista Market from business retail to business general.

I would like you to know that, as the only residential property directly next door to this property, my wife and I have major concerns. First of all, the building being considered is within 100 feet of our well and septic. In addition, I understand the possible business being considered is a lawn mower equipment business which will be doing repairs. The handling of oil and other garage fluids could possibly have an environmental impact to our property as will the running and testing of the equipment being repaired. This also brings about concerns about the amount of noise produced by leaf blowers, lawn mowers, etc.

We have lived next door to this property for 32 years. By observations this property has not been properly maintained according to their past site plan including but not limited to the following: improper fencing, storage sheds, residents living in a building zoned for business, the parking lot has been opened up for at least 2 ½ months during septic repair. These are very serious concerns for the value of my property. By changing the zoning from business/retail to business/general that opens up any type of business and this deeply concerns us.

We are asking that you seriously take these concerns into consideration as you make your decision. We do not want the quality of life and our property value to be jeopardized.

Sincerely,

Peter and Deborah Ripperger

Mary Hafter

From: Peter Parsons [Supervisor@lewisborogov.com]
Sent: Monday, August 10, 2015 1:48 PM
To: 'Lisa Smith'
Cc: pdelucia@lewisborogov.com; 'Mary Hafter'
Subject: RE: Application to rezone 469 and 471 Smith Ridge Road

Thank you for your extremely well argued e-mail based on your detailed knowledge of the neighborhood. The Public Hearing has now been delayed until Monday, August 24 at 7:30 PM at the Town House. You are of course welcome to attend and speak at that time otherwise I will make sure that your argument is heard.

From: Lisa Smith [mailto:]
Sent: Sunday, August 09, 2015 11:10 AM
To: supervisor@lewisborogov.com
Cc: pdelucia@lewisborogov.com
Subject: Application to rezone 469 and 471 Smith Ridge Road

Dear Mr. Parsons, Mr. DeLucia, and members of the Town of Lewisboro Town Board and Zoning Board;

Just this morning my husband and I became aware of a public hearing scheduled for tomorrow relating to property which abuts the full rear of our property, located at 9 East Street in Vista. Unfortunately we are leaving on a pre-planned vacation in about an hour, and we cannot attend the hearing. We would like to be heard, however, and therefore we are sending this email.

As many of you are aware, we are fully in favor of creating a positive climate in our community for business as well as residences. We supported the efforts of Copia Home and Garden Center to create a safer and more visually pleasing frontage of their property on East Street, but we conditioned our support on the understanding that any business use of the property at 5 East Street would be sufficiently far from our residential property at 9 East Street that noise and activity would not interfere with our use of our own property. To that end the owners of Copia have already spent substantial amounts of time and money putting a sound and sight barrier consisting of pleasing bushes and trees between the properties. The efforts of Copia have the best interests of the community at heart, as evidenced by the fact that the owners live in this very community.

By contrast, the principal owner of 469 and 471 Smith Ridge Road, consisting of 3 lots discussed in their application, is an absentee landlord, and while Copia has improved its entire frontage on Route 123 since they have been in business, the owners of the Vista Market and the old church have done nothing in the 20 years since I have lived here to improve the visual appearance of that property. This leads me to be concerned that whatever plans they may have for this property will not include improving the area, but will be focused on lining the pockets of the owner, to the detriment of our community.

One area of major concern is in the petition itself, which misinforms the Town of the location -- not only does the property in question abut 5 East Street and the Copia property, as stated in the application, but it also abuts the entire rear of our property -- currently entirely forested -- and it abuts three properties on Robins Wood Lane, also providing a woodland atmosphere to the back of those properties. The Petition conveniently omits this very important fact of other homeowners directly impacted by this application. (By contrast the property involved with the Copia change only abutted our property, for which they

have already developed a barrier, we were notified by Copia at every step of the way, and we were given multiple opportunities to make our feelings known). I feel confident that those owners, who have not been formally notified of this Petition, will have the same concerns that we do. Without any explanation of the plans being considered the owners have asked for a rezoning of the entire property to General Business. This could mean that the property would be razed of vegetation, and turned into a parking lot full of trucks, causing noise and fumes, potentially at all hours of the day and night. It would be possible for a business to be put in, with even more noise and disruption of our residential atmosphere, well back from the business atmosphere of Route 123. While it may very well be appropriate for the areas fronting Route 123 to be used for General Business, to rezone the areas behind the frontage property on Route 123 must require a clear plan, and particularly a plan which would include protective zones between any type of residence or business construction and the residences located at 5 and 9 East Street, and along Robins Wood Lane. There also must be a clear plan for ingress and egress into that back property. Even now, with people just coming into the property to use the Vista Market, there are regular accidents. More use will increase the risk to community residents and to others passing through Vista.

We also wonder whether part of the plan could include some affordable housing. We fully support the need for the Lewisboro Community to find places in which to place affordable housing, and a small number of carefully designed units could easily be placed at the back of the existing Vista Market property in a manner which would not create unpleasant noise, or destruction of the existing green area at the back of that property. Of course, Vista should not be the only part of Lewisboro which incorporates affordable housing, and any plan should not intrude on the atmosphere and integrity of the residences now existing here in Vista. We cannot tell from the Petition whether some affordable housing option is part of what is being considered, but perhaps maintaining a residential zoning would be appropriate for this purpose.

We fully support the notion that Vista should have a community center. As much as Copia has added significantly to the vitality of Vista, the community center of Vista is at Oakridge Commons, across from the Vista Fire House and near two gas stations, as well as the newly constructed storage facility.

The Petition is incorrect that the area next to Copia is a community center for business -- moreover, the history of neglect for that property shown by its owner leads us to the sincere concern that any added business on that property will not increase the quality of business in the area, but rather will decrease the quality of the entire area. Even now, while the Vista Market tenants are doing significant work on the inside of the building, the outside remains an eyesore, including consistently damaged parking areas, and what appears to be a mess in the back area of the property. As far as we know there are (or at least have been) tenants in the rather decrepit back building (whether they are or were legally residing there we do not know), and there are areas where illegal dumping has been permitted for years (again, as far as we know). This has gone on without limit by the non-resident owner, who has no interest in the vitality of the community, because he does not live here. His interest is to insure maximum return on his investment. We recognize that the Town has an interest in increasing tax revenues based on increased business in the area, but a willy-nilly change to this property will negatively affect the value of residential properties in the area, so any tax revenue would be offset by decreased property tax values of those residences.

We respectfully ask the Town to take these concerns into consideration as the Petition is considered. If we were not already planning to be away we would be there to put our concerns forward in person, but as I noted, we only just became aware of this Petition. We request that before any decisions are made a full hearing is permitted with notice to the affected residents whose property abuts the properties in question, so that all of us may be heard.

Please do not hesitate to contact us, although we will be unavailable for about a week, due to our

vacation. Thank you for your consideration.

Very truly yours,

Lisa Smith and William Bowen
9 East Street, Vista NY 10590

[REDACTED]
[REDACTED]
[REDACTED]

Sent from my iPad

A meeting of the Town Board of the Town of Lewisboro, Westchester County, New York, was held on Monday, July 27, 2015, at 7:30 p.m. at the Town House, 11 Main Street, South Salem, New York.

PRESENT: Supervisor - Peter H. Parsons
Councilmen - Peter DeLucia, Frank Kelly, John Pappalardo, Daniel Welsh
Town Clerk - Janet Donohue
Absent - None

Also attending was the Attorney for the Town Anthony Mole', Facilities Maintenance Manager Joel Smith, Chief of Police Frank Secret and Confidential Secretary/Benefits Coordinator Mary Hafter.

Mr. Parsons called the meeting to order at 7:33 p.m.

PLEDGE OF ALLEGIANCE

Supervisor Parsons led the Pledge of Allegiance to the flag.

PUBLIC COMMENT PERIOD

There were no public comments.

COMMUNICATIONS

COMMENDATION – Police Officer Alfano

Supervisor Parsons stated that a resident sent a letter to Officer Alfano thanking him for his assistance when his car overheated.

TOWN OFFICIALS AND EMPLOYEES – Resignation of William Cage

Supervisor Parsons stated that William Cage, who worked in the Highway Department, submitted his letter of resignation/retirement from his position as Maintenance Mechanic/Labor effective July 31, 2015. The Board thanked Mr. Cage for his many years of service.

TOWN OFFICIALS AND EMPLOYEES – Title Change

Supervisor Parsons stated that John (Dan) Ray's position will change to Maintenance Mechanic/Labor effective August 3, 2015, at a rate of \$38.01 per hour.

PROPOSED IMPROVEMENT – Route 123

Supervisor Parsons received a letter from the New York Metropolitan Transportation Council stating that they would be doing corrective pavement treatment on Route 123 from Route 35 to Conant Valley Road.

The Board agreed that this was very good news. Mr. DeLucia would like someone to reach out to them to ask about better shoulder work for bicycles and walkers.

CONSENT AGENDA

On motion by Mr. Parsons, seconded by Mr. DeLucia, the Board voted 5-0 to approve meeting minutes.

MINUTES - Approved

On the above motion and second, the minutes of the July 13, 2015, Town Board meeting were approved.

THE VOTE:	Yes	- DeLucia, Kelly, Parsons, Welsh	(5)
	No	- None	(0)
	Absent	- None	(0)

CABARET LICENSE – Renewal Issued for Waccabuc Country Club

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

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Pappalardo, Welsh	(5)
	No	- None	(0)
	Absent	- None	(0)

RESOLUTION

RESOLVED, that the Town Board does hereby authorize renewal of a cabaret license for Waccabuc Country Club as submitted.

REFUSE LICENSE – AAA Carting and Rubbish Removal, Inc.

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

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Pappalardo, Welsh	(5)
	No	- None	(0)
	Absent	- None	(0)

RESOLUTION

RESOLVED, that the Town Clerk is hereby authorized to issue a Commercial and Residential refuse license to AAA Carting and Rubbish Removal, Inc., for a period of one year ending August 25, 2016.

REFUSE LICENSE - Winters Brothers Hauling of CT, LLC

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

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Pappalardo, Welsh	(5)
	No	- None	(0)
	Absent	- None	(0)

RESOLUTION

RESOLVED, that the Town Clerk be and hereby is authorized to issue a Commercial and Residential refuse license to Winters Brothers Hauling of CT, LLC, for a period of one year ending August 4, 2016.

PLASTIC BAGS AND POLYSTYRENE – Legislation

Supervisor Parsons stated that he spoke with DeCicco’s and the Cross River Pharmacy and neither had any objections about the ban on single use plastic bags. The Sustainability Committee also obtained 225 signatures in support of the ban.

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

THE VOTE:	Yes	- Parsons, DeLucia, Pappalardo, Welsh	(4)
	Abstain	- Kelly	(1)
	Absent	- None	(0)

RESOLUTION

RESOLVED, that the Town Board does hereby offer a resolution of support for the law that is proposed by Westchester county Legislator Catherine Parker amending Chapter 863 of the laws of Westchester County concerning the regulation of the use of checkout bags by persons and entities engaged in retail sales and the regulation of the use of expanded polystyrene containers at food service establishments and the sale of polystyrene loose fill packaging.

SPIN GREEN TEXTILE - Authorize Supervisor to Sign

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

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Pappalardo, Welsh	(5)
	No	- None	(0)
	Absent	- None	(0)

RESOLUTION

RESOLVED, that the Town Board does hereby authorize the Supervisor to sign the Spin Green Textile agreement as reviewed by counsel.

POLICE – Five-Year Plan (8:22 – 8:44 P.M.)

Chief Frank Secret presented his five-year plan to the Board (see attached).

MAINTENANCE – Five-Year Plan (7:43 – 8:18 P.M.)

Facilities Maintenance Manager Joel Smith presented his five-year plan to the Board (see attached).

MEETINGS – Date Set

There will be a Town Board meeting on Monday, August 24, 2015 at 7:30 p.m. at the Town House, 11 Main Street, South Salem, NY.

PUBLIC HEARING - Adjourned from August 10 to August 24, 2015

The Town Board of the Town of Lewisboro will adjourn the public hearing that was to take place on August 10, 2015, to August 24, 2015 at 7:30 p.m. or soon thereafter as time permits, at the Lewisboro Town House, 11 Main Street, South Salem, New York for the purpose of hearing the public with regard to the amendment of the Zoning Map for 469 Smith Ridge Road and 471 Smith Ridge Road, South Salem, NY, from Retail Business (RB) to General Business (GB) subject to the Planning Board's and Zoning Board's agreement.

CLAIMS – Authorized for Payment

On motion by Mr. Kelly, seconded by Mr. Pappalardo, the Board voted 5-0 to authorize payment of the Town's bills in the amount of \$305,071.77, with one deletion of item number 40844 for scanning software for the court in the amount of \$995.00.

EXECUTIVE SESSION – To Discuss Personnel Issues

On motion by Mr. Parsons, seconded by Mr. Kelly, the Board voted 5-0 to go into executive session at 8:52 p.m. to discuss personnel issues.

On motion by Mr. Parsons, seconded by Mr. DeLucia, the Board voted 5-0 to come out of executive session at 9:55 p.m.

ADJOURNMENT

On motion by Mr. Parsons, seconded by Mr. Kelly, the Board voted 5-0 to adjourn at 9:56 p.m.

Janet L. Donohue
Town Clerk

MAINTENANCE DEPARTMENT 5 YEAR EQUIPMENT REPLACEMENT PLAN

EXISTING EQUIPMENT

REPLACEMENT SCHEDULE

Vehicle ID	Year	Make / Model	Condition	Replacement Cost	2016	2017	2018	2019	2020
M210	2000	Ford F-150 Service Van	Poor	NO REPLACEMENT	X	X	X	X	X
M211	2002	Ford Explorer	Poor	NO REPLACEMENT	X	X	X	X	X
M213	2004	Chevrolet HD2055 Pickup	Fair	\$ 27,000.00	X	\$ 5,500.00	\$ 5,500.00	\$ 5,500.00	\$ 5,500.00
M207	2004	GMC 1500 Pickup	Good	\$ 27,000.00	X	X	\$ 5,500.00	\$ 5,500.00	\$ 5,500.00
M210	2002	Ford F450 Rack Body	Fair	NO REPLACEMENT	X	X	X	X	X
M204	2008	Chevrolet 3500 Dump Body	Very Good	\$ 30,000.00	X	X	X	X	X
M15	2000	Toro Groundmaster Mower	Good	\$ 30,000.00	X	X	\$ 6,000.00	\$ 6,000.00	\$ 6,000.00
M200	1995	Ford 555 Backhoe	Very Good	\$ 50,000.00	X	X	X	X	X
M5	2004	XMARK 48: Mower	Poor	\$ 5,000.00	\$ 5,500.00	X	X	X	X
M1	1995	Equipment Trailer	Fair	\$ 5,500.00	X	\$ 4,500.00	X	X	X
M2	1986	Kubota Tractor	Good	30,000.00	X	X	X	X	X
M#	1975	John Deere Tractor	Good	NO REPLACEMENT	X	X	X	X	X

\$ 5,500.00 \$ 10,000.00 \$ 17,000.00 \$ 17,000.00 \$ 17,000.00 \$ 17,000.00

FACILITIES MAINTENANCE 5 YEAR PLAN WITH ADDITIONAL CAPITOL PROJECTS

Projects Above Current Projected Routine Maintenance Funding Levels

Project Description	2016	2017	2018	2019	2020
Townhouse Front Patio	7,500.00				
Highway Replacement Heating Fuel Tanks	7,500.00				
Highway Replacement Diesel Tank		10,000.00			
Highway Water Water Tank Remote Alarm		5,000.00			
Cyrus Russell Transfer Switch			2,500.00		
Town Park Water System Transfwer Switch			2,500.00		
Onatru Transfer Switch			2,500.00		
Townhouse Fire Alarm System			7,500.00		
Onatru Fire Alarm System				7,500.00	
Town Park Water System Transfwer Switch				2,500.00	
Highway Garage Door Replacements				5,000.00	
Highway Chain Link Fencing / Gates					10,000.00
Recycling Center Chain Link Fencing / Gates					2,500.00
Highway Barn Transfwer Switch					2,500.00
	15,000.00	15,000.00	15,000.00	15,000.00	15,000.00

Seasonal Workers Above Current Projected Routine Maintenance Funding Levels

Project Description	2016	2017	2018	2019	2020
Brush Clearing @ Parks & Cemeteries	7,500.00	7,500.00	7,500.00	7,500.00	7,500.00

LARGE CAPITOL PROJECTS NEEDED WITHIN 5 YEARS

Salt Dome Roffing and Repairs	130,000.00
Onatru Driveway / Circle / ADA Parking	30,000.00
Town House Parking / Driveway Re-pave	75,000.00
Keeler Field Water Supply Upgrades	20,000.00
Onatru Maintenance Building Roof	20,000.00
Highway Pole Barn Roof	10,000.00
Cyrus Russell Parking Lot Paving	15,000.00
	300,000.00

GOLDENS BRIGHE COMMUNITY HOUSE RENOVATIONS

Insulation Upgrades	10,000.00
Carpet / Tile replacements	12,000.00
Plumbing Upgrades	2,000.00
Electrical Transfer Switch	2,500.00
Electrical Upgrades	5,000.00
Security System	1,500.00
Fire Alarm System	7,500.00
HVAC System Replacement	60,000.00
Door Replacements	3,000.00
Lighting Upgrades	1,500.00
	105,000.00

Lewisboro Police Department

5 Year Plan

Personnel

2016: Making the School Resource Officer a part-time position by hiring a fully qualified, experienced, and former full time School Resource Officer. This position would serve 1,040 hours per school year with the School District absorbing one half the total cost. The present full time School Resource Officer would move to patrol duties as a full time traffic enforcement officer. This officer would be responsible for traffic enforcement at the twenty-one locations within the Town which pose specific traffic and public safety problems. This cost would be absorbed in total by the Town (see attachment).

2017: Staffing levels would remain at 2015 levels.

2018: If the department continues being unable to cover shifts and special details, this would be the point where a full time officer would be added.

2019: Staffing levels to remain at 2018 levels.

2020: Final evaluation of the staffing needs of the department.

Salary figures reflect added personnel and contractual salary and longevity steps.

Lewisboro Police Department

5 Year Plan

Equipment

The equipment needs of the Lewisboro Police Department should remain fairly consistent during the next five years. The plan takes into account an average of a 3% per year increase in overall pricing (although at the time of this report the Consumer Price Index is at -.02%).

Vehicles: The plan calls for the leasing of one new vehicle each year on a four year lease (with the option at the end of the lease to purchase for \$1.00). At the end of the lease, after the purchase if the vehicle it will be turned over to the Town for appropriate distribution. Each year a new vehicle will be leased, and each year a vehicle will be turned over to the Town.

Property Lease: The formula for the lease of the present property and the electric expenses associated with it. Any change of location or rental agreement would alter these figures.

Gasoline: The gasoline expenses were calculated the same as equipment. Since actual prices can be controlled by political influences as well as supply and demand, the estimate is subject to a large margin of error, plus or minus.

One-Time Expenses: The Five Year Plan calls for the purchase of one new radar unit and one new defibrillator.

Full Time Traffic Officer

A full time Traffic Enforcement Officer would prove to be a huge benefit to the residents of the Town for the following reasons:

- On a regular basis, we receive requests from residents, the Town Board, and school officials for traffic enforcement at the following locations in Town

West Lane (Stop Signs)

Elmwood Road (Speed & Stop Signs)

Main Street, South Salem (Speed & Parking)

Bouton Road (Speed)

East Street (Speed)

Smith Ridge Road (Speed)

Mead Street (Speed)

Ridgefield Avenue & Route 35 (No Left Turn)

Mark Mead Road & Route 35 (No Left Turn)

North Salem Road (Speed, School Zone)

Schoolhouse Road (Speed)

Chapel Road (Speed)

Route 138 (Speed)

Todd Road (Speed)

Boutonville Road (No Through Traffic)

Fairmont Road (Speed)

Spring Street (Parking)

Old Bedford Road (Parking)

Anderson Road (Parking)

- A full time officer with assigned traffic enforcement responsibilities would issue between five (5) and eight (8) traffic summons per shift and between two (2) and three(3) parking tickets per shift.
- At present, with one patrol per shift, we are unable to meet the number of traffic enforcement locations on anything close to a regular schedule, making the enforcement hit and miss.

- In the past, the use of part time officers for traffic enforcement details has resulted in limited results.
- A full time Traffic Enforcement Officer would be able to coordinate, with required regularity, traffic grants which are available to this agency from Westchester County. Those grants are worth approximately \$18,000.00 per year. At present, we are unable to take advantage of them.
- The Town of Lewisboro has created traffic laws to increase the safety of our roadways and enhance the quality of life in Lewisboro. At present, we lack the resources to actively, and on a regular basis, enforce those laws. Subsequently, the desired effect of those laws are being minimized.

Police Budget Projection 5 Year Plan

	2016	2017	2018	2019	2020
Chief	119,045	122,170	125,376	128,667	132,044
SRO	38,500	42,046	43,150	44,282	45,488
Part-Time	158,737	162,037	165,433	171,426	172,515
Full-Time	237,463	271,825	342,316	359,935	378,241
Training	11,330	11,699	12,050	12,410	12,785
Court Officer	20,318	20,850	21,406	21,960	22,550
Longevity	6,400	8,000	9,650	9,800	9,950
Overtime	51,500	53,045	54,636	56,275	57,963
Police Vest	2,163	2,230	2,296	2,364	2,440
Radar	X	X	4,500	X	X
Defib	X	X	X	2,200	X
Office Misc	2,060	2,122	2,185	2,250	2,320
Gasoline	21,630	22,280	22,950	23,638	24,347
Uniforms	7,210	7,426	7,650	7,880	8,116
Veh.Maint	4,120	4,244	4,371	4,502	4,367
Firearms	4,120	4,244	4,371	4,502	4,367
Veh Computer	2,472	2,546	2,652	2,732	2,814
Conf.	500	515	530	545	562
Equipment	9,785	10,078	10,380	10,691	11,010
Veh Lease	32,520	33,495	34,500	35,535	36,601
Rental	17,510	18,035	18,576	19,133	19,706
Recorder	3,642	3,642	3,642	3,642	3,642

	2016	2017	2018	2019	2020
SRO School Contrubution	19,250	21,023	21,575	22,141	22,744
Totals	494,311	781,506	871,045	902,228	929,021

Monthly Report July 2105

Quantity	Bld Permit	Permit	CC/CO	RM	EQ
15	Res Minor Work	\$ 2,120.00	\$ 720.00	\$ 28.00	\$ 300.00
4	Res ADD	7150.00	6750.00	8.00	100.00
1	Res Acc Str	400.00	300.00	2.00	50.00
4	Res Alt	1560.00	1160.00	8.00	0.00
2	Res New	12401.00	12201.00	2.00	50.00
0	Res Renew	0.00	0.00	0.00	0.00
0	Comm Alt/Add	0.00	0.00	0.00	0.00
1	Comm Minor	350.00	250.00	2.00	0.00
2	ZBA/ACARC	350.00	0.00	4.00	0.00
1	Other Permits	100.00	0.00	2.00	0.00
2	220-76C	0.00	200.00	4.00	0.00
25	Wetlands/EQ	1550.00	900.00	0.00	300.00
4	Civil Penalty	1850.00	0.00	0.00	0.00
0	Copies	0.00	0.00	0.00	0.00
0	Misc	0.00	0.00	0.00	0.00

Total \$ 27,831.00 \$ 22,481.00 \$ 60.00 \$ 800.00

Total Receipts : \$ 51,172.00

Total Deposits: \$ 51,172.00

Bldg Insp: Peter [Signature]

Date: 7/28/15

Total: \$ 51,172.00

51172

Difference

<u>Res. MW</u>	<u>BP</u>	<u>CC</u>	<u>RM</u>	<u>EQ</u>		<u>Residential Add</u>	<u>BP</u>	<u>CO</u>	<u>RM</u>	<u>EQ</u>	
Dressler	120		20	2	0	Audemard		2000	1900	2	50
Bohane	150		50	2	0	Witkin		200	100	2	0
Scincariello	120		20	2	0	Doyle		1100	1000	2	0
Gottesfeld	120		20	2	50	Sommers		3850	3750	2	50
Newland	150		50	2	50						
Andersen	120		20	2	50						
St. John	210	110	2		0						
Percoco	160		60	2	50						
Wear	180		80	2	0						
Doubraski	190		90	2	0						
Goodman	130		30	2	0						
Antzis	130		30	2	50						
Gottesfeld	20		20	0	0						
Twitty/Cameron	140		40	2	50	Column Total		7150	6750	8	100
Gibson	180		80	2	0	Subtotal		14008			
						Comm. MW	BP	CO	RM	EQ	
						EK Cross River		350	250	2	0
						Column Total		350	250	2	0
						Subtotal		602			
						Res. Alt	BP	CO	RM	EQ	
						Cano		270	170	2	0
						Hoffman		400	300	2	0
						Greenberg		650	550	2	0
						Lancellotti		240	140	2	0
						Column Total		1560	1160	8	0
						Subtotal		2728			
						Res. New	BP	CO	RM	EQ	
						Pinnetti		2500	2400	0	50
						Laurel Ridge		9901	9801	2	0
						Column Total		12401	12201	2	50
						Subtotal		24654			
						220-76C	BP	CO	RM	EQ	
						Benish		0	100	2	0
						Rohrs		0	100	2	0

Column Total	0	200	4	0
Subtotal	204			
Res Renewal	BP	CO	RM	EQ
Column Total	0	0	0	0
Subtotal	0			
Wetland	W/P	S/W	EQ	
Gallagher	150	0		0
Rosen	150	0		0
4 Puddin Hill	150	0		0
Hollander	500	450		0
Moreau	0	0		50
Cannon	0	0		50
Sheehan	150	450		0
Klessen	150	0		0
Hoffman	0	0		50
Feeney	0	0		50
LKA	150	0		0
Rosenberg	0	0		50
Rraci	150	0		0
Kemp/Ahn	0	0		50
Column Total	2120	720	28	300
Subtotal	\$ 3,168.00			
Column Total	1550	900		300

Civil Penalty	CP			
Cano	170			
Goodman	250			
Greenberg	1150			
Lancellotti	280			
Subtotal	1850			

Subtotal	2750			
Other Permits	BP	CC	RM	EQ
Turriago	100	0	2	0

Comm. Add/Alt	BP	CO/CC	RM	EQ
Column Total	0	0	0	0
Subtotal	0			

Column Total	100	0	2	0
Subtotal	102			
ZBA / ACARC	Permit Application	RM		
Witkin	250	2		
McGuire	100	2		

Misc	BP	CO/CC	RM	EQ
-------------	-----------	--------------	-----------	-----------

Column Total	0	0	0	0	Column Total	350	0	4	0
Subtotal	0				Subtotal	354			
Cash					Res. A/S	BP	CO	RM	EQ
					Scinicarello	400	300	2	50
					Column Total	400	300	2	50
Subtotal	0				Subtotal	752			

**PLANNING BOARD
FINANCIAL REPORT
07/31/15**

Current Month Receipts:

General Fund:

Subdivision Fees:		
0	Preliminary	-
0	Final	-
0	Tax Map	-
Application Fees:		
0	Sketch Plan	-
0	Site Plan	-
0	Waiver of Site Plan	-
1	Special Use Permit	-
0	Wetland Permit	-
0	Stormwater Permit	-
0	Engineering and Inspection	-
0	Civil Penalty	-
0	Photocopies	-
0	Public Hearing Sign Deposit	-
0	Reimbursement for Escrow Paid	-
Total General Fund Receipts		<u>-</u>

Planning Board Escrow:

	Sprint - Antenna Upgrade	500.00
	O-2 Living	1,000.00
	Kemp - 30 Sullivan Road	500.00
0		-
0		-
0		-
0		-

	Total PB Escrow Receipts	<u>2,000.00</u>
0	SEQR Escrow Receipts	<u>-</u>
0	Parks & Rec Receipts	<u>-</u>

Total Receipts **2,000.00**

Respectfully Submitted,



Lisa M. Pisera
Planning Board Secretary



Dysautonomia Foundation, Inc.

315 West 39th Street, Suite 701, New York, NY 10018

Tel: (212) 279-1066 • Fax: (212) 279-2066

www.familialdysautonomia.org • Email: info@familialdysautonomia.org

August 11, 2015

OFFICERS

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Executive Director

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Tava Pharmaceuticals

Robert Gross, PhD
Honorary Member, Decedent

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National Institutes of Health

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Eric Schon, PhD
Columbus University

Garf E. Szmanski, PhD
Boston University Medical

Ms. Janet Donohue, Town Clerk
Town of Lewisboro
P.O. Box 500
South Salem, NY 10590

Dear Ms. Cory:

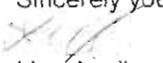
Thank you for supporting our 11th Annual Tour de Foliage, Familial Dysautonomia (FD) Cycle Tour last year. ***Our 12th Annual Tour de Foliage will be held on Sunday, September 20, 2015.*** The cycle tour will feature two routes, a 15 and 40-mile course. We anticipate approximately 100 riders for the two courses. The tour will start and finish at Brookside Elementary School in Ossining, New York. The 15-mile route will tour through Ossining and Yorktown Heights. The 40-mile route will tour through Ossining, Yorktown Heights, Millwood, Golden's Bridge, Katonah, Lewisboro and Somers. (See enclosed cue sheets.)

We will have the same two rest stops as last year: one at Brookside Elementary School in Ossining, the other at the cross section of Route 100 and 118 in Yorktown Heights. Both rest stops will be equipped with toilet facilities and the portable ones will be removed after the ride. Attached are the two designated course routes. We have taken every means to provide a safe bicycle tour by enlisting many volunteers to help monitor the roads including Dutchess/Putnam REACT. The rest stops will be stocked with plenty of food and beverages and SAG wagons will be available to escort broken down riders. In addition, there will be a crew to remove the garbage from all the rest stops along the two courses.

FD is a devastating Jewish genetic disease, which affects the autonomic and sensory nervous system. Babies born with FD can't feel pain, which makes undiagnosed broken bones quite common; they don't cry tears, which causes serious eye problems; their blood pressure, digestive system and heart don't function like yours or mine, which can lead to many other life-threatening consequences. The funds raised from this ride will be provided to the Dysautonomia Foundation, Inc. and will be used for research and clinical care purposes for the FD disease. The Dysautonomia Foundation Inc. is a not-for-profit organization, which supports medical research and clinical care of FD patients.

Please contact me at 212.279.1066 for more details. Please feel free to share any information about the Tour de Foliage with your staff or the public. Thank you in advance for your cooperation for this very important cause.

Sincerely yours,


Lina Aguilon
Assistant Executive Director

Please note: Insurance certificate attached.

a 501(c)(3) non-profit organization supporting medical research and treatment for

FAMILIAL DYSAUTONOMIA

2015 Tour de Foliage, FD Cycle Tour 15-mile Route

Go X Miles	Then Turn	At or Onto	Mileage at Turn
0.0	R	Ryder Rd/Pines Bridge Rd	0.0
3.9	R	Rte 134	3.9
0.5	L	Route 100 North, T at turn	4.4
1.6	ON LEFT SIDE	Rest Stop 100/118 Cross Section	6.0
		TURN AROUND- Route 100 South	6.0
1.7	R	Rte 134	7.7
1.3	L	Chadeayne Rd	9.0
0.6	R	Pines Bridge Rd/Ryder Rd. T at turn	9.6
3.2	L	Brookside Lane	12.8
0.1	R	Brookside Elementary School Finish	12.9

Legend: R = Right, L = Left, S = Straight, Br R = Bear Right, Br L = Bear Left

Safety Tips

Obey all traffic laws

Always wear your helmet, wristband and number

Signal all road hazards and turns

Keep single file on busy roads

Make left-hand turns to allow motorist to flow around you:

From middle of road on 2-lane road

From the right side of left turning lanes

Watch ORANGE arrows for turns to stay on course

FOR A MEDICAL EMERGENCY, CALL 911

If you have a problem on the ride,

or lost and off route, call Melissa @ 914.261.5905

2015 Tour de Foliage, FD Cycle Tour 40-mile Route

Go X Miles	Then Turn	At or Onto	Mileage at Turn
0.0	R	Ryder Rd/Pines Bridge Rd	0.0
3.9	R	Rte 134	3.9
0.5	L	Route 100 North, T at turn	4.4
1.6	ON LEFT SIDE	Rest Stop 100/118 Cross Section	6.0
1.9	L	Moseman Avenue	7.9
0.7	R	Wood Street	8.6
0.9	L	Mekeel Street	9.5
0.5	L	At Stop Sign continue on Mekeel Street	10.0
0.6	R	Pines Bridge Road	10.6
1.1	R	Route 35	11.7
0.1	L	Rte 202 East/118 North	11.8
2.8	R	202 East	14.6
1.9	S	Rte 139	16.5
0.8	L	Sunderland Lane	17.3
1.2	L	Plum Brook Road, T at turn	18.5
0.1	L	Rte 100, T at turn	18.6
1.2	R	Rte 138	19.8
1.8	R	to Rte 22	21.6
0.1	L	Rte 22 South	21.7
2.0	R	Deer Park	23.7
0.2	R	Rte 35 West	23.9
1.8	L	Rte 100 South	25.7
4.2	ON RIGHT SIDE	Rest Stop Route 100/118 Cross Section	29.9
1.7	R	Rte 134	31.6
1.3	L	Chadeayne Rd	32.9
0.6	R	Pines Bridge Rd/Ryder Rd. T at turn	33.5
3.2	L	Brookside Lane	36.7
0.1	ON RIGHT SIDE	Brookside Elementary School Finish	36.8

Legend: R = Right, L = Left, S = Straight, Br R = Bear Right, Br L = Bear Left

Safety Tips

- Obey all traffic laws
- Always wear your helmet, wristband and number
- Signal all road hazards and turns
- Keep single file on busy roads
- Make left-hand turns to allow motorist to flow around you:
 - From middle of road on 2-lane road*
 - From the right side of left turning lanes*
- Watch GREEN arrows for turns to stay on course

FOR A MEDICAL EMERGENCY, CALL 911

**If you have a problem on the ride,
or lost and off route, call Melissa @ 914.261.5905**



NORTON ROSE FULBRIGHT

Norton Rose Fulbright US LLP
666 Fifth Avenue, 31st Floor
New York, New York 10103-3198
United States

VIA EMAIL: Finance@lewisborogov.com

May 4, 2015

Mr. Leo Masterson
Comptroller
Town of Lewisboro
Town House - 11 Main Street
South Salem, New York 10590

Randolph J. Mayer

Partner

Direct line +1 212 318 3383
randolph.mayer@nortonrosefulbright.com

Tel +1 212 318 3000

Fax +1 212 318 3400 nortonrosefulbright.com

Re: Town of Lewisboro, Westchester County, New York
Road Reconstruction - \$600,000 Bonds
Resolution Amending Maximum Maturity of Bonds
File No. 10605121.25

Dear Leo:

In accordance with your request, I have prepared and enclose herewith a form of bond resolution amending the March 23, 2015 bond resolution with respect to the maximum maturity of the authorized to be issued for the reconstruction of roads, including incidental expenses in connection therewith. The enclosed increases the maximum maturity from five years to fifteen years, as provided by the Local Finance Law. This resolution is subject to permissive referendum because it permits the amortization of the debt authorized over a period in excess of five years.

Adoption of the enclosed resolution must be by the affirmative vote of at least four of the five members of the Town Board. Thereafter, the summary legal notice of adoption of the resolution (a form of which I enclose for your convenience) is to be published once in the newspaper designated in Section 11 of the resolution and posted on the Town Clerk's signboard. Such publication and posting must be made not later than ten days after the date of adoption. If this ten day maximum noticing period is not complied with, the proceedings would be invalid and the resolution would need to be readopted.

When available please furnish me with the following:

- (a) Certified copy of the enclosed resolution.
- (b) Original printer's affidavit of publication of the summary notice of adoption.
- (c) Town Clerk's affidavit of posting of the summary notice of adoption.

Upon receipt of these items, we will furnish you with a summary form of notice of estoppel, which should be published once the enclosed resolution becomes effective. I would also appreciate if you would send me a copy of the notice of adoption as submitted to the newspaper for publication.

Norton Rose Fulbright US LLP is a limited liability partnership registered under the laws of Texas.

Norton Rose Fulbright US LLP, Norton Rose Fulbright LLP, Norton Rose Fulbright Australia, Norton Rose Fulbright Canada LLP and Norton Rose Fulbright South Africa Inc are separate legal entities and all of them are members of Norton Rose Fulbright Verein, a Swiss Verein. Norton Rose Fulbright Verein helps coordinate the activities of the members but does not itself provide legal services to clients. Details of each entity, with certain regulatory information, are available at nortonrosefulbright.com. 6627444.1

Please do not hesitate to call if you have any questions.

Very truly yours,

Randolph J. Mayer
RJM:amm

Enclosures

At a regular meeting of the Town Board of the Town of Lewisboro, Westchester County, New York, held at the Town House, in South Salem, New York, in said Town, on May 4, 2015, at _____ o'clock P.M., Prevailing Time.

The meeting was called to order by _____, and upon roll being called, the following were

PRESENT:

ABSENT:

The following resolution was offered by _____, who moved its adoption, seconded by _____, to-wit:

BOND RESOLUTION DATED MAY 4, 2015.

A RESOLUTION AMENDING THE BOND RESOLUTION DATED MARCH 23, 2015, AUTHORIZING THE ISSUANCE OF \$600,000 BONDS OF THE TOWN OF LEWISBORO, WESTCHESTER COUNTY, NEW YORK, TO PAY THE COST OF ROAD RECONSTRUCTION, IN AND FOR SAID TOWN, TO REMOVE THE REQUIREMENT THAT THE BONDS HAVE A MAXIMUM MATURITY LIMITED TO FIVE YEARS.

WHEREAS, by bond resolution dated March 23, 2015, the Town Board of the Town of Lewisboro, Westchester County, New York, authorized the issuance of \$600,000 bonds of said Town to pay the cost of road reconstruction, including incidental expenses in connection therewith, in and for the Town of Lewisboro, Westchester County, New York; and

WHEREAS, the Town Board now wishes to increase the maximum maturity of said bonds from the five years provided in said bond resolution to the fifteen year maximum maturity permitted by the Local Finance Law of the State of New York; and

WHEREAS, all conditions precedent to the financing of the capital purposes hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act to the extent required, have been performed; NOW, THEREFORE, BE IT

RESOLVED, by the Town Board of the Town of Lewisboro, Westchester County, New York, as follows:

Section A. The bond resolution of this Town Board dated and duly adopted March 23, 2015, authorizing the issuance of \$600,000 bonds to pay the cost of road reconstruction, including incidental expenses in connection therewith, in and for the Town of Lewisboro, Westchester County, New York, is hereby amended, in part, to read as follows:

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen years pursuant to subdivision twenty of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds authorized will exceed five years.

“

Section 11. Upon this resolution taking effect, the same shall be published in summary in *The Lewisboro Ledger*, the official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 12. This resolution is adopted subject to permissive referendum in accordance with Section 35.00 of the Local Finance Law.”

Section B. The validity of such bonds and bond anticipation notes may be contested only if:

(1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or

(2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(3) Such obligations are authorized in violation of the provisions of the Constitution.

Section C. Upon this resolution taking effect, the same shall be published in summary in *The Lewisboro Ledger*, the official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section D. This resolution is adopted subject to permissive referendum in accordance with Section 35.00 of the Local Finance Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call,
which resulted as follows:

_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____

The resolution was thereupon declared duly adopted.

* * * * *

STATE OF NEW YORK)
) ss.:
COUNTY OF WESTCHESTER)

I, the undersigned Clerk of the Town of Lewisboro, Westchester County, New York, DO
HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Town Board
of said Town, including the resolutions contained therein, held on May 4, 2015, with the original
thereof on file in my office, and that the same is a true and correct transcript therefrom and of the
whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open
Meetings Law), said meeting was open to the general public.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public
notice of the time and place of said meeting to be given to the following newspapers and/or other
news media as follows:

Newspaper and/or other news media

Date given

I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

Designated Location(s) of posted notice

Date of Posting

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town on May ____, 2015.

Town Clerk

(CORPORATE
SEAL)

NOTICE OF ADOPTION

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Lewisboro, Westchester County, New York, at a meeting held on May 4, 2015, duly adopted the resolution summarized below, subject to a permissive referendum.

The resolution provides that the faith and credit of the Town of Lewisboro, Westchester County, New York, are irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable; that an annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year; that the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds authorized by such resolution, including renewals of such notes, is delegated to the Town Supervisor; that all other matters, except as provided in such resolution, relating to the bonds authorized, including the date, denominations, maturities and interest payment dates, within the limitations prescribed in such resolution and the manner of the execution of the same and also including the consolidation with other issues, and the authority to issue such obligations on the basis of substantially level or declining annual debt service, is delegated to and shall be determined by the Town Supervisor; and that this LEGAL NOTICE shall be published.

A summary of the bond resolution follows:

BOND RESOLUTION DATED MAY 4, 2015.

A RESOLUTION AMENDING THE BOND RESOLUTION DATED MARCH 23, 2015, AUTHORIZING THE ISSUANCE OF \$600,000 BONDS OF THE TOWN OF LEWISBORO, WESTCHESTER COUNTY, NEW YORK, TO PAY THE COST OF ROAD RECONSTRUCTION, IN AND FOR SAID TOWN, TO REMOVE THE REQUIREMENT THAT THE BONDS HAVE A MAXIMUM MATURITY LIMITED TO FIVE YEARS.

The period of probable usefulness of the class of objects or purposes is fifteen years pursuant to subdivision twenty of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds authorized will exceed five years.

THE FULL TEXT OF THESE BOND RESOLUTIONS ARE AVAILABLE FOR PUBLIC INSPECTION AT THE OFFICE OF THE TOWN CLERK LOCATED AT 11 MAIN STREET, LEWISBORO, NEW YORK, DURING NORMAL BUSINESS HOURS.

Dated: South Salem, New York
May _____, 2015

Town Clerk

AFFIDAVIT OF POSTING

STATE OF NEW YORK)
) ss.:
COUNTY OF WESTCHESTER)

I, the undersigned Clerk of the Town of Lewisboro, Westchester County, New York, DEPOSE AND SAY:

That on _____, 2015, I caused to be posted on the official signboard maintained by me pursuant to subdivision 6 of Section 30 of the Town Law, a summary Notice of Adoption of a resolution adopted by the Town Board of said Town on May 4, 2015.

A true and correct copy of such Notice of Adoption is set forth below:

NOTICE OF ADOPTION

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Lewisboro, Westchester County, New York, at a meeting held on May 4, 2015, duly adopted the resolution summarized below, subject to a permissive referendum.

The resolution provides that the faith and credit of the Town of Lewisboro, Westchester County, New York, are irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable; that an annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year; that the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds authorized by such resolution, including renewals of such notes, is delegated to the Town Supervisor; that all other matters, except as provided in such resolution, relating to the bonds authorized, including the date, denominations, maturities and interest payment dates, within the limitations prescribed in such resolution and the manner of the execution of the same and also including the consolidation with other issues, and the authority to issue such obligations on the basis of substantially level or declining annual debt service, is delegated to and shall be determined by the Town Supervisor; and that this LEGAL NOTICE shall be published.

A summary of the bond resolution follows:

BOND RESOLUTION DATED MAY 4, 2015.

A RESOLUTION AMENDING THE BOND RESOLUTION DATED MARCH 23, 2015, AUTHORIZING THE ISSUANCE OF \$600,000 BONDS OF THE TOWN OF LEWISBORO, WESTCHESTER COUNTY, NEW YORK, TO PAY THE COST OF ROAD RECONSTRUCTION, IN AND FOR SAID TOWN, TO REMOVE THE REQUIREMENT THAT THE BONDS HAVE A MAXIMUM MATURITY LIMITED TO FIVE YEARS.

The period of probable usefulness of the class of objects or purposes is fifteen years pursuant to subdivision twenty of paragraph a of Section 11.00 of the Local Finance Law. It

is hereby further determined that the maximum maturity of the bonds authorized will exceed five years.

THE FULL TEXT OF THESE BOND RESOLUTIONS ARE AVAILABLE FOR PUBLIC INSPECTION AT THE OFFICE OF THE TOWN CLERK LOCATED AT 11 MAIN STREET, LEWISBORO, NEW YORK, DURING NORMAL BUSINESS HOURS.

Dated: South Salem, New York
May _____, 2015

Town Clerk

Sworn to before me on
May _____, 2015

Notary Public

Mary Hafter

From: frank kelly [REDACTED]
Sent: Tuesday, August 11, 2015 3:53 PM
To: Peter Parsons; Pete Delucia; Mary Hafter; John Pappalardo; dan.welsh [REDACTED]
Subject: FW: Please distribute this to the twon board for their action Thanks Josh

FYI.

We should make this an agenda item for discussion.

Date: Tue, 11 Aug 2015 15:11:14 -0400
From: jdhiland@aol.com

CC: [REDACTED]
Subject: Please distribute this to the twon board for their action Thanks Josh

Dear Town Board:

I would like to bring up the town ordinance on noise, specifically as related to the lawn mowing and maintenance companies working at 8 am on the weekends. This appeal is only with respect to the Saturday start time, which are now 8 am. For years, my family has been denied the right to sleep later than 8 am on a Saturdays because of lawn mowing, lead blowers and electric saws. I have had enough to the point of requesting a change to the town's noise ordinance.

A brief history: This topic was brought up on August 25th, 2008. The town ordinance prohibits the "machinery" of lawn maintenance from 6 pm to 8 am starting Monday at 6 pm and ending Saturday at 8 am. By 8:01, the trucks pull up and on average, 3 people descend on the lawns with lawn mowers, blowers and electric saws. My personal appeal to the lawn crews themselves is ignored. A petition had previously been presented, signed by town residents, and presented to the Town Board on August 4th, 2008, presented by Susan Ennis to Supervisor Brancati. One concern brought up by Councilman Deluca, which was a fair question, was how this was going to be enforced. From that point on, there has been no action, and it has continued for years.

I would like to propose the following:

1. Saturday lawn work may not begin till 10 am.
2. The Home Owner has an obligation to tell their respective lawn companies of a change of start time.
3. Violations should include a fine of \$100 paid by the home owner. I guarantee this will cause the home owner to call their lawn company and help enforce some quiet deserved by the resident.
4. Violations should be reported to the Building Department by those affected, and should include the time of the offense and the property involved. The Building Department would then send a letter of warning as a first offense, and then a subsequent fine on a second offense.
5. A public hearing may be held to discuss...however, I can think of no emergency which would demand a leaf be blown or a blade of grass cut prior to 10 am.

Thank you
Joshua Fink
59 Truesdale Lake Drive
South Salem

RECEIVED
AUG 11 2015

Michael Fuller Sirignano
Attorney and Counselor at Law

BY: *mf*
email

Old Post Road Professional Building
892 Route 35, P.O. Box 784
Cross River, New York 10518

August 6, 2015

Tel. (914) 768-5500
Fax. (914) 768-9589
e-mail: michael@sirignano.us

Lise Robertson
Lewisboro Town Assessor
P. O. Box 725
Cross River, New York 10518

Condition #4

Re: Tax Map: Sheet 53, Block 9834, Lots 35 and 48 and 36
Property Addresses: 475 Smith Ridge Road and 5 East Street

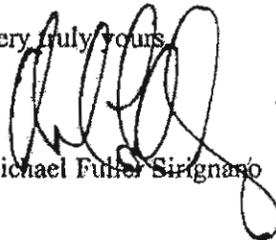
Dear Ms. Robertson:

I represent both Organic Choice, Inc., the owner of tax lots 35 and 48 (475 Smith Ridge Road) and Pietro Cipriano, Jr. and Jennifer Cipriano, the owners of tax lot 36 (5 East Street). My clients obtained Site Development Plan Approval from the Planning Board on July 21, 2015 for their Copia Garden Center (copy of Resolution is enclosed).

Condition #4 of said approval states: "The Tax Assessor shall merge Tax Lots 35, 36 and 48." This letter, as co-signed below by my clients, shall authorize you as Tax Assessor to amend the Tax Map and your Assessment Roll accordingly to reflect this merger.

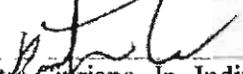
Lastly, please also amend your Assessment Roll to reflect the rezoning of these three tax lots to General Business ("GB") by the Town Board via Local Law #5-2014 adopted on November 3, 2015. Said rezoning action, however, limits the permissible GB uses to only a landscape nursery, with sole GB use being in addition to those uses all in a Retail Business Zoning District.

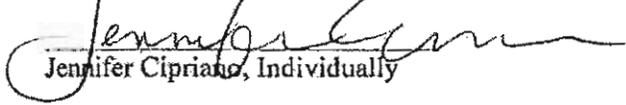
Very truly yours,


Michael Fuller Sirignano

MFS/cp
Enclosure
ORGANIC CHOICE, INC.

By: 
Pietro Cipriano, Jr., President


Pietro Cipriano, Jr., Individually


Jennifer Cipriano, Individually

JENNIFER & PIETRO CIPRIANO
5 East Street
South Salem, New York 10590

August 10, 2015

Condition # 11

RECEIVED
AUG 15 2015

BY: *Jan P.*

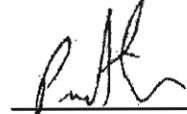
Lisa Pisera
Planning Board Secretary
Town of Lewisboro
P. O. Box 725
Cross River, New York 10518

Re: Site Development Plan Approval, Wetlands Activity Permit Approval
and Town Stormwater Permit Approval: Cal. #1-15 P.B., Cal. #25-15WP and
Cal. #6-15SW, respectively

Dear Ms. Pisera:

In satisfaction of Condition #11 of the Planning Board's 7/21/15 Resolution granting the
above approvals/permit, the undersigned applicants hereby acknowledge that we have read and
will abide by all conditions of said Resolution.


Jennifer Cipriano


Pietro Cipriano

LEASE DATE: 03/01/2015

Condition # 5

THIS LEASE made the 1st day of March 2015, between Visnor Property, LLC hereinafter referred to as LANDLORD, with PC & JC CORP. D.B.A. Cornerstone Gardens and Peter and Jennifer Cipriano with offices located at 475 Smith Ridge Road, South Salem, NY 10590 hereinafter jointly, severally and collectively referred to as TENANT.

Subject: Lease Agreement for property at 469 Smith Ridge Road, South Salem, NY 10590
(Rear Wooded Lot- Residential – Land lease only)

- Includes 6 (six) parking spaces (Not dedicated)

RECEIVED
AUG 16 2015

BY: Amf

Following are the terms agreed to by the undersigned:

1. Term commences March 1st, 2015 and runs until February 28th 2018.
2. Lease amount is \$2,000.00 (Two thousand dollars) per/month due and payable on the 1st day of each month. Rent modification & increase - see schedule A.
3. Electric/Heating Utilities are the responsibilities of the tenant. As applicable.
4. Water will not be supplied.
5. Lease payment includes portion of property taxes.
6. Tenant, at all times during the term of this lease and at tenant's expense, shall provide and keep in force comprehensive public liability and property damage insurance protecting landlord against any and all liability occasioned by negligence. (Landlord is to be named additional insured).
7. Tenant has examined and inspected the demised premises. Tenant agrees to accept possession of the demised premises "as is".
8. Tenant will be responsible for ALL site work in accordance with state & local Laws.
9. All general maintenance i.e.: Grass cutting, snow removal, leaves, parking area is the responsibility of tenant.
10. Maintenance of refuse containers will be the responsibility of the tenant.
11. Tenant shall not assign, sublet or sublease premises under any condition.
12. No alterations or additions are to be performed on the property without written approval of landlord.
13. Cleaning and maintenance of septic tank will be the responsibility of the tenant, as applicable.
14. The intent of the undersigned tenant is to occupy land and is for the sole purpose of a working garden for Peter & Jennifer Cipriano a.k.a. Cornerstone Gardens.
15. No actions will be taken during the term of the lease by the tenant, which hinders the evolution of the site.
16. Option to renew the terms of this lease at existing conditions will not be unreasonably withheld and may be terminated by either party.
17. Organic Choice, Inc. has 2nd (second) right of refusal to purchase property per this lease.

Agreed to:

Landlord - Chris Efstas
Chris Efstas
Visnor Property, LLC

Tenant- Peter Cipriano
Peter Cipriano
Organic Choice, Inc.

Landlord - Avraam Apazidis
Avraam Apazidis
Visnor Property, LLC

Tenant- Jennifer Cipriano
Jennifer Cipriano
Organic Choice, Inc.

Witness - _____

Signed and dated this day the 1st March 2015.

RECEIVED
AUG 13 2015

* To be adopted
at 8/24/15 TB
meeting →

LICENSE AGREEMENT

Not yet signed
by supervisor 8/13/15

BY: *[Signature]*

This agreement is made this ___ day of August, 2015, by and between the TOWN OF LEWISBORO, a municipal corporation in the State of New York with its principal offices located at 11 Main Street, P.O. Box 500, South Salem, New York 10590, (hereinafter referred to as the "Licensor"), and JENNIFER CIPRIANO AND PIETRO CIPRIANO, JR., of 5 East Street, South Salem, New York 10590 (hereinafter collectively referred to as the "Licensee").

WHEREAS, Licensor is the owner of property along the northern side of East Street, known as the East Street Right of Way, in the Town of Lewisboro, County of Westchester and State of New York, as shown on the Site Plan described herein below (hereinafter referred to as "Licensor's Premises"), and

WHEREAS, Licensee is the owner of property known as 469 Smith Ridge Road (Tax Map: Sheet 53, Block 9834, Lot 33), 475 Smith Ridge Road (Tax Map: Sheet 53, Block 9834, Lots 35 and 48), and 5 East Street (Tax Map: Sheet 53, Block 9834, Lot 36), all located in the Town of Lewisboro, County of Westchester and State of New York, (hereinafter referred to as "Licensee's Premises"), and

WHEREAS, on July 21, 2015, Licensee received site development plan approval from the Planning Board of The Town of Lewisboro, subject to certain conditions, to permit certain improvements to Licensee's Premises (the "Site Plan Approval"); and

WHEREAS, the Site Plan Approval requires Licensee to implement a certain landscaping plan which is shown on Drawing No. G.1, entitled "Site Development Plan," prepared by David W. Coffin, Jr., dated January 27, 2015, and last revised June 16, 2015 (the "Landscaping Plan"), a copy of which is attached hereto as Appendix "A"; and

WHEREAS, the Landscaping Plan requires certain landscape improvements on Licensor's Premises as shown in the Landscaping Plan; and

WHEREAS, Licensor wishes to grant a revocable license to Licensee to allow the installation, maintenance and replacement of plant materials in accordance with the Landscaping

Plan; and

NOW THEREFORE, based upon the mutual covenants and promises contained herein, the parties hereto agree as follows:

1. Licensor grants to Licensee the right, privilege and permission to use a portion of Licensor's Premises as shown on Exhibit "A" (the "Landscape Area") for the purposes of installing, maintaining and replacing plant materials in accordance with the Landscaping Plan. Licensor grants to Licensee, its representatives, agents, employees, members, guests, and invitees, the right, privilege and permission to enter into and upon the Landscape Area for purposes of planting, maintaining and replacing the landscaping, which maintenance shall be the sole responsibility of Licensee at Licensee's sole cost and expense.

2. Licensee agrees, as long as this License Agreement is in effect, to indemnify and hold harmless the Town of Lewisboro, its officers, agents and employees, for any damage caused by said landscaping, including any and all injuries to persons or property, except to the extent caused by Licensor's gross negligence or willful misconduct. Licensee hereby agrees to indemnify and hold harmless Licensor, its agents, employees and officers, from all claims or damages resulting from the landscaping installed by Licensee into and on the Licensor's Premises, including but not limited to, damages resulting from the landscaping falling or any fallen or damaged portions of said landscaping and any and all accidents of any nature whatsoever involving the landscaping, and Licensee shall also be responsible for any damage to Licensor's property as a result thereof.

3. Licensee shall name the Town of Lewisboro as an additional insured on Licensee's insurance policy with respect to any damage or injury caused or suffered as a result of the landscaping on the Landscape Area. Licensee shall provide a certificate of insurance naming the Town of Lewisboro as an additional insured to the Lewisboro Town Clerk, 11 Main Street, P.O. Box 500, South Salem, New York 10590 at the commencement of this Agreement, and shall provide certificates indicating any change in such insurance policy. Licensee shall further provide certificates to the Lewisboro Town Clerk evidencing continued insurance coverage as

referred to herein prior to the expiration of any policy term.

4. The privilege granted herein is an accommodation to Licensee and is revocable at will at any time by Licensor, provided Licensor gives at least 30 days written notice prior to the date that a revocation becomes effective. Such notice shall be forwarded to Licensee at Licensee's address as stated herein by certified mail or by personal delivery to Licensee. The notice time period shall commence from the date said notice is deposited in a U.S. Postal Service depository for delivery, or upon personal delivery of same to Licensee.

5. Licensee agrees not to erect any building or other permanent structure on, in or over Licensor's Premises.

6. Licensee shall maintain the Landscape Area in accordance with the Landscaping Plan. Upon receipt of written notice from Licensor of any dead, dying, or defective landscaping within the Landscape Area (the "Defective Landscaping"), which notice shall be sent to Licensee by certified mail, return receipt requested, Licensee shall have sixty (60) days to replace the Defective Landscaping so that the Landscape Area is maintained in accordance with the Landscaping Plan (the "Notice Period"). In the event Licensee fails to replace the Defective Landscaping within the Notice Period, Licensor shall have the right, at its option and in the exercise of governmental discretion, to replace the Defective Landscaping at Licensee's sole cost and expense. If Licensor replaces the Defective Landscaping as a result of Licensee's failure to do so within the Notice Period, then the Licensor may assess the cost thereof against the Licensee's Premises, and shall have all legal remedies available to Licensor to collect from Licensee the cost thereof. Notwithstanding the above, if Licensee receives notice of any Defective Landscaping during the months of October through March, Licensee shall have until May 1 to replace the Defective Landscaping.

7. This Agreement shall remain in effect for so long as the Licensee's Premises is utilized as its current approved uses as of the date of this Agreement.

8. This Agreement shall not be enforceable until approved by the Town Board and signed by both parties.

9. This Agreement shall be construed and enforced in accordance with the laws of the State of New York.

10. This Agreement shall encompass the entire agreement between the parties with respect to the subject matter hereof, and any changes or amendments shall be in writing and signed by all parties hereto in order to be enforceable.

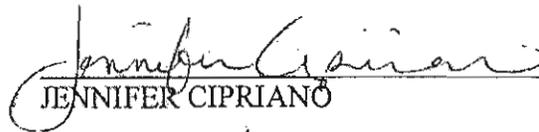
IN WITNESS WHEREOF, the parties have signed this Agreement in the Town of Lewisboro, Westchester County, New York, the date and year first above written.

LICENSOR:

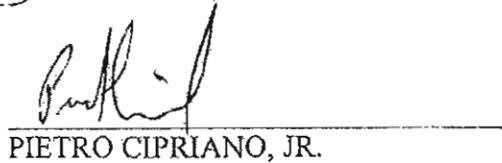
LICENSEE:

TOWN OF LEWISBORO:

By: PETER PARSONS
Title: SUPERVISOR



JENNIFER CIPRIANO



PIETRO CIPRIANO, JR.

ACKNOWLEDGEMENTS

STATE OF NEW YORK)
) ss.:
COUNTY OF WESTCHESTER)

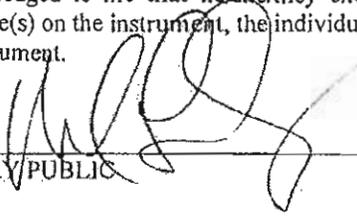
On the _____ day of _____ in the year 2015 before me, the undersigned, a Notary Public in and for said State, personally appeared PETER PARSONS, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

NOTARY PUBLIC

STATE OF NEW YORK)
) ss.:
COUNTY OF WESTCHESTER)

On the 12th day of August in the year 2015 before me, the undersigned, a Notary Public in and for said State, personally appeared JENNIFER CIPRIANO, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

NOTARY PUBLIC

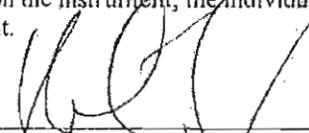


MICHAEL F. SIRIGNANO
Notary Public, State of New York
No. 4709295
Qualified in Westchester County
Commission Expires January 31, 2018

STATE OF NEW YORK)
) ss.:
COUNTY OF WESTCHESTER)

On the 12th day of August in the year 2015 before me, the undersigned, a Notary Public in and for said State, personally appeared PIETRO CIPRIANO, JR., personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

NOTARY PUBLIC



MICHAEL F. SIRIGNANO
Notary Public, State of New York
No. 4709295
Qualified in Westchester County
Commission Expires January 31, 2018