

A meeting of the Town Board of the Town of Lewisboro, Westchester County, New York, was held on Monday, April 11, 2016, at 7:30 p.m. at the Town House, 11 Main Street, South Salem, New York.

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

Also attending was the Attorney for the Town Jennifer Herodes, Parks and Recreation Superintendent Dana Mayclim, Parks and Recreation Leader Nicole Stone, Facilities Maintenance Manager Joel Smith and Confidential Secretary/Benefits Coordinator Mary Hafter.

Mr. Parsons called the meeting to order at 7:36 p.m.

PLEDGE OF ALLEGIANCE

Supervisor Parsons led the Pledge of Allegiance to the flag.

PUBLIC COMMENT PERIOD

There were no public comments.

COMMUNICATIONS

WEEK OF THE YOUNG CHILD – Proclamation

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

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

RESOLUTION

WHEREAS the Town of Lewisboro and other local municipalities and organizations in conjunction with the National Association for the Education of Young Children (NAEYC) and the Country Childrens Center, with five child care sites in our area, including two in Yorktown, are celebrating the Week of the Young Child April 10-16;

WHEREAS by joining the Country Childrens Center in calling attention to the need for high-quality early childhood services for all children and families within our community, these groups hope to improve the quality and availability of such services; and

WHEREAS the purpose of the Week of the Young Child is also to focus on recognizing the early childhood programs and services that meet the needs of young children in our community and to also celebrate their teachers and families;

WHEREAS, the future of our community depends on the quality of the early childhood experiences provided to young children today; and

WHEREAS, high –quality early childhood services represent a worthy commitment to our children’s future;

I, Peter Parsons, Supervisor of the Town of Lewisboro, along with my Town Board, do hereby proclaim April 10-16 the Country Childrens Center Week of the Young Child in Lewisboro, New York, and urge all citizens to recognize and support the needs of young children in our community.

HEALTHY TEEN BRAIN DAY - Proclamation

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

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

RESOLUTION

WHEREAS, our youth are our greatest joy and our hope for the future, so it is necessary for us to support them in making safe and healthy decisions, while creating a supportive environment that safeguards their future, and;

WHEREAS, many of our youth are making very healthy and safe decisions to remain marijuana-free and providing leadership in their schools and communities to help other youth remain marijuana-free, and;

WHEREAS, there is strong objective evidence that marijuana is harmful to the adolescent brain, with the potential to cause distorted perceptions, difficulty with thinking and problem solving, disrupted learning and memory, and impaired reaction time, attention span, judgment, balance and coordination\*, and;

WHEREAS, it is with special pleasure that we join with the youth and adult leaders of the Westchester Coalition for Drug and Alcohol Free Youth in celebrating the first “Healthy Teen Brain Day” to applaud and support our youth who are making healthy decisions, and;

WHEREAS, on behalf of the citizens of the Town of Lewisboro, we are pleased and proud to join all associated with the inception of Healthy Teen Brain Day and urge all citizens to acknowledge this very important day.

NOW, THEREFORE, we, the Town Board of the Town of Lewisboro, proclaim Wednesday, April 20, 2016 to be Healthy Teen Brain Day in Westchester County and proudly join our fellow residents in marking this very special occasion.

*\*American College of Pediatricians – September 2015*

RECYCLING CENTER – Vandalized

Mr. Parsons stated that the E-Waste container at the Recycling Center was vandalized. A lock on the container was cut with bolt cutters. Several items that had been refurbished by Bob Karpel for the Veterans, such as computers and printers, were either destroyed or taken. Also, a large flat-screen television that was going to be used was broken. A Bosch kitchen vent system that would have been given to the library fair was taken. A police report has been filed.

KELLARD SESSIONS – Authorize Supervisor to Sign

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

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

RESOLUTION

RESOLVED, that the Town Board does authorize the Supervisor to sign an authorization for Kellard Sessions to proceed with the annual inspection of the town’s stormwater outfalls and maintenance of the town’s Geographic Information Systems (GIS) stormwater drainage data as provided in the 2016 town budget and reviewed by counsel.

INSTALLATION OF HVAC SYSTEM IN GOLDENS BRIDGE COMMUNITY CENTER – Approve Bid

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

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

RESOLUTION

RESOLVED, that the Town Board does approve the bid for the installation of the HVAC system in the Golden’s Bridge Community House as provided for in the previously approved 2016 BAN and be it further

RESOLVED, that the Town Board authorizes the Supervisor to sign the contract after it is reviewed and approved by counsel.

NATIONAL AWARENESS OF MENTAL ILLNESS (NAMI) – Discussion

Janet Heneghan and Tamra Lanza, Lewisboro residents, are involved with the campaign for National Awareness of Mental Illness (NAMI). They would like the Town of Lewisboro to support the ribbon campaign, which would entail putting ribbons around trees in prominent locations throughout the Town. This campaign is being run throughout Westchester.

The Board suggested that Ms. Heneghan and Ms. Lanza contact Jane Dove to do a story in the Lewisboro Ledger regarding NAMI and also put something on the Town website.

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

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

RESOLUTION

RESOLVED, that the Town Board does support the National Alliance on Mental Illness (NAMI) Ribbon Campaign in Lewisboro designating "May is Mental Health Awareness Month".

CONSENT AGENDA

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

MINUTES - Approved

On the above motion and second, the minutes of the March 28, 2016 Town Board meeting were approved.

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

REPORTS – Monthly Reports

On the above motion and second, the March, 2016 reports from the Building and Police Departments were received and filed.

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

PARKS & RECREATION – Parking for Lacrosse Tournament

Mr. DeLucia stated that he wanted to again discuss the parking situation for the lacrosse tournament that will be held at Onatru Farm. At the previous meeting the Board discussed the possibility of using a certain grass location at the farm for overflow parking. Mr. DeLucia stated that since that time he went over to the area called the “Reservation” and walked it with an area landscaper who was able to use a brush hog to cut back all the invasive plants. He also met with Amy Davidson Locke, from the Garden Club, who agreed with this plan. Mr. DeLucia also suggested that the town would replant some trees that had been lost during recent storms. Mr. DeLucia also met with the lacrosse coordinator and he was pleased with this compromise as well. The Board looked at this as a long term investment.

SPRING STREET - Discussion Re No Parking Between Route 35 and Main Street (7:54 – 8:08 p.m.)

The Board discussed setting a public hearing for no parking in either direction on Spring Street between Route 35 and Main Street. There is a current law in the code that is not clear. It does state that there is no parking on either side of the road Monday through Friday. However, many cars park there and the traffic flow is constricted. The owner of the Horse and Hound, Sue Vales, who was in attendance stated that she has had several complaints about the parking on the street being dangerous. Ms. Vales explained to Mr. Parsons that she has had an agreement with the South Salem Presbyterian Church that any overflow parking can use their parking lot.

Ms. Vales feels that more signs from the highway department stating “NO PARKING” would be helpful. She also feels that there should be no parking on the side of the restaurant but parking should be allowed on the opposite side of the street.

The Board agreed with this and feels that warnings should be handed out at first and then tickets would be issued after a few months of warnings.

Dean and Liza Travalino, who live across the street from the Horse and Hound, were also in attendance. They don’t have problems with the parking and really don’t understand why now there have been complaints.

The Board asked Town counsel to re-write the no parking section on Spring Street and a public hearing will be scheduled.

PUBLIC HEARING – Spring Street No Parking

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

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

RESOLUTION

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Lewisboro, will hold a public hearing on April 25, 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 amending Chapter 212, Section 212-28 entitled "local law to amend Chapter 212, Vehicles and Traffic, Section 212-28, Schedule VII, entitled "Parking prohibited at all times" to read "No parking on South side of Spring Street from Route 35 to Main Street" and Section 212-29, Schedule VIII, entitled "Parking permitted certain hours" to remove both sides of Spring Street, Monday through Friday, from Route 35 to Main Street.

CONANT VALLEY ESTATES – Water/Sewer/Bond Charges (8:09 – 9:06 pm)

Supervisor Parsons read the below at the meeting that was attended by several residents of Conant Valley Estates.

**RESPONSE TO QUESTIONS ASKED BY RESIDENTS OF CONANT VALLEY ESTATES REGARDING OAKRIDGE WATER DISTRICT FEES AND OAKRIDGE SEWAGE DISTRICT ASSESSMENTS**

- A. WATER DISTRICT CHARGES – These are of two kinds:
- A fee which is \$500 per year for the Conant Valley Homes and \$220 per year for each of the Oakridge Condominiums. During the initial discussions when Conant Valley Estates was asking to be included in the water district there was considerable concern about the additional cost of maintaining the connections granted the extra distances involved. The developers made it clear that none of these would be charged to the condominium owners. It seems likely that the higher fees were set to cover this contingency which granted the increasing age of the Estates homes are more and more likely to be needed.
  - A usage fee based on each property's meter reading at a rate which is the same for all users.
- B. SEWER DISTRICT CHARGES – There are two separate charges both based on assessed value:
- 57% of sewer charges go to making payments on the Oakridge Sanitary Sewer Bond. This amounts to \$71,460 per year for the property owners in Conant Valley Estates or 26.3% of the total District payment. Since the assurance to the bond holders for payment of the interest and repayment of the capital depends on the Town's ability to raise taxes, it would seem more than unlikely that we could shift away from the relative certainty of prompt payment based on assessed value i.e. district taxes.
  - 43% of sewer charges go to the operating costs of Oakridge Sanitary Sewer system. This amounts to \$54,452 per year for the property owners in Conant Valley Estates which is again 26.3% of the total District cost. The owners have suggested that the operating costs of the sewage system should be based on usage. Practically this would result in using water consumption as the basis for charges. This amounts to 17% of total district usage or 2,294,284 gallons out of a total of 13,202,847 gallons – homeowners use an average of 3.03 times more water than

condo owners. The result would be that a switch to billing on this basis would save each homeowner in Conant Valley Estates an average of \$875 per annum. From the Town's perspective the cost of doing this would be substantial. Presumably in the interest of equity the Town would have to make the same change at the Wild Oaks Sewer District which is currently billed on the basis of assessed value. In addition the Town would have to access the records of the private company which currently supplies water to that District and this could be difficult unless the residents agree. Finally I cannot see how the Town could change the basis for billing in the Oakridge District without consultation with the condominium owners. The records show that these owners mounted substantial opposition to extending the Oakridge Water and Sewage Districts to include Conant Valley Estates when the development was first proposed.

Town Counsel, Jennifer Herodes, again stated that she would defer to bond counsel, however, it is her opinion that the only thing that may be able to be changed would be the 43% relative to operation and maintenance. But again, she emphasized speaking with bond counsel.

Mr. DeLucia again stated that the Health Department would not let the Conant Valley residents install septic systems and wells because the distances are not there.

Ms. Herodes stated that the Town needs to decide if they want to do what is necessary to make any changes but it is her opinion that it would be very costly to the Town.

Greg Schwartz, a resident of Split Rock Road, Conant Valley Estates, mentioned that the Town Attorney had met with their attorney and he was supposed to look at bedroom count against volume. Mr. Parsons stated that it would be easier for him to check with the Assessor.

Also, Mr. Schwartz feels that the usage of sprinkler water should be backed out because that water is not going into the sewer system.

Mr. Schwartz stated that there are 327 condo dwellings versus a tenth of that in Conant Valley. Mr. DeLucia stated that there are advantages to being on sewer and water. Mr. Schwartz stated that paying \$6,000 - \$8,000 a year for water is ludicrous and unfair.

Jim Williams, also a Conant Valley resident stated that he grieved his taxes years ago and as a result his taxes went down. However, his water and sewage has never gone down. Mr. Parsons stated that his sewage assessment should have gone down and he should discuss this with the assessor.

One resident asked about extending the bond, however, Mr. Parsons stated he believed that the bond was already a 30 year bond, renegotiated from a 20 year bond and that the rate of the bond was low.

Jeff Holbrook, also a Conant Valley resident wondered about reassessing the town. Is this something that the town would consider? Mr. Parsons stated that it would cost millions to do a town wide assessment.

Mr. Holbrook also mentioned that it bothers him when the Board refers to “Buyer Beware”. Mr. Pappalardo stated that they are not at all suggesting that and they are trying to work with them. Mr. DeLucia stated that the homeowners didn’t expect the bond to happen, but when they bought their home they were on sewer and water.

Mr. Parsons will look at breaking out the sprinklers, doing a bedroom count and the town attorney will get the options to the Board regarding whether the petition is brought by the homeowners or by the town and the cost related to each.

Mr. Schwartz stated he has spent the last 20 months working on this situation. He asked what the Board could do. Mr. DeLucia stated that in his opinion, in reality, not much. The district was formed and the bond had to be done to make the repairs. The bond terms were done that way because that is the way the district was formed. Mr. DeLucia stated that there were multiple meetings and postings about this plan.

Mr. DeLucia stated that if there was a public referendum only the residents of the district would be able to vote. Mr. DeLucia also stated that the money coming in from the new condos is going back into the district.

PARKS & RECREATION – Pool Improvements (9:08 – 9:20 p.m.)

Meg Kaplan, Lewisboro Swim and Dive Team Coach along with Dana Mayclim, Parks and Recreation Superintendent, were on hand to discuss the improvements that the Town Board approved at the previous Town Board meeting.

Ms. Kaplan stated that they would like to paint steps leading up to the dive tank, alternating navy blue and kelly green, which are the team colors. They received a donation of three gallons of specialty paint for the concrete steps and Ms. Kaplan, along with other volunteers, would paint the steps. Ms. Kaplan feels that the paint will last for approximately 2 years. Someone needs to paint it this year since the paint is chipped. She can start with a small section and if Ms. Mayclim and Ms. Stone are in agreement, then they will continue to paint. And if not, they can stop painting with the color and repaint with the white paint. And if it becomes too difficult to keep up with the color, they will just go back to the white.

Ms. Kaplan said that the logo of “Team Crush” was a sea turtle. She would like to take the design of their logo and paint the sea turtle on the cement in the diving area. She would be willing to wait until next year for this. Mr. DeLucia suggested possibly ordering a “wrap” of the turtle and lay it down on the concrete. Also, maybe a flag of the sea turtle or something similar to hang up front by the snack bar.

There was also discussion of a possible redesign of the trophy case since they have run out of room. Mr. DeLucia also stated that he feels that the pool also needed an upgraded sound system.

Ms. Kaplan would also like to see a slight ramp which would go in to the storage shed. This area has dirt and when wet, turns to mud. The suggestion was made that pavers be used. Everyone was in agreement that this would be a good solution.

The Board would like Ms. Mayclim to make ACARC aware of these updates via an email.

MEETINGS – Date Set

There will be a Town Board meeting on Monday, April 25, 2016 at 7:30 p.m. at the Town House, 11 Main Street, South Salem, NY.

CLAIMS – Authorized for Payment

On motion by Mr. Parsons, seconded by Mr. Pappalardo, the Board voted 4-0 to authorize payment of the Town's bills in the amount of \$196,800.33.

POLLING OF THE BOARD

PHOSPHOROUS REDUCTION MEETING – Supervisor to Attend

The Supervisor stated that he would be traveling to Albany, NY on Friday, April 15, 2016 to try to obtain money for phosphorous reduction in order to comply with state mandates.

EXECUTIVE SESSION – To Discuss Legal Issues & Potential Criminal Matters

On motion by Mr. Parsons, seconded by Mr. DeLucia, the Board voted 4-0 to go into executive session at 9:23 p.m. to discuss appointments.

On motion by Mr. Parsons, seconded by Mr. DeLucia the Board voted 4-0 to come out of executive session at 9:35 p.m.

ADJOURNMENT

On motion by Mr. Parsons, seconded by Mr. Pappalardo the Board voted 5-0 to adjourn at 9:38 p.m.

Janet L. Donohue  
Town Clerk