

A meeting of the Town Board of the Town of Lewisboro, Westchester County, New York, was held on Monday, May 9, 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, 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 and Confidential Secretary/Benefits Coordinator Mary Hafter.

Mr. Parsons called the meeting to order at 7:35 p.m.

PLEDGE OF ALLEGIANCE

Supervisor Parsons led the Pledge of Allegiance to the flag.

PUBLIC COMMENT PERIOD (7:36 – 7:42 p.m.)

REVENUE AND POLICE DEPARTMENT – Questions

Richard Sklarin, a Park Road, Goldens Bridge resident, asked the Board how the town was doing revenue wise. Mr. DeLucia stated it is very early in the process. Mr. Parsons stated that with sales tax the town has had a reasonably good first quarter to date. Mr. Parsons stated that the Highway budget has done well to date because of the good weather which equated to less overtime. Plus the town received more CHIPS money than the Town budgeted for.

Mr. Sklarin asked about the Police department budget. Mr. Sklarin stated that since 2013 the budget has increased by about 6%. Mr. Sklarin did mention the article about Lewisboro being one of the safest towns, which he applauds. Mr. Sklarin then asked about the youth officer.

Mr. DeLucia stated that there typically is not a public comment period during a work session because the Board is trying to get a lot of work done. Mr. Parsons did put the public comment period on the agenda. Mr. DeLucia stated that he thinks it is fine that Mr. Parsons put the public comment on the agenda and the Board will entertain a few questions but to get into a litany of questions, Mr. DeLucia feels that this is wasting the Boards time during a work session. Mr. Sklarin stated that he has been coming to meetings for the last 18 years trying to be an informed citizen. His question about the police he feels ties into the meeting because the Police Report is being received and filed.

Mr. Parsons stated that he cannot answer Mr. Sklarin's questions regarding the police department because he is in negotiations and won't discuss the finances at this point.

COMMUNICATIONS

HIGHWAY – Portion of Route 35 Named Jackowski Memorial

Mr. Parsons shared with the Town Board that he received correspondence from Senator Murphy’s office that the section of Route 35 from Route 124 to Ridgefield Avenue is being dedicated and known as the “Marine Lance Corporal James J. Jackowski Memorial Highway”. The commissioner of transportation shall provide for the installation of appropriate signage and that the designation shall be of a ceremonial nature.

WOMAN OF DISTINCTION – Town of Lewisboro

Mr. Parsons stated that all the Town Board members received a letter from Senator Murphy asking the Town to submit a name for the Woman of Distinction for the Town of Lewisboro. The Board members will discuss and submit a name by Friday, May 13, 2016.

CONSENT AGENDA

On motion by Mr. Parsons, seconded by Mr. Pappalardo, the Board voted 5-0 to approve meeting minutes and to receive and file departmental reports.

MINUTES - Approved

On the above motion and second, the minutes of the April 25, 2016 Town Board meeting were approved.

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

REPORTS – Monthly Reports

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

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

RELAY FOR LIFE FUNDRAISER – Baseball Clinic

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

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

RESOLUTION

RESOLVED, that the Town Board does authorize a Relay for Life baseball clinic, to be held at either Lewisboro Town Park, Fox Valley or Onatru on Saturday June 4th, 2016, with a rain date of Sunday, June 5th, subject to proper insurance and approval by the Parks and Recreation Superintendent, working together with the Lewisboro Baseball Association and be it further

RESOLVED, that the Town Board does waive all fees associated with this fundraiser.

LEWISBORO HORSEMEN’S ASSOCIATION – Authority for Event

The Board reviewed a request from the Lewisboro Horsemen’s Association for an event called a “Poker Run” in the Town Park. Mr. Parsons said this is an annual event and is well managed by the Association.

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 the Lewisboro Horseman’s Association to use the Town Park for an annual event to be held on Sunday, June 19, 2016, subject to proper insurance.

DUCHENNE MUSCULAR DYSTROPHY FUNDRAISER- Approve and Waive Fees

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

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

RESOLUTION

RESOLVED, that the Town Board does authorize a Duchenne Muscular Dystrophy Fundraiser, to be held at Onatru Farm on August 13, 2016, subject to proper insurance and approval by the Parks and Recreation Superintendent and be it further

RESOLVED, that the Town Board does waive all fees associated with this fundraiser.

STORMWATER – MS-4 Report

Mr. Parsons stated that the MS4 Annual Report has been prepared for the 2015-2016 reporting year (March 10, 215 – March 9, 2016). The Annual Report must be filed with the NYSDEC no later than June 1, 2016. Part VII, A, 2, d of the General Permit requires that the draft Annual

Report be presented to the public with an opportunity to provide comment prior to the June 1 filing deadline by providing access to the draft report via the Town website and providing the public the opportunity to provide comment by sending them via email to the Town Clerk at townclerk@lewisborogov.com and providing the opportunity for a public meeting if requested by 2 or more people.

Mr. Parsons stated that this requirement is being satisfied by the Town announcing the availability of the draft report at the public meeting of the Town Board held today, May 9, 2016 at 7:30 p.m. The draft report is already available for viewing on the Town website at the following link: <http://www.lewisborogov.com/smc>. Any comments on the draft report may be sent via email to the town clerk. A summary of any comments received and intended responses will be filed with the Annual Report. If no requests for a public meeting are received, the draft report will be finalized and signed by the Town Supervisor and filed with the State no later than June 1, 2016.

Mr. Parsons also wanted to thank Joe Cermele and his group for their efforts in completing this report.

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

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

RESOLUTION

RESOLVED, that the Town Board does authorize the MS4 Annual Report to be accessible via the town’s website at www.lewisborogov.com/smc and also provide the public the opportunity to provide comment by sending them via email to townclerk@lewisborogov.com; and providing the opportunity for a public meeting if requested by 2 or more people.

OAKRIDGE SEWER MAIN – Discussion with Christopher Wilson (7:45 – 8:05 p.m.)

Town resident, Christopher Wilson, and his business partner Tom Tortti, from Alternate Designs, discussed with the Town Board his interest in making an application to connect to the Laurel Ridge sewer main, Phase 4. Mr. Wilson owns property which is located at 390 Smith Ridge Road which currently has a gas station on the property as well as an abandoned residential property. He stated that he has left the existing home to maintain the pre-existing usage. He would like to demolish the abandoned structure to allow him to explore development options for the property as the zoning is ½ acre and the property is 1.8 plus acres.

Mr. Wilson stated that due to the advanced stages of construction at Laurel Ridge, they are looking for permission to create the infrastructure to build a spur that would be located on their property. Mr. Wilson stated that Mr. Phil Pine, the developer, is open to them making the connection and to the potential of future additional members in the sewer district. Mr. Wilson stated that they are not looking for a usage approval until they define the actual use but they do recognize the urgency to build the spur before the state of the condominium construction prohibits the connection.

Mr. Wilson explained that all he is looking for is to get a pipe from point A to point B so they can explore their development potential. They want to know that they can tie into the sewer system when the time comes. He would like to get pipe in the ground for future possible usage.

Anthony Mole', Town Attorney, explained that there is a process for the expansion of a sewer district or a tenant to the district which would be a contractual arrangement.

William Bright, from Delaware Engineering, who is the consultant for Oakridge water and sewer, explained that there are a few issues. Approvals need to be obtained. Mr. Wilson would need to get the approvals to either expand the district or negotiate a contract to be a tenant. Then the other issue is that the approved set of plans can't be changed without an approval.

Mr. Mole' also stated that the Homeowner's Association needs to be included in the decision (Mr. Parsons did state that he reached out to them however, no one attended this evening's meeting).

Mr. Bright did state that the most important thing for Mr. Wilson to obtain would be the easement. The Board suggested that Mr. Wilson obtain a land use attorney, an attorney, get in touch with the Oakridge Homeowner's Association and explain what he is looking to do. After Mr. Wilson has everything in order the approval would have to come from the Planning Board.

GROUP HOME – COMMUNITY LIVING – Laurel Road (8:05 – 8:18 pm)

Mr. Parsons referred to a letter that all Board members received from the Richmond Community Services explaining their intent to establish a community residential facility with the proposed site being located at 8 Laurel Road, South Salem, NY (see attached).

Mr. DeLucia remembered a similar situation back in 1998 (ball park) at another location in Vista where a group was looking for a home for community living.

Town Attorney, Anthony Mole' stated that within 40 days, a public hearing needs to be set and a decision made within 40 days from receipt of the letter. He suggested that a public hearing be held at the next Town Board meeting, May 23, 2016, to hear the public's comments and concerns with regard to the location of the residence at the proposed site. He stated that the Board may also have a discussion, if it chooses, regarding this matter, after the public hearing. A determination must be made by the Board at the June 13th meeting, in order to comply with the statutory time frames set forth in the Mental Hygiene Law.

Mr. Mole' continued by explaining that the Town may do one of the following in rendering its determination: 1) approve the site recommended by the sponsoring agency; 2) suggest one or more suitable sites within the Town which could accommodate such a facility or; 3) object to the establishment of the facility, due to the fact that it would result in such a concentration of community facilities....that the nature and character of the areas within the municipality would be substantially altered.

Mr. Mole' also stated that the Town Code may not be enforceable.

The Board did decide to hold a public hearing on May 23, 2016 and the location of the Vista Firehouse was suggested. Mr. Parsons will reach out to the firehouse to see if the meeting space would be available.

In addition to putting the notice for the public hearing on the website, the bulletin board in the Town Clerk’s office and in the Lewisboro Ledger, the Board also suggested that letters be sent out to the neighbors of 8 Laurel Road. It was suggested that the public notice be sent out to properties within 500 feet of 8 Laurel Road, similar to how Zoning alerts of public notices.

PUBLIC HEARING ANNOUNCED - Group Home/Community Living

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

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

RESOLUTION

RESOLVED, that pursuant to Section 41.34(c)(2) of the Mental Hygiene Law of the State of New York, the Town Board of the Town of Lewisboro will hold a public hearing on May 23, 2016 at 7:30 p.m., or soon thereafter as time permits at the Vista Fire House, 377 Smith Ridge Road, South Salem, New York regarding the proposal of Richmond Community Services to locate an Individualized Residential Alternative at 8 Laurel Road, South Salem, New York, which is proposed to house six individuals, with support staff.

SPRING STREET – Three Way Stop Sign

Mr. Parsons stated that after the public hearing was held regarding “NO Parking” on Spring Street in front of the Horse and Hound, it was also brought up that traffic tends to speed through this area. There are lots of people walking and biking because of the church, restaurant and market.

Mr. Parsons went out to this location with Joe Cermele, Peter Ripperger and Frank Secret and they all agreed something needs to be done. Stop signs and cross walks were discussed at the last meeting. The cross walk doesn’t work legally without putting in sidewalks since there needs to be a takeoff and a landing point.

There is one stop sign at Main Street and Spring Street already. One stop sign would be added by the driveway of the South Salem Presbyterian Church and one by the end of the Horse and Hound.

Mr. Parsons will get accident data for the year from Chief Secret and a public hearing will be held.

PUBLIC HEARING ANNOUNCED – Three Way Stop Sign

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

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

RESOLUTION

RESOLVED, that the Town Board of the Town of Lewisboro will hold a public hearing on June 13, 2016 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 a proposed local law to amend Chapter 212, Vehicles and Traffic, Section 212-25, Schedule IV, entitled “Stop Intersections” to erect a three-way stop at the intersection of Main Street and Spring Street.

POLLING OF THE BOARD

TRIANGLE – Bouton Road and Post Office Road

Mr. DeLucia stated that he was approached by a resident concerning the large, overgrown triangle at the Bouton Road and Post Office intersection. This is too big of an area and too steep for the Garden Club to handle. The Board also felt that this would be too big of a project for an Eagle Scout. Mr. Parsons will call the Highway Superintendent to cut down the high grass, etc. and see how it looks after that.

ZOMBIE HOMES – Code Enforcement

Mr. DeLucia talked about a meeting he had with the Mayor Mt. Vernon and one of his big initiatives is zombie homes and garbage, etc. The Mayor is petitioning his homeowners to do Spring clean-up and not let their homes go into disrepair. This Mayor is sending out code enforcement to enforce this.

Mr. DeLucia also stated that pools that aren’t in use, etc., can breed mosquitos with Zika viruses. Mr. DeLucia would like to have our Building Inspector out there being proactive.

Mr. Parsons said that Bedford has a legislation regarding the abandoned homes. The Board will look further into this.

OPEN SPACE AND PRESERVES ADVISORY COMMITTEE (OSPAC) – Great Work

Mr. Welsh sat in on an OSPAC meeting and he would like to thank the committee for all of the great work that they are doing with all of the local preserves.

SUPERVISOR - Out of Town

Supervisor Parsons stated that he would be out of town May 12 through May 16 and June 14 – 25, 2016.

MEETINGS – Date Set

There will be a Town Board meeting on Monday, May 23, 2016 at 7:30 p.m. at the Vista Fire House, 377 Smith Ridge Road, South Salem, New York.

CLAIMS – Authorized for Payment

On motion by Mr. Parsons, seconded by Mr. Pappalardo, the Board voted 5-0 to authorize payment of the Town's bills in the amount of \$357,120.13.

EXECUTIVE SESSION – To Discuss Appointments and Legal Issues

On motion by Mr. Parsons, seconded by Mr. DeLucia, the Board voted 5-0 to go into executive session at 8:46 p.m. to discuss appointments and possible legal issues.

On motion by Mr. Parsons, seconded by Mr. DeLucia, the Board voted 5-0 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 9:36 p.m.

Janet L. Donohue
Town Clerk