

A meeting of the Town Board of the Town of Lewisboro, Westchester County, New York, was scheduled for April 11, 2005 at 7:30 p.m. at the South Salem Library, 15 Main Street, South Salem, New York 10590.

PRESENT: Supervisor - James Nordgren
Councilmen - Jessica Bacal, Pat Daigle, Allen Hershkowitz, Sue Whalen
Town Clerk - Kathleen G. Cory
Town Attorney - Leslie B. Maron

Also attending was the Deputy Supervisor Joann Vasi and Superintendent of Highways Peter Ripperger.

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

HIGHWAYS – Discussion re Dirt Roads

The Town Board and Highway Superintendent discussed the issue of dirt roads. The attached memorandum from the Highway Superintendent was reviewed.

Ms. Bacal said it should be clear that there are some residents who are concerned about certain dirt roads and there are some residents who are happy with the dirt roads where they live. She said the Board should state that it is not trying to pave over roads when people are happy with dirt roads. The Board should address a letter they received back in February from someone who had a problem on a dirt road and explore what the Town Board might do to address the concerns.

Mr. Daigle said the Board is not only addressing the one complaint but those areas where there are complaints and where people have said they do want their road paved. Mr. Nordgren said he has received a few more letters regarding problems on unpaved roads.

Mr. Ripperger said he has no agenda for paving roads. He said in the past residents have called regarding safety issues on some of the dirt roads. He said his department flow-charts every load that goes out onto the dirt roads. Last year on the dirt roads 1,810 tons of bank run gravel were used. With the amount of traffic, certain parts of some roads especially the hill on Chapel Road, are faring badly. Due to heavy truck traffic caused by construction vehicles going to Rockshelter Road, Chapel Road falls apart every time it has been stabilized.

Mr. Ripperger said he had used a product called Earthpave to help stabilize the road but residents complained it was sticking to their cars so its use was discontinued. Mr. Ripperger said there are 12 miles of dirt road and he feels an obligation to maintain those roads for the safety of everyone using them. There are problems in only some areas of those roads. Some areas have been graded down to shale, and at that point it is difficult to get road materials to stay in place.

Mr. Ripperger said the most troublesome roads are Chapel Road, Old Pond Road, Yerkes Road, Sullivan Road and Old Church Lane. Among other remedies Mr. Ripperger suggested asking the school district to re-route buses off those roads and banning the heavier trucks.

Tom Fogarty said he lives on Rockshelter Road and has been there for six years. He cited an experience he had coming down the hill on Chapel Road during a snowstorm when his car was damaged by a drain. He also said there is a great amount of dust that is generated from the dirt road. He said many of his neighbors want to see the road paved. Mr. Nordgren suggested making the road one-way heading up hill. Mr. Ripperger said the road has a 28% grade and people wouldn't be happy with a one-way street. He noted that one section of the lower part of Chapel Road was paved many years ago in an attempt to solve problems there.

Ms. Bacal said the Board needs to find a balance to make the road safer but not create a thoroughfare. She asked if the grade could be lowered. Mr. Ripperger said it isn't possible due to the steepness. He said it was better with the Earthpave material.

Ms. Bacal said she felt the Board should do whatever was needed to insure safety on the roads. Mr. Ripperger discussed repairing 1500 feet of Chapel Road from the top of the hill down to meet the existing pavement. At current prices he said repaving would cost \$65,000 a mile. This road has no pavement at all and would need 2 ½ inches of bottom blacktop and 4 inches of topping which would be close to \$30,000. He said it isn't practical to pave just the hill and not the area at the bottom as the runoff would wash out the dirt portion.

Mr. Hershkowitz suggested that Mr. Ripperger put together some suggestions for driving techniques to spare the road. Mr. Ripperger said there is an enforcement problem. He also suggested curtailing the school bus traffic or asking the school district to use smaller buses. Mr. Fogarty said a comparison should be made between paving and on-going maintenance of dirt roads. Mr. Ripperger noted that the maintenance is heaviest in the winter. He noted that the Town of Bedford has a crew that only does dirt roads, and added that it costs more to maintain dirt roads than paved roads. He said he spent \$27,000 on 1,810 tons of material in 2004. Another \$54,000 should be added for labor.

Paul Lewis of the Conservation Advisory Council said they found information on the internet that provided a 10-step analysis to make a determination of when to pave or not. One of the first steps is to take an inventory of what the problem areas are and prioritize them. The internet site stated that the accident rate might remain the same because people will drive faster once a road is paved. Paving won't necessarily solve that. Also the drainage patterns change with impervious surface being installed.

Ms. Bacal noted that paving on Todd Road did cause traffic to move faster and create a hazard. Mr. Ripperger suggested using the Police Department Smart trailer to monitor traffic. Mr. Lewis said he drove around in a heavy rainstorm recently and he was surprised at how good the roads were. He noted runoff from a dirt road is only 15% of what it is from a paved road. However a lot of the runoff is ending up in the swamps.

Ms. Bacal stressed that the Town needs to find a balance between problems and solutions. Mr. Lewis said Mr. Patek's analysis of paved roads shows that for one inch of rain .79 inches of rain will run off on a paved road, whereas .12 inches will run off of a dirt road based on a flat road. Mr. Nordgren noted that Mr. Patek calculated that with 12 miles of dirt road the perviousness of dirt roads reduced storm water run off by 4.6 million gallons per year.

Colleen McLafferty of Boway said she lives on a dirt road. She said people don't modify their driving based on the road conditions. Her concern is the type of maintenance that's used. She has seen an erosion of the road edge. Mrs. McLafferty said her property has a pond near the roadway. As the road is graded it is widened and the drainage is sloped toward the pond. The pond is now much larger than it was. She said she was concerned that long-term maintenance be properly done. Mr. Hershkowitz said that was applicable regardless of whether road was dirt or not.

Maureen Koehl of Spring Street said years ago the Highway Department solved a run-off problem on Boway by diverting the water off to the left to what was a semi-wetland area that had wildflowers. The road runoff that doesn't make it into the storm drains now drains into what was a fairly dry area. For the past five or six years it has silted in and taken on a whole new look and changed the character of that land. She said she is in favor of dirt roads and Boway is much better now than it was 30 years ago. Mrs. Koehl said she was asked to say what she thought of dirt roads from her position as Town Historian. She said when they moved here in 1969 Boutonville Road was dirt up to Spring Street and it was being paved as they moved in. She can't imagine it not being paved now. She said the Town should preserve as much of the dirt roads as it can, but safety comes first. Mr. Hershkowitz questioned the location of the catch basin.

Mr. Ripperger said 10 years ago drainage solutions involved installing catch basins on dirt roads. Now the State is advising against installing catch basins and going back to natural drainage, installing swales, etc. He said the catch basins on Boway took all that run-off and made the delta in Truesdale Lake because the Town forced the water to go where it didn't naturally go. Years ago when the road had more swales the vegetation was normal.

Mr. Hershkowitz asked if it was naïve to think that the drainage patterns could be reversed. Mr. Ripperger said it would be difficult because homes have been built where drainage used to go. Arthur Einstein said he lives on a dirt road which is a wonderful model for selective paving. He urged the Board to consider paving portions of roads only, for safety purposes.

Tom Herzog said he has lived on Woodway for close to 70 years. He said years ago Woodway and Boway were two tracks with grass in the middle. He urged the Board to keep in mind what time of year it is when traffic is counted.

Al Koehl of Spring Street said he travels dirt roads in town every day and noted the amount and speed of traffic on them. If those roads were paved he felt the traffic and speed would be much worse.

Mr. Hershkowitz said regardless of whether the Town paves or not some kind of traffic information from the Highway Superintendent would be helpful. Mr. Ripperger noted that perhaps it would be appropriate to make traffic one way or cut off traffic completely on dirt roads at certain times of the year. He noted that the Town of Phillipstown imposes a surcharge for people who want to keep their roads unpaved.

SOUTH SALEM FIRE DEPARTMENT – Discussion re Emergency Communications System

South Salem Fire Chief Joseph Posadas introduced Barry Brown of ESS Communications who explained a town-wide communication system the fire department is interested in purchasing. The system would allow all emergency services and municipal workers to communicate with each other.

Ted Sohonyay, Chairman of the Town's Antenna Advisory Board explained various communication systems. ESS is proposing repeater communications which allows talking point to point and would mesh highway and emergency channels. The new system is called "crossband" and is the system the County of Westchester is heading toward. The local fire districts are in the process of getting radios under that system so they can talk to each other. Mr. Barry said all the fire departments will be able to talk to each other. The Lewisboro system is modeled on one from the Town of Pound Ridge where all agencies can talk to each other.

Mr. Sohonyay said a radio in a truck or vehicle is a mobile radio. In hand-held walkie-talkie there isn't the same coverage. Most of the emergency services use the mobile radio. It was noted that the Fire Department will need a repeater, but the new system will help highway and police. Mr. Barry said it is an inter-operability channel. Everyone will keep their own separate band but can interact with each other.

Mr. Posadas said the fire department is in favor of this to speed communications with the police department and to allow communications with other fire departments. He said the South Salem Fire Department is working on getting grant funding for the system but is asking the Town to contribute to the licensing fee.

Mr. Sohonyay said radio frequencies are a scarce national resource. The Federal Communications Commission issues the frequencies. Mr. Barry said the Town has two licenses, one each for the Highway and Police departments. ESS would be opening up the license and asking for a modification to add the repeater input pair and add the second UHF frequency.

Ms. Bacal asked how much time it would take to get the FCC license. Mr. Barry said he has seen it take from 8 weeks to 14 months. He said there are some frequencies available and the FCC looks more strongly at applications from emergency services. Mr. Hershkowitz asked if it would solve all the Town's emergency services' communications problems. Mr. Barry said yes, it would allow them to all talk to each other. He said their topographical map tells them that most of the Town could be covered from an antenna near the intersection of Routes 123 and 35. Mr. Hershkowitz asked if the school buses could talk to the police. Mr. Barry said no, they need to use cell phones or bus radio. Mr. Hershkowitz asked if they could be tied into the system. Mr. Barry said they should be on the system only in an emergency.

Ms. Bacal asked how this affects the problem with the cell tower over in Pound Ridge. Mr. Barry said it has nothing to do with that tower. Mr. Nordgren asked Mr. Sohonyay if he thought it was a good idea. Mr. Sohonyay said his feeling was that there would be coverage problems in Goldens Bridge even with the repeater, however he felt it was a good concept. Mr. Nordgren asked Ms. Bacal if the Emergency Preparedness Task Force of which she is chairman would like

to comment on the system. Ms. Bacal said the only member with communication expertise is Mr. Posadas and she didn't want to hold up the license application.

Mr. Daigle asked if the \$2,000 was the only expenditure by the Town Board, and who was funding the balance of the system. Mr. Sohonyay said the \$2,000 is money well spent to get the license. Mr. Posadas said the fire district is seeking grants for the balance of the funding. Ms. Bacal said even if they don't get the grant it will still be worth having the license in place.

Mr. Barry said the FCC gives the licensee up to 18 months to put something on the air. If you don't put anything on the air after 18 months you risk losing the frequency. It is possible to file for an extension. He noted that in such cases his firm has rental repeaters and they put a test signal out to hold the frequency.

Mr. Maron asked if the new system was compatible with the equipment in the trucks now. Mr. Barry said it is compatible and they just have to be re-programmed.

On motion by Mr. Nordgren, seconded by Ms. Bacal the Board voted as follows:

THE VOTE:	Yes	- Nordgren, Bacal, Daigle, Hershkowitz ,Whalen	(5)
	No	- None	(0)
	Absent	- None	(0)

RESOLUTION

RESOLVED, that the Supervisor be and hereby is authorized to sign an FCC license application and to expend up to \$2,000 for the license application fee.

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Mr. Nordgren asked if there had been any progress in talking to the cellular carriers about a tower on the fire department site. Mr. Posadas said the best thing to do is to ask for a work session with the commissioners to discuss what their concerns are. Mr. Sohonyay said he had no problem with that.

(Mr. Nordgren and Mr. Hershkowitz left the meeting at this point.)

ADJOURNMENT

On motion by Mr. Daigle, seconded by Mrs. Whalen, the Board voted 3-0 with two absent to adjourn at 9:10 p.m.

Kathleen G. Cory
Town Clerk

