

A meeting of the Town Board of the Town of Lewisboro, Westchester County, New York, was scheduled for April 25, 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, Sue Whalen
Town Clerk - Kathleen G. Cory
Town Attorney - Leslie B. Maron

ABSENT: Councilman - Allen Hershkowitz

Also attending was the Deputy Supervisor Joann Vasi.

The Supervisor called the meeting to order at 7:34 p.m.

TOWN PROPERTY – ADA Compliance and Facilities Upgrade

The Town's consultants, Will Agresta for planning, Tom Altermatt for engineering, and Jay Fain for wetlands met with the Board to discuss the creation of a conceptual master plan for the Town campus on Main Street in South Salem.

Mr. Agresta said everyone has been involved in the plan to expand the library for the past five years. The library representatives appeared at the latest meeting of the Architecture and Community Appearance Review Council seeking their approval of the library's expansion plans and the members of ACARC said it is time to have a master plan for the campus.

Mr. Agresta said the consultants are present tonight at the request of the Board to obtain authorization to go forward with the plan. He has listed 8 steps to be taken in the process.

Mr. Fain said if the library is to go forward with an integrated master plan that considers the four major uses, (the post office, library, Highway garage, Town House,) parking circulation, lighting landscaping, pedestrian access around the buildings, type of uses, safety-- all those things have to be looked at before moving forward in a unified process. He said the consultants are best suited to prepare the master plan. Mr. Fain said he has felt very strongly about the Town campus for a long time. He feels that the consultants should move forward and offered to do his work at 50% of his usual rate. Mr. Fain said this would probably be the most important project he has worked on in the Town.

Mr. Agresta said the purpose of the sketch plan is to get the Town to a plan that really makes sense. The library can't go forward without circulation and parking improvements on the campus which are beyond the library's control. Ms. Bacal said there has been discussion which has been speculative and ethereal and no basis on which to have a real discussion. Mr. Fain said with the library's application the focus is on the building, and safety issues get overlooked. Once the Town deals with the safety issues then the Planning Board can have a real look at it. Town Attorney Les Maron said even if there was no full agreement on a plan at least if the library got their variances from the Zoning Board it is a starting point. Mr. Nordgren said if the ZBA says

the four variances look alright and then ACARC, the Planning Board and the Town Board look at what that implies for circulation and parking and say "it doesn't work," the Town won't be forced to accept a plan that is solely driven by any Zoning Board variances granted. Mr. Agresta said he couldn't totally agree with that statement because there are other boards who will get involved. If the library is granted the variances they need that doesn't mean other boards will agree. If the variances are not granted, that doesn't mean the problems can't be overcome.

Jay Fain said the process does need to move forward; there are ADA improvements needed at the Town House and improvements needed at the highway garage. What will come out of the process is direction in terms of what the existing constraints are and what direction the library can expand with a minimum of variances.

Ms. Bacal said she agreed that the site plan is the most important part of the project, and the lack of one is why the Town Board hasn't been able to wholeheartedly give the library approval. Mr. Agresta said no matter what the library does the Town will be involved.

Mr. Agresta said if the Town Board authorizes the work the consultants would come up with three new alternatives. The Town Board could focus on one or pieces of all of them which would then be refined into a single plan. Other players would have to weigh in on that plan. Jay Fain said they have come up with some plans that are similar but are different in terms of access points, circulation, etc.

Ms. Bacal asked what the estimated cost might be. Mr. Agresta said he thought between \$3-5,000 and \$10,000.

Mrs. Whalen asked for clarification that the plan would include circulation and parking but nothing definitive at the Town House or Highway Department, just delineating where expansion could take place. Mr. Agresta said the focus is safety issues, from there the sketch plans start dealing with and curing those problems. Once the Board can define alignments and where parking should be they will see what's left over and that defines what areas can be built on and within that area it's not hard to extrapolate what can be built. He said there is a potential for getting over 11 cars parked at the recycling center. Finding parking isn't the problem, it's finding the circulation paths that work and are safe and provide a good distance between the traveled way and buildings, and insuring that the buildings aren't crowding each other. The consultants will be defining the site and determining how much building can be put on it.

Mr. Agresta said the consultants can define the footprint, but not the actual building. Mr. Nordgren said the Board did authorize getting detailed estimates to find out what it would cost to design ADA improvements for the Town House and he has some estimates. The project would be paid for by a \$50,000 grant for ADA improvements. Mr. Agresta said they will be outlining theoretical boxes in various places, including the library. At some future point the Board can get around to designing improvements for the Town House and Highway garage.

Mr. Agresta said the boxes may be overlapping and the Board would have to decide if they wanted to let others use the Town's space or reserve a percentage or give it all to the library, etc. Ms. Bacal said the Board doesn't want to put itself in a position where the Town is hampered in

ADA compliance. Mr. Nordgren said this plan will tell the Board if it will box in the Town or not. Mr. Agresta said without radical changes to this property the Town Board is somewhat hemmed in to what can be done unless the Board goes to the radical plan looked at in the design competition which can be done at any time in the future. Mr. Agresta said the consultants are not looking at that, they will be looking at what can be done to fix circulation and safety issues. Whatever space is left over will be for whatever the Board needs to do.

Ms. Bacal said authorizing the consultants should be done at a regular meeting so people will understand what is being done. The Board decided to wait and authorize the campus master plan at a regular meeting. Mr. Fain said it will take them at least 30 days to prepare the sketches. They want to get the reaction from the Planning Board first.

EXECUTIVE SESSION – Interview

On motion by Mr. Nordgren, seconded by Mr. Daigle, the Board voted 4-0 to go into executive session to interview a candidate for a position on a Town committee.

BOY SCOUTS – Fundraiser

Mr. Nordgren noted there will be a fund-raiser for the Vista Boy Scouts at the Vista Community House on April 28 at 7:30 p.m.

CONSERVATION ADVISORY COUNCIL – Appointment of Associate Member

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

THE VOTE:	Yes	- Nordgren, Bacal, Daigle, Whalen	(4)
	No	- None	(0)
	Absent	- Hershkowitz	(1)

RESOLUTION

RESOLVED, that Ray Morse be and hereby is appointed as Associate Member of the Conservation Advisory Council for a term ending December 31, 2005.

WETLANDS – Discussion re Alleged Violation on Elmwood Road

Mr. Nordgren advised the Board that Dr. Martin of Elmwood Road has complained again that work on ballfields at Onatru has caused siltation in his pond. He also claims that work on the new soccer field exacerbated the problem.

The Board decided to ask the Wetland Inspector to take another look at the pond and report to the Board.

OPEN SPACE – Bell Property Purchase

Mr. Daigle asked what the Board is doing in the 90-day due diligence period. Mr. Nordgren said that he has a list of things that need to be reviewed. The contract was signed about two weeks ago and the title report is done. The Town Engineer has to go out and study the septic systems, water sources and talk to the Department of Health. Mrs. Whalen asked the Town Attorney for a copy of the title report. She also asked about surveys of the property. Mr. Maron said they have some complete surveys and some partial surveys but they are not crucial as the Town is not doing anything. He said they have ordered new surveys for the pieces on the north end of the property by Route 35. It would be too expensive to survey the whole property.

Mr. Nordgren said the Land Trust did contract with RKW who had done one of the surveys for a previous owner. He asked if they are surveying areas where there are encroachments. The Town attorney said no because they were marked on the surveys but were insignificant. Mr. Nordgren noted there were 10 such cases and the Town will have to deal with it afterward. He also said Jay Fain is going to be doing wetlands and not doing all wetlands but the least the Town can get away with. On Rt. 123 where the Town is going to separate an 8-acre parcel he is just doing around that 8 acres. The Building Inspector is inspecting the buildings and preparing to issue letters in lieu of Certificates of Occupancy. Town Engineer Tom Altermatt is doing the site plans to divide the property into four lots. He has to locate septic tanks, insure septic expansion areas and divide off as much as is needed to make legal lots. The Town is doing the subdivisions. The consultants will then go to the Planning Board to get approvals to subdivide and have already done a lot of preliminary work.

Mr. Daigle asked if that work will be done in 90 days. Mr. Nordgren said no it wouldn't but the Town should know if it is subdividable and get some sense from the Planning Board. Perhaps the Town will need more than 90 days. He said he would email the Board members the long "laundry list" he's gotten from Paul Gallay and Tom Anderson of the Land Trust and the Town Engineer.

Mrs. Whalen asked if Paul Gallay was working on the financing aspect of the purchase. Mr. Nordgren said no, the Town is going to do whatever has to be done. The Town will be floating a short-term bond anticipation note at 1% or 2%. He said the Town does have from Senator Vincent Leibell a pledge that he will cover the interest which is \$65,000. The Town will recoup the money expended, a couple million dollars, from the sale of the houses.

Mr. Maron said because the Town won't get the money from the City of New York at the closing, the Town has to borrow. Mr. Nordgren said if the Board finds things they don't like, if the Planning Board says it isn't going to be subdividable, if the houses are unmarketable, the Town can cancel the purchase. Ms. Bacal said if there's a leak from the underground tank that would be a major cleanup issue. Mr. Nordgren said an option would be for the Town to either call off the purchase or say "we need to take \$75,000 off."

Mrs. Whalen questioned the funding arrangements. Mr. Nordgren reviewed the funding sources noting that \$5,000,000 is being donated, the Town is paying \$1,000,000 from the Open Space Fund, there is an additional \$100,000 (from a source the Supervisor did not identify). That is the

\$6,100,000 the Town has to fund. The DEP will put in \$1,000,000 and another \$400,000 is coming from the Dexter McGonagle Foundation. The Town will have to fund \$2,200,000 at 1 to 2% interest. Hopefully the Town will start selling off the homes and hopefully recoup \$2,000,000. The buildings are appraised at slightly over \$2,000,000. Mr. Nordgren said the Town will get \$4,000,000 coming in and will have plenty for maintenance. He said that gives the Town a “big cushion” because the Town is taking a big risk--real estate could collapse by 20%.

Mr. Maron asked if the Town is planning to sell all four houses, and Mr. Nordgren replied in the affirmative. Ms. Bacal said the Board had thought initially perhaps they'd keep one and put the others up and see how the real estate market goes.

ADJOURNMENT

On motion by Mr. Nordgren, seconded by Mr. Daigle, the Board voted 4-0 to adjourn at 9:12 p.m.

Kathleen G. Cory
Town Clerk