

A meeting of the Town Board of the Town of Lewisboro, Westchester County, New York, was held on Monday, June 13, 2016, at 7:30 p.m. at the Town House, 11 Main Street, South Salem, New York.

PRESENT: Councilmen - Peter DeLucia, Frank Kelly, *John Pappalardo, Daniel Welsh
Town Clerk - Janet Donohue
Absent - Supervisor, Peter H. Parsons (attending the Women of Distinction Awards)

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

And approximately eighteen (18) residents/observers.

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

PLEDGE OF ALLEGIANCE

Deputy Supervisor DeLucia led the Pledge of Allegiance to the flag.

Mr. DeLucia also asked for a moment of silence in remembrance of the Orlando nightclub shooting victims.

PUBLIC COMMENT PERIOD

Nick Koechlin, Elmwood Road, made a few comments regarding the proposed group home at 8 Laurel Road. He already made his comments known in a letter to the Town Board about his feelings on the group home (see page 15). We have been through a lot in the last 10 years with low income housing. What, if any costs has the town incurred such as taxes to the county to defend our town? Mr. DeLucia stated that it has not cost the town anything and there has not been a county tax increase in 7 years. Mr. Koechlin is somewhat concerned in this era when the rights of the disabled are so central to the Federal Government. Mr. Koechlin wondered if the Town received a legal opinion and Mr. DeLucia responded yes, we have town counsel. Mr. Koechlin stated that when the Federal Government wants something a certain way, they can be very strong.

Robert Fields, Captain Lawrence Drive, has lived here since 1988. Mr. Fields has two handicapped children, one who lives in a group home in Rockland County. The group home is in a very expensive neighborhood and they have been very welcoming. The group home is an excellent neighbor with little to no noise. Mr. Fields felt that all the objections that he read about in the minutes were "absurd". The care givers are up 24 hours and awake, so if they hear anything going on in the streets, it could actually add to the safety of the neighborhood. Mr. Fields stated that he thinks about all the comments that he read about the group home and his thought was that God forbid that any of them or their children were to become disabled. Would they then do the honorable thing and leave town? If not this home should be approved, Mr. Fields stated.

Scott Forbes, Laurel Road, stated that he thought the public hearing was closed as of June 2, 2016 and Mr. DeLucia stated yes, that was correct. This is an open public comment period at the beginning of meetings where anyone can make a comment. Mr. Forbes said that he disagrees and he does not think any of the comments that were made are “absurd” at all and to label these concerns absurd is “stupid”.

EAGLE SCOUT PROJECT – Approved

Evan Neu, a South Salem resident who is working towards his Eagle Scout project made a presentation to the Board. He is creating signs which will be incorporated into a walking tour and placed in front of six historical properties in the South Salem hamlet. He has already met with the ACARC secretary and reviewed the ACARC application process. He also met with the Assessor to review the block, lot and ownership information of the six sites included in his Historical Walking Tour.

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

THE VOTE:	Yes	- DeLucia, Kelly, Welsh	(3)
	No	- None	(0)
	Absent	- Parsons, Pappalardo	(2)

RESOLUTION

RESOLVED, that the Town Board does give their permission for Evan Neu to undertake an Eagle Scout Project erecting ACARC approved signs for a walking tour in the hamlet of South Salem at the following locations: Lewisboro Library, Lewisboro Town House, South Salem Presbyterian Church, South Salem Presbyterian Graveyard, Russell Antiques, and The Horse and Hound, and may it further be

RESOLVED, that all fees be waived for this Eagle Scout project.

PUBLIC HEARING – Stop Signs at Spring Street and Main Street, South Salem, NY (7:49 – 9:09 p.m.)

Deputy Supervisor DeLucia called the public hearing to order. There was no objection to the time or form of the public notice (attached).

The public hearing was to hear the public’s comments on the installation of two stop signs, one at the intersection of Spring Street East and Main Street and a second stop sign at Spring Street West and Main Street. The installation would make the Spring Street and Main Street intersection a three-way stop.

Mr. DeLucia stated that he did speak with the Police Chief and there had been two accidents near this location since 2012 and they were both related to pulling in or out of the parking lot.

*John Pappalardo arrives at 7:51 p.m.

Louis Taffera, a Main Street resident who has resided there for 40 years and who also owns a building on Spring Street next to the Horse and Hound where his office is located, opposes the installation of these stop signs. Mr. Taffera offered the following comments:

Public Hearing – Stop Signs

June 13, 2016

Good evening I am Louis Taffera and I have resided for almost 40 years at 3 Main Street with Patsy Orlofsky where we have 2 buildings. I also have my office at 96 Spring Street for the last 30 years adjacent and east of the Horse and Hound where I have another 2 buildings. My office faces out to the Main Street/ Spring Street intersection and I see the traffic going by all day long from my office and from our home in the evening.

I am here tonight to oppose the proposal to add 2 additional stop signs at the intersection of Main Street and Spring Street. I have also spoken to my 3 neighbors on Main Street, between the South Salem Presbyterian Church and the Lewisboro Town House, and they also are opposed to the proposal to add the additional stop signs.

Decisions about placing Stop Signs as traffic control devices should have a sound basis....What are the traffic counts at this intersection? What is the accident history? And does the configuration of the intersection lend itself to the placement of stop signs.

TRAFFIC COUNTS: I have not heard any information as to traffic counts or accident history to justify the placement of additional stop signs...In fact, I would suggest that based on my experience living and working in proximity to this intersection that traffic has not increased at all in quite a number of years and has probably decreased in recent years due to the less use of the Church...no Jewish Family Congregation nor Catholic Masses any longer nor the religious schools associated with them...less traffic to and from the Town House since the Town Court, Planning Board and ZBA no longer meet at the Town House... the Spring Street Market and the closing of Lewisboro School have also reduced traffic counts. There has been no new development in the area and none is planned.

ACCIDENT HISTORY: As I said before I have lived at 3 Main Street for 40 years and have had my office at 96 Spring Street for 30 years and I am not aware of any

traffic accidents at the Main Street / Spring Street intersection during that time. If there have been any the Town should place in the record any information about accident history.

INTERSECTION CONFIGURATION: As I understand it the proposal it is to place a stop sign in the area just after the driveway to the Horse and Hound parking lot, adjacent to my 96 Spring Street office. This location is after a curve to the right traveling down the hill from Route 35 east on Spring Street. Even with a warning sign that a stop sign is ahead drivers will be at this sign before they are able to see it. A recipe for cars to roll right through the sign.

While drivers traveling west on Spring Street.. from the direction of the Spring Street Market.. would hopefully be able to see the sign..though it will have a canopy of the huge evergreen on the Church property over it, no driver expects to encounter a stop sign at this intersection, given its configuration. Again, a recipe for rolling right through the traffic control device.

As the safety concern at this intersection has apparently been explained to me it is one of concern for patrons leaving the Horse and Hound bar late at night and possibly having to cross Spring Street to get to their cars in the Church parking lot. The solution being proposed is to place additional stop signs plus the additional warning signs for the hour or so period when Horse and Hound bar patrons are going to their cars late in the evening...Is there any information about how many cars are parked in the Church lot by the Horse and Hound patrons ?

While there may be a problem of some cars traveling at excessive speed on Spring Street and Main Street I do not find that problem any different than drivers traveling at excessive speed all along Main Street to the Ridgefield line...nor any different from the drivers I encounter each evening walking around Truesdale Lake on Lake Shore Drive, Truesdale Lake Drive, Boway or Gilbert Street...nor probably no different from many Town roads. The answer is more enforcement and lowering of the speed limit in the hamlet area, not installing traffic control devices and the associated signs and pavement markings in the South Salem hamlet area which is an architectural overlay area and already marred by too many traffic signs and pavement markings. There are already 24 traffic signs on

Spring Street between Route 35 and the Spring Street Market and on Main Street within 200 feet of the intersection with Spring Street.

I understand the desire to get drivers traveling down Spring Street from Route 35 and toward Route 35 from the hamlet area to reduce speed. I am also aware that it is necessary to obtain a local law State approval for speed limits lower than 30 mph, BUT there are, in fact, reduced speed limits of 15 mph and also 20 mph for the curves on Spring Street approaching the South Salem Presbyterian Church from the east after Boutonville Road and in front of the Spring Street Market. These curves appear to have radii greater than the curve at the Horse and Hound location and, in fact, have much better sight distance than that in front of the Horse and Hound. Is it not possible to have a similar 15 mph speed limit at this Horse and Hound curve based in the radius of the curve and the limited sight distance without State approval being necessary?

I believe this stop sign proposal is a solution looking for a problem and should be rejected.

Harvey Kipnes, who lives on Main Street, lives next to the parking lot of the South Salem Presbyterian Church. He feels that there is usually only a few nights where the restaurant is busy. He feels that most of the foot traffic from the Horse and Hound to the church takes place in the evening and at closing hour. Mr. Kipnes is in agreement with Mr. Taffera that no more stop signs should be placed here.

Mr. Kipnes also suggested moving the 30 MPH speed limit sign that is located by the proposed stop sign site to further up Spring Street.

Mr. DeLucia asked Town counsel about regulations regarding moving an already posted speed limit sign to a different spot on the road. Ms. Herodes responded that the Board should check with the Highway Superintendent.

Mr. Kipnes also encouraged the Town to put up a sign that states "Pedestrian Crossing".

Robert Fields, who resides on Captain Lawrence, said that some residents tried to have a stop sign erected on Bouton Road and Captain Lawrence by the Lewisboro Elementary School. Mr. Fields stated that the Town very wisely said no because they don't want anyone to rely on the stop sign because invariably many people would go through the stop sign. He feels it is safer for pedestrians to look both ways before crossing.

Dean Travalino, Spring Street resident, concurs with Mr. Taffera and Mr. Kipnes in terms of the effectiveness of the stop signs. Mr. Travalino feels that the stop signs would be too little too late. This is a very active hamlet and he feels that lowering the speed limit would help. Mr. Travalino still would like to see quaint hamlet signs warning people that they are entering a hamlet and in the future would like to see 25 mph when the approval is received from the state.

Since Supervisor Parsons was unable to attend the meeting, he asked Deputy Supervisor DeLucia to read the following into the minutes:

At our last meeting there was some confusion as to whether the "No Parking" zone extended to the east end of the Horse & Hound property or whether it finished at the entrance to the Horse & Hound's eastern parking lot. As of now the law reads that it ends at the eastern end of the property but on the ground the signage goes with the latter interpretation.

At the same meeting, there was considerable concern about pedestrian safety particularly as any restriction on parking will have the practical effect of forcing more Horse & Hound patrons to make use of the reciprocal agreement which allows them to park in the South Salem Presbyterian parking lot. I was asked to consider a marked pedestrian crossing or stop signs as a way of increasing pedestrian safety. As a result, Joe Cermele (Town Engineer), Peter Ripperger and I spent some time at about 4:00 PM one afternoon assessing the situation. Our conclusions were:

- 1. Crossing Spring Street to and from the Horse & Hound to the SSPC parking lot is indeed dangerous even for those who know the intersection well in day light.*
- 2. A pedestrian crossing will not work because there are no sidewalks to act as take-off or landing points and the law requires these.*
- 3. Three way stop signs would work and would enhance safety. There is sufficient space to make them visible to traffic.*

4. *Stop Signs are, however, required to have "No Parking" areas for 30 feet in front of them. Practically this would mean reverting to the No Parking zone as written into the law.*

Personally I would adopt a law which created a three way stop intersection. The Elmwood Road/West lane area has several and they are reasonably effective. I am not saying that every vehicle comes to a complete stop but the overwhelming majority slow right down. I recognize that this would force us to maintain the No Parking zone as enacted but we need to remember that many of the restaurant patrons are not residents of the area. That said it is only my opinion.

Incidentally Lou Taffera called me to vociferously complain about reducing the size of the No Parking area and to oppose on aesthetic grounds any more signage or increased markings on the road way.

Mr. Taffera states that he walks from his office on Spring Street to his home and the Post Office and he has never had any problem with cars. In fact, they usually stop for him.

Mr. Travalino stated that he feels there are three ways of evaluating if you need stop signs. You can have a study done similar to what the Planning Board requires of their applicants, you can talk to residents. It seems pretty clear that the residents in that area do not want any more stop signs. Or the third way to determine if stop signs should be there would be to have the Supervisor and Engineer walk around one day for 10 minutes.

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

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

RESOLUTION

RESOLVED, that the Public Hearing for three-way stop signs at Spring Street and Main Street, South Salem, NY, is closed.

Mr. DeLucia said that it's not a typical 3-way stop. He feels that together with the information that he received from Chief Secret and the fact that we didn't have a long traffic count or traffic study, he does not feel that two additional stop signs should be installed.

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

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

RESOLUTION

RESOLVED, that the Town Board will not adopt the motion to install two additional stop signs at Spring Street and Main Street.

PUBLIC HEARING - Amendment to Local Law 3-2016; amendment to Chapter 212, Vehicles and Traffic, Section 212-28

Deputy Supervisor DeLucia called the public hearing to order. There was no objection to the time or form of the public notice (attached).

Mr. DeLucia had a complaint from a local business that the “No Parking” signs that were placed in front of the parking lot on Spring Street were there in error. Mr. Parsons had stated that this is what was in the minutes and Mr. DeLucia stated that he felt the minutes were wrong. Mr. DeLucia asked that another public hearing be held at the next meeting, June 13, to further discuss the amendment to the current local law. Mr. DeLucia asked that until the public hearing the two signs that are in front of the east parking lot be removed by our Highway Superintendent, which they were.

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

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

RESOLUTION

RESOLVED, that the public hearing regarding the revision to Local Law 3-2016 regarding no parking on Spring Street South by Horse and Hound parking lot, is closed.

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

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

RESOLUTION

LOCAL LAW NUMBER 4-2016 OF THE TOWN OF LEWISBORO

SECTION 1 -- TITLE

This Local Law shall be known as 2016 Amendments to Section 212-28 Schedule VII: Parking Prohibited at All Times; and Section 212-29 Schedule VIII: Parking Prohibited Certain Hours, of Chapter 212: Vehicles & Traffic.

SECTION 2 -- ADOPTION

Now therefore be it enacted by the Town Board of the Town of Lewisboro Local Law 4-2016 that this law shall take effect immediately upon its passage:

SECTION 3 – VEHICLES & TRAFFIC

Section 212-28 of Chapter 212, Vehicles & Traffic, is hereby amended to read as follows:

Amend §212-28 – Schedule VII: Parking Prohibited at All Times.

In accordance with the provisions of §212-11, no person shall park a vehicle at any time upon any of the following described streets or parts of streets:

Name of Street	Side	Location
Bouton Road	Both	From 100 feet west of Stewart Road to 100 feet east of Scotts Lane
Boutonville Road South	Both	Entire length
Chapel Road	Both	From Mead Street to Kings Grant Way
Chapel Road	Both	From Route 121 to Mead Street
In front of grocery at Cross River Plaza	----	Fire zone
Cove Road	Both	In front of Block 11157, Lot 24, and 5 feet east and 5 feet west on both sides of Cove Road
Cove Road	Both	In front of SH 33A, Block 11156, Lot 27, and 5 feet northeast and 5 feet southwest on both sides of Cove Road
East Street	Both	From Lockwood Road to Silver Spring Road
Fairmount Road	East	From Quincy Court to a point 896 feet south
Fairmount Road	East	From 100 feet south of Quincy Court north To Wild Oaks Road
Fairmount Road	West	From 225 feet north of Quincy Court to 100 feet south of White Birch Lane
Fairmount Road	West	From the south side of Quincy Court to a point 100 feet south
Fairmount Road	West	Between a point 200 feet south of Quincy Court and Waccabuc Road Goldens Bridge Commuter Parking Lot ----North and south ends (map 4-11-1989)

Hillside Avenue	North	Entire length
Lake Shore Drive	West	Along the entranceway to the Highway Department and Town House and 5 feet on either side thereof
Main Street	West	From 800 feet north of Salem Hill Road to Spring Street
Manor Drive	Both	In the cul-de-sac and 100 feet therefrom
Mark Mead Road	North	From the westerly intersection with Route 35 to a point 200 feet east
Mark Mead Road	South	From the westerly intersection with Route 35 to a point 300 feet east
Mead Street	Both	From Chapel Road to the North Salem town line
Mead Street	East	From Tarry-a-Bit Road to the North Salem town line
Mead Street	West	From Tarry-a-Bit Road to the North Salem town line, excluding a 100-foot section of Mead Street beginning at a point 270 feet south of Chapel Road and continuing in a southerly direction for a distance of 100 feet from said point
Meadow Street	Both	Entire length
In front of stores at North County Shopping Center	----	Fire zone
North Salem Road	Both	From Route 35 to Mark Mead Road
North Street	Both	Entire length
Oakridge Common	----	Tow-away zone opposite the entrance/exit driveway
In front of the stores at Oak Ridge Commons	----	Fire zone

Old Bedford Road	Both	From Route 138 to the intersection of the first triangle
Onatru Farm	----	Designated zones (map of 7-31-1986)
Onatru Farm	Both	Between the north and south barns
Oscaleta Road	Both	From 300 feet south of the channel between Lake Waccabuc and Lake Oscaleta to 300 feet north of the channel
Oscaleta Road	Both	From Old Pond Road to the North Salem town line
Park Avenue	Both	From Meadow Street to Old Bedford Road
Park Road	East	From 20 feet north of Cherry Court to 20 feet south of Cherry Court
Park Road	East	From 20 feet north of Dogwood Court to 20 feet south of Dogwood Court
Park Road	East	From 20 feet north of Peach Court to 20 feet south of Peach Court
Park Road	West	Entire Length
Redcoat Lane	Both	Entire length
Road No. 1	Both	Entire length
Road No. 2	Both	Entire length
Road No. 3	Both	Entire length
Road No. 4	Both	Entire length
Road No. 5	Both	Entire length
Road No. 6	Both	Entire length
Road No. 7	Both	Entire length
In front of stores at shopping plaza on east side of Routes 121 and 124	----	Fire zone

Sabbathday Hill Road	Both	In the cul-de-sac and 100 feet therefrom
Schoolhouse Road	Both	From Route 121 to Mead Street
Scotts Lane	East	For 400 feet from Bouton Road
Scotts Lane	West	For 150 feet from Bouton Road
Silver Spring Road	Both	From East Street to the Connecticut state line
Spring Street	Both	From Route 35 to the cemetery entrance
Spring Street	North	From Lake Shore Drive to Main Street except 275 feet along Spring Street from the church driveway 200 feet from Lake Shore Drive
Spring Street	South	From the eastern side of the easternmost entrance of 94 Spring Street to the western side of the entrance of 90 Spring Street
Town Park on Route 35	-----	Designated zones (map of 7-31-1986)
Twin Lakes Road	Both	In front of or opposite SH 34B, Block 11827 Lots 34, 35 and 36
Twin Lakes Road	Both	From a point 2,800 feet from Oscaleta Road to a point 3,300 feet therefrom

SECTION 4 – VEHICLES & TRAFFIC

Section 212-29 of Chapter 212, Vehicles & Traffic, is hereby amended to read as follows:

Amend §212-29 – Schedule VIII: Parking Prohibited Certain Hours.

In accordance with the provisions of § 212-12, no person shall park a vehicle between the hours listed upon any of the following described streets or parts of streets:

Name of Street	Side	Hours/Days	Location
Anderson Lane	Both	9:00 a.m. to 6:00 p.m. Monday through Friday	Entire Length
Gideon Reynolds Road	Both	7:00 a.m. to 5:00 p.m.	For a distance

		Monday through Friday	of 750 feet west of the Intersection with Route 121
Green Street	Both	9:00 a.m. to 6:00 p.m. Monday through Friday	Entire Length
Highway Department Dome Access Drive	Both	Monday through Friday	Entire Length

SECTION 5 – HOME RULE

Nothing in this Local Law is intended, or shall be construed (a) to limit the home rule authority of the Town under State Law to limit the Town's discretion in setting fees and charges in connection with any applications requiring Town approval.

SECTION 6 -- SEVERABILITY

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part of provision or application directly involved in the controversy in which judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Town of Lewisboro hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

SECTION 7 – EFFECTIVE DATE

This Local Law shall take effect immediately upon filing in the office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

COMMUNICATIONS

BOY SCOUTS - Eagle Project for Sean Butler

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

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

RESOLUTION

WHEREAS, SEAN BUTLER of Lewisboro, New York, is a member of Vista Boy Scout Troop 101, and

WHEREAS, SEAN BUTLER by his conduct, responsibility, principles and achievements in following the trail of Scouting, has acquired the resourcefulness and leadership ability that will stand him in good stead in his future life, and

WHEREAS, SEAN BUTLER by virtue of his Scouting experience and unselfish service to home and community has earned the highest honor of the Boy Scouts of America, the rank of Eagle Scout, and

WHEREAS, SEAN BUTLER improved the safety of the playground at the St. John's Early Learning Center on Spring Street in South Salem by replacing the rotten railroad ties which formed the border around the playground with new wood and then beautifying the area by laying down new wood chips and planting new grass, and

WHEREAS, SEAN BUTLER built a new shed at the playground in which toys for the children can be stored so protecting them from the weather and extending their useful life so reducing the school's costs, and

WHEREAS, this honor is deserving of public notice, now therefore,

BE IT RESOLVED, that the Town Board of the Town of Lewisboro, in recognition of the worthy achievement of this citizen of the Town of Lewisboro, does hereby offer the congratulations of its populace to Eagle Scout SEAN BUTLER, and

BE IT FURTHER RESOLVED, that this resolution be spread upon the minutes of this June 13, 2016 Town Board Meeting for future generations to see and that copies of this resolution be presented to Eagle Scout SEAN BUTLER and his parents.

LIBRARY FAIR – September 24, 2016

Mr. DeLucia announced that the Library Fair will be held at Onatru Farm on September 24, 2016. Onatru will also be open for donations to the Fair on all four Saturdays in August and on September 10. The hours for dropping off donations will be from 10:00 a.m. until noon.

GROUP HOME/COMMUNITY LIVING – Resolution for 8 Laurel Road

Mr. DeLucia did read this letter from Mr. Nick Koechlin, which was already included in the public comment portion of the public hearing on the group home, held on May 23, 2016, however, since other than the homeowner's letter, this was the only positive letter that the Town received:

Gentlemen,

I want to add my written comments to the public discussion held regarding this matter at the May 23 Town Board Meeting, which I was unable to attend. I have reviewed the documents that were included with the meeting agenda (though at least one page is missing from NY Mental Hygiene Law site selection document that is posted on the Lewisborogov.com web site.) I have also read the news article related to this proposal which was published in the May 26 edition of the Lewisboro Ledger

My comments:

First, my immediate concern is that members of our community are applying pressure to the Town Board to reject this proposal based on discrimination against the intellectually disabled adults who will live in the house should the proposal be approved. I base this on the nature of the concerns of the citizens and the attorney representing one family as they were reported in the Ledger. These seemed to have little relevance as to whether a group of six adults could live safely without disrupting the lives of their neighbors in this house. I may be wrong. However, we have a very long history of discriminating against the intellectually disabled in this country, and in this state. (I ask you to remember the scandals unearthed at the Willowbrook State School on Staten Island in the 1970s.) And although we have come a long way, I, having a 62 year old intellectually disabled brother, can tell you from a lifetime of experience that harsh discrimination still exists, especially for the elderly. Among the conclusions experts reached decades ago regarding providing a safe, fulfilling and healthy living environment for the intellectually disabled, one of the most important factors is that every disabled person deserves the right, and will thrive only in an environment that is not isolated from the rest of society. Although no one disputes this, it is often the case that those people who are asked to accept the disabled in their communities react with fear and discrimination. I am asking that you be vigilant in not allowing these prejudices to interfere with making the right decision regarding this proposal.

Second, I agree that the proposal presented by Richmond Community Services is weak and incomplete. I think it is your responsibility to determine whether this is evidence of a poorly managed organization that could be an unreliable and unstable neighbor. I think the only way to determine whether this is so, is to visit homes that the organization now manages, to review its finances in detail, and to make sure that the staff is committed and professional. It is also a concern of mine that on the [RCS web site](#) the most recent Form 990 posted is from 2011. (If you want or need assistance with this due diligence process I am willing to offer my time to visit sites and review necessary documents. Perhaps we can be joined by some neighbors from the Laurel Road neighborhood.) If RCS proves to be poorly run, then I think your only conclusion can be to reject the proposal.

Third, if in your investigation you find that RCS is a well-financed, professionally managed organization with a strong and committed staff (and board), I ask that you clearly outline what factors must be addressed before you will approve this location as a community residential facility for the disabled. Here I return to my first point: In this process it is your responsibility to work with RCS openly and resourcefully to find solutions to the obstacles that must be addressed. For example, if the septic system is inadequate, be clear what improvements must be

made, and in doing so, let them know that if they make the investments in these improvements that you will approve the application. Be clear. Be open. And if at all possible, give these people the right to live the life we all have the luxury of taking for granted.

If you have further questions or comments, please feel free to email me or to call me at 917-690-4374. I can fill your day with 62 years of stories of the heartbreaking daily challenges and prejudice that an intellectually disabled person must face. I do have hope, however, because I see now the opportunities that exist for new generations of children that never existed for my brother. The most important of these is that they have the right to live full lives among us all. And with that, amazingly, they enrich the lives of all of us. If you question that this is the case, I suggest you head over to Ridgefield one evening soon and check out what is happening at the Prospector Theater. Thank you, Nick Koechlin, Elmwood Road

Before reading the final resolution, Mr. Welsh stated that because the intended residents of the group home would require serious medical care including multi-person assists, ventilators and feeding tubes, he doesn't see how Vista is the best location for the home. Mr. Welsh stated that if the goal of this facility is to allow them to enjoy their lives to the fullest extent, he finds it hard to believe that this is the setting to let them do that. If they were mobile and could enjoy the environment around there, that would be another thing but they are basically confined inside this house and they are just being transported out.

Mr. Kelly also questioned the site. He stated that he is not at all swayed by prejudicial torches and pitchforks that they heard from. He is most persuaded by the lack of answer to his questions in respect to the site and they had no answers to that. Mr. Kelly stated that he did his own research on the availability of primary, secondary and tertiary care however, it doesn't seem to be an optimal site since it is 35 to 40 minutes away from primary medical care. Mr. Kelly feels that RCS did not do their homework. Mr. Kelly asked them about their day programs however all they could tell him was that many of the programs were in Yonkers. Mr. Kelly felt there was a lack in due diligence.

Mr. DeLucia agreed with both councilman and stated that nothing had been looked at by the Richmond facility. He feels that there are many things lacking in their application and that alone gives him pause on how they would run that facility. Mr. DeLucia mentioned the emergency services issues with the response time. Mr. DeLucia also stated that the Town Code had certain criteria that the proposal fails to adhere to, namely that the proposed site is less than two miles away from another group home and it would create an over concentration of group homes in the area. Mr. DeLucia also felt that they didn't do their homework pertaining to the Department of Health.

Mr. Pappalardo stated that it is not a function of insensitivity; it is a function of balance in terms of accommodation and evaluating the impact on the community.

Mr. DeLucia stated that they also have to look at the constituency and we do have a large outcry against this group home.

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

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

**RESOLUTION OBJECTING TO THE LOCATION OF AN INDIVIDUALIZED
RESIDENTIAL ALTERNATIVE AT 8 LAUREL ROAD, SOUTH SALEM, NEW YORK,
AS PROPOSED BY RICHMOND CHILDREN'S SERVICES, INC. d/b/a RICHMOND
COMMUNITY SERVICES**

WHEREAS, the Town Board of the Town of Lewisboro (hereinafter referred to as the "Board") has received, by letter dated May 5, 2016, notification from Richmond Children's Services, Inc. d/b/a Richmond Community Services (hereinafter referred to as "RCS"), that RCS intends to establish an Individualized Residential Alternative (hereinafter referred to as an "IRA") at 8 Laurel Road, South Salem, New York, which is proposed to house six (6) individuals along with support staff; and

WHEREAS, the notification to the Board consists of a letter from RCS dated May 5, 2016 briefly outlining the proposal, a site selection fact sheet, an excerpt from the New York Mental Hygiene Law, and a list of other similar facilities in the area; and

WHEREAS, pursuant to Section 41.34(c)(2) of the Mental hygiene Law of the State of New York, the Board held a public hearing in this matter on May 23, 2016; and

WHEREAS, at the public hearing, numerous members of the public spoke against the proposal, and the Director of Operations and Business Development of RCS addressed the Board, along with a representative of the New York State Office for People with Developmental Disabilities; and

WHEREAS, the proposal was described as six medically fragile individuals, who would reside at the proposed residence, which will be staffed with two to four staff persons twenty four hours per day, seven days per week, thereby resulting in eight to ten individuals in the building day and night; and

WHEREAS, it was also stated that there would be approximately six minivan size vehicles at the premises on an ongoing basis, in addition to other vehicles of visitors, health care providers, cleaning services, delivery services, and others; and

WHEREAS, the Fire Commissioner expressed his concerns regarding the proposal, in that the emergency responders may not be able to provide sufficient emergency services to the proposed site due to a number of factors, including limit of personnel, limited access to the proposed site during inclement winter weather, and the fact that there exist other similar facilities that require frequent responses from emergency services personnel, thereby limiting the emergency services that would be available to the proposed site and other residents of the Town; and

WHEREAS, in evaluating this matter, the Board developed a list of similar facilities within the area of the proposed facility, and discovered that there are more such group home facilities in the Town than those listed in the notification of RCS; and

WHEREAS, there are at least five current existing group home facilities located in the Town of Lewisboro; and

WHEREAS, the proposed site was described as a three bedroom house, with the bedrooms located on the second floor, while the six individuals would only be capable of accessing the first floor, and would reside only on the first floor of the residence; and

WHEREAS, a similar application was made in 2001, to which the Lewisboro Town Board objected; and

WHEREAS, the representative of RCS stated during the public hearing that RCS was unaware of the prior application and objection; and

WHEREAS, during the public hearing, the members of the public raised many concerns regarding the proposal of RCS, including but not limited to the fact that adding another group home facility of this nature in the Town of Lewisboro would result in a substantial alteration of the rural and residential nature and character of the area; concerns regarding the reduction of emergency services to all residents of the Town; and that the proposed house is not suitable in size or layout for the use as proposed by RCS; and

WHEREAS, the Board has considered and evaluated all of the information provided by RCS, the comments and submissions of the public hearing, and the Town's research regarding this matter; and

WHEREAS, Section 220-42(B) provides as follows: "For purposes of furthering the state's dispersal and deinstitutionalization policy, to prevent the undue concentration of agency-operated boarding homes and group homes in any one area, and to preserve the social as well as the physical character of one-family residential neighborhoods, no new agency-operated boarding home or group home shall be established within two miles of any existing agency operated boarding home or group home"; and

WHEREAS, the proposed site of the IRA to be established by RCS is within one mile of a similar facility located at 250 Smith Ridge Road, and within a relatively close proximity to three other such facilities in the Town of Lewisboro; and

WHEREAS, the Board also recognizes that a proposal similar to that of RCS was made for a property located at 74 Lockwood Road in the Town of Lewisboro in 2001, which the Board objected to, and which was not established after the Board's objection; and

WHEREAS, the Board has reviewed and evaluated this matter in accordance with the criteria set

forth in Section 41.34 of the NYS Mental Hygiene Law, and has taken into consideration the interests of RCS, the interest of the individuals proposed to reside at the proposed IRA, and the interests and welfare of the residents of the Town of Lewisboro, in particular those residing in close proximity to the proposed IRA.

NOW, THEREFORE, be it RESOLVED, that the Board of the Town of Lewisboro finds as follows:

1. The proposed IRA at 8 Laurel Road in the Town of Lewisboro would create a condition that would overburden the already overtaxed emergency services units that would be required to respond to an emergency at the proposed site, thereby placing the residents of the proposed IRA, the other existing group homes in the area, and the other residents of the Town of Lewisboro at greater risk regarding health and safety issues. In fact, the Fire Commissioner reported at the public hearing that there have been approximately twelve to thirteen emergency service calls per year to another nearby group home facility.
2. The proposed use of the site seems inappropriate for six individuals, including staff, as the house does not seem to be able to support six residents on the first floor thereof. Further, there would be an increase of traffic and vehicles on the very quiet residential road.
3. The Town of Lewisboro currently has in operation an abundance of living facilities, similar to the proposed facility, within relatively close proximity to the proposed site, which are listed herein:
 - \$ 305 Smith Ridge Road operated by Apropos Housing Opportunity, Inc.
 - \$ 250 Smith Ridge Road operated by Ability Beyond Disability, Inc.
 - \$ 1 Fairmount Road operated by Community Based Services
 - \$ 313 Todd Road operated by Community Living Corp.
 - \$ 8 Route 138 operated by the New York State Office for People with Developmental Disabilities
4. The Lewisboro Town Code, although not in and of itself determinative of this matter, shows an intent on the part of the Town of Lewisboro to avoid the alteration of the character of an area of the Town that may be caused by an over-concentration of such living facilities or group homes, and the Board recognized that such an over-concentration may substantially alter the nature and character of the area, not unlike the criteria set forth in Section 41.34(c)(1)(C) of the NYS Mental Hygiene Law.
5. The discussion with RCS during the public hearing revealed that there would be approximately eight to ten individuals in the house at any given time day or night, consisting of six residents and two to four staff. In addition thereto, there would be approximately six minivan type vehicles on-site daily, and additional traffic for deliveries, visitors, health care providers, cleaning, garbage and other services. Accordingly, such activity would substantially alter the quiet residential area within which the proposed site is located. It is further noted that the site is not likely to be able to support the required parking for such a facility, which would result in overflow parking on the rural residential road.
6. The proposed site is not suitable for the proposed use due to a number of factors, including, but not limited to, the burden such use would have on emergency services, the

potential that the septic system may be inadequate to accommodate the number of persons who will be on site on a daily basis as referenced herein above, the inadequate size of the lot for the intended use, the inadequate size and layout of the house for the intended use, and the fact that the rural residential nature of the roadway is not suitable for the type of traffic and overflow parking that would be generated by the proposed use. In addition, as described herein above, establishing such use on the proposed site would increase an already high concentration of such facilities in the Town.

BE IT FURTHER RESOLVED, that, based upon the proceedings herein, and the foregoing analysis and findings, the Board hereby objects to the proposal to establish an individualized residential alternative at 8 Laurel Road in the Town of Lewisboro, as the Board finds that it would result in such a concentration of community residential facilities for the mentally disabled in the municipality, and especially in the area of the proposed site, as well as similar facilities licensed by other agencies of state government, including all community residences, intermediate care facilities, residential care facilities for adults and residential treatment facilities for individuals with mental illness or developmental disabilities and all similar residential facilities operated or licensed by another state agency, that the nature and character of the areas within the municipality would be substantially altered.

CONSENT AGENDA

On motion by Mr. DeLucia, seconded by Mr. Kelly, the Board voted 3-0 to approve meeting minutes and voted 4-0 to receive and file departmental reports.

MINUTES - Approved

On the above motion and second, the minutes of the May 23, 2016 Town Board meeting were approved.

THE VOTE:	Yes	- DeLucia, Kelly, Welsh	(3)
	No	- None	(0)
	Absent	- Parsons	(1)
	Abstain	- Pappalardo	(1)

REPORTS – Monthly Reports

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

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

POLLING OF THE BOARDRAIL TRAIL - DEP

Mr. Welsh stated that he met with a DEP staff member in Goldens Bridge to discuss the rail trail project. They are still trying to get approval but they do like the project.

CONSOLIDATED FUNDING APPLICATION (CFA)

Mr. Welsh went to a presentation in New Rochelle on CFA. One thing he was interested in was the States Arts Council and planning grants. Someone needs to champion this such as a member of the arts community. This would need to be in by the end of this July.

ARTS ENVIRONMENT

Mr. Kelly stated that we have talked about enhanced livability in town. One of the things would be an “Arts” environment. He feels we have some facilities in town, such as the Cyrus Russell House, Onatru that could host different art displays. Mr. Pappalardo stated that many towns do this and are successful.

SUSTAINABILITY – No Fees

Mr. Kelly stated that we had waived fees last year, for solar panels and he thought we should do this again this year. This helps to enhance housing values. Mr. Welsh thought that there were about 6 – 8 permits that were handed out waiving the fee. They will discuss this with the Building Department and discuss at a future meeting.

AMNESTY – Illegal Apartments

Mr. DeLucia would like to have a window of time for “Amnesty” for residents to report having an illegal apartment in the home. Within this envelope of time, residents can come in and state that they have an illegal apartment, there will be no fines, but all items would need to be up to code and inspection will be made. After this window of time, the town would go out aggressively and look for such things and there would be a chance that the apartment would be allowed. Same thing as finished basement. Counsel feels that we need to increase the fine since it is not substantial. She feels there may be a lot of parts to this. The Board asked Counsel to look into this further and they will report back at the next meeting.

FIREMAN’S COMPETITION – Onatru

Mr. Kelly would like to look into a Fireman’s Competition at Onatru. Ladder raising, getting water to the top of the platform, etc. Mr. Kelly will reach out to the local fire departments but would like to invite other fire departments as well. This also promotes volunteerism.

FIVE YEAR BUDGET – Comptroller

Mr. Kelly would like the Comptroller to report to the Board the 5 year budget. The summer is slower so they feel it is a good time for the Comptroller to work on this and report back to the Board.

FALL HARVEST FESTIVAL – Onatru

Mr. Kelly would like to try to put together a Fall Harvest Festival; maybe a wine or beer making competition, local produce competition (biggest pumpkin), hayrides, hot air balloon rides, corn maze, cooking competition, etc. Mr. Welsh suggested that this sounds similar to the Library Fair. Mr. Kelly was saying that he was thinking more of a Spooky Maze. Mr. DeLucia suggested that these ideas be discussed at the next Park and Recreation Advisory Committee (PRAC) meeting which is June 23rd and invited Mr. Kelly to attend.

HAMLET SIGNS – ACARC

Mr. DeLucia would like members from the Architectural and Community Review Council (ACARC) attend the next work session to discuss the design of hamlet signs.

WOMEN OF DISTINCTION – Jane Dove

The Board congratulated resident Jane Dove, who received the 2016 Woman of Distinction Award for the Town of Lewisboro. The Town Board nominated Ms. Dove and Supervisor Parsons attended the ceremony this evening in Mount Kisco, NY.

BROWNELL PRESERVE – Grand Re-Opening

Mr. Pappalardo attended the grand reopening of the Brownell Preserve, located in Goldens Bridge off of Route 138 last Sunday. Mr. Pappalardo said that it was a fun and rewarding day hosted by the Westchester and Lewisboro Land Trusts. Mr. Pappalardo also stated that there was no expenditure to the tax payer and all improvements were done with donations.

FIREWORKS – Donations

Mr. DeLucia stated that the Town fireworks will be held on Saturday, June 25 at Onatru Farm. The Town has exceeded their budgeted number for donations this year. Mr. DeLucia thanked all of the businesses and residents who contributed. He mentioned that this does not include revenue from gate numbers, donut and coffee wagon and ice cream truck. The Lions club is going to expand their menu to include sausage and peppers and pulled pork. Mr. Pappalardo asked if someone expressed their disappointment in the firework display last year. Ms. Mayclim said they have used the same company for 17 years. Last year the fireworks had to be switched to a Tuesday night, so everyone was rushing to go home because the next day was a work day.

Mr. DeLucia also made the suggestion of auctioning off “Test Shots” for the fireworks to raise more money for the town. In the past, town employees and/or volunteers, have been allowed to

put off about 3 test shots. Ms. Mayclim will check with the vendor to see if they would be interested in this. Ms. Mayclim will get back to Town Counsel and the Board.

POOL – Extended Hours

Mr. DeLucia stated that the pool is going well this season. They will keep the pool open later in the evening, weather permitting and if there is a good crowd. They are also looking into putting cabanas on the deck.

MEETINGS – Date Set

There will be a Town Board meeting on Monday, June 27, 2016 at 7:30 p.m. at the Town House, 11 Main Street, South Salem, New York.

CLAIMS – Authorized for Payment

On motion by Mr. Parsons, seconded by Mr. DeLucia, the Board voted 4-0 to authorize payment of the Town's bills in the amount of \$679,242.06.

EXECUTIVE SESSION – To Discuss Appointments and Personnel History

On motion by Mr. DeLucia, seconded by Mr. Kelly, the Board voted 4-0 to go into executive session at 9:07 p.m. to appointments and personnel history.

On motion by Mr. DeLucia, seconded by Mr. Pappalardo, the Board voted 4-0 to come out of executive session at 10:15 p.m.

ADJOURNMENT

On motion by Mr. DeLucia, seconded by Mr. Kelly, the Board voted 4-0 to adjourn at 10:16 p.m.

Janet L. Donohue
Town Clerk