

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

PRESENT: Supervisor - Peter H. Parsons  
Councilmen - Peter DeLucia, Frank Kelly, John Pappalardo, Daniel Welsh  
Town Clerk - Janet Donohue  
Absent - None

Also attending was the Attorney for the Town Jennifer Herodes, Facilities Maintenance Manager Joel Smith, Police Chief Frank Secret, Police Officers Andrew Llewellyn and Charles Beckett, and Confidential Secretary/Benefits Coordinator Mary Hafter.

And approximately 13 residents/observers.

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

WESTCHESTER POWER PROGRAM – Constellation/NYSEG Billing Error (7:36 – 7:40 p.m.)

Mr. Parsons stated that NYSEG and Constellation Energy have combined to make significant mistakes on resident's electric bills, which in some cases are well over 50% more than they should be.

Mike Gordon, Lewisboro resident and consultant for the power program was in attendance and met with residents and answered questions regarding their recent bill. He explained that there were 25 accounts that were overcharged in terms of KWH. If residents choose not to pay this month's bill and wait for the updated bill, they are free to do this. NYSEG said that there will be no interest charges and no interruptions will be made to the service if residents choose this route.

If residents were asked to be on the budget plan, this did not take effect, and it will be put back in to effect in the next billing cycle.

Also, if residents signed up for the day/night plan, NYSEG has not supplied Constellation with data. If residents want to change out of this plan once the data is received, they will be able to do so.

GROUP HOME/COMMUNITY LIVING – 8 Laurel Road (7:40 – 7:52 p.m.)

Mike Johnston, resident at 7 Laurel Road, wants to understand the path forward on 8 Laurel Road. He understands that the town rejected the group home but that there is an appeal from the Richmond Community Services Group.

Mr. Parsons has tried to contact the group who is holding the hearing and Richmond Community Group but has not heard back from either party. Mr. Parsons is hoping to hear back from someone tomorrow. The two specific questions that were being asked were the locations of the other sites in Westchester and the criteria for picking this home at 8 Laurel Road.

The hearing is on Friday, July 22, 2016 at 11:00 a.m. in Tarrytown. Mr. Parsons stated that anyone is welcome to attend however they will not be able to comment. All comments must go through Mr. Parsons and town counsel, Anthony Mole'. The room is small so Mr. Parsons suggested that if they want to be in the meeting, there is only room for approximately 6-8 people, including Mr. Parsons and Mr. Mole' and it will be on a first come, first serve basis.

Mr. Parsons stated that this is an administrative hearing. The Town will make their case however the decision is very much with the State. Mr. Johnston asked how long after the administrative meeting would a decision would be made. Mr. Parsons did not have an answer.

Mr. Parsons again explained the 3 options; say yes to Laurel Road, say no to Laurel Road or to say no to Laurel Road and give them an alternative site. The Town Board decided to say no to Laurel Road.

Mr. Johnston feels they are not getting a level of comfortability from Mr. Parsons and he wants to understand that Mr. Parsons and Mr. Mole' will go in there with alternatives. Mr. Parsons stated that the Board had to make a decision as to whether or not to go in with alternative sites or to say no and they voted to say no. Mr. Johnston feels that this is fool hearted and now there is no recourse and they cut their knees off from under them. Mr. DeLucia stated that this is Mr. Johnston's opinion but that he is wrong. The Town Attorneys have advised them otherwise and they will be in there to fight the case.

Jennifer Herodes, town attorney, said that the hearing is not to present alternatives. The Board made a decision that the house in question did not meet the criteria. The hearing officer will determine this. If Richmond wants to come in with another application for another location then they address this at this point.

Scott Forbes, resident, asked if the hearing officer decides that the Town didn't make the decision properly and the answer should be yes, would the group home still have to conform to all of the building requirements, etc. Mr. DeLucia stated yes, they have to meet any requirements that the Town or County have.

Also, if the hearing officer agrees with the Richmond group, the Town could then appeal that decision. Mr. Parsons stated that at the end of the day it is a State decision.

### COMMUNICATIONS

#### INTERN – Thank You Letter

Supervisor Parsons read a letter from Intern Henry Housman. He thanked the town and all the departments he worked with for welcoming him in as an intern for 6 weeks.

ENERGIZE NEW YORK PROJECT PROFILE – Lengyel House

Supervisor Parsons stated that the Energize New York profile project that was done on the Lengyel House (A-Home) on Route 123 has been completed. The energy savings is \$5,150 per year.

CONSENT AGENDA

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

MINUTES - Approved

On the above motion and second, the minutes of the June 27, 2016 Town Board meeting were approved.

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

REPORTS – Monthly Reports

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

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

GARDEN CLUB – Plan for Alice Poor's Garden at Onatru (7:55 – 8:06 pm)

Timi Parsons and Susie Andrews approached the Board with the plan that they have put together to renovate and upgrade the Alice Poor Garden at Onatru Farm. Ms. Parsons stated that the Garden Club has been raising money for years and they would like to start the work right after the Library Fair. They estimate that the work will take approximately 2 weeks.

The plan is to keep the garden and plantings in the same configuration with the three of the four entrances widened for mowers. The fourth entrance on the Elmwood Road side currently has a downward slope which will need to be raised with a stone step into the garden. The whole garden will be edged with sunken bluestone for easier maintenance. The interior garden beds will be lined with a bluestone mowing strip again to provide for easier maintenance and architectural definition. The main entry will be five feet wide with an arbor lining it. The current benches will remain or similar ones will be installed if necessary.

Mr. DeLucia asked about irrigation and lighting and they were receptive to the ideas of both. Mr. DeLucia suggested that they get together with Facilities Maintenance Manager, Joel Smith, and he will work with them.

On motion by Mr. DeLucia, 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 hereby grant permission for the Lewisboro Garden Club to go before the Architectural and Community Review Council (ACARC) for purposes of renovating and up-grading the Alice Poor Garden located at Onatru Farm.

TOWN'S OFFICIAL NEWSPAPER – Record Review

The Lewisboro Ledger announced that the June 30, 2016 would be the last print edition of the Lewisboro Ledger. The Lewisboro Ledger was founded by two Lewisboro residents in the mid 1970's and printed at The Ridgefield Press offices for a few years until the owners of The Press took over the publication. The Ledger has struggled to be profitable over the past five years.

Supervisor Parsons suggested that we continue to use the Journal News as the alternative paper for the town for the purpose of publishing notices. However, he would like the town to designate the Record Review as the Town's official newspaper. He has spoken with the paper and they would provide the town with 2 pages for Lewisboro news. They already cover the John Jay High School sports.

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 hereby designate the *Record Review* as the Town's official newspaper.

BICYCLE TOUR – Authorize Tour de Foliage

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 hereby grant permission for the 13<sup>th</sup> Annual Tour De Foliage which will pass through Lewisboro on Sunday, September 18, 2016.

HAMLET SIGNS - Architectural and Community Review Council (ACARC) (8:06 – 8:20 P.M.)

Craig Pillon and Alan Kaufman from ACARC attended this meeting to discuss hamlet/gateway signs. Since the town already has the hamlet signs, they would like to refer to these as gateway signs. Mr. Pillon then stated that if we are going to refer to them as gateway signs where would they be located? Routes 123, 124, 121, 138, 35, 22? Do you want to say “Welcome To” or “Leaving”? Would they say “Welcome to Lewisboro; You are now entering Cross River”, “Welcome to the Safest Town in America”?

Mr. Welsh did mention that Goldens Bridge is missing a hamlet sign and they would like one erected there.

Mr. DeLucia feels that these signs would be a good marketing tool and that we need to spruce things up a bit. Mr. Kaufman mentioned that there are already a few oblong green signs saying you are entering Cross River, etc. He wondered if these signs that are located on the State roads could be removed but that would need the State’s permission which Mr. Parsons feels is highly unlikely.

Mr. Pillon had a picture of the New Canaan signs which are red and gold. They have a crest carved on the signs. The town of New Canaan only erected 2 of these signs and the cost was \$8,800. Mr. Pillon also showed an example from a sign in Franklin, NY that he saw while passing through the town but didn’t have a cost associated with this sign.

Mr. Parsons said that whoever designs the sign needs to tread the line between taste and marketing. It was discussed that North Salem has very subtle signs.

Mr. Pillon feels that ACARC should not be responsible for designing the sign; they don’t feel it is their role. The Board would like it to be a collaborative effort. Mr. Pillon and Mr. Kaufman will be meeting with their Chairperson and other committee members on Wednesday and will discuss the subject of gateway signs and will report back to the Board.

CLAIMS – Authorized for Payment

On motion by Mr. Parsons, seconded by Mr. DeLucia, the Board voted 5-0 to authorize payment of the Town’s bills in the amount of \$743,971.70.

POLLING OF THE BOARD

GOLDENS BRIDGE HAMLET MEETING – Assemblyman David Buchwald

Mr. Welsh stated that he attended the Goldens Bridge Hamlet meeting before the Town Board meeting and Assemblyman David Buchwald was in attendance. Mr. Welsh stated that Mr.

Buchwald is ready and willing to lend his voice to the Department of Transportation to help get some things done.

PARKS & RECREATION – School District Resident Pool Membership

Mr. DeLucia stated that he has been approached by a few school district families to be able to use the town pool without purchasing a yearly membership. Mr. DeLucia has spoken with the Parks & Recreation Superintendent, Dana Mayclim, to put together a pack of 10 passes to use towards the pool. They would be sold at the Parks & Recreation office only. The price that was mentioned was \$16/pass. They will advertise this on Facebook and see how it is received. If the feedback is good, Mr. DeLucia will report back to the Board and they will look at including it in next summer's brochure.

Mr. DeLucia also stated that since the Oakridge Condominium's pool is under renovation they made a deal with the town to use the town pool for a fee. A tally will be kept and the homeowner's association will make a payment to the town at the end of the season. This is a good source of unexpected revenue to the town.

Mr. DeLucia also stated that he along with Dana Mayclim have received several compliments regarding this year's fireworks.

FIVE YEAR PROJECTIONS – Departments

Mr. Kelly asked again about the 5 year projections. He would like them looked at and out of the way before budget season starts.

BOARD OF EDUCATION – Meeting

Mr. Kelly stated that a few of the School Board members have approached him and would be interested in meeting with the Town Board and to have a frequent and cordial relationship.

DEVELOPMENT – Tax Incentive

Mr. DeLucia was approached by a developer and was asked about building, for example, a highway garage for the town on a particular property along with several homes. The developer would build the garage for the town for free in exchange for taxes being capped at a certain level.

MEETINGS – Date Set

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

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 8:30 p.m. to discuss appointments and legal issues.

On motion by Mr. Parsons, seconded by Mr. Kelly, the Board voted 5-0 to come out of executive session at 10:15 p.m.

RESIGNATION AND REINSTATEMENT – Police Chief/Part-time Officer Frank Secret

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 accept the letter of resignation for the purpose of retirement from Police Chief Frank Secret as of August 31, 2016 and be it also

RESOLVED, that Police Officer Frank Secret will be reinstated to the position of part-time police officer as of September 2, 2016.

ADJOURNMENT

On motion by Mr. Pappalardo, seconded by Mr. Welsh, the Board voted 5-0 to adjourn at 10:16 p.m.

Janet L. Donohue  
Town Clerk