

A meeting of the Town Board of the Town of Lewisboro, Westchester County, New York, was held on May 7, 2018 at 7:30 p.m. at the Town House, 11 Main Street, South Salem, New York.

**PRESENT:**

Supervisor	Peter Parsons
Council Members	Jane Crimmins, Tony Gonçalves, John Pappalardo, Daniel Welsh
Town Clerk	Janet Donohue
Absent	None

Also attending was the Attorney for the Town Anthony Mole', Facilities Maintenance Manager Joel Smith, Parks and Recreation Superintendent Dana Mayclim, Highway Superintendent Peter Ripperger, Chief of Police Charles Beckett, Comptroller Leo Masterson and Confidential Secretary/Benefits Coordinator Mary Hafter.

Approximately 26 residents/observers.

Supervisor Parsons called the meeting to order at 7:30 p.m.

**PLEDGE OF ALLEGIANCE**

The Supervisor led the Pledge of Allegiance to the flag.

**PUBLIC COMMENT PERIOD**

There were no public comments.

**EAGLE SCOUT AWARD-** Congratulations to Alexander Keuhl on Completion of Eagle Scout Award

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

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

**RESOLUTION**

WHEREAS, ALEXANDER KUEHL of Lewisboro, New York, is a member of Boy Scout Troop 101 in South Salem, and

WHEREAS, ALEXANDER KUEHL 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, ALEXANDER KUEHL 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, ALEXANDER KUEHL has updated a Sensory Garden at the Caramoor Center for Music and Arts in Katonah, which garden is designed to help those with sensory processing disorders, autism and blindness to feel calm and comfortable while stimulating the five senses, 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 ALEXANDER KUEHL, and

BE IT FURTHER RESOLVED, that this resolution be spread upon the minutes of this May 7, 2018 Town Board Meeting for future generations to see and that copies of this resolution be presented to Eagle Scout ALEXANDER KUEHL and his parents.

LEWISBORO LIONS CLUB – 60<sup>TH</sup> Anniversary

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

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

RESOLUTION

WHEREAS, THE LEWISBORO LIONS CLUB is celebrating the 60<sup>th</sup> Anniversary of it being chartered by LIONS INTERNATIONAL on April 15, 1958 to become a part of an organization with over 1.4 million members belonging to over 46,000 clubs in over 200 countries, and

WHEREAS, THE LEWISBORO LIONS CLUB has forty active members who are residents of Lewisboro and have taken an oath to make a difference in our community with particular attention to those who are sight impaired and by so doing proudly work to exemplify the Lions simple motto, “We serve”, and

WHEREAS, THE LEWISBORO LIONS CLUB has a made their dedication to service evident by the number of ongoing local projects including: providing support for Guiding Eyes for the Blind and the Lewisboro Library; preparing and serving food at community events; holding senior dinners; providing scholarships to John Jay High School Seniors; supporting Boy Scout Troops; annually organizing the road side clean-up; and, making food and clothing drives happen throughout the year, and

WHEREAS, THE LEWISBORO LIONS CLUB has also made its mark in the community with projects such as: constructing pavilions at the Town Park, Onatru Farm and Fox Valley Park; renovating a guest house at Four Winds Hospital and the ceiling and kitchen at the Cyrus Russell Community House; and, building the original Lewisboro Volunteer Ambulance building, and

WHEREAS, WALDIE GULLEN was a charter member who has proudly served for sixty years so providing an example to current and future members of the Lewisboro community, and

WHEREAS, this critically important contribution to our community is worthy of public notice, now

THEREFORE BE IT RESOLVED that the Town Board of the Town of Lewisboro proclaims MAY 2018 as a month of recognition for the 60<sup>th</sup> Birthday of the LEWISBORO LIONS CLUB, and

BE IT FURTHER RESOLVED, that this resolution be spread upon the minutes of the May 7, 2018 Town Board Meeting for future generations to see, and that a copy of this Resolution be presented to the President of the LEWISBORO LIONS CLUB, SUE VALES, and WALDIE GULLEN to recognize the founding vision of he and his fellow charter members

### CONSENT AGENDA

#### MINUTES - Approved

On motion by Mr. Parsons, seconded by Mr. Pappalardo the Board voted 5-0 to approve the meeting minutes of April 23, 2018 and to receive and file departmental reports.

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

#### REPORTS – Monthly Reports

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

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

#### REUSABLE BAG INITIATIVE – Presentation (7:37 – 8:12 p.m.)

Elizabeth Meyer Gross, resident and member of the Sustainability Committee, made a presentation regarding the reusable bag initiative. Ms. Gross stated that she along with the Sustainability Committee have done 4 years of research on banning the use of single plastic bags and Styrofoam at area retailers. Shoppers are encouraged to bring in their own bags. The committee suggested that the retailers can sell paper bags, which are made out of 40% recycled paper for \$.15 per bag to people who forget their bags.

Ms. Gross did speak to most of the retailers in the area and all have been fairly positive. Bedford, the County and the State are all looking at passing similar bans. Ms. Gross did state that the State law would pre-empt the local law. Ms. Gross provided the Board with approximately 400 signatures on a petition of residents who are in agreement. Ms. Gross thanked resident Adam Rose, Houlihan Lawrence and a local singing group called the Earth Tones for donations toward this initiative.

Ms. Gross stated that plastic has a negative impact on the environment and on our health including the garbage patch which is twice the size of Texas. Whole bags can be consumed by

porpoises, turtles, etc. The smaller plastic particles are ingested by the fish and humans eat the fish. Ms. Gross also mentioned that the smaller fruit and vegetable bags would not be banned along with bread bags.

Ms. Gross stated that many of the local stores have already switched from Styrofoam, which they are also looking to ban, to cardboard.

Ms. Gross explained that people have asked why pass a law? Other laws such as texting, seatbelt and smoking laws have been passed and have helped society. Ms. Gross stated that there would be \$150 fine to merchants who don't comply within the established 6 month grace period. Ms. Gross suggested that concerned citizens and the Sustainability Members would report any non-compliance to the police.

The Board is looking at the beginning of June for a public hearing. The Board thanked Ms. Gross for her presentation.

#### BICYCLE TOUR – Authorize Westchester Cycle Club

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

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

#### RESOLUTION

RESOLVED, that the Town Board does hereby grant permission for the Westchester Cycle Club to use the Lewisboro Town Park on October 8, 2018, contingent upon proper submittal of insurance policy and review by counsel and be it further

RESOLVED, that any and all fees be waived.

#### STORMWATER – MS-4 Report

Mr. Parsons stated that the MS4 Annual Report has been prepared for the 2017-2018 reporting year (March 10, 2017 – March 9, 2018). The Annual Report must be filed with the NYSDEC no later than June 1, 2018. Part VII, A, 2, d of the General Permit requires that the draft Annual Report be presented to the public with an opportunity to provide comment prior to the June 1 filing deadline by providing access to the draft report via the Town website and providing the public the opportunity to provide comment by sending them via email to the Town Clerk at [townclerk@lewisborogov.com](mailto:townclerk@lewisborogov.com) and providing the opportunity for a public meeting if requested by 2 or more people.

Mr. Parsons stated that this requirement is being satisfied by the Town announcing the availability of the draft report at the public meeting of the Town Board held today, May 7, 2018 at 7:30 p.m. The draft report is already available for viewing on the Town website at the following link: <http://www.lewisborogov.com/smc>. Any comments on the draft report may be sent via email to the town clerk. A summary of any comments received and intended responses

will be filed with the Annual Report. If no requests for a public meeting are received, the draft report will be finalized and signed by the Town Supervisor and filed with the State no later than June 1, 2018.

Mr. Parsons thanked the Stormwater Committee for their efforts in completing this report.

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

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

#### RESOLUTION

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

#### PARKS AND RECREATION – Discussion re Pickleball Courts (8:53 – 9:05 p.m.)

Mr. Parsons believes there is a huge gap in the Parks and Recreations programs compared to the town's demographics and feels that there is a growing demographics of 60 – 80 year olds. Mr. Parsons feels that the game of pickleball caters to this age group. Ridgefield, CT has a large number of pickleball courts and have outgrown them. Parks and Recreation Superintendent, Dana Mayclim stated that the Town of Bedford had a similar experience noting that it is one of the fastest trending sports for seniors who age out of tennis. Ms. Mayclim described the game as a cross between tennis and ping-pong.

Ms. Mayclim suggested that one of the tennis courts in the town park, which have been unused for several years due to extensive repairs, could be repurposed and converted into four pickleball courts. She would like to have a Request for Proposal (RFP). Mr. Pappalardo asked if this was budgeted for and Ms. Mayclim responded no, however there are two funds that the town has where those monies must be spent on Parks and Recreation.

Mr. Pappalardo asked that Ms. Mayclim prepare a presentation on all the possible uses for this money that is earmarked for Parks and Recreation. Ms. Mayclim agreed and did state that these courts would generate revenue for the town.

#### ZONING – Special Use Permit for Dog Exercise (8:14 – 8:51 p.m.)

Mr. Sirgnano represents a client, Eric Bleile, who owns a business called Active Dog, LLC. His business model is such that he picks up dogs from clients and transports them to a park where he runs and exercises the dogs. He is looking to purchase a 54 acre parcel in Vista so that he can use this as dog training and exercising.

Mr. Sirignano is asking the Board to create a new special permit use called "Dog Training and Exercising", which would change the Zoning code. Mr. Sirignano stated that several neighbors witnessed a test run with 10 dogs who were unleashed but responded to voice commands.

He stated that the dogs were well behaved and didn't bark or run off. Neighbors were invited to participate and some had expressed concern about dogs possibly running onto their property. Mr. Bleile pledged to install fencing wherever needed and did state that 99% of the property would be left in its natural state. Mr. Bleile feels that this is the best possible low intensive use for a difficult property.

Mr. Parsons did follow up with the six public parks in Connecticut and New York where Mr. Bleile said he exercises his client's dogs and no one had any negative comments about "Active Dog".

The Board asked Mr. Bleile what hours he envisioned using the property for dog exercising. His reply was approximately 9:30 a.m. – 3 p.m. Monday through Thursday with approximately 80 dogs, 9 am – 5 p.m. on Friday with approximately 60 dogs and on the weekends from approximately 10 am – 3 p.m. with approximately 8 dogs.

Because of scheduling conflicts the Board and Mr. Bleile agreed that a public hearing would be held on June 25, 2018.

#### PUBLIC HEARING ANNOUNCED – Dog Training and Exercising

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

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

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Lewisboro will hold a public hearing on June 25, 2018 at 7:30 p.m. at the Lewisboro Town House, 11 Main Street, South Salem, New York, 10590, for the purpose of hearing the public with regard to a proposed local law which would amend Chapter 220, Section 220-23(A)(20) and 220-43.6 entitled "Schedule of regulations for residential districts" is amended to add dog training and exercising. At said hearing all interested persons are invited to attend and will be heard.

#### ZONING – Discussion re Amendment for Educational Uses (9:05 – 9:10 p.m.)

During the April 23, 2018 meeting, Town resident, Clark Landis stated that he and his wife, Sarah, are starting a give back business which is to teach stem classes and coding. They have been working on this since Thanksgiving. The school board has given them a lease to rent the space and they have given them a deposit.

Mr. Landis stated that he first dealt with the temporary building inspector who indicated to them if they got a lease from the school, he would approve a C of O. While they were doing that, a permanent Building Inspector, Mr. Angiello was hired and he has indicated that he is predisposed to reject the application for the C of O. Mr. Landis is asking for their help.

Mr. Parsons stated that under the existing zoning a complete school could move into the former Lewisboro Elementary School but single classes on any subjects are not permitted so an amendment to the current zoning code would be needed. The Board agreed to have a public hearing on June 11, 2018.

PUBLIC HEARING ANNOUNCED – Educational Use

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

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

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Lewisboro will hold a public hearing on June 11, 2018 at 7:30 p.m. at the Lewisboro Town House, 11 Main Street, South Salem, New York, 10590, for the purpose of hearing the public with regard to a proposed local law which would amend Chapter 220, Section 220-2(B), 220-23(A)(19) and 220-43.5 to add Educational Use as a special permit use in residential zoning districts. At said hearing all interested persons are invited to attend and will be heard. The Town of Lewisboro is committed to equal access for all.

CLAIMS – Authorized for Payment

On motion by Mr. Pappalardo, seconded by Ms. Parsons, the Board voted 5-0 to authorize payment of the Town's bills in the amount of \$336,654.35.

MEETINGS – Dates Set

Upcoming meetings of the Board include a regular meeting on May 21, 2018 at 7:30 p.m. at the John Jay High School Cafeteria, 60 North Salem Road, Cross River, New York.

EXECUTIVE SESSION – To Discuss Legal Issues

On motion by Mr. Parsons, seconded by Mr. Pappalardo, the Board voted 5-0 to go into executive session at 9:12 p.m. to discuss appointments.

On motion by Mr. Parsons, seconded by Mr. Pappalardo, the Board voted 5-0 to come out of executive session at 10:45 p.m.

ADJOURNMENT

On motion by Mr. Parsons, seconded by Mr. Welsh, the Board voted 5-0 to adjourn at 10:46 p.m.

Janet L. Donohue  
Town Clerk