

A meeting of the Town Board of the Town of Lewisboro, Westchester County, New York, was held on August 27, 2018 at 7:30 p.m. at the Vista Fire House, 377 Smith Ridge Road, South Salem, New York.

PRESENT:

Supervisor	Peter Parsons
Council Members	Jane Crimmins, Tony Gonçalves, *Daniel Welsh
Town Clerk	Janet Donohue
Absent	John Pappalardo

Also attending was the Attorney for the Town Anthony Mole', Facilities Maintenance Manager Joel Smith, Comptroller Leo Masterson, and Confidential Secretary/Benefits Coordinator Mary Hafter.

Approximately 40 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 HEARING - Oakridge Water District Upgrade Project (7:32 – 8:58 p.m.)

Mr. Parsons called the public hearing to order. There was no objection to the time or form of the public notice (attached).

Supervisor Parsons stated that the public hearing this evening was required in order for the town to bond for the water district upgrade project.

Supervisor Parsons asked Bill Bright and Robert Flores from Delaware Engineering to briefly explain the current situation. Fernando Dongo, from VRI, was also present. Mr. Bright stated that the water supply started receiving issues with trihalomethanes (THMs) in January of 2016 and they have been working to resolve those issues since that point. Operational changes were made and the THMs have been lowered. The second part of the plan were the engineering solutions. A new system and chemical feed system needs to be upgraded and a storage tank filtration system will be installed as well.

The Oakridge Water District serves approximately 280 condominiums in the Oakridge development along with the commercial businesses and the new Laurel Ridge condominiums. There are also 22 single-family homes that are part of Conant Valley Estates which were built by the Toll Brothers in the 1990s.

Mr. Parsons called for comments from the public.

Bill Besgen of Boulder Ridge asked if the Town had looked at alternatives or other water systems that could be hooked in to at a similar cost. Mr. Bright stated that 8 years ago they looked at connecting to the city of Norwalk and it was twice the cost. Norwalk has a different type of system and process.

Gale Berman, of Conant Valley would like to know what the specific bond payments will be for not just the condominiums but also the 22 homes in Conant Valley, the commercial properties in Oakridge, and the townhouses.

Ms. Berman also asked about the proposed daycare and car wash facilities. Won't these two facilities burden the system even more? Town counsel explained that the evaluations are typically done when a project comes before the planning board, the town engineers will review those types of factors and report back to the planning board in terms of the stress to the system. At that point a public hearing would be held and the public would be heard. These notices are on the Town's website and the Record Review.

*Daniel Welsh arrives at 8:06 p.m.

Mr. Parsons stated that the Town Board has no power over the Planning Board and the questions about the proposed daycare and car wash facility should be directed to the Planning Board. Scott Kantro of Conant Valley asked Supervisor Parsons what his opinion of the daycare and car wash facility was and Supervisor Parsons stated he would not provide his personal opinion.

Mr. Kantro asked if the Town ever applied for a grant and the answer was no. Mr. Bright stated that the water system hasn't qualified for any grants until now since this is a new grant program. Mr. Parsons stated that even if the town applies for this grant, which could cover 60% of the cost of the repair project, it does not guarantee that we will receive it.

Ms. Berman stated that they have seen no reduction in the current bond even with new businesses and new town homes. Mr. Welsh suggested that our Comptroller create a more detailed financial breakdown.

Jeff Holbrook, of Split Rock Road, feels that going out for the grant is a good idea. Mr. Holbrook did state that people are upset because he feels that the Oakridge water facility has been grossly mismanaged by both the Town and Delaware Engineering. Mr. Holbrook asked how much more of a burden should they be expected to shoulder when they don't have any other options. Mr. Holbrook stated that this is a mess and someone needs to take accountability and look ahead.

Mr. Parsons suggested that Mr. Holbrook form a committee of four or five people representing all the different users. Ms. Berman along with others did not agree with this statement and they want the Town Board to represent the tax payers in this community.

Mr. Berman of Conant Valley would like to see the financial numbers and projection of payments even if they have to meet next week. Mr. Bright explained that the grant paperwork has to be submitted by next week. He also explained that all the work that they were doing to qualify for the bond was the same work that they needed for the grant. Mr. Parsons explained that the EFC in Albany, NY who the Town applies to for the grant is becoming friendlier to the richer communities.

Mr. Parsons stated that the sewer bond is separate from the water issue that is being discussed tonight. A resident stated that it is about trust and the Town Board has lost their trust on the sewer issue so trying to obtain it on the water issue is difficult.

The Board asked Comptroller, Leo Masterson, to come up with some numbers and projections that include the new townhouses and the new businesses. Ms. Berman would like to see the impact to their community.

Ms. Berman stated that they would like to be emailed every time something happens in their community. Ms. Crimmins stated that on the Town's website there is a place where you can sign up, give the Town permission to send out emails, and those emails are sent out weekly by the Town Clerk's office.

Mr. Kantro suggested that they get a second opinion on their current state of affairs. Mr. Parsons stated that if they really want to do that than the cost would get charged back to the district. Mr. Welsh stated that if they want a second opinion it is very important for the district to define what they want the engineer to do.

Mr. Bright also explained that back when the original upgrade was done, Mr. Bright met, on a regular basis, with a group of homeowner's at the managing agent's office. The Board feels that this would be a good idea to start this up again moving forward.

Mr. Parsons asked if there was a managing agent for Conant Valley and the answer was yes. Mr. Parsons asked a resident to forward him that individuals contact information.

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

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

RESOLUTION

RESOLVED, that the public hearing for the Oakridge Water District Upgrade Project, is now closed.

PUBLIC COMMENT PERIOD

There were no public comments.

COMMUNICATIONS

PARKING – Park Road

Supervisor Parsons read a letter dated August 14, 2018 from Ellen Brief:

*To: Peggy Van Tassel
Peach Court, Goldens Bridge NY
Lewisboro Town Board*

Dear Peggy:

I'm not the type of person to personally disparage a neighbor behind her back, so I am writing you directly. It has come to my attention that you sent a letter to the Town Board

that attributed inaccurate information about me about my parking habits. I was told that your letter, read into the public record at the Town Board August 13 meeting cited me as a person who parks on the courts along Park Road rather than using my garage. To set the record straight, I am coping the Town Board on this email for them to include in the public record of that meeting.

The truth of the matter: I use my garage for parking whenever possible - and I do not park on the courts when it is unnecessary. That parking in the Wild Oaks community has become a hateful and contentious issue saddens me and had caused me many sleepless nights. The ban is unneeded and creates unnecessary animosity between neighbors.

The need for parking for residents and for visitors to Park Road is very real. Unfortunately, because of the parking ban, the courts, at times, will be the only place that people can park. Currently, as the sole resident of my townhouse, I do not usually need to park anywhere but inside my garage. What will happen if I sell this place to a couple, or a couple with a teenager or grandparent, and the parking needs for this unit expands from one car to three cars? When that occurs cars from my unit will be parked on the courts each and every day. This is why the parking needs of the community should be legislated by the Town Board according to best practices in planning's bedroom to parking space ratios - on the actual parking needs of a community and not on a letter or two written about how lovely it is to walk ones dog along Park Road without parked cars.

Peggy, please note that you hold a minority opinion on this issue. In spite of your letter praising the unnecessary Park Road parking ban, more WOTOA residents oppose the parking ban then support it.

*Sincerely,
Ellen Brief
Park Road, Goldens Bridge*

AUCTION - Town Owned Properties

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

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

RESOLUTION

RESOLVED, that the Town Board authorizes Supervisor Parsons to hold an auction on Friday, September 28, 2018 at the Town House, 11 Main Street, South Salem, NY at 10:00 a.m. for Town owned properties and be it further

RESOLVED, that the terms will be available to the public by September 7, 2018 and be it further

RESOLVED, that a tour of said properties will be given to anyone who is pre-registered on September 14, 2018.

PROCLAMATION – Alan Hanson

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

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

RESOLUTION

WHEREAS, ALAN HANSON was a treasured member of the Lewisboro Land Trust and Lewisboro Volunteer Trail Crew and put in countless hours at the Brownell Preserve helping to remove fallen trees, marking the trails, and keeping them accessible to the community, and

WHEREAS, ALAN HANSON helped to create the new Old Golden's Bridge Trail by interacting with the New York City DEP, strategizing the creation and placement of the trail, and creating a vision for moving the project forward, and

WHEREAS, ALAN HANSON supervised the John Jay High School students during their senior internship to complete the Old Goldens Bridge Trail Project, and

WHEREAS, ALAN HANSON had a deep love and appreciation for the natural beauty of our Lewisboro preserves and spent many hours walking and hiking them, and engaging others in the enjoyment of open space,

WHEREAS, these contributions are deserving of public notice, now therefore,

BE IT RESOLVED, that the Town Board of the Town of Lewisboro in the County of Westchester in the State of New York, in recognition of the worthy service of this citizen of the Town of Lewisboro, does hereby offer the thanks of its populace for ALAN HANSON's contributions to his community,

BE IT FURTHER RESOLVED, that this resolution be spread upon the minutes of this August 27, 2018 Town Board Meeting for future generations to see and that copies of this resolution be presented to the family of ALAN HANSON.

CONSENT AGENDAMINUTES - Approved

On motion by Supervisor Parsons, seconded by Mr. Welsh, the Board voted 4-0 to approve the meeting minutes of August 13, 2018.

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

TOWN PROPERTY – Authorize Use of Onatru Farm for Library Fair

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

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

RESOLUTION

RESOLVED, that the Town Board does hereby authorize the use of Onatru Farm buildings and grounds for the annual Lewisboro Library fair to be held on September 22, 2018 and at any other time in preparation for the fair, and be it further

RESOLVED, that Elmwood Road is declared one-way on the day of the fair.

MARRIAGE OFFICER FOR A DAY – Elizabeth Asaro

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

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

RESOLUTION

RESOLVED, that the Town Board does hereby appoint Elizabeth A. Asaro as a marriage officer for one day, in the Town of Lewisboro, on March 31, 2019, so that she can officiate the marriage of her niece Emily E. Asaro to Christopher Ward-Hopkins in the Town of Lewisboro.

PLANNING BOARD – Security Reduction Request

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

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

RESOLUTION

RESOLVED, that the Town Board does hereby authorize the Planning Board to act upon the JVG Estates LLC performance security reduction request.

WESTCHESTER COUNTY'S WORK – Waive Permit Fee

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

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

RESOLUTION

RESOLVED, that the Town Board does authorize waiving the flood plain development permit fee for Westchester County' work in Ward Pound Ridge.

OAKRIDGE WATER DISTRICT UPGRADE PROJECT – Adoption of Public Interest Order

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

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

RESOLUTION OF THE PUBLIC INTEREST ORDER

WHEREAS, the Town Board of the Town of Lewisboro, Westchester County, New York, has had under consideration the increase and improvement of the facilities of the Oakridge Water District in said Town, consisting of various improvements to the Oakridge Water District water treatment plant, including the design and construction of an aeration system, design and installation of a monitoring system, upgrades to the chemical feed system and the repurposing of existing pressure valves, and related and incidental improvements and expenses in connection therewith; and

WHEREAS, the Town Board of said Town has duly caused to be prepared a map, plan and report, including an estimate of cost relating to said increase and improvement of facilities of such Oakridge Water District; pursuant to an engineering report prepared by Delaware Engineering, D.P.C., professional engineers; and

WHEREAS, the maximum estimated cost to such Oakridge Water District of such increase and improvement of facilities is determined to be \$482,500; and

WHEREAS, except to the extent paid from charges for the use of water, or other sources, such cost shall be annually apportioned and assessed upon the several lots and parcels of land within such Oakridge Water District in the manner provided by law and levied and collected in an amount sufficient to pay the principal and interest on any obligation issued to finance said increase and improvements as the same become due;

WHEREAS, an environmental analysis has been prepared pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act in connection with such increase and improvement of the facilities of said District and use and it has been determined that such increase and improvement of the facilities of said District and use will not result in any significant environmental effects; and

WHEREAS, at a meeting of said Town Board duly called and held on August 13, 2018, an order was duly adopted by it and entered in the minutes specifying that said Town Board would meet to consider the increase and improvement of the Oakridge Water District in said Town at a maximum estimated cost of \$482,500 and to hear all persons interested in the subject thereof concerning the same at Vista Fire House, 377 Smith Ridge Road in South Salem, New York, in said Town, on August 27, 2018, at 7:30 o'clock P.M., Prevailing Time; and

WHEREAS, said order duly certified by the Town Clerk was duly published and posted as required by law, to-wit: a duly certified copy thereof was published in a newspaper of general circulation in this Town, on August 17, 2018, and a copy of such order was posted on August 14, 2018, on the signboard maintained by the Town Clerk of the Town of Lewisboro, pursuant to Section 30, subdivision 6 of the Town Law; and

WHEREAS, a public hearing was duly held at the time and place set forth in said notice, at which all persons desiring to be heard were duly heard; and NOW, THEREFORE, BE IT

ORDERED, by the Town Board of the Town of Lewisboro, Westchester County, New York, as follows:

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to increase and improve the facilities of the Oakridge Water District in said Town, consisting of various improvements to the Oakridge Water District water treatment plant, including the design and construction of an aeration system, design and installation of a monitoring system, upgrades to the chemical feed system and the repurposing of

existing pressure valves, and related and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$482,500.

Section 2. This order shall take effect immediately.

The question of the adoption of the foregoing order was duly put to a vote on roll call, which resulted as follows:

Supervisor Parsons VOTING Yes

Councilperson Crimmins VOTING Yes

Councilperson Gonçalves VOTING Yes

Councilperson Welsh VOTING Yes

The order was thereupon declared duly adopted.

OAKRIDGE WATER DISTRICT UPGRADE PROJECT – Adoption of Bond Resolution

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

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

RESOLUTION OF THE BOND

BOND RESOLUTION DATED AUGUST 27, 2018.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$482,500 BONDS OF THE TOWN OF LEWISBORO, WESTCHESTER COUNTY, NEW YORK, TO PAY COSTS OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE OAKRIDGE WATER DISTRICT IN AND FOR SAID TOWN.

WHEREAS, pursuant to the provisions heretofore duly had and taken in accordance with the provisions of Section 202-b of the Town Law, and more particularly an order dated August 27, 2018, said Town Board has determined it to be in the public interest to increase the facilities of the Oakridge Water District in the Town of Lewisboro, Westchester County, New York, at a maximum estimated cost of \$482,500; and

WHEREAS, it is now desired to provide funding for such capital project; NOW,
THEREFORE, BE IT

RESOLVED, by the Town Board of the Town of Lewisboro, Westchester County, New York, as follows:

Section 1. For the class of objects or purposes of paying costs of the increase and improvement of the facilities of the Oakridge Water District in said Town, consisting of various improvements to the Oakridge Water District water treatment plant, including the design and construction of an aeration system, design and installation of a monitoring system, upgrades to the chemical feed system and the repurposing of existing pressure valves, and related and incidental improvements and expenses in connection therewith, there are hereby authorized to be issued \$482,500 bonds of said Town pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid class of objects or purposes is \$482,500 and that the plan for the financing thereof is by the issuance of the \$482,500 bonds of said Town authorized to be issued pursuant to this bond resolution. If grant monies are received for the aforesaid class of objects or purposes, the same may be expended in lieu of the proceeds of obligations authorized hereunder. The aggregate amount to be expended for the aforesaid class of objects or purposes shall not exceed the estimated maximum cost thereof, as the same may be amended from time to time.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is forty years pursuant to subdivision one of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds authorized will exceed five years.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such

manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said Town of Lewisboro, Westchester County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. Except to the extent paid from charges for the use of water, or other sources, such cost shall be annually apportioned and assessed upon the several lots and parcels of land within such Oakridge Water District in the manner provided by law and levied and collected in an amount sufficient to pay the principal and interest on said bonds as the same become due.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the Town of Lewisboro, Westchester County, New York, by the manual or facsimile signature of the Supervisor and a facsimile of its corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the Town Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Town Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of the Town, including, but not limited to, the power to sell said bonds to the New York State Environmental Facilities Corporation; provided, however, that in the exercise of these delegated powers, he shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Town Supervisor shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to

the Town Supervisor. Such notes shall be of such terms, form and contents as may be prescribed by said Town Supervisor consistent with the provisions of the Local Finance Law.

Section 9. The Town Supervisor is hereby further authorized, at his or her sole discretion, to execute a project financing agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific object or purpose described in Section 1 hereof, or a portion thereof, by a bond, and, or note issue of said Town in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 10. The intent of this resolution is to give the Town Supervisor sufficient authority to execute those applications, agreements, instruments or to do any similar acts necessary to effect the issuance of the aforesaid bonds and, or notes, without resorting to further action of this Town Supervisor.

Section 11. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of its Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Town Supervisor. It is hereby determined that it is to the financial advantage of the Town not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the

Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by Section 52.00 of the Local Finance Law, as the Supervisor shall determine.

Section 12. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 13. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 14. This resolution, which takes effect immediately, shall be published in full in *Record Review*, a newspaper having general circulation in said Town, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Supervisor Parsons VOTING Yes
Councilperson Crimmins VOTING Yes
Councilperson Gonçalves VOTING Yes
Councilperson Welsh VOTING Yes

OAKRIDGE WATER DISTRICT UPGRADE PROJECT – Adoption of Water Infrastructure Improvement Act (WIIA) Funding Application

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

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

RESOLUTION OF ADOPTION OF WIIA FUNDING APPLICATION

TOWN OF LEWISBORO
OAKRIDGE WATER DISTRICT SYSTEM IMPROVEMENTS PROJECT
Board Resolution – WIIA Funding Application

WHEREAS, The Town of Lewisboro, New York (hereinafter the “Town”) has established the public benefit of the Oakridge Water District Water Treatment Plant Improvements Project (hereinafter the “Project”); and

WHEREAS, the Town plans to design and construct an aeration system within the Oakridge Water District water storage tank, install a SCADA system and chemical feed equipment, in order to address public health and safety concerns arising from excessive levels of disinfectant byproduct contamination levels; and,

WHEREAS, the Town has the opportunity to apply for grant funds from the NYS Water Infrastructure Improvement Act (WIIA) which may fund up to \$3 million or 60% of the total project costs; and,

WHEREAS, the total Project cost is estimated at \$482,500; and,

WHEREAS, the Town is prepared to contribute matching funds through the issuance of a municipal bond; and,

THEREFORE, BE IT RESOLVED THAT

1. The Town of Lewisboro is authorized to submit the WIIA grant application.
2. The Supervisor of the Town of Lewisboro is authorized to sign the WIIA grant application.
3. The Town agrees to provide the matching funds required for the WIIA project through municipal bonding.

PROPOSED WINTER CLUB AND ICE RINK – Letter from Supervisor Parsons
(9:16 – 9:20 pm)

Supervisor Parsons went over the points of the letter that he plans on sending to the Town of Ridgefield Planning and Zoning Departments regarding the proposed private winter club and ice

rink at 340 Peaceable Street (see below). Supervisor Parsons also stated that there is a public hearing on September 4, 2018 which he plans on attending.

**TOWN OF LEWISBORO
OFFICE OF THE SUPERVISOR**

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TOWN OF LEWISBORO
11 MAIN STREET
P.O. BOX 500
SOUTH SALEM, NEW YORK 10590

PETER H. PARSONS, SUPERVISOR

Town of Ridgefield Planning and Zoning Commission
66 Prospect Street
Ridgefield, CT 06877

August 27, 2018

Re: Special Permit Application to Construct a Private Winter Club – "Ridgefield Winter Club" at 340 Peaceable Street

Dear Chairman and Members of the Town of Ridgefield Planning and Zoning Commission:

I write to express Lewisboro's concerns with this project:

1. **TRAFFIC** – Rush hour traffic at the intersection of Peaceable Street, Route 123 and Route 35 already causes substantial delays. Route 123 North between 6:30 AM and 8:00 AM frequently backs up to the entrance to the Leon Levy Preserve. In the evening Route 35 East often backs up to the ThistleWaite Pre-School. The traffic study shows that the highest Peak Hour Traffic volumes in the area are 62% higher than any others in the study yet no study of accidents at this location is provided. Casual observation is sufficient to indicate that exiting Peaceable Street on to Route 35 or Route 123 is particularly perilous. The impact of opening the Winter Club can only make a bad situation worse. Connecticut drivers will suffer since they form the overwhelming majority. The existing situation is bad enough to cause many Connecticut commuters to avoid the intersection by using Barry Avenue and West Mountain Road in Ridgefield followed by Main Street and Bouton Road to Route 35 in Lewisboro and that is only one of several back road routes favored by Connecticut drivers. The Traffic Study was based on no other major development in

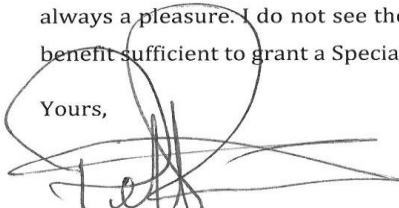
Ridgefield altering vehicle patterns. Did it take into account the newly expanded Le Chateau? What mitigation is being provided for the impacts at NYS Route 35 and Smith Ridge Road?

2. **ROAD PAVEMENT** – Peaceable Street in Lewisboro was repaved in 2018. We would expect any deterioration due to construction vehicles or trucks to be fully remedied by the applicant.
3. **NOISE & LIGHT POLLUTION** – We request that noise during construction be substantially reduced by eliminating or regulating soil screening and rock hammering/crushing. In addition the noise of a puck hitting the side of the rink sounds similar to a rifle shot. This could be distressing to any veterans in the area and could be mitigated by closing the rink at 9:00_PM which would also reduce light pollution.
4. **EXCESS SOIL** -- To where will the excess soil material be transported? To New York State? What is the construction truck routing plan?
5. **STORMWATER RUNOFF** --Stormwater run-off is a significant concern particularly the impact from any run-off into the Mill River drainage basin and downstream properties within the Town of Lewisboro. These impacts need to be mitigated to the maximum extent practical so that the volume and rate of run-off be less than the existing condition. The applicants' submission shows that there will be overtopping of the culvert under Old South Salem Road near the Town Line during the 25 year storm and greater. Does this impact Lewisboro in any way?
6. **ICE MELT** – How will the ice in the rink be melted at the end of the season and any other time when it is necessary? Will any chemicals be used and how will they be kept away from any run-off into Lewisboro?
7. **USAGE** -- The proposed level of usage is relatively moderate. Will there be strict enforcement of these levels and by whom?

On a more philosophical note, I understand that the views of out-of-towners tend to carry less weight than residents but although residents of Lewisboro do not vote in Ridgefield, we are in practice very much joined at the hip. We come to your Town to shop, to bank, to eat out, to parties given by our Ridgefield friends and to entertain ourselves. As an elected

official, it amazes me how often I am greeted and questioned by my constituents whether I am in Steve's bagels, Stop & Shop, the Prospector Theater, Dimitri's or many other places. Ridgefield residents come to Lewisboro to enjoy our preserves and recreational facilities. Approving this special permit would seem counter to this relationship. The applicants suggest that they are simply asking for a continuation of the grandfathered special use enjoyed by Pinchbeck's. With all due respect Pinchbeck's Nursery and Nursery School was a substantial asset to residents of both towns. Neither really added to rush hour traffic and the laughter of young children was more of an asset than an annoyance. My three boys received a first class foundation at the Nursery School while a visit to the greenhouses was always a pleasure. I do not see the "The Ridgefield Winter Club" as providing a community benefit sufficient to grant a Special Use Permit.

Yours,



Peter H. Parsons

CC:

Richard S. Baldelli, Director, Planning and Zoning

Rudy Marconi, First Selectman

Members of the Lewisboro Town Board

Lewisboro Town Clerk

Jerome Kerner, Lewisboro Planning Board Chairman

Ciorsdan Conran, Lewisboro Planning Board

Judson K. Siebert, Keane & Beane

Herodes & Mole

Jan Johannessen, Kellard Sessions

CLEAN HEAT – Request for Information (RFI)

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

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

RESOLUTION

Clean Heat Campaign Endorsement Resolution

WHEREAS, the reduction in the use of fossil fuels and increase in energy efficiency has environmental and economic benefits both locally and globally; and

WHEREAS, energy used for heating and cooling buildings accounts for about 60% of energy used in New York State; and

WHEREAS, high efficiency heat pump technologies are becoming more affordable and widespread; and

WHEREAS, energy efficiency measures can be beneficially combined with heat pump technologies to maximize economic and environmental benefits; and

WHEREAS, the building energy efficiency project “soft costs” such as customer acquisition and sales can be reduced by trusted brokers such as community based organizations and local governments through public education; and

WHEREAS, the NYS Energy Research and Development Authority (NYSERDA) is encouraging the adoption of renewable, clean heating and cooling technologies through it’s Clean Heating and Cooling Initiative; and

WHEREAS, the Solarize model for “soft cost” reduction has been highly successful in Lewisboro and elsewhere in New York and

WHEREAS, Sustainable Westchester has been awarded funding from NYSERDA to administer “HeatSmart” campaigns modeled after Solarize to assist communities to bringing “clean heating and cooling” technologies to Westchester communities; and

WHEREAS, Sustainable Westchester has issued a “Request for Information” (RFI), soliciting interest from communities which wish to participate in a clean heat campaign; and

WHEREAS, The Town of Lewisboro’s Sustainability Advisory Committee has indicated an interest in joining in the RFI submission being organized by Bedford 2020; now,

THEREFORE, be it RESOLVED, that the Town of Lewisboro endorses the goals of the NYSERDA Clean Heating and Cooling initiative and Town’s participation in the Bedford 2020/Town of Bedford submission.

CLAIMS – Authorized for Payment

On motion by Supervisor Parsons, seconded by Ms. Crimmins, the Board voted 4-0 to authorize payment of the Town’s bills in the amount of \$306,819.90.

POLLING OF THE BOARD

NYSEG – Tree Cutting Campaign

Mr. Gonçalves stated that NYSEG is working with Nelson Tree Company trimming back trees. They are trying to be proactive about minimizing future power losses. Mr. Gonçalves suggested that if anyone receives a reach out from NYSEG or if anyone has any trees that they feel are in NYSEG's way, they should reach out to NYSEG.

PLAYGROUND AT TOWN PARK - Meeting

Ms. Crimmins stated that there is a group of people who are interested in redoing the playground at the Town Park who will be meeting on Thursday evening, 8/30/18, at 7 p.m. at the Lewisboro Library. The vendor who originally installed the playground back in the early 1990's will be present at this meeting and different ideas will be talked about. All are welcome.

TOWN PROPERTY – Vandalism

Supervisor Parsons stated that someone is going around town putting stickers on stop signs that state "FCK TRUMP". Supervisor Parsons stated that regardless of one's opinion, this is illegal as town property is being destroyed and it wastes the town's resources. Supervisor Parsons asked the perpetrator to cease and desist.

MEETINGS – Dates Set

There will be a Town Board meeting on Tuesday, September 11, 2018 at 7:30 p.m. at the Town House, 11 Main Street, South Salem, NY 10590.

EXECUTIVE SESSION – To Discuss Legal Issues

On motion by Supervisor Parsons, seconded by Mr. Welsh, the Board voted 4-0 to go into executive session at 9:31 p.m. to discuss legal issues.

On motion by Supervisor Parsons, seconded by Mr. Gonçalves, the Board voted 4-0 to come out of executive session at 10:30 p.m.

TOWN EMPLOYEES AND OFFICIALS – Deputy Building Inspector

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

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

RESOLUTION

RESOLVED, that the Town Board authorizes Supervisor Parsons and Councilman Gonçalves to interview and hire a Deputy Building Inspector.

ADJOURNMENT

On motion by Supervisor Parsons, seconded by Mr. Gonçalves, the Board voted 4-0 to adjourn at 10:32 p.m.

Janet L. Donohue
Town Clerk