

A meeting of the Town Board of the Town of Lewisboro, Westchester County, New York, was held on October 22, 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
Town Clerk	Janet Donohue
Absent	Daniel Welsh

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

Approximately 13 residents/observers.

Supervisor Parsons called the meeting to order at 7:36 p.m.

PLEDGE OF ALLEGIANCE

The Supervisor led the Pledge of Allegiance to the flag.

PUBLIC COMMENT PERIOD

NO PARKING ON PARK ROAD – Resident Comment

Mike Alterio of Park Road made three comments regarding the no parking on Park Road.

1. Mr. Alterio stated that the parking ban was not headed up by the WOTOA but rather by the President as a private citizen.
2. Thanksgiving is approaching and they will have many guests. Mr. Alterio feels that the parking on the courts will be full. Where will all the guests park?
3. Mr. Alterio stated that no other roads have a parking ban. He would like the Town Board to rescind the parking ban on Park Road at the next Town Board meeting.

COMMUNICATIONS

BLACK MANSION – Clean Up Crew

Supervisor Parsons thanked the following volunteers who cleaned up the Black Mansion ruins which he stated is the centerpiece of the Leon Levy preserve: George Scott, Tim Farrow, Paul Lewis, Michael Surdej, Randy Price, Shiela and Amir Lesensky. Ms. Crimmins will be sending "Thank You" notes to those volunteers.

TOWN HOUSE – Move to 79 Bouton Road

Supervisor Parsons stated that the Town House offices will be moving, temporarily, to 79 Bouton Road (the former Lewisboro Elementary School) for approximately 6 months while upgrades are being made to the Town House. Supervisor Parsons stated that the Receiver of Taxes will move on or around November 2nd, the Town Clerk will move on or around November 15th, and the Supervisor, Supervisor's Secretary and Comptroller will move on or around December 1st, 2018.

PARKING ON PARK ROAD – Resident Letter

Dear Supervisor Parsons; Lewisboro Town Board Members Tony Goncalves, Dan Welsh, Jane Crimmins and John Pappalardo; and Town Clerk Janet Donohue:

Please include this letter as part of the official public record for the October 22, 2018 Lewisboro Town Board meeting:

I request that the issue of and the vote on restoring the much-needed parking along Park Road in Goldens Bridge be added as an agenda item to the Town Board meeting scheduled for the beginning of November 2018.

Icy roads create perilous walking conditions along Park Road for the visitors and residents of the WOTOA townhouses who can no longer park close to their destination, so it is important to schedule this agenda item prior to the arrival of inclement winter weather.

The Town Board must not abdicate its responsibility to reexamine the parking ban. Board members need to examine and debate the factual information around safety (the reason given for the ban), the community's need for parking on this road, and reexamine the April 9th decision to single out Park Road and ban parking. I respectfully urge the Board to review, listen, respond and, most importantly, correct the neighborhood problems and animosity created by the unnecessary parking ban and to act to restore parking and harmony to the Wild Oaks neighborhood.

Some facts:

The Board's decision should not be made on the "one moment in time" number of signatures on a petition, but should be a decision supported by the facts about safety and the community's long term parking space needs.

However, for the record:

- Over fifty percent of the signatures on the petition to ban parking presented on March 12th were from residents of The Glen subdivision who live on a private road (Park Road Extension) with adequate private parking.*
- Residents living on the courts off of Park Road were not informed of the extra cars that would be parking in front of their units and some are understandably angry.*
- More WOTOA residents signed the petition to restore parking than the number that signed the factually misleading petition, circulated by a few residents, which asked for limited parking or a ban on parking. Four of WOTOA residents rescinded their signatures on the petition to ban and signed the petitions to restore parking presented to the Board on July 9th.*
- Park Road is a dead-end street with limited traffic and no history of accidents in over 30 years. The Lewisboro Chief of Police reported that there have been no vehicular accidents in his five-year look-back.*
- Emergency vehicles can easily drive by cars parked along one side of Park Road. They have been doing so for decades.*
- Parking availability was inadequate before the ban. The ban reduced the available parking spaces from 33 to 21 - all located on the three courts off Park Road. Current best planning practices of 1.5 parking spaces per bedroom would require - taking the 31 garages near Park Road into account, 62 parking spaces for the townhouses located along Park Road. Even with the approximately 13 spaces on Park Road there was a parking crunch.*

• *Parking needs change over time. Although one person with one car may be currently living in a unit, two-years from now, the unit could be sold and occupied by three adults with three vehicles. Best planning practices allow for these contingencies.*

Persons impacted by prohibiting parking on Park Road - here are a few:

- *The family and friends driving from Cross River, New Jersey, Long Island, Katonah, Somers, South Salem, etc. who wish to visit the residents of the Wild Oaks Townhouses.*
- *The workmen who provide services for WOTOA residents.*
- *The resident with a two or three car household.*

Thank you for your time. We need and deeply appreciate your help restoring peace to our neighborhood.

*Sincerely,
Ellen Brief
45 Park Road*

*Enclosed:
Copies of two 7/20/2028 Letters to the Editor to the Record Review*

RECORD REVIEW

The Record • Lewisham • Ford Bridge

'Doubling Down' on parking ban would not serve the Goldens Bridge community

To the Editor:

Sometimes politicians with the best intentions make decisions that go awry. Such is the case in the Lewisham Town Board's April decision to ban parking on Park Road in Goldens Bridge. The board's concern for safety is admirable. However, the myopic and inaccurate assertion presented by proponents of the parking ban — that parked cars on this road compromise pedestrian safety — was not accurate and neglected to inform the board of the overall parking needs of residents

living along Park Road. The July 9 presentation to the board offered facts that allows board members to best represent the interests of their constituents to vote to restore the much-needed parking.

This unnecessary parking ban has caused collateral damage to our community. It has created animosity in our neighborhood. The ban promotes an "us-versus-them" situation which divides us. Understandably, many of the residents living on the three courts along Park Road resent the additional

parking congestion. They don't want to compete with the Park Road residents and their visitors for the parking spaces on the court right outside their door.

On July 9, 46 petitions were presented to the Lewisham Town Board asking them to act to restore parking along Park Road. Given the inaccuracies presented to them in April, it is understandable that the need for parking was obfuscated. However, now that the board has a full and factual picture of the parking needs and the adverse

impact the ban has on the quality of life and property values, they need to move quickly to enact the mandate to restore parking. They must not "double down" on a misguided decision, but need to demonstrate the strong leadership that Lewisham constituents deserve from our elected officials. Friends, relatives and neighbors should be able to drive, park and visit the residents of Park Road.

Ellen Brief
Lewisham

Parking ban threatens quality of life for nearby homeowners

To the Editor:

As I reflect upon the article that I read in the July 13 edition of The Record-Review ("Parking ban opponents continue push"), I would like to take this opportunity to set the record straight as to the situation that now stands. The Lewisham Town Board

has declared a vote for no parking on Park Road because of their indication in your article that this is what the homeowners wanted. Actually, not so. There are many homeowners here (myself and my family included) who feel that this new parking situation will only bring animosity among our

community and, more importantly, reduce the value of our homes and our quality of life in this very lovely community. What a shame that it has come to this.

Elinor Perry
Goldens Bridge



FRIDAY, JULY 20, 2018

CONSENT AGENDA

MINUTES - Approved

On motion by Supervisor Parsons, seconded by Mr. Pappalardo, the Board voted 4-0 to approve the meeting minutes of October 9, 2018.

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

ACCESSORY WINERIES – Presentation (7:45 – 8:11 p.m.)

Jason M. Krellenstein, Attorney representing Gossett Brothers Nursery and John Vuolo and J. Vuolo, Corp. d/b/a South Salem Winery (“Co-Petitioners”) made a presentation to the Board stating that the Co-Petitioners petition the Town Board to amend the Town Code of the Town of Lewisboro to include, as a permitted use, “accessory wineries” (see attached petition). The Gossetts and John Vuolo were in attendance.

The Board complimented Mr. Krellenstein on his presentation and decided to hold a public hearing on November 26, 2018 so the Planning Board, County Planning and Zoning Board would have 30 days to review the petition.

PUBLIC HEARING ANNOUNCED – Accessory Wineries

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

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

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Lewisboro will hold a public hearing on November 26, 2018 at 7:30 p.m., or soon thereafter as time permits, at the Lewisboro Library, 15 Main Street, South Salem, New York, 10590, for the purpose of hearing the public with regard to a Petition to amend Sections 220-2, 220-23(A), and 220-32(B), and to enact Section 220-43.6, of the Lewisboro Town Code, in order to allow accessory wineries as a special use in residential districts accessory to an existing farm operation and located in an existing agricultural district. 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.

HIGHWAY - Stop Sign at Mount Holly & Mount Holly East

Highway Superintendent, Peter Ripperger, stated that he would like to replace the Yield signs at Mount Holly and Mount Holly East with Stop signs. He also commented that this is a joint initiative with the Town of Bedford, making this a 3 way stop. A public hearing will have to be held to change this with a local law.

PUBLIC HEARING ANNOUNCED – Mount Holly and Mount Holley East; Replace Yield Signs with Stop Signs

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

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

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Lewisboro will hold a public hearing on November 5, 2018 at 7:30 p.m., or soon thereafter as time permits, at the Town House, 11 Main Street, South Salem, New York, 10590, for the purpose of hearing the public with regard to proposed local laws of the Town Code of the Town of Lewisboro which would amend Chapter 212, Vehicles & Traffic, Section 212-25, Schedule IV entitled “Stop sign at intersection of Mount

Holly Road East and Mount Holly Road” and which would also amend Chapter 212, Vehicles & Traffic, Section 212-26, Schedule V which would delete Mount Holly Road East from the list of yield intersections. 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.

PUBLIC HEARING ANNOUNCED – Model Ordinance

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

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

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Lewisboro will hold a public hearing on December 10, 2018 at 7:30 p.m., or soon thereafter as time permits, at the Lewisboro Library, 15 Main Street, South Salem, New York, 10590, for the purpose of hearing the public with regard to a proposed local law of the Town Code of the Town of Lewisboro which would amend Chapter 220, Sections 220-2 and 220-25.1 entitled “Inclusionary Furthering Fair Housing (AFFH) Dwelling Units”. 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.

BUDGET – Library (8:20– 8:34 p.m.)

Lewisboro Library Director Cindy Rubino discussed her budget with the Town Board and she stated that the Town of Lewisboro spends less per capita than any other town, city or village on our library. Ms. Rubino also introduced Colleen McLafferty, a library trustee and Kevin Fitzmartin, the library’s treasurer.

Ms. Rubino stated that they have had a good year. Attendance has increased in most programs. The majority of the library’s money comes from the Town and they fundraise the rest. They are asking the Board for a 3.62% increase this year. Ms. Rubino stated that with the requested increase, the library’s total income would be \$551,402 and the total expense would be \$557,937 which would leave a difference of \$26,535 of which they hope to fill with additional fundraisers.

The Board complimented Ms. Rubino on a job well done. Mr. Pappalardo also expressed that he likes the template that the library uses for their budget.

BUDGET – Discussion (8:35 – 9:08 p.m.)

Comptroller, Leo Masterson, went over the requested 2019 Budget for the town and stated that the proposed tax increase versus the 2018 tax levy was \$633,000. The tax cap for the town is \$156,000 so the town would be over the tax cap by about \$475,000.

Mr. Masterson stated that revenue in the general fund decreased by approximately \$200,000. In 2018 the town budgeted for \$171,000 for the sale of town owned property, however, there is nothing budgeted for 2019. He stated that Parks and Recreation revenue is projected to decrease by about \$55,000 and that tax interest and penalties he suspects will decrease by about \$30,000.

Mr. Masterson stated that the tax office moved to an online payment system which he believes has increased the flexibility that tax payers have so they are making payments now that they would have been late on in the past. He also stated that the economy has improved and more people are paying on time.

Mr. Masterson stated that there was a last minute change to the court fines and bail line decreasing it from \$230,000 to \$200,000.

There is also a \$26,000 decrease in Medicare Part D fees that the town collects due to a shift to the NY State Health Insurance Plan for medical coverage of town employees but he explained that the move to NYSHIP would generate more than a \$26,000 reduction to expenses.

The Building Department fees are projected to be \$50,000 greater than 2018. Mr. Parsons stated that the Town had not been collecting late fees to which it was entitled and he was not sure why but he pointed out that if the town employed a Code Enforcement Officer it could increase those fees.

Mr. Masterson stated that included in the budget is \$158,000 in funds due to the fund rebuild which he explained has been instrumental in prior years in recouping the fund balances in both the general fund and the highway fund. He said it would be up to the Board if they still wanted that amount in next year's budget and if they chose not to include this amount, they would be about \$325,000 away from the tax cap.

Mr. Pappalardo asked if the Town was planning on capturing any revenue in 2019 from foreclosed properties. Town Attorney, Anthony Molé stated that it was doubtful sales would be at or near the same level as this year. Supervisor Parsons stated he did not have a chance to review foreclosed properties but said there could be one that could be valuable if sold.

Mr. Masterson stated that he left the mortgage tax even for next year however a decline in those revenues was possible.

The Board thanked Mr. Masterson and stated that they will continue to reduce expenditures off of this budget. The Board also decided to set a public hearing for the possibility of overriding the state tax cap.

TAX CAP LEGISLATION – Set Date for Public Hearing

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

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

RESOLUTION

RESOLVED, that the Town Board will hold a public hearing on November 5, 2018, at 7:30 p.m. or soon thereafter as time permits, at the Lewisboro Town House, 11 Main Street, South Salem, for the purpose of hearing the public with regard to a proposed override of the state tax cap legislation. 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.

TOWN PARK POOL – Accept Pool Coping Bid and Sign Contract

The Board received two bids for the pool coping at the Town Park main pool. Signature Pools came in with a bid of \$92,625 and Chaikin Ultimate Pools came in with a bid of \$156,000.

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

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

RESOLUTION

RESOLVED that the Town Board authorizes the Supervisor to sign the contract with Signature Pools for the replacement of coping on the main pool located at the Lewisboro Town Park in the amount of \$92,625, subject to attorney approval.

NYSEG – Resolution

Supervisor Parsons stated that Westchester County Legislator, Kitley Covill, is asking Towns to pass a resolution calling for New York State Electric and Gas response improvements and for involving the Public Service Commission in the effort. Supervisor Parsons would also like to hear about why there are so many mini outages. He would also like the PSC to give NYSEG permission to cut trees even if the homeowners decline.

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

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

RESOLUTION

WHEREAS, we, as Town Board Members for the Town of Lewisboro are responsible for overseeing the functioning of our town; and

WHEREAS, power outages of any length are a significant issue for our residents and retail businesses, offices and public facilities; and

WHEREAS, outages occur both with and without bad weather, and with the frequency of extreme weather events extensive outages are increasing; and

WHEREAS, there has been a dramatic increase in outages of a very short duration which make it almost impossible to be a reliable employee or consultant working from home because internet connections fail as soon as there is an outage; and

WHEREAS, we request that the New York State Public Service Commission (PSC) do what is necessary to increase NYSEG's ability to cut trees so that NYSEG's efforts to reduce outages by trimming and cutting down trees cease to be foiled by residents who fight these efforts; and

WHEREAS, we find it unfortunate that the New York State Public Service Commission (PSC) has not mandated that NYSEG employ even the most obvious remedial efforts, such as new technology, improved communications and resiliency measures;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Lewisboro request that the PSC immediately consider NYSEG's application for smart meters and expand NYSEG's power to cut any trees which threaten the power supply; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Lewisboro calls for an immediate Independent Assessment (IA) of NYSEG, ordered by the Public Service Commission, contracted and overseen by Westchester County Government and paid for by NYSEG, so that 'best practices' regarding the safest, most technologically advanced, reliable delivery of power is implemented, and that promises by NYSEG of better responses, fewer outages and upgrades of hardware actually occur.

HIGHWAY – School Bus Sign on Mead Street by North Salem Border

Supervisor Parsons stated that the Highway Department was asked by the school to install a school bus sign on Mead Street by the North Salem border.

CLAIMS – Authorized for Payment

On motion by Mr. Parsons, seconded by Ms. Crimmins, the Board voted 4-0 to authorize payment of the Town's bills in the amount of \$258,507.44.

POLLING OF THE BOARD

GOLDENS BRIDGE FIRE DEPARTMENT – Community Day Open House

Mr. Gonçalves informed the Board that he attended the Goldens Bridge Fire Department Community Day Open House which was very well attended and he congratulated them on a job well done.

LEW CATONE – Passed Away

Mr. Gonçalves informed the Board that longtime resident Mr. Lew Catone of Goldens Bridge passed away in September and he attended the service that was held on October 20, 2018.

RUN THE FARM – Muscoot

Ms. Crimmins stated that "Run the Farm" race took place at Muscoot Farm on Sunday, October 21, 2018. Ms. Crimmins said it was very well attended, a lot of fun for the community and local resident Rob Cummings did a great job organizing this race.

LEWISBORO LIBRARY – Comedy Night

Ms. Crimmins stated that she attended the comedy night held at the Lewisboro Library on October 20, 2018. It was a really great night organized by a local mom.

Ms. Crimmins stated that Adam Ochs, the Town's Emergency Management Officer asked her to remind everyone that October 23, 2018 will mark the 35th Anniversary of the bombing on the U.S. Marine Barracks in Beirut, Lebanon. Mr. Ochs would like us to remember United States Marine Corporal James J. Jackowski who was killed on that day. The Vista Fire Department has a memorial monument for Corporal Jackowski and just recently, a portion of New York State Route 35 has been dedicated as the Corporal James J. Jackowski Memorial Highway. USMC Bert D. Corcoran, who also perished that day, was from Katonah.

VETERAN'S DAY – Activities

Supervisor Parsons gave an outline of the activities that would take place this Veteran's Day:
11/10 – the Girl Scouts will be collecting baked goods, cards and ribbons at the South Salem Firehouse between the hours of 5-8 p.m.
11/11 – a pancake breakfast and flag ceremony will take place at the South Salem Firehouse from approximately 8 – 11 a.m. and the packages of baked goods and cards will be delivered after the ceremony.

MEETINGS – Dates Set

There will be a Town Board meeting on Monday, November 5, 2018 at 7:30 p.m. at the Town House, 11 Main Street, South Salem, NY 10590.

EXECUTIVE SESSION – To Discuss a Legal Issue

On motion by Supervisor Parsons, seconded by Ms. Crimmins the Board voted 4-0 to go into executive session at 9:25 p.m. to discuss a legal issue.

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

ADJOURNMENT

On motion by Supervisor Parsons, seconded by Mr. Pappalardo, the Board voted 4-0 to adjourn at 10:11 p.m.

Janet L. Donohue
Town Clerk