

A meeting of the Town Board of the Town of Lewisboro, Westchester County, New York, was held on April 8, 2019 at 7:30 p.m. at the at the Lewisboro Library, 15 Main Street, 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 Jennifer Herodes, Facilities Maintenance Employee Shawn Johannessen, Comptroller Leo Masterson, Confidential Secretary/Benefits Coordinator Mary Hafter and Parks & Recreation Superintendent Dana Mayclim.

Approximately 1 residents/observers.

Supervisor Parsons called the meeting to order at 7:33 p.m.

EMERGENCY PROCEDURE

Supervisor Parsons noted the exits to be used in the event of an emergency.

PLEDGE OF ALLEGIANCE

The Supervisor led the Pledge of Allegiance to the flag.

PUBLIC HEARING – To Amend Section 212-25 Schedule IV: Stop Intersections, and Section 212-26 Schedule V: Yield Intersections, of Chapter 212: Vehicles & Traffic.

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

There were no public comments.

The Board did suggest that the Highway Superintendent look at the Yield signs that are currently in town to see if they should be replaced with Stop signs and make these changes all at one time.

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 to adopt amendments of the Town Code of the Town of Lewisboro which amend Chapter 212, Vehicles & Traffic, Section 212-25, Schedule IV entitled

“Stop sign at intersections of Canaan Circle East and Silver Spring Road and Wilton Road West and Silver Spring Road” and which would also amend Chapter 212, Vehicles & Traffic, Section 212-26, Schedule V that would delete Wilton Road West at Silver Spring Road from the list of yield intersections, is now closed.

TOWN CODE – Chapter 212, Vehicles & Traffic, Section 212-25, Schedule IV and Section 212-26, Schedule V

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

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

LOCAL LAW NUMBER 5-2019 OF THE TOWN OF LEWISBORO

SECTION 1 -- TITLE

This Local Law shall be known as 2019 Amendments to Section 212-25 Schedule IV: Stop Intersections, and Section 212-26 Schedule V: Yield Intersections, of Chapter 212: Vehicles & Traffic.

SECTION 2 -- ADOPTION

Now therefore be it enacted by the Town Board of the Town of Lewisboro Local Law 5-2019 that this law shall take effect immediately upon filing with the Secretary of State:

SECTION 3 – VEHICLES & TRAFFIC, SECTION 212-25

Section 212-25 of Chapter 212, Vehicles & Traffic, is hereby amended to add the following street locations to the list of stop intersections:

Amend §212-25 – Schedule IV: Stop Intersections.

Stop Sign on	Direction of Travel	At Intersection of
Canaan Circle	East	Silver Spring Road
Wilton Road	West	Silver Spring Road

SECTION 4 - VEHICLES & TRAFFIC, SECTION 212-26

Section 212-26 of Chapter 212, Vehicles & Traffic, is hereby amended to read as follows, which deletes Wilton Road West from the list of intersections:

§ 212-26 Schedule V: Yield Intersections.

In accordance with the provisions of § **212-8**, the following described intersections are hereby designated as yield intersections, and yield signs shall be installed as follows:

Yield Sign on	Direction of Travel	At Intersection of
Access drive (north end)	East	Pond Street
Access drive (south end)	East	Pond Street
Benedict Road (right leg)	East	Oscaleta Road
Benedict Road (right leg)	East	Post Office Road
Big Rock Loop (left leg)	North	Outpost
Big Rock Loop (right leg)	North	Outpost
Bouton Road entrance (east leg)	South	Post Office Road (west leg)
Bouton Road (right leg) [Added 2-18-2003 by L.L. No. 1-2003]	West	Bouton Road (left leg)
Boway (left leg)	North	Old Oscaleta Road
Branch Street	West	Lake Street
Brookside Trail	West	Shore Trail
Carol Lane	West	Scenic Drive
Cove Road (east)	South	Cove Road
Deerfield (right leg)	North	Outpost
Dingee Road (left leg)	West	Boutonville Road
East Mountain	North	Deerfield
Elmwood Road (left leg)	East	West Lane
Elmwood Road (right leg)	West	West Lane
Gilbert Street	North	Indian Lane
Hall Avenue	East	Main Street
Harbor Place	North	Sabbathday Hill Road

Yield Sign on	Direction of Travel	At Intersection of
Hillside Avenue	North	Pond Street
Holly Hill Lane	West	Mount Holly Road
Hoyt Street	East	Country Lane
Increase Miller Road South	South	Todd Road
Indian Lane (east)	West	Hoyt Street
Journeys End Road	West	Hastings Court
Lake Kitchawan Drive	East	Mill River Road
Lake Path	East	Hemlock Road
Lake Shore Drive	South	Spring Street
Lake View Pass	East	Sunny Ridge
Lake View Road	West	Cove Road
Lower Salem Road (from west)	East	Lower Salem Road
North Lake Circle West	West	Twin Lakes Road
Old Pond Road	East	Oscaleta Road
Outpost	West	Forest Range
Scenic Drive	North	Upland Court
Schoolhouse Road No. 2 (left leg)	West	Mead Street
Schoolhouse Road No. 2 (right leg)	East	Mead Street
Shady Lane (right leg)	North	Elmwood Road
Shore Trail	East	Grandview Road
Soundview Loop	South	Soundview Loop

Yield Sign on	Direction of Travel	At Intersection of
Spring Hill Road	East	West Lake
Timberwood Place	North	Tribrook Drive
Todd Road (connecting road)	East	Todd Road North
Todd Road North (right leg)	West	Todd Road
Upper Lake Shore Drive	North	Sunny Ridge Road
West Main Street	East	Main Street
Woodway (left leg)	South	Spring Street
Woodway (right leg)	South	Boway
Woodway (right leg)	South	Spring Street
Yerks Road	South	Sullivan Road

SECTION 5 – HOME RULE

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

SECTION 6 -- SEVERABILITY

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

SECTION 7 – EFFECTIVE DATE

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

PUBLIC COMMENT PERIOD

There were no public comments.

CONSENT AGENDA

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

MINUTES - Approved

On the above motion and second, the minutes of the March 25, 2019 Town Board meeting were approved.

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

REPORTS – Monthly Reports

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

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

COMMUNICATIONSPOLICE – Commercial Road Check

Supervisor Parsons stated that there was a successful Commercial Motor Vehicle road check on April 3, 2019 at the Lewisboro Town Park. Supervisor Parsons stated that the road check included five Lewisboro Police officers, six officers from the NY State Police CMV Unit, 2 Environmental Conservation Police, and 2 inspectors from the Westchester County Consumer Protection Department. Supervisor Parsons stated that there were 54 citations and the removal of 12 vehicles. There were also a few arrests. He thanked Police Officer Michael Armistead for running a first-class CMV road check. Supervisor Parsons stated that he feels that these CMV road checks are important to get dangerous vehicles off our roads.

JOHN JAY COMMUNITY TRAIL – John Jay Trail Race

The John Jay Trail Race took place on April 7th at the John Jay Campus. The Board thanked Rob Cummings, the race director and facilitator for a job well done. Over 200 people took part in the race. The money raised went towards finishing the last bridge on the trail. More information can be found at jjtrail.org.

GARDEN CLUB –Daffodil Planting

George Scott, representing the Garden Club, asked for permission to plant additional daffodil bulbs along the Onatru roadside on October 26th, 2019 (with a rain date of November 2, 2019) and to have any fees waived.

The Board thanked Mr. Scott and the Garden Club for planting over 50,000 daffodils in the Town of Lewisboro.

On motion by Mr. Parsons, seconded by Ms. 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 authorize the Garden Club to plant additional daffodil bulbs along Onatru roadside on October 26th, 2019 (with a rain date of November 2, 2019) and be it further

RESOLVED that any and all fees be waived.

ALS TRI-STATE BICYCLE TOUR – Authorize the use of Town Park and Town Roads

On motion by Mr. Parsons, seconded by Ms. 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 use of the Town Park to be used as a rest stop area, provided that the date is coordinated through the Parks & Recreation Department, for a Tri-State Trek bicycle ride to take place on Sunday, June 23, 2019, in the Town of Lewisboro and be it further

RESOLVED, that the Town Board does hereby authorize use of Town roads for a Tri-State Trek bicycle ride to take place on Sunday, June 23, 2019 through the Town of Lewisboro.

FINANCE – Bond Update (7:44 – 7:57 p.m.)

Supervisor Parsons started by congratulating our Town Comptroller, Leo Masterson, who has been working hard over the years to reduce the Town's borrowing costs. Mr. Masterson updated the Board on Town borrowing (see attached).

Mr. Masterson stated that we had eight bidders with the lowest one coming in at 1.77%. Treasury bond rates have been lower.

Supervisor Parsons asked the Comptroller if we should favor BANS for the 2020 budget to do paving work, purchase trucks, etc. or if they should include this in taxes. This will be looked at and discussed closer to budget time.

Mr. Welsh stated that he feels the Board should think about assembling a virtual capital purchasing plan to see what it would look like with the current low rates. Mr. Welsh also suggested the Board possibly go out to the public to see if they want to do an infrastructure bond.

The Board thanked Mr. Masterson again.

POLLINATOR PATHWAYS – Discussion (7:58 – 8:04 p.m.)

Supervisor Parsons was asked by the Lewisboro Garden Club and the Lewisboro Land Trust to publicize about the need for pollinator pathways in our town. The pollinators include bees, moths, bats, beetles, flies, birds and butterflies that move pollen from one plant to another. They enable cross-fertilization of plants promoting reproduction and the growth of new plants.

Steps to becoming part of a pollinator pathway and creating pollinator habitats include planting diverse native plantings on your property or even a window box or container with pollinator plants. Avoid using pesticides and eliminate leaf blowers and overnight lighting which can disrupt pollinator activity. More information can be found at www.xerces.org.

POLICE - Traffic and Criminal Software (TraCS)

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 Chief Beckett and/or Supervisor Parsons to sign the use and dissemination agreement among the New York State Police, Westchester County Department of Public Safety and the Town of Lewisboro Police Department Traffic and Criminal Software (TraCS) as reviewed by counsel.

PARKS & RECREATION – Paint the Pool House

On motion by Mr. 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 authorizes the expenditure of up to \$1,500 for labor and materials to paint the Lewisboro Town Park Bath House at the Lewisboro Town Park prior to the pools opening in May of 2019.

RECYCLING CENTER – Cardboard Recycling Container

Supervisor Parsons stated that there are more and more people recycling cardboard at the town's recycling center. He feels that this has to do with more and more people ordering from Amazon and everything comes in a box. He would like to obtain an additional dumpster just for cardboard which would equate to \$1,500 extra per year.

On motion by Mr. 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 authorizes the expenditure of up to \$1,500 for an additional 8 yard container to be placed next to the current 10 yard container in the recycling center.

HART TRANSIT – Larger Busses (8:13 – 8:20 p.m.)

Mr. Welsh wanted to open up conversation about the HART (Housatonic Area Rapid Transit) bus, which is the shuttle bus to the Katonah train station. Supervisor Parsons stated that when the Town first signed up with HART, they were only running smaller busses. As the shuttle became more popular, they started using a few larger busses which now pull down Boutonville Road to Spring Street, to the Spring Street parking lot which is located across the street from St. John's Episcopal Church (the larger busses are too large to turn around in the parking lot with all of the cars). The smaller busses are still able to turn around in the parking lot so they enter at Spring Street.

Also, in the past, the pick-up location was only at the Spring Street parking lot, however, now they tend to pick up residents all along Route 35.

Mr. Welsh and Ms. Crimmins suggested putting a sign up at the Spring Street parking lot inviting permit holders and residents to come to the Town Board meeting on April 22, 2019 to voice their opinions of what is working, what is not working, etc. The Board also asked that this discussion be publicized in the paper.

FEDERAL COMMUNICATIONS COMMISSION (FCC) – Limits Local Control for Deployment of 5G Network

Supervisor Parsons stated that Federal Communication Commission's (FCC) deadline to adopt a policy for aesthetic considerations associated with the siting of small cell 5g facilities expires on April 15th. FCC decided to take away most of the municipalities' power to regulate 5G installations unless a resolution/law was in place. The Board passed the following resolution:

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 does declare that any 5G installation in the Town of Lewisboro should, in all ways, adhere to the same rules as currently applied to cell towers, subject to input from Town Counsel.

CLAIMS – Authorized for Payment

On motion by Mr. Parsons, seconded by Mr. Gonçalves, the Board voted 4-0 to authorize payment of the Town's bills in the amount of \$ 313,254.71.

MEETINGS – Dates Set

Upcoming meetings of the Board include a regular meeting on Monday, April 22, 2019 at 7:30 p.m. at the Lewisboro Library, 15 Main Street, South Salem, New York.

POLLING OF BOARD AND ANNOUNCEMENTS

HIGHWAY – Guard Rail Replacement on Indian Lane

Supervisor Parsons stated that there was a lot of discussion on social media regarding the replacement of the split rail fence with a metal guard rail on Indian Lane. The Town received several notifications from DOT stating that the split rail fence was not sufficient and needed to be replaced. Highway Superintendent Peter Ripperger did discuss this on several occasions over the last few years with the Truesdale Lake Association. However, Supervisor Parsons stated that Mr. Ripperger did have to go out of town to take care of a family matter and did not make the lake residents aware that the replacement would take place today. Mr. Welsh stated that regardless, the aesthetics is not pleasing to the residents. He suggested that the guardrail be dressed up with a wooden box. Other Board members suggested painting the guardrail.

Supervisor Parsons did drive by the guardrail twice today. The Board will look at the guardrail and will discuss the situation with Superintendent Ripperger upon his return.

EXECUTIVE SESSION – To Discuss Appointments & Legal Issues

On motion by Mr. Parsons, seconded by Mr. Welsh, the Board voted 4-0 to go into executive session at 8:53 p.m. to discuss appointments and legal issues

On motion by Mr. Parsons, seconded by Mr. Welsh, the Board voted 4-0 to come out of executive session at 10:08 p.m.

TOWN OFFICIALS AND EMPLOYEES – Revoke Prior Police Chief Resolutions

On motion by Mr. 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 revokes any prior resolutions made regarding the timing of the transition of Police Sergeant David Alfano to Police Chief.

TOWN OFFICIALS AND EMPLOYEES –Police Chief Alfano

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 Town Board does appoint David Alfano Police Chief of the Town of Lewisboro effective July 1, 2019.

ADJOURNMENT

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

Janet L. Donohue
Town Clerk