

A meeting of the Town Board of the Town of Lewisboro, Westchester County, New York, was held on February 4, 2013, at 7:30 p.m. at the Lewisboro Library, 15 Main Street, South Salem, New York.

PRESENT: Supervisor - Peter H. Parsons
Councilmen - Peter DeLucia, Frank Kelly, John Pappalardo, Daniel Welsh
Town Clerk - Janet Donohue

Also in attendance were Facilities Maintenance Manager Joel Smith, Attorney for the Town Anthony Mole', Highway Superintendent Peter Ripperger, Receiver of Taxes Joann Vasi, Comptroller Leo Masterson, and Parks and Recreation Superintendent Dana Mayclim.

Mr. Parsons called the meeting to order at 7:32 p.m.

PLEDGE OF ALLEGIANCE

Supervisor Parsons led the Pledge of Allegiance to the flag.

EXECUTIVE SESSION –

On motion by Mr. Parsons, seconded by Mr. Kelly, the Board voted 5-0 to go into executive session to discuss a specific appointment.

On motion by Mr. Parsons, seconded by Mr. DeLucia, the Board voted 5-0 to come out of executive session.

ADVISORY COMMITTEE FOR THE DISABLED – Appointment

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

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

RESOLUTION

RESOLVED, that Peg Jett is hereby appointed a Member of the Advisory Committee for the Disabled for a three-year term ending December 31, 2015.

TOWN OFFICIALS AND EMPLOYEES – Joann Vasi Thirty Years with Town

The Board recognized Ms. Joann Vasi’s thirty-years of service to the Town of Lewisboro. Ms. Vasi started in the Assessor’s office on January 17, 1983.

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

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

RESOLUTION

Whereas, Joann Vasi has, as of January 2013, served the Town of Lewisboro as an employee for thirty years, and

Whereas, Joann Vasi has been elected to the position of Town of Lewisboro Receiver of Taxes in seven consecutive elections, and

Whereas, Joann Vasi has also served the Town of Lewisboro at various times as Marriage Officer, Emergency 911 Address Coordinator, Deputy Town Supervisor, liaison to the US Census Bureau and as a member of a committee to upgrade Town facilities, and

Whereas, Joann Vasi has volunteered her time, without hesitation, to drive for Friends Indeed Serve and Help, to act as scribe for a history of Goldens Bridge and to serve as an officer of many Lewisboro organizations, including the Katonah-Lewisboro PTA, the Lewisboro Volunteer Ambulance Corps, St. Michael’s Chapel and the Goldens Bridge Volunteer Fire Department, and

Whereas, Joann Vasi was selected as a New York State Senate Woman of Distinction and has received the Vista Fire Department Civic Contribution Award, the 911 Westchester County Certificate of Appreciation, the Westchester Theatre Dance Performing Troupe Appreciation Award and 2000 US Census Appreciation Certificate, and

WHEREAS, these contributions are deserving of public notice, now

THEREFORE BE IT RESOLVED, that the Town Board of the Town of Lewisboro, in recognition of the outstanding service of this citizen of the Town of Lewisboro, does hereby offer thanks of its populace to Joann Vasi, and

BE IT FURTHER RESOLVED, that a copy of this Resolution be spread upon the minutes of this February 4, 2013 Town Board meeting for future generations to see and that a copy of this resolution be presented to Joann Vasi.

COMMENDATION LETTER – Police Officer Michael Armistead

The Supervisor read a letter of commendation written to Police Chief Frank Secret praising Officer Michael Armistead for going above and beyond and that he was very nice and helpful.

CONSENT AGENDA

Under the consent agenda format, the Board voted 5-0 on Motion by Mr. DeLucia, seconded by Mr. Welsh, to approve Town Board minutes of January 7, 2013 and January 14, 2013.

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

MINUTES – Approved

On the above motion and second, the Board voted 5-0 to approve the minutes of January 7, 2013 and January 14, 2013.

NEW YORK STATE DEPARTMENT OF TRANSPORTATION FUNDING AGREEMENT -
Authorize Supervisor to sign

On motion by Mr. Kelly, seconded by Mr. DeLucia, the Board voted as follows:

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

RESOLUTION

RESOLVED, that the Town Board authorizes the Supervisor to sign the multi-model #4, Project #8MA154.30A, funding agreement with the New York State Department of Transportation.

CORNELL LOCAL ROADS PROGRAM’S PAVEMENT MANAGEMENT – Summer Intern Project

Highway Superintendent, Peter Ripperger, presented information to the Board regarding the 2013 pavement management summer intern project through the Cornell local roads program. Cornell would supply a college intern, but the town would have to pay this intern \$12-\$15 per hour and it is a 10-12 week program. This intern would come with the latest software and critique the roads and would be under the supervision of Cornell’s Regional Engineer. The town would also need to be able to provide the intern with an office, transportation and measuring devices. The town would also need to send a town employee to work with this intern and to go to school with the intern for two days.

Mr. Ripperger would like to go ahead and look into it a bit more and discuss it with some other towns that are involved with this program. It is more exploratory at this point. What is the town's total cost for this project? Mr. Ripperger and Supervisor Parsons would like to find out what we would be up against and pursue this without committing the town. Mr. Welsh would like to know if we would own the computer program after this program has been completed. Mr. Ripperger responded yes.

Mr. Parsons will draft a letter after speaking with the other towns that are listed and will distribute it to the Board for their approval.

TOWN ROADS – Yellow Lines on town roads

Highway Superintendent, Peter Ripperger met with the Board to discuss the need for yellow lines on approximately twenty-six miles of the town roads. Mr. Ripperger estimates that the cost of the project would be just under \$10,000 and would include the town's most heavily traveled thoroughfares, including roads that run between major highways.

The Board members said that the lack of road markings have become a safety issue that becomes more apparent when the weather is foggy. One of the common arguments against adding double-yellow lines to the local roads is that it detracts from the rural nature and beauty of Lewisboro. Mr. DeLucia doesn't feel that this argument holds up much anymore. Mr. Kelly feels that safety overrides aesthetics. He said that he wants the roads striped and if residents disagree then they should discuss it with him and he will show them the accident photos from the cases that he litigates. Mr. DeLucia mentioned that the surrounding towns do have striped roads. Mr. Ripperger explained that Connecticut allows single yellow lines but the State of New York requires double yellow lines.

Mr. Ripperger said he studied a map of Lewisboro to figure out which roads would be the best candidates for striping, while pointing out that the state law calls for double-yellow lines on all roads unless they are less than 16-foot wide, in which case a single yellow line is allowed.

Mr. Ripperger brought this to the board's attention so that they can talk about the pros and cons. He explained that once we start the program, you have to keep it up and put it in the budget every few years. The new epoxy paint that they make now can last as long as five years. He also feels that he believes it is just a matter of time before the state mandates the town roads be striped.

Mr. Pappalardo asked about the cost of the white lines on the side. Mr. Ripperger explained the cost would be doubled, approximately six hundred dollars per mile of road.

Mr. DeLucia expressed that we need something since we have no lights, no barriers, etc. The Board will read over Mr. Ripperger's proposition. They are in complete agreement that something needs to be done. There are only two companies that do the striping. Work cannot begin until after April due to weather constraints. Mr. Ripperger will also try to coordinate with the neighboring towns to see when they will be doing their striping. Mr. Ripperger thanked the Board for their cooperation.

STORMWATER - Review MS4 Stormwater Compliance Project Report

Mr. Parsons thanked Mr. Lewis and the Stormwater Committee for their help in meeting stormwater compliance by compiling a report, approximately 1,400 pages, of all of the outfalls in the town. This should be a helpful tool for the Highway Superintendent. The Board thanked Mr. Lewis and Kellard-Sessions for a terrific job.

STORMWATER PERMIT APPLICATION AND FEE SCHEDULE – Approve

On motion by Mr. Parsons, seconded by Mr. Kelly, the Board voted 5-0 as follows:

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

RESOLUTION

RESOLVED, that the Town Board does hereby approve the Stormwater Permit Application and fee schedule as submitted and reviewed by counsel.

(see attached)

ASSEMBLY BILL – Support NY State re proposed laws concerning contact information for vacant structures

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

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

RESOLUTION

RESOLVED, to support New York State regarding the proposed laws concerning contact information for vacant structures,

WHEREAS, vacant, abandoned and foreclosed homes and structures have proliferated throughout New York State over the last five years; and

WHEREAS, vacant structures that are not maintained for months at a time degrade and depreciate the value of the vacant structure as well as the value of surrounding properties; and

WHEREAS, lending institutions that hold mortgages on said vacant structures do not always provide the contact information of a responsible party; and

WHEREAS, Assembly Bill A.88 and Assembly Bill A.824, currently pending, would make it mandatory for lending institutions to provide contact information of responsible parties regarding vacant structures; and require good faith in obtaining a foreclosure; and

WHEREAS, the Town of Lewisboro Town Board supports the passage of said Bills,

NOW THEREFORE, BE IT RESOLVED, that the Town of Lewisboro hereby supports the passage of said Bills and respectfully requests that the State Representatives who represents constituents in the Town of Lewisboro support the passage of said Bills.

Copies of this resolution to be forwarded to Senator Greg Ball, Assemblyman David Buchwald, Co-Sponsors of this bill: Senator Greg Ball, Assemblyman David Buchwald.

NORTHEAST WESTCHESTER SPECIAL RECREATION – Authorize Agreement

On motion by Mr. DeLucia, seconded by Mr. Kelly, the Board voted 5-0 as follows:

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

RESOLUTION

RESOLVED, that the Town Board does hereby authorize the Supervisor to sign the 2013 agreement with Northeast Westchester Special Recreation as submitted and reviewed by counsel.

WESTCHESTER EMS LETTER – Authorize Supervisor to sign

The town has two ambulance services in town; Lewisboro Volunteer Ambulance Corp (LVAC) and Vista. On the whole, when LVAC picks someone up and heads to the hospital, they head west. This puts them in Advanced Life Saving (ALS) fly car territory and the fly car can get to them quickly. So if they decide they need the fly car’s help, they are close. When Vista picks up, they usually head to Norwalk and the fly car cannot get to them quickly. This EMS letter would only pertain to LVAC. Right now there is a requirement that the fly car goes to every road accident. During this trial period, no ALS fly car unit would be dispatched unless requested by a first responder on the scene or at the discretion of the dispatcher based on the call taker information that may identify a serious injury.

The Board would like more supporting data on this. They would like to invite Bob Stoddard from LVAC and Al Kim from Stellaris in to give a short presentation/explanation before making a decision.

WATERSHED FORESTRY MANAGEMENT PLAN GRANT FOR OLD FIELD PRESERVE
- Approved

Mr. Parsons informed the Town Board that the Watershed Forestry Management Plan Grant for the Old Field Preserve, headed up by Jim Nordgren, has been approved. Mr. Nordgren has one year to complete the work.

2012 TOWN FINANCIALS – Review

Leo Masterson, Comptroller for the town, gave a review of the town’s financials from 2012. Mr. Masterson went over figures that compared the 2012 results to budget for the General fund and the Highway fund. The General funds’ results were \$146,000 better than budget and the Highway fund was \$17,000 worse than budget. A couple of items have not been included yet. There are still some 2012 claims not paid but that he anticipates it will be minimal. Mr. Masterson also explained that there is a journal entry outstanding regarding Town tax receipts that won’t be quantified until the end of February. But the most significant item that has not been measured yet is the reimbursement from FEMA. When the Town gets an estimate from FEMA, he will record it as a 2012 revenue receivable. The Board complimented Mr. Masterson on a job well done.

(see attached unaudited estimate of 2012 results)

CLAIMS – Authorized for Payment

On motion by Mr. DeLucia, seconded by Mr. Kelly, the Board voted 5-0 to authorize payment of the Town’s bills in the amount of \$365,144.08.

POLICIES AND PROCEDURES – Parks and Recreation

The Board discussed establishing rates for the rental of our town owned fields for non-cooperating agencies. The Parks and Recreation Superintendent, Dana Mayclim, asked other municipalities what they charge. College of New Rochelle, North Castle, and Briarcliff charge \$150-200 per game/per field. Many of them don’t rent out the fields at all.

On motion by Mr. DeLucia, seconded by Mr. Kelly, the Board voted as follows:

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

RESOLUTION

RESOLVED, that the Parks & Recreation department establishes a rate for rental of multi-purpose fields at \$150/hour per field and a full day eight hour rate at \$1,000 per field with a security deposit up front in the amount of five hundred dollars which will be returned to the leaser if the fields are in adequate shape upon the inspection and approval of the Superintendent of Parks and Recreation.

POLICIES AND PROCEDURES - Website

Newsday has approached the Supervisor about putting their link – radio button - on our website. The Board discussed this and the feeling was that if we do it for one media outlet, then we open this up to other media outlets. Mr. Kelly expressed that if they are not paying, they should not be linked to our website since they are not within our Town. The Supervisor will relay this to Newsday.

HIGHWAY – Request to Transfer Highway Department Funds

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

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

RESOLUTION

RESOLVED, that the Town Board authorizes the budget transfer of the following funds in the Highway Department:

\$5,335.00 from D.5142.0460 Plow Maintenance to D.5130.0400 Vehicle Repair/Maintenance

\$385.49 from D.5132.0404 Standard Phone to D.5130.0400 Vehicle Repair/Maintenance

\$18,332.41 from D.5142.0420 Salt to the following appropriations:

D.5110.0413 Oily Water Recovery	\$1,757.66
D.5110.0430 Gravel	\$1,349.31
D.5110.0470 Tree Work	\$5,589.00
D.5110.0480 Signs + Posts	\$1,741.65
D.5110.0490 Hardware + Maintenance	\$1,331.66
D.5112.0400 Maintenance-Resurf/Drainage	\$963.66
D.5112.0401 Road Resurfacing & Paving	\$64.35
D.5130.0400 Vehicle/Equip Repairs	\$5,080.96
D.5142.0480 Storm Trailer	\$454.16

KATONAH-LEWISBORO SCHOOL DISTRICT – Authorize Payment

On motion by Mr. DeLucia, seconded by Mr. Kelly, the Board voted as follows:

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

RESOLUTION

RESOLVED, that the Town Board authorizes the Comptroller to reimburse the Katonah Lewisboro School District a total of \$1,917.68 for the custodial charges to maintain the showers and warming station during the October, 2011 power outage due to the snow storm.

MEETINGS – Dates Set

The Supervisor noted there will be a Town Board meeting on Tuesday, February 12, 2013, at 7:30 p.m. at the Town House, 11 Main Street, South Salem, NY. There will also be a Town Board work session on Monday, February 25, 2013 at 7:30 p.m. at the Lewisboro Library, 15 Main Street, South Salem, NY.

EXECUTIVE SESSION – Personnel Issues

On motion by Mr. Parsons, seconded by Mr. DeLucia, the Board voted 5-0 to go into executive session to discuss personnel issues, specific appointments, and legal proceedings.

On motion by Mr. Parsons, seconded by Mr. DeLucia, the Board voted 5-0 to come out of executive session.

ARCHITECTURE AND COMMUNITY APPEARANCE REVIEW COUNCIL – Appointment of Member

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

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

RESOLUTION

RESOLVED, that Kenneth McGahren is hereby appointed as Member of the Architecture & Community Appearance Review Council (ACARC) for a three-year term expiring December 31, 2015.

TOWN EMPLOYEES AND OFFICIALS

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

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

RESOLUTION

RESOLVED, that the Town Board approved the layoff of an employee and to provide the notice to such employee, as discussed in Executive Session.

TOWN EMPLOYEES AND OFFICIALS

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

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

RESOLUTION

RESOLVED, that the Town Board approved the Supervisor to offer Cheryl Blamires a full-time position, as the Secretary to Town Superintendent of Highways, at the annual salary of \$45,000, as discussed in executive session, effective February 11, 2013.

ADJOURNMENT

On motion by Mr. Parsons, seconded by Mr. DeLucia, the Board voted 5-0 to adjourn at 11:20 p.m.

Janet L. Donohue
Town Clerk