

A meeting of the Town Board of the Town of Lewisboro, Westchester County, New York, was held on April 22, 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 and Comptroller Leo Masterson.

Mr. Parsons called the meeting to order at 7:42 p.m.

PLEDGE OF ALLEGIANCE

Supervisor Parsons led the Pledge of Allegiance to the flag.

PUBLIC COMMENT PERIOD

HIGHWAY – Yellow Stripe Lines

Seth Christian, the President of the Waccabuc Land Council, reiterated his opposition to the painting of yellow lines on any of the town roads. He is circulating a petition around Lewisboro and already has four hundred signatures.

Bobby Stultz, a Goldens Bridge resident, also spoke out against yellow striping of roads. She doesn't know why this idea has come up again especially since it is not state mandated. Stripes were put on Increase Miller Road seven years ago and they only lasted two years ago. Where is the data, where are the experts to analyze and evaluate the data, what criteria have you used to evaluate the individual roads, what methods have you used first, such as signage, before resorting to striping? So many people in this area are working to protect the semi-rural atmosphere. When you start striping secondary roads, you diminish the rural character and lower the property values.

Liza Henshaw, who also lives on Mead Street, spent a lot of time looking for data that would support the decision of striping. She did watch the video where Mr. Parsons says the striping is due to safety. She does feel that speed is a factor on Mead Street. She tried finding a correlation between striping and a reduction in speed and you could not find any. She would like the Town Board to show them the data that there is a problem and to also show them the data that supports their solution actually fixes the problem.

Mr. Parsons stated that the reason they are considering striping the roads is for the safety of people. Mr. Henry has publicized the possibility of yellow striping on our local roads and as a result, Mr. Parsons has received several comments in support of striping the roads. Most of the data comes from the Cornell School, which is the New York State Land College and authority on roads.

Mr. Kelly said that a few links have been put on the Town Website on the home page pertaining to traffic calming potential and yellow lines. Mr. Kelly does feel that it is a lot to put your head around and there is a lot of information. Mr. Kelly doesn't feel that just because it has not happened yet, does not mean that it won't happen. The standard is to mark the roads since it fosters safety. Mr. Kelly would like to do what is best for the citizens. He feels that all points have been well taken.

Mr. DeLucia expressed that the Town will continue to have conversations with Cornell and the Department of Transportation. He feels this conversation needs to be part of a bigger picture and see what other options are out there. He would like to work together for the safety of the community.

Mr. Welsh stated that Mead Street is wide enough at that point where you can carve out a dedicated pedestrian/bike lane on one side of the road. He feels that by narrowing the car lanes, it will offer a calming effect. Mr. Parsons has already asked the Town Engineer to assess this possibility.

Mr. Pappalardo would like to see the documentation and data that directly correlates the reduction in the home values to the striping of the roads.

COMMENDATION – First Annual Wellness Day

The Supervisor read a letter of commendation written by Dr. Lawrence Stern, on behalf of Stern Chiropractic and Wellness and the Lewisboro Chamber of Commerce, thanking the Town for their support in the First Annual Community Wellness Day on Saturday, May 18th, 2013.

TOWN OFFICIALS AND EMPLOYEES - Resignation of Anthony Scarlato

The Supervisor read a letter of resignation/retirement from Officer Anthony Scarlato. The Board thanked Officer Scarlato for his years of service to the Town of Lewisboro.

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

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

RESOLUTION

RESOLVED, that the Town Board does hereby accept the letter of retirement/resignation from Officer Anthony Scarlato, effective April 15, 2013.

CONSENT AGENDA

On motion by Mr. Parsons, seconded by Mr. DeLucia, the Board voted 4-0 to approve the Town Board minutes of April 8, 2013.

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Welsh	(4)
	No	- Pappalardo (abstain)	(1)
	Absent	- None	(0)

MINUTES - Approved

On the above motion and second, the Board voted 4-0 to approve the Town Board minutes of the April 8, 2013.

TOWN PROPERTY – Waive Fees

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

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

RESOLUTION

RESOLVED, that the Town Board does waive the fees for the use of the Lewisboro Town Park for the First Annual Community Wellness Day.

LEWISBORO EMERGENCY SERVICES – Waive Fees

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

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

RESOLUTION

RESOLVED, that the Town Board does exempt Lewisboro Emergency Services from Town Planning Board and Wetlands Activity application fees.

FINANCE – Comptroller’s Financial Update

Leo Masterson, the Comptroller for the Town of Lewisboro, gave a financial update to the Board. The FEMA approved amount for debris removal due to Hurricane Sandy was \$263,255 and the Emergency Management portion was \$81,982 for a combined total of \$345,237. This work has been completed. FEMA reimbursed the town for seventy-five percent of this total amount, which equated to \$258,927. This amount was recorded as a 2012 receivable. That receivable was allocated as follows: \$72,405 to the highway fund and \$186,522 was allocated to the general fund. Work that has not yet been started is the guardrail repairs, Onatru Buildings repair and chain link fencing repairs. The dollar amount for these repairs is under appeal. FEMA and NYMIR insurance are reviewing the insurance settlement.

In 2012 the finances improved for two reasons. First, there was a small amount of snow in the first quarter of 2012 and FEMA paid the town for the use of our equipment during Hurricane Sandy.

Mr. Masterson said that the town’s available fund balance went from a negative \$230,000 to a positive \$147,000 for 2012, however, these are unaudited numbers. The first quarter of 2013 is also looking good. The County sales tax held up well and appears to be slightly higher than projected. It is \$435,000, up by \$22,000 when compared to the first quarter of 2012.

Mr. Masterson explained that on the down side, the town faced more snow this year and spent heavily on salt and on Highway Department overtime. The town spent \$96,000 in the first quarter of this year versus \$57,000 for the first quarter of 2012. The \$96,000 is \$10,000 more than what was spent in all of 2012.

HIGHWAY – Equipment

The Highway Superintendent, Peter Ripperger, discussed the need to purchase new trucks to replace the two vehicles that are in very poor condition. He explained that the 1987 truck is done and the other is on its last legs. He feels that we are now putting good money after bad for repairs and need to get replacements. The trucks cost approximately \$195,000 to purchase. One of the trucks cannot be used at all because it failed inspection. Mr. Ripperger doesn’t feel that the cost of repairs on the other truck makes sense. Both could be sold at auction if they were to get replacements.

Mr. Ripperger said he needed a full fleet of ten trucks for snow removal and salting of the roads. The routes have already been reduced from 12 to 10 and this means it takes longer to reach some of the smaller roads.

Town Board members did agree that there is a need to purchase at least one new truck, but questioned the need for a second. The Board asked Mr. Ripperger to provide information on projected costs of repairs so that they can decide if buying a second new truck would result in savings versus the cost of projected repairs.

MINUTES OF TOWN BOARD MEETING HELD ON April 22, 2013

Superintendent	Ripperger		12/31/2015				
Tax Receiver	Joann Vasi	7	1/10/10- 12/31/2013	N	23.48		
Judge	Marc Seedorf	6	1/1/10- 12/31/2013	N	3.89		
Judge	Sue Simon	6	1/1/12- 12/31/2015	N	7.72	X	

Assessor	Lise Robertson	7	09/08/08- 9/30/2013	Y	N/A		
Comptroller	Leo Masterson	7	5/15/12- 12/31/2013	Y	N/A		
Deputy Town Clerk	Mary Hafter	7	1/1/13- 12/31/2013	Y	N/A		
Deputy Highway Sup.	Joe Posadas	8	1/1/13- 12/31/2013	Y	N/A		
Deputy Rec. of Taxes	Deirdre Casper	6	1/1/13- 12/31/2013	Y	N/A		
Confidential Secretary	Connie Green O'Donnell	7	1/1/13- 12/31/2013	Y	N/A		

TOWN CODE – Proposed amendment to Chapter 7 of the Town Code of Lewisboro

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 the Town Board set a public hearing with regard to a local law amending Chapter 7 of the Code of the Town of Lewisboro, regarding application and meeting procedures of the Architecture and Community Appearance Review Council. This public hearing will take place on Monday, May 6th, 2013, at the Lewisboro Library at 8:00 p.m.

TOWN CODE – Proposed amendment to Section 195-7 of the Town Code providing for adjustment by the Planning Board in the subdivision review process for special physical or environmental circumstances of a particular case. Proposed amendment to Section 217-8(F) of

the Town Code providing for adjustment by the Planning Board in the wetland activity permit review process for special physical or environmental circumstances of a particular case.

As the subdivision part and the wetlands part of the code stands, the Planning Board is allowed no flexibility, even when the result may not be intelligent. There has been a recent instance in town where this would have been clearly beneficial. But because the ordinance, as it stands now, allows the Planning Board no flexibility, the applicant was denied.

Anthony Mole', the Town Attorney, explained that a portion of the amendment already existed in the code in subdivision, yet in a slightly different version. This was not in the wetlands portion, but the town attorney feels that these two sections should mirror each other. A few changes were made for the Board to review.

Mr. Pappalardo asked why it wouldn't be appropriate to get a variance. If you have an issue where it makes sense for the Planning Board to embrace an applicant who is coming forward with a proposal that doesn't conform to the Code, by definition, wouldn't that be a variance? Mr. Mole' explained that it depends. If you look at the Wetland applications, the Planning Board could grant waivers for the wetlands. The Planning Board would not be allowed to overstep the Zoning Board or the Town Board.

The Board would like to discuss this further at the May 6th meeting. Mr. Parsons will invite the Planning Board Chairman, Jerome Kerner, to the meeting so that this can be discussed further.

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 \$272,810.18.

E-WASTE

Mr. Welsh expressed that our new E-Waste program is well underway and is very popular already. Anything with a cord, with a few exceptions, can now be brought to the Recycling Center on Saturday mornings from 9 a.m. until noon.

EARTH DAY

Mr. Welsh wished everyone a happy Earth Day. He went to the Country Children's Center Earth Day celebration over the weekend. They are connecting kids early with the earth.

LEWISBORO BASEBALL ASSOCIATION OPENING DAY

Mr. DeLucia said that the LBA opening day was terrific. Lots of fun was had by all. Also, don't forget about summer camp coming up.

FINANCIAL UPDATE

Mr. Pappalardo appreciated the financial update. In light of some of the revenue projections, he wanted to reiterate a request that was made in the past that he would like to get some people in to give evaluations and presentations regarding the town's healthcare/benefits.

HEALTHCARE/INSURANCE RENEWALS

Mr. Kelly would like to see an update on where we are with the healthcare and insurance renewals.

SOFTBALL GAME

Mr. Kelly expressed that the Republicans again wanted to challenge the Democrats to the second annual charity softball tournament to be held at Onatru Park on Saturday morning, June 29. Mr. DeLucia would like to see the Town Judges as the umpires.

LEATHERMAN'S LOOP

Mr. Kelly said that there was a great turn out for the annual Leatherman's Loop in the Pound Ridge Reservation. The weather was beautiful and it was an overall great day.

LIONS CLUB ROAD SIDE CLEAN UP

Mr. Parsons thanked the Lions Club for sponsoring the annual road side clean up. He said that the roads look terrific and there were many orange bags along many of the town roads.

MOMENT OF SILENCE

Mr. DeLucia suggested a moment of silence in relation to the events that have happened between the bombings in Boston and the explosion in Texas.

ONATRU ARTISTS

Mr. Parsons reminded everyone that local artists in town should contact Alex MacFarlane or Peter Lampke re an art exhibit that will be held at the Onatru Farmhouse. It will open on June 28th and run through July 7, 2013.

IF YOU SEE SOMETHING, SAY SOMETHING

Mr. DeLucia reminded everyone about the campaign that is going on that if they see something out of the ordinary, to say something to the police.

MEETINGS – Dates Set

The Supervisor noted there will be a Town Board meeting on Monday, May 20, 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, May 6th at 7:30 p.m. at the Lewisboro Library, 15 Main Street, South Salem, NY.

EXECUTIVE SESSION – Various Employment Issues

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

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

ADJOURNMENT

On motion by Mr. Parsons, seconded by Mr. DeLucia, the Board voted 5-0 to adjourn at 10:00 p.m.

Janet L. Donohue
Town Clerk