

A meeting of the Town Board of the Town of Lewisboro, Westchester County, New York, was held on September 23, 2013, at 7:30 p.m. at the Lewisboro Library, 15 Main Street, South Salem, New York.

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

Also attending was the Attorney for the Town Anthony Mole', Facilities Maintenance Manager Joel Smith, Receiver of Taxes Deirdre Casper and Comptroller Leo Masterson.

Mr. Parsons called the meeting to order at 7:35 p.m.

PLEDGE OF ALLEGIANCE

Supervisor Parsons led the Pledge of Allegiance to the flag.

PUBLIC COMMENT PERIOD

There were no public comments.

CONSENT AGENDA

On motion by Mr. Kelly, seconded by Mr. DeLucia, the Board voted 4-0 to approve the Town Board minutes of September 16, 2013.

MINUTES - Approved

On the above motion and second, the Board voted 4-0 to approve the Town Board minutes of September 16, 2013.

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

VETERAN'S DAY – Flag Presentation Planned

Mr. Parsons noted that a local scout group is requesting permission to install a 300-flag display on the front lawn of the Town House on November 11, 2013, in honor of Veteran's Day.

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

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

RESOLUTION

RESOLVED, that the Town Board does hereby give permission to Lewisboro Cub Scout Pack 1 to install a flag tribute on the front lawn of the Town House on November 11, in honor of the Town’s veterans for Veteran’s Day.

JOHN LEWIS DAY – Proclaiming the First Saturday after October 1 as John Lewis Day

Sebastian Bates, one of the interns that worked for the Town this summer, together with Maureen Koehl, our Town Historian, asked the Board to proclaim that the Saturday following October 1 of each year, be known as John Lewis Day in the Town of Lewisboro. The Board suggested that Sebastian work with Ms. Koehl to see if there is a picture of Mr. Lewis. Supervisor Parsons suggested that they look in the attic of the old rectory, which is now A-Home. Councilman Welsh wondered if any relatives are still alive and invite them to the celebration.

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

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

WHEREAS, John Lewis was born in the hamlet of Vista on February 4, 1793; and

WHEREAS, he died in Washington, DC on October 1, 1871, and is buried in Vista; and

WHEREAS, he was a philanthropist throughout his lifetime and an early advocate of the importance of public education, serving as a “liberal benefactor to the common schools of Lewisboro” and as a patron of St. John’s Episcopal Parish; and

WHEREAS, our Town is named in his honor to commemorate his extraordinary generosity; now therefore be it

RESOLVED, that the Town Board of the Town of Lewisboro does hereby proclaim the Saturday following October 1 of each year as John Lewis Day in the Town of Lewisboro, and encourages all residents to celebrate on this day their Town’s rich history, and the volunteers and supporters who have made, and continue to make, this community a success.

BUDGET – Discussion of Town Clerk’s 2014 Budget

Town Clerk Janet Donohue and Comptroller Leo Masterson discussed the Town Clerk’s budget for 2014 with the Board. The Town Clerk requested an additional forty-five hundred dollars to redo the website. She received several quotes and has decided on AHA Consulting. Pound Ridge and Yorktown have used this company for several years and are very happy with them. Mr. Parsons said that he believes people will benefit from the upgraded website.

Mr. DeLucia suggested that the Town Clerk add two thousand dollars additional revenue into the rental of the Community House line since Onatru should be able to be rented for rehearsal

dinners, weddings, etc. The Board asked Ms. Donohue to work with Peter Parsons to research what other towns are charging for similar community houses. Ms. Donohue suggested that in the future, brochures could be made up promoting the use of Onatru along with an open house and a tour of the farmhouse once the construction on the house has been completed.

Ms. Donohue also reduced the revenue line for the sale of graves from \$14,000 to \$5,100. She reduced any non-contractual lines by 1%.

BUDGET – Discussion of Receiver of Taxes 2014 Budget

Receiver of Taxes Deirdre Casper and Comptroller Leo Masterson discussed the Receiver of Taxes’ budget for 2014 with the Board.

Interest and Penalties went down a bit. Mr. Masterson said that there has been a downward pattern since 2011.

Ms. Casper requested an additional fifteen thousand dollars to start the process of automating the Receiver of Taxes Department. This would be for just a basic upgrade, which includes migration. Upgrades can be added in the future. This investment will get rid of all the hand calculations that are presently required. The program will open up many possibilities in the future and it is also very user-friendly.

Mr. Welsh asked where the fifteen thousand dollars would be in 2015. Ms. Casper replied that moving forward after the initial investment the cost would be twenty-five hundred dollars for the maintenance portion.

Mr. DeLucia praised Ms. Casper for her initiative and a job well done. Mr. DeLucia said that it was an excellent move by the Town Board to unanimously appoint Ms. Casper as the Receiver of Taxes after Ms. Vasi retired earlier this year.

PUBLIC HEARING - Proposed amendment to Chapter 170, Peddling and Soliciting, of the Code of the Town of Lewisboro, to add Sections 20 and 21 to the existing law, which would be known as the “Do Not Knock” Registry.

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

There were no public comments.

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

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

RESOLUTION

RESOLVED, that the public hearing for the proposed amendment to Chapter 170, Peddling and Soliciting, of the Code of the Town of Lewisboro, to add Sections 20 and 21 to the existing law, which would be known as the “Do Not Knock” Registry, is now closed.

TOWN CODE – Amendment to Chapter 170, Peddling and Soliciting, of the Code of the Town of Lewisboro, to add Sections 20 and 21 to the existing law, which is known as the “Do Not Knock” Registry.

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

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

RESOLUTION

RESOLVED, that the Town Board of the Town of Lewisboro did, at a public hearing held on Monday, September 23, 2013, adopt Local Law No. 9-2013 which amends Chapter 170, Peddling and Soliciting, of the Code of the Town of Lewisboro, to add Sections 20 and 21 to the existing law, which is known as the “Do Not Knock” Registry, as follows:

TOWN OF LEWISBORO
 LOCAL LAW NUMBER 9-2013 OF THE TOWN OF LEWISBORO
 AMENDMENTS TO CHAPTER 170 OF THE LEWISBORO TOWN CODE

Be it enacted by the Town Board of the Town of Lewisboro that the following section be added to existing Peddlers and Solicitors Law:

§ 170-20 “Do Not Knock” Registry

- A. Any owner or occupant of property located in the Town who wishes to prohibit soliciting on the premises shall complete a form available in the Town Clerk’s office and on the Town’s website. The completion of the form will allow the owner/occupant’s premises to be included on a list of properties that do not permit solicitation (herein referred to as the “Do Not Knock Registry” or “Registry”).
- B. In order to be removed from the Registry, the owner and/or occupant must complete a form indicating that he/she does not want his/her property to be included on the Registry.
- C. All solicitors shall obtain the current Do Not Knock Registry at the time of issuance of a permit or at the time of registration to solicit pursuant to the provisions of this Chapter.
- D. Solicitors shall not solicit at any premises identified on the then current Do Not Knock Registry.

- E. It shall be the responsibility of the solicitor to check each residence for the presence of such signage and to obtain updated copies of the Registry.
- F. Activities related to a service requested by the owner or occupant of the property and undertaken in the ordinary course of business, including but not limited to deliveries of utility notices, telephone directory deliveries, regular newspaper deliveries, work order notices and service inquiries, are presumed to be requested or invited for the purpose of this Section.
- G. Nothing in this Section shall be construed to prohibit the distribution of leaflets, pamphlets or other literature such as commercial, political or religious material distributed in a lawful manner.

§170-21 Severability

If any section of this local law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder thereof.

PUBLIC HEARING - Proposed amendment to Chapter 220, Zoning, of the Code of the Town of Lewisboro, related to the changes to the Agricultural and Market Law Requirements.

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

Supervisor Parsons explained that in simple terms, we are taking the amendment that we passed about a month ago, and we are taking out the special use permit component of the law. One comment that the Department of Agriculture and Markets had regarding the amendments dealt with the setbacks from existing wells. They want us to state the setbacks as required by New York State Department of Health. Westchester County Department of Health may have different setbacks and they may be even more stringent.

Mr. DeLucia wondered if any numbers had to be in there at all. Mr. Parsons and Mr. DeLucia suggested they add, "In compliance with".

Another change that the Department of Agriculture and Markets would like to see changed in the language would be "All New York State and Federal, as identified on the National Wetlands Inventory maps, wetlands must be designated". We said, "All wetlands must be designated". Our Town Attorney will speak with our Wetland's Inspector, Jan Johannesen, regarding the language.

A resident from Vermont, Patrick Medeo, asked the Board for clarification.

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

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

RESOLUTION

RESOLVED, that the public hearing for the proposed amendment to Chapter 220, Zoning, of the Code of the Town of Lewisboro, related to the changes to the Agricultural and Market Law Requirements, is now closed.

The Town Attorney will make the changes that have been talked about at tonight’s meeting and will resubmit to the Board at an upcoming Town Board meeting.

CLAIMS – Authorized for Payment

On motion by Mr. DeLucia, seconded by Mr. Kelly, the Board voted 4-0 to authorize payment of the Town’s bills in the amount of \$65,649.74.

LIBRARY FAIR - Successful

Mr. Welsh expressed that despite the rain on Saturday, the Library Fair had a good turn out and hoped that they were successful in their fundraising.

MEETINGS – Dates Set

There will be Town Board work sessions on Monday, September 30, 2013 at 7:30 p.m. at the Lewisboro Library, 15 Main Street, South Salem, NY.

EXECUTIVE SESSION – To Discuss Personnel Issues

On motion by Mr. Parsons, seconded by Mr. Kelly, the Board voted 4-0 to go into executive session to discuss personnel issues.

On motion by Mr. Parsons, seconded by Mr. Kelly, the Board voted 4-0 to come out of executive session.

TOWN EMPLOYEES AND OFFICIALS – Letter of Withdrawal from Frank Secret

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

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

RESOLUTION

RESOLVED, that the Town Board of the Town of Lewisboro moved to accept Chief Frank Secret's letter of withdrawal of his intent to retire.

ADJOURNMENT

On motion by Mr. DeLucia, seconded by Mr. Parsons, the Board voted 4-0 to adjourn at 9:25 p.m.

Janet L. Donohue
Town Clerk