

A meeting of the Town Board of the Town of Lewisboro, Westchester County, New York, was held on November 17, 2014, at 7:30 p.m. at the Town House, 11 Main Street, South Salem, New York.

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

Also attending was the Attorney for the Town Jennifer Herodes, Facilities Maintenance Manager Joel Smith, Comptroller Leo Masterson, and Confidential Secretary/Benefits Coordinator Mary Hafter.

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

PLEDGE OF ALLEGIANCE

Supervisor Parsons led the Pledge of Allegiance to the flag.

PUBLIC COMMENT PERIOD

Glenn DeFaber, a town resident, stated that he is running for the open seat on the South Salem Fire District Board. The election will be held at the South Salem firehouse on December 9th, 2014, from 6 p.m. – 9 p.m. Mr. DeFaber explained that also on the ballot is a proposal to borrow an additional \$250,000 to be combined with existing funds to purchase a 100' ladder truck for approximately \$800,000 (not including ancillary extra expenses). Mr. DeFaber encouraged all registered voters in the South Salem Fire District to come out and vote. He suggested that if anyone had a question as to whether or not they were in the South Salem fire district to call the Town Clerk.

VETERANS PROCLAMATION – Congressman Sean Patrick Maloney

Congressional Proclamation

Honorable Sean Patrick Maloney

WHEREAS, millions of Americans have answered the call to defend the American ideals of freedom and democracy throughout the world;

WHEREAS, we gather once again on the eleventh hour on the eleventh day of the eleventh month, as we have every year since November 11, 1919, to express our collective gratitude and appreciation for life's liberties and privileges that veterans and military families have so selflessly provided;

WHEREAS, our community, especially now, has a fundamental responsibility to acknowledge the contributions of veterans and to ensure that their unique concerns and priorities are addressed, for their courage and devotion to duty, honor, and country reflect the exemplary attributes of American servicemen and women;

WHEREAS, this Veterans Day, the people of Lewisboro are proud to recognize the many who have served our Armed Forces and reaffirm our commitment to ensuring that their needs are met; and

WHEREAS, it is essential that we salute those who have fought to defend our nation; never forget the many brave men and women who made the ultimate sacrifice to ensure freedom for all people, and once again fully support those who are overseas and everyday make our nation proud;

NOW, THEREFORE, BE IT RESOLVED: that all of America's veterans be recognized and honored for their enduring commitment to preserve the highest ideals on which America was founded.

November 11, 2014



A handwritten signature in black ink, appearing to read "Sean Patrick Maloney".

Sean Patrick Maloney
Member of Congress

LETTER OF APPRECIATION – Highway Superintendent and Staff

The Supervisor read a letter from Joseph Niola, President of the Lake Kitchawan Association, expressing gratitude and appreciation to the Highway Department for the repairs made to Laurel Road.

VETERANS’ HALL OF FAME – Waldie Gullen

A local long time resident, Waldie Gullen has been nominated to Senator Greg Ball’s 4th Annual Veterans Hall of Fame. Mr. Gullen will be inducted into the Veterans Hall of Fame on Thursday, November 20, 2014 at Mahopac Falls Elementary School, 100 Myrtle Ave in Mahopac. Registration is at 5 p.m. and the ceremony is at 6 p.m.

CONSENT AGENDA

MINUTES - Approved

On motion by Mr. Parsons, seconded by Mr. Kelly, the Board voted to approve meeting minutes and to receive monthly departmental reports.

On above motion and second, the Board voted 3-0 to approve the Town Board meeting minutes of November 3, 2014.

| | | | |
|-----------|--------|-------------------------|-----|
| THE VOTE: | Yes | - Kelly, Parsons, Welsh | (3) |
| | No | - None | (0) |
| | Absent | - DeLucia, Pappalardo | (2) |

REPORTS – Monthly Reports

On the above motion and second, the Board voted 3-0 to accept and file the October reports from the Building, Planning and Police Departments.

| | | | |
|-----------|--------|-------------------------|-----|
| THE VOTE: | Yes | - Kelly, Parsons, Welsh | (3) |
| | No | - None | (0) |
| | Absent | - DeLucia, Pappalardo | (2) |

PUBLIC HEARING – Cablevision Franchise Renewal

Supervisor Parsons opened the public hearing at 7:41 p.m. Cablevision representative Dan Ahouse said that the renewal agreement had been under discussion for several months and he believed it was a robust one for Lewisboro. It is a 15 year term which is standard and it is based on the existing franchise with some changes made due to updates to the law.

They plan on giving discounts on basic service to senior citizens who are 62 and older. The agreement includes \$50,000 in grants from Cablevision to the town, \$7,000 of which is a technical grant that could be used for WiFi.

*John Pappalardo arrives at 7:46 p.m.

In Section 17, support for the public education and government access programs is discussed. This includes a \$43,000 grant, \$28,000 which will become available 60 days after the certification of the agreement and then another \$15,000 on the 8th anniversary which will allow the town to update equipment.

The agreement does acknowledge the possibility of the town moving the origination point to the Town Hall or another town property and the agreement does recognize that Cablevision will provide the town with some technical assistance to support that effort.

The agreement provides for continuation of the 5% franchise fee on revenue generated by the customers in the town.

Mr. Welsh asked if there was any hope for containing the escalating rates. Mr. Ahouse responded that Cablevision has been working to keep rates as low as possible. He also said that customers have choices and that Cablevision has been adding a lot of value with new services that keep abreast of the latest technology. Mr. Ahouse also stated that you have to keep in mind that Cablevision has to pay broadcasters higher rates which have gone up tremendously in recent times.

Dean Travalino, Chairman of the town’s Cable TV Advisory Committee, along with Glenn DeFaber and Henri Wolfe, who are members of this committee were present. Mr. Travalino felt that this was a good agreement and reiterated that technology is moving so quickly that we won’t know what will be happening in a few years. Mr. Travalino said that we also don’t know the impact of Verizon entering the picture. He stated that he gets many calls on this. This agreement does nothing to put up barriers against Verizon.

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

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

RESOLUTION

RESOLVED, that the public hearing for the Cablevision Franchise agreement, is now closed at 7:58 p.m.

CABLEVISION FRANCHISE RENEWAL AGREEMENT – Authorize Supervisor to Sign

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

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

RESOLUTION

RESOLVED, that the Town Board does authorize the Supervisor to sign the Cablevision Franchise Renewal Agreement subject to amending: (a) item 17.5.1 to include any of the buildings within the Town of Lewisboro listed in Exhibit A as the Government Access Origination Site; (b) Exhibit A to include all current Municipal and School buildings; and (c) item 17.8 to allow earlier payment of the second installment of the PEG grant if needed to improve the new head-end.

PUBLIC HEARING - 2015 Budget Hearing Closed (7:59 – 8:01 p.m.)

Mr. Parsons asked if there were any comments regarding the 2015 Budget. There were no comments.

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

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

RESOLUTION

RESOLVED, that the public hearing for the 2015 town budget is closed.

PUBLIC HEARING – 2015 Budget Adopted

Mr. Parsons believes this budget represents a sensible middle course which restrains spending to comply with the New York state tax cap while increasing our expenditure on road repaving in line with the plan adopted by the Town Board in 2013. At the same time it allocated funds to rebuilding the highway contingency account to answer comments made by the New York state comptroller’s office. He continued that this budget is a result of a collaborative process which began early in August. Mr. Parsons thanked each department head, the town comptroller and the Town Board.

Mr. Welsh stated that because of the tax cap he feels we were locked into an austerity budget. He wanted to take another opportunity to criticize the tax cap situation and equated it to a game of musical chairs. He stated that we are locked into an ongoing situation of very low spending that he would like to see change. He feels that we should be spending more on roads. He continued that he feels the tax-cap approach was too inflexible and that we are being penalized for being in a tight situation financially.

Mr. Pappalardo stated that he feels the town has managed to cope. Within the tax cap, he feels that the town has still managed to upgrade roads and preserve essential services. He stated that he feels they have also managed to keep up the morale of the employees.

Mr. Kelly is satisfied with the end result. He feels that the town has flattened out in terms of our ups and downs. We are now stable and watching expenditures.

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

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

RESOLUTION

RESOLVED, that the 2015 Town Budget be and hereby is adopted.

PARKS & RECREATION – Senior Automobile

Mr. Parsons stated that they would be making a decision one way or another by next week on the automobile that would be used for senior citizen transportation.

FOOD TRUCKS – Request for Proposals

Conversation continued regarding allowing mobile food trucks (MFUs) in our parks. Request for proposals (RFPs) will be created by the Parks and Recreation department. The trucks would be allowed at Onatru and Fox Valley parks during athletic and town events. They would be restricted to operating in the parking lots. Mr. Welsh would like language built in to the RFP regarding the fact that the clam shells need to be white and not black for them to be appropriately recycled.

CLAIMS – Authorized for Payment

On motion by Mr. Parsons, seconded by Mr. Pappalardo, the Board voted 4-0 to authorize payment of the Town’s bills in the amount of \$203,852.16.

POLLING OF BOARD

VETERAN’S DAY – Ceremony

Mr. Kelly relayed that several people did attend the Veteran’s Day ceremony which took place at 10 a.m. on Tuesday, November 11, 2014 at the Town House, 11 Main Street. Mr. Kelly thanked all who played an important role in this event.

HOUSING – Middle Income Housing

Mr. Pappalardo expressed that the town continues to make progress in addressing the mandated affordable housing issue. He stated that at a recent meeting of the Housing Committee, they continued to discuss mixed use and accessory apartment housing which would be district wide. He feels that the town is close to submitting a proposal to the town board and then to the county.

Mr. Parsons stated that he would be attending a meeting regarding the Pace Land Use law on Thursday of this week along with a meeting with the county in White Plains.

MEETINGS – Date Set

There will be Town Board meeting on Monday, December 1, 2014 at 7:30 p.m. at the Town House, 11 Main Street, South Salem, NY.

EXECUTIVE SESSION – To Discuss Contracts

On motion by Mr. Parsons, seconded by Mr. Kelly, the Board voted 4-0 to go into executive session at 8:19 p.m. to discuss contracts.

On motion by Mr. Parsons, seconded by Mr. Pappalardo, the Board voted 4-0 to come out of executive session at 8:35 p.m.

ADJOURNMENT

On motion by Mr. Kelly, seconded by Mr. Parsons, the Board voted 4-0 to adjourn at 8:37 p.m.

Janet L. Donohue
Town Clerk