

A meeting of the Town Board of the Town of Lewisboro, Westchester County, New York, was held on December 15, 2014, at 7:30 p.m. at the Town House, 11 Main Street, South Salem, New York.

PRESENT: Supervisor - Peter H. Parsons
Councilmen - Peter DeLucia, Frank Kelly, *John Pappalardo, Daniel Welsh
Town Clerk - Janet Donohue
Absent - None

Also attending was the Attorney for the Town Anthony Mole', Facilities Maintenance Manager Joel Smith, Parks and Recreation Superintendent Dana Mayclim, and Confidential Secretary/Benefits Coordinator Mary Hafter.

Mr. Parsons called the meeting to order at 7:34 p.m.

PLEDGE OF ALLEGIANCE

Supervisor Parsons and Boy Scout Patrol Leader Luke Fink led the Pledge of Allegiance to the flag.

PUBLIC COMMENT PERIOD

Lewisboro Boy Scout Troop 1 came to this evening's meeting to present their concept for a bike trail in town.

The trail would start and end at Lewisboro Elementary School and use a loop design that follows the shoulders of several roads, including Route 35 and Rout 121 North and Hawley Road.

Boy Scout Patrol Leader Luke Fink led the discussion by saying that biking is something a lot of Scouts and others are interested in. He said that they would like to see a marked path on the shoulder of the roads.

They also expressed an interest in renting out bikes at the Lewisboro Elementary School. The Board agreed that these are all very good ideas, but that the above mentioned roads are all state roads and state approval would be needed. The school is owned by the school district.

Mr. Welsh, who has been very active with improving biking in town, congratulated the Scouts for their interest and said it was a very ambitious plan. Mr. Welsh suggested that they try to do this plan in phases.

Mr. Parsons and Mr. Kelly also suggested that they lay out a proposal and send it to Mr. Galtman from the Department of Transportation. The Board thanked the Troop for their interest and wished them good luck moving forward with their plan.

*7:42 Mr. Pappalardo arrives

EAGLE SCOUTS – Congratulations to Brendan Cullen, James Kelly and Evan Leibman on the Completion of their Eagle Scout Awards

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

WHEREAS, BRENDAN CULLEN of Lewisboro, New York, is a member of Boy Scouts of America Troop One Lewisboro, and

WHEREAS, BRENDAN CULLEN by his conduct, responsibility, principles and achievements in following the trail of Scouting, has acquired the resourcefulness and leadership ability that will stand him in good stead in his future life, and

WHEREAS, BRENDAN CULLEN by virtue of his Scouting experience and unselfish service to home and community has earned the highest honor of the Boy Scouts of America, the rank of Eagle Scout, and

WHEREAS, BRENDAN CULLEN recognized an opportunity to add interest to the trails in Sal J. Prezioso Mountain Lakes Park in North Salem, New York, by identifying, documenting and marking various historical landmarks in the park, and

WHEREAS, BRENDAN CULLEN built stands on which to display this information so that a hiking in the park would become a walk through history, and

WHEREAS, this honor is deserving of public notice, now therefore,

BE IT RESOLVED, that the Town Board of the Town of Lewisboro, in recognition of the worthy achievement of this citizen of the Town of Lewisboro, does hereby offer the congratulations of its populace to Eagle Scout BRENDAN CULLEN, and

BE IT FURTHER RESOLVED, that this resolution be spread upon the minutes of this December 15, 2014 Town Board Meeting for future generations to see and that copies of this resolution be presented to Eagle Scout BRENDAN CULLEN and his parents.

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

WHEREAS, EVAN LEIBMAN of Lewisboro, New York, is a member of Boy Scouts of America Troop One Lewisboro, and

WHEREAS, EVAN LEIBMAN by his conduct, responsibility, principles and achievements in following the trail of Scouting, has acquired the resourcefulness and leadership ability that will stand him in good stead in his future life, and

WHEREAS, EVAN LEIBMAN by virtue of his Scouting experience and unselfish service to home and community has earned the highest honor of the Boy Scouts of America, the rank of Eagle Scout, and

WHEREAS, EVAN LEIBMAN recognized the opportunity to greatly extend a local trail system by building a new trail to connect Sal J. Prezioso Mountain Lakes Park with a neighboring park owned by the North Salem Open Land Foundation, and

WHEREAS, EVAN LEIBMAN led his troop in blazing and clearing a trail to achieve this, and
WHEREAS, EVAN LEIBMAN built a picnic table at a scenic point where the two parks meet so that hikers could take a break and refresh themselves with food and drink while enjoying the landscape, and

WHEREAS, this honor is deserving of public notice, now therefore,

BE IT RESOLVED, that the Town Board of the Town of Lewisboro, in recognition of the worthy achievement of this citizen of the Town of Lewisboro, does hereby offer the congratulations of its populace to Eagle Scout EVAN LEIBMAN, and

BE IT FURTHER RESOLVED, that this resolution be spread upon the minutes of this December 15, 2014 Town Board Meeting for future generations to see and that copies of this resolution be presented to Eagle Scout EVAN LEIBMAN and his parents.

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

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

RESOLUTION

WHEREAS, JAMES KELLY of Lewisboro, New York, is a member of Boy Scouts of America Troop One Lewisboro, and

WHEREAS, JAMES KELLY by his conduct, responsibility, principles and achievements in following the trail of Scouting, has acquired the resourcefulness and leadership ability that will stand him in good stead in his future life, and

WHEREAS, JAMES KELLY by virtue of his Scouting experience and unselfish service to home and community has earned the highest honor of the Boy Scouts of America, the rank of Eagle Scout, and

WHEREAS, JAMES KELLY recognized the diminishing Purple Martin population in our area, researched online designs for nesting boxes most suited to the species and then adapted them to our local lakes, and

WHEREAS, JAMES KELLY built three Purple Martin homes to this design and erected them in the vicinity of these lakes, and

WHEREAS, this honor is deserving of public notice, now therefore,

BE IT RESOLVED, that the Town Board of the Town of Lewisboro, in recognition of the worthy achievement of this citizen of the Town of Lewisboro, does hereby offer the congratulations of its populace to Eagle Scout JAMES KELLY, and

BE IT FURTHER RESOLVED, that this resolution be spread upon the minutes of this December 15, 2014 Town Board Meeting for future generations to see and that copies of this resolution be presented to Eagle Scout JAMES KELLY and his parents.

CONSENT AGENDA

MINUTES - Approved

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

On above motion and second, the Board voted 4-0 to approve the Town Board meeting minutes of November 17, 2014.

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

REPORTS – Monthly Reports

On the above motion and second, the Board voted 5-0 to accept and file the November reports from the Building, Planning and Police Departments.

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

CABARET LICENSE – Renew Cabaret License for Horse and Hound

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 hereby authorize renewal of a cabaret license for the Horse and Hound for a period of one year.

CABARET LICENSE – Authorize Extension of Time for Horse and Hound for New Year’s Eve

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

WHEREAS, the Horse & Hound Restaurant, a local business establishment located on Spring Street in South Salem, has requested permission to permit musical entertainment at its premises after midnight on New Year’s Eve 2014/15; and

WHEREAS, Section 98-7(A) provides that no musical entertainment is permitted between the hours of midnight until noon by any premises holding a cabaret license; and

WHEREAS, the Horse & Hound Restaurant is the holder of a cabaret license issued December 18, 2014; and

WHEREAS, the Town recognizes that New Year’s Eve is a special event at which patrons of the restaurant are likely to desire to celebrate beyond Midnight.

NOW THEREFORE, BE IT

RESOLVED, THAT the Town Board hereby exercises its discretion as set forth in Town Code Section 98-7(A) and grants permission to the Horse & Hound Restaurant to permit musical entertainment to continue for no more than one (1) hour past midnight on New Year’s Eve 2014/15.

BOND REDUCTION - Authorize Planning Board

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 gives approval to the Planning Board to consider and act upon Laurel Ridge Development’s request for a bond reduction.

FEDERAL TRANSPORTATION FUNDS – Discussion (7:56 pm – 8:01 pm)

The Board discussed the New York Metropolitan Transportation Council planning process Power Point presentation. The main discussion involved the I-684 – I-84 Consortium, which consists of Bedford, Lewisboro, North Salem, Somers and Southeast.

I-684 and I-84 tend to get very overcrowded in the mornings. The local roads are being used as an escape from the congestion of the above. Mr. Parsons stated that the group’s main goal is to get additional highway funds from New York State to improve the ongoing poor conditions caused by the overflow traffic.

Mr. Parsons stated that they met with Westchester County officials and provided them with a list of projects that they would like to get started in the respective towns. He stated that they need to at least get them on the agenda to have any hope of securing funding. We need to become a squeaky wheel to at least have New York State acknowledge our presence up in northeast Westchester. All of the above mentioned town supervisors are working together to get our voices heard.

Until 84 and 684 are improved to maintain the optimal traffic flow, the state should provide additional funding for town and county repaving projects. Many of the side roads that are used as bypasses for 84 and 684 traffic cannot handle 10,000 cars per day.

Mr. Welsh asked if there were a list of participants from DOT, NMTIC, etc, and Mr. Parsons replied that yes, he has a long list of organizations.

TAX FREEZE – Discussion regarding Draft Letter to Governor Cuomo (8:01 pm – 8:12 pm)

Mr. Parsons presented a letter that he drafted to Governor Cuomo regarding the impact of the tax freeze on the Town of Lewisboro. Mr. Parsons feels that the freeze is having a negative impact on the town’s finances and its ability to provide needed services, such as contracting garbage removal through the town and road widening.

Mr. Pappalardo does not support this letter as written. The first sentence of the letter states “the perception of New York as a high tax state”. Mr. Pappalardo feels that “perception” should be changed to “a reality”.

In regards to “The Impacts” section, bullet points two and three, he appreciates the amount of work that Mr. Welsh had done with regards to privatizing the refuse pick up and removal but he feels that it is at its early stages. He has not seen any budgetary piece on this that states that it would be a savings for residents. Mr. Welsh feels it could be written in a theoretical construct. Mr. Pappalardo would rather not use this as a bullet point to support a change in the tax cap until we had the data to back this up.

Mr. Pappalardo also referred to another bullet point regarding exempting capital expenditures from the cap. This is a very well intended point however a definitive explanation of what constitutes capital expenditures is absent. Townships could lump maintenance items into this. So as written, he does not support signing this letter.

Mr. Parsons reminded all that this was just a draft and that he invites input from the Board. It really is about the tax freeze and not the tax cap. The letter will be re-worded and discussed at a future meeting.

HOUSING AMENDMENTS TO ZONING CODE – Discussion (8:13 pm – 8:53 pm)

Mr. Parsons presented housing amendments to the zoning code. He is not asking for any firm approval tonight but is asking for the Boards approval to enter into discussions with the Federal Monitor on this and to find out if at least what we are doing would achieve some of its objectives.

Mr. DeLucia asked why we needed the monitor’s approval because he doesn’t feel we will get any approval. They will continue to want more and more. Mr. DeLucia doesn’t feel that we are exclusionary and if we do anything, we do something basic that is appropriate for our town. He feels that we are a home rule state and feels this is a farce. To seek approval of the monitor is not appropriate. He is not against doing something, but looking for the monitor’s approval is not the answer.

Mr. Pappalardo stated that we are not looking for his approval but any feedback would be helpful. Mr. Pappalardo stated that what we are trying to do is create a situation that whatever we pass, we preempt the prospect of inheriting any litigation. Mr. DeLucia said that he didn’t know of any town that is going to ask the federal monitor if he likes their plan.

Mr. Kelly stated he doesn’t think it hurts to engage the monitor. He also feels that it is discourteous not to engage the monitor. Mr. DeLucia still disagreed.

Mr. DeLucia briefly looked through the amendments and to allow two-family houses throughout the town is something that he is totally against. Mr. Pappalardo said that this certainly is not the intent. Mr. DeLucia feels that this document is simply not ready for prime time. He said that we have never discussed a total revamp of our town and that is what he sees in the amendments. Mr. DeLucia does not want to water down the character of our entire town. He does not want to revamp the entire code.

The Town Board is to consider amending the Town Code to allow multi-family housing in business areas, to eliminate the special permit requirement for accessory apartments and to incorporate as much of the model ordinance prepared by HUD as the Town Board feels appropriate.

The Board concluded that our town attorneys should put together the changes that were discussed this evening and that a work session should be dedicated to this subject only. They would like this meeting to take place as soon as possible. The Board decided to have this work session on January 26, 2015.

FOOD TRUCKS – Request for Proposals (8:54 pm – 9:09 pm)

Conversation continued regarding allowing mobile food trucks (MFUs) in our parks. Request for proposals (RFPs) were 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 one designated area.

Parks and Recreation Superintendent Dana Mayclim stated that for the past few years there has been no vendor covering sale of food at these locations except for the Ala Mode Ice cream trucks, and he has a peddler’s license.

After looking at the proposals, the Board suggested that the location in each park be mapped out as to where the trucks should be located and what times they should be in operation.

The Board also suggested that Ms. Mayclim speak with Facilities Maintenance Manager Joel Smith regarding the vending machines in the Town Park, which use a lot of electricity.

The Board suggested that we move forward with this and that Ms. Mayclim fine tune the proposal and then send it to our town attorney for approval.

TIMBER LAKE – Surveying Work to Be Paid by Lakes Bond

On motion by Mr. Welsh, 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 authorizes the survey work for Timber Lake, in the amount of \$7,500, be completed and paid for out of the lakes bond.

TOWN OFFICIALS AND EMPLOYEES – Authorize Extended Lunch Hour

The Town Board does hereby authorize an extended lunch period from 12:00 pm – 2:00 pm on Thursday, December 18 for an employee function.

WESTCHESTER MUNICIPAL OFFICIALS ASSOCIATION - Dinner Meeting

Mr. Parsons stated that on March 12, 2015, it is the Town of Lewisboro's turn to host the meeting and dinner, which will take place at LeChateau. He asked that all department heads save the date.

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 \$206,530.07.

POLLING OF BOARD

SUSTAINABLE WESTCHESTER – Complete

Mr. Welsh announced that Sustainable Westchester is complete. He also mentioned that Energize Corporation will receive a grant of three million dollars.

WINTER CELEBRATION AND SANTA BREAKFAST – Thank you

Mr. DeLucia stated that the Winter Celebration and the Santa Breakfast were both very successful. He thanked the Parks and Recreation staff.

SCOUTS – Thank you

Mr. Pappalardo and Mr. Kelly said that it was nice to see the Scouts at the meeting and thanked them for their interest in local government.

HAPPY HOLIDAYS – Thank You

The entire Town Board wished everyone a happy and safe holiday season. They also thanked the town employees for their continued hard work.

VETERAN'S TAX REDUCTION – School Taxes

Mr. Kelly stated that he was approached by a few of the 340 + Veterans that live in our town. They would like the Town Board members to help them obtain a discount on their school taxes, just like they receive a discount on their town taxes.

Mr. DeLucia said that he is very discouraged with the fact that the school board is not willing to reduce the school taxes for these local veterans. He also mentioned that we are one of the few school districts that declined the discount.

The Board also suggested that the Veterans reach out to State Senator elect Terrence Murphy.

SENATE FUND – Money

Mr. Parsons has reached out to our newly elected State Senator to obtain \$900,000 for the town of Lewisboro. This money would come out of money that is being divvied up among the constituencies. Mr. DeLucia also reached out to Senator Elect Mr. Murphy regarding programs that Senator Ball has been working on with the town.

MEETINGS – Date Set

There will be a Town Board Organizational/Regular meeting on Monday, January 5, 2015 at 7:30 p.m. at the Town House, 11 Main Street, South Salem, NY. There will be a Town Board work session meeting to be held on Monday, January 26, 2015.

EXECUTIVE SESSION – To Discuss a Personnel Matter

On motion by Mr. Parsons, seconded by Mr. DeLucia, the Board voted 5-0 to go into executive session at 9:24 p.m. to discuss a personnel matter.

On motion by Mr. Parsons, seconded by Mr. DeLucia, the Board voted 5-0 to come out of executive session at 9:30 p.m.

HIGHWAY DEPARTMENT – Michael Lombardi

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 approves moving Michael Lombardi from the Highway Department up to a Motor Equipment Operator (MEO) effective December 16, 2014, at the pay rate for that position.

ADJOURNMENT

On motion by Mr. Kelly, seconded by Mr. Parsons, the Board voted 5-0 to adjourn at 9:37 p.m.

Janet L. Donohue
Town Clerk