

A meeting of the Town Board of the Town of Lewisboro, Westchester County, New York, was held on Monday, September 15, 2015, 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 Jennifer Herodes, Highway Superintendent Peter Ripperger, Facilities Maintenance Manager Joel Smith, Park and Recreation Superintendent Dana Mayclim and Confidential Secretary/Benefits Coordinator Mary Hafter.

Mr. Parsons called the meeting to order at 7:37 p.m.

PLEDGE OF ALLEGIANCE

Supervisor Parsons led the Pledge of Allegiance to the flag.

PUBLIC COMMENT PERIOD

There were no public comments.

COMMUNICATIONS

CONSENT AGENDA

On motion by Mr. Parsons, seconded by Mr. Kelly, the Board voted 4-0 to approve meeting minutes and to receive and file departmental reports.

MINUTES - Approved

On the above motion and second, the minutes of the August 24, 2015 Town Board meeting were approved.

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

REPORTS – Monthly Reports

On the above motion and second, the August reports from the Building, Planning and Police Departments were received and filed.

VETERAN’S DAY – Flag Presentation Planned

Mr. Parsons noted that local scout groups are requesting permission to install a flag display on the front lawn of the Town House on November 11, 2015, in honor of Veteran’s Day.

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 Town Board does hereby give permission to Lewisboro Scouts 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 at approximately 10 a.m.

HIGHWAY – Discussion re Purchase of Vacuum Truck (7:39 – 7:46 p.m.)

Mr. Parsons has maneuvered some money in order to purchase a \$250,000 vacuum truck. The maneuvering has consisted of getting the East of Hudson Watershed Corporation to pay for the work on Mead Street and then taking the laces money which would have been used for Mead Street to be used towards the purchase of a vacuum truck. This leaves the town \$23,769.53 short. If we delay on this until after September 30th, the price on the truck would go up by \$10,000.00. He would like to purchase the truck and pay the difference by a lease.

Once the order has been placed we won’t take delivery until approximately 180 days. Mr. Ripperger stated that he has observed these types of trucks in 3 different towns and villages and they have been pleased with the truck’s performance. The last vacuum truck that the town purchased was about 15 years ago.

Mr. Kelly asked if we can sub some of our vacuum truck capability out to North Salem and Pound Ridge and try to recoup some of the \$23,000. Mr. Ripperger will speak with both towns to get their feedback.

Mr. DeLucia also stated maybe it’s not a good idea to run these trucks into the ground and trade it in after 5 years.

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 does authorize the purchase of a vacuum truck to be used by the Highway Department.

*Mr. Pappalardo arrives at 7:56 p.m.

PAY AS YOU THROW (PAYT) PROGRAM – Presentation (8:01 – 9:00 p.m.)

Kristen Brown from Waste Zero attended the Town Board meeting to discuss the Pay As You Throw (PAYT) program.

Mr. Parsons started out by stating that he received a total of approximately 60 telephone calls, 70 emails, one letter by mail and 1 visitor to the Town House expressing their unhappiness with the possibility of going to a Pay as You Throw (PAYT) program for garbage removal. Many people were of the opinion “If it is not broke, don’t fix it!” attitude. He received these correspondences after County Waste Management, Inc., a licensed refuse company in the town, sent a letter out to all residents regarding the PAYT program (see attached).

Mr. Parsons stated that he felt portions of the letter were misleading. He stated that obviously this is a subject of significant interest. The major concerns seem to be focused on where refuse would be picked up, at the house or at the end of the driveway and whether or not customers could opt out of the program if the town decided to move forward with this. He also stated that people seem to love their garbage collectors who will take away many items.

Mr. DeLucia stated most residents seem to think that the Town Board have made a decision on PAYT but all they are doing is getting information. Mr. DeLucia stated that the Board would never force this on people and that this is in its absolute infancy.

Ms. Brown gave a detailed Power Point presentation (see attached) noting that many communities are using PAYT. She outlined the benefits of using PAYT which include increased recycling and saving money on trash removal. She noted that Massachusetts is a leader in PAYT with 41% of its communities now using the method. In Maine, 31% of the population lives in PAYT towns.

Ms. Brown stated that the program could be customized for Lewisboro. The town could have one hauler, the town could be divided up by community and have a few haulers, or the current system could be kept in place and the PAYT system could also be used.

Mr. Welsh stated that the town went out to bid for program design and they received only one bid back and that was from Waste Zero, which is a consulting firm based out of North Carolina. The program design phase of \$8,000 is refundable if the town chooses to move forward.

Mr. DeLucia stated that he would opt out at this time. He is not up to spending that type of money. He stated that we don’t really know if the cost of the bags are \$2 per bag. He stated that right now he is worried about the tax cap and he doesn’t want to put people out of work. Mr. Pappalardo and Mr. Kelly agreed. Mr. Kelly stated that when they first heard this, he thought it was at no cost to the town. He continued by saying that we cannot spend money on this while we are struggling with the tax cap for the 2016 budget.

Mr. Welsh stated that we can't lose sight of the fact that this is a way for our residents to save money.

Mr. Parsons then opened up the discussion to the public. Anthony Prestamo from County Waste feels that PAYT numbers from Waste Zero are skewed. Mr. Prestamo stated that they are doing at least 40% recycling now. He also stated that the waste gets burned and recycled into electricity. It is a competitive nature. He doesn't feel that this will be doing anything better that is what is happening now.

Glenn DeFaber stated that he doesn't want government to tell him what to do. When Mr. DeFaber came here 30 years ago, his garbage hauler was charging him \$50 per month. Now, 30 years later, his garbage hauler is charging him \$60 per month.

Marjorie Nass asked about the price of the bags. Ms. Brown stated that the bags would be, for example, \$2 per bag. Ms. Nass said she could buy bags cheaper at Costco. Ms. Brown explained that the \$2 per bag would also include the removal of the garbage that is in that bag. Mr. DeLucia stated that we don't know the price of the bag is \$2. We won't know what the price would be until after we pay \$8,000 and then the town would have to make a decision.

Ian Harris asked if he is currently separating plastics and paper what would he need to do differently to comply with the program. Ms. Brown stated nothing. He would be saving money.

Mike Gentile from County Waste stated that 65% of their customers are driveway service. Mr. Welsh stated that this is an add-on service now and it would continue to be an add-on service.

Alan Cole asked Ms. Brown if she was aware of any movement in New York State to make this mandatory. Ms. Brown stated that New York State would like people to recycle but it is not mandatory.

Dean Travalino, who is also the Chairman for the Cable Television Advisory Committee, states that we only have one company in town and he fields many phone calls as to the lack of competition in town. He doesn't want to see this happen with the garbage haulers. Mr. Travalino mentioned that \$2 per bag could end up being \$15 per bag. And you still have the problem of what to do with the other refuse like large pieces of furniture. He asked what if private haulers are driven away by this. Mr. Travalino also mentioned an article in the Atlantic Monthly about towns that do this have to hire police to go on garbage complaints from people dumping garbage. Mr. Welsh responded that people could dump their garbage now.

Ms. Brown stated that there are 2,500 communities that have a very strict PAYT program out of 35,000 municipalities and 7,000 have a hybrid PAYT program. Mr. DeLucia asked out of those 7,000 how many are municipal pick up versus something to do with a private carter. Ms. Brown did not have a specific number. The Board would like to have that information.

Mr. Parsons stated that he thinks that it is pretty clear that the Town needs to find out more about communities with existing haulers that have switched to PAYT. Mr. Parsons will continue to make phone calls to get the needed information.

PARKS AND RECREATION – Five-Year Plan (9:02 – 9:30 pm)

Dana Mayclim, Parks and Recreation Superintendent, presented her Five-Year plan (see attached).

Park and Recreation has come up with ways to generate revenue by leasing the fields to non-cooperating agencies. They have taken in close to \$10,000 this year.

Ms. Mayclim asked cooperating agencies and the town residents what they would like to see in the future and the big item was credit card access to on line registration. Ms. Mayclim and Joel Smith figured that there would be a \$20,000 start-up fee and a \$10,000 yearly maintenance fee. These figures are with the current system, Rec Track, which is already implemented. Residents want to be able to register on-line and not have to come in to the office. Mr. Pappalardo asked why this number was so high. Ms. Mayclim explained that there is a 3rd party that handles all the credit card information. Hours would also be saved in the recreation department. There are other systems out there that Ms. Mayclim will look into.

Ms. Mayclim wants to do away with the Sports Camp next year since it was not a profitable camp.

Mr. DeLucia also mentioned that they may look at charging cooperating agencies for tournament play. This will be discussed at the next PRAC meeting.

Mr. DeLucia also stated that Ms. Laura Stone who works at Park and Recreation came up with another revenue generating idea. Since the non-resident membership has gone down, she suggested that a non-resident family would get \$100 off of their membership if they brought in a new non-resident family. Other revenue generating ideas for the pool would be Zumba, bands, and a water slide.

Ms. Mayclim also mentioned that North Salem is interested in joining forces with some of our camps. The Board gave their OK for Ms. Mayclim to move forward with this.

Mr. DeLucia also suggested possibly turning the tennis courts at the Town Park into a temporary ice skating rink in the winter.

Ms. Mayclim and Mr. DeLucia will be meeting with the Park and Recreation Advisory Committee at their next meeting to discuss some of these items.

SOUTH SALEM FIREHOUSE – Discussion re Request for Town to Plow South Salem Firehouse Parking Lots (7:46 – 7:56 pm)

Board of Fire Commissioners Chairman Steven Schmitt addressed the Board and asked that in the spirit of shared services he would like to ask the Town to plow the South Salem Firehouse parking lots. Mr. Schmitt also mentioned that they are the second lowest tax district in town. Right now the Town puts the salt down in the South Salem Firehouse parking lots. Currently the South Salem firehouse uses a private contractor with a cost of approximately \$8,000 in 2014.

Mr. Schmitt proposes that if the Town took over the plowing, the firehouse would take over the set-up and breakdown for the Senior Citizen's group who meets at the firehouse on Wednesdays. The Parks and Recreation Superintendent, who was also at the meeting, said that it takes her employee approximately two hours a week, which equates to approximately 80 hours a year to do this work.

Mr. DeLucia asked if we do this for one firehouse would it mean that we would be obligated to do this for all three firehouses and Lewisboro Ambulance Corporation (LVAC)? Ms. Herodes, Town Attorney, will look into any legal issues. Mr. DeLucia also mentioned the possibility of entering into a legal agreement such as an Inter-Municipal Agreement (IMA) similar to what the town has with the school district.

Mr. Ripperger, Highway Superintendent, stated that the Highway Department is short people. In addition to the Highway employees, the Town also uses private contractors to plow the local roads.

Mr. Parsons asked the town attorney to look into a possible arrangement from a legal standpoint and report back to the Board. Mr. Parsons also asked the Highway Superintendent to report back to the Board with what the cost would be to do this plowing.

SOUTH SALEM FIREHOUSE – Venture Program (7:57 – 8:01 pm)

Board of Fire Commissioners Chairman Steven Schmitt also asked the Board for some help in offering additional incentives to the younger firefighters in the department's Venture program. He said that the Town gave them a few pool passes to offer to the younger firefighters in the summer but he would also like to offer something to them in the winter. Mr. Schmitt asked about providing a few free Wee Ski Passes.

Ms. Mayclim, Park and Recreation Superintendent stated that all the busses were already filled for this year for this ski program but would be open to working with him for next year.

The Board suggested that the Parks and Recreation Advisory Committee (PRAC) discuss some options at their next meeting. They also asked Mr. Schmitt to have the Fire Chief come up with some parameters in order for the young volunteers to earn these incentives.

NOISE ORDINANCE – Discussion (9:30 – 9:41 pm)

The Board continued their discussion on the possibility of revising the noise ordinance. Mr. Kelly stated that he has gotten several complaints since he has been on the Board for six years.

Mr. Parsons stated that he has received several emails stating that they would like to see the Town retain the current noise ordinance. Homeowners should not be restricted. Mr. Parsons is suggesting that the hours on Saturday for landscapers and contractors should be 8:00 a.m. – 4 p.m. Mr. Parsons did ask for input from the Lakes Committee but didn't hear back from the committee. Mr. Kelly feels that this should be a work in progress. Mr. DeLucia would like to hear from the Chief of Police.

The Board would like to hear from the Chief of Police as to the number of noise complaints and what his approach is relative to dealing with these complaints. There is also ambiguity in the code regarding homeowners.

Mr. Welsh would also like to know the cost of the equipment to check the decimal levels of the noise. The police need to have a standard.

MEETINGS – Date Set

There will be a Town Board meeting on Monday, September 28, 2015 at 7:30 p.m. at the Town House, 11 Main Street, South Salem, NY.

CLAIMS – Authorized for Payment

On motion by Mr. Parsons, seconded by Mr. Kelly, the Board voted 5-0 to authorize payment of the Town's bills in the amount of \$624,017.48, \$267,000 of which was paving for Lake Katonah.

POLLING OF THE BOARD –

LEON LEVY PRESERVE – Plaque Presentation

Mr. Parsons stated that there will be a plaque presentation at the Leon Levy Preserve which reads: "Lewisboro thanks the Jerome Levy Foundation for its lead gift to create this Preserve. Major valuable contributions were also made by the Dextra Baldwin McGonagle Foundation, the Westchester Land Trust and the Lewisboro Land Trust together with the volunteers who give many hours of their time to clear and maintain the trails."

This presentation will take place on Saturday, September 19, 2015 at 10:00 am. All are welcome to attend.

DRUG PREVENTION GRANT – Where is Money Being Allocated?

Mr. Pappalardo mentioned that he was under the impression that Nita Lowey was able to secure a \$1.8 million grant for Westchester Counties as to drug prevention in our schools. Given our heroin epidemic, Mr. Pappalardo would like to know where that money was earmarked. Mr. Parsons will look into this.

EXECUTIVE SESSION – To Discuss Personnel and Litigation Issues

On motion by Mr. Parsons, seconded by Mr. Kelly, the Board voted 5-0 to go into executive session at 9:46 p.m. to discuss personnel and litigation issues.

On motion by Mr. Parsons, seconded by Mr. Kelly, the Board voted 5-0 to come out of executive session at 10:55 p.m.

HYDRO ENVIRONMENTAL SOLUTIONS – Authorize Supervisor

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

RESOLUTION

RESOLVED, that the Town Board does hereby authorize the Supervisor to hire Hydro Environmental Solutions Inc., to conduct a groundwater study at a cost not to exceed \$9,500.00.

ADJOURNMENT

On motion by Mr. Parsons, seconded by Mr. Kelly, the Board voted 5-0 to adjourn at 10:59 p.m.

Janet L. Donohue
Town Clerk