

A meeting of the Town Board of the Town of Lewisboro, Westchester County, New York, was held on Monday, November 9, 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, Facilities Maintenance Manager Joel Smith, Highway Superintendent Peter Ripperger, Comptroller Leo Masterson and Confidential Secretary/Benefits Coordinator Mary Hafter.

Mr. Parsons called the meeting to order at 7:39 p.m.

PLEDGE OF ALLEGIANCE

Supervisor Parsons led the Pledge of Allegiance to the flag.

EXECUTIVE SESSION – To Discuss Personnel Issues

On motion by Mr. Parsons, seconded by Mr. Kelly, the Board voted 5-0 to go into executive session at 7:40 p.m. to discuss personnel issues.

On motion by Mr. Parsons, seconded by Mr. Kelly, the Board voted 5-0 to come out of executive session at 7:51 p.m.

PUBLIC COMMENT PERIOD

There were no public comments.

COMMUNICATIONS

Mr. Parsons read a letter of resignation from Gail Ascher stating that she would be leaving the position as a member of the Architectural and Community Appearance Review Council (ACARC) effective December 31, 2015. The Board thanked Ms. Ascher for her 13+ years on ACARC. See the below resolution.

ARCHITECTURAL AND COMMUNITY APPEARANCE REVIEW COUNCIL (ACARC) – Gail Ascher

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 thanks Gail Ascher for her 13+ years of service on the Architectural and Community Appearance Review Council (ACARC).

LEON LEVY PRESERVE – Achievement Award

Mr. Parsons informed the Board that the Westchester County Soil and Water Conservation District will be presenting a commendation under its “Soil and Water Conservation Achievement Award” to the Lewisboro Land Trust for Leon Levy Preserve Native Plant Garden. The commendation will be presented to the Land Trust at the District’s awards presentation on Tuesday, December 15, 2015 at the Westchester County Center in White Plains at 3 p.m.

CONSENT AGENDA

On motion by Mr. Parsons, seconded by Mr. DeLucia, the Board voted 5-0 to approve meeting minutes and to receive and file departmental reports.

MINUTES - Approved

On the above motion and second, the minutes of the October 19, 2015 Town Board meeting were approved.

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

REPORTS – Monthly Reports

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

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

PUBLIC HEARING – Bouton Road Stop Sign

The Highway Superintendent is recommending changing the yield signs at the Bouton Road/Main Street intersection at both the left leg and right leg on to Main Street. The Board would also like to get a letter from Chief Secret regarding any comments he may have regarding this intersection.

PUBLIC HEARING – Chapter 212-25, Vehicles and Traffic

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.

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 public hearing for the proposed local law amending Chapter 212-25, Vehicles and Traffic, is closed.

BOUTON ROAD/MAIN STREET STOP SIGNS – Revised Local Law Adopted

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 Chapter 212-25, Vehicles and Traffic, Parks and Recreational Facilities of the Town Code of the Town of Lewisboro, has been amended as follows:

LOCAL LAW NUMBER 8-2015 OF THE TOWN OF LEWISBORO

SECTION 1 -- TITLE

This Local Law shall be known as 2015 Amendments to Section 212-25 Schedule IV: Stop Intersections and Schedule V: Yield Intersections, of Chapter 212: Vehicles & Traffic.

SECTION 2 -- ADOPTION

Now therefore be it enacted by the Town Board of the Town of Lewisboro Local Law 8-2015 that this law shall take effect immediately upon filing with the Secretary of State:

SECTION 3 – VEHICLES & TRAFFIC

Section 212-25 of Chapter 212, Vehicles & Traffic, is hereby amended to add the following street locations to the list of stop intersections:

Amend §212-25 – Schedule IV: Stop Intersections.

Stop Sign on	Direction of Travel	At Intersection of
Bouton Road (left leg)	East	Main Street

RESOLUTION

RESOLVED, that the Town Board does hereby approve the bid of City Carting for removal of refuse and recycling from Town facilities for the period November 1, 2015 to October 31, 2016, with an option to renew for an additional year at the same rates.

EAST OF HUDSON STORMWATER RETROFIT PROJECT ON NORTH SALEM ROAD – Authorize Supervisor to Sign

Mr. Parsons shared a letter from the East of Hudson Watershed Corporation that discussed the upcoming project at the intersection of North Salem Road/Route 121 and Schoolhouse Road.

Mr. Welsh asked if when this work is completed if the entrance from North Salem Road/Route 121 onto Schoolhouse Road could be narrowed so as to slow people down. Mr. Parsons stated that the work is scheduled to be done in two stages. Stage 1 would be started in the spring of 2016. Stage 2 is still in discussions which include the area close to Route 121. Mr. Welsh will continue to monitor this.

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 authorizes the Supervisor to sign the agreement with the East of Hudson Watershed Corporation regarding the stormwater retrofit project on Route 121/North Salem Road and Schoolhouse Road.

TIMBER LAKE IN GOLDENS BRIDGE – Kellard Sessions

Mr. Parsons explained that when the lake funds came to a close by agreeing to buy a vacuum truck, there was one project that was unfinished which is at Timber Lake in Goldens Bridge. All of the design work has been completed and the approvals are close to being obtained, however the work has not been done. They are looking to dredge the lake and construct a fore bay to prevent reintroduction of runoff.

The Goldens Bridge Community Association has met and voted to spend up to a maximum of \$30,000 to complete the project. They would like the town to agree to let them continue to work with Kellard Sessions to see the project through the final stages of permitting and engineering, with no costs incurred by the Town.

On motion by Mr. Welsh, 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 authorizes Kellard Session engineers to continue work with the Goldens Bridge Community Association on the Timber Lake dredging and design work so long as it does not incur any costs to the Town of Lewisboro.

SUPERVISOR'S BUDGET – Discussion (8:02 – 9:04 p.m.)

Supervisor Parsons explained that there are two changes that he would like to make in his budget. First, he would like to include Consolidated Local Street and Highway Improvement Program (CHIPs) dollars as an income and an expenditure item since this will help the auditors.

Second, the county is predicting that the 2015 sales tax will remain flat with 2014 and there will be a 3 – 4 % increase in 2016. Based on this information, Mr. Parsons would like to reduce the sales tax revenue line by \$30,000 which would bring the town in line with the counties estimate for sales tax.

The most recent results suggest that the mortgage tax will come in within \$5,000 of the original budget this year so the Supervisor is comfortable with keeping this number flat.

Leo Masterson, the town Comptroller, discussed the highway portion of the budget. There is \$100,000 earmarked into the general fund to build up the reserve. The carryover is \$400,000 and there are no encumbrances on this amount. Mr. Parsons would like to continue to steadily build up the reserve.

CHIPs money will be put in as \$150,000 which was the amount in 2015. This is used strictly for roads. Mr. DeLucia stated that he has spoken with a neighboring supervisor who rolls bonds for paving and he feels we should look at doing the same thing. Mr. Parsons would like to move forward with a combination plan where there is a certain amount of money in the line and BAN for the rest of the money. He would like to leave money in the line so that we are flexible for the bad winters that we have experienced in the last two years. He would like to have some flexibility.

Mr. Welsh feels that there should be more money in this line and after speaking with many residents, they feel the same. There are approximately 4,000 households in town so when you break down \$100,000 per year, it comes out to \$25 per household annually. He feels that when you put it in those terms people understand that this is a return on their investment.

The line for vehicle leases has decreased because leasing is not the cheapest way of getting vehicles. It was decided that a BAN would be the better way to go for new vehicles in 2016. This is not unique and other towns are doing the same thing.

Salt pricing has gone up considerably. What the town of Lewisboro is paying is the same or less than any county in the Southern part of the state. It is less than Dutchess and Putnam counties and it is the same as Long Island. Erie County is paying \$51.83 a ton versus \$70.61 a ton in Westchester County.

Mr. Parsons spoke with an experienced DPW manager in the area and everyone is concerned about the 15% tax sale increase this year. Our option would be to opt out of the state contract before we know what the state contract will come in at (in February or March) and go out to bid on our own or with a Northern Westchester Consortium. The risk would be considerable that a higher price would be contracted. Mr. Parsons stated that we used to be at about 120 tons of salt per run and over the last three years the highway department has gotten it down to 80 tons of salt per run.

Mr. Masterson stated that from last year’s budget to this year’s budget we are roughly, expenditure wise within the highway department, about \$267,000 more this year than last year. This increases are as follows: salt is up by \$122,000, worker’s compensation is up by \$43,000, highway reserve is up by \$54,000, debt is up by \$20,000 and the remaining \$28,000 is medical and salary increases.

The Board would like to have Peter Ripperger, Highway Superintendent, come to the next meeting to further discuss the highway portion of the budget. They would like to take a harder look at the highway’s budget and revisit the revenue portion.

Mr. Parsons will work with Leo Masterson to see where they can tighten up the budget and look at the possibility of a better hybrid of bonding.

The Board does feel that the savings won’t get down to .73% so a public hearing will need to be set for the purpose of hearing the public with regard to a proposed override of the state tax cap legislation.

TAX CAP LEGISLATION – Set Date for Public Hearing

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 will hold a public hearing on November 23, 2015, at 7:30 p.m. or soon thereafter as time permits, at the Lewisboro Town House, 11 Main Street, South Salem, for the purpose of hearing the public with regard to a proposed override of the state tax cap legislation.

MEETINGS – Date Set

There will be a Town Board meeting on Monday, November 23, 2015 at 7:30 p.m. at the Town House, 11 Main Street, South Salem, NY.

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 \$190,272.47.

POLLING OF THE BOARD –

ELECTED OFFICIALS – Congratulations

Mr. DeLucia congratulated his fellow Town Board members, John Pappalardo and Dan Welsh for being re-elected to the Town Board. He also congratulated Highway Superintendent Peter Ripperger, Supervisor Peter Parsons, Judge Susan Simon and Town Clerk Janet Donohue for being re-elected.

BUDGET - Good Approach

Mr. Pappalardo feels that the budget process approach that has been undertaken is an evolving one and has been tackled head on. Mr. Pappalardo is a strong proponent of providing essential services.

DEPARTMENT OF ENVIRONMENTAL PROTECTION – Goldens Bridge

Mr. Welsh will be meeting with the DEP on Thursday to continue his work with them on the Goldens Bridge trail.

CROSS RIVER TRAIL PROJECT – Continue Work

Mr. Welsh is continuing his work on the Cross River Trail. The Board thanked Mr. Welsh for his work on this project.

EXECUTIVE SESSION – To Discuss Real Estate Transactions and Personnel

On motion by Mr. Parsons, seconded by Mr. Pappalardo, the Board voted 5-0 to go into executive session at 9:09 p.m. to discuss real estate transactions and personnel.

On motion by Mr. DeLucia, seconded by Mr. Pappalardo, the Board voted 5-0 to come out of executive session at 10:40 p.m.

GOLDENS BRIDGE COMMUNITY HOUSE – Authorize a Lease

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 Town of Lewisboro owns a parcel of real property with a building thereon located at 65 Old Bedford Road, Goldens Bridge, New York 10536, known as the Goldens Bridge Community House, which is located in the Town of Lewisboro, Westchester County, New York (hereinafter referred to as the subject premises), and

WHEREAS, the building on the subject premises is currently vacant and not being used by the Town of Lewisboro for any municipal purpose, and

WHEREAS, the Town Board of the Town of Lewisboro desires to lease the building on the subject premises in order to receive income from the premises, and to allow a use of such premises that would benefit the community, and

WHEREAS, the Town Board of the Town of Lewisboro finds that it is in the best interest of the Town to lease the subject premises to the Katonah Art Center, LLC, a New York limited liability company with a principal address of 131 Bedford Road, Katonah, New York 10536;

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Lewisboro hereby authorizes and approves the lease of the subject premises to the Katonah Art Center, LLC, upon the terms and conditions contained in the Lease annexed hereto as Exhibit AA and incorporated herein by reference thereto, subject to further negotiation between the parties and approval of any changes by the Town Board of the Town of Lewisboro, and

BE IT FURTHER RESOLVED, that pursuant to Section 64(2) of the Town Law of the State of New York, this Resolution is adopted by the Town Board of the Town of Lewisboro subject to a permissive referendum, and

BE IT FURTHER RESOLVED, that the Lewisboro Town Clerk is hereby authorized and directed to post and publish notice of this Resolution in accordance with Section 90 of the Town Law of the State of New York, and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Lewisboro hereby authorizes the Supervisor to execute any and all documents necessary to give effect to this resolution, including authority to sign the Lease with regard to same.

PARKS AND RECREATION ADVISORY COUNCIL – Appointment of Members

On motion by Mr. Parsons, seconded by 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 appoint Meg Kaplan to Parks and Recreation Advisory Council to fill the unexpired term of Rhea Mallett and the Town Board also appoints Pietro Cipriano to Parks and Recreation Advisory Council to fill the unexpired term of Harold Crocker.

FORECLOSED PROPERTIES – Authorize Supervisor to Engage Realtor

On motion by Mr. DeLucia, seconded by 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 authorize the Supervisor to engage a Realtor to list the foreclosed properties sale.

ADJOURNMENT

On motion by Mr. Parsons, seconded by Mr. Pappalardo, the Board voted 5-0 to adjourn at 10:47p.m.

Janet L. Donohue
Town Clerk