

A meeting of the Town Board of the Town of Lewisboro, Westchester County, New York, was held on Monday, December 14, 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 Anthony Mole', 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

There were no public comments.

COMMUNICATIONS

RESIGNATION – Special Counsel to Planning Board

Mr. Parsons stated that Greg Monteleone, Special Counsel to the Planning Board, will resign as of December 31, 2015.

CONSERVATION ADVISORY COUNCIL – Annual Report Submitted

Mr. Parsons stated that the Conservation Advisory Council did submit their annual report and always seem to do so in a timely fashion.

FUNDRAISER – Reading Dream

On motion by Mr. Parsons, seconded by Mr. Kelly, the Board voted 5-0 as follows;

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

RESOLVED, that the Town Board does hereby authorize the use of Cyrus Russell Community House for a fund raiser to be held on Saturday, January 16, 2016 for a local organization known as Reading Dream, and be it further

RESOLVED, that the Town Board does hereby waive the required fee for use of the building.

RE-ZONING – Mark Miller re Property on Rt. 123 near Tommy’s Lane (7:40 – 7:57 pm)

Mr. Miller is interested in purchasing a small single family cottage on a one and one half acre lot located between Tommy’s Lane and One Twenty Three restaurant in Vista, NY. The house address is 405 Smith Ridge Road and at present the house is in disrepair, with the lot littered with refuse and the home unoccupied. The asking price for the house and lot is \$209,000. Anthony Mole’, Town Attorney, stated that this was a concept review only.

Mr. Miller would like to tear down the house, clean up the lot and build a barn for equipment storage and office space and perhaps a small accessory apartment. Mr. Miller stated that his business operates with trucks and about a 20 person staff that go out in the morning and come back in the afternoon, so there would be very little activity during the day.

Mr. Miller said that he would build the barn close to the front of the lot so it would have the least impact on adjacent neighbors to the rear. The barn would have four bays and some of the trucks would be housed in the barn.

The Board discussed the possibility of rezoning the property, which is now residential, for retail business, or granting a special use permit. Mr. Parsons told Mr. Miller the Town Board could not give him approval but only send him on to the other relevant town boards which included the Planning and Zoning Boards.

Mr. Parsons stated that he thought this plan would be a step forward for this lot but also felt that Mr. Miller needs to satisfy the people that would live behind the property in question. Mr. DeLucia said that he likes the idea and feels that it fits the neighborhood where there is already a lot of business.

Mr. Miller will have to decide if he would like to go the route of getting the property reclassified as a general business or go the route of obtaining a special use permit, which would not allow him to do everything that he is looking to do.

Anthony Mole’, Town Attorney told Mr. Miller that the first step in the process would be to submit a formal application to the Town Board for rezoning (Petition to the Town Board. The Town Board would then refer them to the Planning and Zoning Boards.

PRELIMINARY BUDGET – Discussion (7:58 – 8:36 p.m.)

Mr. Parsons presented three possible budgets. The first would increase the budget by \$10,000 (6.769%), the second would increase the budget by \$22,900 (6.999%) and the third would increase the budget by \$60,000 (7.67%). Mr. Parsons asked the question how much we want to restore the fund balance. Mr. Parsons feels it should be increased by \$60,000. He stated that he feels the budget is a sound one with needed funds going to the police and highway departments. He stated that the town has been doing well controlling the expenses in other areas. His concern is that the town steadily builds back the fund balance.

Mr. Kelly feels that they are doing a workmanlike job of building the fund balance and that we have to remember we are in very lean years.

Mr. DeLucia stated that we should struggle to stay as low as possible while still meeting our responsibilities to the town.

Mr. Welsh pointed out the difference between putting \$22,900 or \$60,000 into the fund balance is small, amounting to approximately \$8.00 per taxpayer.

Town Comptroller, Leo Masterson said he favored the higher number to keep the town out of the financially distressed category when evaluated by the state. Mr. Masterson said that we are just on the borderline and if we have a bad occurrence and have to spend extra money, the state comptroller could put us back into fiscal distress.

Mr. DeLucia suggested the possibility of taking money out of the highway department salt line or its fund balance, however, Mr. Masterson was opposed and stated that the state doesn't want to see a negative recurring highway fund balance.

The Board did decide that they would increase the budget by \$22,900 (6.999%).

BUDGET – 2016 Budget Adopted

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

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

RESOLUTION

RESOLVED, that the 2016 Budget has been adopted.

PUBLIC HEARING – Date Set for Middle Income Definition

Mr. Parsons stated that the Housing Committee voted unanimously to recommend to the Town Board a change to Lewisboro's Zoning Code, Section 220-2, Middle Income Families. Specifically, the Committee recommends lowering the percentage of investments currently included in tabulating income for applicants for Middle Income housing units from 8% to 2%. Therefore, the housing committee proposes the following change to the section (portion to be deleted in strikeout).

(2) Property Income. For property or other investments which are not returning dividends, rents or other measurable income (excluding normal household possessions), a yearly income of 8% 2% of the fair market value of the investment shall be included in the family's aggregate income.

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

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

RESOLUTION

RESOLVED, that the Town Board of the Town of Lewisboro will hold a public hearing on January 25, 2016 at 7:30 p.m., or soon thereafter as time permits at the Lewisboro Town House, 11 Main Street, South Salem, New York for the purpose of hearing the public with regard to a proposed local law to amend Chapter 220, Section 220-2, Middle Income Families, to amend the property income to a yearly income of 2% of the fair market value of the investment which shall be included in the family’s aggregate income.

PUBLIC HEARING – Date Set for Building Lots Hearing

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

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

RESOLUTION

RESOLVED, that the Town Board of the Town of Lewisboro will hold a public hearing on January 25, 2016 at 7:30 p.m., or soon thereafter as time permits at the Lewisboro Town House, 11 Main Street, South Salem, New York for the purpose of hearing the public with regard to a proposed local law to amend Chapter 220, Section 220-10(A), entitled “Building lots” to include “Accessory buildings, structures and/or uses shall only be permitted and located on the same lot as a duly authorized principal building, structure and/or use to which it is accessory, or on a lot under the same ownership that is adjoining or across the street from said lot” and Section 220-10(E) to include “for any new lot created by subdivision.”

TOWN OFFICIALS AND EMPLOYEES – Authorize Extended Lunch Hour

The Town Board does hereby authorize an extended lunch period from 11:45 am – 2:15 pm on Thursday, December 17, with a snow date of Friday, December 18 for an employee function.

MEETINGS – Date Set

There will be a Town Board meeting on Monday, January 4, 2016 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. DeLucia, the Board voted 5-0 to authorize payment of the Town’s bills in the amount of \$238,393.73.

POLLING OF THE BOARD –

SUSTAINABLE WESTCHESTER – Community Choice Aggregation Project

Mr. Welsh stated that Sustainable Westchester received approval from the State to access a lot of information in order to execute the Community Choice Aggregation project. They have also won an award. Mr. Welsh will continue to keep the Board updated.

HAPPY HOLIDAYS – The Town Board

The Board wished everyone Happy and Safe Holidays. Mr. Parsons thanked everyone who has worked with him over the year.

EXECUTIVE SESSION – To Discuss Personnel and Contractual Issues

On motion by Mr. Parsons, seconded by Mr. Pappalardo, the Board voted 5-0 to go into executive session at 8:39 p.m. to discuss real estate transactions and personnel.

PLANNING BOARD – Appointment of Special Counsel

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

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

RESOLUTION

RESOLVED that the Town Board appoints Judson Seibert of Keane and Beane as special counsel to the Planning Board for a period of one year beginning January 1, 2016.

CONSERVATION ADVISORY COUNCIL – Appointment of Member

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

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

RESOLUTION

RESOLVED that the Town Board appoints Eileen N. Nadelson as a member to the Conservation Advisory Council to a two year term starting January 1, 2016.

On motion by Mr. Parsons, seconded by Mr. Pappalardo, the Board voted 5-0 to come out of executive session at 9:10 p.m.

ADJOURNMENT

On motion by Mr. Parsons, seconded by Mr. Kelly, the Board voted 5-0 to adjourn at 9:15 p.m.

Janet L. Donohue
Town Clerk