

A meeting of the Town Board of the Town of Lewisboro, Westchester County, New York, was held on April 24, 2007 at 7:30 p.m. at the Cyrus Russell Community House, 779 Route 35, Cross River, New York.

PRESENT: Supervisor - Edward P. Mahoney
Councilmen - Edward Brancati, Peter DeLucia, Al Perruzza, Suzanne Whalen
Town Clerk - Kathleen G. Cory
Town Attorney - Jessica Bacal

Also attending was Deputy Supervisor Joann Vasi, Facilities Maintenance Manager Joel Smith, Highway Superintendent Peter Ripperger, Police Sergeant Frank Secret and Director of Finance Virginia Bulzachelli-Todar.

TOWN VEHICLES – Discussion re Leasing vs. Purchasing Vehicles

The Board heard from Joseph Simoncini, a resident of Lewisboro who is responsible for the Westchester County fleet of vehicles. He addressed the Board regarding his experience with vehicle purchases. Mr. Simoncini said the County is not legally permitted to lease vehicles, including police cars. He strongly recommended that the Town purchase future vehicles instead of leasing them. Highway Superintendent Peter Ripperger explained that when he took office he needed to replace many pieces of aging equipment. The only cost-effective way to do that was to lease the needed vehicles. He said the Town keeps Highway Department vehicles for 10 or 12 years. He said he is slowly rebuilding his fleet, and perhaps when the fleet is stabilized the Town could switch to a purchasing policy.

Mr. Perruzza said he felt with low interest rates the Town could be better off borrowing money to purchase vehicles. Mr. Simoncini said there is grant money available to replace diesel vehicles. He also offered to provide bid specifications for any vehicle the Town might want to purchase. Mr. Simoncini recommended that the Town switch to purchasing vehicles. The Board and Mr. Simoncini discussed the existing system of replacing police cars with Sgt. Frank Secret. Mr. Simoncini noted that the purchased police cars would still have to be outfitted with all the necessary police equipment.

Mr. Ripperger asked what guideline the county uses for replacement. Mr. Simoncini said they use mileage not age in years to determine how long to keep a car. Any vehicle that fails a NYS inspection for rust is replaced. The county uses a 7-year replacement time on heavy-duty vehicles.

Mr. Simoncini recommended that the Town first review its fleet, look at the impact that purchasing will have on the budget, and develop a replacement plan. He suggested the Board contact an aide to the County Executive for more details on participating in the County's purchasing program. Mr. Simoncini also suggested the Town could bid for purchase of their own vehicles.

FINANCE - Authorize Transfer in Maintenance Budget

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

THE VOTE:	Yes	- Mahoney, Brancati, DeLucia, Perruzza, Whalen	(5)
	No	- None	(0)
	Absent	- None	(0)

RESOLUTION

RESOLVED, that the Director of Finance be and hereby is authorized to transfer \$5,000 from budget line A1620.14 Overtime to A1620.13 Seasonal Help.

WILD OAKS SEWER DISTRICT – Request to Waive Fees for Planning Board Application

The Board reviewed a request to waive the fees for the Wild Oaks Sewer District’s application to the Planning Board for site plan approval and wetland activity permit. The Town Attorney requested that the item be tabled for future discussion.

TOWN PROPERTY – Authorize Contract re Onatru Well Work

Facilities Maintenance Manager Joel Smith requested permission to hire Better Water Wells Inc. to replace the well pump, wire and pipe at the Onatru ballfields and bathhouse well for a quoted price of \$9,987.53. Only one other bid was received, in the amount of \$15,391.

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

THE VOTE:	Yes	- Mahoney, Brancati, DeLucia, Perruzza, Whalen	(5)
	No	- None	(0)
	Absent	- None	(0)

RESOLUTION

RESOLVED, that the bid of Better Water Wells, Inc. in the amount of \$9,987.53 for replacement of well pump, wire and pipe at the Onatru ball fields and bathhouse well be and hereby is accepted.

WETLAND INSPECTOR – Discussion re Position of Wetland Inspector

The Board reviewed the status of the Town’s wetland inspector, Bruce Barber. The Board agreed that the current inspector is doing a “great job”, but the Board wanted to review the dual role of wetland consultant and wetland inspector. Mr. DeLucia praised the inspector for his actions in promptly responding to issues that arose during the recent severe rainstorm. Mr. Brancati said the inspector has cleared a one-year backlog of activity permit applications in just three weeks.

Mr. DeLucia said the Town Board has to decide whether he will be an “inspector” or a “consultant”. Ms. Bacal said an inspector is a Town official, and a consultant is only a

consultant. Mrs. Whalen said she felt the Board should separate the consultant from the inspector Mr. Brancati said he understood that Mr. Barber and the Planning Board have come to an informal agreement as to how to proceed.

Ms. Bacal suggested that one Town Board member, the Supervisor and someone from the Planning Board should sit down with Mr. Barber and reach a formal agreement on procedure. Mr. Mahoney will arrange the meeting.

PARKING – Set Fee for Spring Street Parking Lot

The Town Clerk advised that the recently enacted legislation providing for permit parking in the Spring Street parking lot contained a reference to fees set from time to time by the Town Board. She asked the Board to set the fees for this year. After discussion the Board decided to charge \$10 per year for Lewisboro residents and \$35 per year for non-residents.

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

THE VOTE:	Yes	- Mahoney, Brancati, DeLucia, Perruzza, Whalen	(5)
	No	- None	(0)
	Absent	- None	(0)

RESOLUTION

RESOLVED, that in accordance with Local Law No. 1-2007, the fees for parking permits for the Spring Street parking lot for the permit year 2007/2008 be and hereby are set at \$10 per year for Lewisboro residents, and \$35 per year for non-residents.

FINANCE – Bonding for Highway Purposes

Mr. Mahoney said bond counsel has been consulted regarding a bond for highway repair purposes. The paperwork is being prepared and the Board will vote. The Town Attorney said the bond resolution has to be very specific in terms of the amount and the purpose. Mr. Mahoney said bond counsel is very clear about what the Town is planning. Mr. Ripperger said he prepared a list of the roads that are most in need of repair, doing the major thoroughfares first. Ms. Bacal said the bond is for the repair of roads within the Town. Mr. Ripperger said it is strictly for repair of Town asphalt roads, not dirt roads. Mr. Mahoney said the repair of the East Street bridge could be included as long as it is a capital, structural improvement to the road.

Mr. Brancati noted there is \$150,000 encumbered for the East Street work, and asked if the balance could come from the Highway Fund balance. Mr. Ripperger said it could as long as there was a 10% fund balance remaining.

Mr. Mahoney asked Ms. Bacal what she needed to create the proper wording for the bonding counsel. Ms. Bacal said she would have deferred this had she known it would be discussed tonight. She suggested that the resolution be worded so that it is to approve a bond for the purposes of transportation including repair and rebuilding of the asphalt roads within the Town. The Board discussed the question of the dollar amount to be put in the resolution. Mr. Perruzza

said it will be \$3,000,000 in two \$1.5 million halves. Ms. Bacal will talk to the bonding attorney and have the appropriate wording ready for the May 1 meeting.

FINANCE – Authorize Additional Bank

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

THE VOTE:	Yes	- Mahoney, Brancati, DeLucia, Perruzza, Whalen	(5)
	No	- None	(0)
	Absent	- None	(0)

RESOLUTION

RESOLVED, that Signature Bank be and hereby is approved as an additional depository for Town funds during the year 2007.

GEESE – Authorize Egg Oiling

The Board discussed a proposal by an organization called Geese Peace to oil goose eggs in order to help reduce the goose population on local lakes. In order to obtain access to the nests, volunteers will have to traverse Town property in some areas. Mr. DeLucia noted that the organization holds property owners harmless. Mrs. Whalen asked if Geese Peace holds insurance as an entity. Ms. Bacal said she did not see any information about insurance.

Mr. Perruzza asked for clarification that the work is to be done in the three lakes area. Ms. Bacal said yes. Mr. Brancati said the work was initiated by the Three Lakes Council.

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

THE VOTE:	Yes	- Mahoney, Brancati, DeLucia, Perruzza, Whalen	(5)
	No	- None	(0)
	Absent	- None	(0)

RESOLUTION

RESOLVED, that, subject to the final approval of the Town Attorney, the Town Board does hereby authorize Geese Peace members to utilize Town property for the purposes of carrying out an egg oiling program to reduce the local goose population.

EXECUTIVE SESSION - Lease/ Purchase/ Sale of Real Property, Litigation

On motion by Mr. Mahoney, seconded by Mr. Brancati, the Board voted 5-0 to go into executive session to discuss the lease, purchase or sale of real property and to meet under attorney-client privilege with the Town Attorney to discuss pending litigation.

On motion by Mr. Mahoney, seconded by Mr. DeLucia the Board voted 5-0 to come out of executive session at 9:55 p.m.

OAKRIDGE WATER AND SEWER DISTRICT – Stipend for Water Administrator

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

THE VOTE:	Yes	- Mahoney, Brancati, DeLucia, Perruzza, Whalen	(5)
	No	- None	(0)
	Absent	- None	(0)

RESOLUTION

RESOLVED, that the Town Board does hereby authorize the payment of \$3,000 to Joann Vasi as Oakridge Water Administrator retroactive to February 1, 2007.

ADJOURNMENT

On motion by Mr. DeLucia, seconded by Mr. Mahoney the Board voted 5-0 to adjourn at approximately 10:30 p.m.

Kathleen G. Cory
Town Clerk