

A meeting of the Town Board of the Town of Lewisboro, Westchester County, New York, was held on February 19, 2008 at 7:30 p.m. at the Town House, 11 Main Street, South Salem, New York.

PRESENT: Supervisor - Edward Brancati
Councilmen - Peter DeLucia, Bruce Pavalow, Al Perruzza, Daniel Welsh
Town Clerk - Kathleen G. Cory
Town Attorney - Jessica Bacal

Also attending was Facilities Maintenance Manager Joel Smith.

Mr. Brancati called the meeting to order at 7:43 p.m.

PLEDGE OF ALLEGIANCE

The Supervisor led the Pledge of Allegiance to the flag.

MINUTES - Approved

On motion by Mr. DeLucia, seconded by Mr. Brancati, the Board voted 5-0 to approve the minutes of February 4, 2008.

PUBLIC COMMENT PERIOD

There was no comment from the public.

COMMENDATION – Highway Department

Supervisor Brancati read a letter of commendation to the Highway Department. Mr. Brancati added that he was out riding with the Highway Department during the recent storm and said they did a great job. After four hours' sleep they were back out again preparing the roads for the morning commute.

TOWN PROPERTY – Onatru Farmhouse – Presentation re ADA Improvements

Engineer Robert Benoit made a presentation regarding the ADA improvements at Onatru farmhouse. Mr. Benoit said he had the assistance of the architectural firm of Martin Diano in the preparation of the plans.

Mr. Benoit reviewed his plans for the installation of an elevator and other structural changes to make the Onatru farmhouse handicapped accessible. There is also structural work needed in the building, and those drawings were prepared by architect Edward Ozols. The ADA work is being paid for by a \$148,000 grant obtained by former Congresswoman Sue Kelly.

Mr. Welsh asked if the ADA work would limit what could be done on other floors. Mr. Benoit said “no, it would not.” He added that the specifications for the elevator are based on performance so there is flexibility in what a vendor can offer. There is some range in terms of the

size of the elevator. Mr. Benoit said he chose to design a concrete housing for the elevator because it is quieter, more stable, and will last longer than building with metal studs. The space allowed will permit an elevator of a maximum size so the Town can get the most for its money.

Mr. Benoit said the structural work will be incorporated into the ADA drawings to give the Town flexibility in awarding a bid. Mr. Perruzza asked if it was preferred to ask for a multi-faceted bid. Mr. Benoit said the Town wants to keep costs down to a minimum. He suggested using the expertise of the contractors and having the Maintenance Department do the rest of the work.

Mr. Perruzza asked if there was any possibility that the regulations on the size of the elevator would change. He asked if what was being proposed was appropriate.

Mr. Brancati said the ADA regulations now permit the use of a limited use-limited access elevator. In the past they were not permitted. The elevator has to be able to accommodate a person in a wheelchair plus an aide. Mr. Pavalow asked how many people on crutches could fit in the elevator. Mr. Benoit said at least two people would fit. Mr. Benoit said the standard size limited use elevator is 42" x 54", but there is room to get up to a 48" x 60" size which is almost a regular elevator.

Mr. Benoit noted that the plans call for straightening and widening the back hallway in the farmhouse to allow easier access to and from the kitchen area. He recommended that very good quality commercial carpeting be installed. Mr. Benoit said two closets will be lost and a portion of a downstairs room will be lost. He said the existing pantry cupboards can be cut into two sections with one section moved to the kitchen and reused. The other 3-foot section can be put into another room and used as a dish cabinet.

Mr. Benoit explained the second floor plan which calls for widening of the hallway and some doors. Mr. Perruzza asked if an emergency exit from the second floor is required for ADA compliance. Mr. DeLucia said no. Mr. Benoit said because the second floor is office space, not public space, he has cut the access down to 42". Mr. Benoit also noted that the present walls are plaster, and to make the new walls feel substantial and to take wear and tear he is calling for ¾" gypsum board and feels it is money well spent.

Mr. DeLucia asked about access to the second floor offices after getting off the elevator. Mr. Benoit said that is a secondary study and not part of his design. He said the Town Board would have to determine what doors have to be widened. If they are 30" that is too narrow for a wheelchair, at 32" a chair would be scraping the sides, but 36" wide is acceptable. He said if the Board had the money they could widen the doorways. Mr. DeLucia said the ultimate goal is to make everything compliant at one time. Mr. Smith said they have to decide on 6 out of 8 rooms for access. Mr. DeLucia noted there is one bathroom off the main hallway. Mr. Smith said a few grab bars need to be added, otherwise it is accessible.

Mr. Benoit said he could add that work to the drawings, but that is finish work that the Maintenance Department will be doing. It is also up to the Board as to how they want to use the space. Mr. DeLucia said he felt the Board should put all the work on the plans and not try to do things piecemeal.

Mr. Pavalow said the whole idea of getting to the second floor is to get into those rooms. Mr. Brancati said Joel Smith can identify which doors need to be widened. Mr. DeLucia urged that completely new carpeting or flooring be installed. He said it doesn't make any sense to splice in carpeting. He suggested Mr. Benoit eliminate reference to splicing in new carpeting on the plans. Mr. Smith said carpeting can be purchased on State contract.

Mr. Benoit advised the Board that one option for the elevator may require going through the roof of the building. He said it would be possible to put a small shed roof on the side of the house. Mr. Brancati said the Architecture and Community Appearance Review Council would have to review it. Mr. Benoit said the roof would be designed to fit in with the architecture of the building.

Mr. Welsh asked if there were some vendors who would not go through the roof. Mr. Benoit said an elevator system with a hoist that pushes the elevator up would not need to go through the roof. A lift system which is quieter and smoother might require raising the roof. Mr. Brancati said it would be in a place on the roof where it couldn't be seen from the road or the driveway.

Mr. Benoit reviewed the footings that will be installed in the basement.

Mr. Pavalow asked what the next step would be. Mr. Benoit said he needs to incorporate some final details and could have the drawings finished in two weeks.

Mr. DeLucia asked about the other structural work that is needed. Mr. Brancati asked Mr. Benoit to put all the work on one drawing and distinguish the structural work from the ADA work.

The item will be placed on the March 3 agenda.

NORTH EAST WESTCHESTER SPECIAL RECREATION – Authorize Contract

The Town Attorney recommended that the explanatory letter from the Executive Director of North East Westchester Special Recreation be incorporated into the contract.

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

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

RESOLUTION

RESOLVED, that the Supervisor be and hereby is authorized to sign the 2008 Interagency Agreement with North East Westchester Special Recreation, Inc. as amended by the Town Attorney to include a letter dated February 15, 2008 from Janet Riley, Executive Director of the agency, which shall be attached to and made part of this Agreement.

POLICE DEPARTMENT – Metrocom Wireless Contract

The Board reviewed the proposed contract with Metrocom Wireless. Mr. Pavalow questioned the lifespan of the equipment being covered. Ms. Bacal will look at the agreement again.

TOWN BOARD – Action Items

Mr. Pavalow asked when the Board would be reviewing their list of action items. Mr. Brancati said he thought the Board would be doing that on line. Mr. DeLucia suggested reviewing the list at the start of work sessions. Mr. Brancati asked each Board member to review the list on line and add any notes required.

DIRECTOR OF FINANCE – Appointment of Rose Sickenius

Mr. Brancati announced his appointment of Rose Sickenius to the position of Director of Finance. He said she is very knowledgeable in the area of municipal finance and comes to Lewisboro after four years in Ossining as Village Treasurer, Treasurer for the Village of Port Chester prior to that, Deputy Comptroller for the Town of Mt. Pleasant and Deputy Treasurer of the Village of Croton for 10 years before that.

Mr. DeLucia thanked Mr. Brancati and Mr. Perruzza for interviewing Ms. Sickenius, and thanked Mr. Brancati for finding someone so qualified.

CABLE TELEVISION COORDINATOR – Hourly Rate Increase

The Board reviewed the duties of the Cable Television Coordinator and the Deputy Coordinator and noted that a salary increase is justified based on the responsibilities they have assumed.

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

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

RESOLUTION

RESOLVED, that effective February 1, 2008 salary increases to \$40.00 per hour for the Cable Coordinator and to \$25.00 for the Assistant Coordinator as recommended by the Cable Television Advisory Committee, based on their increased responsibilities, be and hereby are approved.

FINANCE – Transfer re Auditor

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

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

RESOLUTION

RESOLVED, that the Director of Finance be and hereby is authorized to transfer \$12,060.00 from A1990.0400 to A1320.0400 in the 2007 budget to cover consulting fees and auditing services related to the 2006 financial reports.

AUDITOR - Authorize Letters of Agreement for Services

The Board reviewed the services to be provided by the Town’s auditor. Mr. Pavalow questioned the delivery of the audit and the timing of the report that is filed with the State, noting that an extension of time should be requested if needed. After discussion the Board said they will add wording to the effect that the auditor will request extensions of time for filing as required by the State Comptroller’s office.

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

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

RESOLUTION

RESOLVED, that the Supervisor be and hereby is authorized to sign three separate consulting agreements with DeMilia and Honigman, LLP pending and subject to review by the Town Attorney regarding required reporting schedules.

SUPERVISOR – Authorization to Direct Funds as Required

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

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

RESOLUTION

RESOLVED, that the Supervisor be and hereby is authorized to direct incoming funds to the appropriate department for budgeting and operating expenses cash flow as required by those departments.

STORMWATER – Announcement of Education Seminar

Mr. Brancati noted that there will be a stormwater education seminar at the John Jay High School on Wednesday evening, February 27 at 7:30 p.m. He invited interested members of the public to attend.

UNSAFE BUILDINGS – Notice of Hearing

Mr. Brancati noted there will be a hearing at 8:00 p.m. during the Town Board meeting held on March 3, 2008 at the South Salem Library regarding unsafe buildings located on Fairmount Road in Goldens Bridge. The property is shown on the Town's tax maps as Sheet 7 Block 11137 Lot 25. The hearing is pursuant to the Town Code Chapter 94 sections 5 and 6.

The owner of the property has been notified, and Mr. Brancati said he is hereby notifying the public of the hearing.

CLAIMS – Approved for Payment

On motion by Mr. DeLucia, seconded by Mr. Brancati, the Board voted 5-0 to authorize payment of claims in the amount of \$539,877.61.

ANTENNA ADVISORY BOARD – Discussion re Cell Tower Request for Proposals

Mr. Pavalow asked about the status of the Request for Proposals for cellular towers. Mr. Brancati said he had some questions, and will ask Special Counsel Margaret Clark, who has knowledge of the cell tower laws, for her input. The Town Attorney and Town Board will also be asked for their input. He said the Board could discuss it at the March 10 work session.

ENVIRONMENT – Announcement re Meeting

Mr. Welsh announced that Westchester County is making a presentation next week regarding global warming and urged the public to attend. The Board also discussed the use of energy-saving light bulbs and the possibility of conducting an energy audit.

COMMENDATION – Highway Department

Mr. DeLucia commended the Highway Superintendent for his handling of a resident's concern on Canaan Circle.

PARKS AND RECREATION – Program Comments

Mr. DeLucia said the Parks and Recreation Department has prepared an annual report which will be submitted to the Town Board for review. They have submitted the report along with the winter brochure for consideration for an award.

Mr. DeLucia also noted that the three-day Teen Treks program for the summer is sold out, but there are still spaces available in the five-day program. The winter ski program is coming to a conclusion and the season went very well.

ASSOCIATION OF TOWNS – Annual Meeting

Mr. Brancati reported on his attendance at the Association of Towns meeting in New York City.

MEETINGS – Dates Set

The next regular Town Board meeting will be held on March 3. The Board decided to move the March 17 meeting to Tuesday, March 18 and to move the meeting to the Town House. A work session will be held on March 10, 2008 at 7:30 p.m. at the South Salem Library.

PUBLIC COMMENT PERIOD

Environment

Tom Herzog of South Salem commented on the use of energy-saving light bulbs. He said he has often quoted the following statistic: “If every American home replaced just one light bulb with a fluorescent bulb it would save enough energy to light more than two and a half million homes for a year, and prevent greenhouse gases equivalent to the emissions from 800,000 cars.”

EXECUTIVE SESSION - Employment History and Litigation

On motion by Mr. Brancati seconded by Mr. DeLucia, the Board voted 5-0 to go into executive session to discuss the employment history of a particular employee and litigation.

On motion by Mr. Brancati, seconded by Mr. DeLucia the Board voted 5-0 to come out of executive session.

TOWN ATTORNEY – Acknowledge Receipt of Letter

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

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

RESOLUTION

RESOLVED, that the Town Board does hereby acknowledge receipt of a letter dated February 18, 2008 from the Town Attorney.

ADJOURNMENT

On motion by Mr. Brancati, seconded by Mr. Pavalow the Board voted 5-0 to adjourn at approximately 10:25 p.m.

Kathleen G. Cory
Town Clerk