

A meeting of the Town Board of the Town of Lewisboro, Westchester County, New York, was held on February 20, 2007 at 7:30 p.m. at the Town House, 11 Main Street, South Salem, New York.

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

ABSENT: Councilman - Suzanne Whalen

Also attending was Facilities Maintenance Manager Joel Smith.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was lead by Girl Scouts Jennifer Dingee of Troop #2496 and Julia Dingee of Troop #11442.

MINUTES - Approved

On motion by Mr. Mahoney, seconded by Mr. Perruzza, the Board voted 4-0 to approve the minutes of January 30, 2007.

PUBLIC COMMENT PERIOD

There was no comment from the public.

COMMENDATION – To Police Officer Frank Secret and Highway Superintendent Peter Ripperger

The Board heard commendations for Police Officer Frank Secret and the Highway Superintendent Peter Ripperger. Mr. Brancati praised the Highway Department for their efforts during the Valentine's Day snow/sleet storm last week.

CELLULAR TOWERS - Update re Homeland Towers

Mr. Mahoney said he has been talking to the Supervisors in the towns of Bedford and Mt. Pleasant regarding their experiences with Homeland Towers. The Supervisor of Mt. Pleasant gave a favorable report on their experience. Homeland Towers is about 90% complete with the process in the town of Bedford. The Supervisor in Bedford also reported favorably on their experience working with Homeland Towers.

LIBRARY – Update re Relocation

Supervisor Mahoney reported that he called Senator Leibell's office and they are up to date on the library situation. They asked to arrange a date for a site walk, and the Town's consultants are involved already involved in the project, doing a survey of the property.

TOWN PROPERTY – Relocated Offices

Mr. Mahoney said the Board has been discussing possible new office spaces for Town offices, in order to insure compliance with ADA requirements.

Once the library has moved to the new building in Town Park, the existing library could become a public safety building, encompassing the Justice Court and the Police Department. Then the existing Spring Street building could be demolished and the Spring Street lot expanded, or other options explored.

Once the Court office is moved, a handicapped accessible restroom can be installed in that space in the Town House and the first floor plan altered to insure greater accessibility.

Structural renovations to Onatru farmhouse will require that those offices move to rented space below D'Agostino's supermarket in Cross River. Once the Onatru work is completed, the Parks and Recreation offices will move there. The offices formerly at Onatru will move to the former Parks and Recreation offices in the Goldens Bridge Community House. The Town Historian will have the option to stay at Onatru or move to Goldens Bridge.

Mr. Brancati said questions had been raised by residents as to what the Town's plans were beyond moving the library to the Town Park. Mr. Brancati said making the existing library building the public safety building solves the Police Department building problem, and adding the court frees up space in the Town House for an accessible bathroom. The result will be that every Town facility will be ADA compliance at the lowest cost. The structural improvements to Onatru will ensure that the building continues to serve the Town's needs.

Mr. DeLucia added that "nothing is written in stone". This is a plan that Mr. Brancati has been involved with but is just something the Board is considering. When the Board looks closer at the library other options may occur. Mr. Brancati said it is important to note this is a very general draft and framework from which to work.

Mr. DeLucia said the Town has the Goldens Bridge Community House which is ADA compliant, and the Town is working to improve its water supply. In order to complete the structural renovations at Onatru the office staff must be moved to another location.

Mr. Brancati said switching Parks and Recreation and the Onatru offices is beneficial because the Goldens Bridge community house is a sturdier building for all the heavy files the Onatru offices have, and Onatru farmhouse is in a park near active ballfields. Mr. DeLucia said the Recreation offices would have less impact on the farmhouse than all the other offices.

DIRECTOR OF FINANCE – Resignation of Michael Melillo

Mr. Mahoney reported that the Board has received the resignation of Director of Finance Michael Melillo has officially left Town service on February 16. The Board extended its best wishes to Mr. Melillo in his move to Las Vegas.

DIRECTOR OF FINANCE- Appointment of Virginia Bulzachelli-Todar

Mr. Mahoney announced his appointment of Virginia Bulzachelli-Todar of Pound Ridge as the Town’s new Director of Finance. She has been the Receiver of Taxes in Pound Ridge for the past 15 years. Mr. Mahoney noted that Mrs. Bulzachelli-Todar is in New York City tonight attending the Association of Towns meeting.

FINANCE – Financial Report

Mr. Perruzza reviewed a report from outgoing-Director of Finance Michael Melillo on the state of the Town’s finances. He said the finances of the Town are healthy. Looking at 2006 from the general fund the revenues came in under by \$500,000 and 40% of that was due to the Bell property coming off the tax rolls and loss of revenue due to late opening of the pool. Taking that aside, there was an over-aggressive mortgage tax estimate on the revenue side. On the expense side, Town expenditures were down over \$300,000. Putting the two together, it would have been even except for the pool and Bell tax loss. The difference was made up by the fund balance.

The Town’s fund balance is still in excess of \$2.5 million. In the Highway Fund, the expenses came in almost \$500,000 less than budgeted, and revenues were down only \$200,000 so that fund balance went up to \$650, to \$700,000.

CONSERVATION ADVISORY COUNCIL - Appointment of Edmund Wickersham

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

THE VOTE:	Yes	- Mahoney, Brancati, DeLucia, Perruzza	(4)
	No	- None	(0)
	Absent	- Whalen	(1)

RESOLUTION

RESOLVED, that Edmund Wickersham be and hereby is reappointed to the Conservation Advisory Council for a term ending December 31, 2007.

CABLE TELEVISION ADVISORY COMMITTEE - Reappointment of Keith Thompson

As Mr. Thompson’s oath of office for his prior appointment was not filed within the required 30 days, the Board reappointed Mr. Thompson.

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

THE VOTE:	Yes	- Mahoney, Brancati, DeLucia, Perruzza	(4)
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No	- None	(0)
Absent	- Whalen	(1)

RESOLUTION

RESOLVED, that Keith Thompson be and hereby is reappointed to the Cable Television Advisory Committee for a term ending December 31, 2007.

TOWN CLERK - Authorization to Attend Conference

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

THE VOTE:	Yes	- Mahoney, Brancati, DeLucia, Perruzza	(4)
	No	- None	(0)
	Absent	- Whalen	(1)

RESOLUTION

RESOLVED, that Town Clerk Kathleen Cory be and hereby is authorized to attend the New York State Town Clerk’s Association conference to be held in Rochester April 29 to May 2, 2007.

DIRECTOR OF FINANCE - Authorization to Attend Conference

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

THE VOTE:	Yes	- Mahoney, Brancati, DeLucia, Perruzza	(4)
	No	- None	(0)
	Absent	- Whalen	(1)

RESOLUTION

RESOLVED, that the Director of Finance Virginia Bulzachelli-Todar be and hereby is authorized to attend the New York State Government Finance Officers Association conference to be held in Albany March 28 through March 30, 2007.

PARKS AND RECREATION DEPARTMENT - Authorization to Attend Conference

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

THE VOTE:	Yes	- Mahoney, Brancati, DeLucia, Perruzza	(4)
	No	- None	(0)
	Absent	- Whalen	(1)

RESOLUTION

RESOLVED, that the Superintendent of Parks and Recreation Dana Mayclim and Assistant Superintendent Christine Grey be and hereby are authorized to attend the New York State Recreation and Parks conference to be held April 21 to 25 in Buffalo, New York.

OAKRIDGE WATER AND SEWER DISTRICTS - Authorization to Sign Contract re Water Tank Cleaning

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

THE VOTE:	Yes	- Mahoney, Brancati, DeLucia, Perruzza	(4)
	No	- None	(0)
	Absent	- Whalen	(1)

RESOLUTION

RESOLVED, that the Supervisor be and hereby is authorized to sign an agreement with Buffalo Industrial Diving Company for work relating to the upgrade of the Oakridge water and sewer system.

LEON LEVY PRESERVE - Correction of Conservation Easement

The Town Attorney noted that the original conservation easement for the Leon Levy Preserve provides a number of restrictions on the property. Unfortunately it was drawn to include the properties that the Town is selling, and which were not to be part of the Preserve. The Town now has a contract with a potential purchaser and the purchaser’s attorney raised the issue, and their title company has refused to insure. The corrected easement provides that the intention is to impose restrictions solely on the Leon Levy Preserve property. Ms. Bacal also said she has a letter from the Westchester Land Trust agreeing to the changes. The revised conservation easement will not be recorded until after the subdivision maps are filed, so they can be referenced in the easement documents.

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

THE VOTE:	Yes	- Mahoney, Brancati, DeLucia, Perruzza	(4)
	No	- None	(0)
	Absent	- Whalen	(1)

RESOLUTION

RESOLVED, that the Supervisor be and hereby is authorized to sign the Correction Conservation Easement for the Leon Levy Preserve.

FINANCE - Rescind Resolution re Pool Bonding

Ms. Bacal reported that the Town auditor has advised that the Board should rescind a resolution adopted in October of 2005 authorizing bonding for a period of five years for the pool work. The resolution has been superceded by subsequent resolutions extending the borrowing period.

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

THE VOTE:	Yes	- Mahoney, Brancati, DeLucia, Perruzza	(4)
	No	- None	(0)
	Absent	- Whalen	(1)

RESOLUTION

WHEREAS, the Town Board of the Town of Lewisboro, Westchester County, New York (hereinafter "Town Board"), adopted a Resolution on October 5, 2005 authorizing the transfer of \$250,000.00 from A7180.2 to Pool Reserve Fund and fund balance appropriation of \$1,550,000.00 from unreserved General Fund balance to General Fund balance reserved for a pool renovation; and

WHEREAS, the Town Board thereafter adopted a Bond Resolution on October 17, 2005 authorizing the issuance of up to \$2,298,000.00 serial bonds to pay the cost of construction of improvements and reconstruction of the Town swimming Pool; and

WHEREAS, the Town Board thereafter adopted a Resolution on May 26, 2006 authorizing an increase in the maximum maturity of the above referenced bonds from five (5) years to fifteen (15) years; and

WHEREAS, the Resolutions dated October 17, 2005 and May 26, 2006 render the Resolution dated October 5, 2005 to be unnecessary and extraneous,

NOW THEREFORE BE IT

RESOLVED, by the Town Board of the Town of Lewisboro, Westchester County, New York, as follows:

Section 1. The Resolution dated October 5, 2005 is hereby rescinded.

Section 2. This resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

EDWARD P. MAHONEY	voting	Aye
EDWARD BRANCATI	voting	Aye
PETER DELUCIA	voting	Aye
AL PERRUZZA	voting	Aye
SUZANNE WHALEN		absent

The resolution was thereupon declared duly adopted.

CLAIMS - Approved for Payment

On motion by Mr. DeLucia, seconded by Mr. Perruzza, the Board voted 4-0 to approve payment of claims in the amount of \$224,256.70.

DRUG ABUSE PREVENTION COUNCIL - Authorize Agreement

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

THE VOTE:	Yes	- Mahoney, Brancati, DeLucia, Perruzza	(4)
	No	- None	(0)
	Absent	- Whalen	(1)

RESOLUTION

RESOLVED, that the Supervisor be and hereby is authorized to sign the agreement among Bedford, Lewisboro and Pound Ridge to fund the Drug Abuse Prevention Council.

LAKES COMMITTEE - Review of Grant Funding and Reporting

The Board reviewed the funding received for the Lakes Committee projects. Reporting requirements were noted, and the committee’s mission statement was reviewed. Mr. Perruzza expressed concern that the required reporting take place in a timely manner. The Board will adopt the mission statement at the March 6 meeting.

TOWN PROPERTY - Spring Street Parking Lot

Mr. DeLucia reviewed the Board’s action regarding the parking problems in the Spring Street parking lot. He said the Board kept the public hearing open, but needs to notice a continuation of the hearing to bring the matter back onto the Board’s agenda. The Board decided to continue the public hearing at the March 6 Town Board meeting.

ASSOCIATION OF TOWNS - Report on Meeting

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

MEETINGS - Dates Set

The next regular meeting of the Town Board will be held on Tuesdays, March 6 and March 20 at 7:30 p.m. at the Town House. A work session will be held on March 27, 2007 at 7:00 p.m. at the Cyrus Russell Community House.

PUBLIC COMMENT PERIOD

There was no comment from the public.

EXECUTIVE SESSION - Employment History

On motion by Mr. Mahoney, seconded by Mr. DeLucia, the Board voted 4-0 to go into executive session to discuss the employment history of a particular person.

On motion by Mr. DeLucia, seconded by Mr. Mahoney, the Board voted 4-0 to come out of executive session.

ADJOURNMENT

On motion by Mr. Mahoney, seconded by Mr. DeLucia, the Board voted 4-0 to adjourn at 10:00 p.m.

Kathleen G. Cory
Town Clerk

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

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

RESOLUTION

EXECUTIVE SESSION –

On motion by M , seconded by M the Board voted 5-0 to go into executive session for the purpose of .

On motion by M, seconded by M the Board voted to come out of executive session.

ADJOURNMENT

On motion by Mr. Mahoney, seconded by M??, the Board voted to adjourn at p.m.

Kathleen G. Cory
Town Clerk