

A meeting of the Town Board of the Town of Lewisboro, Westchester County, New York, was held on January 10, 2006 at 7:30 p.m. at the Town House, 11 Main Street, South Salem, New York 10590.

PRESENT: Supervisor - Edward Mahoney  
Councilmen - Peter DeLucia, Allen Hershkowitz, Al Perruzza, Sue Whalen  
Town Clerk - Kathleen G. Cory

Also attending was the Deputy Supervisor Joann Vasi.

Supervisor Mahoney addressed the Board and audience, stating that meetings would begin with the Pledge of Allegiance to the flag. He said Lewisboro is a small community, and although controversy does arise everyone will be treated with respect, both those in the audience and those on the Board.

The Supervisor introduced Boy Scout Alex Perlman to lead the Pledge of Allegiance.

#### TOWN BOARD – Welcome to New Members

Mr. Hershkowitz and Mrs. Whalen welcomed the new members on the Town Board.

#### TOWN ATTORNEY - Comment re Appointment

Supervisor Mahoney said there will be an executive session to discuss the position of Town Attorney. Mr. Hershkowitz said according to Town Law the Town Attorney is appointed and dismissed by the Town Board. He noted that the current attorney Les Maron was notified that his services were no longer needed and that should have been a Board decision. Mr. Mahoney said the Board takes actions with the best of intentions.

Mr. Hershkowitz protested the apparent offering of the Town Attorney position to former Councilwoman Jessica Bacal. Mr. Mahoney said he would hold the issue to executive session. Mrs. Whalen also said she would like to hold the matter to executive session.

#### ANTENNA ADVISORY BOARD – Appointment

Mr. Mahoney noted that appointments to the Antenna Advisory Board would be made at the next Town Board meeting.

#### TOWN PROPERTY – ADA Compliance and Meetings

Mr. Hershkowitz said he did not feel that meeting in the Town House was a “best effort” by the Town toward compliance with the Americans with Disabilities Act. Mr. Mahoney responded by reading a resolution adopted by the previous Town Board which said:

“RESOLVED, that the regular Town Board meetings shall be held during 2005 at the Town House or other public meeting areas in the Town of Lewisboro that are compliant with the Americans with Disabilities Act where possible.”

Mr. Mahoney proposed a motion that Town Board meetings in 2006 be held on the first and third Tuesdays of the month at the Town House, with work sessions held as needed on the second and fourth Tuesdays, either at the Town House or the library. The motion was seconded by Mrs. Whalen. Mr. Hershkowitz said Tuesdays would work better for him than Mondays. He cautioned against holding meetings on the same night as the school board and the Planning Board. He also noted that the Ledger reporters must finish their columns by Wednesday morning, and Monday meetings would give them more time to prepare them.

Mr. Perruzza said he felt that Monday was a poor choice for meetings and favored Tuesday. Mr. Mahoney said traditionally meetings were on Tuesdays. He said meetings would be held on Tuesdays and the Board could review it a few months later. Mrs. Whalen said Tuesdays had worked for many years, and the meetings had been moved to Mondays only in the last two years.

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

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

RESOLUTION

RESOLVED, that regular Town Board meetings shall take place on the first and third Tuesdays of the month, with such meetings held at the Town House at 7:30 p.m. Work sessions will be held as the Board deems necessary on the second and fourth Tuesdays of the month either at the Town House or the library.

ARCHITECTURE AND COMMUNITY APPEARANCE REVIEW COUNCIL – Appt. of  
Chairman

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

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

RESOLUTION

RESOLVED, that Re Hagele is hereby reappointed as Chairman of the Architecture & Community Appearance Review Council (ACARC) for a one-year term, effective January 1, 2006.

BOARD OF ASSESSMENT REVIEW – Appointment of Chairman

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

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

RESOLUTION

RESOLVED, that Lawrence A. Mandelker is hereby reappointed as Chairman of the Board of Assessment Review for a one-year term, effective January 1, 2006.

LANDMARKS ADVISORY COUNCIL – Appointment of Chairman

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

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

RESOLUTION

RESOLVED, that W. Theodore Strauss is hereby reappointed as Chairman of the Landmarks Advisory Committee for a one-year term, effective January 1, 2006.

HOUSING COMMITTEE – Appointment of Chairman

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

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

RESOLUTION

RESOLVED, that Jerome Kerner is hereby reappointed as Chairman of the Housing Committee for a one-year term, effective January 1, 2006.

OPEN SPACE ADVISORY COUNCIL – Appointment of Chairman

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

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

RESOLUTION

RESOLVED, that Edward Delaney be and hereby is reappointed as Chairman of the Open Space Advisory Committee for a one-year term, effective January 1, 2006.

PARKS AND RECREATION ADVISORY COUNCIL – Appointment of Chairman

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

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

RESOLUTION

RESOLVED, that Ian Harris be and hereby is reappointed chairman of the Parks and Recreation Advisory Council for a one-year term ending December 31, 2006.

PLANNING BOARD – Appointment of Chairman

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

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

RESOLUTION

RESOLVED, that P. J. Rossi is hereby appointed as Chairman of the Planning Board for a one-year term, effective January 1, 2006.

EMERGENCY PREPAREDNESS TASK FORCE – Committee Reinstated

Mr. Hershkowitz said he thought the EPTF had been disbanded as of December 31, 2004 and asked if it had ever been reauthorized. The Town Clerk said she would like to have the committee reinstated and focus on a disaster preparedness and recovery for Town government.

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

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

RESOLUTION

RESOLVED, that the Town Board does hereby reinstate the Emergency Preparedness Task Force.

EMERGENCY PREPAREDNESS TASK FORCE – Appointment of Chairman

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

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

RESOLUTION

RESOLVED, that Frank Kelly be and hereby is appointed Chairman of the Emergency Preparedness Task Force for a one-year term effective January 1, 2006.

ZONING BOARD OF APPEALS – Appointment of Chairman

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

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

RESOLUTION

RESOLVED, that William R. Lonergan is hereby reappointed as Chairman of the Zoning Board of Appeals for a one-year term, effective January 1, 2006.

ELECTIONS OFFICER – Appointment

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

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

RESOLUTION

RESOLVED, that Kathleen G. Cory is hereby reappointed as Elections Officer for a one-year term, effective January 1, 2006.

RREGISTRAR OF VITAL STATISTICS – Appointment

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

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

RESOLUTION

RESOLVED, that Kathleen G. Cory is hereby reappointed as Registrar of Vital Statistics for a one-year term, effective January 1, 2006.

BUILDING INSPECTOR – Appointment of Deputy

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

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

RESOLUTION

RESOLVED, that Peter C. Barrett is hereby reappointed as Deputy Building Inspector for a one-year term, effective January 1, 2006.

UTILITIES – Appointment of Administrators

Mr. Mahoney proposed a motion to appoint an administrator for the Oakridge Water and Sewer District and the Wild Oaks Sewer district. The motion was seconded by Mrs. Whalen. Mr. Hershkowitz said that the current administrator Larry Grant has a professional license and this year is a crucial year for the districts. Maintenance Foreman Joel Smith said the license is a Class C license to operate a water system in New York State. Mr. Hershkowitz asked that this item be postponed and discussed in executive session. The motion and second were withdrawn.

Mr. Perruzza asked for a job description so the Board can understand what is involved. Mrs. Whalen noted that the former Director of Finance also held the title of Administrator and asked about her qualifications. Mr. Hershkowitz said she only handled the administrative work.

ELECTIONS – Appointment of Sr. Voting Machine Technician

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

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

RESOLUTION

RESOLVED, that Douglas O. Maass is hereby reappointed as Senior Voting Machine Technician for a one-year term, effective January 1, 2006, at a rate of \$600 per election and \$25.00 per hour for authorized voting machine repairs.

ELECTIONS – Appointment of Technicians

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

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

RESOLUTION

RESOLVED, that Fred Margolies, Matthew Hollwedel and Tom Mancinelli are hereby reappointed as Voting Machine Technicians for a one-year term, effective January 1, 2006, at a rate of \$330 per election.

ATTORNEY – For In Rem Foreclosures

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

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

RESOLUTION

RESOLVED, that Ed Blum, Esq. is hereby reappointed as special counsel to bring the “in rem” foreclosure of Tax Lien Proceedings, at an hourly rate of \$100, for a one-year term effective January 1, 2006.

ATTORNEY – Appointment of Labor Law Counsel

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

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

RESOLUTION

RESOLVED, that Ronald Longo, Esq. of Keane and Beane PC is hereby reappointed as special labor law counsel at an hourly rate of \$185 an hour effective January 1, 2006.

APPOINTMENTS – Comment re Appointments

In response to a question regarding appointments not on tonight's agenda, Mr. DeLucia said anyone not reappointed or replaced would continue in place until reappointment or a change is made. That would include the Planning Board attorney Lawrence Praga and Special Counsel Margaret Clark. Any appointment not on this agenda may be the subject of an executive session.

MEMBERSHIPS – Authority to Join Organizations and Pay Dues

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

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

RESOLUTION

RESOLVED, that memberships in the following professional organizations for 2006 are approved, and the Director of Finance is hereby authorized to pay the required 2006 dues, in the amounts estimated below:

Association of Towns of NYS \$1,350  
Westchester Municipal Officials Association - \$750  
Municipal Law Resource Center - \$750  
Westchester Putnam Association of Town Supervisors - \$100  
Westchester Municipal Planning Federation - \$50  
New York Planning Federation - \$140

ASSOCIATION OF TOWNS – Appointment of Delegate and Alternate

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

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

RESOLUTION

RESOLVED, that Joann Vasi is hereby appointed as the 2006 delegate and Peter B. DeLucia the 2006 alternate delegate to represent the Town of Lewisboro at the annual meeting of the Association of Towns of New York State.

FIRE INSPECTORS – Appointment

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

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

RESOLUTION

RESOLVED, that William Cargain and Peter Barrett are hereby reappointed as Fire Inspectors for a one-year term, effective January 1, 2006.

MAPPING – Appointment for Tax Mapping Services

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

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

RESOLUTION

RESOLVED, that Stephen T. Johnson is hereby appointed as Tax Mapping Services consultant for a one-year term, effective January 1, 2006 at a rate for work by the principle at \$150 per hour, computations at \$110 per hour and drafting at \$90 per hour for a total cost of \$8,000.

CEMETERY COMMISSIONER – Appointment

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

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

RESOLUTION

RESOLVED, that Stephen T. Johnson be and hereby is reappointed Cemetery Commissioner at an annual stipend of \$3,616 for a one-year term effective January 1, 2006.

MILEAGE – Rate Set

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

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

RESOLUTION

RESOLVED, that Town employees and elected officials shall be reimbursed for use of a personal vehicle for Town business, when a Town-owned vehicle is not available for use, at the per-mile rate set by the IRS of 48.5 cents per mile.

LIBRARY – Authorize Agreement

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

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

RESOLUTION

RESOLVED, that the Supervisor is hereby authorized to sign the 2006 Agreement with the South Salem Library, pursuant to Sections 256 and 259 of the Education Law of the State of New York, in the amount of \$345,763 to be paid in twelve monthly installments.

KENNEL - Authorize Agreement

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

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

RESOLUTION

RESOLVED, that the Supervisor is hereby authorized to sign a one-year agreement, effective January 1, 2006, between the Town and the South Salem Animal Hospital that provides for holding and sheltering dogs, in accordance with the provisions of the New York State Agriculture and Market Law, and in accordance with the provisions of Chapter 105 of the Code of the Town of Lewisboro, at a cost of \$22.00 per twenty-four hours or part thereof.

FINANCE – Designation of Banks

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

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

RESOLUTION

RESOLVED, that Bank of America and Chase Manhattan Bank are hereby approved as the depositories for Town funds during the year 2006 and that the specific accounts in these banks, provided on the list accompanying the Finance Director's memo are hereby approved.

FINANCE – Authorize Depository Agreements

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

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

RESOLUTION

RESOLVED, that the Supervisor is hereby authorized to sign bank depository agreements.

FINANCE – Transfers – Supervisor's Authorization

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

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

RESOLUTION

RESOLVED, that in his role as Chief Financial Officer of the Town, the Supervisor is hereby authorized to make transfers of funds not to exceed \$5,000 a month, among the appropriation lines of the 2006 Town Budget.

LEWIS FUND – Authorize Payment of Interest to Library

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

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

RESOLUTION

RESOLVED, that the interest accrued during the year 2005 in the Lewis School Fund Account be withdrawn and paid to the South Salem Library for the purpose of purchasing educational books for said library.

FINANCE – Authorize Encumbrances

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

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

RESOLUTION

RESOLVED, that the Director of Finance is hereby authorized to encumber all remaining balances in all categories in the 2005 General, Highway, Sewer, Water and Lighting funds., It is understood that, after the books are closed for the fiscal year 2005, a superceding resolution will be proposed identifying specific budget lines and amounts to be encumbered.

HIGHWAY DEPARTMENT – Agreement to Purchase Tools

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

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

RESOLUTION

RESOLVED, that pursuant to Section 142 of the Highway Law, the Superintendent of Highways of the Town of Lewisboro is hereby authorized to purchase equipment, tools and other implements to be used for highway maintenance, construction or reconstruction during 2006, subject to the limitations of budgetary appropriations and public bidding requirements.

HIGHWAY DEPARTMENT – Agreement to Spend Funds

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

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

RESOLUTION

RESOLVED, that pursuant to the provisions of Section 284 of the Highway Law, the Agreement to Spend Town Highway funds budgeted for the year 2006, as presented to the Town Board by the Superintendent of Highways, is hereby approved.

HIGHWAY DEPARTMENT – Highway Estimate and Budget

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

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

RESOLUTION

RESOLVED, that the Annual Highway Estimate and Budget for 2006, as presented by the Superintendent of Highways, is hereby approved.

NEWSPAPER – Discussion re Official Newspaper

The Board discussed the choice of an official newspaper for the Town. Mr. Perruzza suggested interviewing representatives from all local newspapers. Mr. Hershkowitz said the Board should designate the Ledger. Mr. Mahoney said the Board should reach out to all the local newspapers. Mr. Hershkowitz asked what the advantages would be to having a paper other than the Ledger. Mrs. Whalen said if the Board was going to review other newspapers this is the time to do it. Mr. DeLucia noted that the Patent Trader was automatically delivered to every home that subscribes to the Journal News. Mr. Hershkowitz said he found it inconceivable that the Ledger would be replaced. Mr. Perruzza said it would be interesting to meet with other newspapers. After further discussion Mr. Mahoney said there are other newspapers looking to expand their horizons and the Board will discuss the issue further.

TOWN OFFICIALS AND EMPLOYEES – Appointment of Confidential Secretary

Supervisor Mahoney noted his appointment of Charlotte Biancone as his confidential secretary. He noted that Mrs. Biancone has declined to take any Town benefits.

FINANCE – Appointment of Director of Finance

Supervisor Mahoney appointed Hector Reyes as his Director of Finance, and he too is declining benefits. Mr. Hershkowitz asked for an executive session on the issue and Mrs. Whalen noted that this is the Supervisor's appointment. Mr. Hershkowitz said he would like to have a conversation on the subject.

Mr. DeLucia asked for clarification on the title. Deputy Supervisor Joann Vasi explained that the civil service title is actually Bookkeeper. The Director of Finance title is a Town title. Mr. Mahoney said Mr. Reyes has clarified his status with the retirement system and he is in full compliance. Mrs. Whalen asked if he was considered full time or part-time. Mr. Mahoney said he is part-time.

SUPERVISOR – Appointment of Deputy

Supervisor Mahoney noted his appointment of Joann Vasi as Deputy Supervisor

MARRIAGE OFFICER – Appointment of Joann Vasi

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

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

RESOLUTION

RESOLVED, that Joann Vasi be and hereby is reappointed as a marriage officer of the Town of Lewisboro for a four-year term ending December 31, 2009.

TOWN CLERK – Appointment of Deputy

Supervisor Mahoney noted the Town Clerk's reappointment of Florence Furdyna as her Deputy Town Clerk, Deputy Elections Officer and Deputy Registrar of Vital Statistics.

RECEIVER OF TAXES – Appointment of Deputy

Supervisor Mahoney noted the Receiver of Taxes reappointment of Patricia DeFaber as her deputy.

HIGHWAY SUPERINTENDENT – Appointment of Deputy

Supervisor Mahoney noted the Highway Superintendent's reappointment of Paul Olsen as his deputy.

TOWN HISTORIAN – Appointment

Supervisor Mahoney announced that he had reappointed Maureen Koehl as Town Historian.

LIAISONS – Appointments

Supervisor Mahoney announced that he had appointed the following liaisons:

Councilwoman Whalen as liaison to the Highway and Police Departments  
Councilman Perruzza as liaison to the Parks and Recreation Advisory Council and the Architecture and Community Appearance Review Council.  
Councilman Hershkowitz to the school board. (Mr. Hershkowitz declined the appointment as he would be unable to attend their meetings. Mr. Perruzza said there may be a way to be liaison

without attending meetings. Mr. Hershkowitz said he will continue to serve on the school district's alternative fuels committee.)

Councilman DeLucia to the Zoning Board of Appeals and the Planning Board

### CLAIMS – Approved for Payment

The Board reviewed the bills presented for payment. One of the bills due for payment was for work on the Town pool. Mr. Hershkowitz said someone from the Board should be assigned to work with the architect to verify that the work is completed and sign off on payments. In the past that was done by former Councilman Daigle who was an engineer. Mr. Perruzza asked for more documentation to support the payment currently being requested. The Board decided to ask the Town Attorney to review the bill before the check is mailed. The Board also discussed bills for refuse removal and law books. On motion by Mr. Mahoney, seconded by Mr. Hershkowitz, the Board voted 5-0 to approve claims in the amount of \$468,217.38 including \$39,365.05 paid prior to audit, with the understanding that the check for Scott Pools would be held until the bill has been reviewed by the Town Attorney.

### PUBLIC COMMENT PERIOD

#### Cell Tower

Joseph Sacco of Shady Lane addressed the Board regarding the proposed placement of a cellular communications tower on his street. He said he represented families in the area who are opposed to the planned tower, and asked if it would be appropriate for them to forward data they have been collecting in support of their position. He said he was coming to the Board for guidance as to how they could participate in the decision-making process in a productive way.

Mr. Mahoney said the Board all saw Mr. Sacco's email. He said the tower is a sensitive issue and the Board will look at the "big picture." Mr. Hershkowitz said the Antenna Advisory Board is just an advisory board. The Conservation Advisory Council may also weigh in. He said the Town Board doesn't have anything to do with the decision on the tower. The Zoning Board of Appeals will either grant or deny the application and then it goes to the Planning Board. Mr. DeLucia said as a Town Board they have to look at things like emergency communications. He also said there are federal laws that tie the hands of local boards. Mr. Hershkowitz noted that the 1996 Federal Communications Act prohibits the Town Board from considering health risks in the placement of cellular towers. All that Planning and Zoning boards can consider is location. Mr. DeLucia suggested Mr. Sacco contact Mr. Lonergan and Mr. Rossi, chairmen of the Zoning Board and Planning Board respectively.

#### Town Attorney

Kevin Roach of Mt. Holly Road addressed the Board regarding the Town Attorney.

Town Board/Town Property

Richard Sklarin of 80 Park Road, Goldens Bridge addressed the Board and wished them the best of luck in their endeavors. He advised the Board that the outlook is favorable for receiving a promised \$150,000 for ADA work at Onatru farmhouse.

Conservation Advisory Council

Paul Lewis said he is a CAC member and asked the status of the committee. Mr. DeLucia said all members will continue in place until reappointments are made.

MEETINGS – Dates Set

The Board set January 17, 2006 as a regular Town Board meeting at Cyrus Russell Community House. After discussion, the Board agreed to go into executive session at the end of the meeting.

EXECUTIVE SESSION

On motion by Mr. Mahoney seconded by Mrs. Whalen, the Board voted 5-0 to go into executive session at 9:19 p.m. to discuss the employment history of a particular person.

ANTENNA ADVISORY BOARD – Appointment of Chairman

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

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

RESOLUTION

RESOLVED, that Tibor “Ted” Sohonyay is hereby reappointed as Chairman of the Antenna Advisory Board for a one-year term, effective January 1, 2006.

ATTORNEY – Creation of Position of Town Attorney

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

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

RESOLUTION

RESOLVED, that the Town Board does hereby establish the position of Town Attorney.

ADJOURNMENT

On motion by Mr. Mahoney, seconded by Mrs. Whalen the Board voted 5-0 to adjourn at 1:15 a.m.

Kathleen G. Cory  
Town Clerk