

A meeting of the Town Board of the Town of Lewisboro, Westchester County, New York, was held on June 6, 2006 at 7:30 p.m. at the Town House, 11 Main Street, South Salem, New York.

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

Also attending were Deputy Supervisor Joann Vasi and Facilities Maintenance Manager Joel Smith.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the flag was led by Kathleen Carroll of Junior Girl Scout troop 2584, and Tara Carroll of Brownie Troop 1040, both based at the Lewisboro School.

MINUTES - Approved

On motion by Mr. Mahoney, seconded by Mr. DeLucia the Board voted 4-0 to approve the minutes of April 18, April 25 and May 2, 2006.

PUBLIC COMMENT PERIOD

There was no comment from the public.

TOWN OFFICIALS AND EMPLOYEES – Resignation of Kimberly Woodstead

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

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

RESOLUTION

RESOLVED, that the Town Board does hereby accept the resignation of Kimberly Woodstead as Intermediate Clerk in the Building Department.

TOWN OFFICIALS AND EMPLOYEES – Appointment of Karen Hamilton

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

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

RESOLUTION

RESOLVED, that the Town Board does hereby appoint Karen Hamilton as Intermediate Account Clerk in the Building Department at an hourly rate of \$13.00 per hour.

TOWN OFFICIALS AND EMPLOYEES – Appointment of Alex Posadas

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

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

RESOLUTION

RESOLVED, that the Town Board does hereby appoint Alex Posadas as Zoning/ACARC Secretary at an hourly rate of \$14.00 per hour.

GRANTS - Authorize Supervisor to submit Grant for Lakes Management Plan

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

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

RESOLUTION

RESOLVED, that the Town Board does hereby authorize the Supervisor to submit a grant application to the New York State Department of State for the purpose of developing a Comprehensive Lakes Management Plan.

REFUSE LICENSE – Renewal Granted to Bria Carting

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

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

RESOLUTION

RESOLVED, that the Town Board does hereby authorize renewal of a refuse license to Somers Sanitation d/b/a Bria Carting for a period of one year from April 12, 2006.

TOWN PROPERTY – Onatru Farm – Permission to use for Library Fair

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

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

RESOLUTION

RESOLVED, that the Town Clerk is hereby authorized to grant permission for the use of the Onatru farmhouse, grounds, and parking lots for the annual Library Fair, scheduled for September 16, 2006. It is understood that the premises will be used in advance of the Fair for setup and that all physical arrangements will be made through, and with the approval of, the Facilities Maintenance Manager.

NOISE ORDINANCE – Waiver Granted to Truesdale Lakes Property Owners Association

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

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

RESOLUTION

RESOLVED, that the Town Board does hereby waive provisions of the Noise Ordinance for a party to be held by the Truesdale Lake Property Owners Association on July 17, 2006 at the Gilbert Street beach from 7:00 p.m. to midnight.

TAXATION – Authority to Reinstitute Foreclosure Proceedings

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

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

RESOLUTION

RESOLVED, that attorney Edward Blum be and hereby is authorized to reinstitute foreclosure proceedings on property in Oakridge condominiums, known as:

- | | |
|----------------------------------|-------------------------------|
| Sh Sheet 49E Block 9830 Lot G- 5 | Sheet 49F Block 9830 Lot G-24 |
| Sheet 49E Block 9830 Lot G-6 | Sh 49H Block 9830 Lot 117 |

TOWN PROPERTY- Authority to Use Town Park for Fund Raiser

The Board reviewed a request from Sebastian Gillen for use of the Town Park for a fundraiser to be held on June 24. The fundraiser involves asking volunteers to have their heads shaved to show support for children with pediatric cancers. Mrs. Whalen asked if the Town had to be sure whoever was doing the shaving had proper permits. Mr. DeLucia, who works for the County Health Department, reported that he didn't feel a permit is needed for the shaving. If food is going to be served however, a temporary food service permit would be needed.

The Town Attorney advised the Board that they could grant the request if they wished.

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

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

RESOLUTION

RESOLVED, that the Town Board does hereby authorize Sebastian Gillen to hold a fundraiser for cancer research in the Town Park on Saturday, June 24, 2006, and be it further

RESOLVED, that said approval is conditional upon provision of proof of insurance and obtaining any other permits that are needed.

PUBLIC HEARING – Oakridge Sewer District – Adoption of SEQR Finding and Bonding Resolution

There was no objection to the public notice. (Copy attached.)

Engineer Bill Bright explained that the Town is accepting low interest funding from the State Clean Water/Clean Air revolving fund program. Money is provided from the Environmental Protection Agency to various State agencies and the projects have to compete to qualify for this fund. The program allows the Town to borrow at a lower rate than borrowing from a bank. The amount the Town is borrowing is about \$2,000,000.

Under its permit to discharge and a negotiated settlement with the State Department of Environmental Conservation, the Town has a timetable within which certain improvements have to be made. Mr. Bright said the design will be completed June 30 and submitted to the DEC which will review it. After that approval, the plans go to the County and the State for approval.

The upgrade involves building a separate room in the treatment plant where the flow can enter, and new equipment will be installed to remove solids in the wastewater. That room will have odor control, ventilation, will be explosion proof and will meet all the current standards. From there the flow will enter the building and go into a flow equalization tank which will be upgraded with an all new aeration system. All the electrical service feeding the motors will be replaced. From the equalization basin a new four-pump system will be installed. The new pump system

will pump up to the rotating biological contactors and from there it goes into the clarifiers. The clarifiers have already been upgraded and improved

Mr. Bright said when the Town took over ownership of the plant it borrowed money to do emergency repairs. There is money still left from that loan and it is being used to continue with emergency repairs. Until the plant is finished there will always be emergency repairs.

Mr. Bright continued to explain the wastewater treatment process. He said from the clarifiers the water goes into a new filtering process. The existing twenty-year-old filters (which were inappropriate from the beginning) will be replaced. The effluent from that will go to the new chlorine contact tank for re-aeration and dechlorination and to a pump station and out to a soil bed and then discharged into a stream. The plant still needs a permit. The entire building from the block wall up will be removed and demolished, and a new building placed on top of the internal structures. It will have a completely different look with a common roofline. The interior of the building will be a liner panel that is designed for moist environments and should last forever. Heat will be added to the building as will lighting and ventilation. Currently there is no heat, light or ventilation.

Mr. Bright said the water system in the building is Phase One of the improvements to the system, which is 96% complete. He said they will be starting pilot testing in about a week and a half. As part of the wastewater upgrade they will be installing a wall to separate the wastewater from the water treatment plant. All the piping that comes into the building is steel and is corroded. About six feet back from the building the piping changes to plastic piping so they only have to change it from that point inward.

A new generator is needed and the office area has to be expanded. A new lab and motor control center will be installed along with a computer monitor to monitor the processes within the plant to be certain everything is working correctly. There will be alarm systems to notify the operator when systems aren't working properly.

Mr. Bright said they saved a lot of money by declaring an emergency and taking a step-by-step approach to upgrading. On the filters alone they saved over \$200,000. He said they are "coming down the home stretch" at this point. When the water supply is up and running in about a month Mr. Bright said he will drink the water. He said if the plant is properly maintained it will last 20 or 30 years.

In response to a question from Mr. DeLucia, Mr. Bright said the plant is designed to serve the new section of Oakridge now being planned. He said the sewer plant is designed to treat 105,000 gallons and the permit is for 80,000 gallons.

Mr. Mahoney noted that under a previous administration the Town missed a grant application deadline for this project and it is incumbent on this administration to move forward.

Mr. DeLucia said there is competition for the loan. He noted the cost savings for the residents of Oakridge and said the new plant is good news for them. The rates will not go up as dramatically as they might have. Mr. Bright said they don't know what the impact will be on rates because

there is another \$1,000,000 coming from the developer of Oakridge Gardens and there is a new high-quality well.

Mr. Mahoney noted that last year the application was down-graded, and the Town has now revised it. Mr. DeLucia said it was “phenomenal” that the Town received all the funding at the low rate, and not just partial funding. He credited the revised application for the change in funding.

Ms. Bacal explained that the application is a Type II action and exempt from the provisions of the State Environmental Quality Review Act. The Town is treating it as an unlisted action since the improvements are internal.

Mr. Mahoney asked for comments from the public, but there were none.

On motion by Mr. Mahoney, seconded by Mr. DeLucia, the Commissioners of the District voted 4-0 to close the public hearing.

Ms. Bacal summarized the SEQR resolution which issues a negative declaration for the Board’s review and consideration. The environmental assessment form has been prepared and it states that the action is an improvement to the sewer plant and the expense anticipated is \$2,000,000.

Ms. Bacal read the first paragraph of the following resolution which was adopted on motion by Mr. Mahoney, seconded by Mr. DeLucia, with the Commissioners voting as follows:

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

RESOLUTION

(SEQR resolution attached.)

OAKRIDGE SEWER DISTRICT – Order re Bonding

On motion by Mr. Perruzza, seconded by Mr. DeLucia, the Commissioners voted on a roll call vote as follows:

Edward P. Mahoney	VOTING	Aye
Peter B. DeLucia	VOTING	Aye
Al Perruzza	VOTING	Aye
Suzanne Whalen	VOTING	Aye

RESOLUTION

WHEREAS, the Town Board of the Town of Lewisboro, Westchester County, New York, has had under consideration the increase and improvement of the facilities of the Oakridge Sewer District in said Town, consisting of the reconstruction and re-equipping of the Oakridge Sewer facility, including construction of an influent room, roof replacement, tank reconditioning, installation of chemical feed systems, replacement of filter equipment, electrical system improvements, heating and ventilation improvements, lab and control room equipment, and related and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$2,000,000; and

WHEREAS, the Town Board of said Town has duly caused to be prepared a map, plan and report, including an estimate of cost relating to said increase and improvement of facilities of such Oakridge Sewer District; pursuant to an engineering report prepared by Delaware Engineering, P.C., professional engineers, through 2005; and

WHEREAS, such cost shall be annually apportioned and assessed upon the several lots and parcels of land within such Oakridge Sewer District in the manner provided by law and levied and collected in an amount sufficient to pay the principal and interest on said bonds as the same become due;

WHEREAS, an environmental analysis has been prepared pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act ("SEQRA") in connection with such increase and improvement and use and it has been determined that such increase and improvement of the facilities of the Oakridge Sewer District will not result in any significant environmental effects; and

WHEREAS, at a meeting of said Town Board duly called and held on May 2, 2006, an order was duly adopted by it and entered in the minutes specifying the said Town Board would meet to consider the increase and improvement of the Oakridge Sewer District in said Town at a maximum estimated cost of \$2,000,000 and to hear all persons interested in the subject thereof concerning the same at the Town House, 11 Main Street, in South Salem, New York, in said Town, on June 6, 2006, at 8:00 o'clock P.M., Prevailing Time; and

WHEREAS, said order duly certified by the Town Clerk was duly published and posted as required by law, to-wit: a duly certified copy thereof was published in a newspaper of general circulation in this Town, on May 10, 2006, and a copy of such order was posted on May 10, 2006, on the signboard maintained by the Town Clerk of the Town of Lewisboro, pursuant to Section 30, subdivision 6 of the Town Law; and

WHEREAS, a public hearing was duly held at the time and place set forth in said notice, at which all persons desiring to be heard were duly heard; and NOW, THEREFORE, BE IT

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

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to increase and improve the facilities of the Oakridge Sewer District in said Town, consisting of the reconstruction and re-equipping of the Oakridge Sewer facility, including construction of an influent room, roof replacement, tank reconditioning, installation of chemical feed systems, replacement of filter equipment, electrical system improvements, heating and ventilation improvements, lab and control room equipment, and related and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$2,000,000.

Section 2. This order shall take effect immediately.

OAKRIDGE SEWER DISTRICT – Bonding Resolution

The following resolution was offered by Mr. Perruzza who moved its adoption, seconded by Mr. DeLucia, with the Commissioners of the Sewer District voting on a roll call vote as follows:

Edward P. Mahoney	VOTING	Aye
Peter B. DeLucia	VOTING	Aye
Al Perruzza	VOTING	Aye
Suzanne Whalen	VOTING	Aye

RESOLUTION DATED JUNE 6, 2006

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$2,000,000 BONDS OF THE TOWN OF LEWISBORO, WESTCHESTER COUNTY, NEW YORK, TO PAY COSTS OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE OAKRIDGE SEWER DISTRICT IN AND FOR SAID TOWN.

WHEREAS, pursuant to the provisions heretofore duly had and taken in accordance with the provisions of Section 202-b of the Town Law, and more particularly an order dated June 6, 2006, said Town Board has determined it to be in the public interest to increase the facilities of the Oakridge Sewer District in the Town of Lewisboro, Westchester County, New York, at a maximum estimated cost of \$2,000,000; and

WHEREAS, it is now desired to provide funding for such capital project; NOW, THEREFORE, BE IT

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

Section 1. For the class of objects or purposes of paying costs of the increase and improvement of the facilities of the Oakridge Sewer District in said Town, consisting of the reconstruction and re-equipping of the Oakridge Sewer facility, including construction of an influent room, roof replacement, tank reconditioning, installation of chemical feed systems, replacement of filter equipment, electrical system improvements, heating and ventilation improvements, lab and control room equipment, and related and incidental improvements and expenses in connection therewith, there are hereby authorized to be issued \$2,000,000 bonds of said Town pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid class of objects or purposes is \$2,000,000 and that the plan for the financing thereof is by the issuance of the \$2,000,000 bonds of said Town authorized to be issued pursuant to this bond resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is thirty years pursuant to subdivision four of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds authorized will exceed five years.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said Town of Lewisboro, Westchester County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. Such cost shall be annually apportioned and assessed upon the several lots and parcels of land within such Oakridge Sewer District in the manner provided by law and levied and collected in an amount sufficient to pay the principal and interest on said bonds as the same become due.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the Town of Lewisboro, Westchester County, New York, by the manual or facsimile signature of the Supervisor and a facsimile of its corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the Town Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Town Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of the Town, including, but not limited to, the power to sell said bonds to the New York State Environmental Facilities Corporation; provided, however, that in the exercise of these delegated powers, he shall comply fully with the provisions of the Local Finance Law and any order

or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Town Supervisor shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the Town Supervisor. Such notes shall be of such terms, form and contents as may be prescribed by said Town Supervisor consistent with the provisions of the Local Finance Law.

Section 9. The Town Supervisor is hereby further authorized, at his or her sole discretion, to execute a project financing agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific object or purpose described in Section 1 hereof, or a portion thereof, by a bond, and, or note issue of said Village in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 10. The intent of this resolution is to give the Town Supervisor sufficient authority to execute those applications, agreements, instruments or to do any similar acts necessary to effect the issuance of the aforesaid bonds and, or notes, without resorting to further action of this Town Supervisor.

Section 11. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of its Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Town Supervisor. It is hereby determined that it is to the financial advantage of the Town not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by Section 52.00 of the Local Finance Law, as the Supervisor shall determine.

Section 12. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 13. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 14. This resolution, which takes effect immediately, shall be published in full in *The Lewisboro Ledger*, a newspaper having general circulation in said Town, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

CODE – Section 212-28 Public Hearing re Proposed Amendment

There was no objection to the public notice as read by the Supervisor. (Copy attached.)

Stanley Pottinger of 49 Twin Lakes Road, South Salem spoke in favor of removing the “no parking” signs. He asked that the amendment be extended to remove the signs in front of his property also. He described the signs as being “ugly” and said he felt there was no public safety issue.

Mr. DeLucia asked how many parking signs were part of the requested change. Mr. Pottinger said he thought there were three and four more he wanted included. Mr. DeLucia asked if that would require a new public notice. Ms. Bacal advised that it would. Mr. Pottinger suggested the Board hold that discussion now and issue the required public notice in the future.

Judy Petro of 52 Twin Lakes Road asked what the reason was for removing the “no parking” signs. Mr. DeLucia said the Chief of Police and Highway Superintendent felt there was no public safety need for the signs. Mrs. Petro said the signs were put up 20 years ago. At the time the people who were leasing the house she now lives in were parking on the street, and a neighbor crashed into one of those cars. At that time the Town Engineer did a study and suggested that the signs be posted. After a public hearing the signs were posted. Mrs. Petro said there are now more full-time residents, residents have more cars, there is more service traffic to the neighborhood making the situation more dangerous than it was 20 years ago. Mrs. Petro said Town Engineer Tom Altermatt had studied the proposed location of the driveway at 54 Twin Lakes Road and he reported to the Planning Board that the driveway should be moved to the opposite side of the property for required sight distance, but it wasn't built that way. Now the owners must back into the street where they are unable to see oncoming traffic.

Mrs. Petro also said she could not see to get out of her driveway if cars are parked in front of #54. She said #54 is a two-bedroom house, has a two-car garage, and has a driveway with room for 8 cars, and she felt there was no parking issue. Mrs. Petro read letters from Drs. Paul and Nancy Sutura, Dr. and Mrs. Peter Treyz, Winston Conway Link and Jennifer and Andrew Sussman, all in opposition to removal of the signs.

David Petro of 52 Twin Lakes Road also spoke in opposition to removal of the signs. He said he has lived in the neighborhood for 19 years. He said the driveways for #52 and #54 come together as they reach the road. The crest of the hill is almost centered on their yard and the road crests and curves at that point. He said the cars on the road often travel at speeds of up to 30 miles per hour. He suggested that the Board come and inspect the site and drive the road before making a decision. Mr. Petro suggested that parking be permitted at the east side of the property at 54 Twin Lakes Road.

Mr. DeLucia asked if the “no parking” signs were an aesthetic issue. Mr. Petro said it is a safety issue and if aesthetics were an issue the Town should come up with better-looking signs. He said it was “ludicrous” to balance aesthetics vs. safety.

Alan Gottlieb, 51 Twin Lakes Road said he lives right across from the boundary between 52 and 54 Twin Lakes Road. He said the area would look better if the signs were gone, but the area is not a safe area in which to park. He said he wouldn't mind if the signs were removed if people would voluntarily not park there.

Mr. DeLucia asked if anyone was parking there illegally now. The reply was “rarely.”

The Board discussed the actual placement of the signs and when they were posted. It was noted that two signs were posted during construction of the home at #54 on an emergency basis. Mr. DeLucia said the Highway Superintendent could remove those signs now that construction was over and no public hearing would be needed.

Richard Hulit spoke, saying he was the owner at #54 and asked for removal of the signs. He said the day they moved in they noticed the signs when a moving truck which couldn't fit in the driveway, parked out front and the police arrived soon after. Mr. Hulit said his intention was not to remove signs that weren't aesthetically pleasing, it was to be able to park in front of their property. He said he understood that the Town law stated there was no parking allowed for 500 feet on both sides of the street, and that is the only “no parking” zone on the road.

Mr. Hulit said the road is a dead-end street so there is no through traffic. He said there is not enough room in his driveway for 8 cars. He reviewed a map of the area with the Town Board and read correspondence relating to the requested change Mr. Hulit also read a letter in favor of removing the signs from Robert and Claudia Gleason at 56 Twin Lakes Road.

Mr. Perruzza clarified that Mr. Hulit is looking for permission to park some cars in front of his property.

Ms. Bacal asked Mr. Hulit if he could park on his property, but off the street. Mr. Hulit said there is no grass on the edge of the property. The builder was required to put landscaping, trees and shrubs, almost up to the property line. Mr. Hulit said his property is on the down-side of the hill and he didn't think cars parked in front of his home would be blocking sightlines. He said he wanted permission to be able to park within 250 feet of the front of his home.

Mr. DeLucia suggested that the Board inspect the site before making a decision.

Phil Wick of 62 Twin Lakes Road said he has lived on the street for 26 years. He noted another unsafe situation on the road where people were parking on the street. He said common sense would dictate that someone not park on the narrow street.

Lynn Terman of 61 Twin Lakes Road said he has lived there for 40 years. He noted that if cars park opposite each other there is no room to pass through. He suggested that parking be allowed on one side only. He said he would like to see a compromise where on occasion parking could be allowed. Mr. Terman said the next step would be for the Board to actually inspect the site.

Mr. Gottlieb and Mr. Pottinger also suggested the Board do a site inspection. Barbara Terman of 61 Twin Lakes Road said there seems to be a difference of opinion of why the signs were posted originally. She noted the Highway Superintendent thought the signs were installed to keep people from using the property at that point. She said no one is addressing the safety issue, which is why she thought the signs were installed. Mrs. Petro asked the Board to include the Town Engineer in their inspection of the area. She said safety has to be the foremost consideration.

On motion by Mr. DeLucia, seconded by Mrs. Whalen, the Board voted 4-0 to adjourn the public hearing and to schedule a site walk for 7:00 p.m. on June 13, 2006 before the work session. The Board will meet at 54 Twin Lakes Road. The public is welcome to observe.

CLAIMS – Approved for Payment

On motion by Mr. Mahoney, seconded by Mr. Perruzza the Board voted 4-0 to authorize payment of claims in the amount of \$550,102.95.

TOWN ATTORNEY – Appointment of Litigation Attorney

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

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

RESOLUTION

RESOLVED, that the Town Board does hereby appoint Michael J. McDermott of McDermott and McDermott, 293 Route 100, Somers, New York as special counsel for employment and personnel issues at an hourly rate of \$175 per hour.

PARKS AND RECREATION - Free Pool and Tennis Passes for Emergency Services Volunteers

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

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

RESOLUTION

RESOLVED, that the Town Board does hereby agree to continue the policy of providing free memberships to either the Town pool or tennis courts to active Lewisboro volunteer members of Lewisboro fire departments and the Lewisboro Volunteer Ambulance Corps.

PARKS AND RECREATION – Authorize Supervisor to Sign Lease re Super Rake

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

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

RESOLUTION

RESOLVED, that the Town Board does hereby authorize the Supervisor to sign the Lease-Purchase Agreement for the Smithco Super Rake Model 13-550D (Infield Pro).

TOWN OFFICIALS AND EMPLOYEES – Resignation of Police Officer Stephen Mulcahy

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

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

RESOLUTION

RESOLVED, that the Town Board does hereby accept the resignation of Police Officer Stephen Mulcahy as of June 6, 2006.

PARKS AND RECREATION – Town Pool - Acceptance of Bid for Fence

Mr. DeLucia reported that the first set of bids for the fencing at the pool specified a fence that turned out to be too short. The bid has been readvertised. One bid from Grasshopper Lawns was for a lower-grade type of fencing that was deemed inadequate by the architect. The next lowest bid was from Certified Fence of Harrison. Their references were checked and found to be very satisfactory.

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

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

RESOLUTION

RESOLVED, that the Town Board does hereby accept the bid of Certified Fence of Harrison in the amount of \$36,800 for fencing at the Town pool.

PARKS AND RECREATION – Town Pool – Report

Mr. DeLucia gave congratulations to Joel Smith, Randy Price and Mike Tobin for their painting work on the pool. He said those employees painted until 6:30 p.m. tonight getting the first coat of epoxy primer on the pool. He said the play structure in the wading pool is up and running, the coping is in, the decking is finished, the first coat of paint is on the pool, the filters are in. He said things are moving along at a good pace. If the second and third coats of paint can be done, and the weather holds, filling the pool with water can begin next Tuesday. The fencing will start hopefully tomorrow morning. Mr. DeLucia said the pool is on target for the Health Department to begin inspections the week of June 20th. Randy Price has started to seed the grass areas although some areas will need sod. The original landscape bid was \$7,000 but the Town has saved money due to Mr. Price's efforts.

Mr. Perruzza said it was "fantastic" that everyone worked so hard to pull the project together.

GOLDENS BRIDGE – State Police Headquarters/Route 22 Project

Mr. Mahoney reported that he recently walked the Route 22 site with representatives from the County and the Towns of Bedford and Pound Ridge. He will make a further report in the next few weeks.

LEON LEVY PRESERVE - Subdivision Report

Mr. DeLucia reported that the Planning Board, consultants and he met at 7:00 a.m. on a recent Saturday morning to walk the Leon Levy Preserve subdivision sites. Mr. DeLucia reported that there is an old dam on the property on the east side of Route 123 and the Board will have to decide how they want ownership of it handled.

MEETINGS – Dates Set

The next regular Town Board meeting will take place on June 20, 2006 at 7:30 p.m. at the Town House. The next work session will be held at the Cyrus Russell Community House. The Board will meet first at 7:00 p.m. at 54 Twin Lakes Road for a site walk, and then re-convene at the community house.

REPORTS – Monthly

On motion by Mr. Mahoney, seconded by Mr. DeLucia, the Planning Board report was received and filed.

HISTORIAN – Permission Requested to Hire Intern

Town Historian Maureen Koehl addressed the Board requesting funding for a summer intern to help catalog her collection. After discussion the Board decided to hold off pending verification of funding source.

PUBLIC COMMENT PERIOD

Susan Arpin of Holly Hill Lane addressed the Board regarding meeting dates. She also asked the Board to hold a public hearing on the proposal for a new home for the State Police. Mr. Mahoney said there will be a public hearing at the appropriate time.

EXECUTIVE SESSION – Employment History/Negotiations

On motion by Mr. Mahoney, seconded by Mrs. Whalen the Board voted 4-0 to go into executive session to discuss the employment history of a particular person, and negotiations with the Highway Department.

On motion by Mr. DeLucia, seconded by Mr. Perruzza the Board voted to come out of executive session at 11:24 p.m.

ADJOURNMENT

On motion by Mr. Mahoney, seconded by Mr. DeLucia, the Board voted 4-0 to adjourn at 11:24 p.m.

Kathleen G. Cory
Town Clerk