

A meeting of the Town Board of the Town of Lewisboro, Westchester County, New York, was held on May 2, 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

ABSENT: Councilman - Allen Hershkowitz

Also attending were Deputy Supervisor Joann Vasi, Director of Finance Michael Melillo and Facilities Maintenance Manager Joel Smith.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Girl Scout Sarah Secret from Troop 2584, South Salem.

MINUTES – Approved

On motion by Mr. Mahoney, seconded by Mrs. Whalen, the Board approved the minutes of March 4, 2006.

PUBLIC COMMENT PERIOD

There was no comment from the public.

CODE – Chapter 212 Vehicle and Traffic – Set Date for Public Hearing re Amendment

The Board reviewed an email from Siobhan Reilly and Richard Hult, Jr. requesting that “No Parking” signs be removed from the road in front of their residence on Twin Lakes Road.

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	- Hershkowitz	(1)

RESOLUTION

RESOLVED, that the Town Board of the Town of Lewisboro will hold a public hearing at 8:00 p.m. on June 6, 2006 at the Town House, 11 Main Street, South Salem, New York for the purpose of hearing the public with regard to a proposed amendment to Section 212-28 Vehicle and Traffic, of the Town Code.

It is proposed to amend Section 212-28, Schedule VII: Parking Prohibited at All Times to remove the “No Parking” restriction on Twin Lakes Road in front of or opposite Sh 34B, Block 11827, Lots 34, 35 and 36.

WALKER PRESERVE – Lewisboro Horsemen’s Association re Bridge

The Board reviewed a memo from the Planning Board regarding a proposal by the Lewisboro Horsemen’s Association to build a bridge over a wetland area on the Walker Preserve. The Town’s Wetland Inspector has determined that both Town and State permits are required. LHA member Callie Bauer said the Association will be happy to proceed and make the application for the required wetland permits and is planning to pay the fees. She asked what the next step would be. Ms. Bacal advised that the Board should decide who will be the applicant. After discussion, the Board voted on motion by Mr. DeLucia, seconded by Mr. Perruzza, as follows:

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

RESOLUTION

RESOLVED, that the Town Board hereby authorizes the Lewisboro Horsemen’s Association to make application on behalf of the Town to the appropriate permitting agencies for permits to construct a bridge over a wetland area on the Walker Preserve.

PARKS AND RECREATION – Town Park - Concession Stand

Mr. DeLucia reported that construction of the press box and concession stand at the Town Park was moving along. Volunteers from the Lewisboro Baseball Association are constructing the building. Mr. Mahoney noted there has been a great spirit of cooperation between the Building Department and the Planning Board regarding the project. The building should be finished in early June, although they are still waiting for Health Department approval for the bathroom.

PARKS AND RECREATION – Town Pool – Construction Report

Mr. DeLucia reported that in addition to the cracks in the pool it has been discovered that the pool is two inches too short. It needs to be 150 feet long in order for teams to qualify for the Northern Westchester Swim Association events. A solution has been agreed upon but it will mean that the pool will not open by Memorial Day, but it will be open in time for the day camp season. Mr. DeLucia said Scott Pools is doing everything they can to expedite the finishing of the pool, and the target date is now June 1 as the date they will turn the wading pool and main pool over to the Town. The wading pool apparatus was ordered very early to be sure it can be installed in time.

Mr. Mahoney noted that construction did not get under way in a timely fashion last year and this Board is trying to respond to events in a professional manner. Mr. DeLucia said there have been many meetings between the pool company representatives, the architect, JMOA Engineering,

Superintendent of Park and Recreation Dana Mayclim, Parks Foreman Randy Price, all working together to get the project finished.

Gary Nurnberger representing Scott Pools said he and the architect John Ciardullo were just at the site before this meeting. The floor of the pool has been poured. The masons put up about 155 linear feet of coping stones in two and a half days, more than 50% of the deck of the wading pool area has been poured. He said the electrical service has been installed and energized so lights are working in the equipment rooms, the stone facing is underway, the plumbing equipment is substantially completed in the big room and 50% completed in the little room.

Mrs. Whalen asked what arrangements are being made for the swim team. Ms. Mayclim said arrangements have been made with the Town of Bedford, and she has a call in to the Town of Pound Ridge. Mr. Perruzza said he applauded everyone for working together. He asked that a letter be sent to everyone who enrolled in certain programs advising them of the delay. Ms. Mayclim concurred. Mr. Perruzza also said the Town should determine the budgetary impact of the delayed opening.

HIGHWAYS – Report re Town Roads

Superintendent of Highways Peter Ripperger reported that he met with the Town's grant writer and although the meeting went well there is no funding for repaving of roads. The Town still has funding for Main Street although it won't be received for another year and a half, and it is not a grant, it is a reimbursement. He said there is a problem with funding for the road repair on Silver Spring Road. It does not meet Federal standards as a bridge, it is a culvert pipe. The Town Engineer is working with the Norwalk Watershed which is very precise in the way they want the work done. The culvert is the last culvert in the drainage system before the water reaches the watershed.

Peter DeLucia said the Town Engineer felt there is a need for a larger pipe due to the velocity of the water. Mr. Ripperger said the engineer is working with regulations from two states. In addition, at the end of the culvert is an old dam that might have been part of an old grist mill. There is a fear that if the velocity of water is too great the dam may fail.

Mr. Ripperger reviewed the budgetary history of highway repair funding, noting that it has consistently been about \$350,000 to \$375,000 a year. Last year it was \$400,000 and went up this year to \$440,000. Mr. Mahoney asked Mr. Ripperger how much money he would need to stay even with the necessary work on the Town's roads. Mr. Ripperger said approximately 70% of the Town's roads are in poor shape. He said if he could repair 18 miles a year in four years he would be caught up. However, the budget allows for only 2 or 2½ miles a year. He stressed that his department no longer outsources any work—all work is done by his department. Mr. Ripperger also noted that the CHIPS money covers less and less due to rising costs for fuel, etc.

Mr. Perruzza said the Board should have a work session on this subject. He said the Board should lay out the appropriate way to approach the problem and phase in a solution.

Mr. Mahoney asked about the revenue side of his budget. Mr. Ripperger noted that there is \$200,000 of revenue in his budget that will not be received this year. That money should not have been placed in his budget. Mr. Perruzza said the Board needs to look at the revenue assumptions. Mr. Perruzza asked Mr. Ripperger to let the Board know how much money he will need to cover the bare necessities this year.

STATE POLICE – Proposal for New Headquarters on Route 22

Supervisor Mahoney presented a proposal for a new headquarters for the State Police on Route 22 in Goldens Bridge. He envisioned a facility that would include space for the Town Court, a teen center and senior citizen center, and ballfields on the rear of the property. He said the plan is a conceptual idea and he is interested in hearing the public's reaction. He noted that while a significant amount of open space has been acquired in the past few years, it is restricted to passive recreation by deed restrictions and grant terms. This site offers opportunities for active recreation and he has presented the idea to the Parks and Recreation Advisory Council.

Mr. Mahoney said he felt the project was worthwhile and made sense. He said sensitive development of the site would not detract from the adjacent 58 acres of open space being used by the Department of Environmental Protection as a buffer zone. He said this project is a very rare opportunity to acquire a uniquely sited parcel that will fulfill multiple municipal needs.

The Supervisor said the project will cost money and he envisioned it being paid by a combination of federal, state, and Town funding. He said he felt the project was worth studying but stressed he wanted to hear what the public had to say. The State Police will be asked to make a presentation at a public hearing.

Regarding county funding for ballfields, Mr. Mahoney said he has spoken to the county about use of Legacy funding. It is still available to the Town and perhaps it could be used in Town Park. He said everyone wants ball fields and cell towers, but "not in my backyard." Mr. Mahoney said this property is a rare opportunity to provide facilities. He would like to see the State Police headquarters in Lewisboro, and they would like to be here.

Mr. Perruzza said the 35½ acres would encompass six needs in one area. Mr. DeLucia said of the 35 acres, a lot of it will be open space, only using a small section. He noted that the plan is compatible with the County's plan called "Patterns for Westchester." Mr. DeLucia also said there would be revenue in the form of rent from the State Police. This is the area where the State Police want to be located.

Mr. Mahoney stressed that this project is his vision but it will be a Town Board decision based on input from the public.

Mr. Perruzza said he thought it was a "home run". Mr. DeLucia agreed, noting there had been a major concern about ballfields. Mrs. Whalen said she thought it was a "great idea." She asked if there was a consideration to merge the Town and State Police. Mr. Mahoney said no. She asked if they would be sharing the facility. Mr. Mahoney said the Town does need to do something

about the Town Police facility, but the Town could not share facilities with the State Police. He said the Town will always have a Police Department.

FINANCE, DIRECTOR OF – Resignation of Director of Finance

The Supervisor read a letter of resignation from Director of Finance Hector Reyes. Mr. Mahoney commended Mr. Reyes for his service to the Town and said the Town will continue to receive his services in another capacity.

UTILITIES – Appointment of Hector Reyes as Administrator

Supervisor Mahoney noted his recommendation of Hector Reyes as administrator of the Oakridge Water and Sewer plants and the Wild Oaks Sewer plant.

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	- Hershkowitz	(1)

RESOLUTION

RESOLVED, that the Town Board hereby appoints Hector Reyes as Administrator of the Oakridge Water and Sewer and Wild Oaks Sewer Utilities.

FINANCE, DIRECTOR OF – Appointment of Michael Melillo

Supervisor Mahoney announced his appointment of Michael Melillo as Director of Finance. Mr. Melillo has worked in the Finance Department for six years. He will soon be addressing the Board with the results of a recent audit.

TOWN OFFICIALS AND EMPLOYEES – Resignation of Charlotte Biancone

Mr. Mahoney announced the resignation of Charlotte Biancone who had served as his Confidential Secretary. He thanked her for her services to the Town.

TOWN OFFICIALS AND EMPLOYEES – Appointment of Connie Green O’Donnell

Supervisor Mahoney noted his appointment of Connie Green O’Donnell as his Confidential Secretary.

NORWALK RIVER WATERSHED – Authorize Payment of Dues

The Board discussed a request for a dues payment from the Norwalk River Watershed. Mrs. Whalen questioned the 50% increase over last year.

Ray Morse of South Salem said all the Towns are being hit with a higher rate and in fact other towns are paying more. Mr. Morse commented on the problem of Canada geese on area lakes. He noted a website called www.geese.peace which has suggestions.

Mr. DeLucia spoke in favor of paying the money requested, and made a motion to pay it. Mrs. Whalen said the Board needs to be sure everyone is being affected equally. She was assured that was the case.

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	- Hershkowitz	(1)

RESOLUTION

RESOLVED, that the Town Board does hereby authorize the payment of \$1,000 to the Norwalk River Watershed Initiative.

HIGHWAYS – Discussion re Road Ranger Project

The Board reviewed a proposed contract with Community Living Corporation for roadside cleanup. Mrs. Whalen noted that last year the contract was \$4766 and this year they want \$5500. Former Supervisor Tom Herzog explained how the program operates. There is a job coach who goes with the crew as they clean the roadsides.

The Board members spoke in favor of the service but asked for more information on the price increase.

FINANCE - Encumbrances

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	- Hershkowitz	(1)

RESOLUTION

RESOLVED, that the Town Board does hereby authorize 2005 General Fund Encumbrances, re-encumbrance of prior year General Fund encumbrances, and be it further

RESOLVED, that the Town Board does hereby authorize prior year General Fund encumbrances to be transferred back to the fund balance.

OAKRIDGE WATER AND SEWER DISTRICT – Authorize Bond

Town Attorney Jessica Bacal reviewed the Oakridge sewer improvements. The Town is trying to meet the deadlines for grants for sewer improvements. Ms. Bacal reported that the Town’s grantwriter will be taking a six-month leave of absence and the Town wants to be sure everything is in order before she leaves. The Town’s bond counsel suggested the Board review a proposed resolution which allows for a public hearing on June 6. The proposed resolution was reviewed.

Supervisor Mahoney noted that certain grant deadlines were missed last year. He said there are a lot of agreements and resolutions that the Board must be aware of. Ms. Bacal said engineer Bill Bright is diligently working to put all the necessary documents together.

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	- Hershkowitz	(1)

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; 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 PC, professional engineers, through 2005; and

WHEREAS, the maximum estimated cost to such Oakridge Sewer District of such increase and improvement of facilities is determined to be \$2,000,000; 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 is being prepared pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act (SEQR) in connection with such increase and improvement and use and it is anticipated that the Town Board will receive and review said analysis and make

a SEQRA determination based on the completed environmental analysis at the next scheduled meeting of the Town Board on May 16, 2006; and

WHEREAS, it is now desired to call a public hearing on said proposed increase and improvement of facilities and the map, plan and report, including estimate of cost pursuant to Section 202-b of the Town Law;

NOW THEREFORE BE IT

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

Section 1. A meeting of the Town Board of the Town of Lewisboro, Westchester County, New York shall be held at the Town House, 11 Main Street, South Salem, New York, in said Town, on June 6, 2006 at 8:00 o'clock P.M. Prevailing Time, for the purpose of conducting a public hearing on the proposed increase and improvement of the facilities of the Oakridge Sewer District in said Town, and the map, plan and report including estimate of cost referred to in the preambles hereof, at which time and place said Town Board will hear all persons interested in the subject thereof concerning the same.

Section 2. The Town Clerk is hereby authorized and directed to cause a notice of said public hearing to be published in the Lewisboro Ledger the official newspaper of said town, and posted in the manner prescribed by law, which notice shall be in substantially the following form, to-wit:

TOWN OF LEWISBORO
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Lewisboro, Westchester County, New York will hold a public hearing at the Town House, 11 Main Street, South Salem, New York in said Town, on June 6, 2006 at 8:00 p.m. Prevailing Time, for the purpose of hearing from the public relating to the proposed 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 including incidental expenses in connection therewith, at a maximum estimated cost of \$2,000,000, at which time and place said Town Board will hear all persons interested in the subject thereof concerning the same. 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.

The map, plan and report, including estimate of cost, relating to this project is on file in the Office of the Town Clerk where it is available for public inspection during normal business hours.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF LEWISBORO
BY: KATHLEEN G. CORY
TOWN CLERK

Dated at South Salem, New York
This 10th day of May, 2006

Section 3. 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 Mahoney	VOTING	AYE
Peter DeLucia	VOTING	AYE
Al Perruzza	VOTING	AYE
Suzanne Whalen	VOTING	AYE

The resolution was thereupon declared duly adopted.

PARKS AND RECREATION – Recommendation re Superintendent

Supervisor Mahoney read a letter from the Parks and Recreation Advisory Council commending interim Superintendent Dana Mayclim and recommending that she be permanently appointed as Superintendent of Recreation. Mr. Mahoney said he received several other letters commending Ms. Mayclim.

Mr. DeLucia spoke in favor of Ms. Mayclim, and proposed a motion that the Board appoint her to the permanent position. The motion was seconded by Mr. Perruzza and the Board voted as follows:

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

RESOLUTION

RESOLVED, that Dana Mayclim be and hereby is appointed Superintendent of Parks and Recreation at an annual salary of \$72,500.

CLAIMS – Approved for Payment

On motion by Mr. Mahoney, seconded by Mrs. Whalen, the Board voted 4-0 to approve claims in the amount of \$335,768.78.

REPORTS - Monthly

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

TOWN BOARD REPORTS

Cellular Towers

Mr. DeLucia reported on the crane test that was held at the Vista Fire Department to simulate the height of a proposed cellular tower. Mr. DeLucia said he spoke to the Planning Board Chairman P. J. Rossi who reported that the tower was not visible to many areas on Route 123. It was visible from some locations. There will be a public hearing on the tower in the future. The Vista Fire House was an alternative site to a proposed site on Shady Lane.

Grants

Mr. Perruzza said the grant writer will send a monthly update on grants and Mr. Perruzza will continue to be liaison to the grant writers.

MEETINGS – Dates Set

Mr. Mahoney announced upcoming board meetings will be held as follows:

Regular meetings will be held on May 16 and June 6 7:30 p.m. at the Town House. A work session will be held on May 9 at 7:30 p.m. at Cyrus Russell Community House in Cross River.

PUBLIC COMMENT PERIOD

Dan Welsch of South Salem addressed the Board regarding the Route 22 project.

Richard Sklarin of Goldens Bridge congratulated the Lewisboro Baseball Association on their opening day and thanked Senator Vincent Leibell for being there and for pledging \$10,000 to the concession stand. He also congratulated the Board on the Route 22 project.

Jim Terleph of Goldens Bridge questioned the status of County Legacy funding for ballfields on the Route 22 project. Mr. Mahoney said that project is up to the community. There is also the option of using it in the Town Park. Mr. DeLucia said the County money is available. He noted that even if the Andes project had proceeded there was still a process to be followed before the funding was available to the Town.

EXECUTIVE SESSION – Employment History/Litigation

On motion by Mr. Mahoney, seconded by Mr. Perruzza, the Board voted 4-0 to go into executive session for the purpose of discussing the employment history of a particular person and to meet with the Town Attorney to discuss pending litigation .

On motion by Mr. Mahoney, seconded by Mrs. Whalen 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 11:15 p.m.

Kathleen G. Cory
Town Clerk