

A meeting of the Town Board of the Town of Lewisboro, Westchester County, New York, was held on May 1, 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, Suzanne Whalen
Dep. Town Clerk Florence Furdyna
Town Attorney - Jessica Bacal

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

Mr. Mahoney called the meeting to order at 7:35 p.m.

MINUTES – Approved

On motion by Mr. Brancati, seconded by Mr. DeLucia, the Board voted 5-0 to approve the minutes of April 4, 2007, and approved April 17, 2007 as amended.

COMMENDATION – Yacomini Family

Mr. Mahoney commended the Lou, Linda and Anthony Yacomini family who for 11 years have run the Salem Country Deli on Main Street in South Salem. Mr. Mahoney thanked them for their service to the community. They have recently moved their business to a new location on Route 123 in Vista, and the Board wished them well in their new location.

PUBLIC COMMENT PERIOD

Dan Welsh of Cove Road, South Salem asked about the status of the Route 22 property. Mr. Mahoney said the Board is still actively involved in the project.

INSURANCE – Authorize Agreement with Great-West Healthcare

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

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

RESOLUTION

RESOLVED, that the Town Board does hereby authorize renewal of a Group Policy No. 6515 with Great-West Healthcare for long-term disability insurance at the current rate of \$2.28.

ROUTE 22 PROPERTY – Authorize Supervisor to Sign Agreement

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

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

RESOLUTION

RESOLVED, that the Supervisor be and hereby is authorized to sign the third amendment to the option to purchase real property from Lewisboro Land Corp, said property located on Route 22, Goldens Bridge. Said option is amended to provide that the date by which the Notice of Exercise must be delivered to the owner is extended to on or before August 15, 2007.

FINANCE – Authorize Transfer re Court Funds

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

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

RESOLUTION

RESOLVED, the Director of Finance be and hereby is authorized to transfer \$1,500 from budget line A1110.41 Ticket Enforcement & Software to A1110.43 Court Reporter/Interpreter.

FINANCE – Authorize Bond for Highway Repairs

The Town Attorney advised that bonding counsel has not yet provided the actual bonding documents needed for the highway bond. Mr. Brancati said the item should be tabled as he did not have answers to his questions.

Ms. Bacal said the Board had answers to their questions, only the actual documents have not been received. Mr. DeLucia said he was disappointed that the documents had not been provided, and suggested meeting next Tuesday to pass the needed resolution. After further discussion Ms. Bacal said the Board could vote tonight for the bonding amount the Board agrees upon and make the resolution subject to the answers to any questions the Board members may have.

Mrs. Whalen questioned the language of the resolution, seeking reassurance that the language in the bond would include the repair of the East Street bridge.

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

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

RESOLUTION

RESOLVED, that the Town Board does hereby authorize the issuance of bonds in the amount of \$3,165,000 for the purposes of Town roads repair, transportation to include bridge repair, subject to the provisions discussed with the Town Attorney and bond counsel.

RECORDS MANAGEMENT – Request to Sign Agreement/Budget Transfer

The Board reviewed a request from the Town Clerk for approval of contracts for scanning of town records and development of scanning software. Mrs. Whalen said she was uncomfortable with the fact that the low bidder was a firm owned by the Chairman of the Architecture and Community Appearance Review Council. She asked for more information on other bidders. Mr. Perruzza said there has to be disclosure of the Chairman’s relationship to the vendor.

The Board also had reservations about the requested contract with ImageWork and a request for a transfer of \$3,000 from the contingency fund.

The Town Clerk will be asked to provide more information.

POLICE DEPARTMENT – Authorize Grant Applications

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

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

RESOLUTION

RESOLVED, the Town Board does hereby authorize the Supervisor to sign the Selective Enforcement for Traffic Safety Grant Westchester County Intermunicipal Agreement as presented and reviewed by the Town Attorney.

CABARET LICENSE – License Renewal Authorized for Le Chateau

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

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

RESOLUTION

RESOLVED, that the Town Clerk be and hereby is authorized to issue a renewal of a cabaret license for Le Chateau for a period of one year.

POLICE DEPARTMENT – Authorize Lease Agreement for Police Car

The Board reviewed a lease agreement for a police car. Mr. Brancati raised questions regarding bidding practices. He said if this is a straight lease the Town does not have to seek bids. If there is an option to buy in the lease, whether it is exercised or not, the Town has to go to bid. Mr. DeLucia said the paperwork is not specific as to what car is being leased.

Mr. Mahoney told Mr. Brancati to follow up. Mrs. Whalen said this is a lease agreement that is being reviewed by the Town Attorney

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

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

RESOLUTION

RESOLVED, that the Town Board does hereby authorize the Supervisor to sign a vehicle lease for a replacement vehicle for police car #342, as approved in the 2007 Town Budget, subject to review of the agreement by the Town Attorney.

TOWN VEHICLES – Adopt Purchase Policy

Mr. Brancati proposed a motion that the Board adopt a policy prohibiting the initiation of any new vehicle leases until the Town Board has clarified a purchase/lease policy on acquisition of new vehicles. Mrs. Whalen said the policy should say “except for emergency situations.” Mr. Perruzza will advise Town department heads of the policy.

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

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

RESOLUTION

RESOLVED, that the Town Board does hereby establish a temporary policy that except in the case of an emergency, the Town will not enter into any new vehicle leases until a permanent vehicle acquisition policy is established.

HOUSING - Establish Median Income Guidelines

The Board noted that the median salary of Town employees for 2006 has been established at \$61,000 for the purpose of eligibility for moderate-income housing units.

CLAIMS – Approved for Payment

On motion by Mr. DeLucia, seconded by Mr. Brancati the Board voted 5-0 to pay claims in the amount of \$197,787.47 plus \$425.00 on a supplemental audit.

HIGHWAYS - Request for Permission to use Highways for Bicycle Race

Mr. Mahoney reported a request for permission to use State roads in the Town for a cycling fundraiser on September 9.

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

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

RESOLUTION

RESOLVED, that the Town Board does hereby authorize use of highways in the Town for a cycling fundraiser known as “Bike The Miles-Cure Diabetes Now,” to be held on September 9, 2007, subject to receipt of an insurance certificate.

CODE – Request for Amendment to Chapter 200- Zoning

The Board reviewed a request for a change in the Town’s zoning code to allow for adult day care facilities. The Board decided to refer the matter to the Planning Board for comment before proceeding. Ms. Bacal suggested asking the Parks and Recreation Department for their input on senior citizen services.

OPEN SPACE – Receipt of Funds re Purchase of Leon Levy Preserve Easement

Mr. Mahoney reported that he and the Town Attorney went to Kingston, New York to the offices of the Department of Environment Protection for the closing on the easement the DEP purchased on the Leon Levy Preserve. The Town received a check for \$1,009,284.

FINANCE - Request for Transfer in Highway Fund

The Board reviewed a request from the Highway Superintendent for a transfer to replenish his accounts for funds expended during the recent severe rainstorm.

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

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

RESOLUTION

RESOLVED, the Director of Finance be and hereby is authorized to transfer \$40,000 from the Highway Fund balance to budget line D5110.43 Gravel.

DISASTER – Comments re Rainstorm

The Board reviewed disaster relief efforts and reimbursements available to the Town for expenditures made in response to the nor'easter rainstorm which caused severe damage in Westchester. Mr. Brancati updated the Board on the progress of his draft Town emergency management plan.

HOUSING – Response to County re Affordable Housing

The Board discussed a response to a letter from the County Planning Department regarding the Town's plans to provide affordable housing. Mr. Brancati said there is still a lot the Town has to do to provide affordable housing. He noted that a local family has donated four acres of land to AHOME for the purposes of building a home that will provide two to four units specifically for emergency services volunteers. Mr. DeLucia said the Planning Board has been very pro-active toward providing additional affordable housing units at Oakridge.

PARKS AND RECREATION – Town Pool – Award Bids for Additional Work

The Board reviewed a request from the Superintendent of Parks and Recreation regarding additional work at the Town Pool.

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

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

RESOLUTION

RESOLVED, that the Town Board does hereby accept the bid of Archetype Construction in the amount of \$26,510 for concrete slabs and grade beams around the dive pool.

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

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

RESOLUTION

RESOLVED, that the Town Board does hereby accept the bid of Duff Price Excavating in the amount of \$6,125 for grading and sodding around the dive pool area.

CODE – Set Date for Public hearing for Amendments re Hudson Valley Greenway

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

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

RESOLUTION

RESOLVED, that the Town Board will hold a public hearing on May 15, 2007 at 8:00 p.m. for the purpose of hearing the public with regard to amendments to Chapter 195 Subdivision of Land and Chapter 220 Zoning, of the Code of the Town of Lewisboro. Said amendments would incorporate references to the Town’s participation in the Hudson Valley Greenway.

MEETINGS - Dates Set

Mr. Mahoney announced upcoming Board meetings will be held on May 15 and June 5, 2007, 7:30 p.m. at the Town House. A work session will be held at Cyrus Russell Community House on May 22, 2007 at 7:30 p.m.

PUBLIC COMMENT PERIOD

There was no comment from the public.

EXECUTIVE SESSION – Employment History, Lease/Purchase/Sale of Real Property, Attorney/Client privilege

On motion by Mr. Mahoney, seconded by Mr. Brancati, the Board voted 5-0 to go into executive session to discuss the employment history of a particular person, the lease, purchase or sale of real property, and attorney/client privilege. On motion by Mr. DeLucia, seconded by Mr. Brancati, the Board voted 5-0 to come out of executive session.

ADJOURNMENT

On motion by Mr. DeLucia, seconded by Mr. Mahoney the Board voted 5-0 to adjourn at approximately 10:30 p.m.

Kathleen G. Cory
Town Clerk