

In accordance with the Governor's March 13, 2020 Executive Order 202.1, until further notice meetings will be held via videoconferencing. The meeting of the Town Board of the Town of Lewisboro, Westchester County, New York, was held via video conference (ZOOM) on April 12, 2021 at 7:30 p.m. due to the COVID-19 Virus.

PRESENT:

Supervisor	Peter Parsons
Council Members	Jane Crimmins, Tony Gonçalves, Richard Sklarin and Daniel Welsh
Town Clerk	Janet L. Donohue
Absent	None

Also attending was the Attorney for the Town Gregory Folchetti, Facilities Maintenance Director Joel Smith, Police Chief David Alfano and Confidential Secretary/Benefits Coordinator Mary Hafter.

Approximately 67 participants were on the call.

Supervisor Parsons called the meeting to order at 7:33 p.m. and read the following statement:

I am Supervisor Peter Parsons, and I call to order the Town of Lewisboro Town Board meeting for Monday, April 12, 2020 at 7:33 pm. Before I go any further, I want to confirm that Joel has started recording this meeting. In accordance with the governor's executive order #202.1, this meeting is being conducted via Zoom. That link has been provided to the public so they can view the meeting and we have confirmed that the feed is active and working. I have confirmed with Janet Donohue, our Town Clerk, that the meeting has been duly noticed and legal notice requirements fulfilled. Notice has been placed on the Town of Lewisboro website and included in the email distributions from the Town.

With me on this Zoom conference meeting from the Town of Lewisboro are:

- *Members of the Town Board: Jane Crimmins, Tony Gonçalves, Richard Sklarin and Dan Welsh. We have a quorum and can vote on any matters that come before the board.*
- *Town Attorney Gregory Folchetti*
- *Town Clerk Janet Donohue*
- *Joel Smith Facilities Maintenance Director*

At the public comment periods we ask that only the following persons will be permitted to speak:

- *Residents of the Town of Lewisboro or Katonah-Lewisboro School District*
- *Owners of property in the Town of Lewisboro*
- *Employees of the Town of Lewisboro*

If you want to speak at the public hearing or make a public comment, please raise your hand at the appropriate time. To do that, if you are on zoom, put your curser at the bottom of the window and you should see an image of people labeled participants. Click on that to get a panel on the right-hand side, with icons at the bottom. You can then click raise hand. Participants who have raised their hand will show up on the host screen in the order that you raise your hand. The host will then unmute you and tell you that you have the floor. You may also have to unmute yourself if your microphone is not active. If you dialed in on a phone, you can raise your hand to indicate

*you want to talk by pressing *9. We will ask people to give their name and which hamlet they live in upon entering, and to keep their comments to 2 minutes (our Town Clerk will be keeping time and you will hear a timer at the end of the 2 minutes). If someone is disrespectful or uses profanity at this meeting, they will be asked to leave the virtual meeting, just as they would be asked to leave a physical meeting. Please remember that your camera is on and profanity will not be tolerated in any form, including gestures and acronyms and comments are limited to policies and not to attack individual people.*

PLEDGE OF ALLEGIANCE

The Supervisor led the Pledge of Allegiance to the flag.

PUBLIC HEARING – Chapter 203 Tree Preservation (7:36 – 7:41 p.m.)

Supervisor Parsons called the public hearing to order for a proposed local law of the Town Code of the Town of Lewisboro which would repeal Chapter 203 entitled “Trees” as existing and enacting Chapter 203 entitled “Tree Preservation”. There was no objection to the time or form of the public notice (attached).

Supervisor Parsons asked for comments from the public. A total of 3 residents spoke out against passing this tree ordinance or any of the previous drafts that were presented. All that spoke feel that this proposed law places onerous obligations on the homeowner and feels that this ordinance is being rushed through. They felt that the town should have zoning to protect against industrial clear cutting and as long as the cut tree does not trespass another's property it's a private property owner's right to do with it as they see fit. They also feel that the proposed law is confusing, and one resident suggested a crib sheet.

On motion by Supervisor Parsons, seconded by Mr. Sklarin, the Board voted as follows:

THE VOTE:	Yes	- Parsons, Crimmins, Gonçalves, Sklarin, Welsh	(5)
	No	- None	(0)
	Absent	- None	(0)

RESOLUTION

RESOLVED, that the public hearing for the purpose of hearing the public with regard to a proposed local law of the Town Code of the Town of Lewisboro which would repeal Chapter 203 entitled “Trees” as existing and enacting Chapter 203 entitled “Tree Preservation”, is now closed.

TOWN CODE – Chapter 203 Tree Preservation

On motion by Supervisor Parsons, seconded by Mr. Sklarin, the Board voted as follows:

THE VOTE:	Yes	- Parsons, Crimmins, Gonçalves, Sklarin, Welsh	(5)
	No	- None	(0)
	Absent	- None	(0)

TOWN OF LEWISBORO
LOCAL LAW NUMBER 03-2021 OF THE TOWN OF LEWISBORO
REPEAL CHAPTER 203 “TREES” AND ENACTMENT OF CHAPTER 203 “TREE
PRESERVATION” OF THE LEWISBORO TOWN CODE
as published and noticed and in compliance with the provisions of the State Environmental
Quality Review Act.

**BE IT ENACTED by the Town Board of the Town of Lewisboro , County of Westchester,
State of New York as follows:**

SECTION 1 : AUTHORITY

This chapter is adopted pursuant to the authority, of Article 2, §10 of the New York State
Municipal Home Rule Law.

SECTION 2 : REPEAL OF CHAPTER 203

Chapter 203 of the current Code of the Town of Lewisboro entitled “Trees” is hereby repealed in
its entirety.

SECTION 3 : ENACTMENT OF CHAPTER 203

Chapter 203 of the current Code of the Town of Lewisboro entitled “Tree Preservation” is hereby
enacted as follows:

Chapter 203. TREE PRESERVATION

§ 203-1. Purpose.

As a community of striking natural beauty, with a long tradition of environmental awareness and
protection in northeastern Westchester county, The Town of Lewisboro recognizes the inherent
value and necessity of preserving and protecting trees in our overwhelmingly residential
community. These include the absorption and storage of carbon dioxide and polluting
particulates, protection of natural wetlands and drinking water, as well as reduction or storm
runoff and erosion on steep slopes. As such, these benefits are both essential and self-evident.
However, as a community, we also acknowledge the need to balance the preservation and
protection of trees against the rights of individual homeowners and residents to use, enjoy and
protect their properties, while being free of unduly burdensome governmental interference and
restrictions. As such, the Town of Lewisboro, in an effort to protect the health, safety and welfare
of its citizens, finds it necessary to regulate the removal of trees in furtherance of the balance of
the interests of preservation and conservation with the rights of property owners, as well as to
expressly prohibit the clear cutting of trees on all residential properties, of whatever lot size, as
defined herein.

§ 203-2. Definitions.

As used in this chapter, the following terms shall have the meaning indicated:

AGRICULTURAL ACTIVITY The activity of an active farm, including grazing and watering
livestock, irrigating crops, harvesting crops, and using the land for growing agricultural products,
but shall not include the operation of a dude ranch or similar operation, or the construction of new

structures associated with agricultural activities, or cutting timber for sale.

CLEAR-CUTTING The cutting down and/or removal of live trees from any residential property within the Town of Lewisboro in the absence of any visible evidence of one or more of the following circumstances: (I) such tree being dead, diseased, and/or in a state of irreversible decline or decay, as determined by a professional arborist (or other licensed tree service professional retained by the property owner or resident); or (ii) posing a substantial risk of endangering life or property if any such tree or trees are is not cut down and/or removed from the residential property in question.

DEAD TREE - A tree that is lifeless. Evidence of lifelessness may include unseasonable lack of foliage, brittle dry branches, or lack of any growth during the growing season.

DIAMETER AT BREAST HEIGHT (DBH) - A standard measurement of trees made at 4 ½ feet above ground level on the uphill side.

INVASIVE SPECIES: A species, not native to an ecosystem, whose introduction does or is likely to cause economic or environmental harm or harm to human health.

SPECIMEN TREE – A tree with a dbh of 18 inches or larger, and small native or ornamental flowering trees with a dbh of eight inches or larger.

TREE - Any self-supporting woody plant with an erect perennial trunk or multiple trunks which are, in combination, with a sum of 6 inches dbh.

TREE REMOVAL - Any human act which causes a tree to die.

§ 203-3. Administration and Enforcement.

- A. The Town Board will designate an Approving Authority to administer and enforce this chapter. The Approving Authority may be any individual duly appointed by resolution of the Town Board, including a licensed/certified Arborist and/or the Town Building Inspector. Any Approving Authority shall seek the advice and recommendation of the Wetlands Inspector or any licensed/certified Arborist engaged by the Town Board (as may be applicable) for purposes of reviewing any application seeking issuance of a permit pursuant to the Chapter.
- B. The Approving Authority shall:
 - (1) Consult with any other experts as deemed necessary; including but not limited to the individuals set forth in subsection (A) above as required to administer this ordinance.
 - (2) Receive and keep accurate records of tree removal permit applications.
 - (3) Inspect the trees described in each application based on standards for granting permits described herein, both before and after removal takes place.
 - (4) Approve, with conditions, or deny tree removal permit applications according to the

standards in this chapter, giving reasons for denial and specifying any conditions for such tree removal as specified below.

- (5) Carry out such related duties as may be specified from time to time by the Town Board.

§ 203-4. Permit Required.

- A. A tree removal permit shall be required prior to removal of any of the following on the homeowner's property:
- (1) Any tree within any wetland or wetland buffer as defined in Chapter 217 of the Code of the Town of Lewisboro.
 - (2) Any tree on a slope exceeding a grade of 15%.
 - (3) Any tree removal which would be considered "Clear-Cutting" as defined within this Chapter.
 - (4) Any specimen tree.
 - (5) Any tree designated by the New York State Department of Environmental Conservation ("NYSDEC") as a protected native plant.
- B. Exceptions. No tree removal permit is required for the removal of any of the following on the owner's property:
- (1) Tree removal from any residential property within the Town of Lewisboro which involves, or concerns, a tree (or trees) located within sufficient proximity of a dwelling (up to a maximum of 100 feet) that it would reach the dwelling if it were to fall due to natural causes.
 - (2) Tree removal of any tree which is dead, diseased, and/or in a state of irreversible decline or decay, as determined by a professional arborist (or other licensed tree service professional retained by the property owner or resident) or which is otherwise posing a substantial risk of endangering life or property if any such tree or trees are not cut down and/or removed from the residential property in question.
 - (3) Tree removal In connection with the construction, reconstruction, enlargement, moving or structural alteration of a building or other structure, including construction and installation of site improvements related thereto, for which an application for a building permit shall have been approved by the Building Inspector.
 - (4) The removal of a maximum of no more than 3 (three) trees, of any kind, type or diameter from any portion of any residential property within a calendar year which do not otherwise require a permit under Section 203-4(A) herein. The foregoing quantity shall be exclusive of any tree

removal as allowed defined in subsections (1), (2) and (3) herein as well as tree removal as necessary to control forest fires during such fires.

- (5) Tree removal as necessary to maintain town, county, state or utility rights-of-way, provided that such removal is conducted according to lawful easements, statutory requirements and/or franchise agreements.
 - (6) Tree removal directed by the NYSDEC for control of invasive species or pest control provided that the agency files with the Approving Authority a plan showing the areas of removal before commencing such operations, except when required emergency removal makes such filing impractical.
 - (7) Tree removal which is part of a forest management plan that has been filed and approved by the NYSDEC or any other agency having jurisdiction.
 - (8) Trees that are removed to enable agricultural activity as defined in this chapter.
 - (9) Any tree removal in a Special Character Overlay District as defined in §220-31.
- C. Standards of Review. In making its determination to grant, deny or grant with conditions a tree removal permit under this chapter, the Approving Authority shall consider the following factors:
- (1) Whether the removal will have a significant adverse impact on ecological systems, including erosion potential and wildlife habitat.
 - (2) Whether the removal will have a significant adverse impact on other properties or roadways, including an impact on screening or drainage.
 - (3) Whether removal of a tree on a steep slope or very steep slope is likely to impact the stability or runoff from that slope and have an adverse impact on stormwater pollution or require additional stormwater management practices.
 - (4) Whether the tree is a specimen tree and, in the discretion of the Approving Authority, alternatives exist that would achieve the objectives of the applicant without removal of the specimen tree.
 - (5) Whether the tree is designated by the NYSDEC as a protected native plant.
 - (6) Whether possible or practicable alternatives exist.
 - (7) Whether a replacement tree plan is provided.
- D. Approvals granted by the Planning Board shall be deemed tree removal permits when tree removal or preservation is specifically proposed in conjunction with an approval application submitted to such agencies. These agencies shall apply

the criteria, procedures and standards of this chapter and shall consider how tree removal might be reduced by changes to the application being considered. The opinion of the CAC and the Approving Authority may be sought to assist such agencies in their determinations. These agencies shall record on their determinations the specific tree removal and remediation which they approve.

§ 203-5. Permit Application

- A. Except when tree removal is being proposed as part of an application to the Planning Board, the applicant shall file with the Approval Authority three (3) copies of a tree removal permit application in the form required by the Approval Authority. The application shall include:
- (1) Name and address of the applicant.
 - (2) Name and address of the property owner, if different.
 - (3) Address and Town Tax Map designation of the property.
 - (4) Purpose of tree removal.
 - (5) Color photographs showing the areas and environment where trees are proposed to be removed, with sufficient detail to identify the remaining trees in the area after the work is completed.
 - (6) A sketch (or survey to be submitted by the applicant if subdivision or site plan is involved) of the boundaries of subject property and that section to be disturbed, showing the number, location and common name of all trees to be removed, the tree caliper and the distance of each from nearby structures, roads, or other landmarks which will enable the trees to be easily identified. Access roads, skid roads and loading areas must also be identified.
 - (7) If known, the identification of a wetland boundary and buffer boundary, or the completion of a clearance form as defined in Chapter 217, Wetlands and Watercourses.
 - (8) Proof of insurance as required by the Approval Authority for applicant or the agent/ contractor submitting such application, which evidences existence of general liability insurance with minimum limits of \$1,000,000 per occurrence for bodily injury and \$100,000 per occurrence for property damage as well as NY State Workers Compensation insurance and NY State Disability insurance as may be applicable.
- B. Submission of a tree removal permit application shall constitute permission for the Approving Authority and/or duly authorized employees and/or agents of the Town to enter upon the subject property described in the application, at

reasonable times, with prior notice to and agreement by the applicant, which agreement shall not be unreasonably withheld, to carry out the inspections required in this chapter and to otherwise enforce its provisions.

- C. The Approving Authority shall approve, approve with conditions or deny a tree removal permit application within sixty (60) days after receipt of a complete application. If no action is taken by the Approving Authority within sixty (60) days after receipt of the complete application, it shall be deemed to be approved as submitted.
- D. A tree removal permit shall expire 24 months after it is granted.

§ 203-6. Conditions for Permit Application

The Approving Authority may as a condition of granting a permit:

- A. Regulate the days and hours of removal operations.
- B. Regulate the size and number of trucks and routes used for removal.
- C. Require tree protection, or other mitigation to prevent erosion, provide screening, preserve ecological systems or remediate effects on neighboring properties or roads.
- D. Require the re-planting of replacement trees of a similar or different species or, in the event that the Approving Authority deems it impractical to require re-planting or replacement of trees pursuant to this section, require addition of other vegetative material or fencing or terracing or other similar measures to offset the negative effects of tree removal.
- E. May, in the discretion of the Approving Authority as a condition of permit issuance pursuant to this Chapter, require posting of a performance bond with a minimum term of two years to ensure compliance with this ordinance and other regulations of the Town of Lewisboro.
- F. Require such other safeguards as may be deemed appropriate to minimize the environmental impact of such permitted activity.

§ 203-7. Fees

A tree removal application shall be accompanied by a fee as set forth in the Fee Schedule of the Town of Lewisboro, as may be amended from time to time by resolution of the Town Board.

§ 203-8. Penalties for offenses.

- A. The owner of record of any property on which trees subject to this chapter are removed without the granting of a tree removal permit, or are removed in violation of conditions attached to a tree removal permit, or any person removing or in the process of removing such trees, shall be guilty of a violation of this chapter, which shall be punishable by a fine

of no less than \$250.00 or in excess of \$500.00 Each tree removed without a tree removal permit or in violation of the conditions attached to a tree removal permit shall constitute a separate offense.

- B. In addition, the owner of record of any real property which has been determined to be in violation of this Chapter shall be ineligible for receipt of subdivision approval, site plan approval, issuance of a building permit(s), certificate(s) of occupancy, certificate(s) of compliance or zoning board of appeals variance(s) relating to the property(ies) which are in violation of this Chapter, until such time as said violation(s) are deemed cured and any related proceeding in local court terminated as defined in §1.20 of the Criminal Procedure Law. The foregoing provisions for enforcement of the regulations in this chapter are not exclusive, but are in addition to any and all laws applicable thereto.

§ 203-9. Appeals.

Any applicant aggrieved or affected by the determination of the Approving Authority with respect to an application for a tree removal permit may appeal such determination to the Zoning Board of Appeals, stating the reason for such appeal. The Zoning Board of Appeals shall conduct a hearing on the appeal within 60 calendar days of receipt of such appeal and shall, based upon the standards contained herein and the facts of the matter, deny, grant, or grant with conditions the permit being sought.

SECTION 4 – HOME RULE

Nothing in this Local Law is intended, or shall be construed (a) to limit the home rule authority of the Town under State Law to limit the Town's discretion in setting fees and charges in connection with any applications requiring Town approval.

SECTION 5 – SEVERABILITY

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Town Board of the Town of Lewisboro hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

SECTION 6 – EFFECTIVE DATE

This Local Law shall take effect immediately upon filing in the office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

COMMUNICATIONS

LEWISBORO VOLUNTEER AMBULANCE CORP – Tony Frasca’s 30 Year Anniversary

On motion by Supervisor Parsons, seconded by Ms. Crimmins, the Board voted as follows:

THE VOTE:	Yes	- Parsons, Crimmins, Gonçalves, Sklarin, Welsh	(5)
	No	- None	(0)
	Absent	- None	(0)

RESOLUTION

WHEREAS TONY FRASCA joined the Lewisboro Volunteer Ambulance Corps (LVAC) on September 1, 1990 and has now completed thirty years of continuous service to the people of Lewisboro by being available to respond to calls for an ambulance, giving emergency treatment when appropriate and, when necessary, transporting the patient to hospital, and

WHEREAS TONY FRASCA has been the epitome of dependability as an Emergency Medical Technician and especially as the face of LVAC on Thursday nights when he has responded to hundreds of calls and performed thousands of hours of duty, and

WHEREAS this has been of exceptional value during the last year of the COVID 19 pandemic when LVAC has been a pillar of dependability for the community, and

WHEREAS this dedication to public service is an example to all and is deserving of public notice, now therefore,

BE IT RESOLVED that the Town Board of the Town of Lewisboro in the County of Westchester in the State of New York, in recognition of the worthy service of TONY FRASCA to the Town of Lewisboro, does hereby offer the thanks of its populace to TONY FRASCA for his dedication to service for our residents, and

BE IT FURTHER RESOLVED that this resolution be spread upon the minutes of this April 12, 2021, Town Board Meeting for future generations to see and that a copy be presented to TONY FRASCA.

NEW YORK STATE TOWN CLERK’S ASSOCIATION – Registered Municipal Clerk (RMC)

Supervisor Parsons stated he received a letter from the NYSTCA that Janet Donohue, Town Clerk had earned the honor of recertification as a Registered Municipal Clerk. Notification was also sent to the local newspaper. The Board congratulated Ms. Donohue on achieving the prestigious designation of RMC.

PARKS & RECREATION – Donation

Supervisor Parsons stated that Peter and Jennifer Cipriano, of Copia Home & Garden, donated \$5,000 to be used for beautification and dog waste stations at the East Street park. The Board thanked the Cipriano's for their very generous donation.

PUBLIC COMMENT PERIOD I (7:41 – 8:00 p.m.)

A total of ten residents spoke about several subjects.

NYSEG – Power Outages

A resident stated that there was an accident where a truck hit a single pole on Route 123 which cut power to about 1,000 residents. He stated while this was an isolated incident, he feels it is part of a much bigger problem of frequent, increased and continuing power outages due to the power grid lacking resiliency and redundancy. The resident said he read on Facebook that Mr. Gonçalves stated that the power outages in Vista had decreased and this resident would like to see the numbers to back this up. He also wondered if the Board sent any comments in regarding the NYSEG rate increase before the public service commission. Also does the town benefit from NYSEG's new capital plan.

Another resident thanked Mr. Gonçalves for his continued communication regarding NYSEG. He did ask why a Town Board member's tree was blocked by a car and felt it was wrong not to let NYSEG do their job.

OAKRIDGE WATER

A few residents asked for updates on the recent water situation at Oakridge.

TREE ORDINANCE

A resident stated that in the new tree ordinance it refers to trees located next to dwellings, but he was hoping that he could get some clarification on what a dwelling is. Is a barn or pole barn considered a dwelling?

MEMORIAL DAY

Two residents spoke about the importance of Memorial Day.

FUNDRAISER – Town Park

A resident stated that she saw that a resident is looking to have a fundraiser to support Salla Treatment and Research Foundation and that she is in full support of this fundraiser.

SALT DOME - Hickory Homes

A resident thanked Mr. Gonçalves for getting involved with her issues regarding Hickory Homes presence at the Salt Dome area. She is also concerned with the trees that separate the cemetery and the salt dome area where Hickory Homes is working.

CONSENT AGENDAMINUTES & REPORTS - Approved

On motion by Supervisor Parsons, seconded by Ms. Crimmins, the minutes of the March 8, 2021 Town Board meeting were approved and the March, 2021 monthly reports for the Building & the Police Departments were received and filed.

THE VOTE:	Yes	- Parsons, Crimmins, Gonçalves, Sklarin, Welsh	(5)
	No	- None	(0)
	Absent	- None	(0)

REPLACEMENT BRIDGES IN PRESERVES - Amend Previous Resolution

Supervisor Parsons stated that he would like to amend the OSPAC bridges resolution that was passed on February 22, 2021, to omit the design approval by the Building Inspector. The Board discussed and the approval will be done by OSPAC.

On motion by Supervisor Parsons, seconded by Mr. Sklarin, the Board voted as follows:

THE VOTE:	Yes	- Parsons, Crimmins, Gonçalves, Sklarin, Welsh	(5)
	No	- None	(0)
	Absent	- None	(0)

RESOLUTION

RESOLVED, that the Town Board does authorize waiving the wetland activity permits and building permits for replacement and new trail wilderness bridges in the preserves.

ARBORIST – Authorization to Hire

On motion by Supervisor Parsons, seconded by Mr. Sklarin, the Board voted as follows:

THE VOTE:	Yes	- Parsons, Crimmins, Gonçalves, Sklarin, Welsh	(5)
	No	- None	(0)
	Absent	- None	(0)

RESOLUTION

RESOLVED that the Town Board authorizes the use of Wayne Cahilly, a certified consulting arborist, at a rate of \$100/hour, with travel included.

PUBLIC HEARING ANNOUNCED – Wetlands Law

Supervisor Parsons stated that at the last meeting it was discussed that a proposed amendment be made to the Wetlands Law and that proposed law was forwarded to the Planning Board and the Conservation Advisory Council.

On motion by Supervisor Parsons, seconded by Mr. Gonçalves, the Board voted as follows:

THE VOTE:	Yes	- Parsons, Crimmins, Gonçalves, Sklarin, Welsh	(5)
	No	- None	(0)
	Absent	- None	(0)

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Lewisboro will hold a public hearing on April 26, 2021 at 7:30 p.m. or soon thereafter as time permits via videoconferencing, as permitted by the NYS Open Meetings Law and in accordance with the Governor of the State of New York's Emergency Order Number 202.1. The public hearing will be to discuss a Local Law to amend Chapter 217, Wetlands & Watercourses, Sections 217-5 (B) and 217 – 5 (C).

PLEASE TAKE FURTHER NOTICE, that comments for the public comment session can be sent in advance of the meeting to townclerk@lewisborogov.com or through the Zoom videoconference of the meeting. To the extent one does not have access to the internet, comments can also be made no later than 4 p.m. of the day of the meeting to the Town Clerk at 914-763-3511.

INSTRUCTIONS TO ACCESS THE VIRTUAL MEETING:

If you have a computer, tablet or smartphone, you can register, log in and see the video and hear the audio of the live session. You can access the Zoom meeting through the ZOOM meeting website at <https://zoom.us> and clicking on "Join a Meeting". Enter Meeting ID 947 1730 6576; Password 693832. You can also call into the ZOOM meeting at 1-929-205-6099 and when prompted enter Meeting ID 947 1730 6576; Password 693832. Notices can also be viewed on the town's website at www.lewisborogov.com.

PUBLIC HEARING ANNOUNCED – Chapter 220 Zoning, 220-16, Seasonal Outdoor Dining Legislation

Supervisor Parsons stated that on June 8, 2020, a local law to extend outdoor seasonal dining to December 31, 2020 was passed. He would like to extend this to December 31, 2021. Town Attorney Greg Folchetti stated that the Board would have to have another public hearing. The Board would also need to forward the proposed local law to the Planning Board and the Westchester County Planning Board.

On motion by Supervisor Parsons, seconded by Mr. Gonçalves, the Board voted as follows:

THE VOTE:	Yes	- Parsons, Crimmins, Gonçalves, Sklarin, Welsh	(5)
	No	- None	(0)
	Absent	- None	(0)

NOTICE OF HEARING

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PLEASE TAKE FURTHER NOTICE, that comments for the public comment session can be sent in advance of the meeting to townclerk@lewisborogov.com or through the Zoom videoconference of the meeting. To the extent one does not have access to the internet, comments can also be made no later than 4 p.m. of the day of the meeting to the Town Clerk at 914-763-3511.

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WESTCHESTER POWER PROGRAM – Update (8:10 – 8:49 p.m.)

Mr. Welsh introduced Paul Presendien, an Outreach Coordinator with Sustainable Westchester who gave an update/presentation on the Community Aggregation Program (see attached).

FUNDRAISER – Town Property

The Town Board heard from a new resident who requested the use of the Town Park on May 23, 2021 for a fundraiser to benefit Salla Treatment and Research Foundation (S.T.A.R.).

On motion by Supervisor Parsons, seconded by Mr. Sklarin, the Board voted as follows:

THE VOTE:	Yes	- Parsons, Crimmins, Gonçalves, Sklarin, Welsh	(5)
	No	- None	(0)
	Absent	- None	(0)

RESOLUTION

RESOLVED, that the Town Board does authorize the Park & Recreation Department to waive the fees associated with the rental of the Town Park pavilion and park for a fundraiser to raise money to support the Salla Treatment and Research Foundation (S.T.A.R.).

TOWN PARK POOL – Emergency Repair of Kiddie Pool

Supervisor Parsons explained that there are now safety issues at the kiddie pool. He would like the Board to authorize an emergency expense for the installation of trench drains and to make other minor changes to the kiddie pool.

On motion by Supervisor Parsons, seconded by Mr. Gonçalves, the Board voted as follows:

THE VOTE:	Yes	- Parsons, Crimmins, Gonçalves, Sklarin, Welsh	(5)
	No	- None	(0)
	Absent	- None	(0)

RESOLUTION

RESOLVED, that the Town Board does authorize the installation of a trench drain and other safety upgrades to the Town Kiddie Pool for a total cost not to exceed \$8,500.

NATIONAL AWARENESS OF MENTAL ILLNESS (NAMI) – Discussion

Janet Heneghan, a Lewisboro resident, is involved with the campaign for National Awareness of Mental Illness (NAMI). They would like the Town of Lewisboro to support the ribbon campaign, which would entail putting ribbons around trees in prominent locations throughout the Town. This campaign is being run throughout Westchester. Another resident, Lauren Torre will also be helping with this campaign. Police Chief Alfano has purchased NAMI ribbon stickers for all the police car windows. The Board thanked them for their efforts.

On motion by Supervisor Parsons, seconded by Mr. Gonçalves, the Board voted as follows:

THE VOTE:	Yes	- Parsons, Crimmins, Gonçalves, Sklarin, Welsh	(5)
	No	- None	(0)
	Absent	- None	(0)

RESOLUTION

RESOLVED, that the Town Board does support the National Alliance on Mental Illness (NAMI) Ribbon Campaign in Lewisboro designating "May is Mental Health Awareness Month".

HIGHWAY – Tree Quotes

Supervisor Parsons stated that no quotes were received by the Highway Department for tree quotes. Town Attorney Greg Folchetti suggested that the Highway Department put out another request for quotes for tree service and that the Highway Department could continue using Vista Tree Service at the current tree quote which ended on April 14, 2021 until the quotes for the second quote are received.

On motion by Supervisor Parsons, seconded by Mr. Welsh, the Board voted as follows:

THE VOTE:	Yes	- Parsons, Crimmins, Gonçalves, Sklarin, Welsh	(5)
	No	- None	(0)
	Absent	- None	(0)

RESOLUTION

RESOLVED that the Town Board authorizes the Highway Department to put out another request for quotes for tree service due to the fact that no quotes were received by April 9, 2021 and be it further

RESOLVED that the Town Board authorizes the Highway Department to continue using Vista Tree Service at the current tree quote which started April 15, 2020 and ends on April 14, 2021 until the quotes for the second quote are received.

GRANT REQUEST – Approve Application

On motion by Supervisor Parsons, seconded by Mr. Welsh, the Board voted as follows:

THE VOTE:	Yes	- Parsons, Crimmins, Gonçalves, Sklarin, Welsh	(5)
	No	- None	(0)
	Absent	- None	(0)

RESOLUTION

RESOLVED, that the Town Board does approve the State and Tribal Assistance Grant (STAG) application for the Town owned Oakridge Water District to install granulated carbon filters and to increase the size of the water plant to accommodate these filters.

GRANT REQUEST – Approve Application

On motion by Supervisor Parsons, seconded by Mr. Welsh, the Board voted as follows:

THE VOTE:	Yes	- Parsons, Crimmins, Gonçalves, Sklarin, Welsh	(5)
	No	- None	(0)
	Absent	- None	(0)

RESOLUTION

RESOLVED, that the Town Board does approve the State and Tribal Assistance Grant (STAG) application for the children's play area at the Lewisboro Town Park which will address the needs of all children including those of disabled children.

The Board also thanked Janet Andersen for applying for the grant for the Elmwood Road culvert and for the Kitchawan, Truesdale and Waccabuc Lakes study.

LEGALIZATION OF CANNABIS – Discussion

Supervisor Parsons stated that now that Governor Andrew M. Cuomo signed legislation (S.854-A/A.1248-A) legalizing adult-use cannabis, the town must decide whether it wants to opt out of cannabis being sold in Lewisboro. If the town does nothing, then cannabis can be sold. If the town opt outs, the town will not get the 3% of the local share of tax revenue on anything sold in Lewisboro. Supervisor Parsons stated the town will not know the intricate details until after the town's decision needs to be made, which is December 31, 2021.

PUBLIC COMMENT PERIOD II - Limited to Legalization of Cannabis (9:12 – 9:40 p.m.)

A total of ten residents spoke about whether they were for or against the sale of cannabis in the town. Nine residents were against the sale of cannabis in town and one resident was for the sale of cannabis in town.

CLAIMS – Authorized for Payment

On motion by Supervisor Parsons, seconded by Mr. Welsh, the Board voted 5-0 to authorize payment of the Town's bills in the amount of \$464,080.00.

POLLING OF BOARD AND ANNOUNCEMENTS

GRANT WRITING COMMITTEE – Discussion

Mr. Sklarin stated that he would like to explore the idea of creating a Grant Writing Committee.

WESTCHESTER POWER PROGRAM – Update

Mr. Sklarin stated that he felt the Sustainable Westchester Presentation was inappropriate for a Board meeting and it made him feel uncomfortable.

NYSEG – Outages

Mr. Gonçalves stated that he hopes to have an update from NYSEG on the upgrades that they were going to start in April, such as erecting new poles. There has also been a lot of tree mitigation. Mr. Gonçalves did state that he has heard from some Vista residents that the power outages have minimized.

Mr. Gonçalves also stated that the town has worked with the Public Service Commission. There is a 93-page document, and he can point anyone in the direction of this document if they are interested in reading it.

OAKRIDGE WATER & SEWER DISTRICT – Update

Mr. Gonçalves went over what work has been done since he arrived on the Board. There is currently a sediment issue that has been ongoing and he hopes this will be helped by the current flushing process. There is the recent issue of the PFOS levels being above the newly defined maximum contaminant level which the state set in August of 2020. One well was taken offline and another used in its place. A plan is in the works and they are hoping to start working on this soon however it will take some time.

SALT DOME – Hickory Homes

Mr. Gonçalves did meet with the Planning Engineer who made some recommendations that Hickory Homes should take to clean up the salt dome area. More steps will be taken and there will be an update to the Board at a future meeting.

MENTAL ILLNESS AWARENESS

Ms. Crimmins encouraged anyone who might need mental health treatment to look at mutual aid and supporting each other peer to peer. The emergency mental health number in Westchester County is 211.

AUTISM AWARENESS MONTH

Ms. Crimmins shared that it is Autism Awareness Month and also shared a resource called the Autism Self Advocacy Network.

MEMORIAL DAY – Update

There will be no parade this year however there will be a ceremony in front of the Town House similar to last year. This ceremony will be filmed and put on Channel 20.

HENRI WOLFE – History

Henri Wolfe, who films for Lewisboro Cable Television Channel 20 (LCTV) has decided to come public with his past. While he was just 3 years old, he was arrested by the Nazis and put in a detention camp with the likelihood that he would be sent to Auschwitz. Supervisor Parsons praised Mr. Wolfe for bringing this public and he has the upmost respect for him. The New York Post recently did a story on this where Mr. Wolfe's story is included.

MEETINGS – Date Set

An upcoming meeting of the Board will include a meeting on Monday, April 26, 2021 at 7:30 p.m. In accordance with the Governor’s March 13, 2020 Executive Order 202.1, until further notice, meetings will be held via videoconferencing. More information will follow.

EXECUTIVE SESSION – To Discuss Appointments to Committees

On motion by Supervisor Parsons, seconded by Mr. Welsh, the Board voted 5-0 to go into executive session at 10:00 p.m. to discuss appointments to committees.

On motion by Supervisor Parsons, seconded by Mr. Gonçalves, the Board voted 5-0 to come out of executive session at 10:42 p.m.

HOUSING COMMITTEE – Appointment of Member

On motion by Supervisor Parsons, seconded by Mr. Gonçalves, the Board voted as follows:

THE VOTE:	Yes	- Parsons, Crimmins, Gonçalves, Sklarin, Welsh	(5)
	No	- None	(0)
	Absent	- None	(0)

RESOLUTION

RESOLVED that the Town Board appointed Elana Shneyer to the Housing Committee for a two-year term ending December 31, 2022.

ADJOURNMENT

On motion by Supervisor Parsons, seconded by Mr. Welsh, the Board voted 5-0 to adjourn at 10:43 p.m.

Janet L. Donohue
Town Clerk