

MINUTES OF TOWN BOARD MEETING HELD ON JULY 12, 2021

A meeting of the Town Board of the Town of Lewisboro, Westchester County, New York, was held on July 12, 2021, at 7:30 p.m. at the at the Lewisboro Library, 15 Main Street, South Salem, New York.

PRESENT:

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

Also attending was the Attorney for the Town Gregory Folchetti, Facilities Maintenance Manager Joel Smith, Police Officer Glen Zemanek and Confidential Secretary/Benefits Coordinator Mary Hafter.

Approximately 99 residents/observers.

Supervisor Parsons called the meeting to order at 7:32 p.m.

EMERGENCY PROCEDURE

Supervisor Parsons noted the exits to be used in the event of an emergency.

PLEDGE OF ALLEGIANCE

The Supervisor led the Pledge of Allegiance to the flag.

COMMUNICATIONS I

DECORUM DURING MEETINGS

Supervisor Parsons read the below letter from resident Mike Rudy:

Dear Town of Lewisboro Board Members:

My name is Michael Rudy and I have lived in South Salem with my family since July of 2016. I truly love living in Lewisboro, and thank all of you for the great work you have done for the town, particularly as we all navigated an unprecedented pandemic.

That being said, I am writing to you today about the negative tone that has really taken hold at the town board meetings that I have participated in via zoom. While all citizens have a right to their perspective, regardless of political party, it is very important that our discourse takes place in a respectful, productive manner.

I have noticed that a small group of residents continually attend meetings, and do not follow the rules that have been established. This has resulted in people addressing topics that are not on the agenda, speaking out of turn, engaging in negative personal attacks against board members and residents alike, and has created an atmosphere that does not foster positive engagement between the Board and town members.

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I believe it is very important that the Board begin to enforce the rules that have been established. Not doing so sends a message that these rules don't need to be followed and undermines the board's authority and respect. Now that meetings are being held in person once again, it has also created a potentially unsafe environment for board members as well as residents who don't feel they will be respected or protected if they have a differing viewpoint.

While healthy debate is central to our democratic process, what I have witnessed recently is not democratic. Personal attacks are done to instill fear and silence debate. If this behavior continues at board meetings, the people who do not follow the established rules should not be allowed to participate as a starting point, and the board should not rule out further action if this behavior continues.

Unfortunately, I am traveling on business and cannot attend tonight's meeting. But I hope it goes well and that a semblance of order is restored to these meetings moving forward.

*Best,
Michael Rudy*

Supervisor Parsons stated with the above being said, along with approximately 8 other letters stating similar sentiment, he was making this statement:

The overwhelming consensus is that strict discipline needs to be observed in Board Meetings so I will ask that:

- 1. The Board members only answer questions and comments from the audience during the Polling of the Board section of the meeting.*
- 2. I plan to enforce silence by residents except during Public Hearings and Public Comment periods.*
- 3. If someone in the audience breaks this rule then, if the individual does not heed the chair, I will ask a police officer to escort that individual from the room.*

PUBLIC HEARING – Opt Out of On-Site Cannabis Consumption Locations (7:38 – 8:53 p.m.total)

Supervisor Parsons called the public hearing to order for a proposed local law of the Town Code of the Town of Lewisboro which would opt out of on-site consumption locations within the Town of Lewisboro.

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 4 residents spoke at the public hearing regarding cannabis consumption locations within the Town of Lewisboro. A total of 3 residents prefer that the Board opt out and a total of 1 resident would like the Board to opt in.

Supervisor Parsons does not feel the Board should opt in to on site consumption locations and then have people drive home and the Board agreed.

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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 public hearing for a proposed local law of the Town Code of the Town of Lewisboro which would opt out of on-site consumption locations within the Town of Lewisboro, is now closed.

TOWN CODE – Chapter 100 To Opt Out of Allowing On-Site Cannabis Consumption Locations

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)

LOCAL LAW #7 OF THE YEAR 2021

A LOCAL LAW TO AMEND THE CODE OF THE TOWN OF LEWISBORO TO ADD CHAPTER 100 TO OPT OUT OF ALLOWING CANNABIS ON-SITE CONSUMPTION LOCATIONS UNDER NEW YORK STATE CANNABIS LAW ARTICLE 4

SECTION 1 : AUTHORITY

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

SECTION 2 : ENACTMENT OF CHAPTER 100 OF TOWN OF LEWISBORO TOWN CODE ENTITLED NYS CANNABIS LAW OPT-OUT LEGISLATION

Chapter 100 of the Code of the Town of Lewisboro entitled “NYS Cannabis Law Opt-Out Legislation” is hereby enacted as follows:

§100-1 LEGISLATIVE INTENT

It is the intent of this local law for the Town of Lewisboro to opt out of allowing on-site cannabis consumption locations within the Town of Lewisboro that would be otherwise allowed under New York State Cannabis Law Article 4.

§100-2 AUTHORITY

This local law is adopted pursuant to New York State Cannabis Law §131 which expressly authorizes the Town Board to adopt a local law requesting the Cannabis Control Board to prohibit the establishment of cannabis retail dispensary licenses and/or on-site consumption licenses within the jurisdiction of the Town of Lewisboro and is subject to a permissive

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referendum, the procedure of which is governed by NY Municipal Home Rule Law §24.

§100-3 LOCAL OPT-OUT

The Town Board of the Town of Lewisboro hereby opts out of allowing on-site cannabis consumption locations, lounges or sites from being established and operated within the Town's jurisdiction.

§100-4 SEVERABILITY

If any part or provision of this Local Law or the application thereof to any person or firm or corporation or circumstance be shall adjudged invalid or unconstitutional 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, firm corporation or circumstance, 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.

§100-5 PERMISSIVE REFERENDUM/REFERENDUM ON PETITION

This local law is subject to a referendum on petition in accordance with New York State Cannabis Law §131 and the procedure outlined in New York Municipal Home Rule Law §24.

§100-6 EFFECTIVE DATE

This Local Law shall take effect immediately upon filing in the office of the Secretary of State.

SECTION 3 – HOME RULE

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

SECTION 4 – 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 5 – EFFECTIVE DATE

This Local Law shall take effect as set forth herein.

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PUBLIC HEARING – Opt Out of Retail Cannabis Dispensary Locations (7:38 – 8:53 p.m.total)

Supervisor Parsons called the public hearing to order for a proposed local law of the Town Code of the Town of Lewisboro which would opt out of retail cannabis dispensary locations within the Town of Lewisboro.

There was no objection to the time or form of the public notice (attached).

Supervisor Parsons stated that if the Board chose to opt out of retail cannabis dispensary locations, it is subject to a permissive referendum which means that electors of the town, within 45 days, can file a petition of permissive referendum signed by 10% of the electors from the last Gubernatorial race (2018) and it will go on as a proposition on the November 2, 2021, election ballot. If the signatures come in after the designated time frame, a special election would be necessary.

Supervisor Parsons read the following:

This local law is adopted pursuant to New York State Cannabis Law §131 which expressly authorizes the Town Board to adopt a local law requesting the Cannabis Control Board to prohibit the establishment of cannabis retail dispensary licenses and/or on-site consumption licenses within the jurisdiction of the Town of Lewisboro and is subject to a permissive referendum, the procedure of which is governed by NY Municipal Home Rule Law §24.

Supervisor Parsons stated that he received 3 letters opposing cannabis dispensaries. Supervisor Parsons read one of them:

Dear Board Members:

I understand that the Board is currently 3-2 in favor of marijuana dispensaries and that the decision will be made in mid-July. As an ER physician and a parent of two young children, I have many reasons to be strongly opposed to marijuana dispensaries in our town, but I understand and respect that everyone is entitled to their own opinion.

Opting in will affect the entire town and it seems like a very big decision to fall on 5 people without the input from residents. We are currently circulating a petition to opt out which has 264 resident signatures as of today. Please consider opting-out and let the residents bring it to referendum. Once the town votes, if more people want the dispensaries, then so be it, but at least the town residents will have a chance to contribute to the decision, rather than the decision being made for us. Since this is an election year, you can imagine that everyone will remember how the Board acted on this matter when they go to the polls this fall.

There are several issues that must be considered before committing to increasing availability of marijuana in our town. Has the Board considered how much more money and resources will be shifted to law enforcement and drug-related problems? (I see we already spend about \$6500/year on the drug prevention council.) There will be, without doubt, more people driving under the influence which will lead to more accidents. Are we ready to put a strain on the police department who currently only has one patrol car out on the road at a time?

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For 3% revenue, it just doesn't seem worth it. I have heard arguments that it will bring business to our town, but I (as many others) will personally go out of my way to avoid shopping near any of the dispensaries. I don't want my young children near drugs, period. If we opt-in, we are clearly promoting drug use and sending the wrong message to our children.

If the primary gain from opening dispensaries is monetary, then why not focus on bringing wholesome, family-friendly businesses to Lewisboro? We already have people hanging out smoking pot and drinking in the Vista Baseball Field parking lot before and during games. Do we really need more drugs in our town? We have a shopping center in Golden's Bridge with multiple empty stores, one of which is now occupied by a smoke shop. This is how many visitors approach our town from 684 and the first thing they see is a half empty shopping center with a liquor store, smoke shop and a low-end grocery store. No wonder people chose to go to other towns to shop. Please consider your priorities and the safety of the town you represent.

Thank you, Karen Byrne, Waccabuc

Supervisor Parsons then stated that he received approximately 8 letters in favor of allowing cannabis to be sold in dispensaries in town. Supervisor Parsons read the following:

Dear Supervisor and Town Board Members,

You requested our input on allowing legal marijuana dispensaries in Lewisboro. Bob and I feel strongly that these legal dispensaries should be permitted. We should NOT OPT OUT.

Here are the reasons:

*1. Data shows that states with dispensaries show little to no impact on teen use and traffic deaths.**

**From USA Today:*

Since 2012, 11 states have legalized marijuana use for adults. Colorado and Washington were the first states to legalize the drug, and California, the most populous state in the nation, followed them. Among the most pointed concerns with legalization are whether it has caused more young people to use the drug and whether more people are dying in auto crashes caused by impaired drivers. Data shows little change in either area. Surveys of young people in Colorado, for example, show a slight decline in the percentage of middle and high school students using the drug. In Washington, the rates have remained the same. California data shows an increase in people driving while on drugs involved in fatal accidents. But officials in those states are hesitant to peg the increases on legalization, and researchers haven't shown an increase in total traffic fatalities tied to the changes. For example, California had 8.3% fewer traffic fatalities in 2018, the year retail marijuana sales launched there, than it did in 2017. Supporters say the best way to mitigate impacts on society are to license and regulate the industry, funneling some of the new tax revenue back into programs to reduce usage by young people and combat impaired driving. In Washington, surveys of young people conducted in cooperation with the Office of the Superintendent of Public Instruction showed no increase in the numbers of sixth, eighth, 10th and 12th graders using marijuana after legalized sales began there in 2014.

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**From The Cato Institute (www.Cato.org/policy):*

Supporters and critics make numerous claims about state-level marijuana legalizations. Advocates suggest that legalization reduces crime, raises tax revenue, lowers criminal justice expenditures, improves public health, increases traffic safety, and stimulates the economy. Critics argue that legalization spurs marijuana and other drug or alcohol use, increases crime, and diminishes traffic safety. In our research, we found that the strong claims made by both advocates and critics are substantially overstated and, in some cases, entirely without support. Our data showed that state-level legalization of marijuana had generally minor effects. One notable exception was the increase in state tax revenue from legalized marijuana sales; states with legal marijuana markets have collected millions of dollars in state tax revenues.

2. Why should Bedford get all of the revenue from the legal sale of legal marijuana, and we get none? Make no mistake: If Bedford, or Pound Ridge, or White Plains allows dispensaries, marijuana users – both young and old – will easily travel to those towns to make their purchases. It is naive to think otherwise. (They already go to Massachusetts, and will soon go to CT and NJ, so Bedford or White Plains would be a piece of cake.) Why should those neighboring towns benefit from legal sales to Lewisboro residents?

If we can, with a straight face, say “No legal marijuana dispensaries are allowed in our town, then we should also say the same for liquor stores.” We don't see a difference.

Thank you for your time - Bobbe Stultz & Bob Felsenstein

Supervisor Parsons asked for comments from the public.

A total of 14 residents spoke at the public hearing regarding cannabis dispensary locations within the Town of Lewisboro. A total of 8 residents prefer that the Board opt out and a total of 6 residents would like the Board to opt in.

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 public hearing for a proposed local law of the Town Code of the Town of Lewisboro which would opt out of retail cannabis dispensary locations within the Town of Lewisboro, is now closed.

The Board discussed their positions. Mr. Sklarin feels that democracy should reign here and would like to see a permissive referendum. He's not sure if economically, a dispensary would work in Lewisboro. Mr. Sklarin would opt out.

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Mr. Welsh is also in favor of opting out of allowing dispensaries in Town and would like to see a petition of referendum and let the people decide, however, he is personally in favor of allowing the dispensaries in town as he sees no difference between this and a liquor store.

Ms. Crimmins feels that the tide of the town is to opt in. She feels that this is a stringent licensing process and well-regulated and also feels that economically this is a good decision and is not sure if the town will get the sales tax if they opt in later. Ms. Crimmins also feels that this is small business friendly. Ms. Crimmins feels that this is a forward thinking, innovative and diverse industry. However, she believes in democracy with a small “d” and is cautiously optimistic that voters will come out to vote on the permissive referendum.

Supervisor Parsons believes that the town elects’ people to make decisions for them. He feels that if the town opts out, you are forcing people to shop elsewhere. The shopping centers are private, and it will be up to the owners to make them a non-smoking area if they choose. Supervisor Parsons feels that whatever happens, there is nothing from stopping residents to make purchases from whoever delivers it so he would vote in favor of opting in on dispensaries.

Mr. Gonçalves stated that they are elected to represent the people however there are not too many opportunities given to the residents to make decisions and this is one of them.

TOWN CODE – Chapter 101 To Opt Out of Retail Cannabis Dispensary Locations

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

THE VOTE:	Yes	- Gonçalves, Sklarin, Welsh	(3)
	No	- Parsons, Crimmins	(2)
	Absent	- None	(0)

LOCAL LAW #8 OF THE YEAR 2021

A LOCAL LAW TO AMEND THE CODE OF THE TOWN OF LEWISBORO TO ADD CHAPTER 101 AND OPT OUT OF ALLOWING RETAIL CANNABIS DISPENSARIES UNDER NEW YORK STATE CANNABIS LAW ARTICLE 4

SECTION 1: AUTHORITY

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

SECTION 2: ENACTMENT OF CHAPTER 101 OF TOWN OF LEWISBORO TOWN CODE ENTITLED NYS CANNABIS LAW OPT-OUT LEGISLATION

Chapter 101 of the Code of the Town of Lewisboro entitled “NYS Cannabis Law Opt-Out Legislation” is hereby enacted as follows:

§101-1 LEGISLATIVE INTENT

It is the intent of this local law for the Town of Lewisboro to opt out of allowing cannabis

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retail dispensaries within the Town of Lewisboro that would be otherwise allowed under New York State Cannabis Law Article 4.

§101-2 AUTHORITY

This local law is adopted pursuant to New York State Cannabis Law §131 which expressly authorizes the Town Board to adopt a local law requesting the Cannabis Control Board to prohibit the establishment of cannabis retail dispensary licenses and/or on-site consumption licenses within the jurisdiction of the Town of Lewisboro and is subject to a permissive referendum, the procedure of which is governed by NY Municipal Home Rule Law §24.

§101-3 LOCAL OPT-OUT

The Town Board of the Town of Lewisboro hereby opts out of allowing cannabis retail dispensaries from being established and operated within the Town's jurisdiction and requests that the Cannabis Control Board prohibit the establishment of such retail dispensary licenses within the Town of Lewisboro.

§101-4 SEVERABILITY

If any part or provision of this Local Law or the application thereof to any person or firm or corporation or circumstance be shall adjudged invalid or unconstitutional 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, firm corporation or circumstance, 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.

§101-5 PERMISSIVE REFERENDUM/REFERENDUM ON PETITION

This local law is subject to a referendum on petition in accordance with New York State Cannabis Law §131 and the procedure outlined in New York Municipal Home Rule Law §24.

§101-6 EFFECTIVE DATE

This Local Law shall take effect immediately upon filing in the office of the Secretary of State.

SECTION 3 – HOME RULE

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

SECTION 4 – 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

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would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

SECTION 5– EFFECTIVE DATE

This Local Law shall take effect as set forth herein.

PUBLIC HEARING– Highway Superintendent Appointed vs Elected (8:53 – 9:23 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 appoint the position of Highway Superintendent rather than have it as an elected position in the Town of Lewisboro.

There was no objection to the time or form of the public notice (attached).

Supervisor Parsons stated that currently the Highway Superintendent position in Lewisboro is an elected position and he would like to have it become an appointed position. Supervisor Parsons stated that the Pound Ridge Highway Superintendent is now appointed, and it seems to be going well. Mr. Sklarin asked if the salary would remain the same and Supervisor Parsons suggested that it would go up slightly. Supervisor Parsons stated that this would not take effect until January 1, 2024.

Supervisor Parsons asked for comments from the public.

Three residents spoke. One resident asked if the appointed Highway Superintendent would need to be an engineer and the answer was no. They asked if the candidate would need to take a Civil Service Exam and the answer was yes.

Another resident asked what the current salary for the Highway Superintendent is and the answer was approximately \$105,000. No extra money is given for overtime.

Another resident questioned why this position would not be an employee of the town. The Board did state it would be an employee of the town, but the position would be appointed by the Board, rather than elected by the people.

On motion by Supervisor Parsons, seconded by Mr. Goncalves, 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 a proposed local law of the Town Code of the Town of Lewisboro which would appoint the position of Highway Superintendent rather than have it as an elected position in the Town of Lewisboro, is now closed.

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The Board continued their discussion. Mr. Sklarin asked the Supervisor if he had any feedback from the Pound Ridge Supervisor as to the benefits of shifting from an appointed to an elected position. Supervisor Parsons stated that this is new to Pound Ridge. Mr. Welsh feels this is an opportunity to obtain someone that has experience. Mr. Sklarin asked the Supervisor if he thought the Town had been at a disadvantage with past Highway Supervisors as it pertained to their qualifications and their ability to do the job. Supervisor Parsons said yes, to some extent. Supervisor Parsons stated that he was invited to a Highway conference to speak about how he and the Highway Supervisor got along and that was not the case with about 95% of the audience.

Mr. Sklarin was concerned about the long-term costs associated with an appointed position and he also questioned the probationary period. The Town Attorney, Greg Folchetti stated that the probationary period is one year with a mandatory referendum that would need to be on the November 2, 2021 ballot.

A resident did have a comment, so it was determined the Supervisor needed to reopen the public hearing.

On motion by Supervisor Parsons, seconded by Mr. Goncalves, 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 a proposed local law of the Town Code of the Town of Lewisboro which would appoint the position of Highway Superintendent rather than have it as an elected position in the Town of Lewisboro, re-opened.

A resident suggested that the Board have a special meeting to discuss some of the questions that came up tonight.

Another resident questioned the 4-year time limit and what would happen after that 4-years. He also stated that if this was a civil service job, would the Board even be able to let the person go, and if not then why even have a 4-year time limit. He feels that if he was someone looking to fill the position, he would hesitate to apply for the job because he would be at risk of losing it after 4 years.

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)

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RESOLUTION

RESOLVED, that the public hearing for a proposed local law of the Town Code of the Town of Lewisboro which would appoint the position of Highway Superintendent rather than have it as an elected position in the Town of Lewisboro, is now closed.

TOWN CODE – Local Law Abolishing Elective Office of Highway Superintendent

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)

LOCAL LAW #9 OF THE YEAR 2021

A LOCAL LAW ABOLISHING THE ELECTIVE OFFICE OF HIGHWAY
SUPERINTENDENT AND CREATING THE APPOINTED OFFICE OF HIGHWAY
SUPERINTENDENT OF THE TOWN OF LEWISBORO, NEW YORK

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 – ENACTMENT OF LAW ABOLISHING ELECTIVE OFFICE OF
HIGHWAY SUPERINTENDENT

BE IT ENACTED by the Town Board (“Board”) of the Town of Lewisboro, New York (“Town”) as follows:

Article I. Pursuant to the Municipal Home Rule Law §10, the Town hereby abolishes the elective office of the Town Highway Superintendent, effective at the expiration of (the term of office of the present incumbent at the end of the day, December 31st 2023).

Article II. The elective office of Town Highway Superintendent is hereby abolished as of (the term of office of the present incumbent at the end of the day, December 31st 2023).

Article III. The appointive office of Superintendent is hereby created as of (January 1, 2024, the first day of January succeeding the first biennial town election held after the effective date of this Local Law).

Article IV. At the biennial town election succeeding the effective date of this Local Law, no Superintendent shall be elected, and upon the expiration of the term of the elected Superintendent for whom no successor shall be elected, the Board shall appoint a Superintendent who shall hold office for a term of four (4) years, commencing (January 1,

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2024), the first day of January succeeding the expiration of the term of office of the elective Superintendent.

Article V. This Local Law shall supersede Town Law §20(1)(a)(b) with respect to the mode of selection of the Highway Superintendent.

Article VI. This Local Law is subject to mandatory referendum according to the provisions of Municipal Home Rule Law §23.

Article VII. This Local Law shall take effect immediately upon filing with the Secretary of State and after approval of a majority of the electors voting thereon in accordance with the requirements of Municipal Home Rule Law §23.

SECTION 3 – HOME RULE

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

SECTION 4 – 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 as set forth in Article VII herein.

COMMUNICATIONS

JUNETEENTH – Proclamation

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 LATEASHA STAPLETON, CYNTHIA RYAN AND DAWN BROWN-BERENSON took it upon themselves to organize the Town of Lewisboro's first Juneteenth celebration on Saturday, June 19th, 2021 at Onatru Farm Park, and

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WHEREAS LATEASHA STAPLETON provided the music, heart, soul and determination to celebrate with our community as well as rent the space in her name and,
WHEREAS CYNTHIA RYAN constructed an 80-ft visually stunning and historically packed timeline detailing an American history centering the Black experience as well as provided her pristine executive functioning skill of attention to detail measuring for decorations, providing speakers, and creating a spreadsheet to capture those details for the team, and

WHEREAS DAWN BROWN-BERENSON transported the audience with her oratory skills during her reading of Maya Angelou's "I Know Why the Caged Bird Sings" among other chosen works by Frederick Douglass and Mr. Rogers. The talented Ms. Brown-Berenson also modeled the community building concept of solidarity by supporting her co-organizers in their desires and efforts, despite her own apprehension to share herself with those who don't appear wanting, and

WHEREAS DEPUTY COUNTY EXECUTIVE KEN JENKINS, and other local elected officials, gathered to demonstrate their understanding that Black Lives Matter and acknowledging that we weren't gathered to celebrate Black History, we were gathered to celebrate American history, and WHEREAS this dedication to local community building through the commemoration of history 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 LATEASHA STAPLETON, CYNTHIA RYAN AND DAWN BROWN-BERENSON to the Town of Lewisboro, does hereby offer the thanks of its populace to LATEASHA STAPLETON, CYNTHIA RYAN AND DAWN BROWN-BERENSON for their dedication to service for our residents, and

BE IT FURTHER RESOLVED that this resolution be spread upon the minutes of this July 12, 2021, Town Board Meeting for future generations to see and that a copy be presented to LATEASHA STAPLETON, CYNTHIA RYAN, DAWN BROWN-BERENSON, and DEPUTY COUNTY EXECUTIVE KENNETH JENKINS.

LGBTQIA+ TASK FORCE – Proclamation

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

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

RESOLUTION

WHEREAS RACHEL SIMON enthusiastically volunteered to chair a Task Force created to organize 'Lewisboro Celebrates Pride' Month activities for the month of June, which served as the catalyst for the Town Board to pass a resolution declaring June LGBTQIA+ Pride Month going forward in the Town of Lewisboro, and

WHEREAS JEREMY ZITOMER, TANIA HENDERSON, JULES ZUCKERBERG, JENNIFER BAYLEY, ELENA DUNN, JIMIN HAN, CHARLOTTE HONESS, JILL MANGO, SARAH

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MENICHELLI, MEG SLAVIN, ANGIE TIRADO, NEETU VENKATRAMAN, and ABBE WICHAM stepped up to serve as Task Force members launching community initiatives such as 'Lewisboro Celebrates Pride' lawn signs, and

WHEREAS a message was broadcast to the youth of our Town that there is community alongside you regardless of your gender or sexuality through the display of the Progress Pride flag at the Cross River Shopping Center, at the Lewisboro Town House, and other municipal buildings. The flags colors symbolizing LGBTQIA+ Pride with a chevron of white, pink, and blue from the trans pride flag as well as brown and black stripes to center the committee's commitment to queer and trans communities of color, and

WHEREAS Lewisboro Celebrates Pride showed a commitment to educating community allies and centering the voices of QTPOC youth with an allyship event open to all in the community as well as a celebration of queer culture with events at Lewisboro Celebrates Pride including Drag Queen Story Hour, a Pet Pride Parade, the Queer-Larious Comedy Show, and tabling from over 20 community organizations, and

WHEREAS HARRY HEFTLER led KLSD'S Chapter of SAGA to organize a weeklong program of student-led activities centering the voices and priorities of queer and trans youth, 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 THE LEWISBORO PRIDE TASK FORCE, chaired by RACHEL SIMON to the Town of Lewisboro, does hereby offer the thanks of its populace to them for their dedication to service for our residents, and

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

OAKRIDGE WATER - Update (9:39 – 9:53 p.m.)

Mr. Gonçalves gave the following update:

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PFAS:

- 1Q21 was the first time we had to test for a class of chemicals called Perflouroalkyl and Polyfouroalkyl (PFAS for short), requirement is to test specifically for PFOS, PFOA and 1,4 Dioxane quarterly since
- Because NYS lowered the max contamination level to 10ppt from 70ppt (for comparison EPA and next door in CT the MCL = 70ppt)
- With initial test, values were shown to be above 10ppt in one of the wells
- The Entry Point value (water being distributed) was measured to be lower than 10ppt during both Q1 and Q2 testing
- Corrective action plan was provided to NYS DOH (and County DOH) end of May
 - Granular Activate Carbon (aka GAC) filtration is the solution and requires expansion of plant to house the GAC vessels
 - Cost of project is \$1.6M to \$2M, we will take opportunity to do some additional upgrades with Pump system including having emergency backup pumps
 - Federal earmarks in the form of a State & Tribal Assistance Grant was applied for and accepted for \$1.8M (Congressman Maloney)
 - In May we also applied for funding via the US Senate's Energy and Water Development Appropriations bill (Senator Schumer)
 - NYS Environment Facilities Corp funding is expected to open up in the fall for the Water Improvement Infrastructure Act (WIIA) Grant, we will apply for this as well.

Lead:

- Sources of lead include plumbing solder and plumbing fixtures.
- Lead used to be tested annually. Because of the consistent lower levels, the County Dept. of Health requires sampling every 3 years commencing with this year.
- DOH specifies the sampling sites.
- Test samples collected and sent to lab in late June.
- 3 of 11 results have been returned

Sample location	Copper	Lead
185 Laurel Ridge	298	1.53
167 Laurel Ridge	82.7	1.99
175 Laurel Ridge	321	< 1.0

Lead limit is 15 ug/L

Copper limit is 1300 ug/L

Hardness:

- Leaving the plant, the hardness level has been sampled at 126 mg/L which is considered moderately hard

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PUBLIC COMMENT PERIOD I (9:54 – 10:00 p.m.)

Four residents spoke during the public comment period.

RACISM

A resident thanked everyone that worked on both the Pride and Juneteenth Committees. She also stated that after living here for 19 years and going through the school system, that racism does exist in Lewisboro.

OAKRIDGE WATER

Three residents thanked the Board for all that they do and also thanked them for the Oakridge Water Report.

CONSENT AGENDA

MINUTES & REPORTS - Approved

On motion by Mr. Welsh, seconded by Supervisor Parsons, the minutes of the June 28, 2021 Town Board meeting were approved and the June, 2021 monthly reports for the Building & the Police Departments were received and filed. Supervisor Parsons commended the Building Department on generating \$172,000 in revenue.

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

PARKS & RECREATION – Accept Bid for Fox Valley Driveway Paving

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

RESOLVED, that the Town Board does accept the bid from Intercounty Paving Co., Inc. at a cost not to exceed \$49,500, subject to bonds and insurance in a form acceptable to the Town Board.

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OAKRIDGE WASTEWATER – Emergency Repair

On motion by Mr. Gonçalves, seconded by Supervisor Parsons, 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 emergency repair/installation of the pump control system for Oakridge Wastewater by Anderson Bros. Electrical, Inc., with a cost not to exceed \$32,500.

PUBLIC COMMENT PERIOD II

There were no comments.

CLAIMS – Authorized for Payment

On motion by Supervisor Parsons, seconded by Ms. Crimmins, the Board voted 5-0 to authorize payment of the Town's bills in the amount of \$291,057.13.

MEETING – Date Set

An upcoming meeting of the Town Board will include a meeting on Monday, July 26, 2021, at 7:30 p.m. at the Lewisboro Library, 15 Main Street, South Salem, New York.

POLLING OF BOARD AND ANNOUNCEMENTS

PARKS & RECREATION – Pool Party

Mr. Gonçalves stated that the Parks & Recreation department put together at the last minute, a July 4th event at the Town Park (held on Monday, July 5th). Mr. Gonçalves stated it was a great event and very well attended and he thanked the Department for a job well done.

LEWISBORO PLAYGROUND PROJECT COMMITTEE – Fundraiser

Supervisor Parsons congratulated the Lewisboro Playground Project Committee on a successful fundraiser.

LEWISBORO LANDTRUST – Native American Event

Supervisor Parsons thanked Town Historian Maureen Koehl, the Lewisboro Landtrust and Evan Pritchard for putting together an interesting Native American event at the Old Field Preserve.

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EXECUTIVE SESSION – To Discuss Legal Issues

On motion by Supervisor Parsons, seconded by Ms. Crimmins, the Board voted 5-0 to go into executive session at 10:14 p.m. to discuss legal issues.

On motion by Supervisor Parsons, seconded by Mr. Gonçalves, the Board voted 5-0 to come out of executive session at 10:55 p.m.

ADJOURNMENT

On motion by Supervisor Parsons, seconded by Mr. Sklarin, the Board voted 5-0 to adjourn at 10:56 p.m.

Janet L. Donohue
Town Clerk