

## MINUTES OF TOWN BOARD MEETING HELD ON OCTOBER 12, 2021

A work session meeting of the Town Board of the Town of Lewisboro, Westchester County, New York, was held on October 12, 2021, at 7:30 p.m. at the at the Lewisboro Justice Courtroom, 79 Bouton Road, 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, Maintenance Assistant Shawn Johannessen, Police Chief David Alfano, and Confidential Secretary/Benefits Coordinator Mary Hafter.

Approximately 9 residents/observers attended the live meeting and approximately 30 participated via Zoom.

Supervisor Parsons called the meeting to order at 7:33 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

Supervisor Parsons stated the following:

*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.*
- 4. Please do not go on Zoom while you are in this room as it destroys our capabilities of recording the meeting.*
- 5. Please no yielding of your time to anyone else.*

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### BUDGET

Supervisor Parsons explained that the salaries are blacked out in the budget presentation due to negotiations with the unions and these salaries will be discussed in Executive Session.

### COVID 19 UPDATE

Supervisor Parsons stated that the number of Covid cases in Lewisboro is 19, North Salem has 2, Pound Ridge has 4, Bedford has 24 and Somers has 36. Vaccination rates are as follows for Lewisboro: 77% in South Salem, 99% in Cross River, 87% in Goldens Bridge, and 94% in Waccabuc.

### CONSENT AGENDA

### MINUTES & REPORTS - Approved

On motion by Supervisor Parsons, seconded by Mr. Sklarin the minutes of the September 13, 2021 Town Board meeting were approved and the September, 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)

### VETERAN'S COMMITTEE – Update (7:38 – 7:40 p.m.)

John Lemke, Chair of the Veteran's Committee, stated that for Veterans Day, they are planning on having a breakfast for the Veterans at the South Salem Firehouse. They would then like to have a ceremony at the newly erected flagpole at the Town House. Also, the Scouts would like to again hand out the cookie bags to drivers at the front of the Town House circle before the ceremony takes place.

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 approves the Veteran's Committee and Scouts to hand out Veteran's cookie/goodie bags to the delivery drivers in front of the Town House, to have a Veteran's Day ceremony on the front lawn and to have the Lions Club cook on the grill in the parking lot of the Town House on Veterans Day, 11/11/21.

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OAKRIDGE WATER DISTRICT – Upgrade Project

Mr. Gonçalves stated that the town had received confirmation that the Water Infrastructure Improvement Act (WIIA) Grant had opened up for application. As part of the application process, the town needs to identify the source of funds for the project. The bond resolution is required to show that the town plans on funding via a bond issue.

OAKRIDGE WATER DISTRICT - Public Interest Order

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

-----	:	
In the Matter	:	
of	:	
the Increase and Improvement of the	:	PUBLIC INTEREST ORDER
Facilities of the Oakridge Water District	:	
in the Town of Lewisboro, Westchester	:	
County, New York	:	
-----	:	

WHEREAS, the Town Board of the Town of Lewisboro, Westchester County, New York, has had under consideration the increase and improvement of the facilities of the Oakridge Water District in said Town, consisting of the design and construction of an expansion to the water treatment plant to remove certain chemicals generally known as PFAS, including improvements to the booster pumps, treatment chemicals, valves, meters, and other appurtenances, and related and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$1,939,500; and

WHEREAS, the Town Board of said Town has duly caused to be prepared a map, plan and report, including an estimate of cost relating to said increase and improvement of facilities of the

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Oakridge Water District; pursuant to an engineering report dated May 2021 prepared by Delaware Engineering, P.C., professional engineers; and

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

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

WHEREAS, at a meeting of said Town Board duly called and held on July 26, 2021, an order was duly adopted by it and entered in the minutes specifying the said Town Board would meet to consider the increase and improvement of the Oakridge Water District in said Town at a maximum estimated cost of \$1,939,500 and to hear all persons interested in the subject thereof concerning the same at the Lewisboro Library, in South Salem, New York, in said Town, on August 9, 2021, at 7:30 o'clock P.M., Prevailing Time; and

WHEREAS, said order duly certified by the Town Clerk was duly published and posted as required by law, to-wit: a duly certified copy thereof was published in a newspaper of general circulation in this Town, on July 30, 2021, and a copy of such order was posted on July 27, 2021, on the signboard maintained by the Town Clerk of the Town of Lewisboro, pursuant to Section 30, subdivision 6 of the Town Law; and

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

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

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest for the increase and improvement of the facilities of the Oakridge Water District in said Town, consisting of the design and construction of an expansion to the water treatment plant to remove certain chemicals generally known as PFAS, including improvements to the booster pumps, treatment chemicals, valves, meters, and other appurtenances, and related and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$1,939,500.

Section 2. This order shall take effect immediately.

OAKRIDGE WATER DISTRICT – Issuance of Bonds

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

LEGAL NOTICE OF ESTOPPEL

NOTICE IS HEREBY GIVEN that the resolution, a summary of which is published herewith, has been adopted by the Town Board of the Town of Lewisboro, Westchester County, New York, on October 12, 2021, and the validity of the obligation authorized by such resolution may be hereafter contested only if such obligation was authorized for an object or purpose for which said Town is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligation was authorized in violation of the provisions of the Constitution.

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A summary of the aforesaid resolution is set forth below. The resolution provides as follows: that the faith and credit of the Town of Lewisboro, Westchester County, New York (the "Town"), are irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable; that an annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligation becoming due and payable in such year; that the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds authorized by such resolution including renewals of such notes, is delegated to the Town Supervisor; that all other matters, except as provided in such resolution relating to the bonds authorized, including the date, denominations, maturities and interest payment dates, within the limitations prescribed in such resolution and the manner of the execution of the same and also including the consolidation with other issues, and the authority to issue such obligation on the basis of substantially level or declining annual debt service, is delegated to and shall be determined by the Town Supervisor; and that this LEGAL NOTICE shall be published.

The summary of the bond resolution follows:

BOND RESOLUTION DATED October 12, 2021.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$1,939,500 BONDS OF THE TOWN OF LEWISBORO, WESTCHESTER COUNTY, NEW YORK, TO PAY COSTS OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE OAKRIDGE WATER DISTRICT IN AND FOR SAID TOWN.

The period of probable usefulness of the aforesaid class of objects or purposes is forty years pursuant to subdivision one of paragraph a of Section 11.00 of the Local Finance Law.

THE FULL TEXT OF THIS BOND RESOLUTION IS AVAILABLE FOR PUBLIC INSPECTION AT THE OFFICE OF THE TOWN CLERK LOCATED AT 11 MAIN STREET, SOUTH SALEM, NEW YORK, DURING NORMAL BUSINESS HOURS.

UNITED PUBLIC SERVICE EMPLOYEES' UNION (UPSEU) – Maintenance & Parks Employees

Supervisor Parsons stated that currently the UPSEU represents the Highway Department Union and the Municipal Workers Union. The maintenance department opted out, however they have now changed their minds and would like to have UPSEU as their bargaining representative.

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)

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### RESOLUTION

RESOLVED, that the Town Board does recognize the United Public Service Employees Union (UPSEU) as the exclusive bargaining representative for all of the Town of Lewisboro Maintenance and Parks Department employees.

### SENIORS HALL OF FAME - Supervisor Peter Parsons

Parks & Recreation Superintendent Dana Mayclim informed the group that Peter Parsons was awarded the Westchester County Senior Citizen 2021 Hall of Fame. A ceremony will take place in the near future.

### BUDGET – Parks & Recreation (7:48 – 8:18 p.m.)

Parks & Recreation Superintendent Dana Mayclim discussed her budget with the Town Board. Ms. Mayclim stated that the current 2021 budget was exactly half of her 2019 budget both in expenses and with revenues, so right from the beginning there will be a huge jump because of the Covid year they anticipated.

### 2022 REVENUE

FEES – Ms. Mayclim is confident that they can reach the \$1,000,000 mark in 2022 for Parks and Recreation and possibly increase this amount if they have all the staff in place that they need.

FIREWORKS SPONSORSHIPS – Ms. Mayclim is not as confident about getting back to the \$20K amount since next year is not an election year. Ms. Mayclim is not sure how businesses will feel about donating after Covid and stated she is more confident to get to \$15K.

2022 EXPENSES – Ms. Mayclim stated they need to replace the recreation assistant line that is open. She stated that she would like to hire someone who has experience in the Recreation Field and who could do her job while she is on vacation, etc. The plan is for this employee to take the civil service test next year and request a promotion for a Recreation Leader upon successfully passing the test. Also, within the next three years there will be two employees who are close to retirement.

BROCHURES – Ms. Mayclim is requesting this line to go up by \$2,000.

PARKS LINE – Ms. Mayclim stated that the Parks Maintenance Worker line now has 2 entry level Park Groundskeepers and a part-time Parks Foreman. The Parks Foreman is training them in hopes that one of them could step up into the Foreman position in about 2 - 4 years.

EQUIPMENT – Ms. Mayclim is asking for a new ride-on lawn mower to speed up efficiency at the Town Park. They currently use a tractor or a walk behind. Ms. Mayclim stated that the cost of the battery powered mower is more expensive and will require back up batteries.

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TREE LINES – Ms. Mayclim stated that there are a lot of dead ash trees and other trees around the parks and not enough money to maintain them.

### CAMP LINES

COUNSELORS – Ms. Mayclim stated that this line went up by \$110,000 as they hope they will not need to limit the 2022 season as they had to in 2020 and 2021. They will need more staff (offset by registration fees) and they will also need to raise the starting salary for counselors when next year's minimum wage will be \$15 an hour. They also anticipate Teen Treks returning in 2022 as well.

POOL LINES - Again there will be jumps in every salary line to stay competitive. This summer there was a staff shortage with lifeguards across the country. Ms. Mayclim stated that right now they are starting at \$11 an hour however they would like to get closer to \$14 an hour which will also get them closer to minimum wage.

Pool equipment will increase by \$16,500 as they need new chemical controls for chlorine and a new pool vacuum.

The Special Events Line at the Pool is an add on. Ms. Mayclim would like \$2000 to fund Family Fun Days at the Pool which brings in more gate totals. The new 4th of July concert was a big success and Ms. Mayclim would like to continue that in 2022.

### YOUTH LINES

Ms. Mayclim stated that again they are adding to the salary lines to get more in line with minimum wage for their chaperones, gym supervisors, instructors, scorekeepers, etc. The Lewisboro Recreation Gym cleaner will now be in this line.

Youth Winter, Spring, Summer – Ms. Mayclim would like to repaint the basketball courts at Town Park in 2022 since it has been more than 7 years.

### LES GYM RENT AND MAINTENANCE

Ms. Mayclim stated that \$24K is for the yearly rent, \$1,500 is for cleaning supplies and toilet paper, paper towels, soap, hand sanitizer, etc., \$1,000 for miscellaneous repairs, and then \$10,000 is added since the contract with the school also includes the town to cover mowing and snow plowing for a total of \$36,500.

### TRANSPORTATION LINES

Ms. Mayclim sees the Day Camp Bus Driver's shortage continuing in the summer. In 2020 no bus drivers were hired and in 2021 they only hired 2 to take campers to and from the pool. However, in 2022, Ms. Mayclim hopes to have the full complement of about 10 drivers back but they need to be competitive with wages.



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The Board thanked Ms. Mayclim.

### BUDGET – Library (8:19 – 8:36 p.m.)

Lewisboro Library Director Cindy Rubino discussed her preliminary budget with the Town Board, which has not been approved by the library's board of trustees. Ms. Rubino stated that the Town of Lewisboro spends less per capita than any other town, city or village on our library; \$33.94.

The library is requesting a 2.8% increase in town contributions, which equates to \$12,400. Ms. Rubino is requesting \$5,400 to cover the wage and payroll tax increase for the hourly clerk employees. Also, the Westchester Library System IT support fee will increase by \$7,000 or 17.05%. Part of the increase is to cover the cost to replace the obsolete wifi equipment, to increase the wifi coverage inside and outside the building by adding two more wireless access points and to increase the wifi speed.

Ms. Rubino said that with Covid, the library saw a 60% rise in digital books.

Ms. Rubino stated that the library's proposed 2022 budget shows a deficit of \$60,000 and she plans to hold fundraisers to make up the difference.

Ms. Rubino stated that the library fair was successful, and the weather was beautiful that day. Final figures have not been calculated yet but the profit for this year was approximately \$35,000 as opposed to \$47,000 in 2019. This is in part due to the tent prices increasing and the fact that there was no toy sale this year.

Hours at the library will also be reduced this year.

The Board thanked Ms. Rubino for her presentation.

### BUDGET 2022 – Discussion (8:37 – 9:57 p.m.)

Comptroller, Leo Masterson discussed the 2022 budget with the Board and stated that it is still in the early stages and was based on department heads initial requests. Mr. Masterson stated that the board can make adjustments this evening and he would plug in those adjustments to the spreadsheet.

Mr. Masterson stated that the general and highway funds in the 2022 requested budget showed an increase of \$962,611 or 13.44% over the 2021 budget. He stated that if the town was to stay under the tax cap, the increase to the budget would be \$171,000, so at this point they are way over the cap. With the changes that the Board made to the initial budget by increasing some revenue line and decreasing expense lines, the projected total was over the tax cap by \$64,263 and a tax increase of 3.123%.

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Supervisor Parsons stated that even though he does not want to break the tax cap, he feels that there should be a public hearing for a proposed override of the state tax cap legislation.

Mr. Masterson did state that 2020 was a difficult year, however, the town's reserves were the highest that they have been in 10 years. This is due in part to departmental cost controls, sales tax, mortgage tax, building fees and the sale of the Goldens Bridge Community house. Mr. Masterson continued by stating that the building department's revenue as of September of 2021 was \$766,000 compared to 2020 which was \$748,000. Mortgage tax is already at \$638,000 with one payment to the town remaining as opposed to \$732,000 total in 2020 and \$500,000 in 2019. Mr. Masterson believes that the reserve balance will be higher at the end of 2021 due to favorable trends in sales and mortgage tax continuing.

Mr. Masterson also stated that previously, the Board had discussed using the money from the sale of the Goldens Bridge Community House towards the costs incurred with the comprehensive plan. However, he stated that he added \$160,000 in the budget for the consultant cost in case the board did not want to pay it from the reserve monies. After some discussion, the Board agreed to remove the \$160,000.

The tentative budget will need to be submitted to the Town Clerk by the Supervisor by October 30<sup>th</sup>. The Town Clerk then gives this budget to the Town Board by November 10<sup>th</sup>. Once discussed, the tentative budget becomes the preliminary budget. Final adoption of the 2022 Budget needs to take place by December 20<sup>th</sup>. Mr. Masterson stated that if the board is unable to agree on an adopted budget by 12/20, the preliminary budget would remain in force.

The Board thanked Mr. Masterson for his presentation.

### TAX CAP LEGISLATION – Set Date for Public Hearing

The Board suggested that they set a public hearing for the tax cap override. They stated that this does not mean that they will break the tax cap, but they wanted to set the public hearing.

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)

### NOTICE OF HEARING

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Lewisboro will hold a public hearing on Monday, November 8, 2021, at 7:30 p.m., or soon thereafter as time permits, at the Lewisboro Library, 15 Main Street, South Salem, New York, 10590, for the purpose of hearing the public with regard to a proposed override of the state tax cap legislation.

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At said hearing all interested persons are invited to attend and will be heard. The Town of Lewisboro is committed to equal access for all. Anyone needing accommodations to attend or participate in this meeting is encouraged to call the Town Clerk's office at 914-763-3511 in advance.

### PUBLIC COMMENT PERIOD

There was a total of six residents who spoke during the public comment period.

### SALT DOME AREA

Carol Cernak read the following that she sent in an email to the Town Board: *"Is there a detailed explanation as to what the \$55,000 covers as requested by Peter at the Highway Department? Does it cover remediation of what has been left behind by HH&P and their commercial portable timber operation from timber outside of the municipality. I don't think it does as this is what concerns me. How can you move forward with a 2022 budget without knowing the scope of work that already exists unless this issue is being ignored? Let us look at the past 5 year ledger books for outside of town vendors. Let us also look at the recently awarded RFP for tree removal. To be specific, the scope of work is approximately \$60,000 yet to remove all timber, brush and mulch is less than 10% of the scope. How can you keep saying that HH&P has provided a free service? Nothing is for free and as a commercial business they would not be involved in the South Salem plant if it wasn't profitable to their bottom line. I look forward to hearing from someone on this TB as I continue to believe this in an extraordinary impact to our environment and potential liability to our town".*

### PLAYGROUND FUNDRAISER

Mr. Gonçalves read a statement from a resident inviting all to the Car Show and the Octoberfest fundraisers being held on Saturday, October 16<sup>th</sup> at the Town Park benefitting the new playground at the Town Park.

### PLANNING BOARD & BUILDING DEPARTMENT FEES

A resident feels that the planning board consulting fees and building department fees are outrageous. He feels that there should be more dialogue with the businesses in town as opposed to stifling them. They should embrace the future.

### OAKRIDGE WATER

A few residents complained about the pink water at Oakridge. They also questioned why they were just receiving a violation notice from testing that was done in May of this year. Mr. Gonçalves stated during the polling of the board that the Westchester County Department of Health has to review the report before it can be sent out.

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### BUDGET

A resident stated that she supports the budget proposals by the department heads and questioned why the town pays rent to KLSD for Lewisboro Elementary School but then has to pay for lawn cutting and snow removal.

### MASK MANDATE

A few residents questioned why the town still has a mask mandate.

### CLAIMS – Authorized for Payment

On motion by Supervisor Parsons, seconded by Mr. Gonçalves, the Board voted 5-0 to authorize payment of the Town's bills in the amount of \$453,182.13.

### MEETING – Date Set

An upcoming meeting of the Town Board will include a meeting on Monday, October 25, 2021, at 7:30 p.m. at the Lewisboro Library, 15 Main Street, South Salem, New York.

### POLLING OF BOARD AND ANNOUNCEMENTS

### CONDOLENCES

Ms. Crimmins offered condolences to the Kaplan family on the loss of their child, Emily Rose. Emily's mother Meg Kaplan has served on the Parks and Recreation Advisory Council for many years.

### EVENTS

Ms. Crimmins stated that there were several successful events around town including the Tea Party hosted by the Garden Club at Onatru Farm, a program about ferns at Old Field Preserve and a Rocktober Fest held at Oakridge shopping center.

### FIRE SAFETY MONTH

Ms. Crimmins stated that this is Fire Safety month. She thanked the local fire departments for holding their open houses.

### MASK MANDATE

Mr. Sklarin feels that the mask mandate worked since our numbers have decreased. He feels that the mandate should be ended by the end of the month.

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SUSTAINABILITY

Mr. Welsh stated that 7 people have shown an interest in joining the Sustainability Committee.

EXECUTIVE SESSION – To Discuss Personnel Issues

On motion by Supervisor Parsons, seconded by Mr. Welsh, the Board voted 5-0 to go into executive session at 10:25 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 11:45 p.m.

ADJOURNMENT

On motion by Supervisor Parsons, seconded by Mr. Sklarin, the Board voted 5-0 to adjourn at 11:46 p.m.

Janet L. Donohue  
Town Clerk