

A Town Board meeting of the Town Board of the Town of Lewisboro, Westchester County, New York, was held on June 13, 2022, at 7:30 p.m. at the Town House, 11 Main Street, South Salem, New York.

**PRESENT:**

Supervisor	Tony Gonçalves
Council Members	Andrea Rendo, Mary Shah, Richard Sklarin and Daniel Welsh
Town Clerk	Janet L. Donohue
Absent	None

Also attending was the Attorney for the Town Gregory Folchetti, Deputy Supervisor/Comptroller Leo Masterson, Facilities Maintenance Director Joel Smith, Maintenance Assistant Shawn Johannessen, and Confidential Secretary/Benefits Coordinator Mary Hafter.

Approximately 8 residents/observers attended the live meeting and approximately 26 participated via Zoom.

Supervisor Gonçalves called the meeting to order at 7:31 p.m.

**EMERGENCY PROCEDURE**

Supervisor Gonçalves 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.

**PUBLIC HEARING** – Proposed Amendment to Building Code NYStretch (7:44 – 8:44 p.m.)  
(Zoom was having a sound issue which took approximately 10 minutes to fix)

Supervisor Gonçalves called the public hearing to order for a proposed local law of the Town Code of the Town of Lewisboro with regard to the proposed Local Law to amend Chapter 92 of the Lewisboro Town Code entitled “Building Code Administration” and modifying the Energy Conservation Construction Code of New York State (ECCCNYS) and the American Society of Heating, Refrigerating and Air Conditioning Engineers (ASHRAE) Code Standard 90 according to the NYStretch Energy Code –2020 as developed by New York State Energy Research Development Authority. There was no objection to the time or form of the public notice (attached).

On motion by Supervisor Gonçalves, seconded by Councilman Sklarin, the Board voted as follows:

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

**RESOLUTION**

RESOLVED, that the public hearing regarding an amendment to the NYStretch Energy Building Code, of the Town of Lewisboro, is now open.

Robert Fischman, Chair of the Sustainability Committee recapped what was discussed at a previous meeting regarding the proposed energy code. The stretch code expands the state's current building code and this applies to buildings undergoing major renovations, additions or new construction at a 10-12% higher rate than the current energy code.

Mr. Fischman stated that several towns including Bedford, North Salem, New Castle, Ossining, Cortlandt, Dobbs Ferry, Somers have adopted the NYStretch code.

If adopted by the end of June, the town would obtain a \$5,000 grant and 1200 points that go towards grants in the Clean Energy Community Program. NY State will adopt this code in a few years, but Mr. Fischman feels it is a good idea to get a step ahead.

Supervisor Gonçalves asked for comments from the residents. A total of six residents spoke out against the adoption of the NYStretch Building Code, 5 via Zoom and one via an email that was read:

*Dear Supervisor Gonclaves & Esteemed Board Members,*

*I am writing to you in opposition of the possibility of initiating a more stringent version of the current NYStretch Energy Code, which currently applies to commercial properties.*

*At the previous board meeting, at approximately the 32:00 minute mark, there was considerable conversation about the day/night NYSERDA energy program, which has caused much distress among many of our neighbors and friends. The conversation lasted approximately 10 minutes, including discussing various ESCOS. As you are aware, the ESCOS is relatively easy for one to figure out with a quick trip to the library and internet use; or a call to your energy provider.*

*It is laborious, if not impossible, to understand the NYStretch Energy Code 2020 -consuming 72 pages of information from monitoring energy consumption to requiring specific amounts of horsepower for electric motors. As presented to the Town Board, we also have rebates available in the amount of \$2,500-\$50,000. My perception of the presentation was that it was disingenuous, as this current rebate plan is for a building not less than 25,000 square feet. In addition, there is no clear path to the rebates and if they will extend to private homes. My point is that if residents are having trouble with the day/night program, how can one expect them to accept a 72-page document of additional rules and regulations? Current building codes are stringent enough - ask anyone who has applied for a building permit or ask one of our former building inspectors.*

*As noted in the previous board meeting, there was a discussion of costs. The board voted to refrain from buying new trucks because of the exorbitant prices. I am not sure if you are aware of the cost of home building materials. For instance, 2x4 lumber went from a price of \$3.76 per piece to over \$7.00 per piece, and plywood, the staple of all home building, went from \$26.00 to around \$70.00 per sheet, not to mention all of the other needed materials in a building project.*

*We are fortunate to live in such a wonderful town, and the new people who have moved here prove that. Do we need to hit them with this type of welcome gift - more costly renovation costs requiring an engineer to decipher the NYSmart rules?*

*Sincerely, Tom Fischetti*

On motion by Supervisor Gonçalves, seconded by Councilman Welsh, the Board voted as follows:

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

#### RESOLUTION

RESOLVED, that the public hearing regarding an amendment to the Town Code of the Town of Lewisboro's Building Code NYStretch, is now closed.

The Board discussed their thoughts on the proposed local law. Councilman Sklarin stated that since NY State would be adopting this code within the next few years, he did not feel it was necessary to adopt this local law now, especially with the high inflation costs. Councilwoman Rendo agreed and feels that it would overwhelm the Building Department. She also stated that there is a possibility that the politicians in Albany could change and there would be a possibility of Albany not changing the Building Code and the towns that have passed this already would be stuck. Councilman Welsh feels that this is not a huge burden and considering the current energy crisis, enacting this code now is a small and noninvasive way to address it. Supervisor Gonçalves stated that he has spoken to other Supervisors, and they passed the local law before the energy concerns happened. The feedback was generally favorable. Supervisor Gonçalves feels that a marketing campaign could be put together but should be left up to the homeowner if they want to go the extra mile. Councilwoman Shah stated that the rate of inflation is the highest that it has been in over 40 years and we need to be cognizant of that. She feels we have a lot of work to do on educating residents. She feels that at this point it is not worth the \$5,000 in grant money or the 1200 points and feels we should hold off on it and wait for the state to pass this.

On motion by Councilman Welsh, seconded by Supervisor Gonçalves, the Board voted as follows:

THE VOTE:	Yes	- Welsh	(1)
	No	- Gonçalves, Rendo, Shah, Sklarin	(4)
	Absent	- None	(0)

#### RESOLUTION

RESOLVED, that an amendment to consider Chapter 92, NYStretch Energy Code amendment as a Type II action as published and noticed did not pass and motion did not carry.

PUBLIC HEARING – Proposed Amendment to Chapter 199 Taxation for Veterans (8:45 – 8:46 p.m.)

Supervisor Gonçalves called the public hearing to order for a proposed local law of the Town Code of the Town of Lewisboro with regard to the proposed Local Law to amend Chapter 199 of the current Code of the Town of Lewisboro entitled “Taxation”, specifically Article III “Alternative Veterans Exemption” and Subsection 199-10(A) thereof entitled “Increase in Exemption” is hereby amended to read as follows: A. Increase in Exemption. In accordance with the authorization of Subparagraph (ii) of Paragraph (d) of Subdivision 2 of § 458-a of the Real Property Tax Law, the maximum allowable exemption of Paragraphs (a), (b) and (c) of Subdivision 2 of § 458-a of such law is hereby increased to \$75,000, \$50,000 and \$250,000 respectively. There was no objection to the time or form of the public notice (attached).

Supervisor Gonçalves stated that as part of the real property tax law, the town can opt to modify the veterans tax exemption. The town currently has 274 veterans that have applied for the exemption and there are three different categories of veterans: war veterans, combat veterans and disabled veterans.

On motion by Supervisor Gonçalves, seconded by Councilman Sklarin, the Board voted as follows:

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

RESOLUTION

RESOLVED, that the public hearing regarding an amendment to the Town Code of the Town of Lewisboro, Chapter 199 Taxation for Veterans Exemption, is now open.

Supervisor Gonçalves asked for comments from the residents. There were no comments.

On motion by Supervisor Gonçalves, seconded by Councilman Sklarin, the Board voted as follows:

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

RESOLUTION

RESOLVED, that the public hearing regarding an amendment to the Town Code of the Town of Lewisboro, Chapter 199 Taxation for Veterans Exemption, is now closed.

TOWN CODE – Chapter 199 Taxation

On motion by Councilman Sklarin, seconded by Councilwoman Shah, the Board voted as follows:

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

RESOLUTION

RESOLVED, that an amendment to consider Chapter 199 Taxation for Veterans Exemption, as published and noticed, has been determined as a Type II action and is adopted as follows:

LOCAL LAW #2 OF THE YEAR 2022

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: AMENDMENT OF CHAPTER 199

Chapter 212 of the current Code of the Town of Lewisboro entitled “Taxation”, specifically Article III “Alternative Veterans Exemption” and Subsection 199-10(A) thereof entitled “Increase in Exemption” is hereby amended to read as follows:

A. Increase in Exemption.

In accordance with the authorization of Subparagraph (ii) of Paragraph (d) of Subdivision 2 of § 458-a of the Real Property Tax Law, the maximum allowable exemption of Paragraphs (a), (b) and (c) of Subdivision 2 of § 458-a of such law is hereby increased to \$75,000, \$50,000 and \$250,000 respectively

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 immediately upon filing in the office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

PUBLIC HEARING – Proposed Amendment to Chapter 212 Vehicles & Traffic Collector Roads (8:46 – 8:48p.m.)

Supervisor Gonçalves called the public hearing to order for a proposed local law of the Town Code of the Town of Lewisboro with regard to the proposed Local Law to amend Chapter 212, of the Town Code of the Town of Lewisboro entitled “Vehicles & Traffic” specifically Subsection 212-22 entitled “Schedule I: Speed Limits” is hereby amended to read as follows:

NAME OF STREET	SPEED LIMIT (MPH)	LOCATION
BOUTON ROAD	25	ENTIRE LENGTH
MAIN STREET	25	FROM THE INTERSECTION WITH BOUTON ROAD TO THE BORDER WITH THE STATE OF CONNECTICUT
OSCALETA ROAD	25	ENTIRE LENGTH
SPRING HILL LANE	25	ENTIRE LENGTH
WEST LANE	25	FROM THE INTERSECTION WITH SPRING HILL ROAD TO THE BORDER WITH THE STATE OF CONNECTICUT

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

On motion by Supervisor Gonçalves, seconded by Councilman Sklarin, the Board voted as follows:

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

RESOLUTION

RESOLVED, that the public hearing regarding an amendment to the Town Code of the Town of Lewisboro, Chapter 212, Vehicles & Traffic Collector Roads, is now open.

Supervisor Gonçalves asked for comments from the residents. There were no comments.

On motion by Supervisor Gonçalves, seconded by Councilwoman Shah, the Board voted as follows:

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

### RESOLUTION

RESOLVED, that the public hearing regarding an amendment to the Town Code of the Town of Lewisboro, Chapter 212, Vehicles & Traffic Collector Roads, is now closed.

### TOWN CODE – Chapter 212, Vehicles & Traffic Collector Roads

On motion by Supervisor Gonçalves, seconded by Councilwoman Shah, the Board voted as follows:

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

### RESOLUTION

RESOLVED, that an amendment to consider Chapter 212, Vehicles & Traffic, Subsection 212-22 entitled “Schedule I: Speed Limits” Collector Roads, as published and noticed, has been determined as a Type II action and is adopted as follows:

### LOCAL LAW # 3 OF THE YEAR 2022

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: AMENDMENT OF CHAPTER 212

Chapter 212 of the current Code of the Town of Lewisboro entitled “Vehicles & Traffic”, specifically Subsection 212-22 entitled “Schedule I: Speed Limits” is hereby amended to read as follows:

NAME OF STREET	SPEED LIMIT (MPH)	LOCATION
BOUTON ROAD	25	ENTIRE LENGTH
MAIN STREET	25	FROM THE INTERSECTION WITH BOUTON ROAD TO THE BORDER WITH THE STATE OF CONNECTICUT
OSCALETA ROAD	25	ENTIRE LENGTH
SPRING HILL LANE	25	ENTIRE LENGTH

WEST LANE

25

FROM THE INTERSECTION  
WITH SPRING HILL ROAD TO  
THE BORDER WITH THE  
STATE OF CONNECTICUTSECTION 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.

PUBLIC COMMENT PERIOD I

A total of four residents spoke during the public comment period.

HIGHWAY – Todd Road Dirt Portion

A 22-year resident of a home that was built in 1790, which is very close to the road on the dirt portion of Todd Road, requested to have his portion of the road paved. He stated that the highway department used to spray a dust retardant however they have not been doing that for some years now. He can't open the windows as all the dust from the cars going by comes into his house.

HIGHWAY – Ridgefield Avenue

A new resident who moved onto Ridgefield Avenue stated that the traffic on this road is terrible as it is used as a cut through by many. She would like to see speed humps installed which are different from speed bumps as the humps are removable. She also suggested signs stating to slow down, along with no commercial traffic and stating no through traffic from 4 – 7 p.m. as opposed to 5 – 8 p.m.

SYMPATHY – Supervisor

A resident offered her condolences to the Town Supervisor on the recent loss of his father.

PRIDE MONTH

A resident wished all a happy Pride month.



SALT DOME – Hickory Homes

A resident suggested that Hickory Homes pay to remove the 80% of the large timbers be removed by Hickory Homes and not expect the taxpayers to pay this bill.

COMMUNICATIONS

COMPREHENSIVE MASTER PLAN – Update (9:01 – 9:16 p.m.)

Katie McGinn, Chair of the Comprehensive Master Plan Committee, made a quarterly update (see attached). Valerie Monastra, the Project Manager for Nelson, Pope and Voorhis was also a presenter. The Board thanked Ms. Monastra, Ms. McGinn, and the entire Committee for their continued hard work.

CONSENT AGENDA

MINUTES & REPORTS - Approved

On motion by Supervisor Gonçalves, seconded by Councilman Welsh, the minutes of the May 23 and May 31, 2022, Town Board meetings and the May Building & Police Reports were approved and filed.

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

TAXATION – Certiorari Proceedings

On motion by Councilman Sklarin, seconded by Councilwoman Rendo, the Board voted as follows:

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

RESOLUTION AUTHORIZING SETTLEMENT OF LITIGATION

WHEREAS there is currently pending in the Supreme Court, County of Westchester, under Index Nos. 60945/2020 and 63244/2021 certain lawsuits entitled “Waccabuc Country Club vs. The Town of Lewisboro” regarding the tax assessments for certain parcels of real property located within the Town of Lewisboro; and

WHEREAS a proposed settlement of the litigation has been negotiated by Lise Robertson, Town Assessor, and certiorari counsel Gregory L. Folchetti, both of whom have recommended approval of the proposed settlement;

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of Lewisboro authorizes the settlement of the aforementioned litigation as recommended; and BE IT FURTHER RESOLVED that certiorari counsel Gregory L. Folchetti is hereby authorized to sign,

on behalf of the Town of Lewisboro, the stipulation of settlement, corresponding consent judgment and settlement agreement reflecting the terms of the same.

TOWN CODE – Chapter 220, Zoning, §220-4, entitled “Zoning Map”

Supervisor Gonçalves stated that he received one further email regarding the Bacio Trattoria proposed zoning change and this neighbor was not in favor of this change.

On motion by Councilman Sklarin, seconded by Councilwoman Shah, the Board voted as follows:

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

### RESOLUTION

RESOLVED, that an amendment to consider Chapter 220, Zoning, §220-4, entitled “Zoning Map” as published and noticed, has been determined as a negative declaration for Bacio Trattoria’s SEQR determination, and is adopted as follows:

### **RESOLUTION MAKING NEGATIVE DETERMINATION UNDER NY STATE ENVIRONMENTAL QUALITY REVIEW (“SEQR”) IN REGARD TO THE ADOPTION OF LOCAL LAW NO 4 OF 2022**

**WHEREAS** the Town Board of the Town of Lewisboro has reviewed the short form environmental assessment form in regard to the proposed adoption of Local Law No. 4 of 2022, which seeks granting of a petition for rezoning of a portion of a parcel of real property on Mark Mead Road, Cross River, NY; and

**WHEREAS**, the adoption of said local law is being proposed to promote the health, safety and general welfare of the persons and property of the Town of Lewisboro; and

**WHEREAS**, the project is defined as an Unlisted Action; and

**WHEREAS** the Town Board has reviewed the Full Environmental Assessment form and assessed the projected impacts and their magnitude on the environment in accordance with the SEQR regulations and given due consideration thereto;

**NOW THEREFORE BE IT RESOLVED**, that pursuant to Part 617 of the SEQR Regulations, the Town of Lewisboro Town Board hereby designates its intention to serve as Lead Agency for the SEQR Review of this Unlisted Action, and in this capacity will conduct an Uncoordinated Review.

**BE IT FURTHER RESOLVED**, that pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law, the Lead Agency has determined that the proposed Unlisted Action will not have a significant effect on the environment; and

**BE IT FURTHER RESOLVED** that the Town Board of the Town of Lewisboro, hereby determines that, based on the information contained in the Short Form Environmental Assessment Form and their analysis thereof, the proposed Project will not result in any significant adverse environmental impacts under the SEQR regulations and for the reasons enumerated in the attached Negative Declaration Form hereby adopts a Negative Declaration in regard to the proposed action.

**RESOLUTION ADOPTING LOCAL LAW NO. 4 OF 2022**

WHEREAS, the Town Board of the Town of Lewisboro has received a Petition pursuant to New York State Town Law Sections 264 and 265 and Article X of Chapter 220 of the Lewisboro Town Code seeking amendments to the Zoning Map of the Town of Lewisboro in order to re-zone a portion of a certain parcel owned by Anacapri, LLC (“Petitioner”); and

WHEREAS, the subject parcel owned by Petitioner is known and designated as 19 Mark Mead Road and shown on the Tax Map of the Town of Lewisboro as Sheet 20 Block 10800 Lot 1” and

WHEREAS, the Petitioner seeks to re-zone a portion of the referenced parcel to from R-1/2A (Residential Single Family) to RB (Retail Business) zoning classification, and to restrict all commercial uses that would otherwise be permitted in the RB zone to solely to parking; and

WHEREAS, an amendment of Chapter 220 of the Town Code of the Town of Lewisboro Specifically §220-4, entitled “Zoning Map,” of the Code of the Town of Lewisboro has been proposed, in order to amend the Zoning Map of the Town of Lewisboro, which amendment will re-zone as “RB” (Retail Business District) a portion of a parcel of real property in the Town of Lewisboro located on Mark Mead Road such parcel being known and designated on the Tax Map of the Town of Lewisboro as Sheet 20 Block 10800 Lot 1;” and

WHEREAS, a public hearing was held on May 23, 2022, upon notice duly published and posted, and

WHEREAS, public discussion was heard at such hearing concerning the merits of said local law, and

WHEREAS, in accordance with Article 8 of the Environmental Conservation Law (the State Environmental Quality Review Act) and 6 NYCRR Part 617 of the implementing regulations, the proposed action has been determined to be an UNLISTED Action; and

WHEREAS, the Town Board of the Town of Lewisboro has reviewed the Environmental Assessment Form submitted for the project, and has completed review of the project; and

WHEREAS, the Town Board of the Town of Lewisboro has issued a negative declaration of significance pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law, and has determined that the proposed action will not have a significant environmental impact and that a Draft Environmental Impact Statement will not be prepared; and

WHEREAS, the Town Board of the Town of Lewisboro wishes to amend Town Code Chapter 220 §220-4, entitled “Zoning Map,” in order to amend the Zoning Map of the Town of Lewisboro, which amendment will re-zone as “RB” (Retail Business District) a certain portion of a parcel real property in the Town of Lewisboro located upon Mark Mead Road, such parcel being known and designated on the Tax Map of the Town of Lewisboro as Sheet 20 Block 10800 Lot 1; and

THEREFORE BE IT RESOLVED that the Town Board of the Town of Lewisboro hereby amends Town Code Chapter 220, §220-4, entitled “Zoning Map,” of the Code of the Town of Lewisboro, to amend the Zoning Map of the Town of Lewisboro to re-zone as “RB” (Commercial) that certain portion of a parcel real property in the Town of Lewisboro located upon Mark Mead Road, such parcel being known and designated on the Tax Map of the Town of Lewisboro as Sheet 20 Block 10800 Lot 1 (“subject property”), said portion of the subject property being more fully and completely described on Exhibit “A” to this resolution; and

BE IT FURTHER RESOLVED, that permitted commercial uses for the re-zoned portion of the subject property are hereby and shall be to be limited solely to parking; and BE IT FURTHER RESOLVED that this local law is hereby enacted by the Town

Board of the Town of Lewisboro as Local Law No. 4 of 2022 of the Town of Lewisboro; and BE IT FURTHER RESOLVED that the Zoning Map of the Town of Lewisboro is to be amended to reflect that the portion of subject property described on Schedule “A” hereto is now located in the “RB” (Retail Business) District.

#### HIGHWAY – 3 Way Stop Sign at Hall Avenue & Pond Street

Supervisor Gonçalves stated that he read a request from Paul Stewart-Stand, President of Golden’s Bridge Community at the last meeting where the neighborhood was requesting a 3-way stop sign at the intersection of Hall Avenue and Pond Street. He stated that the Police Chief and the Highway Superintendent were against the 3-way stop and they both suggested one stop sign to replace the current Yield sign.

Supervisor Gonçalves stated that he again reached out to the Police Chief and the Highway Superintendent, and they again held firm on their opinion:

*From Chief Alfano: My position still remains the same. The speed limit has been lowered to 25mph. The Lewisboro Police Department hasn’t had any complaints, accidents, or requests for digital speed signs to obtain data since I’ve been here.*

*Most drivers are reasonable and prudent. An unwarranted stop sign installation reduces speed only immediately adjacent to the sign. In most cases, drivers accelerate as soon as possible, to a speed faster than they drove before stop signs were installed. Stop signs are NOT effective for*

*speed control. This particular location will be a breeding ground for disrespect to all traffic control devices and increase running of stop signs.*

***From Highway Superintendent Peter Ripperger:*** *I still think the only change would be to replace the yield sign with a Stop sign. A three way stop intersection will only cause frustration and abuse with drivers. I feel this would be the wrong use of stop signs. They should never be used for speed control.*

The Board decided to have two public hearings at the next meeting; one to replace the Yield sign at Hall Avenue & Pond Street with one stop sign and the other to have a 3-way stop sign at the same location.

#### PUBLIC HEARING ANNOUNCED – Chapter 212, Vehicles & Traffic

On motion by Councilman Sklarin, seconded by Councilman Welsh, the Board voted as follows:

THE VOTE:	Yes	- Gonçalves, Rendo, Shah, 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 June 27, 2022, at 7:30 p.m., or soon thereafter as time permits, at the Town House, 11 Main Street, South Salem, New York, 10590, for the purpose of hearing the public with regard to a proposed Local Law to amend Chapter 212, of the Town Code of the Town of Lewisboro entitled “Vehicles & Traffic” specifically Subsection 212-8 entitled “Schedule V (212-26): Yield Intersections” is hereby amended to remove said yield sign at the intersection of Hall Avenue and Pond Street and to amend subsection 212-7 entitled “Schedule IV (212-25) to add a stop sign on Hall Avenue at the intersection of Hall Avenue and Pond Street.

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 HEARING ANNOUNCED – Chapter 212, Vehicles & Traffic

On motion by Councilman Sklarin, seconded by Councilman Welsh, the Board voted as follows:

THE VOTE:	Yes	- Gonçalves, Rendo, Shah, 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 June 27, 2022, at 7:30 p.m., or soon thereafter as time permits, at the Town

House, 11 Main Street, South Salem, New York, 10590, for the purpose of hearing the public with regard to a proposed Local Law to amend Chapter 212, of the Town Code of the Town of Lewisboro entitled “Vehicles & Traffic” specifically Subsection 212-8 entitled “Schedule V (212-26): Yield Intersections” is hereby amended to remove said yield sign at the intersection of Hall Avenue and Pond Street and to amend subsection 212-7 entitled “Schedule IV (212-25) to add a three way stop sign at the intersection of Hall Avenue and Pond Street.

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.

#### ETHICS COMMITTEE – Discussion

The Board would like to have a public hearing on changing the Code of Ethics in the Town Code to have all three of the members be town residents as opposed to two residents and one employee.

#### PUBLIC HEARING ANNOUNCED – Chapter 18, Code of Ethics

On motion by Supervisor Gonçalves, seconded by Councilwoman Rendo, the Board voted as follows:

THE VOTE:	Yes	- Gonçalves, Rendo, Shah, 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 June 27, 2022, at 7:30 p.m., or soon thereafter as time permits, at the Town House, 11 Main Street, South Salem, New York, 10590, for the purpose of hearing the public with regard to a proposed Local Law to amend Chapter 18, of the Town Code of the Town of Lewisboro entitled “Code of Ethics” specifically Subsection 7A to read as follows:

18-7 Board of Ethics.

A. There is hereby established a Board of Ethics consisting of at least three members, to be appointed by the Town Board, all of whom reside in the Town of Lewisboro, and who shall serve without compensation and at the pleasure of the Town Board of the Town of Lewisboro.

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.

#### WOOD DEBRIS REMOVAL – Discussion & Next Steps

The Board stated that they would be discussing this in Executive Session.

BICYCLE TOUR – Authorize Use of Town Roads

On motion by Supervisor Gonçalves, seconded by Councilwoman Rendo, the Board voted as follows:

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

RESOLUTION

RESOLVED, that the Town Board does authorize the 2022 Cycle of Support Charity Bike Ride to use the Town Roads on September 18, 2022, for a fundraiser, as reviewed by counsel.

CEMETERIES – Authorize Transfer of Ownership

On motion by Councilman Sklarin, seconded by Councilwoman Shah, the Board voted as follows:

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

RESOLUTION

RESOLVED, that the Town Board does hereby approve the transfer of Graves #1 through #4 in Plot 214 in the South Salem Cemetery, Section C from Jeffrey Blutstein and family to Glen Setterstrom.

NUTRITION PROGRAM – Authorize Supervisor to Sign Contract

Supervisor Gonçalves explained that a resolution is needed to have the Supervisor sign the memorandum of agreement for the senior citizen nutrition program and pay the program fee. He explained that the Town gets an estimated contract and then once the actual usage is known a final bill is sent.

On motion by Councilman Welsh, seconded by Councilman Sklarin, the Board voted as follows:

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

RESOLUTION

RESOLVED, that the Supervisor be and hereby is authorized to sign the 2021 agreement for the Senior Citizen Nutrition Program along with the Towns of North Salem, Somers and Lewisboro for \$20,462.84 and be it further

RESOLVED, that the Supervisor be and hereby is authorized to execute the 2022 good faith agreement.

BUILDING DEPARTMENT – Refund of Certificate of Occupancy Fee

Supervisor Gonçalves explained that the Mazella family was looking for a reimbursement of a certificate of occupancy fee on a project that started right before Covid which caused many delays. They stated that the application review and approval process was challenging and slow for several reasons including Covid and two sets of prints disappearing at two separate times. The Mazellas could no longer press forward based on the estimated project timeline and opted to see that property and purchase another property down the street.

The Board did discuss with the acting Building Inspector and he agreed with the reimbursement.

On motion by Councilman Sklarin, seconded by Councilwoman Shah, the Board voted as follows:

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

RESOLUTION

RESOLVED, that the Town Board does authorize the refund of the Certificate of Occupancy fee through the Building Department in the amount of \$22,000.00 to be issued to Jonathan & Vivecca Mazella.

MERCEDES BENZ DEALERSHIP – Building Code Review Proposal

Supervisor Gonçalves stated that the Mercedes Benz expansion has received Planning Board approval. Now the Building Department has to approve the plans however they need an external company to review those plans first.

The Building Department received two proposals for professional services. The first was from LaBella Associates, who acquired The Chazen Companies, who the town has previously worked with, in the amount of \$12,000. The second was from International Code Council in the amount of \$20,000.

After some discussion, the Board decided upon LaBella Associates.

On motion by Councilman Sklarin, seconded by Councilwoman Shah, the Board voted as follows:

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

RESOLUTION

RESOLVED, that the Town Board does approve the proposal from LaBella Associates for professional services associated with the code review for the Mercedes Benz addition/alteration project which includes an estimated 59,163 square-foot show room and 19,548 square-foot



service center for a cost of \$12,000 that includes the initial code review as well as review of one resubmission by the applicant.

HIGHWAY - Auctions International, Inc.

Superintendent of Highways Peter Ripperger approached the Board to get permission to sell used highway equipment through Auction International which handles the sale of Government assets. Many of the municipalities, the County and the State use Auction International. Mr. Ripperger used this group back in September of 2016 and would like to use them again.

On motion by Councilwoman Shah, seconded by Councilwoman Rendo, the Board voted as follows:

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

RESOLUTION

RESOLVED, that the Town Supervisor is authorized to sign the agreement with Online Auction International for the sale of used highway equipment, as reviewed by counsel.

PUBLIC COMMENT PERIOD II

There were no public comments.

CLAIMS – Authorized for Payment

On motion by Supervisor Gonçalves, seconded by Councilman Sklarin, the Board voted 5-0 to authorize payment of the Town's bills in the amount of \$740,121.85.

POLLING OF BOARD AND ANNOUNCEMENTS

LIBRARY UPDATES

The Library Fair needs a book chair.

JUNETEENTH

Donations are being accepted for the Juneteenth Celebration which will take place at the Town Park on June 18<sup>th</sup> from 12-4 p.m. Donations can be sent via check to the Town House, P.O. Box 500, South Salem, NY in care of Mary Shah. The event is free to anyone who would like to attend. Ms. Shah stated that it has raised \$3,675 so far in private donations.

PRIDE IN THE PARK

Two events will take place in Lewisboro. On June 11<sup>th</sup> there will be a family flag dance at the Town Park starting at 11 a.m. On June 26<sup>th</sup>, there will be a celebration at Onatru Farm Park from 2 – 7 p.m. Donations can be sent via Venmo to @LewisboroCelebratesPride or for larger, tax-deductible donations you can donate to our fiscal partner PrideWorksForYouth (link is external) (Please indicate "Lewisboro Pride" in the "special instructions to the seller" field.)

TOWN FIREWORKS

The Town Fireworks will take place at Onatru Farm Park on June 25. Each car is charged \$20.00. Parking starts at 5 p.m. and the fireworks will go off shortly after dusk. Donations are being accepted.

GARDEN CLUB

The Garden Club had their 50<sup>th</sup> Anniversary Gala at Onatru Farm on June 11, 2022.

LEWISBORO LANDTRUST

There will be a community picnic dinner at Birdstone Farm in Cross River on Friday, June 17<sup>th</sup>, from 6-8 p.m.

GAS FOR ELECTRIC LAWN EQUIPMENT EXCHANGE

Bring gas-powered lawn equipment to the Town Recycling Center located behind the Town House at 11 Main Street between 9 am and noon on Saturdays from June 25 – July 30. Empty the equipment of fluids prior to drop off. A \$100 voucher will then be given to use on the purchase of an electric leaf blower, trimmer or mower at either Copia in Vista or at Chubby's in Pound Ridge.

PARKS & RECREATION

On July 4<sup>th</sup>, there will be a free celebration at the Town Pool for residents, from 2-6 p.m. to include free admission to the pool and music.

POTHOLE

The Regional Director for DOT did respond to an email stating that Route 35 was not on their paving schedule, but the maintenance schedule did include Route 35. The Supervisor is still hoping to get the Regional Engineer and Regional Director to do a site visit.

ACTING BUILDING INSPECTOR

Jeff Farrell has been named the Acting Building Inspector.

PLAYGROUND FUNDRAISER

The playground committee is holding a Food Truck event from 5-8 p.m. this Friday, June 17 at the Town Park.

MEETINGS – Date Set

An upcoming meeting of the Town Board will include a meeting on Monday, June 27, 2022, at 7:30 p.m. at the Town House, 11 Main Street, South Salem, New York.

EXECUTIVE SESSION – To Discuss Personnel Issues

On motion by Supervisor Gonçalves, seconded by Councilwoman Rendo, the Board voted 5-0 to go into executive session at 10:20 p.m. to discuss personnel issues.

On motion by Councilman Sklarin, seconded by Councilwoman Shah, the Board voted 5-0 to come out of executive session at 11:45 p.m.

ADJOURNMENT

On motion by Councilman Sklarin, seconded by Councilwoman Shah, the Board voted 5-0 to adjourn at 11:46 p.m.

Janet L. Donohue  
Town Clerk