

A Town Board meeting of the Town Board of the Town of Lewisboro, Westchester County, New York, was held on September 12, 2022, at 7:30 p.m. at the Lewisboro Town House, 11 Main Street, South Salem, New York.

PRESENT:

Supervisor	Tony Gonçalves
Council Members	Andrea Rendo, Mary Shah, Richard Sklarin, 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, and Maintenance Assistant Shawn Johannessen,

Approximately 5 residents/observers attended the live meeting and approximately 19 participated via Zoom.

Supervisor Gonçalves called the meeting to order at 7:42 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 COMMENT PERIOD

Two residents spoke during public comment period.

PLAYGROUND REPLACEMENT BID

A resident suggested that the Board accept the playground replacement bid. He feels that inflation will continue, and it will only become more expensive. He feels that the ARPA funds should be used.

Another resident questioned the shortfall and why didn't the town know about the wetland issues.

WOOD DEBRIS REMOVAL

A resident asked where the Request for Proposal (RFP) was for the timber pile at the salt dome.

COMMUNICATIONS

PARKS & RECREATION ADVISORY COUNCIL (PRAC) – Resignation of Member

Supervisor Gonçalves read the below resignation letter from Barbara Granata:

After much consideration, I've decided it is time for me to step down from PRAC and make the seat available for someone else, effective immediately. With increased work responsibilities and resumption of corporate travel, in addition to frequent visits to our children and grandchildren (we are up to eight!) across the globe, I'm finding myself increasingly conflicted on PRAC meeting nights and town events and do not feel I can continue to do the position justice.

I have enjoyed my time on PRAC and interacting with its various members in our shared goal to serve Lewisboro and preserve the mission of Parks and Rec. I truly appreciate the friendships I have formed as a result, especially with you, Dana, Laura, Meg, and many others, and I will always be proud of our success with helping open up the LES gym to the public again for Parks and Rec programs.

I wish Nicole and her team continued success and all the best for my fellow PRAC members, and I hope to see all of you again soon around town.

The Board thanked Ms. Granata for all her years of service to our town.

TOWN PROPERTIES

Supervisor Gonçalves read the below email:

In light of the \$300,000 plus shortfall in the building of the new playground at Town Park, I request the list of surplus properties owned by the town to be put on the agenda and discussed at a public meeting as soon as possible. I believe there are 120 parcels where many if not most could be sold to help fund the shortfall. The properties are contributing nothing to the tax base and are a potential liability from lawsuits in the event of any injuries sustained on these parcels. Please read this email at tonight's meeting.

Thank you, Glenn J. DeFaber

CONSENT AGENDA

MINUTES & REPORTS - Approved

On motion by Supervisor Gonçalves, seconded by Councilwoman Rendo, the minutes of the August 22, 2022, Town Board meeting and the monthly August Building & Police Reports were approved and filed.

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

COMPREHENSIVE PLAN STEERING COMMITTEE – Authorize Postcard Mailing

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

RESOLVED, that the Town Board does authorize the town to fund the Comprehensive Plan Steering Committee postcard mailing, with a cost not to exceed \$2,000.

NYS ENVIRONMENTAL CONSERVATION LAW – Resolution of Support for Home Rule

On motion by Councilman Welsh, 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

Resolution in SUPPORT OF Assembly Bill A-9079/Senate Bill S8378 Amending Environmental Conservation Law by Adding New Section 24-0513, Local Freshwater Wetlands Pesticide Prohibition

WHEREAS, New York State Assembly Bill A-9079 sponsored by Assemblymember Chris Burdick and by State Senator Peter Harckham in the State Senate seeks to amend the Environmental Conservation Law to restore certain home rule rights to local governments; and

WHEREAS, the legislation states as follows:

A local government that has implemented a freshwater wetlands protection law or ordinance in accordance with section 24-0501 of this title may adopt a local law or ordinance to prohibit the application of pesticides to wetlands it regulates; provided, however, that any such law or ordinance shall not prohibit pesticide applications for the control of invasive species identified pursuant to title 17 of article 9 of this chapter, pests of significant public health importance, noxious weeds designated by the department as injurious to ecosystem health, or for the protection of critical native plant species. Any local law or ordinance adopted pursuant to this section shall take effect on the first day of January after it shall have been adopted, and

WHEREAS, wetlands protection is critical to the Town of Lewisboro to protect drinking water and to provide flood plains protection.

Now THEREFORE, BE IT RESOLVED BY the Town of Lewisboro

1. That the Town Board does hereby support Bill Number A9079/S8378
2. The Town Board urges Governor Kathy Hochul to sign this critical legislation.
3. That a copy of this resolution be sent to the Office of the Governor, Senator Harckham, Assemblymember Burdick, Senate Majority Leader Andrea Stewart Cousins, Assembly Speaker Carl Heastie, County Executive George Latimer, Sustainable Westchester and the Westchester Municipal Officials Association.

CONSERVATION ADVISORY COUNCIL – Tree Ordinance Awareness (8:01 – 8:34 p.m.)

John Wolfe, the Chair and Member of the Conservation Advisory Council and Sally Frank, Member of the Conservation Advisory Council made a presentation to the Board regarding the

tree ordinance awareness (see attached). Mr. Wolfe stated that they have had conversations with the Building Department and they are overwhelmed, and this is not a high priority but are doing the best that they can.

They stated that it has been a year since the new ordinance was enacted and found that zero permits have been issued. They feel this is due to lack of awareness. They would like to enhance the awareness of the tree ordinance by sending out a mailer and updating the CAC webpage. The Board did pass a resolution and thanked Mr. Wolfe and Ms. Frank for their presentation and work on the committee.

CONSERVATION ADVISORY COUNCIL – Approve Mailer & Webpage

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 Town Board does authorize the town to fund a tree ordinance awareness mailer and web page, with a cost not to exceed \$2,000.

ELECTRICAL INSPECTION AGENCY – Better Homes Electrical Inspection Services

On motion by Councilwoman Rendo, 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 Building Department to use Better Homes Electrical Inspection Services, Inc. as an electrical inspection agency for the Town of Lewisboro.

PLAYGROUND REPLACEMENT BID – Discussion (8:39 – 8:55 p.m.)

Supervisor Gonçalves stated that the town board met during a work session meeting prior to this town board meeting so they could discuss in length whether to accept or reject the lowest bid that was submitted by Yonkers Excavating Corporation in the amount of \$721,943.

Supervisor Gonçalves stated that the bid came in over the original quote for the installation and site work of \$333,000 and went on to explain that after receiving the original price quote they learned of extra requirements needed for the site work including the stormwater drainage which on its own is \$140,000.

ARPA funds are available right now and are in the general account and counsel did confirm that these funds can be utilized for the playground.

The Board felt that if they went back out to bid, the chances of getting additional bids are not likely.

PLAYGROUND REPLACEMENT BID – Accept Bid

On motion by Councilwoman Shah, seconded by Supervisor Gonçalves, 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 award the bid for the Lewisboro Town Park Playground Replacement to Yonkers Excavating Corporation, the low responsible bidder meeting the specifications at a cost not to exceed \$721,943.88.

PLAYGROUND REPLACEMENT BID – Budget Modification

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

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

RESOLUTION

RESOLVED, that the Town Board does authorize budget modifications to permit utilization of up to \$350,000 in American Recovery Plan Act Funds received by the Town of Lewisboro to fund the contract award for the Lewisboro Town Park Playground Replacement Project.

ONATRU SOFTBALL BACKSTOP – Award Softball Backstop Bid

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 Town Board does authorize the request for proposal from Salem Fence, Baldwin Place, NY for a softball backstop at Onatru Farm Park, with a cost not to exceed \$24,850.00.

NYSEG LIGHTING IN WILD OAKS – Authorize Supervisor to Sign

On motion by Councilwoman Rendo, 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 Supervisor to sign the NYSEG agreement authorizing NYSEG to replace the existing Company owned streetlight (Non-LED) fixtures in Wild Oaks with Light Emitting Diode street lights (LED) fixtures in the amount not to exceed \$4,748.73 to be paid by the Wild Oaks light district.

POLICE CHIEF CONTRACT - Approved

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 approve the three-year contract for the Chief of Police, David Alfano.

PUBLIC COMMENT II

Three residents spoke during public comment period.

PLAYGROUND REPLACEMENT BID

A resident thanked the board for their decision on accepting the bid and using ARPA funds for the shortfall. He feels that this is money well spent. He also thanked everyone who contributed. Another resident is glad to hear that the town is not waiving their own wetland and DEC setbacks. A final comment was made thanking Councilwoman Rendo for separating her emotions when making hard fiscal decisions.

CLAIMS – Authorized for Payment

On motion by Councilwoman Shah, seconded by Councilman Welsh, the Board voted 5-0 to authorize payment of the Town's bills in the amount of \$374,658.54.

POLLING OF BOARD AND ANNOUNCEMENTS

LIBRARY FAIR

The Library Fair will take place at Onatru Farm on September 17, 2022 from 10 am – 4 pm.

GOLDENS BRIDGE HAMLET ORGANIZATION

The Goldens Bridge Pocket Park had a seed exchange, and the Town Board members were all in attendance and walked the property. They also looked at the train trestle in Goldens Bridge where there is interest in making a rail trail.

DROOL IN THE POOL

The Parks & Recreation Department had a successful “Drool in the Pool” at the Town Pool for residents and their dogs.

9/11 CEREMONY

The Vista Firehouse had a moving 9/11 ceremony at their firehouse. Councilwoman Rendo stated that there has been talk about the possibility of creating a 9/11 Committee and including all three firehouses.

BLOOD DRIVE

A blood drive sponsored by the Lewisboro Volunteer Ambulance Corp and the South Salem Fire Department will be held at the South Salem Firehouse on September 29, 2022, from 2-8 p.m. You can sign up at [Donor Portal - New York Blood Center \(nybc.org\)](https://nybc.org).

PROPERTY LIST

The property list of town owned properties is now on the website under “Resources”.

MEETINGS – Dates Set

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

EXECUTIVE SESSION – To Discuss Personnel & Real Estate Issues

On motion by Councilman Sklarin, seconded by Councilman Welsh, the Board voted 5-0 to go into executive session at 9:11 p.m. to discuss personnel & real estate issues.

On motion by Councilwoman Shah, seconded by Councilman Welsh, the Board voted 5-0 to come out of executive session at 10:29 p.m.

SUSTAINABILITY COMMITTEE – Appointment of Member

On motion by Councilwoman Shah, 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 Town Board appoint Andrea Rojas to the Sustainability Committee for a 2-year term ending December 31, 2023.

ADJOURNMENT

On motion by Councilman Shah, seconded by Councilman Sklarin, the Board voted 5-0 to adjourn at 10:30 p.m.

Janet L. Donohue
Town Clerk