

A Town Board meeting of the Town Board of the Town of Lewisboro, Westchester County, New York, was held on March 13, 2023, 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, Building Inspector Kevin Kelly, Lt. Harry Tompkins & Maintenance Employee Shawn Johannessen.

Approximately 7 residents/observers attended the live meeting and approximately 12 participated via Zoom.

Supervisor Gonçalves called the meeting to order at 7:30 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.

COMMUNICATIONS

HOUSING MANDATE LETTER

Supervisor Gonçalves read portions of a letter (see attached) that the Westchester Municipal Officials Association subcommittee on housing sent to Governor Hochul stating that they are not in favor of the housing mandate as written.

CONSENT AGENDA

MINUTES & REPORTS - Approved

On motion by Supervisor Gonçalves, seconded by Councilwoman Shah, the minutes of the February 24, 2023, Town Board meeting and the monthly February Building & Police Reports were approved and filed.

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

COMPREHENSIVE PLAN STEERING COMMITTEE – Update (7:38 – 8:45 p.m.)

Katie McGinn, Chair of the Comprehensive Plan Steering Committee, gave a project update which she referred to as Part II of the quarterly update (see attached).

*Councilwoman Rendo arrives at 8:17 p.m.

Councilman Sklarin questioned who they are referring to when they say “Lewisboro Community” besides residents. Ms. McGinn stated that basically anyone who lives or works in Lewisboro. He also suggested having a weekday workshop opportunity. Councilwoman Rendo stated that the feedback they received was it tends to be difficult for families with younger children to get there on a weeknight. Also, if residents can’t make a Saturday workshop then a Sunday evening workshop would work better.

Ms. McGinn stated that during the month of March where things will not be so active, the committee has created three fliers called “Did You Know” about the Comprehensive Plan. She will loop the Town Board in now on all upcoming correspondence.

The Board thanked Ms. McGinn and the entire CPSC for all that they are doing for this project.

WESTCHESTER COUNTY MUTUAL AID – Authorize Supervisor to Sign IMA (8:46 – 8:53 p.m.)

Lt. Harry Tompkins from the Lewisboro Police Department stated that approximately 40 police agencies participate in the mutual aid plan. This is an institution of executive plan 203. With social media, there has been very large pop-up demonstrations, and this is monitored by Westchester County. This plan is very comprehensive, and this would give the town great resources to pull from. He believes that this is a win/win for the town.

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 AUTHORIZING INTERMUNICIPAL AGREEMENT
WITH THE COUNTY OF WESTCHESTER
MUTUAL AID AND RAPID RESPONSE PLAN

RESOLVED, that the Town Board of the Town of Lewisboro, upon the recommendation of Lewisboro Chief of Police David Alfano, hereby authorizes entry into an intermunicipal agreement with the County of Westchester adopting and implementing the Mutual Aid and Rapid Response Plan for the Police Departments of the County of Westchester; and

BE IT FURTHER RESOLVED that said intermunicipal agreement shall be for the period commencing retroactive to July 31, 2020 through and including July 30, 2025, and shall be in form and substance as currently on file with the office of the Town Supervisor; and

BE IT FURTHER RESOLVED that Town Supervisor Tony Goncalves is hereby authorized to execute the aforementioned agreement and any and all other documentation to effectuate same upon the terms authorized therein.

TREE ORDINANCE – Update (8:54 – 9:06 p.m.)

John Wolff, the Chair of the Conservation Advisory Council made a presentation to the Board proposing four changes to the Lewisboro Tree Ordinance (see attached) which was passed back on April 12, 2021.

Enforcement of the tree ordinance and who would handle the enforcement was discussed - the Court, the Planning Board, or the Building Department. A new local law would have to be updated by the Town Attorney and a public hearing would take place.

The Town Attorney will work on an updated draft of the Tree Ordinance and this will be discussed at a future meeting. The Board thanked Mr. Wolff and the entire CAC for their work.

REFUSE LICENSE – Renewal Authorized for City Carting/WIN

On motion by Councilwoman Rendo, 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 Clerk is authorized to issue a renewal license for the collection of residential and commercial refuse and recycling to City Carting/WIN Waste for a period of one year.

STORMWATER MANAGEMENT OFFICER – Appoint Kevin J. Kelly

FIRE INSPECTOR – Appoint Kevin J. Kelly

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 MAKING APPOINTMENT
OF FIRE INSPECTOR AND STORM WATER MANAGEMENT OFFICER

RESOLVED that the Town Board of the Town of Lewisboro hereby appoints Kevin Kelly as Fire Inspector pursuant to Chapter 92 of the Lewisboro Town Code and specifically with respect to §92-11 thereof; and

BE IT FURTHER RESOLVED that the Town Board of the Town of Lewisboro hereby appoints Kevin Kelly as Storm Water Management System Operator pursuant to Chapter 188 of the Lewisboro Town Code.

OPEN SPACE AND PRESERVES ADVISORY COMMITTEE – Appointment of Chair

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 of the Town of Lewisboro hereby appoints Eric Swarthout as Chair of the Open Space and Preserves Advisory Committee.

KELLARD SESSION AGREEMENTS – Approve & Authorize Supervisor to Sign

Councilwoman Rendo asked why the town always uses Kellard Sessions and the response was that they are the Towns Engineers and that this is a professional service. There was also talk about the possibility of hiring a town engineer, however, that would include benefits. Discussion continued about issuing an RFP when it got closer to the budget season, just to see what others are charging.

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 ACCEPTING PROPOSAL AND AUTHORIZING ENTRY
AGREEMENT FOR PROFESSIONAL SERVICES
MS4 IDDE & MUNICIPAL COMPLIANCE AND REPORT

RESOLVED, that the Town Board of the Town of Lewisboro, hereby authorizes the acceptance of the proposal of Kellard Sessions Consulting, Engineering & Landscape Architecture Planning, Armonk, NY for services to be rendered to the Town of Lewisboro in connection with Municipal Separate Storm Sewer Systems (MS4) Compliance Certification and Annual/Semi Annual Reporting for year 2023, at a cost not to exceed \$5,700.00; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Lewisboro, hereby authorizes the acceptance of the proposal of Kellard Sessions Consulting, Engineering & Landscape Architecture Planning, Armonk, NY for services to be rendered to the Town of Lewisboro in connection with Municipal Separate Storm Sewer Systems (MS4) Illicit Discharge Detection and Elimination, as well as GIS STORM WATER Data Maintenance for year 2023, at a cost not to exceed \$8,600.00; and

BE IT FURTHER RESOLVED that said agreements shall be in form and substance as currently on file with the office of the Town Supervisor; and

BE IT FURTHER RESOLVED that Town Supervisor Tony Goncalves is hereby authorized to execute the aforementioned agreements and any and all other documentation to effectuate same upon the terms authorized therein.

VRI AGREEMENTS – Approve & Authorize Supervisor to Sign

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

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

RESOLUTION AUTHORIZING ENTRY INTO
AGREEMENT FOR WASTEWATER AND WATER DISTRICT
OPERATIONS AND MAINTENANCE

RESOLVED, that the Town Board of the Town of Lewisboro, acting as Commissioners of the various Sewer and Water Districts within the Town of Lewisboro, hereby authorizes the entry into agreements with VRI Environmental Services, Inc., Lagrangeville, NY for operation and maintenance services in the following water and sewer districts within the Town:

- Wild Oaks Sewer District at an annual cost of \$69,501.48;
- Keeler Field Water District at an annual cost of \$11,846.64;
- Oakridge Water District at an annual cost of \$51,810.00;
- Oakridge Sewer District at an annual cost of \$77,715.36; and

BE IT FURTHER RESOLVED that said agreements shall each be for an initial term of three (3) years and shall be in form and substance as currently on file with the office of the Town Supervisor; and

BE IT FURTHER RESOLVED that Town Supervisor Tony Gonçaves is hereby authorized to execute the aforementioned agreements and any and all other documentation to effectuate same upon the terms authorized therein.

LAKES DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP) SPONSORED STUDY – Discussion (9:24 – 9:33 p.m.)

Supervisor Gonçalves stated that back in 2021, the NYC Department of Environmental Protection funded a grant of up to \$425,000 for the town to complete engineering studies of Lake Kitchawan, Lake Truesdale and Lake Waccabuc. In August of 2022, the NYC DEC and the NYS DEP agreed to funding of \$25 million, which would equate to approximately \$6.25 million for each lake (a fourth lake, Croton Falls, was included from North Salem). This was to determine the amount of phosphorous pollution in these lakes and those studies were done. The next step is to see if it makes sense to handle each septic system individually, or to have a community septic or a wastewater treatment plant. The East of Hudson Watershed Corporation with DEP funds went out to bid and Woodard & Curran won the bid, and they will do a feasibility study and make recommendations. Formation of districts would need to be done and petitions for interest would need to be submitted by at least half of the owners of the assessed area. The State Comptroller would need to approve the cost for district homeowners.

Councilwoman Rendo stated that she has received questions about the costs and funding since the use of the lakes is limited to just those residents. Supervisor Gonçalves stated that special districts through the town would need to be set up because the money that is available is only available to municipalities.

Supervisor Gonçalves just wanted to let the Board know about this as he has been working on it and it is in the very beginning stages.

GRANT – Congressional Grant

Supervisor Gonçalves stated that there is a community project funding program and it is a congressional grant through Michael Lawler. The response/application is due this week on March 15, 2023. Supervisor Gonçalves asked about a potential project that would “uplift Hudson Valley Communities”. The Board agreed about several upgrades at the Town Park which would include updated bathhouse, water filtration, pickleball courts, platform tennis, play structure at the pool and these projects would total \$1.6 million. This is tied to the Federal fiscal year, which starts in October. Supervisor Gonçalves will work on this and submit by 6 p.m. on March 15, 2023.

PUBLIC COMMENT – New Business Only

A total of three residents spoke during public comment period.

BUILDING INSPECTOR

A resident asked if the extra duties that were discussed this evening for the Building Inspector (Fire Inspector and Stormwater Committee Member) were included in his salary and the answer was yes.

HOUSING

A resident questioned if sewers were created for the lakes, would it allow for higher density in housing in Waccabuc. It was suggested that he give his input to the Comprehensive Plan Committee during one of their workshops.

OSPAC

A resident questioned whether the Wallace nature preserve has been added to the nature preserves in Lewisboro. During polling of the board it was mentioned that nothing has been done yet, however they are working with OSPAC.

HOUSING MANDATE LETTER

A resident would like to have a copy of the housing letter that Supervisor Gonçalves referred to earlier in the meeting. The Supervisor stated that it will be put on the town's website and the Supervisor will forward that letter to her or anyone else who is interested.

CLAIMS – Authorized for Payment

On motion by Councilman Sklarin, seconded by Councilwoman Shah, the Board voted 5-0 to authorize payment of the Town's bills in the amount of \$374,596.96.

POLLING OF BOARD AND ANNOUNCEMENTS

PUBLIC COMMENT

Councilman Sklarin asked that the second public comment period be added back on at the beginning of the agenda as it has been in the past. He would like to see this restored at the next meeting.

VISTA HAMLET STEWARDSHIP COUNCIL

Councilman Sklarin read the below email from the newly formed Vista Hamlet Stewardship Council:

The Vista Hamlet Stewardship Council would like to thank you for allowing us to use the Vista Town Park for our upcoming Egg Hunt Event. We are eager for our community to get to know our community organization.

The mission of the VHSC is to put forth and implement initiatives for the hamlet of Vista that carry out the beautification and enhance the safety and accessibility of our diverse community. We envision a place where residents of all ages can connect with their neighbors, places of interest, natural surroundings and businesses in a safe and in manner.

We look forward to having an opportunity to work with the collaborators of the Comprehensive Plan to relay what residents and businesses in our hamlet would like to see on the future. We share with you the following guidelines from The Smart Growth Network:

Smart Growth Principles

1. *Mix land uses.*
2. *Take advantage of compact building design.*
3. *Create a range of housing opportunities and choices.*
4. *Create walkable neighborhoods.*
5. *Foster distinctive, attractive communities with a strong sense of place.*
6. *Preserve open space, farmland, natural beauty and critical environmental areas.*
7. *Strengthen and direct development towards existing communities.*
8. *Provide a variety of transportation choices.*
9. *Make development decisions predictable, fair and cost effective.*
10. *Encourage community and stakeholder collaboration in development decisions.*

Smart Growth Network: www.smartgrowth.org

We hope all of our Town committees and boards will keep this in mind and work to aid residents and business owners to better our town. Let's encourage residents and business owners of all economic means to be able to flourish in our town. Thank you all for your hard work and efforts in bettering our town. Kindly, The Vista Hamlet Stewardship Council

HOMEOWNER'S ASSOCIATIONS

Councilman Sklarin suggested that the Comprehensive Plan Steering Committee get in touch with all the homeowner's associations to get the word out, if they haven't already.

LIBRARY UPDATES

There will be a Citizens Preparedness Training Program on March 22 at 7 p.m. There will also be a Mental Health & Substance Abuse presentation online on March 16 at 7 p.m.

Pluck & Rail performed at the library this past Saturday to a sold-out crowd. Many local businesses donated to the event.

VISTA HAMLET STEWARDSHIP COUNCIL

There will be an egg hunt at the Vista Park hosted by the Vista Hamlet Stewardship Council on Saturday, March 25 from 3-5 p.m.

HABITAT FOR HUMANITY

Habitat for Humanity has an Age in Place program. More information can be found at www.habitatnycwc.org/aging-in-place or by calling 914-240-7003.

HIGHWAY

The Highway Department was thanked for all the work that they have done and will do in the upcoming months.

The dead ash trees are being removed along the streets by the company that were hired by the Highway Department.

POLICE

Sergeant Llewelyn along with K-9 Zane were involved with a search of drugs and cash and ultimately an arrest being made in Connecticut. The Board thanked Sgt. Llewelyn and K-9 Zane and congratulated them on the collaboration with the other towns.

PEDESTRIAN & BICYCLE ADVISORY COMMITTEE

They are working on a proposal and will bring to the Town Board soon.

PASSING OF TOM CASPER

It was announced that Tom Casper, who was on the Zoning Board and who was the husband of the Receiver of Taxes, Deirdre Casper, passed away unexpectedly on Monday, March 6, 2023. Visitation was held on Thursday, March 9th, where many, many friends and family members paid their respects. The Board offered their deepest sympathy to Deirdre, Emily and Brian.

MEETINGS – Dates Set

There will be a meeting on Monday, March 27, 2023, at 7:30 p.m. at the Town House, 11 Main Street, South Salem, New York.

EXECUTIVE SESSION – To Conduct Interviews

On motion by Supervisor Gonçalves, seconded by Councilman Welsh, the Board voted 5-0 to go into executive session at 10:05 p.m. to conduct interviews.

On motion by Councilwoman Shah, seconded by Councilman Sklarin, the Board voted 5-0 to come out of executive session at 10:46 p.m.

TOWN OFFICIALS & EMPLOYEES – Kelley Daley, Part-Time Building Department

On motion by Councilwoman Shah, 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 Town Board does re-appoint Kelly Daley in the Town Building Department as an independent contractor at a maximum of 20-hours per week at a rate of \$20.00 per hour through May 15, 2023.

PARKS & RECREATION ADVISORY COMMITTEE – Appointment of New Associate Member

On motion by Councilwoman Shah, 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 Town Board does appoint Timi Parsons to the Parks and Recreation Advisory Committee as an associate member for a 1-year term ending December 31, 2023.

PARKS & RECREATION ADVISORY COMMITTEE – Appointment of New 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 does appoint Nicholas Baran to the Parks and Recreation Advisory Committee for a 2-year term ending December 31, 2024.

ADJOURNMENT

On motion by Councilman Rendo, seconded by Councilman Sklarin, the Board voted 5-0 to adjourn at 10:50 p.m.

Janet L. Donohue
Town Clerk