

A Town Board work session meeting of the Town Board of the Town of Lewisboro, Westchester County, New York, was held on August 28, 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, Maintenance Employees Shawn Johannessen and Joel Smith, Planning Board Administrator Ciorsdan Conran, and Chief of Staff Kerri Wolfe.

Approximately 5 residents/observers attended the live meeting and approximately 9 participated via Zoom.

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

LEO MASTERSON

Supervisor Gonçalves read the following regarding the town's retired Comptroller, Leo Masterson:

" This past Thursday, August 24, 2023, our former Comptroller Leo Masterson passed away at the age of 66. Our deepest condolences go to Leo's family including his wife Lori and children Andrew and Sara.

The Town of Lewisboro has lost one of its greatest assets and he will be deeply missed by all who benefitted from his tremendous work ethic, financial acumen, inherent decency, and marvelous sense of humor.

I personally am grateful for Leo's support when I served as Town Councilman and most recently as Town Supervisor. I appointed Leo as my Deputy Supervisor in January 2022. We worked very closely over the past couple of years, and I learned quite a bit from Leo. At the end of 2022 and early this year Leo had to focus on his health but was still able to dedicate time to help me with our Town's 2023 budget including understanding all the intricacies of municipal finances.

Leo made himself available to the Town earlier this year to make sure the transition to our new Comptroller was seamless. My last interaction with Leo was late June when he came to the Town House to assist our new Comptroller. I was hoping we would see more of Leo, but God had other plans for this great man."

OAKRIDGE WATER PROJECT

Supervisor Gonçalves stated that at the last meeting he announced that the NYS Department of Health gave their go ahead to move forward with the Oakridge Water Project and now the county Department of Health has also approved the project.

POLICE

Councilwoman Rendo read a letter from the New Canaan Police Chief to Police Chief Alfano regarding K-9 Zane and Seargent Llewelyn (see attached).

JEROME KERNER

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

WHEREAS, JEROME KERNER has served the Town of Lewisboro community for years as a volunteer, and has served the greater community as a leader of Sage-ing International; and

WHEREAS, JEROME KERNER left his imprint on Westchester County as an architect and graduate of the Pratt Institute and helped his clients fulfill their dreams, needs, and aspirations for living and working space; and

WHEREAS, JEROME KERNER served on the Lewisboro Library Board including as President of the Board of Directors; and

WHEREAS, JEROME KERNER was appointed member of the Town of Lewisboro Housing Committee from January 2002 through December 2008, and further was the chair of that committee from 2006 through 2008; and

WHEREAS, JEROME KERNER was a member of the Town of Lewisboro Architecture and Community Appearance Review Council (ACARC) in 2009; and

WHEREAS, JEROME KERNER was a member of the Town of Lewisboro Planning Board from January 2010 to July 2023, and served as the chair of the Planning Board from January 2010 through February 2019; and

WHEREAS, under his leadership, the Planning Board saw the completion of new housing in the Lewisboro community, including Falcon Ridge, Silvermine, Townhouses at Oakridge, and Lewisboro Commons; and

WHEREAS, during his tenure, the Planning Board oversaw significant changes to important commercial enterprises, including; Lewisboro Library expansion, creation of Thistlewaithe Learning Center, Day Care center at Oakridge, conversion of Le Chateau to a banquet facility, storage facility in Vista, Goldens Bridge Center and a site redesign of Mercedes Benz; and

WHEREAS, other important community facilities were approved while JEROME KERNER served as chair of the Planning Board, including dry hydrants for the Town fire departments, Eagle Scout projects, and changes to the Town Parks; and

WHEREAS, JEROME KERNER has been called upon to contribute thousands of hours of his time and his many talents to civic endeavors and has always given of himself freely to volunteer; and

WHEREAS, throughout the entire period of his community service, a period of constructive involvement, JEROME KERNER has stood constant in dignity, good grace, humor and innovative thinking;

THEREFORE BE IT RESOLVED, that the Town Board of the Town of Lewisboro, in recognition of his contributions does hereby offer the congratulations and thanks of its populace to JEROME KERNER; and

BE IT FURTHER RESOLVED, that this resolution be spread upon the minutes of this August 28, 2023 Town Board Meeting for future generations to see and that this resolution be presented to JEROME KERNER

PUBLIC COMMENT PERIOD I

There were no public comments.

CONSENT AGENDA

MINUTES - Approved

On motion by Supervisor Gonçalves, seconded by Councilwoman Shah, the minutes of the August 14, 2023, Town Board meeting was approved and filed.

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

CREST GRANT – Approve Grant Submission

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 Town Board does approve the submission of an application for the Community Resiliency, Economic Sustainability, and Technology Program (CREST).

UPSEU – Approve Memorandum of Agreement

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

RESOLVED, that the Town Board does approve the UPSEU Memorandum of Understanding (MOU) for use of outside services by the Building Department.

NY ALERT USE AGREEMENT – Authorize Supervisor to Sign

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 authorizes the Supervisor to sign the 2022 – 2027 Inter-Municipal Agreement for Enhanced 911 services between the Town of Lewisboro and the County of Westchester.

LIBRARY FAIR – Authorize Use of Onatru Farm

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 hereby authorize the use of Onatru Farm buildings and grounds for the annual Lewisboro Library Fair to be held on September 9, 2023 and at any other time in preparation for the fair, and be it further

RESOLVED, that Elmwood Road is declared one-way on the day of the fair.

TREE ORDINANCE - Discussion (7:55 – 8:30 p.m.)

The Board continued their discussion regarding finalizing updates to the current tree ordinance and setting a public hearing.

Supervisor Gonçalves stated that the only change in language that he would suggest is that a homeowner be able to cut down a tree on their own. He stated that if the homeowner hires a tree removal company, that company would need to be licensed.

Councilwoman Rendo feels that the revised ordinance including three sentences and a website link explaining how a homeowner can determine if a particular tree service company was licensed by the county is unnecessary and can be shortened. Councilwoman Rendo also feels that homeowners needing to list the trees and get approval to remove trees for construction is overreaching and would like to see this language revised. She also feels that a homeowner should be allowed to replace trees as opposed to paying a fine.

Supervisor Gonçalves stated that the Conservation Advisory Council Chair John Wolff proposed these changes because a resident making improvements to their home clear-cut their trees and this is what they are trying to avoid.

Councilman Sklarin feels that the way it is drafted is ambiguous. He feels that the language in the proposal does not specify who would determine unlawful damage. There is also no timetable for restoration in the revised ordinance.

The Board continued their discussion and it was decided that changes would be made to the latest revision of the tree ordinance and an updated draft would be circulated in the near future and a public hearing would be scheduled for the October 23, 2023 Town Board meeting.

PUBLIC HEARING ANNOUNCED – Chapter 203 Tree Preservation

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)

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Lewisboro will hold a public hearing on Monday, October 23, 2023 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 of the Town Code of the Town of Lewisboro to amend Chapter 203 entitled “Tree Preservation”.

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 II (NEW BUSINESS ONLY)

TREE ORDINANCE

A resident asked several questions about the tree ordinance; who pays for the arborist, is this another burden on the tax payer, why does the tree removal person have to be licensed, are there any exceptions such as for forestry management, does the building department receive a stipend, and what about different species of trees?

CLAIMS – Authorized for Payment

On motion by Supervisor Gonçalves, seconded by Councilman Welsh, the Board voted 5-0 to conditionally authorize payment of the Town’s bills in the amount of \$442,797.70 (Supervisor Gonçalves stated that he believed the sludge payment was miscategorized). Councilman Sklarin also stated that he would like the Board to watch the conditions of 79 Bouton Road very carefully so that they can keep on the landlord (school district) to rectify any improvements in a timely manner.

POLLING OF THE BOARD

LIBRARY FAIR

The library fair will take place on Saturday, September 9th at Onatru Farm from 10 am – 4 pm. Businesses and vendors are invited to rent a table for the fair. More information can be found by visiting their website at www.lewisborolibrary.org. There will be pre-sales on September 7th & 8th at a cost of \$25. There will also be a sale the day after the fair.

LEO MASTERSON

The Board again remembered Leo Masterson stating that he was an amazing advisor and that he handled questions regarding the town finances with both patience and grace and made it interesting. He gave the town many good years.

FOOD TRUCK FRIDAY

The last food truck Friday will take place this Friday, September 1st, at the Town Park. More information can be found on the Parks & Recreation website.

PARKS & RECREATION

Registration will begin on September 13 for the fall programs.

THRIVE COMMITTEE

A Narcan training was held over the weekend and was very successful.

SHORT TERM RENTALS

Supervisor Gonçalves stated that he has received several emails regarding short term rentals such as Airbnb and VRBO which can have environmental impacts. This is an issue that the Town Board will discuss at a future meeting.

MEETINGS – Dates Set

There will be a meeting on Monday, September 18, 2023, 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 Councilman Sklarin, the Board voted 5-0 to go into executive session at 7:54 p.m. to discuss personnel issues and appointments.

On motion by Councilwoman Shah, seconded by Councilman Welsh, the Board voted 5-0 to come out of executive session at 8:49 p.m.

ADJOURNMENT

On motion by Supervisor Gonçalves, seconded by Councilwoman Shah, the Board voted 5-0 to adjourn at 9:15 p.m.

Janet L. Donohue
Town Clerk