

A Town Board meeting of the Town Board of the Town of Lewisboro, Westchester County, New York, was held on October 10, 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, Police Chief David Alfano and Chief of Staff Kerri Wolfe.

Approximately 15 residents/observers attended the live meeting and approximately 16 participated via Zoom.

Supervisor Gonçalves called the meeting to order at 7:35 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

ISRAEL

Supervisor Gonçalves read the following:

“Over the weekend there was a horrific and senseless terrorist attack on Israel. This attack affected innocent victims going about their daily lives and is growing into yet another senseless war which will be impacting many more innocent lives (Israeli and Palestinian). Our hearts go out to all the families and loved ones affected by this devastating event.”

We followed with a moment of silence for the lives lost and their families.

Supervisor Gonçalves also announced that due to the conflict in Israel, Altice (Optimum) was allowing all calls and texts to be made free of charge.

PUBLIC COMMENT PERIOD I

A total of 3 residents spoke during the public comment period.

LIONS CLUB FUNDRAISER

A resident and member of the Lewisboro Lions Club spoke about the upcoming fundraiser and spoke about the history and motto for the Lions Club.

EV CHARGING STATION IN GOLDENS BRIDGE SHOPPING CENTER

A resident suggested that the Board do a formal site visit to the Goldens Bridge Shopping Center where the EV charging stations are located and suggested they do this visit in the evening. She stated that it is an eyesore and is very, very bright and is shocked that this was even approved. She is hoping something can be done to mitigate the green glow coming from the area.

During the polling of the Board Supervisor Gonçalves stated that these fast chargers are very bright, and the manufacturer has been contacted to see what can be done. The chargers are available 24/7.

COLUMBUS DAY

A resident felt that the Supervisor missed an opportunity to say something kind about the Italian Americans and what they have done for this country.

ISRAEL FLAG

A resident stated that she is sickened by what Hamas has done to Israel. She sees that the town has been flying the Ukraine flag at the Town House and feels the town should also be flying the Israel flag.

CONSENT AGENDA

MINUTES & REPORTS - Approved

On motion by Supervisor Gonçalves, seconded by Councilwoman Shah, the minutes of the September 18th & September 26th, 2023, Town Board meetings and the monthly September Building & Police Reports were approved and filed.

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

RAKSHA BANDHAN CELEBRATION – Presentation (7:48 – 8:13 p.m.)

Members of the Hindu community shared the importance of the Rakshabandhan (see attached), a celebration of peace and harmony also referred to as Universal Oneness Day where the Town of Lewisboro and the first responders were celebrated and thanked for their assistance and efforts in a tragic housefire that impacted a local Hindu family.

WESTCHESTER EMS ALS FLY CAR BUDGET – Presentation (8:14 – 8:47 p.m.)

Al Kim, the Executive Director of Westchester Emergency Medical Services made a presentation to the Board regarding adding a fourth Emergency Medical Services Advanced Life Services fly car to the budget (see attached). These ALS fly cars service Bedford, Lewisboro, Mt. Kisco, New Castle, North Castle, North Salem, Pound Ridge and Somers.

Mr. Kim did state that they have not added an additional car in 22 years, and he would not be requesting this now if he did not think it was necessary. He explained that the Lewisboro Volunteer Ambulance Corp has emergency medical technicians, and the fly car has paramedics.

After some discussion it was decided that the board would approve an increase with a new car and related manpower for half a year.

PUBLIC HEARING RESET ANNOUNCED - Chapter 203 Tree Preservation

Supervisor Gonçalves stated that they needed to do more work on the tree preservation revisions so the public hearing that was originally set for October 23, 2023 will be moved to November 27, 2023.

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 RESET HEARING

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Lewisboro will hold a public hearing on Monday, November 27, 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.

COMPREHENSIVE MASTER PLAN – Discussion (8:49 – 9:11 p.m.)

The Board discussed three options for design work that were presented at the September 18, 2023 meeting (see attached). These are all included in the budget.

Councilman Welsh said that after thinking about all options, he was in favor of option 2, which includes accessibility.

Councilwoman Shah said she has been getting input about how much the senior citizens in our community need a dedicated meeting place. She also said that work to make trails accessible was already underway and she would like to see more trails accessible, and it could be intergenerational.

Councilwoman Rendo stated that she felt all 3 options had pros and cons however, she was leaning towards options 1 and 3, although she has also heard that seniors would like more accessibility in town.

Supervisor Gonçalves stated he was leaning towards option 2 as accessibility has already been started with the Lewisboro Town Park Playground.

Councilwoman Shah asked if they choose to do two options, what the extra cost would be and Katie McGinn, Chair of the Comprehensive Master Plan stated she would have to reach out to Star Whitehouse to find out. Councilwoman Rendo asked if there was the possibility of a hybrid for options 1 & 2. Ms. McGinn said that they certainly could do this, however it would cost additional money and take additional time.

The Board did agree with going with option 2, access and inclusion guidelines for public spaces.

LEWISBORO LIONS CLUB – Approve Fundraiser

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 Board does approve the Lewisboro Lions fundraiser to be held at the Town Park on Saturday, October 21, 2023, and be it further

RESOLVED, that all fees will be waived.

LEWISBORO BASEBALL ASSOCIATION - Approve Fundraiser

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 approve the Lewisboro Baseball Association's fundraiser to be held at the Cyrus Russell Community House on Thursday, December 7, 2023, and be it further

RESOLVED, that all fees will be waived.

DOG CONTROL OFFICER – Part-time Hire

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 Beth Arita is hereby appointed as the Interim Dog Control Officer, effective October 11, 2023 at a rate of \$25.00/hour, for a term expiring December 31, 2023.

INTERMEDIATE ACCOUNT CLERK – Part-time Hire

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 hiring a part-time intermediate account clerk Rujira Carvalho with a start date of October 11, 2023, at an hourly rate of \$20.70.

ARCHITECTURE AND COMMUNITY APPEARANCE REVIEW COUNCIL – Appointment of New Member

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)

RESOLUTION

RESOLVED, that the Town Board does approve the appointment of Dana Owen as a member of the Architecture and Community Appearance Review Council (ACARC) for the unexpired term of Edward Ozols for a term ending December 31, 2024.

PEDESTRIAN & BICYCLE INFRASTRUCTURE SAFETY IMPROVEMENTS – SEQR Neg
Dec for Town Board as Lead Agency

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

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

**RESOLUTION MAKING NEGATIVE DETERMINATION
UNDER NY STATE ENVIRONMENTAL QUALITY REVIEW
("SEQR") IN REGARD TO PEDESTRIAN IMPROVEMENT
WITHIN THE HAMLETS OF LEWISBORO**

WHEREAS, the Town Board of the Town of Lewisboro is conducting a coordinated SEQR Review of an unlisted Action, known as the Pedestrian Improvement within the Hamlets of Lewisboro Action; and

WHEREAS, the action proposes the design and construct pedestrian improvements within three (3) of the Town's hamlets, Goldens Bridge, Cross River, and Vista which include crosswalks, sidewalks and bike lanes; and

WHEREAS, the Town Board has previously given notice of its intent to declare itself lead agency to all interested and involved agencies; and

WHEREAS, no interested or involved agency challenged the Town Board's intent to act as lead agency; and

WHEREAS, the Town Board has reviewed and completed the Environmental Assessment Form with respect to the proposed action, which is incorporated into this resolution and attached hereto, and has made its own set of specific findings relating to SEQR review of this action pursuant to the SEQR regulations and given also due consideration thereto;

NOW THEREFORE BE IT RESOLVED, that pursuant to 6 NYCRR Part 617, State Environmental Quality Review, The Town Board of the Town of Lewisboro, hereby designates itself Lead Agency for the SEQR Review of this Unlisted Action, and

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 action will not have a significant adverse impact on the environment for the reasons enumerated in the referenced EAF and the Notice of Determination of Non-Significance attached hereto and made a part hereof.

**State Environmental Quality Review
NEGATIVE DECLARATION**

Notice of Determination of Non-Significance

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of Lewisboro Town Board has determined that the proposed action described below will not have a significant environmental impact and a Draft Environmental Impact Statement will not be prepared.

Name of Action: Pedestrian Improvement within Three (3) Hamlets of Lewisboro

SEQRA Status: ☐ Type 1

☒ Unlisted

Conditioned Negative Declaration: ☐ Yes

☒ No

Coordinated Review: ☒ Yes

☐ No

Description of Action:

The Town of Lewisboro Town Board has adopted a bond resolution, subject to a permissive referendum, to design and construct pedestrian improvements within three (3) of the Town's

hamlets, Goldens Bridge, Cross River, and Vista. If approved, the bond would be in the amount of \$2,100,000. The desired pedestrian improvements have been conceptualized; however, formal designs have not yet been prepared. All proposed improvements will be located within New York State Department of Transportation (NYSDOT) rights-of-way and each of the three (3) projects will require NYSDOT input and approval. A description of each project is provided below:

Goldens Bridge - Provide crosswalks at the signalized intersection of NYS Route 138 and North Street and a sidewalk along North Street from the MTA parking lot /shopping center driveways to NYS Route 138.

Cross River - Provide crosswalks at the signalized intersection of NYS Route 35 and NYS Route 121; provide a sidewalk(s) along Route 121; provide a crosswalk across Route 121 at the northern limits of the project area, in the vicinity of the property line between John Jay schools and the shopping center.

Vista - Provide a bike lane along Route 123 between Glen Drive and the entrance to the shopping center; provide a crosswalk across Route 123 at the entrance to the shopping center.

Location: Hamlets of Goldens Bridge (NYS Route 138/North Street); Cross River (NYS Route 35/NYS Route 121); and Vista (NYS Route 123)

Reasons Supporting This Determination: Reference is made the Short Environmental Assessment Form (EAF), dated September 14, 2023. The Town Board has compared the proposed action with the Criteria for Determining Significance in 6 NYCRR 617.7 (c). Specifically:

1. The proposed action will not result in a substantial adverse change in the existing air quality, ground or surface water quality or quantity, traffic or noise levels, or a substantial increase in solid waste production.

The proposed action involves linear improvements along or withing existing NYSDOT roadways. The project areas are either already developed with road surfaces or consist of already disturbed roadway shoulders within the NYSDOT right-of-way. The project will not result in a significant amount of new impervious cover and will not result in significant tree or vegetation removal. Stormwater runoff from any new impervious cover, such as from new sidewalks along existing roadways, will be conveyed to already established NYSDOT drainage systems. If new or supplementary drainage systems are required to accommodate runoff, they will be designed during the design phase and would be subject to NYSDOT approval. Wetlands and watercourses located in the vicinity of the project areas will be protected during construction via the establishment of erosion and sediment control practices, such as silt fencing and inlet protection. No direct wetland or watercourse disturbance or impacts will result.

The proposed action will result in pedestrian safety improvements, such as sidewalks and crosswalks, which do not presently exist. The project will not result in additional traffic.

Construction-related traffic is expected but will be temporary. During construction, there may be a temporary increase in construction related traffic and noise levels, however, once the project is completed, noise levels are expected to be similar to levels prior to construction. Construction-related noise is regulated under Section 220-60 Noise, of the Town of Lewisboro Town Code.

The project will have no significant impact on air quality, groundwater, or solid waste.

2. The proposed action will not result in the removal or destruction of large quantities of vegetation or fauna; substantial interference with the movement of any resident or migratory fish or wildlife species; impact a significant habitat area; result in substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such species; and will not result in other significant adverse impacts to natural resources.

The project areas are located on or along already developed or previously disturbed land consisting of NYS roadways and rights-of-way. Limited tree and vegetation removal will be required. When preparing EAF, the NYSDEC Environmental Resources Mapper was utilized which indicates that there are no significant natural communities or rare plants or animals on, or in the vicinity of the project sites.

3. The proposed action will not result in the impairment of the environmental characteristics of a Critical Environmental Area as designated pursuant to 6 NYCRR Part 617.14(g).

The subject property is not located within a Critical Environmental Area.

4. The proposed action will not result in a material conflict with the Town's officially approved or adopted plans or goals.

The proposed action is consistent with the Town's plans and goals for pedestrian improvements and safety within the hamlet areas.

5. The proposed action will not result in the impairment of the character or quality of important historical, archaeological, architectural, aesthetic resources, or the existing character of the community or neighborhood.

The project areas are not located within or contiguous to a National or State-listed historic or archaeological resource; the project areas are not located within a mapped archeological sensitive area. The improvements are proposed on already developed or disturbed lands consisting of existing NYSDOT roadways and shoulder areas. Proposed improvements will consist of pavement striping, asphalt paving, concrete sidewalks, and similar materials typical of a roadway setting.

6. The proposed action will not result in a major change in the use of either the quantity or type of energy.

No change of use is proposed, and the project will not result in a change to the quantity or type of energy used.

7. The proposed action will not create a hazard to human health.

The project involves pedestrian safety improvements along NYSDOT roadways which will be implemented to improve or safeguard human health.

8. The proposed action will not create a substantial change in the use, or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support existing uses.

The proposed action will not result in a change of use and not agricultural, open space or recreational resources will be impacted.

9. The proposed action will not encourage or attract a large number of people to a place or place for more than a few days, compared to the number of people who would come to such place absent the action.

10. The proposed action will not create a material demand for other actions that would result in one of the above consequences.

11. The proposed action will not result in changes in two or more elements of the environment, neither of which has a significant impact on the environment, but when considered together result in a substantial adverse impact on the environment.

12. When analyzed with two or more related actions, the proposed action will not have a significant impact on the environment and when considered cumulatively, will not meet one or more of the criteria under 6 NYCRR 617.7(c).

13. The Planning Board has considered reasonably related long-term, short-term, direct, indirect and cumulative impacts, including other simultaneous or subsequent actions.

For further information contact:

Tony Goncalves, Town Supervisor
P.O. Box 500, 11 Main Street
South Salem, NY 10590
Phone: (914) 763-3151
Supervisor@lewisborogov.com
Fax: (914) 763-3637

This notice is being filed with:

INVOLVED AGENCIES:

Town of Lewisboro Town Board
11 Main Street
South Salem, NY 10590

New York State Department of Transportation (NYSDOT), Region 8
Eleanor Roosevelt State Office Building
4 Burnett Boulevard
Poughkeepsie, NY 12603

New York State Department of Environmental Conservation (NYSDEC), Region 3
21 So. Putt Corners Road
New Paltz, NY 12561

INTERESTED AGENCIES:

Westchester County Planning Board
148 Martine Ave.
White Plains, NY 10601

Katonah-Lewisboro School District
Superintendent of Schools
60 North Salem Road
Cross River, NY 10518

PUBLIC COMMENT PERIOD II for new business only

BICYCLE ONLINE SURVEY

A resident was looking for the online bicycle survey that has been discussed during the bond borrowing meetings. She would like to see it as it worries her that these ideas are not hamlet directed but rather directed by the small groups within these hamlets.

During polling of the board, it was stated that survey mailers were sent to the entire community, not just certain individuals and that these surveys are available to the public and should be on the website.

COMPREHENSIVE MASTER PLAN

A resident stated he would have liked to have been a bit more involved with the Comprehensive Master Plan Steering Committee and he is hoping that any of the proposed Zoning changes will be posted so that residents can read them ahead of any public hearings.

LIONS CLUB FUNDRAISER

A member of the Lions Club stated that their motto is “We Serve”. He invited other organizations to join them at the Oktoberfest and sponsorship opportunities are open until this Friday. This will take place at the Town Park on Saturday, October 21 from 2-7 p.m. There will also be a car show in the parking lot from 8:30 – 11:30 a.m.

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 \$261,054.30.

POLLING OF THE BOARD

ISRAEL

Reemphasized the sorrow and anguish that is happening in Israel and that the Board stands with Israel and Ukraine.

EARLY VOTING

Early voting will start on Saturday, October 28. Closest polling places are Pound Ridge Town Hall and Somers Town Hall.

GARIBALDI SOCIETY

The Garibaldi Society held a celebration at the Horse & Hound on October 5. They raised money to fund the event and for a scholarship for a John Jay High School senior.

FIRE DEPARTMENTS

It is fire safety month, and all 3 fire departments have open houses. More information can be found on their websites.

MEETINGS – Dates Set

There will be a meeting on Monday, October 23, 2023, at 7:30 p.m. at the Town House, 11 Main Street, South Salem, New York.

EXECUTIVE SESSION – To Discuss a Legal Issue

On motion by Supervisor Gonçalves, seconded by Councilman Sklarin, the Board voted 5-0 to go into executive session at 9:32 p.m. to discuss legal issue.

On motion by Councilwoman Shah, seconded by Councilwoman Rendo, the Board voted 5-0 to come out of executive session at 10:04 p.m.

WESTCHESTER COUNTY DEPARTMENT OF HEALTH – Violation

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 authorize the Westchester County Department of Health proceeding PHP-9143-23-DC with acknowledgement of violation of NY PHL 7-2.1(b)(2)(i) and 7-2.1(b)(2)(xxviii) and imposition of agreed-upon fines of \$2000 and \$500 respectively.

ADJOURNMENT

On motion by Supervisor Gonçalves, seconded by Councilwoman Shah, the Board voted 5-0 to adjourn at 10:05 p.m.

Janet L. Donohue
Town Clerk