

A Town Board meeting of the Town Board of the Town of Lewisboro, Westchester County, New York, was held on November 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, Maintenance Employees Shawn Johannessen and Joel Smith, Police Chief David Alfano, Comptroller Nisha Singh and Chief of Staff Kerri Wolfe.

Approximately 6 residents/observers attended the live meeting and approximately 14 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

There were no communications.

PUBLIC COMMENT PERIOD I

A total of 6 residents spoke during the public comment period.

ELECTIONS

Residents congratulated all that were elected back to office.

PFAS CLASS ACTION LAWSUIT

A resident asked if the class action suit would be discussed later in the meeting and the answer was yes.

EV CHARGING STATION IN GOLDENS BRIDGE SHOPPING CENTER

A resident again spoke about the brightness of the EV charging stations in the Goldens Bridge Shopping Center. She stated that not only do they have detrimental effects on the environment but after reading many articles regarding the installation of these chargers, none mentioned that the brightness was a technical need. Reasons given by several sources were safety of the equipment,

safety for people using the equipment and easily identifiable by motorists looking for a charging station. Since most electric car users utilize apps to locate chargers when traveling, reason #3 seems like a moot point. She also stated that fast chargers are detrimental to the batteries.

During polling of the board, Supervisor Gonçalves stated that he reached out to the property manager at the Goldens Bridge Shopping Center and they are reaching out to the manufacturer.

OAKRIDGE WATER

A resident spoke about how the water in Oakridge is still not safe to drink and has been talking about this for the past four years.

During polling of the board, Councilman Sklarin asked if there were any specific test results that could be shared, he would be happy to take a look at it.

SOLAR PANELS ON CARPORT AT ONATRU

Three residents commented about the proposed carport and solar panels being built at Onatru Farm. While they support the use of solar panels as clean energy, there is an overriding issue constructing anything new unless it is recreational related. Portions of the deed were read.

During the polling of the board, it was mentioned that they heard everyone loud and clear. They were over at Onatru Farm today looking at other options. It was suggested that possibly the solar panels could go on an existing roof, and they have been in contact with the Garden Club.

HOLIDAY CELEBRATION

A resident stated that he doesn't understand why we don't call the holiday tree in town a Christmas Tree. He stated that he would not call the Jewish religious symbol, the Menorah, a holiday candle. He hopes that we can get back to calling it a Christmas Tree.

Another resident stated that prior to COVID, she and another resident brought up "Unity back in the Community" with a Winter Wonderland Celebration. She feels we should have one unified celebration, for Christmas, Hanukkah, Kwanza, Diwali, etc. She would like to see this start in 2024.

During polling of the board, it was discussed that Christmas Tree would be used.

CONSENT AGENDA

MINUTES & REPORTS - Approved

On motion by Supervisor Gonçalves, seconded by Councilwoman Rendo, the minutes of the October 23, 2023, Town Board meeting and the monthly October Building & Police Reports were approved and filed.

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

COMPREHENSIVE MASTER PLAN – Set Date for Workshop

The Board discussed possible dates, times and locations for the Comprehensive Master Plan Public Workshop. The Board suggested either an early evening on a Sunday or a Monday evening in January when the Town Board was not meeting. The meeting would also be a hybrid of live and Zoom and possible locations that were mentioned were the Town House or the Library. Supervisor Gonçalves will follow up with the CMP Chair and report back to the Board.

BUDGET 2024 - Discussion (7:50 – 8:28 p.m.)

Supervisor Gonçalves stated that the 2024 Tentative Budget that he presented to the Board dated October 11, 2023 is at the tax cap rate of 2.57%. The proposed tax levy for 2024 is \$8,435,932; Net tax increase is \$211,443 from 2023. To get to the tax cap, \$450,000 was removed from paving and is proposed to Bond in 2024. Proposed borrowing request will be further discussed with the Town Board but the options are as follows:

1. place back into the budget resulting in a tax rate increase to 8.06% or
2. borrow in which case the debt service will be reflected in the 2025 budget but less of an impact to the taxpayer if the full amount were to be included in the 2024 budget

Road resurfacing line is \$180,000 for 2023 and now for 2024 the budget is \$50,000 and Councilman Welsh is stating that we are losing ground. Councilwoman Rendo reiterated that if they go the bonding route, the \$450,000 would be bonded for early next year. By the time those bonds are issued, other debt services will be coming off. The CHIPS are budgeted at \$300,000 is looked at as bonus money. So, the total allocation for roads would be \$900,000. Councilman Sklarin feels that the remaining ARPA funds of \$535,000 should be looked at and used partially for road resurfacing. Councilwoman Rendo said they all have their opinions on what these ARPA funds should be used for, and they should have an additional work session to discuss this. Some ARPA money has already been allocated.

Councilwoman Rendo stated she feels that we should have a 5- or 10-year plan. She would not be opposed to breaking the tax cap slightly so the resurfacing line would increase a bit in the budget and then they could bond for the rest. She feels that this would be a compromise for the \$450,000 and will continue to do this in the coming years. This is a long-term goal. She also stated that they have to look at which roads should be ground down as opposed to layering.

Councilwoman Rendo also suggested that since all of the non-union employees are slotted for a 4% increase, the incoming Highway Superintendent should also be slotted for a 4% increase. She stated that he is the only one not receiving a raise. Councilman Sklarin stated that the incoming highway superintendent was given the salary, which was \$113,495, and he accepted the job at that salary. Councilwoman Rendo would like to sit down with the Comptroller to understand this budget and to see what would happen if these or other changes were made.

Town Attorney Gregory Folchetti explained that the Preliminary Budget has to be adopted tonight as public notice will need to be in the paper this Friday. Included in the public notice are the salaries for Town Supervisor, Town Board, Town Clerk and Highway Superintendent. Mr.

Folchetti stated that you cannot increase the salaries once they have been published. The salaries can be reduced; however, you cannot increase the salaries without legislation.

The Board did decide to leave the tentative budget as it was and that became the Preliminary Budget.

PRELIMINARY BUDGET 2024 – Adopted

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 2024 Tentative Town Budget dated October 11, 2023, with a 2.57% increase will be considered as the preliminary budget.

PUBLIC HEARING ANNOUNCED - Budget 2024

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)

TOWN OF LEWISBORO NOTICE OF HEARING

NOTICE IS HEREBY GIVEN, that the preliminary budget of the Town of Lewisboro for the fiscal year beginning January 1, 2024 has been compiled and filed in the office of the Town Clerk at the Town House, 11 Main Street, South Salem, New York where it will be available for inspection by any interested person at all reasonable hours. It can also be viewed on the town's website at <https://www.lewisborogov.com/finance/page/budget-reports>.

FURTHER NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Lewisboro will meet and review said preliminary budget and will hold a public hearing thereon at the Town House, 11 Main Street, South Salem, New York at 7:30 p.m. or soon thereafter as time permits on the 27th day of November, 2023, and that at such hearing any person may be heard in favor of or against the preliminary budget as compiled, or for or against any item or items therein contained.

Pursuant to Section 108 of the Town Law, the proposed salaries of the following officers are hereby specified:

Supervisor	\$106,700
Councilmen, each (4)	\$ 16,215
Superintendent of Highways	\$113,495
Town Clerk	\$104,320

The Town of Lewisboro is committed to equal access for all citizens. Anyone needing accommodation to attend or participate in this meeting is encouraged to notify the Town Clerk in advance.

IMA AGREEMENT AND LICENCE AGREEMENT - Police

Supervisor Gonçalves stated that Westchester County has received state funding for the new tri-band radio system. These new radios will allow interoperability between the county, state and emergency response agencies. Chief Alfano has been testing different radios for about a year and decided on Motorola. He stated that the county has been talking about providing radios to the municipalities for the past 3 – 4 years. The Chief learned about a grant that he applied for and he should be hearing very soon about how many radios his department will receive. He did state that he told them he has eight police vehicles and hopes to receive one for each vehicle. These radios would cost approximately \$4,000-\$6,000 per radio.

Mr. Lauder also donated \$40,000 towards these radios.

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 hereby approve and authorize the Supervisor to sign the Intermunicipal Municipal Agreement (IMA) for the County to provide mobile radios to police patrol vehicles and be it further

RESOLVED, that the Town Board does hereby approve and authorize the Supervisor to sign the License Agreement for Antenna for mutual aid radio system and be it further

RESOLVED, that the Police Chief is authorized to sign the Certificates of Authority.

PFAS CLASS ACTION LAWSUIT – Take Part

Supervisor Gonçalves stated that back when Peter Parsons was the Supervisor, the town entered a class action suit against Dupont and 3M as one of the litigants. The town has received confirmation that there has been a settlement, and the town needs to submit claim forms by March of 2024. Supervisor Gonçalves stated that it has been recommended that the town stays in, and this recommendation was made by the Kennedy & Madonna, LLP who the town engaged in 2021.

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 elect to participate in the Class Action Settlement pending in the United States District Court in the matter known as In Re: Aqueous Film-Forming Foams Products Liability 2:18-mn-2873 and 2:18-mn-02873, involving the settlement of claims against 3M and DuPont pertaining to all Public Water Systems in the United States of America as of June 30, 2023 and for the submissions of all documentation and claim forms required in connection therewith.

STANDARD WORKDAYS – New York State Retirement System Reporting

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

BE IT RESOLVED, that the Town of Lewisboro, hereby establishes the following as standard work days for elected officials and will report the following days worked to the New York State and Local Employees' Retirement System based on record of activities maintained and submitted by these officials to the Clerk of this body.

RESOLUTION

RESOLVED, that the Town Board does hereby authorize renewal of a cabaret license for LeChateau for a period of one year.

REFUSE – Acceptance of Bid for Removal of Refuse and Recycling from Town Facilities

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 hereby approve the bid of City Carting for removal of refuse and recycling from Town facilities for the period November 1, 2023 to October 31, 2024, with an option to renew for an additional year at the same rates.

DIWALI FESTIVAL OF LIGHTS – Donation Box at Town House

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 authorize a Diwali Festival of Lights Donation Box for non-perishable items and clothing, to be placed in the Town House with all donations being given to the Community Center of North Westchester.

PUBLIC COMMENT PERIOD II for new business only

A total of 4 residents spoke during the public comment period II.

PFAS IN WATER

A resident questioned if the Fire Department's are considered public and if their water was tested. She also feels that there is a lack of communication between the town and the school district on this issue and would like to see an open line of communication to keep all safe. Also have the houses near the schools and firehouses been notified that there is a potential problem with their water and they should be testing their wells.

Another resident asked how the lawsuit affects the residents? Will it cost the residents anything? How can they get the information on the lawsuit, and they would like transparency.

HOLIDAY CELEBRATION

A resident reiterated that they feel that Christmas gets slashed all the time. She's happy about having a menorah and Diwali box but feels that the tree should now be called a Christmas Tree.

BUDGET 2024

A resident asked the board if they could do a cost analysis to let residents know how much of an approximate increase per household an 8% budget increase would cause if they put the \$450,000 money back in for paving versus how much each household would be paying in total over the length of a bond including interest versus a hybrid where some money was put back into the budget for paving and a certain portion was bonded out.

During polling of the board, it was mentioned that they will look into doing this.

GOLDENS BRIDGE TRAIN STATION PARKING FOR RESIDENTS

A resident questioned priority parking for residents in the West Lot of the Goldens Bridge Train Station. She asked the town board to look into this.

During polling of the board, it was mentioned that they would look into this further with the MTA and LAZ Parking and they would also look into adjusting post pandemic day spots.

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 \$260,994.51.

POLLING OF THE BOARD

HAPPY THANKSGIVING

The Board wished everyone a Happy Thanksgiving.

HOLIDAY CELEBRATION

The Christmas Tree will be lit at the Town Park on Monday, December 4, 2023, at 6:30 pm. The Menorah will be lit at the Town House on December 7 and every night of Hanukkah.

GRANT REIMBURSEMENT

Supervisor Gonçalves stated that the town received on 10/31/23 \$150,000 in grant reimbursements.

MEETINGS – Dates Set

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

EXECUTIVE SESSION – To Discuss a Personnel Issue

On motion by Supervisor Gonçalves, seconded by Councilman Sklarin, the Board voted 5-0 to go into executive session at 9:23 p.m. to discuss a personnel issue.

On motion by Councilwoman Shah, seconded by Councilwoman Rendo, the Board voted 5-0 to come out of executive session at 10:41 p.m.

ADJOURNMENT

On motion by Supervisor Gonçalves, seconded by Councilwoman Shah, the Board voted 5-0 to adjourn at 10:42 p.m.

Janet L. Donohue
Town Clerk