

A Town Board work session meeting of the Town Board of the Town of Lewisboro, Westchester County, New York, was held on February 13, 2024, 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 (via Zoom), Maintenance Employees Shawn Johannessen and Joel Smith, Recreation Supervisor Nicole Caviola (via Zoom) and Chief of Staff Kerri Wolfe.

Approximately 4 residents/observers attended the live meeting and approximately 22 participated via Zoom.

Supervisor Gonçalves called the meeting to order at 7:37 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 HEARING – Oakridge Water Plant Expansion Project

Supervisor Gonçalves called the public hearing to order for the Oakridge Water Plant expansion project. There was no objection to the time or form of the public notice (attached). Supervisor Gonçalves stated that after the Public Hearing, the Public Interest Order has to be adopted which has been revised to reflect the new project cost. Supervisor Gonçalves asked for comments from the audience.

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 public hearing regarding the Oakridge Water Plant Expansion Project, in the Town of Lewisboro, is now open.

Simone O'Connor had concerns as to why only Delaware Engineering has been the company that the town has worked with. Why not get a second opinion even though the state does not require it? PFAS has been discussed but what about other bacteria & elements? Also how does connecting 18 additional units not tax the water? She is happy that this new filtration system will be going in however it is mixed with concern. She hopes that the lack of a second opinion doesn't mean the proper research has not been done.

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 public hearing regarding the Oakridge Water Plant Expansion Project, in the Town of Lewisboro, is now closed.

Robert Flores, the project manager and engineer of record with Delaware Engineering, spoke to the group about the increase in pricing which went up dramatically in the last few years such as pumps, concrete, steel, tanks and piping. This was publicly bid with 3 contracts that include the general contract which received 6 bids, the electrical contract that received 5 bids and the HVAC which had 4 bids, however 1 withdrew.

When questioned about the pricing of the project, Mr. Flores stated that he has seen a plateau in pricing but no dips. He also stated that carbon is the best available technology to remove PFAS. There are other technologies that are being developed, however carbon is the best currently available. Other engineers have also looked at this technology and given it their blessing. This is the third full scale carbon system that they have been involved in, and the first one was built in 2016 in Hoosick Falls, NY.

Mr. Flores explained that the life expectancy of the filter is approximately 18 months + for the first change out. The system is set up with 2 vessels and each vessel would be changed separately. To change one out would cost about \$80,000 and this would have to be bid out.

Carbon filtration will also remove organic matter. The existing plant would remove any iron. Bacteria is removed with the disinfection process.

Supervisor Gonçalves did not re-open the public hearing but did take questions from the residents. Simone O'Connor questioned what issues will they still have with the water?

Martha Goodman stated that not detect does not mean there is zero PFAS in the water but rather as far as the current test can detect, there is not detect. She also questioned the testing time frame of the filters. She mentioned that in NY we are not required to test for radon, but it is in CT. She asked if radon testing had been done.

Carol Cernak asked how they are entertaining putting 18 more units onto a system that is not working properly. And has the broken pipe been fixed?

Patty Jacke stated that the Supervisor has been very committed to this project since he was a councilman and has worked very hard with the residents of Oakridge. She has a filtration system, which she was forced to buy because she had discolored water, and it is much better. She questioned how much it will cost to change the carbon filters every 18+ months.

Stephanie DeFilippis asked why reverse osmosis has not been looked into more as the by products are harmless for the environment.

Mr. Flores stated that they did not specifically test for radon. But if the Board wants to test for radon, it could be done.

Mr. Flores explained about the testing and sampling that is done for PFAS between the portals. The second portal should never see water that has PFAS. The cost right now is approximately \$80,000 to change out a filter.

Mr. Flores could not comment about the discolored water or the pipe break.

Mr. Flores said that reverse osmosis has been accepted by the Department of Health for small systems, not typically larger systems like this.

Testing and approvals for this project started in May 2021.

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 Public Interest Order for the Oakridge Water Plan Expansion Project has been adopted.

At a regular meeting of the Town Board of the Town of Lewisboro, Westchester County, New York, held at the Town House, 11 Main Street, in South Salem, New York, in said Town, on February 13, 2024, at 7:30 P.M., Eastern Time.

PRESENT:

Supervisor Tony Gonçalves

Councilman Andrea Rendo

Councilman Mary Shah

Councilman Richard Sklarin

Councilman Daniel Welsh

-----	:	
In the Matter	:	
of	:	
the Increase and Improvement of the	:	PUBLIC INTEREST ORDER
Facilities of the Oakridge Water District	:	
in the Town of Lewisboro, Westchester	:	
County, New York	:	
at a Revised Estimated Maximum Cost of	:	
\$3,902,933	:	
-----	:	

WHEREAS, the Town Board of the Town of Lewisboro, Westchester County, New York, previously held a public hearing on August 9, 2021, and adopted a public interest order and a bond resolution, each dated October 12, 2021, authorizing \$1,939,500 bonds to pay the increase and improvement of the facilities of the Oakridge Water District in said Town described in an engineering report dated May 2021 (the "Report") prepared by Delaware Engineering, D.P.C., consisting of the design and construction of an expansion to the water treatment plant to remove certain chemicals generally known as PFAS, including improvements to the booster pumps, treatment chemicals, valves, meters, and other appurtenances, and related and incidental improvements and expenses in connection therewith; and

WHEREAS, it is determined that the estimated maximum cost of such project designated EFC DWSRF 18893 is now \$3,902,933, an increase of \$1,963,433; and

WHEREAS, the revised estimated maximum cost is expected to be paid for with (i) grants or funds expected to be received from the New York State Environmental Facilities Corporation and U.S. Environmental Protection Agency, currently expected in the aggregate amount of \$2,963,700 and (ii) bonds of the Town, previously authorized pursuant to a bond resolution dated October 12, 2021;

WHEREAS, an Amendment No. 1 to the Report dated January 15, 2024 has been prepared by Delaware Engineering, D.P.C., which describes such revised estimated maximum cost;

WHEREAS, an environmental analysis was previously prepared pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act in connection with such increase and improvement of the facilities of said District and it has been determined that such increase and improvement of the facilities of said District and use will not result in any significant environmental effects; and

WHEREAS, at a meeting of said Town Board duly called and held on January 22, 2024, an order was duly adopted by it and entered in the minutes specifying the said Town Board would meet to consider the increase and improvement of the Oakridge Water District in said Town at a maximum estimated cost of \$3,902,933 and to hear all persons interested in the subject thereof concerning the same at the Town House, 11 Main Street, in South Salem, New York, in said Town, on February 13, 2024, at 7:30 P.M., Eastern Time; and

WHEREAS, said order duly certified by the Town Clerk was duly published and posted as required by law, pursuant to Section 30, subdivision 6 of the Town Law; and

WHEREAS, a public hearing was duly held at the time and place set forth in said notice, at which all persons desiring to be heard were duly heard; and NOW, THEREFORE, BE IT

ORDERED, by the Town Board of the Town of Lewisboro, Westchester County, New York, as follows:

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to the increase and improvement of the facilities of the Oakridge Water District in said Town, consisting of the design and construction of an expansion to the water treatment plant to remove certain chemicals generally known as PFAS, including improvements to the booster pumps, treatment chemicals, valves, meters, and other appurtenances, and related and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$3,902,933.

Section 2. This order shall take effect immediately.

The question of the adoption of the foregoing order was duly put to a vote on roll call, which resulted as follows:

Supervisor Tony Gonçalves VOTING - Yes

Councilman Andrea Rendo VOTING - Yes

Councilman Mary Shah VOTING - Yes

Councilman Richard Sklarin VOTING - Yes

Councilman Daniel Welsh VOTING - Yes

The order was thereupon declared duly adopted.

BOND RESOLUTION - Oakridge Plant Expansion Project

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 bond resolution for the Oakridge Water Plan Expansion Project has been adopted.

BOND RESOLUTION DATED FEBRUARY 13, 2024.

A RESOLUTION AMENDING THE BOND RESOLUTION DATED OCTOBER 12, 2021, AUTHORIZING THE ISSUANCE OF \$1,939,500 BONDS OF THE TOWN OF LEWISBORO, WESTCHESTER COUNTY, NEW YORK, TO PAY THE COST OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE FACILITIES OF THE OAKRIDGE WATER DISTRICT, IN AND FOR SAID TOWN, TO INCREASE THE ESTIMATED MAXIMUM COST THEREOF TO \$3,902,933 AND MODIFY THE PLAN OF FINANCE TO INCLUDE GRANTS TO BE RECEIVED.

WHEREAS, by bond resolution dated October 12, 2021, the Town Board of the Town of Lewisboro, Westchester County, New York, authorized the issuance of \$1,939,500 bonds of said Town to pay the cost of the increase and improvement of the facilities of the Oakridge Water District

in said Town, consisting of the design and construction of an expansion to the water treatment plant to remove certain chemicals generally known as PFAS, including improvements to the booster pumps, treatment chemicals, valves, meters, and other appurtenances, and related and incidental improvements and expenses in connection therewith; and

WHEREAS, pursuant to the provisions heretofore duly had and taken in accordance with the provisions of Section 202-b of the Town Law, and more particularly an order dated February 13, 2024, said Town Board has determined it to be in the public interest to increase the facilities of the Oakridge Water District in the Town of Lewisboro, Westchester County, New York, at a maximum estimated cost of \$3,902,933; and

WHEREAS, all conditions precedent to the financing of the capital purposes hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act to the extent required, have been performed; NOW, THEREFORE, BE IT

RESOLVED, by the Town Board of the Town of Lewisboro, Westchester County, New York, as follows:

Section A. Section 2 of the aforementioned bond resolution of this Town Board dated and duly adopted October 12, 2021, is hereby amended, in part, to read as follows:

“Section 2. It is hereby determined that the maximum estimated cost of the aforesaid class of objects or purposes is \$3,902,933 and that the plan for the financing thereof is by (i) grants or funds expected to be received from the New York State Environmental Facilities Corporation and the U.S. Environmental Protection Agency, currently expected in the aggregate amount of approximately \$2,963,700 and (ii) the issuance of up to \$1,939,500 bonds of said Town authorized to be issued pursuant to this bond resolution.”

Section B. The validity of such bonds and bond anticipation notes may be contested only if:

(1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or

(2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(3) Such obligations are authorized in violation of the provisions of the Constitution.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Supervisor Goncalves VOTING Yes

Councilman Rendo VOTING Yes

Councilman Shah VOTING Yes

Councilman Sklarin VOTING Yes

Councilman Welsh VOTING Yes

The resolution was thereupon declared duly adopted.

OAKRIDGE PLANT EXPANSION PROJECT – Award Bids

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 Board of the Town of Lewisboro, acting as commissioners of the Oakridge Water District, hereby awards the contracts for the Oakridge Water District WTP Upgrades Project as follows:

General contract to Tam Enterprises, Inc., at a cost not to exceed \$3,279,163.00;
Electric contract to Acorn Electrical Contractors at a cost not to exceed \$200,000;
Heating Ventilation and Air Conditioning contract to Mace Contracting Corp at a cost not to exceed \$195,000;

BE IT FURTHER RESOLVED that the foregoing contractors have all been determined to be low responsible bidders meeting specifications; and

BE IT FURTHER RESOLVED, that upon receipt of performance bonds, labor and materials bonds and insurance in form satisfactory to Town Counsel, the project contracts and notice to proceed may be issued.

COMMUNICATIONSNEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Supervisor Gonçalves stated that he received a letter from NYSDEC stating that our community has been selected to work with a technical assistance provider to aid in the development and implementation of a Drinking Water Source Protection Program. Ossining & Peekskill are already in this program and now Lewisboro, Mt. Kisco Village and Somers are included.

HIGHWAY

Councilwoman Rendo read the attached email regarding the newly elected Highway Superintendent:

To the Town Board: Please read this into commentating and would hope that many of you will side on this accomplish. He has done an amazing and we should show appreciation. I just want you all to know that John Winter, our newly elected Highway Supervisor, under his own due diligence to the Town of Lewisboro Highway Superintend accomplished something with his management style of laid back due diligence that has served the Town of Lewisboro the benefit of staying in house. He used Town owned equipment, manpower, barter or borrowed a truck from Somers. John removed the huge pile of logs, trunks, wood chips and some dirt without having to hire a so-called degenerate Hickory Homes. John Winter stopped a potential multi tens of thousands of dollars charge to the Town of Lewisboro brought forward recently by our previous Ripperger. Most importantly there is no need to lease the property to a 3rd party public moveable temporary timber operation facility vendor who has no interest in the town (except a buy off deal and pocketing monies) and potential criminal vendor. Not to say John won't need additional assistance based on trees felled and hurricanes but cannot say how grateful I am that this property has been cleaned up. You can actually see The Echo Farm field with horse grazing and people riding their horses. I can see Cheryl Swartz's beautiful house at her 10-acre land plot. Looking out of the main barn renovation here at Farvue since the cleanup you can see an operation in progress. Thank you John. You are a good man. And thank you for your leadership since closing the door of the old word thinking of Peter Ripperger. Never thought I would see this day. You are a talented young Highway Supervisor with a crew that apparently respects you and look forward to working with you in the next couple years and for your second term I support. Thank you to your crew also. Excellent work. These are good days based on new ideas and thinking out of the box.

Many Thanks, Carol Cernak, Farvue Farm

CONSENT AGENDAMINUTES & REPORTS - Approved

On motion by Supervisor Gonçalves, seconded by Councilwoman Rendo, the minutes of the January 22, 2024, Town Board meetings were approved, and the January 2024 Building and Police Department monthly reports were received and filed.

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

NYSEG PRESENTATION – Update (8:48 – 9:10 p.m.)

Dylan Miyoshi, Government & Community Relations Manager for NYSEG made a presentation to the Board and residents (see attached).

One resident questioned why the tree company that NYSEG uses does not remove the tree debris. Mr. Miyoshi stated that if the trees fall during a storm event, they do not take the tree debris away. But if it is a planned removal, the debris should be removed. This resident stated that this was not the case in her situation. Supervisor Gonçalves asked the resident to send him an email with the specifics and he would forward on to Mr. Miyoshi.

The Board thanked Mr. Miyoshi for his presentation.

BOND APPROVAL – Re-Adoption of \$128,000 Dump Truck Purchase

Supervisor Gonçalves explained that instead of the notice of adoption being placed in the Westchester Journal News newspaper, the Estoppel notice was run instead. Therefore, the board needed to re-adopt the dump truck purchase for \$128,000.

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)

NOTICE OF ADOPTION

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Lewisboro, Westchester County, New York (the “Town”), at a meeting held on February 13, 2024, duly adopted the resolution summarized below, subject to a permissive referendum.

The resolution provides that the faith and credit of the Town are irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable; that an annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year; that the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds authorized by such resolution, including renewals of such notes, is delegated to the Town Supervisor; that all other matters, except as provided in such resolution, relating to the bonds authorized, including the date, denominations, maturities and interest payment dates, within the limitations prescribed in such resolution and the manner of the execution of the same and also including the consolidation with other issues, and the authority to issue such obligations on the basis of substantially level or declining annual debt service, is delegated to and shall be determined by the Town Supervisor; and that this LEGAL NOTICE shall be published.

A summary of the bond resolution follows:

BOND RESOLUTION DATED FEBRUARY 13, 2024.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$128,000 BONDS OF THE TOWN OF LEWISBORO, WESTCHESTER COUNTY, NEW YORK, TO

PAY THE COST OF THE ACQUISITION OF A DUMP TRUCK, IN AND FOR SAID TOWN.

The period of the aforesaid specific object or purpose is fifteen years pursuant to subdivision twenty-eight of paragraph a of Section 11.00 of the Local Finance Law.

THE FULL TEXT OF THIS BOND RESOLUTION IS AVAILABLE FOR PUBLIC INSPECTION AT THE OFFICE OF THE TOWN CLERK LOCATED AT 11 MAIN STREET, LEWISBORO, NEW YORK, DURING NORMAL BUSINESS HOURS.

RESOLUTION

BOND RESOLUTION DATED FEBRUARY 13, 2024.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$128,000 BONDS OF THE TOWN OF LEWISBORO, WESTCHESTER COUNTY, NEW YORK, TO PAY THE COST OF THE ACQUISITION OF A DUMP TRUCK, IN AND FOR SAID TOWN.

WHEREAS, all conditions precedent to the financing of the capital purpose hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act to the extent required, have been performed; and

WHEREAS, it is now desired to authorize the financing of such capital purpose; NOW, THEREFORE, BE IT

RESOLVED, by the Town Board of the Town of Lewisboro, Westchester County, New York (the "Town"), as follows:

Section 1. For the purpose of paying the cost of the acquisition of a dump truck, in and for the Town, including incidental expenses in connection therewith, a specific object or purpose, there are hereby authorized to be issued up to \$128,000 bonds of said Town pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the estimated maximum cost of the aforesaid specific object or purpose is \$128,000, and the plan for the financing thereof shall be by the issuance of the \$128,000 bonds authorized to be issued pursuant to this bond resolution.

Section 3. It is hereby further determined that the period of probable usefulness of the aforesaid specific object or purpose is fifteen years pursuant to subdivision twenty-eight of

paragraph a of Section 11.00 of the Local Finance Law, as said object or purpose shall cost \$30,000 or more. It is hereby further determined that the maximum maturity of the bonds authorized will exceed five years.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said Town are hereby irrevocably pledged to the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. To the extent such appropriation is not made from other sources, there shall annually be levied on all the taxable real property of said Town a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the Town by the manual or facsimile signature of the Supervisor and a facsimile of its corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the Town Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as the Supervisor shall deem best for the interests of the Town; provided, however, that in the exercise of these delegated powers, the Supervisor shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Supervisor shall

be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of its Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor. It is hereby determined that it is to the financial advantage of the Town not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by Section 52.00 of the Local Finance Law, as the Supervisor shall determine.

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. The validity of such bonds and bond anticipation notes may be contested only if:

- (1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- (2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- (3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 11. Upon this resolution taking effect, the same shall be published in summary in *Westchester Journal News*, the official newspaper of the Town, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 12. This resolution is adopted subject to permissive referendum in accordance with Section 35.00 of the Local Finance Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

Supervisor Tony Gonçalves VOTING Yes

Councilperson Andrea Rendo VOTING Yes

Councilperson Mary Shah VOTING Yes

Councilperson Richard Sklarin VOTING Yes

Councilperson Daniel Welsh VOTING Yes

The resolution was thereupon declared duly adopted.

INTERNATIONAL FIREWORKS – Accept Proposal

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 does accept the proposal from International Fireworks to provide fireworks for 2024 and 2025 at a cost each year of \$14,100.

AUTOMATED EXTERNAL DEFIBRILLATORS – Approve Purchase

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 purchase of Automated External Defibrillators (AEDs) and enclosures from Advantage Emergency Devices, the sole source provider.

TOWN PARK WATER SUPPLY – Approve Engineering Proposal

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 approve the proposal for the Town Park water supply upgrades engineering report from Delaware Engineering at a cost not to exceed \$5,000.

TOWN PARK BATH HOUSE RENOVATION – Approve Architect Proposal

The Board discussed a proposal for a \$5,000 retainer for Darren P. Mercer, Architect PLLC, which will give the town schematics of images for the bath house and will get the town on the way to the next step of the project. There was a prior proposal from Studio Architecture however it was not apples to apples to Darren Mercer's proposal. Councilwoman Rendo suggested getting other architects to submit drawings as well. She does not feel we should be limiting the town to just one architect's drawings. Recreation Supervisor Nicole Caviola stated that no architects would submit drawings without charging for these drawings. Town Attorney Greg Folchetti stated that these are professional services, so a bid is not required.

After further discussion regarding the proposal, a motion was made and seconded, but it did not carry.

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

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

RESOLUTION

RESOLVED, that the Town Board does approve \$5,000 for architect drawings for the Town Park Pool Bathhouse as discussed by Recreation Supervisor Nicole Caviola (motion did not carry).

ELECTRONIC FINGERPRINT SCANNER – Authorize Payment

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 authorize the payment to Clearview Data Systems, Inc., in the amount of \$22,916.00 for an electronic fingerprint scanner, which will be reimbursed in full by a NY State Grant.

CREST GRANT – Onatru Paving

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 authorize the Supervisor and Town Attorney to sign the grant disbursement agreement of Crest Grant for Onatru Park paving.

REMOVAL OF DIRT – Acceptance of Bid

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 does accept the bid for removal of 2,000 yards of dirt from the salt dome from K & K Land Services, South Salem, NY in the amount of \$34,500.

MAINTENANCE MECHANIC EQUIPMENT & GROUNDS – Appointment

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 appoint Andrew Faryniarz to the title of Maintenance Mechanic Equipment and Grounds, effective February 5, 2024.

PEDESTRIAN & BICYCLE ADVISORY COMMITTEE – Appointment of Member

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 appoint Ines Hemmerijckx to the Pedestrian and Bike Committee for a 4-year term ending 12/31/2027.

KATONAH-LEWISBORO SEPTO – Approve Fundraiser

On motion by Councilwoman Rendo, 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 a Katonah Lewisboro Special Education PTO fundraiser at the Town Park on June 21, 2024, and be it further

RESOLVED, that all fees are waived.

THRIVE DRUG PREVENTION – Authorize Partial Consultant Fee

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 authorize the payment of \$1,000 towards the funding of a consultant for THRIVE which is the Drug Use Prevention & Mental Health Alliance.

SOLAR PANELS - Onatru Barn Roof

It was determined by the sustainability engineers that the Onatru barn can support the weight of the solar panels and that the Parks & Recreation Advisory Council was ok with this.

PUBLIC COMMENT PERIOD (10:02 – 10:32 p.m.)

A total of 8 residents spoke.

POOL WATER

A resident questioned if the Town Park Water Filtration system qualified as a public water system and if it is, it should be tested for PFAS. During polling of the board, Supervisor Gonçalves stated that the pool is not considered to be a public system so there is no requirement to test for PFAS, however it would be a good idea to test.

ISRAELI – HAMAS CONFLICT

Approximately 5 residents spoke out against Councilman Welsh and continued to criticize him for what they feel are antisemitic posts on his personal Facebook page. They stated that his behavior is not fitting of a Town Board member. These residents continue to feel that he is dividing this town when we need to be unified and continue to ask Councilman Welsh to resign. They feel he should not be in the rotation as a Deputy Supervisor. They also stated that in his capacity as a Town Board member he should not be posting on social media, and he should be censured. Another resident stated that Councilman Welsh represents the people of Lewisboro, and is not a delegate to the middle east.

Approximately 2 residents spoke out in favor of Councilman Welsh stating that they don't believe he is anti-Semitic but rather anti-war. They feel that Councilman Welsh's voice should not be shut down. They stated that his views are held by others as well in the community. Another resident suggested that the board set up a professionally facilitated meeting that engages those who care, and he also asked the Board not to take any action against Councilman Welsh.

During polling of the Board, each Board member addressed the audience. Councilman Sklarin stated that while he does support free speech he is asking Councilman Welsh to please stop on Facebook and put it aside as it is distracting and it is getting in the way of all of the board members doing their jobs. Councilwoman Shah also believes in free speech but does not agree with hate speech. She is disturbed by what Councilman Welsh is posting and asked him to please stop and his priorities should be the town.

Councilwoman Rendo stated that residents are asking him to stop with his posts on social media and she is asking him to please stop with his posts. She also stated that a number of people have reached out asking if the Ethics Committee of Lewisboro has a place here. She would agree to refer this matter to the Ethics Committee for review but she did want to reiterate that she suspects, due to the limited nature of what they review based on the Town Code and the NYS General Municipal Code, that this specific set of facts may not fall within their purview and as long as her colleagues on the Town Board agree, that would be her suggestion. Councilman Welsh stated that he is afraid that there will be another 911 here and it will involve all of us. All he has done is call for a cease fire and he has a simple resolution calling for this. He does have several residents that back him for stating what he is stating. He would like to see this board catch up with the rest of the world and take a moral stand on this. Supervisor Gonçalves stated that people should take a break from social media and pick up the phone and call people instead.

BOARD OF ETHICS – Referral of Councilman Welsh

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

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

RESOLUTION

RESOLVED, that the Town Board does refer Councilman Daniel Welsh's recent social media postings to the Ethics Board.

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 \$189,635.04.

POLLING OF THE BOARD

PUBLIC COMMENT PERIOD

It was suggested that if public comment period was going to be altered, the Supervisor should give the residents a reasonable heads up.

COMPREHENSIVE MASTER PLAN STEERING COMMITTEE

The committee had a meeting last night regarding Zoning Code updates.

RIDGEFIELD AVENUE

A community walk may take place with several people regarding traffic calming. One concept would be to walk the road and then have a session with the police and highway department.

PRESENTATIONS

It was suggested that the contents of presentations be clear and speak to their audience and that the Supervisor look at it ahead of time.

HIGHWAY DEPARTMENT

The Highway Department was thanked for a job well done with today's snowstorm.

SUSTAINABILITY PARTNERS

It was suggested again that Sustainability Partners meet with the Oakridge Water District.

WESTCHESTER COUNTY EXECUTIVE

Supervisor Gonçalves stated that he was invited to be the County Executive's special guest on his weekly broadcast. This can be viewed on Facebook and he will also put a link on the town's website.

MEETINGS – Dates Set

There will be a Town Board meeting on Monday, February 26, 2024, 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 Councilwoman Rendo, the Board voted 5-0 to go into executive session at 11:00 p.m. to discuss personnel issues.

On motion by Councilman Sklarin, seconded by Councilwoman Shah, the Board voted 5-0 to come out of executive session at 11:46 p.m.

HIGHWAY DEPARTMENT – Termination of Probationary Period

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 terminate the probationary period of Brian Donaton effective March 1, 2024.

COMPTROLLER'S OFFICE – Appointment of Intermediate Account Clerk

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 authorize filling a part-time intermediate account clerk position in the Comptroller's office upon Civil Service and Westchester County Department of personnel approval.

ADJOURNMENT

On motion by Councilwoman Shah, seconded by Councilman Sklarin, the Board voted 5-0 to adjourn at 11:49 p.m.

Janet L. Donohue
Town Clerk