

A meeting of the Town Board of the Town of Lewisboro, Westchester County, New York, was held on May 21, 2018 at 7:30 p.m. at the John Jay High School Library, 60 N Salem Rd, Cross River, NY 10518

PRESENT:

Supervisor	Peter Parsons
Council Members	Jane Crimmins, Tony Gonçalves, John Pappalardo, Daniel Welsh
Town Clerk	Janet Donohue
Absent	None

Also attending was the Attorney for the Town Jennifer Herodes, Facilities Maintenance Manager Joel Smith, Parks and Recreation Superintendent Dana Mayclim, Chief of Police Charles Beckett, Comptroller Leo Masterson and Confidential Secretary/Benefits Coordinator Mary Hafter.

Approximately 75 residents/observers.

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

PLEDGE OF ALLEGIANCE

The Supervisor led the Pledge of Allegiance to the flag.

PUBLIC COMMENT PERIOD

There were no public comments.

PROCLAMATION – Greg Monteleone

On motion by Mr. Parsons, seconded by Mr. Gonçalves, the Board voted as follows:

THE VOTE:	Yes	- Parsons, Crimmins, Gonçalves, Pappalardo, Welsh	(5)
	No	- None	(0)
	Absent	- None	(0)

RESOLUTION

WHEREAS, GREG MONTELEONE is a man of high character who has made significant contributions to the Country Children's Center beginning by being a parent of children attending the Center for many years which led to his joining the Board of Directors in 2012 where he used his experience as a parent, his background and expertise as a lawyer plus his connections in the community to promote the Center and its agendas, negotiate the refinancing of the Center's mortgages and loans so helping it to become the financially sound organization that it now is, and

WHEREAS, GREG MONTELEONE accomplished this difficult task by donating the necessary hours of research and work to bring his efforts to a successful conclusion so solving a huge dilemma and earning the grateful thanks of the Center, and

WHEREAS, GREG MONTELEONE was asked to become President of the Board when the incumbent unexpectedly resigned and GREG MONTELEONE agreed to accept this position only on a temporary basis since it had not been part of his plans though he has now been able to end this "temporary" assignment after five years in which he has led the Country Childrens Center in

embarking on a new and exciting project of a new childcare center in Vista Commons which will be the Center's first expansion in over ten years and the first ever built from the ground up, and

WHEREAS, GREG MONTELEONE remains on the Center's Board where his dedication and experience is a continuing asset to the Center's success, and

WHEREAS, GREG MONTELEONE's involvement in the Center is only one part of his community activity which includes his being a partner in the law firm of Shapiro, Gettinger, Waldinger and Monteleone, his Chairmanship of the Town of Lewisboro's Open Space and Preserves Advisory Committee, Lewisboro Town Prosecutor and Past President of the Northern Westchester Bar Association, and

WHEREAS, these contributions are deserving of public notice,

NOW, THEREFORE, BE IT RESOLVED that the Town Board of Lewisboro in the County of Westchester in the State of New York in recognition of this most excellent service does offer the thanks of its populace to GREG MONTELEONE, and

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of this May 21, 2018 Town Board Meeting for future generations to see.

ANNOUNCEMENTS

MEMORIAL DAY – Celebrations

Mr. Parsons stated that there would be an art show and live music at the South Salem Presbyterian Church on Sunday, May 27th from 5-7 p.m. along with a Memorial Day Fair and races on Monday, May 28th. There will be a Memorial Day parade and ceremony in Goldens Bridge starting at 10:45 a.m. at the Goldens Bridge Train Station which will conclude at the Community Center (Katonah Arts Center). There will also be a parade in South Salem starting at 12:15 p.m. at the intersection of Spring Street and Lakeshore and this will conclude with a ceremony at the Town House. All are welcome!

FIREWORKS – Donations

Mr. Parsons thanked Tom Maoli and Mercedes Benz of Goldens Bridge for their very generous donation of \$11,400 towards the Town's 20th Annual Firework Spectacular to be held on June 30, 2018.

EMERGENCY MANAGEMENT – Adam Ochs

The Board thanked Adam Ochs, Emergency Management Officer, for all of his hard work during this last storm.

PUBLIC HEARING – Zoning Amendment for Cell Towers

Mr. Parsons called the public hearing to order. There was no objection to the time or form of the public notice (attached). Mr. Parsons called for comments from the public.

There were no public comments.

On motion by Mr. Parsons, seconded by Mr. Gonçalves, the Board voted as follows:

THE VOTE:	Yes	- Parsons, Crimmins, Gonçalves, Pappalardo, Welsh	(5)
	No	- None	(0)
	Absent	- None	(0)

RESOLUTION

RESOLVED, that the public hearing for amending Section 220-41.1(H) entitled “Communication facilities, communication towers, antenna towers or monopoles” with respect to the provisions related to the alterations, amendments and waiver of application requirements for such applications, in order to be in compliance with federal regulations, is now closed.

TOWN CODE – Amendment to 220-41.1(H) entitled “Communication facilities, communication towers, antenna towers or monopoles”

On motion by Mr. Parsons, seconded by Mr. Gonçalves, the Board voted as follows:

THE VOTE:	Yes	- Parsons, Crimmins, Gonçalves, Pappalardo, Welsh	(5)
	No	- None	(0)
	Absent	- None	(0)

LOCAL LAW NUMBER 5-2018 OF THE TOWN OF LEWISBORO

H. Alterations, amendments and waiver of application requirements.

(1) Alterations. Applications for alterations to an approved communication facility or communication tower shall be made to the Building Department.

- (a) If the Building Department determines that the proposed alteration constitutes an eligible facilities request as defined in 47 U.S.C. § 1455, it shall act upon the application.
- (b) If the Building Department determines that the alteration does not constitute an eligible facilities request as defined in 47 U.S.C. § 1455, it shall refer the application to the Planning Board for review and action. In acting upon such an application, the Planning Board shall apply the standards set forth in this § 220-41.1, unless waived.
- (c) Existing, and approved, communication facility ground equipment may be upgraded, replaced or added to, provided same can be accommodated within an approved fenced-in facility compound, building or structure. Such a facility alteration shall be exempt from the requirements of special permit approval, provided it does not include the construction of any new accessory buildings, structures greater than eight feet in height, fencing, or other site improvements involving grading, vegetation removal or new land disturbances.
- (d) No alteration to an approved communication facility or communication tower shall be permitted or approved where such alteration would result in

displacement of or the inability for collocation by an additional service provider.

- (2) Amendments. Applications to amend a special permit for an approved communication facility or communication tower to allow collocation of equipment for an additional service provider shall be made to the Building Department.
 - (a) If the Building Department determines that the proposed amendment involves an eligible facilities request as defined in 47 U.S.C. § 1455, it shall act upon the application.
 - (b) If the Building Department determines that the proposed amendment does not constitute an eligible facilities request as defined in 47 U.S.C. § 1455, it shall refer the application to the Planning Board for review and action. In acting upon such an application, the Planning Board shall apply the standards set forth in this § 220-41.1, unless waived.
- (3) Waiver. If an application is subject to Planning Board approval, the Planning Board may waive, upon the request of the applicant and subject to appropriate circumstances, any application requirements under § 220-41.1 which, in its judgment of the specific circumstances of a particular application or site, are not requisite in the interest of the public health, safety and general welfare.

PUBLIC HEARING – Erecting Cell Tower on LVAC Property and Meeting Monroe Balancing Test (7:40 – 9:40 p.m.)

Mr. Parsons called the public hearing to order. There was no objection to the time or form of the public notice (attached).

Mr. Parsons asked Robert D. Gaudioso, partner at Snyder and Snyder Law, who works on behalf of Homeland Towers, LLC to give a brief overview of the cell tower project.

Mr. Parsons then read ten emails from residents supporting the installation of the cell tower (Linda Press Wolfe, a resident of The Meadows later asked why Mr. Parsons did not read any emails against the cell tower. Mr. Parsons responded that he had not received any emails that had the subject “Cell Tower” in the subject line. Ms. Wolfe stated that she would forward him an email which was not in favor of the cell tower that she was copied on). Mr. Parsons also read an email from Senator Murphy’s office that he did a google pole and found that 90% of the residents were in favor of the cell tower.

Mr. Parsons then opened up the floor to the public for their comments. Several people spoke out against the LVAC cell tower location. Cross River residents Les Simon and Pete Blair stated that they are in favor of cell coverage but they don’t want it to ruin the historic area. They also feel that there may be artifacts in this location. Mr. Simon and Nicky DeNicola, Goldens Bridge resident, referred to a note from the Westchester County Historical Society stating that they have grave concerns about the location of the cell tower in such close proximity to an historical site. They hope that the Board would pursue other options.

Ellen Weininger, who is the Director of Educational Outreach for Grassroots Environmental Education, feels that there are health impacts. She gave handouts to the Board and also invited

individuals to visit their website at grassrootsinfo.org. Donna Longo of the Meadows also voiced her concern about health issues.

Lucinda Sarcuni, a resident of the Meadows suggests reconfiguring the road at Route 35 and Route 121 and to fill the pot hole by the 5th Division Market. She also is not in favor of the proposed location due to the historic nature.

Linda Press Wolfe of the Meadows wonders why they can't change the color of their building exteriors due to the fact that they are in a special character district yet the Town is looking at putting up a cell tower. Ms. Wolfe feels Homeland Towers should find another suitable location; go back to parcels that they visited years ago and that it should be on higher ground, not the lowest most portion of Cross River.

Doug Hux, a resident of the Meadows and a volunteer as a crew chief at LVAC, believes that enabling cell service in this area would cause more accidents. He also feels that as an EMT crew chief, if an accident happens involving a school bus in this location, every child with a cell phone will text their parents and then crowd control would become an issue and would impede the EMTs from doing their job.

Michelle McGuire, a resident who lives next to the Reynolds Cemetery, first thanked Mr. Gonçalves for taking the time to listen and go back and negotiate some improvements to the original plan. But she is still disappointed with how this is going. Ms. McGuire stated that the Board hasn't forced Homeland Towers to show them coverage maps. She feels that the Board is taking the path of least resistance by putting the cell tower at LVAC. Ms. McGuire also feels like this public hearing is a charade because the Board already approved a lease. Ms. McGuire also asked why the Town didn't ask about bids and she feels that a decision is being made with blinders on.

Mr. Gaudio from Snyder and Snyder Law did address the one point of approving the lease. Mr. Gaudio did explain that the Board voted merely to approve the form of the lease agreement subject to the tower going through the proper environmental and approval process which is exactly what this meeting is intended for which is why the public hearing is taking place this evening.

Jack Griffin of the Meadows also feels that the tower will hurt the beauty of the area and will affect their property values. He also feels that it will make Route 35 more dangerous and will facilitate more accidents.

Chris Beckett, a resident of Cross River feels that this is a local issue, not a State issue, so he doesn't really care what Senator Murphy's survey says and that he feels it is inappropriate for Senator Murphy's representative to be present since it is a town issue. Mr. Beckett also feels that the arguments for getting a cell tower is for emergency purposes and for traffic going down Route 35. Mr. Beckett stated that he feels most Cross River residents have boosters and make it work. Lastly, Mr. Beckett stated he feels that an outside company is coming to the Town telling the Board what they need as opposed to the Board creating policy and creating a vision for the future.

Kevin Uretski moved to the Meadows 2 years ago and respectfully disagrees with most of the comments this evening. He is worried about the speeds and people using cell phones on Route 35 but he feels that is a law enforcement issue, not a cell tower issue. Don't mix and match the

issues. Mr. Uretski also has a booster which works great in the house. However, once you walk out of the door, the cell phones do not work. Mr. Uretski reminded everyone of the lock down at the school when two people were on the run and no one could get in touch with their children. He stated that his wife was on the WiFi right now and couldn't get a call through to their home. Mr. Uretski feels that if the Town doesn't find a solution then at some point you will get diminishing returns because people won't move to Cross River.

Glenn DeFaber a resident of Cross River for 32 years has been to several meetings over the years regarding cell service and every single meeting the cell tower would be better somewhere else. Mr. DeFaber also questioned why, if you were worried about children hurt by radiation, would you want a cell tower at the school. Mr. DeFaber also commented that he appreciates history, however, he does not consider the Meadows or the LVAC building to be historic. The reservoir is on one side of the proposed cell tower and the Pound Ridge Reservation is on the other side. Mr. DeFaber also mentioned that he feels the cell tower would take in the Cross River Valley so if you put the cell tower in a higher location the signal will go over where they are trying to rectify the signal. Mr. DeFaber asked the Board to provide guidance for the whole town, not just a select few.

Tracey Benson asked what problem we are trying to solve; what are they trying to accomplish? Connectivity? A cell tower may not be the only way to do that given the accelerated rate of technology. A cell tower may not be the answer. Mr. Benson mentioned that she has older children and has never had a problem reaching her children via cell phones while they were at the school. Ms. Benson also asked the Board who has the power to make the decision on the cell tower and the answer was the Town Board.

Andrea Denlivitch moved here from New York City a few years ago and lives by the Town Park. She mentioned that no one ever mentioned to her that there was a problem with cell phone service. She feels that a vast majority of parents cannot get in touch with their children. She also agrees that the community advocacy for safety is a very important thing but it is different than a cell tower. Ms. Denlivitch also stated that she has missed any signs or walks for any historic areas in Cross River. As a newcomer she has been on a few walks with the Town Historian in other historic areas in Town but never knew there was an historic area in Cross River. Ms. Denlivitch did compliment Mr. Gonçalves on keeping the residents informed and for coordinating the red balloon test. She feels that this is a difficult decision and she thanked the Board.

Babara Blair, Cross River resident feels that the school can reach out more to parents in emergencies. Ms. Blair also asked about other properties that the Town owns in Cross River where the tower may be placed. Mr. Parsons stated the Town owns the cemetery and a marsh land property which is total wetland. Other pieces of property are preserved by deeds. Ms. Blair also stated that the schools don't want the cell towers because of the health issues; why would the residents want it for their children or for any residents?

Joe Longo from the Meadows has a land line so he is able to make and get calls during a power outage. Mr. Longo feels that the Town needs cell service but he doesn't want it by his property since his value will go down by 10-20% percent.

Kate Barker, a Goldens Bridge resident who lives in an historic home feels that progress needs to be tempered with an appreciation for the past.

Manny Vicente, owner of Homeland Towers and a town resident, addressed and corrected a few statements that were made. Some residents asked why the cell tower was being erected in a low lying area. When you are trying to cover a valley area you can't do that from a high point very well due to blocking and shadowing from the terrain. To prove this the tower at the Town Park is on a very tall knoll yet it doesn't cover Cross River. Homeland Towers is not making up the need.

Mr. Vicente stated that an archeological study was conducted and nothing was found. He also stated that if the tower isn't needed in the future then Homeland Tower would be required to remove the tower.

Mr. Vicente stated that they have been looking at a site as an industry in Cross River for decades. Everyone that Homeland has reached out to have been contacted again within the last year.

Mr. Vicente stated that if anyone has property that they would like to lease out for a cell tower, please contact him.

Mr. Welsh spoke to the traffic issue at the intersection of Route 35 and Route 121 South which the Board has been dealing with for about a decade. Mr. Welsh has asked for a traffic light there to no avail. It is an area of great concern to the Board. Mr. Parsons has made numerous visits to DOT and has walked this area with them. The Board has made numerous suggestions to no avail. A resident asked about the hole by the 5th Division Deli and asked if it is the States problem or the deli's problem. Mr. Welsh feels that even if it is filled it would not fix the bigger problem.

Ms. Crimmins has looked over all of the paperwork and she has also listened to all of the residents both for and against the cell tower's location. She does feel that cell phone service is needed in our town.

Mr. Pappalardo also expressed that these are not easy decisions. It is a town wide decision and is not a decision that is made in haste; enormous thought has been given to this subject. Mr. Pappalardo also reminded everyone that the infrastructure that leads into LVAC will be taken from above ground to underground so service providers will still have power during power outages.

Mr. Gonçalves stated that as a Board they have tried to be as responsive as possible and they are not hiding anything.

Mr. Parsons also stated that while going door to door listening to residents and asking for their votes, there were two dominant issues. Fix our roads and get better cell service.

The Board thanked everyone who came out tonight to have their voices heard. The public hearing will stay open for 30 days so that the Planning Board may have time to respond.

CONSENT AGENDAMINUTES - Approved

On motion by Mr. Parsons, seconded by Ms. Crimmins, the Board voted 5-0 to approve the meeting minutes of May 7, 2018.

THE VOTE:	Yes	- Parsons, Crimmins, Gonçalves, Pappalardo, Welsh	(5)
	No	- None	(0)
	Absent	- None	(0)

TOXIC EMISSIONS FROM NATURAL GAS – Presentation (9:42 – 9:50 p.m.)

Ellen Weininger, who is the Director of Educational Outreach for Grassroots Environmental Education, made a presentation to the Board regarding oil and gas sector air emissions regulations to be developed by the NYS Department of Environmental Conservation.

On motion by Mr. Pappalardo, seconded by Mr. Welsh, the Board voted as follows:

THE VOTE:	Yes	- Parsons, Crimmins, Gonçalves, Pappalardo, Welsh	(5)
	No	- None	(0)
	Absent	- None	(0)

RESOLUTION

Whereas, the Town of Lewisboro has a principal responsibility to protect the health and safety of its residents, businesses and institutions; and

Whereas, the people and environment of New York have been increasingly subjected to a build-out of natural gas infrastructure, including but not limited to pipelines and distribution networks, compressor stations, power plants, combustion heating systems, metering and regulation stations, and pigging stations; and

Whereas, peer-reviewed scientific studies^{1, 2} link exposure between air pollutants emitted from natural gas infrastructure facilities and neurological, cardiovascular and respiratory disease, cancer, birth defects, and other adverse health impacts. Acute health impacts from these toxic exposures can cause burning eyes, headaches, breathing difficulty and nausea for nearby populations and can exacerbate health problems. Chronic health impacts can include certain types of cancer as well as damage to lungs, liver, kidneys, reproductive, nervous and cardiovascular systems; and

Whereas, the American Medical Association and the Medical Society of the State of New York acknowledge the hazards of natural gas infrastructure and associated adverse health impacts and passed resolutions in 2015 calling for Health Impact Assessments (HIAs); and

¹ PSR/CHPNY Compendium 5th Edition (March 2018): http://concernedhealthny.org/wp-content/uploads/2018/03/Fracking_Science_Compendium_5FINAL.pdf

² PSE for Healthy Energy Repository for Oil and Gas Energy Research: <https://www.psehealthyenergy.org/our-work/shale-gas-research-library/>

Whereas, the National Ambient Air Quality Standards (NAAQS) are based on average population risks across a large area over a long period of time but do not adequately address human toxicity for residents living in close proximity to natural gas infrastructure or where they are subject to episodic high exposures during events such as blowdowns; and

Whereas, current protocols used for assessing compliance with ambient air quality standards do not adequately determine intensity, frequency or durations of actual human exposures to pollutants and mixtures of pollutants emitted from natural gas infrastructure, noting that periodic 24-hour average measures can underestimate actual exposures by an order of magnitude; and

Whereas, gas infrastructure facilities can emit into the air annually hundreds of tons of pollutants including toxic chemicals and criteria pollutants, some of which are known carcinogens like benzene and formaldehyde, and can also be sources of radioactive contamination³; and

Whereas, people who live or work in close proximity to natural gas infrastructure facilities such as compressor stations are most at risk—particularly developing fetuses, children, the elderly, and those with cardiovascular, lung or respiratory problems and other vulnerable subpopulations, although under certain weather and terrain conditions, these pollutants can have a wider impact; and

Whereas, developing fetuses and children are uniquely vulnerable to exposures as they receive proportionally greater doses of pollutants than adults and have immature organs and detoxification systems⁴; and

Whereas, methane is an extremely potent greenhouse gas with a global warming potential that is 34 times that of carbon dioxide over a 100-year timeframe and 86 times that of carbon dioxide over a 20-year timeframe; and

Whereas, methane is the primary ingredient of natural gas and leaks at every system stage, including extraction, processing, transmission, distribution, and end-use consumption; and

Whereas, the NYS Department of Environmental Conservation (DEC) regulations do not currently require Best Available Control Technology (BACT) or Lowest Achievable Emissions Rate (LAER) technology for facilities that are not designated under federal Title V requirements or are not located within non-attainment areas, although such requirements could substantially reduce hazardous air emissions; and

Whereas, the DEC does not require the use of emission control technologies for all gas infrastructure facilities that would provide a floor of protection and could significantly reduce emissions, even when such technology has become standard practice within the industry or is readily available; and

³ Environmental Health Project Report, October 2017: Health Effects Associated with Stack Chemical Emissions from NYS Compressor Stations: 2008-2014:

<http://www.environmentalhealthproject-ny.org/>

⁴ Reducing the staggering costs of environmental disease in children, estimated at \$76.6 billion in 2008, Trasande, L, et al, Health Affairs, May 2011:

<https://www.ncbi.nlm.nih.gov/pubmed/21543421>

Whereas, the DEC does not require continuous air monitoring of pollutants or methane in real time for gas infrastructure facilities, even though the technology to do so is now readily available, nor does the DEC require that such data be made available to public; and

Whereas, the DEC determines compliance with regulatory requirements and permit conditions through self-reporting by the industry without independent verification; and

Whereas, the DEC does not require rigorous inspection of gas infrastructure facilities to detect and eliminate natural gas leakage at gas infrastructure facilities; and

Whereas, the DEC lacks requirements for advanced notification of all planned blowdowns or other chemical releases, and for notification immediately following all unplanned blowdowns or other chemical releases in order for residents, public officials and first responders to take prompt emergency action; and

Whereas, the DEC exempts many emission sources that exist at gas infrastructure sites from regulation requirements and lacks adequate regulatory requirements for non-combustion emission sources; and

Whereas, the DEC does not require a sufficiently protective set of best management practices for gas infrastructure facilities to ensure protection of public health, safety, and the environment; and

Whereas, the DEC does not require the timely replacement or retrofit of technology and the update of site practices for existing gas infrastructure facilities to ensure appropriate consistency with requirements for new projects and adherence to current best management practices; and

Whereas, the U.S. Environmental Protection Agency hosts a voluntary Natural Gas Star program for partner companies to implement technologies and practices for the reduction of methane emissions and document results; and

Whereas, the DEC's State Environmental Quality Review (SEQR) process for gas infrastructure projects does not adequately address greenhouse gases and climate impacts; and

Whereas, the DEC has announced that it intends to rewrite or revise oil and gas regulations, which can be more stringent than federal requirements;

Therefore, be it resolved that the Town of Lewisboro, in the interest of protecting its residents, businesses and institutions, strongly urges the NYS Department of Environmental Conservation (DEC) to adopt the following regulatory requirements:

1. Installation and use of Lowest Achievable Emissions Rate (LAER) technology at all new and existing gas infrastructure facilities that emit pollutants into the environment, including those not designated under federal Title V requirements or not located within non-attainment areas;
2. Inclusion of non-combustion emission sources and emission sources currently considered "exempt" within the DEC regulatory framework; and

3. Installation and use of specific emission control technology, identified through the federal National Gas Star Program and elsewhere, including but not limited to:
 - Dry seals on all centrifugal compressors
 - Automatic air to fuel ratio (AFR) controls
 - Oxidation catalysts and selective catalytic reduction (SCR) on exhaust stacks
 - Vapor recovery technology for reciprocating compressors, storage tanks, and other sources of fugitive or vented emissions
 - Static seals on reciprocating compressor rods
 - Dry low-NO_x burners (DLNB)
 - Low emission combustion (LEC)
 - SCONO_x or equivalent technology
 - Zero-emission dehydrators and similar closed-system technology to avoid venting of gas
 - Electric or compressed air starters
 - Electric or compressed air actuators instead of gas-operated pneumatic actuators
 - Post-combustion particulate matter controls such as electrostatic precipitators, baghouses, and scrubbers
 - Interior and exterior corrosion protection, such as plastic enamel sprays
 - Electric motor compressors where applicable; and
4. Implementation of practices, identified through the National Gas Star program and elsewhere, to reduce natural gas leakage and blowdowns, including but not limited to maintaining compressors at pipeline pressure, redirecting blowdown gas to lower-pressure lines, cap testing, use of inert gases at pigging stations, and more aggressive maintenance of packing rings and compressor rods than required by existing regulations; and
5. Installation and use of air monitoring equipment at the stack, fence line, and within nearby communities to provide continuous monitoring of pollutants including toxic chemicals, criteria pollutants, ultra-fine particulate matter, individual VOCs, as well as methane in real time for all gas infrastructure facilities, with such data made readily available to the public, such as by online access; and
6. Onsite verification of compliance with regulatory requirements and permit conditions by
7. independent registered inspectors through scheduled and random visits; and
8. Rigorous quarterly inspection by independent registered personnel with regular reports submitted to the DEC and made available to the public to detect and ensure timely elimination of natural gas leaks at gas infrastructure facilities using the comprehensive detection methods such as aerial and ground-level laser methane assessment, organic vapor analyzers (OVAs), toxic vapor analyzers (TVAs), sorbent tubes, SUMMA canisters, infrared cameras, as well as real-time monitoring with Fourier Transform Infrared (FTIR) spectroscopy and other remote sensing along pipelines; and
9. 48-hour or greater advanced notification to any Village Trustees/Town Board/City Council/County Legislature requesting it of all planned blowdowns, regardless of size, and other chemical releases; notification within 30 minutes of all unplanned blowdowns,

- regardless of size, and other chemical releases at all gas infrastructure facilities; and suspension of planned blowdowns or other chemical releases when weather conditions would increase exposure to air pollutants; and
10. Timely replacement or retrofit of technology and update of site practices for existing gas infrastructure facilities to ensure compliance with current regulatory requirements and best management practices; and
 11. Strict enforcement of all best management practices and protocols for gas infrastructure facilities to ensure protection of public health, safety, and the environment; and

Be it further resolved, that the DEC, in cooperation with the NYS Department of Health (DOH), should promulgate more stringent performance requirements, including but not limited to the regulated levels of criteria pollutants, to address deficiencies in NAAQS which fail to consider human toxicity in populations proximate to gas infrastructure facilities, and any other deficiencies affecting public health, safety, or environmental protection; and

Be it further resolved, that the DOH in cooperation with the DEC should require and oversee a comprehensive, independent Health Impact Assessment (HIA) as outlined by the Centers for Disease Control and the National Academy of Sciences, incorporating the latest peer reviewed science, to be conducted by an independent public health entity and include cumulative short and long-term, direct and indirect impacts from all natural gas infrastructure components, emissions from operations including blowdowns, leaks, and spills, and a thorough analysis of the chemical emissions and radioactive contaminants, as well as their concentrations, persistence, and dispersion; and that a health registry should be established and maintained with all data available to the public; and

Be it further resolved, that the DEC should develop State Environmental Quality Review (SEQR) guidance to ensure that state agencies adequately address all cumulative impacts including but not limited to greenhouse gases and climate change during environmental reviews for gas infrastructure projects; and

Be it further resolved, that the Town of Lewisboro Clerk shall forward this Resolution to the Governor of New York State, Commissioner of the NYS Department of Environmental Conservation, Commissioner of the NYS Department of Health, and the local State Assembly Member and State Senator.

STATE AND LOCAL TAX (SALT) CHARITABLE TRUST – Discussion (9:51 – 9:53 p.m.)

Mr. Parsons stated that the Town needs to make a decision on the State and Local Tax Charitable Trust (SALT) which is new legislation that the State has already passed. Mr. Parsons assumes that the school and the County are going to implement their parts of this however the administration of this could prove to be very difficult.

Mr. Parsons would like to set up a SALT Committee composed of the Comptroller Leo Masterson, Receiver of Taxes Deirdre Casper, Town Supervisor Peter Parsons and Town Councilman John Pappalardo to look at the details and see if the Town should even consider doing this for Town taxes.

On motion by Mr. Parsons, seconded by Mr. Gonçalves, the Board voted as follows:

THE VOTE:	Yes	- Parsons, Crimmins, Gonçalves, Pappalardo, Welsh	(5)
	No	- None	(0)
	Absent	- None	(0)

RESOLUTION

RESOLVED, that the Town Board has created a State and Local Tax (SALT) Committee composed of the Comptroller Leo Masterson, Receiver of Taxes Deirdre Casper, Town Supervisor Peter Parsons and Town Councilman John Pappalardo.

BUDGET STATUS – Highway and Police Departments (9:54 – 10:05 p.m.)

Town Comptroller Leo Masterson presented to the Board the budget status for the Highway and Police Departments (see below). The Board thanked Mr. Masterson for his report.

Police Department

	2018	Estimated	Estimated Over	2015-2017
	<u>Budget</u>	<u>Actual</u>	<u>Budget</u>	<u>Average</u>
Part-Time Officers Straight Pay	\$136,000	\$214,000	\$78,000	\$135,940
Department Over Time	\$40,000	\$74,000	\$34,000	\$62,238
	<u>\$176,000</u>	<u>\$288,000</u>	<u>\$112,000</u>	<u>\$198,178</u>
Why over budget?				
	Personnel back fill		\$100,000	
	Special larceny detail		\$3,000	
	Other coverage requirements		<u>\$9,000</u>	
			<u>\$112,000</u>	

Highway Department

Expenses Already Over Budget:

Snow Removal Over Time	\$8,400
Private Plow Contractors	\$3,700
Plow Maintenance	<u>\$3,500</u>
	<u>\$15,600</u>

Road Salt Status:

\$200,000 spent

\$20,000 budget remaining

Dome Contents - 2 to 3 storms coverage

General Fund Noteworthy Unbudgeted Items

Park & Rec Billing/Program Software	\$12,000
Paddle Tennis Court Repair	\$8,600
Defibrillators	\$8,000
MS4 & Outfalls Engineering	\$5,000
Seniors Bus Gasoline Retro Charge	\$4,300
Preserve Maintenance - Tree Removal Indian Hill	\$3,800
Certiorari Settlements	\$3,500
Zoning Board Attorney	\$3,500
Tax Billing Software for NYS Prepayment Mandate	\$2,850
	<u>\$51,550</u>

Some Good Things

Through April, sales tax 5.55% increase over last year.

If maintained through year equates to \$129,000 better than budget.

2018 budgeted contingency - \$100,000 General fund; \$58,000 Highway fund.

General Fund Balance	<u>2017</u>	<u>2016</u>
Non-spendable	\$518,979	\$351,578
Unassigned	\$676,008	\$561,218
Total	<u>\$1,194,987</u>	<u>\$912,796</u>

PARKS AND RECREATION – Discussion re Capital Plans (10:06 – 10:20 p.m.)

Parks and Recreation Superintendent Dana Mayclim was asked at the previous meeting to present the Board with a list of capital projects and new equipment for her department. The following is a list:

- Composting toilets at Onatru and Fox Valley Park
- Pickle Ball Courts
- Fix the traffic circle behind the building at Onatru
- Two new back stops at Onatru 1 and 2 softball/baseball fields
- Rotate Fields 1 and 2 and add drainage to them as was done to 3/4, 5 and 6 back in the early 2000s
- Paving the driveways into all three parks; all have potholes and are eroding
- One to two new parks trucks – both are 13 years old
- New Tractor for mowing and field maintaining and preserve cutting – ours is over 20 years
- New Gator – both are about 18 plus years old
- New Van for transporting people, supplies and for ski trips – we were told that the body is going to rust off soon.
- Playground at Fox Valley which doesn't have one – that is accessible to all children
- New pavilion at Town Park – working with Lions to see if they can get that done.
- A new play structure at the interactive pool as the one we have is 13 years old and its base is rusting away due to weather and chlorine
- The bathrooms at the Pool need to be updated as well as a Family Bathroom added for the families with young children, special needs families and our transgender community.

Pickle Ball is becoming quite popular. The surrounding Towns of Bedford, Ridgefield, New Canaan and Norwalk currently have pickle ball courts. Pickle Ball is the only revenue generating item on the Parks and Recreation list. Ms. Mayclim will come up with a benchmark for revenue.

Ms. Mayclim would also like to see composting toilets installed at Onatru and at Fox Valley Park. Ideally she would like to see them at both parks. The Board would like to see a proposal for Onatru alone and a separate proposal for both sites together. There are 8 vendors however only one is local.

The Board did give permission to Ms. Mayclim to go out to bid for pickle ball courts and for composting toilets and report back to the Board once these bids have been secured.

PUBLIC HEARING ANNOUNCED – Reusable Bag Initiative

The Board had a brief discussion regarding the reusable bag initiative. Mr. Pappalardo asked for an explanation of the monetary violations and also asked the attorney's to revisit the wording misdemeanor versus violations. Mr. Pappalardo doesn't want to burden the retailers and wants to make sure that these bags that have to be purchased by them are relatively available.

On motion by Mr. Parsons, seconded by Ms. Crimmins, the Board voted as follows:

THE VOTE:	Yes	- Parsons, Crimmins, Gonçalves, Pappalardo, Welsh	(5)
	No	- None	(0)
	Absent	- None	(0)

RESOLUTION

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Lewisboro will hold a public hearing on June 11, 2018 at 7:30 p.m. at the Lewisboro 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 which would enact Chapter 181, entitled "Retail Checkout Bags and EPS (Styrofoam). The purpose of this chapter is to improve the environment in the Town of Lewisboro (the "Town") and to protect the health, safety and general welfare of its residents by encouraging the use of reusable cloth or heavy plastic bags and banning single-use plastic bags for retail checkout of purchased goods. Retail establishments are encouraged to make cloth reusable bags available for sale and to encourage shoppers to bring their own reusable bags. In furtherance of the aforementioned purpose, it is also the intention of this chapter to prohibit the use of styrofoam containers and styrofoam cups by delis, food stores, food establishments and restaurants. At said hearing all interested persons are invited to attend and will be heard. The Town of Lewisboro is committed to equal access for all.

CLAIMS – Authorized for Payment

On motion by Mr. Parsons, seconded by Ms. Crimmins, the Board voted 5-0 to authorize payment of the Town's bills in the amount of \$523,837.37.

MEETINGS – Dates Set

Upcoming meetings of the Board include a regular meeting on June 11 and June 25, 2018 at 7:30 p.m. at the Town House, 11 Main Street, South Salem, NY 10590.

EXECUTIVE SESSION – To Discuss Legal Issues

On motion by Mr. Parsons, seconded by Mr. Pappalardo, the Board voted 5-0 to go into executive session at 10:33 p.m. to discuss legal issues.

On motion by Mr. Parsons, seconded by Mr. Pappalardo, the Board voted 5-0 to come out of executive session at 11:05 p.m.

ADJOURNMENT

On motion by Mr. Parsons, seconded by Mr. Pappalardo, the Board voted 5-0 to adjourn at 11:10 p.m.

Janet L. Donohue
Town Clerk