

MINUTES OF THE TOWN BOARD MEETING HELD ON APRIL 8, 2024

A Town Board meeting of the Town Board of the Town of Lewisboro, Westchester County, New York, was held on April 8, 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, Maintenance Employees Shawn Johannessen and Joel Smith and Recreation Supervisor Nicole Caviola.

Approximately 9 residents/observers attended the live meeting and approximately 14 participated via Zoom.

Supervisor Gonçalves called the meeting to order at 7:33 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

PROCLAMATION - Week of the Young Child

Rebecca Peck from the Country Childrens' Center was on hand to accept the proclamation. The Board thanked her for the work that she does in our community.

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 ADOPTED BY THE TOWN BOARD OF THE TOWN OF  
LEWISBORO AT A MEETING HELD ON APRIL 8, 2024**

WHEREAS, The first years of a child's life are the period of the most rapid brain development and lay the foundation for all future learning, and

## MINUTES OF THE TOWN BOARD MEETING HELD ON APRIL 8, 2024

WHEREAS, Children's cognitive, physical, social and emotional, and language and literacy development are built on a foundation of children's positive interactions with adults, peers, and their environment, and

WHEREAS, A high percentage of mothers return to work in the first six weeks after the birth of a child, and

WHEREAS, High-quality early childhood programs provide important benefits to children, families and our state and national economies, and

WHEREAS, Participation in high-quality early childhood education saves taxpayer dollars, makes working families more economically secure and prepares children to succeed in school, earn higher wages, and live healthier lives, and

WHEREAS High-quality early childhood education depends on high-quality early childhood educators who ensure that children, supported by families, have the early experiences they need for a strong foundation, and

WHEREAS YOUNG CHILDREN NEED Developmentally appropriate, accessible, and available early care and education settings, and

WHEREAS, Access to an early childhood education workforce that reflects a rich diversity of linguistic, racial, and cultural identities, and

WHEREAS WORKING FAMILIES NEED Sufficient high-quality child care spaces beginning at birth to be available in the community, therefore.

BE IT RESOLVED that the Town of Lewisboro does hereby proclaim April 7-13, 2024 as the WEEK OF THE YOUNG CHILD, and does hereby recognize that high quality early childhood education, provided by the Country Childrens Center in a mixed-delivery system, is a public good, and urge all members of our community to support efforts that increase children and families' access to high-quality early childhood education.

### PUBLIC COMMENT I

There were no public comments.

### CONSENT AGENDA

### MINUTES & REPORTS - Approved

On motion by Supervisor Gonçalves, seconded by Councilwoman Shah, the minutes of the March 11 & March 25, 2024, Town Board meetings were approved, and the March 2024 Building Department monthly report was received and filed.

MINUTES OF THE TOWN BOARD MEETING HELD ON APRIL 8, 2024

TOWN PARK POOL BATHHOUSE - Discussion (7:42 – 7:51 p.m.)

Supervisor Gonçalves shared several elevation photos and a rendering of the proposed town park pool bathhouse (see attached).

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 approves a payment of \$5,000 to be sent to Darren Mercer Architect, PLLC for Phase 2B for Design and Development and to coordinate framing design with Mid Atlantic Timber Framers for preliminary frame cost estimates.

DELAWARE ENGINEERING AMENDMENT – Approve Supervisor to Sign

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

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

RESOLUTION

RESOLVED, that the Town Board approves the amendment #1 of the 2021 Delaware Engineering professional services agreement and be it further,

RESOLVED that the Town Board authorizes the Town Supervisor to sign amendment #1 of the 2021 Delaware Engineering professional services agreement.

PICKLE BALL COURTS – American Rescue Plan Act (ARPA) Funds (7:54 – 8:06 p.m.)

Councilwoman Shah brought up the pickle ball courts during “old business” and she would like to allocate \$350,000 of the ARPA funds to the pickle ball courts at the town park. She also mentioned that Max Wasserman is in the process of going through the steps to get his Eagle Scout project of reconstructing the steps up to the courts approved.

After further discussion, it was decided that the current balance of the ARPA funds is approximately \$600,000 and that the board did agree to allocating \$350,000 to the pickle ball courts.

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

MINUTES OF THE TOWN BOARD MEETING HELD ON APRIL 8, 2024

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

RESOLUTION

RESOLVED, that the Town Board has designated \$350,000 from the American Rescue Plan Act (ARPA) funds to be used for pickle ball courts at the Town Park.

PARKS & RECREATION – Martinez Carpentry for Dugout Roofs at Fox Valley

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)

RESOLUTION

RESOLVED, that the Town Board approves the hiring of Martinez Carpentry and Roofing LLC for the removal and replacement of dugout roofs at Fox Valley Park.

PARKS & RECREATION – D-Fence Installation of Fence at Fox Valley

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)

RESOLUTION

RESOLVED, that the Town Board approves the hiring of D-Fence to install fencing at Fox Valley Park which will separate the playground from the playing fields.

PARKS & RECREATION – Surplus Items Auctions International

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)

MINUTES OF THE TOWN BOARD MEETING HELD ON APRIL 8, 2024

RESOLUTION

RESOLVED, that the Town Board approves the Parks & Recreation Department to surplus the below three pieces of equipment with Auctions International:

1. 2002 Gem E285 Utility Vehicle, VIN# 5ASAJ274X2FO2399
2. 1999 John Deere Gator Utility 6X4, VIN# W006X4X047051
3. Mill Creek Spreader PTO Drive, Model Turf75TD, Serial #3910

PARKS & RECREATION – Ridgefield Aquatic Club Agreement

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 Supervisor to sign the contract, as presented, with Ridgefield Aquatics Club, allowing said group use of the Town pool during specified off hours, as reviewed by counsel.

PARKS & RECREATION – Storm Aquatics Club Agreement

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 Supervisor to sign the contract, as presented, with Storm Aquatics of Mt. Kisco, NY, allowing said group use of the Town pool during specified off hours, as reviewed by counsel.

“HISTOURY” TOUR – Lewisboro & Parking at Onatru

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

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

MINUTES OF THE TOWN BOARD MEETING HELD ON APRIL 8, 2024

RESOLUTION

RESOLVED that the Town Board does authorize the “Histoury Tour” to use the Onatru Farm parking lot on April 27, 2024, for a fee of \$250 and insurance certificate.

REFUSE LICENSE – Renewal Authorized for City Carting/WIN

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 Clerk is authorized to issue a renewal license for the collection of residential and commercial refuse and recycling to WIN Waste/ City Carting for a period of one year.

PLANNING BOARD – Authorize Release of Performance Security

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 Planning Board to move forward with a public hearing to release the remainder of the performance security for 65 Old Bedford Road, Goldens Bridge, NY.

TOWN CLERK – Authorized to Attend Conference

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)

MINUTES OF THE TOWN BOARD MEETING HELD ON APRIL 8, 2024

RESOLUTION

RESOLVED, that the Town Board does authorize the Town Clerk to attend the 42<sup>nd</sup> NYSTCA Conference which will be held April 21-24, 2024 at the Desmond in Albany, NY, as budgeted for in the 2024 budget.

HIGHWAY SUPERINTENDENT – Authorized to Attend Conference

On motion by Councilwoman Shah, seconded by Supervisor Gonçalves, 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 Highway Superintendent to attend the Annual School for Highway Superintendents which will be held June 3-5, 2024, at Ithaca College, as budgeted for in the 2024 budget.

OSCALETA CULVERT PROJECT FUNDING – Resolution

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)

Town of Lewisboro, Westchester County  
(Oscaleta Culvert Project)  
RESOLUTION NUMBER: 040824

Authorizing the implementation and funding of 100% of the costs of a transportation project, of which qualified costs may be reimbursed from Bridge NY funds.

WHEREAS, a project for the T/O Lewisboro: Oscaleta Road Culvert Replacement - Town of Lewisboro, Westchester County, P.I.N. 8763.27 (the "Project") is eligible for reimbursement of qualified costs from Bridge NY funding that calls for the post-reimbursement apportionment of the qualified costs to be borne at the ratio of 100% Bridge NY funds and 0% non-Bridge NY funds; and

WHEREAS, the Town of Lewisboro will design, let, and administer all phases of the Project.

MINUTES OF THE TOWN BOARD MEETING HELD ON APRIL 8, 2024

WHEREAS, the Town of Lewisboro desires to advance the Project by making a commitment of 100% of the costs of preliminary design, detailed design, construction, and construction inspection work for the Project or portions thereof.

NOW, THEREFORE, the Town Board, duly convened does hereby

RESOLVE, that the Town Board hereby approves the Project; and it is hereby further

RESOLVED, that the Town Board hereby authorizes the Town of Lewisboro to pay 100% of the cost of preliminary design, detailed design, construction, and construction inspection work for the Project or portions thereof, with the understanding that qualified costs will be reimbursed from Bridge NY funding; and it is further

RESOLVED, that the sum of \$1,425,627 is hereby appropriated from the Town of Lewisboro reserve funds and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that the Town Board hereby agrees that the Town of Lewisboro shall be responsible for all costs of the project, including costs that exceed the amount of reimbursement available from the NY Bridge Funding awarded to the Town of Lewisboro and it is further

RESOLVED, that in the event the costs of the Project exceed the amount appropriated above, the Town of Lewisboro Board shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Town Comptroller thereof, and it is further

RESOLVED, that the Town of Lewisboro hereby commits that construction of the Project shall begin no later than twenty-four (24) months after award and the construction phase of the Project shall be completed within thirty (30) months; and it is further

RESOLVED, that the Town of Lewisboro Supervisor be and is hereby authorized to execute all necessary agreements, certifications or reimbursement requests with NYSDOT for State Aid and/or Bridge NY funding on behalf of the Town of Lewisboro in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's funding of the Project costs, and it is further

RESOLVED, that the Town of Lewisboro will be responsible for all maintenance of the Project; and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and it is further

RESOLVED, this Resolution shall take effect immediately.



MINUTES OF THE TOWN BOARD MEETING HELD ON APRIL 8, 2024

BRIDGENY CULVERT LOCAL PROJECT AGREEMENT – Authorize Supervisor to Sign

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

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

RESOLUTION

RESOLVED, that the Town Board does authorize the Supervisor to sign the BridgeNY Culvert local project agreement.

BOND RESOLUTION - \$40 Million for Lakes Sewer District for WIIA Grant Application  
(8:10 – 8:58 p.m.)

Supervisor Gonçalves stated that this resolution would be for the borrowing of \$40 million for a lake's sewer district. In order to apply for the grant, it is necessary to show a funding resolution. Supervisor Gonçalves stated the goal is to fund the project with multiple funding sources. This funding is not binding. The district will need to be formed by the residents of the lakes that are being discussed (Lake Waccabuc, Lake Rippowam, Lake Oscaleta and Truesdale Lake).

Councilman Sklarin feels that the districts should be formed first and that the homeowners should have an understanding of what they are going to be expected to pay for and what they are getting into. He feels that the educational portion of this should be spelled out to the over 230+ homeowners that will be involved with this.

Supervisor Gonçalves stated that the lake studies were received in 2021 and discussions were had in 2022. In 2023 is when they started learning about the grant opportunities, which are spelled out in the resolution.

Councilwoman Rendo reiterated that residents that are not in these lake area districts, will not be taxed for the sewer districts.

Councilman Sklarin asked what if the board approves this resolution to borrow the money but then a sewer district is not formed. It was stated then the money would not be bonded for, and the water quality would continue to decline. Also, if the grant money is not obtained, then the sewer district will not be formed.

Councilman Welsh stated that it is beneficial to move in parallel on these things in order to make the schedule work. He stated that there will be several moving parts. Supervisor Gonçalves stated that in order to obtain the grant money the sewer district would need to be placed on town property and they are currently looking at the recycling center area.

Councilwoman Rendo questioned if the town would then have to create a Department of Public Works and hire an engineer. Supervisor Gonçalves stated that we would hire an operator to oversee it.

MINUTES OF THE TOWN BOARD MEETING HELD ON APRIL 8, 2024

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

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

RESOLUTION

BOND RESOLUTION DATED APRIL 8, 2024.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$40,000,000 BONDS OF THE TOWN OF LEWISBORO, WESTCHESTER COUNTY, NEW YORK, TO PAY COSTS OF THE CONSTRUCTION OF A NEW SEWER SYSTEM AND WASTE WATER TREATMENT PLANT, IN AND FOR SAID TOWN.

WHEREAS, the Town wishes to apply for a grant from the New York State Environmental Facilities Corporation for the construction of a new sewer system and waste water treatment plant to benefit certain properties around Lake Waccabuc, Lake Rippowam, Lake Oscaleta, and Truesdale Lake, which is described in a Memorandum dated June 8, 2023 from Woodard & Curran Engineering and Geological Services P.A. P.C. (the “Woodard & Curran Report”);

WHEREAS, the Woodard & Curran Report estimates that the cost of the project is \$40,000,000 and the Town expects to pay for such project by applying for or obtaining the following funding sources: (i) \$10,000,000 from Westchester County WQIP settlement funds for NYC DEP violation of Clean Water Act, (ii) \$12,500,000 from 2017 DEC Contract to be disbursed through the East of Hudson Watershed Corporation, (iii) \$10,000,000 Water Quality Improvement Program (WQIP) grant from NYS Department of Environmental Conservation, and (iv) \$7,500,000 Water Infrastructure Improvement (WIIA) grant from New York State Environmental Facilities Corporation;

WHEREAS, upon securing the various sources of funding described above or finding other sources or funding, the Town expects to form a new sewer district in connection with such project and complete proceedings as required under Articles 12, 12-A or 12-C of the Town Law;

MINUTES OF THE TOWN BOARD MEETING HELD ON APRIL 8, 2024

NOW, THEREFORE, BE IT

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

Section 1. For the class of objects or purposes of paying for costs of the construction of a new sewer system and wastewater treatment plant, in said Town, and related and incidental improvements and expenses in connection therewith, there are hereby authorized to be issued \$40,000,000 bonds of said Town pursuant to the provisions of the Local Finance Law. **No obligations authorized hereby shall be issued until the Town shall complete proceedings under Articles 12, 12-A or 12-C of the Town Law, and shall have determined, after a public hearing held thereunder, that the undertaking of the improvements contemplated hereby is in the public interest. No expenditure for the aforesaid class of objects or purposes shall be made unless the State Comptroller has consented thereto if required by the Town Law. Further, the project shall not be undertaken until compliance with the provisions of the State Environmental Quality Review Act, to the extent required, have been performed.**

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid class of objects or purposes is \$40,000,000 and that the plan for the financing thereof is by the issuance of the \$40,000,000 bonds of said Town authorized to be issued pursuant to this bond resolution. If grant monies or other funds are received for the aforesaid class of objects or purposes, the same may be expended in lieu of the proceeds of obligations authorized hereunder, and the amount of the bonds to be issued shall be reduced accordingly. The aggregate amount to be expended for the aforesaid class of objects or purposes shall not exceed the estimated maximum cost thereof, as the same may be amended from time to time.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is forty years pursuant to subdivision four of paragraph a of Section

MINUTES OF THE TOWN BOARD MEETING HELD ON APRIL 8, 2024

11.00 of the Local Finance Law. 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 of Lewisboro, Westchester County, New York, 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. Such cost shall be annually apportioned and assessed upon the several lots and parcels of land to be benefitted by said improvement in the manner provided by law and levied and collected in an amount sufficient to pay the principal and interest on said bonds as the same become due.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the Town of Lewisboro, Westchester County, New York, 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 Town Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of the Town, including, but not limited to, the power to sell said bonds to the New York State Environmental Facilities Corporation; provided, however, that in the exercise of these

MINUTES OF THE TOWN BOARD MEETING HELD ON APRIL 8, 2024

delegated powers, he 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 Town 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. The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the Town Supervisor. Such notes shall be of such terms, form and contents as may be prescribed by said Town Supervisor consistent with the provisions of the Local Finance Law.

Section 9. The Town Supervisor is hereby further authorized, at his or her sole discretion, to execute a project financing agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific object or purpose described in Section 1 hereof, or a portion thereof, by a bond, and, or note issue of said Town in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 10. The intent of this resolution is to give the Town Supervisor sufficient authority to execute those applications, agreements, instruments or to do any similar acts necessary to effect the issuance of the aforesaid bonds and, or notes, without resorting to further action of this Town Supervisor.

Section 11. 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

MINUTES OF THE TOWN BOARD MEETING HELD ON APRIL 8, 2024

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 Town 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 12. 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 13. 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.

MINUTES OF THE TOWN BOARD MEETING HELD ON APRIL 8, 2024

Section 14. This resolution shall take effect immediately.

BOND RESOLUTION – Paving

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

BOND RESOLUTION DATED APRIL 8, 2024.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$320,000 BONDS OF THE TOWN OF LEWISBORO, WESTCHESTER COUNTY, NEW YORK, TO PAY THE COST OF CONSTRUCTION, RECONSTRUCTION OR RESURFACING OF VARIOUS TOWN HIGHWAYS, ROADS, AND STREETS, 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 construction, reconstruction or resurfacing of various Town highways, roads, and streets, in and for the Town, including incidental expenses in connection therewith, a class of objects or purposes, there are hereby authorized to be issued up to \$320,000 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 class of objects or purposes is \$320,000, and the plan for the financing thereof shall be by the issuance of the \$320,000 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 class of objects or purposes is fifteen years pursuant to subdivision twenty of paragraph a of Section 11.00 of the Local Finance Law. 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

MINUTES OF THE TOWN BOARD MEETING HELD ON APRIL 8, 2024

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:



MINUTES OF THE TOWN BOARD MEETING HELD ON APRIL 8, 2024

(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 the 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.

HIGHWAY – Accept Material Bid Results

On motion by Councilwoman Shah, seconded by Supervisor Gonçalves, 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 Highway Department materials bid results for 2024/2025.

PUBLIC COMMENT II

A total of 11 residents spoke.

POLICE COVERAGE & SAFETY ISSUES

Ten residents and business owners spoke about the recent break-ins at the Farmer's Grind (2020 & 2024), Salem Liquors and Vista Wine. They were disappointed that the town did not notify other business owners in town about these break-ins and that they had to find out via social media and word of mouth. Several stated that there needs to be more patrols and that the Lewisboro Police should be 24 hours a day as our town is now being pegged as a prime target. Several people also suggested that plate readers be installed on Route 123 towards the New Canaan border. Cars have also been stolen and broken into in Vista from driveways. This is an issue that needs to be addressed possibly by a task force. Many people know that there is no police coverage from the Lewisboro Police from 11 p.m. to 7 a.m., except for the State Troopers. More funding is needed for the police department. Another resident spoke about home break-ins during

## MINUTES OF THE TOWN BOARD MEETING HELD ON APRIL 8, 2024

the day in Goldens Bridge last year and she only heard about it from one of the resident's whose home was broken into, not the town. She feels that the residents should be made aware of these break-ins as soon as possible. Another resident feels that it is just a matter of time before someone gets killed. It was also stated that the Board has to help the police so that they can help the residents.

During polling of the board, it was conveyed by the Board that they felt terrible for the business owners and for residents who have experienced these break-ins and thefts. They will work on getting the word out sooner to the public. There has been a delay in getting the information from the state back to the Chief. They will also look at grants for plate readers. The Board will also continue discussions regarding a third shift of policing and will continue these discussions into the budget season. It was also mentioned that a possible task force be created. The 3C's, coordination, collaboration and communication between state and local police should be followed.

### \$40 MILLION FOR LAKE'S SEWER DISTRICT

Four residents commended Councilman Sklarin for his thoughtful discussion regarding the \$40 million bond borrowing for the lake's sewer district. They also stated that they did not like the passive aggressive comments from other Town Board members. They feel that there is a lack of transparency. Another resident stated that he had PTSD on the sidewalk proposal, and he feels that the Town Board has learned nothing and there has been no learning curve.

During polling of the Board, it was stated that this was worked on last year and information has been on the website. The lakes people did approach the board for help and hopefully it will get over the finish line and that it is a well-defined plan. If a district is not formed, at least they can say they gave it a try as a town board.

### GOLDENS BRIDGE SHOPPING CENTER

A resident feels that this area needs to be revisited as it has Mercedes Benz cars parked there and the landscaping around the EV chargers still looks horrible, especially in the evening. A resident also stated that she spoke with someone from Acme, and they claimed that the town is holding up permits for their renovations.

During polling of the board, it was stated by Supervisor Gonçalves that there were no open permits that he knew of for the Golden's Bridge Shopping Center.

### 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 \$206,245.65.

## MINUTES OF THE TOWN BOARD MEETING HELD ON APRIL 8, 2024

### POLLING OF THE BOARD

#### LIBRARY

A fundraiser concert will take place at the Lewisboro Library by Pluck & Rail on Saturday, April 13. Tickets are still available. There will also be an emergency preparedness training seminar on April 16 at 7 p.m. More information can be found on their website at [Lewisboro Library](#)

#### LEWISBORO GARDEN CLUB

The Lewisboro Garden Club will be handing out tree seedlings called “Rooting for Lewisboro Seedlings” on April 25, Thursday, 10 AM to 6 PM at the Town Park pavilion.

#### PARKS & RECREATION

The Spring/Summer Brochure is now on the town’s website and has been mailed out.

#### HAMLET MASTER PLANS

It was mentioned by Councilman Welsh that after the Comprehensive Master Plan is completed, that they consider doing master plans for the hamlets.

#### LEWISBORO BASEBALL ASSOCIATION

The LBA Opening Day will take place on Saturday, April 13 at the Town Park at 11:00 a.m. The Lions Club will be grilling.

#### DEPARTMENT OF TRANSPORTATION ROUTE 35

Night paving should take place on Route 35 from Route 22 to Bouton Road sometime in the next few months. The work will be done at night.

#### OAKRIDGE WATER DISTRICT

Supervisor Gonçalves stated that he had the pre-construction meeting for Oakridge Water District in his office last week. And today he received the schedule from the general contractor which is as follows:

- On-site mobilization June 3, 2024
- Site clearing starting June 6, 2024
- Excavation and rock removal starting July 12, 2024
- Foundation concrete work starting Sept 9, 2024
- GAC tanks delivery in January 2025
- Site restoration April 2025
- Start-up May 2025

MINUTES OF THE TOWN BOARD MEETING HELD ON APRIL 8, 2024

MEETINGS – Dates Set

There will be a Town Board meeting on Monday, April 29, 2024, at 7:30 p.m. at the Town House, 11 Main Street, South Salem, New York.

EXECUTIVE SESSION – To Discuss Personnel Issues & Legal Issues

On motion by Supervisor Gonçalves, seconded by Councilwoman Shah, the Board voted 5-0 to go into executive session at 9:53 p.m. to discuss personnel issues & legal issues.

On motion by Councilman Sklarin, seconded by Councilwoman Rendo, the Board voted 5-0 to come out of executive session at 10:35 p.m.

ADJOURNMENT

On motion by Councilwoman Shah, seconded by Councilman Sklarin, the Board voted 5-0 to adjourn at 10:36 p.m.

Janet L. Donohue  
Town Clerk