



**TOWN OF LEWISBORO
TOWN BOARD MEETING AGENDA
TOWN HOUSE
MONDAY, FEBRUARY 13, 2023
7:30 P.M.**

I. COMMUNICATIONS

II. CONSENT AGENDA

- a. Approval of Minutes of January 23, 2023
- b. Monthly Reports January 2023
 - i. Building Department
 - ii. Police Department

III. OLD BUSINESS

- a. Reset Public Hearing for Proposed Amendment to Chapter 199 Article IV
Entitled "Volunteer Fire Fighters and Ambulance Workers Exemption"

IV. NEW BUSINESS

- a. Update: Comprehensive Plan Steering Committee – Valerie Monastra
- b. Discussion: Borrowing Resolutions
 - i. Approve \$367,000 Borrowing Resolution for Capital Improvements
for Parks & Recreation Department
 - ii. Approve \$614,000 Borrowing Resolution for the Purchase of Two
Trucks and Hot Box for the Highway Department
- c. Discussion: Keane & Beane Fees for 2023
- d. Resolution: Authorizing Increase in Salary for Parks & Recreation
Supervisor
- e. Discussion: Meadows at Cross River Sewage Works Corporation's Request
for Sewage Treatment Rate Increase
- f. Discussion: Zoom Public Comments

V. PUBLIC COMMENT for New Business Only

VI. APPROVAL OF CLAIMS

VII. POLLING OF THE BOARD

VIII. ANNOUNCEMENTS

Town Board Meeting – Monday, February 27, 2023, at 7:30 p.m., at the Town House, 11 Main Street, South Salem

MOTION TO GO INTO EXECUTIVE SESSION

Town Board Meetings Accessibility: The Town of Lewisboro is committed to providing equal access to all its facilities, services, and activities to the fullest extent possible. The Town House, Cyrus Russell Community House, Onatru Farmhouse, and the Bouton Road Town Offices are accessible to persons with physical handicaps. If anyone who wishes to attend any meeting of the Town Board has special needs, please contact the Supervisor's Office (763-3151) at least one week before any scheduled in-person meeting, and we will try to accommodate whenever possible.

Join Zoom Meeting

<https://us06web.zoom.us/j/88040564503>

Meeting ID: 880 4056 4503

Dial by your location

+1 929 205 6099 US (New York)

Meeting ID: 880 4056 4503

TOWN OF LEWISBORO
Building/Zoning Department
79 Bouton Road
South Salem, NY 10590

M5 Fee Report
From 12/22/2022 To 01/29/2023

Count by Type		
Fee Type	Count	Total
Additional Building Permit Fee	8	\$940.00
Additional CC Fee	3	\$270.00
Additional CO Fee	5	\$670.00
BUILDING PERMIT FEE	50	\$14,560.00
CERTIFICATE OF COMPLIANCE FEE	31	\$2,630.00
CERTIFICATE OF OCCUPANCY FEE	16	\$6,960.00
DEMOLITION 600 FT AND GREATER	1	\$100.00
ENVIRONMENTAL QUESTIONNAIRE-BUILDING	10	\$500.00
MISCELLANEOUS	1	\$10.25
RE-INSPECTION	2	\$200.00
RECORDS MANAGEMENT FEE	51	\$102.00
RENEWAL FEE	5	\$627.00
Stormwater ADMIN	1	\$750.00
VARIANCE	3	\$756.00
ZONING BOARD APPLICATION	1	\$252.00
	188	\$29,327.25

TOWN OF LEWISBORO

Building & Zoning Department 79 Bouton Road, South Salem, NY 10590 914-763-3060

	2021		2022		2023	YEAR TO DATE INCREASE BY MONTH
	BUDGET REVENUE: \$510,000		BUDGET REVENUE: 600,000		BUDGET REVENUE: 600,000	
MONTH	INCOME	MONTH	INCOME	MONTH	INCOME	
JAN	\$46,580.69	JAN	\$129,768.00	JAN	\$29,327.25	-77%
FEB	\$46,052.00	FEB	\$295,108.75	FEB		-100%
MAR	\$152,883.32	MAR	\$39,169.50	MAR		-100%
APR	\$62,215.75	APR	\$71,303.00	APR		-100%
MAY	\$87,484.00	MAY	\$80,821.75	MAY		-100%
JUNE	\$172,756.00	JUNE	\$68,812.00	JUNE		-100%
JULY	\$72,809.49	JULY	\$71,446.25	JULY		-100%
AUG	\$51,153.00	AUG	\$45,824.00	AUG		-100%
SEPT	\$107,715.18	SEPT	\$91,686.50	SEPT		-100%
OCT	\$111,226.00	OCT	\$39,835.75	OCT		-100%
NOV	\$176,999.75	NOV	\$107,509.50	NOV		-100%
DEC	\$50,350.00	DEC	\$57,401.50	DEC		-100%
	\$1,138,225.18		\$1,098,686.50		\$29,327.25	

PROPOSED LOCAL LAW # 3 OF THE YEAR 2023

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF LEWISBORO, COUNTY OF WESTCHESTER, STATE OF NEW YORK AS FOLLOWS:

SECTION 1 : AUTHORITY

This chapter is adopted pursuant to the authority, of Article 2, §10 of the New York State Municipal Home Rule Law.

SECTION 2 : AMENDMENT OF CHAPTER 199

Article IV of Chapter 199 of the Town of Lewisboro Town Code entitled “Volunteer Fire Fighters and Ambulance Workers Exemption” is hereby repealed in its entirety and replaced with the following:

§199-11 Purpose

The purpose of this article is for the Town of Lewisboro to opt-in to the provisions of New York State Real Property Tax Law §466-a, as amended December 9, 2022 (Chapter 670 Section 1 Laws of 2022) and to provide a real property tax exemption on the assessed valuation of certain real property owned by an enrolled member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service, or to such enrolled member and spouse, as permitted by the Real Property Tax Law.

§ 199-12 Exemption granted.

An exemption from taxation of a maximum of 10% of the assessed value of property owned by an eligible person as set forth below is hereby granted with respect to the Town, part-Town and special district charges exclusive of special assessment..

§199-13 Eligibility

Such exemption shall be granted to an enrolled member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service residing in the Town of Lewisboro, provided that:

- A. The applicant resides in the Town of Lewisboro and the Town of Lewisboro is served by such incorporated volunteer fire company or fire department or incorporated voluntary ambulance service;
- B. The property is the primary residence of the applicant;
- C. The property is used exclusively for residential purposes; provided however, that in the event any portion of such property is not used exclusively for the applicant's residence but is used for other purposes, such portion shall be subject to taxation and the remaining portion only shall be entitled to the exemption provided by this section; and
- D. The applicant has been certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department, or voluntary ambulance service as an enrolled member of such incorporated volunteer fire company, fire department, or voluntary ambulance service for a period of at least two years. The Town of Lewisboro to determine the procedure for certification. The applicant must submit proof of such certification, together with the application for an exemption.

§199-14 Grant of Lifetime Exemption

Any enrolled member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service who accrues more than twenty years of active service and is so certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department or incorporated voluntary ambulance service, shall be granted the ten percent exemption as authorized by this section for the remainder of his or her life as long as the property for which exemption is sought under this Chapter is the primary residence of the enrolled member.

§199-15 Un-Remarried Spouses

A. Line of Duty Death of Member

Any exemption under this Chapter shall be continued to the un-remarried spouse of an enrolled member of an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service who is killed in the line of duty upon the following conditions:

- (1) Such un-remarried spouse is certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department or incorporated voluntary ambulance service as an un-remarried spouse of an enrolled member of such incorporated volunteer fire company, fire department or incorporated voluntary ambulance service who was killed in the line of duty; and
- (2) Such deceased volunteer had been an enrolled member for at least five years; and
- (3) Such deceased volunteer had been receiving the exemption prior to his or her death.

B. Death of Member

Any exemption under this Chapter shall be continued to the un-remarried spouse of an deceased member of an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service upon the following conditions:

- (1) Such un-remarried spouse is certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department or incorporated voluntary ambulance service as an un-remarried spouse of a deceased enrolled member of such incorporated volunteer fire company, fire department or incorporated voluntary ambulance service; and
- (2) Such deceased volunteer had been an enrolled member for at least twenty five years; and
- (3) Such deceased volunteer had been receiving the exemption prior to his or her death.

§199-16 Miscellaneous Provisions

A. Application for such exemption shall be filed with the Assessor on or before the taxable status date, on a form as described by the Commissioner.

B. No applicant who is a volunteer fire fighter or volunteer ambulance worker who, by reason of such status, is receiving any benefit under the provisions of Real Property Tax Law, Article 4, Exemptions, on the effective date of this article shall

suffer any diminution of such benefit because of the provisions of this article.

SECTION 3 – HOME RULE

Nothing in this Local Law is intended, or shall be construed to limit the home rule authority of the Town under State Law or to limit the Town's discretion in setting fees and charges in connection with any applications requiring Town approval.

SECTION 4 – SEVERABILITY

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Town Board of the Town of Lewisboro hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

SECTION 5– EFFECTIVE DATE

This Local Law shall take effect immediately upon filing in the office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.



VIA EMAIL: Finance@lewisborogov.com

February 8, 2023

Ms. Nisha Singh
Comptroller
Town of Lewisboro
11 Main Street
P.O. Box 500
South Salem, NY 10590

Norton Rose Fulbright US LLP
1301 Avenue of the Americas
New York, New York 10019-6022
United States

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Partner
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Re: Town of Lewisboro, Westchester County, New York
Improvements to Various Parks and Recreational Areas
\$367,000 Bonds
File No.: 1000362600.26 (227)

Dear Nisha:

In accordance with your request, we have prepared and enclose the following:

- (a) Form of bond resolution to pay the cost of improvements to various parks and recreational areas. This resolution requires the affirmative vote of at least four of the five members of the Town Board and is subject to permissive referendum.
- (b) Notice of adoption. This notice must be published once in the official newspaper(s) designated in Section 11 of the resolution. The bond resolution will be invalid unless such publication occurs within ten (10) calendar days of adoption of the resolution. (The form of notice enclosed is for your use in submitting the notice to the printer and does not have to be returned to us).
- (c) Affidavit of posting, which must be posted on the Town Clerk's signboard within ten (10) of adoption of the resolution. The proceedings will be invalid if this posting is not timely.
- (d) Legal Notice of Estoppel. This should be published after the resolution becomes effective (30 days after the adoption date, assuming the notice of adoption was published in a timely manner).

When available please email the following documents to uyen.poh@nortonrosefulbright.com and judy.velez@nortonrosefulbright.com:

- (a) Certified copy of the bond resolution.
- (b) Originally signed Clerk's affidavit of posting of the notice of adoption.
- (c) Original printer's affidavit of publication of the notice of adoption from the newspaper(s) in which the notice was published.

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Ms. Nisha Singh
February 8, 2023
Page 2

 NORTON ROSE FULBRIGHT

- (d) Original printer's affidavit of publication of the legal notice of estoppel from the newspaper(s) in which the notice was published.

Please do not hesitate to call if you have any questions.

Very truly yours,

Uyen Poh
UP:jv
Enclosures

At a regular meeting of the Town Board of the Town of Lewisboro, Westchester County, New York, held at the South Salem Library, in South Salem, New York, on February 13, 2023, at _____ o'clock _____.M., Eastern Time.

The meeting was called to order by _____, and upon roll being called, the following were

PRESENT:

ABSENT:

The following resolution was offered by _____, who moved its adoption, seconded by _____, to-wit:

BOND RESOLUTION DATED FEBRUARY 13, 2023.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$367,000 BONDS OF THE TOWN OF LEWISBORO, WESTCHESTER COUNTY, NEW YORK, TO PAY THE COST OF IMPROVEMENTS TO VARIOUS PARKS AND RECREATIONAL AREAS, 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 improvements to various parks and recreational areas, 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 \$367,000 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 \$367,000, and the plan for the financing thereof shall be by the issuance of the \$367,000 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 nineteen 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 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 bonds 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 bonds 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 *The Record Review*, 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:

_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____

The resolution was thereupon declared duly adopted.

* * *

STATE OF NEW YORK)
) ss.:
COUNTY OF WESTCHESTER)

I, the undersigned Clerk of the Town of Lewisboro, Westchester County, New York, DO
HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Town Board
of said Town, including the resolution contained therein, held on February 13, 2023, with the
original thereof on file in my office, and that the same is a true and correct transcript therefrom and
of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

I FURTHER CERTIFY that said meeting was (i) open to the general public pursuant to
Section 103 of the Public Officers Law or (ii) conducted in conformance with Section 103-a of
the Public Officers Law.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public
notice of the time and place of said meeting to be given to the following newspapers and/or other
news media as follows:

Newspaper and/or Other News Media

Date Given

I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

Designated Location(s) of Posted Notices

Date of Posting

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town
on _____, 2023.

Town Clerk

NOTE: THE NOTICE OF ADOPTION MUST BE PUBLISHED AND POSTED WITHIN **10 DAYS** OF THE ADOPTION OF THE BOND RESOLUTION OTHERWISE THE BOND RESOLUTION WILL NEED TO BE RE-ADOPTED.

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, 2023, 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, 2023.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$367,000 BONDS OF THE TOWN OF LEWISBORO, WESTCHESTER COUNTY, NEW YORK, TO PAY THE COST OF IMPROVEMENTS TO VARIOUS PARKS AND RECREATIONAL AREAS, IN AND FOR SAID TOWN.

The period of the aforesaid class of objects or purposes is fifteen years pursuant to subdivision nineteen 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.

Dated: South Salem, New York
_____, 2023

Town Clerk

AFFIDAVIT OF POSTING

STATE OF NEW YORK)
) ss.:
COUNTY OF WESTCHESTER)

I, the undersigned Clerk of the Town of Lewisboro, Westchester County, New York,
DEPOSE AND SAY:

That on _____, 2023, I caused to be posted on the official signboard
maintained by me pursuant to subdivision 6 of Section 30 of the Town Law, a summary Notice of
Adoption of a resolution adopted by the Town Board of said Town on February 13, 2023.

A true and correct copy of such Notice of Adoption is set forth below:

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, 2023, 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, 2023.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$367,000 BONDS OF THE
TOWN OF LEWISBORO, WESTCHESTER COUNTY, NEW YORK, TO PAY THE
COST OF IMPROVEMENTS TO VARIOUS PARKS AND RECREATIONAL
AREAS, IN AND FOR SAID TOWN.

The period of the aforesaid class of objects or purposes is fifteen years pursuant to
subdivision nineteen 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.

Dated: South Salem, New York
_____, 2023

Town Clerk

Sworn to before me on
_____, 2023

Notary Public

NOTE: DO NOT PUBLISH THE LEGAL NOTICE OF ESTOPPEL UNTIL 30 DAYS AFTER THE
ADOPTION OF THE BOND RESOLUTION AND ONLY IF THE NOTICE OF ADOPTION WAS
PUBLISHED AND POSTED WITHIN THE REQUIRED TIMEFRAME.

LEGAL NOTICE OF ESTOPPEL

NOTICE IS HEREBY GIVEN that the resolution, a summary of which is published herewith, has been adopted by the Town Board of the Town of Lewisboro, Westchester County, New York (the "Town"), on February 13, 2023, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which said Town is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution. The resolution was adopted subject to a permissive referendum and, no petition for a referendum having been received within thirty days of its adoption, has since become effective.

A summary of the aforesaid resolution is set forth below. The resolution provides as follows: 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 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 Supervisor; and that this LEGAL NOTICE shall be published.

A summary of the bond resolution follows:

BOND RESOLUTION DATED FEBRUARY 13, 2023.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$367,000 BONDS OF THE TOWN OF LEWISBORO, WESTCHESTER COUNTY, NEW YORK, TO PAY THE COST OF IMPROVEMENTS TO VARIOUS PARKS AND RECREATIONAL AREAS. IN AND FOR SAID TOWN.

The period of the aforesaid class of objects or purposes is fifteen years pursuant to subdivision nineteen 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 THE TOWN HOUSE, 11 MAIN STREET, SOUTH SALEM, NEW YORK, DURING NORMAL BUSINESS HOURS.

Dated: South Salem, New York
2023

Town Clerk



VIA EMAIL: Finance@lewisborogov.com

February 8, 2021

Ms. Nisha Singh
Comptroller
Town of Lewisboro
11 Main Street
P.O. Box 500
South Salem, NY 10590

Norton Rose Fulbright US LLP
1301 Avenue of the Americas
New York, New York 10019-6022
United States

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Partner
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uyen.poh@nortonrosefulbright.com

Tel +1 212 318 3000
Fax +1 212 318 3400
nortonrosefulbright.com

Re: Town of Lewisboro, Westchester County, New York
Acquisition of Trucks and Equipment for Road Plowing and Maintenance
\$614,000 Bonds
File No.: 1000362600.26 (228)

Dear Nisha:

In accordance with your request, we have prepared and enclose the following:

- (a) Form of bond resolution to pay the cost of the acquisition of trucks and equipment for road plowing and maintenance. This resolution requires the affirmative vote of at least four of the five members of the Town Board and is subject to permissive referendum.
- (b) Notice of adoption. This notice must be published once in the official newspaper(s) designated in Section 11 of the resolution. The bond resolution will be invalid unless such publication occurs within ten (10) calendar days of adoption of the resolution. (The form of notice enclosed is for your use in submitting the notice to the printer and does not have to be returned to us).
- (c) Affidavit of posting, which must be posted on the Town Clerk's signboard within ten (10) of adoption of the resolution. The proceedings will be invalid if this posting is not timely.
- (d) Legal Notice of Estoppel. This should be published after the resolution becomes effective (30 days after the adoption date, assuming the notice of adoption was published in a timely manner).

When available please email the following documents to uyen.poh@nortonrosefulbright.com and judy.velez@nortonrosefulbright.com:

- (a) Certified copy of the bond resolution.
- (b) Originally signed Clerk's affidavit of posting of the notice of adoption.
- (c) Original printer's affidavit of publication of the notice of adoption from the newspaper(s) in which the notice was published.

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Ms. Nisha Singh
February 8, 2023
Page 2

 NORTON ROSE FULBRIGHT

- (d) Original printer's affidavit of publication of the legal notice of estoppel from the newspaper(s) in which the notice was published.

Please do not hesitate to call if you have any questions.

Very truly yours,

Uyen Poh
UP:jv
Enclosures

At a regular meeting of the Town Board of the Town of Lewisboro, Westchester County, New York, held at the South Salem Library, in South Salem, New York, on February 13, 2023, at _____ o'clock _____.M., Eastern Time.

The meeting was called to order by _____, and upon roll being called, the following were

PRESENT:

ABSENT:

The following resolution was offered by _____, who moved its adoption, seconded by _____, to-wit:

BOND RESOLUTION DATED FEBRUARY 13, 2023.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$614,000 BONDS OF THE TOWN OF LEWISBORO, WESTCHESTER COUNTY, NEW YORK, TO PAY THE COST OF THE ACQUISITION OF TRUCKS AND EQUIPMENT FOR ROAD PLOWING AND MAINTENANCE, 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 trucks and equipment for road plowing and maintenance, each item of which shall cost \$30,000 or more, 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 \$614,000 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 \$614,000, and the plan for the financing thereof shall be by the issuance of the \$614,000 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-eight 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 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 bonds 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 bonds 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 *The Record Review*, 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:

_____	VOTING	_____
_____	VOTING	_____
_____	VOTING	_____
_____	VOTING	_____
_____	VOTING	_____

The resolution was thereupon declared duly adopted.

* * *

STATE OF NEW YORK)
) ss.:
COUNTY OF WESTCHESTER)

I, the undersigned Clerk of the Town of Lewisboro, Westchester County, New York, DO
HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Town Board
of said Town, including the resolution contained therein, held on February 13, 2023, with the
original thereof on file in my office, and that the same is a true and correct transcript therefrom and
of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

I FURTHER CERTIFY that said meeting was (i) open to the general public pursuant to
Section 103 of the Public Officers Law or (ii) conducted in conformance with Section 103-a of
the Public Officers Law.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public
notice of the time and place of said meeting to be given to the following newspapers and/or other
news media as follows:

Newspaper and/or Other News Media

Date Given

I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

Designated Location(s) of Posted Notices

Date of Posting

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town
on _____, 2023.

Town Clerk

NOTE: THE NOTICE OF ADOPTION MUST BE PUBLISHED AND POSTED WITHIN **10 DAYS** OF THE ADOPTION OF THE BOND RESOLUTION OTHERWISE THE BOND RESOLUTION WILL NEED TO BE RE-ADOPTED.

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, 2023, 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, 2023.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$614,000 BONDS OF THE TOWN OF LEWISBORO, WESTCHESTER COUNTY, NEW YORK, TO PAY THE COST OF THE ACQUISITION OF TRUCKS AND EQUIPMENT FOR ROAD PLOWING AND MAINTENANCE, IN AND FOR SAID TOWN.

The period of the aforesaid class of objects or purposes 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.

Dated: South Salem, New York
 _____, 2023

Town Clerk

AFFIDAVIT OF POSTING

STATE OF NEW YORK)
) ss.:
COUNTY OF WESTCHESTER)

I, the undersigned Clerk of the Town of Lewisboro, Westchester County, New York,
DEPOSE AND SAY:

That on _____, 2023, I caused to be posted on the official signboard
maintained by me pursuant to subdivision 6 of Section 30 of the Town Law, a summary Notice of
Adoption of a resolution adopted by the Town Board of said Town on February 13, 2023.

A true and correct copy of such Notice of Adoption is set forth below:

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, 2023, 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, 2023.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$614,000 BONDS OF THE
TOWN OF LEWISBORO, WESTCHESTER COUNTY, NEW YORK, TO PAY THE
COST OF THE ACQUISITION OF TRUCKS AND EQUIPMENT FOR ROAD
PLOWING AND MAINTENANCE, IN AND FOR SAID TOWN.

The period of the aforesaid class of objects or purposes 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.

Dated: South Salem, New York
_____, 2023

Town Clerk

Sworn to before me on
_____, 2023

Notary Public

NOTE: DO NOT PUBLISH THE LEGAL NOTICE OF ESTOPPEL UNTIL 30 DAYS AFTER THE ADOPTION OF THE BOND RESOLUTION) AND ONLY IF THE NOTICE OF ADOPTION WAS PUBLISHED AND POSTED WITHIN THE REQUIRED TIMEFRAME.

LEGAL NOTICE OF ESTOPPEL

NOTICE IS HEREBY GIVEN that the resolution, a summary of which is published herewith, has been adopted by the Town Board of the Town of Lewisboro, Westchester County, New York (the "Town"), on February 13, 2023, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which said Town is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution. The resolution was adopted subject to a permissive referendum and, no petition for a referendum having been received within thirty days of its adoption, has since become effective.

A summary of the aforesaid resolution is set forth below. The resolution provides as follows: 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 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 Supervisor; and that this LEGAL NOTICE shall be published.

A summary of the bond resolution follows:

BOND RESOLUTION DATED FEBRUARY 13, 2023.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$614,000 BONDS OF THE TOWN OF LEWISBORO, WESTCHESTER COUNTY, NEW YORK, TO PAY THE COST OF THE ACQUISITION OF TRUCKS AND EQUIPMENT FOR ROAD PLOWING AND MAINTENANCE, IN AND FOR SAID TOWN.

The period of the aforesaid class of objects or purposes 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 THE TOWN HOUSE, 11 MAIN STREET, SOUTH SALEM, NEW YORK, DURING NORMAL BUSINESS HOURS.

Dated: South Salem, New York
_____, 2023

Town Clerk

MEADOWS AT CROSS RIVER SEWAGE WORKS CORPORATION

February 6, 2023

Town of Lewisboro
Attention: Town Board
Town House
11 Main Street
P.O. Box 500
South Salem, NY 10590

via Email: Mary Hafter – benefits@lewisborogov.com

Re: Meadows at Cross River Sewage Works Corporation

Dear Lewisboro Town Board,

As you may know, Meadows at Cross River Sewage Works maintains a sewage treatment plant serving solely the adjoining shopping center and the individual residents of Meadows at Cross River Homeowners Association which consists of 174 homes.

The Meadows at Cross River Sewage Works is applying to the Town Board to increase the sewage treatment rates to the homeowner users effective March 1st, 2023. The requested rate increase is as follows:

Current rate - \$5.50 per 1000 gallons and \$73/quarterly

Proposed rate - \$8.50 per 1000 gallons and \$90/quarterly

The Meadows at Cross River Sewage Works Corporation notes that the last increase was 12/1/20 and cost of operations have continued to increase in the past 2.5 years, therefore it is the request of the Board of Directors for Meadows at Cross River Sewage Works that the requested rate increase be approved for this private community of homeowners. Please note we are also increasing the capital reserves for future repairs and replacements.

Please reply to Andrea Scalzo at ascalzo@scalzoprprerty.com, as the Managing Agent for Meadows at Cross River Sewage Works Corporation, should any additional information be required to make this decision.

Thank you for your quick and positive response.

Respectfully,

Board of Directors for Meadows at Cross River Sewage Works Corporation

The Board of Directors for Meadows at Cross River Sewage Works Corporation

Scalzo Property Management, 2 Stony Hill Road, Bethel, CT

203-790-6888