

A Town Board work session meeting of the Town Board of the Town of Lewisboro, Westchester County, New York, was held on January 22, 2024, at 7:30 p.m. at the Lewisboro Town House, 11 Main Street, South Salem, New York.

PRESENT:

Supervisor	Tony Gonçalves
Council Members	Andrea Rendo, Mary Shah, Richard Sklarin, Daniel Welsh
Town Clerk	Janet L. Donohue
Absent	None

Also attending was the Attorney for the Town Gregory Folchetti (via Zoom), Maintenance Employees Shawn Johannessen and Joel Smith, Comptroller Nisha Singh, Recreation Supervisor Nicole Caviola and Chief of Staff Kerri Wolfe.

Approximately 15 residents/observers attended the live meeting and approximately 22 participated via Zoom.

Supervisor Gonçalves called the meeting to order at 7:37 p.m.

EMERGENCY PROCEDURE

Supervisor Gonçalves noted the exits to be used in the event of an emergency.

PLEDGE OF ALLEGIANCE

The Supervisor led the Pledge of Allegiance to the flag.

PUBLIC COMMENT PERIOD I (7:38 – 8:07 p.m.)

A total of 11 residents spoke.

ISRAELI – HAMAS CONFLICT

Approximately 6 residents spoke out against Councilman Welsh and continued to criticize him for what they feel are antisemitic posts on his personal Facebook page. They stated that today he shared a post on to his personal Facebook page that had several anti-Semitic hash tags (#). He later deleted them. These residents feel that he is dividing this town when we need to be unified and continue to ask Councilman Welsh to resign.

Approximately 5 residents spoke out in favor of Councilman Welsh stating that they don't believe he is anti-Semitic but rather anti-war. They asked what happened to free speech? They stated that his views are held by others as well in the community and he should not be run off the Town Board.

During polling of the Board, each Board member addressed the audience. Councilman Sklarin stated that it is a free speech issue and a political issue, but it is not a legal issue. While he disagrees with how Councilman Welsh's presented statements, he does defend his free speech. Councilwoman Shah also believes in free speech but does not agree with the hash tags and believes in the 6 principles of non-violence, one of which is love.

Councilwoman Rendo stated that she is saddened by Councilman Welsh's post today. She feels that it was careless & disrespectful, and it is undermining his credibility with the people that have voted for him the 16 years that he has served. She also stated that she and the Supervisor received an email asking why the board has not referred this matter to the Ethics Committee. She would agree to refer this matter to the Ethics Committee for review but she did want to reiterate that she suspects, due to the limited nature of what they review based on the Town Code and the NYS General Municipal Code, that this specific set of facts may not fall within their purview and as long as her colleagues on the Town Board agree, that would be her suggestion. Councilman Welsh stated that his letter that was in the Katonah Lewisboro Times was not signed by him as Councilman Welsh, but rather the editor included that title. He also stated that the hash tags that he copied and pasted on his personal Facebook page were in error and he corrected that after it was brought to his attention. Councilman Welsh also stated that he has had people contact him that they are thankful that someone is speaking up for them as they are afraid to due to consequences that they may face. Supervisor Gonçalves stated that Councilman Welsh took the hash tags down without being asked by the Supervisor and he stated that everyone needs to be careful about what they are posting on social media.

COMMUNICATIONS

WATER INFRASTRUCTURE IMPROVEMENT (WIIA) GRANT FOR LAKES

Supervisor Gonçalves stated that he received a notice stating the town did not receive the WIIA Grant for the potential \$40 million sewer/wastewater project for Lake Waccabuc, Lake Truesdale, Lake Oscaleta and Lake Rippowam. The WIIA grant is approximately 25 percent of the budget cost. The town does have multiple grants that they have access to. However, since the town did not have the funding resolution due to the funding not being finalized, the town did not qualify for the grant. The more funding in place, the better chance of obtaining the WIIA grant. The town will try again at a later date for this funding.

RIDGEFIELD AVENUE

Councilwoman Shah read the below letter from a resident who lives off Ridgefield Avenue:
Honorable Supervisor,

As I will be unable to attend tonight's (Monday, January 22, 2024) meeting of the Board of Supervisors, I request that this Email be read at the meeting.

Thanks, Chairman Gonçalves, for a congenial meeting this morning. I had requested time to ask if an agenda item might be added to tonight's Executive Session regarding establishment of a task force or working group to seek a lasting solution to the traffic situation on Ridgefield Ave. You replied that such is not the kind of topic discussed in ES, but that I could send this Email if unable to attend and speak in person.

After recounting yet another incident in which I was passed on Ridgefield Ave and in which I felt that I wasn't even safe inside a vehicle, we discussed the notion of a task force comprising some interested citizens, a member of the Board, a representative of the Police Department and someone from the Highway Department. The task force could meet regularly to discuss, research and implement potential solutions to the problem under auspices of the Highway Department. You pointed out that the citizens participating in a task force might also be drawn from other neighborhoods where there are roads that have similar problems to Ridgefield Ave. in the interest

of insuring that the solutions investigated and experimented with are suitable throughout the Town. I hereby request that the Board consider and approve the formation of such a task force. Thank you for your consideration.

I attach to this the article from the NY Times Sunday Magazine on dangerous driving that came up at our meeting. It appeared in the magazine the Sunday before last. I think that it is fine to attach it in view of its relevance to public policy.

Sincerely, R. Holub, Fay Lane

Councilman Welsh stated that he will reach out to the parties mentioned and he will organize a session with them. Councilwoman Shah stated that there are other parts of town that also have safety issues.

CONSENT AGENDA

MINUTES - Approved

On motion by Supervisor Gonçalves, seconded by Councilwoman Rendo, the minutes of the January 8, 2024, Town Board meeting were approved, all were in favor.

COUNTY EV CHARGERS PROGRAM – Update (8:25 – 8:52 p.m.)

The Board in 2019 discussed electrical vehicle chargers and erecting them at town owned properties, such as the Lewisboro Library, Onatru Farm, Vista Park and the Town Park. After some discussion, it was decided by the current board to not include EV chargers at Onatru Farm.

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 installation of Electric Vehicle chargers at a cost not to exceed \$28,000, located at the Lewisboro Library, and at the Vista Town Park and Lewisboro Town Park, conditional on the approval of Parks & Recreation Advisory Council.

NEWSPAPER – Designation of Official Newspaper

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

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

RESOLUTION

RESOLVED, that the Town Board does hereby designate the Westchester Journal News as the official newspaper for the Town of Lewisboro.

OAKRIDGE WATER DISTRICT – Re-notice Public Hearing on Increase in Bond

Supervisor Gonçalves stated that the Oakridge Water expansion project bids did come in and Delaware Engineering gave their recommendations to go with a general contractor, an electrical contractor, and an HVAC contractor. The price came in higher than originally estimated, by two million dollars, so to finalize the grant that the town is receiving from NYS EFC, they are requesting that the town goes through bond counsel to draft the project cost resolution. This was adopted at the January 8, 2024 meeting calling for the public hearing and adopt the Public Interest Order and Project Cost Resolution. It was supposed to be published in the Record Review on January 12, 2024, however, the paper suspended their circulation and the notice was never published. The Board will have adopt a resolution stating that the Westchester Journal News is now the town's official newspaper and run the notice in the January 26, 2024 paper and have the public hearing on Tuesday, February 13, 2024. Supervisor Gonçalves stated that the district is aware of these bids and he did have a meeting with the district on January 18, 2024 at Oakridge.

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

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

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

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

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

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

WHEREAS, it is now desired to call a public hearing on said revised estimated maximum cost of such increase and improvement pursuant to Section 202-b of the Town Law; NOW, THEREFORE, BE IT

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

Section 1. A meeting of the Town Board of the Town of Lewisboro, Westchester County, New York, shall be held at the Town House, 11 Main Street, in South Salem, New York, in said Town, on February 13, 2024, at 7:30 P.M., Eastern Time, for the purpose of conducting a public hearing on revised estimated maximum cost of the increase and improvement of the facilities of the Oakridge Water District in said Town, consisting of the design and construction of an expansion to the water treatment plant to remove certain chemicals generally known as PFAS, including improvements to the booster pumps, treatment chemicals, valves, meters, and other appurtenances,

and related and incidental improvements and expenses in connection therewith, at which time and place said Town Board will hear all persons interested in the subject thereof concerning the same.

Section 2. The Town Clerk is hereby authorized and directed to cause a notice of said public hearing to be published in the Westchester Journal News, the official newspaper of said Town, and posted in the manner prescribed by law, which notice shall be in substantially the following form, to-wit:

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the Town Board of the Town of Lewisboro, Westchester County, New York, will meet at the Town House, 11 Main Street, in South Salem, New York, in said Town, on February 13, 2024, at 7:30 P.M., Eastern Time, for the purpose of conducting a public hearing relating to the \$3,902,933 revised estimated maximum cost of the increase and improvement of the facilities of the Oakridge Water District in said Town, consisting of the design and construction of an expansion to the water treatment plant to remove certain chemicals generally known as PFAS, including improvements to the booster pumps, treatment chemicals, valves, meters, and other appurtenances, and related and incidental improvements and expenses in connection therewith, at which time and place said Town Board will hear all persons interested in the subject thereof concerning the same. The revised estimated maximum cost is expected to be paid for with (i) grants or funds expected to be received from the New York State Environmental Facilities Corporation and U.S. Environmental Protection Agency, currently expected in the aggregate amount of \$2,963,700 and (ii) bonds of the Town, previously authorized pursuant to a bond resolution dated October 12, 2021.

The original map, plan and report, along with Amendment No. 1 to such report, describing the revised estimate of cost relating to this project, is on the file in the Office of the Town Clerk where it is available for public inspection during normal business hours.

BOND APPROVAL – Discussion of \$128,000 for Highway Dump Truck (8:57 – 9:06 p.m.)

Supervisor Gonçalves stated that this is something that the prior Highway Superintendent proposed and the current Highway Superintendent, John Winter, is in favor of. The dump truck is a Ford 550. Councilman Sklarin asked if \$128,000 would be enough and would like to have more specifics on the truck. It was stated that Mr. Winter did supply that figure of \$128,000. This was not in the budget but rather is a capital expense. After continued discussion it was agreed that the resolution be passed.

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 JANUARY 22, 2024.

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

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

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

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

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

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

Section 3. It is hereby further determined that the period of probable usefulness of the aforesaid specific object or purpose is fifteen years pursuant to subdivision twenty-eight of paragraph a of Section 11.00 of the Local Finance Law, as said object or purpose shall cost \$30,000 or more. It is hereby further determined that the maximum maturity of the bonds authorized will exceed five years.

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

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

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

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as the Supervisor shall deem best for the interests of the Town; provided, however, that in the exercise of these delegated powers, the Supervisor shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Supervisor shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

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

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or

are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

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

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

Section 11. Upon this resolution taking effect, the same shall be published in summary in 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.

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 January 22, 2024, duly adopted the resolution summarized below, subject to a permissive referendum.

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

of substantially level or declining annual debt service, is delegated to and shall be determined by the Town Supervisor; and that this LEGAL NOTICE shall be published.

A summary of the bond resolution follows:

BOND RESOLUTION DATED JANUARY 22, 2024.

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

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

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

BOND APPROVAL – Discussion of \$30,000 for AEDs & Storage Cabinet (9:03 – 9:07 p.m.)

Parks & Recreation Supervisor Nicole Caviola stated that legislation was passed back in November stating that within 180 days day camps and youth sports must have AEDs. This would be for a total of 8 AEDs and 5 cabinets. There will be 2 at the Town Park, 2 at Onatru, 1 at Lewisboro Camp, 1 at Vista Park, 1 at Fox Valley and 1 for Teen Treks.

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 JANUARY 22, 2024.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$30,000 BONDS OF THE TOWN OF LEWISBORO, WESTCHESTER COUNTY, NEW YORK, TO PAY THE COST OF THE ACQUISITION OF VARIOUS EQUIPMENT, INCLUDING AUTOMATED EXTERNAL DEFIBRILLATORS (AEDS) AND OUTDOOR CABINETS, 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 various equipment, including automated external defibrillators (AEDs) and outdoor cabinets, 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 \$30,000 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 \$30,000, and the plan for the financing thereof shall be by the issuance of the \$30,000 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 five years pursuant to subdivision thirty-two 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 not exceed five years.

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

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

property of said Town a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

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

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as the Supervisor shall deem best for the interests of the Town; provided, however, that in the exercise of these delegated powers, the Supervisor shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Supervisor shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of its Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor. It is hereby determined that it is to the financial advantage of the Town not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance

Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by Section 52.00 of the Local Finance Law, as the Supervisor shall determine.

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

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

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

Section 11. This resolution, which takes effect immediately, 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.

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 January 22, 2024, 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.

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 JANUARY 22, 2024.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$30,000 BONDS OF THE TOWN OF LEWISBORO, WESTCHESTER COUNTY, NEW YORK, TO PAY THE COST OF THE ACQUISITION OF VARIOUS EQUIPMENT, INCLUDING AUTOMATED EXTERNAL DEFIBRILLATORS (AEDS) AND OUTDOOR CABINETS, IN AND FOR SAID TOWN.

The period of the aforesaid class of objects or purposes is five years pursuant to subdivision thirty-two 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.

BOND APPROVAL – Discussion of \$600,000 for Pool Bathhouse Renovations (9:07 – 9:37 p.m.)

Supervisor Gonçalves and Parks & Recreation Supervisor Nicole Caviola spoke about the water and pool bathhouse monies. Originally, Ms. Caviola stated her original estimate for both the water and the pool bathhouse was \$1 million. However, Ms. Caviola stated that Delaware stated that they do not feel that we need an additional well but rather a storage tank in the hill that would store 20 – 30,000 gallons of treated water. This will give them more water and more pressure. Delaware's proposal is \$5,000 and this would get answers, and this would be Phase I. The WEA Grant opens on 2/5/24 and the funding source needs to be in place. The resolution as written by the bond counsel is for \$600,000 for the pool bathhouse. Ms. Caviola sees this work starting right after this Labor Day. She would like to combine the bathhouse and guardhouse. It is cheaper to combine the two. Discussion continued and it was decided to pass the resolution for the pool bathhouse only after the original motion by Councilwoman Shah, seconded by Councilwoman Rendo approving the water filtration and pool bathhouse, was withdrawn, approved by all. Councilman Sklarin stated that since there was still no verification that \$600,000 would get the town what it needs, he would not vote in favor.

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

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

RESOLUTION

BOND RESOLUTION DATED JANUARY 22, 2024.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$600,000 BONDS OF THE TOWN OF LEWISBORO, WESTCHESTER COUNTY, NEW YORK, TO PAY THE COST OF THE RENOVATION OF THE POOL BATHHOUSE, 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 renovation of the pool bathhouse, in and for the Town, including incidental expenses in connection therewith, a specific object or purpose, there are hereby authorized to be issued up to \$600,000 bonds of said Town pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the estimated maximum cost of the aforesaid specific object or purpose is \$600,000, and the plan for the financing thereof shall be by the issuance of the \$600,000 bonds authorized to be issued pursuant to this bond resolution.

Section 3. It is hereby further determined that the period of probable usefulness of the aforesaid specific object or purpose is ten years pursuant to subdivision twelve 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 obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. To the extent such appropriation is not made from other sources, there shall annually be levied on all the taxable real property of said Town a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

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

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

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

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

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

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

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

(2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

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

Section 11. Upon this resolution taking effect, the same shall be published in summary in 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.

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 January 22, 2024, duly adopted the resolution summarized below, subject to a permissive referendum.

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

A summary of the bond resolution follows:

BOND RESOLUTION DATED JANUARY 22, 2024.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$600,000 BONDS OF THE TOWN OF LEWISBORO, WESTCHESTER COUNTY, NEW YORK, TO PAY THE COST OF THE RENOVATION OF THE POOL BATHHOUSE, IN AND FOR SAID TOWN.

The period of the aforesaid specific object or purpose is ten years pursuant to subdivision twelve 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.

WATER RESOURCES DEVELOPMENT ACT -Approve Application for Funding

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

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

RESOLUTION

RESOLVED, that the Town Board does approve the Supervisor to submit an application for the Water Resources Development Act Funding to help with storm drains & piping on Nash Road.

THRIVE DRUG PREVENTION – Approve Intermunicipal Agreement

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 Supervisor be and hereby is authorized to sign the 2024 Drug Abuse Prevention Council agreement, under the name THRIVE, not to exceed \$6,500, as reviewed by counsel.

EMERGENCY MANAGEMENT COMMITTEE – Appointment of Members

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 appoint Savannah Usher and John Odermatt to the Emergency Management Committee.

PARKS & RECREATION – Approve Attendance at Conference

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

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

RESOLUTION

RESOLVED, that the Town Board does approve Nicole Caviola and Michael Portnoy to attend the New York State Recreation & Parks Society Conference on April 14-16, 2024, with a cost not to exceed \$1,500.

PARKS & RECREATION – Approve Attendance at 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)

RESOLUTION

RESOLVED, that the Town Board does approve Kathryn Coluccini to attend the American Camp Association Conference March 12 – 14, 2024, with a cost not to exceed \$820.

COPIER LEASE AGREEMENT – Authorize Supervisor to Sign

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 does authorize the Supervisor to sign the copier lease agreement.

PUBLIC COMMENT PERIOD II (New Business Agenda Items Only) (9:43 – 9:49 p.m.)

A total of 2 residents spoke.

OAKRIDGE WATER

A resident questioned why Delaware Engineering is the only company that is used and why don't they ever obtain second opinions.

BORROWING

A resident made suggestions regarding saving money with borrowing. She stated that the truck should be purchased off of state contract, and paperwork should be included. During polling of the board, the Supervisor did confirm that yes, the vehicle will be purchased on state contract and whenever items can be purchased on state contract, they are. This is to approve the borrowing of the money and then another approval will be needed by the board before the Highway Superintendent can purchase the specific truck. She asked if the new highway superintendent has a plan of purchasing more vehicles, etc. She also suggested possible naming rights/sponsorship for the snack bar at the pool to bring in money. The Board agreed that this was a good idea. Another resident feels that there should be more transparency regarding the borrowing.

EV CHARGERS

A resident does not feel that EV chargers should be at the Vista Park or at Onatru. They do not even have swings at the park for children why should they have EV chargers. During polling of the board, it was mentioned that this playground was not on the list to be replaced but they would get swings there. Another resident stated that the EV chargers in Goldens Bridge look horrible and the town should set forth aesthetics. Who pays for the maintenance of these chargers, the town or the company? And when it comes to charging can residents pay one fee and non-residents pay a higher fee?

CLAIMS – Authorized for Payment

On motion by Supervisor Gonçalves, seconded by Councilwoman Shah, the Board voted 5-0 to authorize payment of the Town's bills in the amount of \$135,797.64.

POLLING OF THE BOARDESCO RATES

Councilman Sklarin encouraged residents to research ESCO rates to save some money, especially in the winter months.

COMPREHENSIVE MASTER PLAN WORKSHOP

The final Comprehensive Master Plan Workshop will take place on Monday, January 29, 2024, at the Town House and on Zoom at 7:30 p.m. All information can be found on the website.

NYALERT

The Emergency Management Committee was thanked for all of their work and getting the information out via NY Alert regarding weather, etc. Dan Murtha, Adam Ochs and Councilwoman Shah were thanked specifically.

MEETINGS – Dates Set

There will be a Town Board meeting on Tuesday, February 13, 2024, at 7:30 p.m. at the Town House, 11 Main Street, South Salem, New York.

EXECUTIVE SESSION – To Conduct Interviews

On motion by Supervisor Gonçalves, seconded by Councilman Sklarin, the Board voted 5-0 to go into executive session at 10:10 p.m. to conduct interviews.

On motion by Councilwoman Shah, seconded by Councilwoman Rendo, the Board voted 5-0 to come out of executive session at 11:58 p.m.

PLANNING BOARD – Appointment Member

On motion by Councilwoman Rendo, 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 appoint Paul Fusco to the Lewisboro Planning Board to fill the unexpired term of Susan Gerry for a term ending December 31, 2024.

PART-TIME POLICE OFFICER – Appointment of Police Officer

On motion by Councilwoman Rendo, 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 hereby appoint Sky Michaels as officer in the Lewisboro Police Department on a part-time basis.

FULL-TIME POLICE OFFICER – Appointment of Police Officer

On motion by Councilwoman Rendo, 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 hereby appoint Cody Petrucci as officer in the Lewisboro Police Department on a full-time basis.

ADJOURNMENT

On motion by Councilwoman Shah, seconded by Councilman Sklarin, the Board voted 5-0 to adjourn at 12:05 a.m.

Janet L. Donohue
Town Clerk