



**TOWN OF LEWISBORO
TOWN BOARD MEETING
AGENDA
VISTA FIRE HOUSE
MONDAY, AUGUST 27, 2018
7:30 P.M.**

- 1. PUBLIC HEARING Regarding Oakridge Water District Upgrade Project**
- 2. PUBLIC COMMENT**
- 3. COMMUNICATIONS**
 - a. Letter from Resident Ellen Brief Regarding Park Road**
 - b. Hanson Proclamation**
- 4. CONSENT AGENDA**
 - a. Approval of Minutes of August 13, 2018**
- 5. NEW BUSINESS**
 - a. Resolution Authorizing Use of Onatru Farm Buildings and Grounds for Annual Lewisboro Library Fair to be Held on September 22 and Declaring Elmwood Road to be One-Way for the Day of the Fair**
 - b. Resolution Authorizing Elizabeth Asaro to Officiate the Asaro/Ward-Hopkins Wedding on March 31, 2019 at Le Chateau**
 - c. Resolution Authorizing the Planning Board to Act Upon the JVG Estates LLC Performance Security Reduction Request**
 - d. Resolution Authorizing Waiver of Flood Plain Development Permit Fee for Westchester County's Work in Ward Pound Ridge**
- 6. OLD BUSINESS**
 - a. Discussion of Oakridge Water District Upgrade Project:**
 - i. Public Interest Order**
 - ii. Resolution Authorizing the Issuance of \$482,500 Bonds**
 - iii. Resolution Authorizing the Supervisor to Sign and Submit a NYS Water Infrastructure Improvement Act (WIIA) Grant Application**
- 7. APPROVAL OF CLAIMS**

8. POLLING OF THE BOARD

9. ANNOUNCEMENTS

Town Board Meeting TUESDAY, September 11, 2018 at 7:30 p.m. at the Town House, 11 Main Street, South Salem

10. 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 meeting, and we will try to accommodate whenever possible.

MAP and PLAN 202(b) REPORT

OAKRIDGE WATER DISTRICT IMPROVEMENTS

TOWN OF LEWISBORO
Westchester County, New York

Prepared for:

TOWN OF LEWISBORO
11 Main Street
South Salem, New York 10590

Prepared by:

DELAWARE ENGINEERING, D.P.C.
28 Madison Ave. Extension
Albany, New York 12304

August 2018

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1.0 INTRODUCTION

The purpose of this Map and Plan 202(b) Report is to document planned improvement to the Oakridge Water District water treatment plant located at 400 Oakridge Drive, South Salem in accordance with Town Law, Article 12, Section 202-b of the New York State Consolidated Law in order to describe project costs. The project does not include changes to the water district itself.

The project is required to maintain the community water system's ability to comply with the Stage 2 Disinfectants and Disinfection Byproducts Rule (Stage 2 DBPR), specifically to prevent formation of a group of disinfection byproducts known as total trihalomethanes (TTHMs). In 2016 and 2017, concentrations of TTHMs were found to be above maximum contaminant levels (MCLs) under the Stage 2 DBPR and the District was issued an Administrative Order to take action to bring the District back into compliance with the Rule.

The project proposes design and construction of an aeration system to be installed within the water storage tank to oxidize THM's formed during the disinfection process. A Supervisory Control and Data Acquisition (SCADA) system for water quality monitoring and control of chemical feed systems, and improved chemical feed equipment, will be installed. Three existing pressure vessels within the water treatment process will be re-purposed to allow the plant to utilize granular activated carbon (GAC) filters for the reduction of total organic carbon (a TTHM precursor) prior to disinfection.

2.0 PROCESS DESCRIPTION

The Oakridge Water District serves approximately 895 people in the Oakridge development located on Route 123 in the Town of Lewisboro, Westchester County, New York. Included in the distribution area are 278 condominiums, 22 single-family residences, a commercial area plus a new section of approximately 40 townhomes. Source water is drawn from a system of five ground water wells. All supply lines from the wells are connected to a common header and flow into the treatment facility through a 4-inch PVC main.

Currently the Oakridge treatment plant is difficult to operate for minimization of TTHMs due to the challenges presented by the raw water quality, the limited foot print for treatment equipment and the need to simultaneously comply with drinking water disinfection requirements and disinfection by-product reduction requirements. The limitations of the treatment process mean the operators have fewer options for controlling DBP/TTHM and the precursors that form them. These limitations contribute to the presence of THMs in exceedance of regulations.

A number of steps have been taken within the limitations of the approved treatment plant design to lower THM levels, including; changing the chemical utilized to treat for iron and manganese from a chlorine product which tends to produce THMs to a permanganate product which does not, flushing hydrants and the distribution system sections with longer residence times, preventing the introduction of road salt at well locations, and other operational changes.

The Oakridge Water district will continue to own, operate, maintain the proposed improvements.

3.0 PROPOSED IMPROVEMENTS

Several engineering solutions are proposed for implementation to bring the water treatment plant into compliance with the Stage 2 DBPR. These include;

1. The design and construction of an aeration system to be installed within the existing 95,000-gallon water storage tank to oxidize those THMs formed during the disinfection process. Preliminary design work has been completed and the equipment has been selected.
2. The design and installation of a Supervisory Control and Data Acquisition system (SCADA) which will monitor the level of free chlorine residual and pH at the entry point and control the chemical feed system to insure optimum pH management and disinfection is maintained and excess chlorine is not fed (which could exacerbate the DBP issues).
3. The design and installation of improved chemical feed equipment for pH adjustment, disinfection and sodium permanganate (NaMnO_4) delivery.
4. Re-purposing three existing pressure vessels within the water treatment process as granular activated carbon (GAC) filters for the reduction of total organic carbon (TOC)

prior to disinfection. TOC is presumed to be the precursor of TTHMs formed after chlorination during water treatment, testing confirmed GAC filtration reduced the TTHM formation potentials upon typical chlorination for disinfection purposes.

Regulatory review and approval from the Westchester County Department of Health is required prior to construction.

4.0 DETAILED EXPLANATION OF COSTS

Appendix A includes a detailed break down of the expected capital costs to implement the improvements at the water treatment plant.

The capital costs are summarized as follows:

- \$179,000 – Water Tank TTHM Treatment System
- \$111,000 – SCADA upgrades
- \$48,500 – Chemical Feed System
- \$32,000 – GAC Filters
- \$56,000 – 15% Contingency
- \$56,000 – 15% Engineering
- \$482,500 - Total

5.0 MAXIMUM AMOUNT TO BE EXPENDED

The total capital costs will be paid by a municipal bond. The debt service would be paid by the 340 water users of Oakridge Water District. At 20 years, using an annual interest rate of 4%, the annual payment is approximately \$35,500.

The current water rates that are assessed quarterly for a typical water user are \$55 base; \$7 per 1,000 gallons for first 7,000 gallons; \$8 per 1,000 gallons for over 7,000 gallons to 27,000 gallons; \$9 per 1,000 gallons above 27,000 gallons.

For a typical residential condominium that uses 80,000 gallons per year, the proposed project would increase their yearly water cost from approximately \$664.00 to \$768.42.

APPENDIX A

Town of Lewisboro Oakridge Water District Capital Cost Estimates

Project Name: Oakridge Upgrades
 Project#: 17-1352
 Date: 8/8/2018
 Prepared By: R. Flores



Delaware Engineering, D.P.C.

Conceptual Cost Opinion Oakridge Water System Upgrades								
ID	Description	Quantity	Units	Materials	Labor	Equipment	Total Unit Cost	Subtotals
1	Water Tank TTHM Treatment							
1.1	Floating Spray System	1	LS	\$40,000.00	\$45,000.00	\$25,000.00	\$110,000.00	\$110,000.00
1.2	Submersible Mixer	1	LS	\$7,000.00	\$10,000.00		\$17,000.00	\$17,000.00
1.3	Ventilation System	1	LS	\$7,000.00	\$10,000.00		\$17,000.00	\$17,000.00
1.4	Control Panels	1	LS	\$5,000.00	\$10,000.00		\$15,000.00	\$15,000.00
1.5	Electrical	1	LS	\$10,000.00	\$10,000.00		\$20,000.00	\$20,000.00
								\$179,000.00
2	SCADA Upgrades							
2.1	SCADA PLC and Panel	1	LS	\$50,000.00	\$25,000.00		\$75,000.00	\$75,000.00
2.2	Chlorine Monitoring	1	LS	\$7,500.00	\$2,500.00		\$10,000.00	\$10,000.00
2.3	pH Monitoring	1	LS	\$3,500.00	\$2,500.00		\$6,000.00	\$6,000.00
2.4	Controls and Electrical	1	LS	\$10,000.00	\$10,000.00		\$20,000.00	\$20,000.00
								\$111,000.00
3	Chemical Feed System							
3.1	Sodium Hypochlorite System	1	LS	\$5,000.00	\$1,000.00		\$6,000.00	\$6,000.00
3.2	Sodium Permanganate System	1	LS	\$5,000.00	\$1,000.00		\$6,000.00	\$6,000.00
3.3	Polyaluminum Chloride System	1	LS	\$5,000.00	\$1,000.00		\$6,000.00	\$6,000.00
3.4	Sodium Hydroxide System	1	LS	\$5,000.00	\$1,000.00		\$6,000.00	\$6,000.00
3.5	Piping	1	LS	\$2,000.00	\$2,000.00		\$4,000.00	\$4,000.00
3.6	Electrical	1	LS	\$3,000.00	\$6,000.00		\$9,000.00	\$9,000.00
3.7	Containment	1	LS	\$10,000.00	\$1,500.00		\$11,500.00	\$11,500.00
								\$48,500.00
4	GAC Filters							
4.1	Repurpose Pressure Vessels	1	LS		\$5,000.00		\$5,000.00	\$5,000.00
4.2	GA Carbon - Filtrasorb 400	1	LS	\$5,000.00	\$2,000.00		\$7,000.00	\$7,000.00
4.3	Valves and Piping	1	LS	\$10,000.00	\$10,000.00		\$20,000.00	\$20,000.00
								\$32,000.00
	Cost Summary							

2018 Construction Cost Subtotal \$370,500.00

15% Contingency \$ 56,000.00

15% Engineering (Preliminary, Design, Construction) \$ 56,000.00

Project Costs \$482,500.00

August 14, 2018

To:

Peggy Van Tassel

Peach Court, Goldens Bridge NY

Lewisboro Town Board

Dear Peggy:

I'm not the type of person to personally disparage a neighbor behind her back, so I am writing you directly. It has come to my attention that you sent a letter to the Town Board that attributed inaccurate information about me about my parking habits. I was told that your letter, read into the public record at the Town Board August 13 meeting cited me as a person who parks on the courts along Park Road rather than using my garage. To set the record straight, I am copying the Town Board on this email for them to include in the public record of that meeting.

The truth of the matter: I use my garage for parking whenever possible - and I do not park on the courts when it is unnecessary. That parking in the Wild Oaks community has become a hateful and contentious issue saddens me and had caused me many sleepless nights. The ban is unneeded and creates unnecessary animosity between neighbors.

The need for parking for residents and for visitors to Park Road is very real. Unfortunately, because of the parking ban, the courts, at times, will be the only place that people can park. Currently, as the sole resident of my townhouse, I do not usually need to park anywhere but inside my garage. What will happen if I sell this place to a couple, or a couple with a teenager or grandparent, and the parking needs for this unit expands from one car to three cars? When that occurs cars from my unit will be parked on the courts each and every day. This is why the parking needs of the community should be legislated by the Town Board according to best practices in planning's bedroom to parking space ratios - on the actual parking needs of a community and not on a letter or two written about how lovely it is to walk one's dog along Park Road without parked cars.

Peggy, please note that you hold a minority opinion on this issue. In spite of your letter praising the unnecessary Park Road parking ban, more WOTOA residents oppose the parking ban than support it.

Sincerely,

Ellen Brief

Park Road, Goldens Bridge

TOWN OF LEWISBORO
Westchester County, New York



Planning Board
79 Bouton Road
South Salem, New York 10590

Tel: (914) 763-5592
Fax: (914) 875-9148
Email: planning@lewisborogov.com
Website: www.lewisborogov.com

August 15, 2018

Honorable Peter Parsons, Supervisor
Town of Lewisboro
Town House
11 Main Street
South Salem, New York 10590

Re: JVG Estates LLC –
Performance Security Reduction

Dear Supervisor Parsons:

The Planning Board is in receipt of a request by JVG Estates LLC, the owner and developer of the Bluestone Lane Subdivision, to release performance security held by the Town in connection with the construction of subdivision improvements.

I have enclosed a copy of the reduction request, together with a Memorandum provided to the Planning Board by Kellard Sessions.

At its August 14, 2018 meeting, the Planning Board adopted a motion seeking Town Board authorization pursuant to Section 195-17(I) of the Town Code to evaluate and act upon this request. Accordingly, the Planning Board requests that the Town Board formally authorize the Planning Board to act upon this performance security reduction request.

I appreciate your attention with regard to this request.

Respectfully submitted,

PLANNING BOARD OF THE TOWN OF LEWISBORO

By: Jerome Kerner ^{cc}
Jerome Kerner, Chair

MEMORANDUM

TO: Lewisboro Planning Board

CC: Lewisboro Town Board
Clarsdan Conran
Judson Siebert, Esq.
Joseph Angiello

FROM: Joseph M. Cermele, P.E., CFM
Jan K. Johannessen, AICP
Town Consulting Professionals

DATE: August 13, 2018

RE: Bond Reduction
Bluestone Lane Subdivision (FKA Popoli/Sicuranza Subdivision)
NYS Route 35
Sheet 40, Block 10552, Lots 3, 4 and 5

The applicant has requested a reduction in the amount of the Bond currently in place for the above-referenced project. The present value of the Bond is \$272,191.00 for shared improvements relating to the development of a six (6) lot subdivision, including the road, common driveway and stormwater management facilities. At the time of this writing, the developer has completed a substantial amount of the work associated with the Bond. Based upon the original Bond, a reduced value of the bond will be sufficient to cover the cost of the remaining work. Upon review of the attached Cost Estimate and comparing it to the work completed to date, it would be appropriate to reduce the bond amount from \$272,191.00 to \$105,876.00, a reduction of \$166,315.00 or 61%.

Please contact this office should you have any questions.

JMC/JKJ/dc

T:\Lewisboro\Correspondence\2018-08-13_LWPB_PopoliSubd_Bond Reduction.docx

COMPLETED ITEMS	total
Road/Culdesac	
clearing and grubbing - road ROW	3880
clearing and grubbing - Easements	560
rough grade	7760
foundation course	1160
shaping shoulders & ditches	3880
asphalt binder course	39264
shoulder grading topsoil & seeding	4446
excessive cuts and fills	14550
TOTAL	75500

COMPLETED ITEMS	
Common driveway	
clearing and grubbing - Road ROW	1984
rough grade	3163
foundation course	6900
shaping shoulders & ditches	2300
asphalt pavement	19942
shoulders grading, topsoil & seeding	2076
TOTAL	36365

COMPLETED ITEMS DRAINAGE ETC	
catch basins	12000
drainage (yard) basins	1000
outlet control structure	2700
15" CPE	13800
flared end treatments with rip -rap	7000
rip-Rap Additional	0
vortsentry	0
sand filter	0
pocket pond	9450
TOTAL	45950

COMPLETED	
DEMOLITION / REMOVAL	
tree/shrub removal	5500
general site clean up	3000
TOTAL	8500

TOTAL ITEMS COMPLETED	166315	BOND REDUCTION TOT
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OUTSTANDING ITEMS	
asphalt Top course (ROW)	29448
proposed HOA mitigation planting	25529
final cleaning of drainage system	

repairs to binder prior to completion		3328
rip- Rap additional		250
vortsenry		23000
sand filter		11000
pocket pond	10%	105
drainage yard basin		2000
outlet control structure		300
shoulder gradling topsoil seeding	25%	1482
TOTAL		96442

RE : BLUESTONE LANE SUBDIVISION
BOND REDUCTION REQUEST
JULY 10TH 2018

VITO DIMATTEO
MANAGING MEMBER
JVG ESTATES LLC

TAL

JVG Estates LLC. 1437 RT. 35 South Salem NY 10590

7/23/18

Lewisboro Planning Board & Town Board
79 Bouton Rd, South Salem, NY 10590

RE: Bluestone Lane Subdivision (Formally : Popoli / Siguranza Subdlvision) Bond Reduction Request
NYS Route 35
South Salem, NY 10590
(Sheet 40, Block 10552, Lots 3,4 & 5)

Dear Planning & Town Boards

I am writing to request a Reduction in the current allocated Bond amount. Please reference the attached spreadsheet demonstrating the work that has been completed to date as well as items that remain to be completed.

Sincerely,



Vito DiMatteo
JVG Estates LLC ,
Managing Member

Cc:

Jan Johannessen

Jud Selbert

COMPLETED ITEMS

total

Road/Culdesac	
clearing and grubbing - road ROW	3880
clearing and grubbing - Easements	560
rough grade	7760
foundation course	1160
shaping shoulders & ditches	3880
asphalt binder course	39264
shoulder grading topsoil & seeding	4446
excessive cuts and fills	14550
TOTAL	75500

RE : BLUESTONE LANE SUBDIVISION
BOND REDUCTION REQUEST
JULY 10TH 2018

VITO DIMATTEO
MANAGING MEMBER
JVG ESTATES LLC

COMPLETED ITEMS

Common driveway	
clearing and grubbing - Road ROW	1984
rough grade	3163
foundation course	6900
shaping shoulders & ditches	2300
asphalt pavement	19942
shoulders grading, topsoil & seeding	2076
TOTAL	36365

COMPLETED ITEMS DRAINAGE ETC

catch basins	12000
drainage (yard) basins	1000
outlet control structure	2700
15" CPE	13800
flared end treatments with rip -rap	7000
rip-Rap Additional	0
vortsentry	0
sand filter	0
pocket pond	9450
TOTAL	45950

COMPLETED

DEMOLITION / REMOVAL

tree/shrub removal	5500
general site clean up	3000
TOTAL	8500

TOTAL ITEMS COMPLETED

166315

BOND REDUCTION TOTAL

OUTSTANDING ITEMS

asphalt Top course (ROW)	29448
proposed HOA mitigation planting	25529
final cleaning of drainage system	
repairs to binder prior to completion	3328
rip- Rap additional	250
vortsentry	23000
sand filter	11000
pocket pond 10%	105
drainage yard basin	2000
outlet control structure	300
shoulder grading topsoil seeding 25%	1482
TOTAL	96442

At a regular meeting of the Town Board of the Town of Lewisboro, Westchester County, New York, held at the Vista Fire House, 377 Smith Ridge Road, in South Salem, New York, in said Town, on August 27, 2018, at 7:30 o'clock P.M., Prevailing Time.

PRESENT:

Supervisor

Councilperson

Councilperson

Councilperson

Councilperson

In the Matter
of
the Increase and Improvement of the
Facilities of the Oakridge Water District
in the Town of Lewisboro, Westchester
County, New York

:
:
:
:
:
:
:
:
:

PUBLIC INTEREST ORDER

WHEREAS, the Town Board of the Town of Lewisboro, Westchester County, New York, has had under consideration the increase and improvement of the facilities of the Oakridge Water District in said Town, consisting of various improvements to the Oakridge Water District water treatment plant, including the design and construction of an aeration system, design and installation of a monitoring system, upgrades to the chemical feed system and the repurposing of

existing pressure valves, and related and incidental improvements and expenses in connection therewith; and

WHEREAS, the Town Board of said Town has duly caused to be prepared a map, plan and report, including an estimate of cost relating to said increase and improvement of facilities of such Oakridge Water District; pursuant to an engineering report prepared by Delaware Engineering, D.P.C., professional engineers; and

WHEREAS, the maximum estimated cost to such Oakridge Water District of such increase and improvement of facilities is determined to be \$482,500; and

WHEREAS, except to the extent paid from charges for the use of water, or other sources, such cost shall be annually apportioned and assessed upon the several lots and parcels of land within such Oakridge Water District in the manner provided by law and levied and collected in an amount sufficient to pay the principal and interest on any obligation issued to finance said increase and improvements as the same become due;

WHEREAS, an environmental analysis has been 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 use and it has been determined that such increase and improvement of the facilities of said District and use will not result in any significant environmental effects; and

WHEREAS, at a meeting of said Town Board duly called and held on August 13, 2018, an order was duly adopted by it and entered in the minutes specifying that said Town Board would meet to consider the increase and improvement of the Oakridge Water District in said Town at a maximum estimated cost of \$482,500 and to hear all persons interested in the subject thereof concerning the same at Vista Fire House, 377 Smith Ridge Road in South Salem, New York, in said Town, on August 27, 2018, at 7:30 o'clock P.M., Prevailing Time; and

WHEREAS, said order duly certified by the Town Clerk was duly published and posted as required by law, to-wit: a duly certified copy thereof was published in a newspaper of general

circulation in this Town, on August 17, 2018, and a copy of such order was posted on August 14, 2018, on the signboard maintained by the Town Clerk of the Town of Lewisboro, pursuant to Section 30, subdivision 6 of the Town Law; and

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

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

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to increase and improve the facilities of the Oakridge Water District in said Town, consisting of various improvements to the Oakridge Water District water treatment plant, including the design and construction of an aeration system, design and installation of a monitoring system, upgrades to the chemical feed system and the repurposing of existing pressure valves, and related and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$482,500.

Section 2. This order shall take effect immediately.

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

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

The order 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 order contained therein, held on August 27, 2018, 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, pursuant to Section 103 of the Public Officers Law (Open
Meetings Law), said meeting was open to the general public.

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 newspaper 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 notice

Date of Posting

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town,
on August _____, 2018.

Town Clerk

(SEAL)

At a regular meeting of the Town Board of the Town of Lewisboro, Westchester County, New York, held at the Vista Fire House, 377 Smith Ridge Road, in South Salem, New York, in said Town, on August 27, 2018, at 7:30 o'clock P.M., Prevailing Time.

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

PRESENT:

ABSENT:

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

BOND RESOLUTION DATED AUGUST 27, 2018.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$482,500 BONDS OF THE TOWN OF LEWISBORO, WESTCHESTER COUNTY, NEW YORK, TO PAY COSTS OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE OAKRIDGE WATER DISTRICT IN AND FOR SAID TOWN.

WHEREAS, pursuant to the provisions heretofore duly had and taken in accordance with the provisions of Section 202-b of the Town Law, and more particularly an order dated August 27, 2018, said Town Board has determined it to be in the public interest to increase the facilities of the Oakridge Water District in the Town of Lewisboro, Westchester County, New York, at a maximum estimated cost of \$482,500; and

WHEREAS, it is now desired to provide funding for such capital project; NOW, THEREFORE, BE IT

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

Section 1. For the class of objects or purposes of paying costs of the increase and improvement of the facilities of the Oakridge Water District in said Town, consisting of various improvements to the Oakridge Water District water treatment plant, including the design and construction of an aeration system, design and installation of a monitoring system, upgrades to the chemical feed system and the repurposing of existing pressure valves, and related and incidental improvements and expenses in connection therewith, there are hereby authorized to be issued \$482,500 bonds of said Town pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid class of objects or purposes is \$482,500 and that the plan for the financing thereof is by the issuance of the \$482,500 bonds of said Town authorized to be issued pursuant to this bond resolution. If grant monies are received for the aforesaid class of objects or purposes, the same may be expended in lieu of the proceeds of obligations authorized hereunder. The aggregate

amount to be expended for the aforesaid class of objects or purposes shall not exceed the estimated maximum cost thereof, as the same may be amended from time to time.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is forty years pursuant to subdivision one 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 of Lewisboro, Westchester County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. Except to the extent paid from charges for the use of water, or other sources, such cost shall be annually apportioned and assessed upon the several lots and parcels of land within such Oakridge Water District in the manner provided by law and levied and collected in an amount sufficient to pay the principal and interest on said bonds as the same become due.

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

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Town Supervisor, who shall advertise

such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of the Town, including, but not limited to, the power to sell said bonds to the New York State Environmental Facilities Corporation; provided, however, that in the exercise of these delegated powers, he shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Town Supervisor shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the Town Supervisor. Such notes shall be of such terms, form and contents as may be prescribed by said Town Supervisor consistent with the provisions of the Local Finance Law.

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

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

Section 11. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures

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

Section 12. The validity of such bonds and bond anticipation notes may be contested only if:

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

Section 13. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are,

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

Section 14. This resolution, which takes effect immediately, shall be published in full in *Record Review*, a newspaper having general circulation in said Town, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 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 August 27, 2018, 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, pursuant to Section 103 of the Public Officers Law (Open
Meetings Law), said meeting was open to the general public.

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 newspaper 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 notice

Date of Posting

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town,
on August _____, 2018.

(SEAL)

Town Clerk

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, on August 27, 2018, and the validity of the obligation authorized by such resolution may be hereafter contested only if such obligation was 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 obligation was 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 of Lewisboro, Westchester County, New York (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 obligation 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 obligation 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.

The summary of the bond resolution follows:

BOND RESOLUTION DATED AUGUST 27, 2018.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$482,500 BONDS OF THE TOWN OF LEWISBORO, WESTCHESTER COUNTY, NEW YORK, TO PAY COSTS OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE OAKRIDGE WATER DISTRICT IN AND FOR SAID TOWN.

The period of probable usefulness of the aforesaid class of objects or purposes is forty years pursuant to subdivision one 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, SOUTH SALEM, NEW YORK, DURING NORMAL BUSINESS HOURS.

Dated: South Salem, New York
August _____, 2018

Town Clerk

TOWN OF LEWISBORO

OAKRIDGE WATER SYSTEM IMPROVEMENTS PROJECT

Board Resolution – WIIA Funding Application

WHEREAS, The Town of Lewisboro, New York (hereinafter the “Town”) has established the public benefit of the Oakridge Water District Water Treatment Plant Improvements Project (hereinafter the “Project”); and

WHEREAS, the Town plans to design and construct an aeration system within the Oakridge water storage tank, install a SCADA system and chemical feed equipment, in order to address public health and safety concerns arising from excessive levels of disinfectant byproduct contamination levels; and,

WHEREAS, the Town has the opportunity to apply for grant funds from the NYS Water Infrastructure Improvement Act (WIIA) which may fund up to \$3 million or 60% of the total project costs; and,

WHEREAS, the total Project cost is estimated at \$482,500; and,

WHEREAS, the Town is prepared to contribute matching funds through the issuance of a municipal bond; and,

THEREFORE, BE IT RESOLVED THAT

1. The Town of Lewisboro is authorized to submit the WIIA grant application.
2. The Supervisor of the Town of Lewisboro is authorized to sign the WIIA grant application.
3. The Town agrees to provide the matching funds required for the WIIA project through municipal bonding.



GRANT APPLICATION
NYS WATER INFRASTRUCTURE IMPROVEMENT ACT (WIIA)
&
NYS INTERMUNICIPAL WATER INFRASTRUCTURE GRANTS PROGRAM (IMG)
DRINKING WATER

A. APPLICANT

Name of Applicant: Town of Lewisboro County: Westchester County
Federal I.D. Number: 14-6002276 DUNS Number: 049907157
Cooperating Municipality(ies) (IMG Only): N/A

Highest Elected Official: Peter Parsons Phone: 914-763-3151
Title: Supervisor Email: supervisor@lewisborogov.com
Mailing Address: 11 Main Street
South Salem, NY 10590

Authorized Representative: Peter Parsons Phone: 914-763-3151
Title: Supervisor Email: supervisor@lewisborogov.com
Mailing Address: 11 Main Street
South Salem, NY 10590

Daily Contact Name: Leo Masterson Phone: 914-763-8383
Title: Comptroller Email: LMasterson@lewisborogov.com
Company: Town of Lewisboro

Engineering Consultant: Robert Flores Phone: 518-452-1290
Title: Professional Engineer Email: rflores@delawareengineering.com
Company: Delaware Engineering

B. GRANT CATEGORY

Identify the grant program(s) for which you are applying by checking the appropriate box or boxes below.

- ☒ New York Water Infrastructure Improvement Act (WIIA) grant
☐ Intermunicipal Water Infrastructure Grants Program (IMG) grant



C. GENERAL INFORMATION

Project Name: Oakridge Water District Improvements

Project Location: Water Treatment Plant (400 Oakridge Dr) and Water Storage on Oakridge Drive

41.211868 Latitude -73.522022 Longitude

Service Area: Oakridge Development on Route 123

Population of Project Service Area: 895

Public Water Supply ID Number NY5918395

Legislative Districts (Include multiple districts if applicable)		
US Congress	NY Senate	NY Assembly
<u>18</u>	<u>40</u>	<u>93</u>

Estimated Total Project Cost: \$ 482,500 Design Start Date: 8/2018 (☐ T / ☒ A)

Construction Start Date: 10/2018 (☒ T / ☐ A) Construction End Date: 12/2018 (☒ T / ☐ A)

Check "T" for a target date and "A" for an actual date

D. PROJECT INFORMATION

1. Provide a brief description of your project and why it is the best solution to an identified water quality problem.

Improvements to the Oakridge Water District are urgently needed: the District is under an Administrative Order from the County Department of Health due to levels of trihalomethanes (THMs) exceeding maximum contaminant levels (MCLs), and on August 13, 2018, the Town passed a resolution declaring the Oakridge Water District project an emergency (see attached documentation). The water treatment plant (WTP) is difficult to operate for minimization of THMs due to challenges presented by raw water quality, the limited footprint for equipment, and the need to simultaneously comply with drinking-water disinfection requirements and disinfection by-product reduction requirements.

The project includes the design and construction of an aeration system to be installed within the 95,000 gallon water storage tank to oxidize THMs formed during the disinfection process; design and installation of a SCADA system to monitor and ensure optimum pH management and disinfection; the design and installation of improved chemical feed equipment for pH adjustment, disinfection and NaMnO₄ delivery; and repurposing three existing pressure vessels within the WTP to reduce total organic carbon prior to disinfection. These proposed engineering solutions will most quickly and cost-effectively bring the WTP into compliance with Stage 2 DBPR regulations.

2. If applying for an IMG Grant, describe how the joint project benefits the cooperating municipalities and is the best solution for an identified water quality problem.

N/A



3. Which of the following categories does the project scope address?

☐ Source ☒ Treatment ☒ Storage ☐ Distribution

4. Has any portion of your source, treatment, or distribution system been compromised or created a situation where the system users were without water?

☐ No ☒ Yes If yes, please explain.

Yes – as described above, the presence of THMs in the finished water has been determined by the Town to be an emergency and a threat to public health.

5. Is the project required through an enforcement action, such as a DOH violation, DOH and/or EPA consent order, judicial order, compliance schedule?

☐ No ☒ Yes If yes, indicate the type, date of execution and reason for the enforcement action as it relates to the project. Please submit a copy of the executed enforcement action or compliance order with the grant application.

On May 29, 2018, the Town received an Administrative Order (attached) from the United States Environmental Protection Agency finding that the Oakridge Water District failed to comply with Stage 2 DBPR by failing to comply with MCL for total THMs (Oakridge Water System Administrative Order – Docket No SDWA-02-2018-8054). This Administrative Order required the Town to submit a Corrective Action Plan (attached) within 30 days to achieve compliance with the TTHM MCL, and to monitor and report its results to both USEPA and the Westchester County Department of Health on a routine basis. This Administrative Order was signed by Dore La Posta, Director, Division of Enforcement and Compliance Assistance, on May 29, 2018.

6. Describe the project's community impacts, including but not limited to, public support for the project, critical community resources served by this project, or economic development impacts.

The project will have a direct and crucial impact on the nearly 900 residents who depend upon the Oakridge Water District to provide a safe and reliable water supply. Public support is strong, as evidenced by attendance and commentary at the public meetings addressing this issue. As stated above, the project is necessary to reduce risk to public health for system users and to protect against future violations.

7. Is the project identified in any regional planning initiatives (e.g. a Comprehensive Plan, Regional Planning document, Waterfront Revitalization Plan, Watershed Plan or Estuary Plan)?

☐ No ☒ Yes

If yes, describe below and attach applicable documents:

The Town's most current Master Plan (attached) cites the importance of the protection of drinking water quality and availability in several places, and clearly ties drinking water quality to the preservation of public health and prudent development within the Town. Further, recent public hearings in the Town have solicited resident input concerning the emergent THM problems in the Oakridge Water District.

8. Does the project require easements or land acquisition?

☒ No ☐ Yes

If yes, describe the status of obtaining the easement an/or land. If the process has been completed, attach the Title Certification and/or proof of easement acquisition.

N/A

9. Does the project require a debt exclusion approval from the Office of the State Comptroller (OSC)?

☒ No ☐ Yes

If yes, describe the status. If the debt exclusion has been approved, attach the OSC approval letter.

N/A

10. Describe the current status of the project and, as applicable, your ability to demonstrate community impacts or readiness to proceed forward including, but not limited to, an executed engineering agreement for design services, executed professional service agreements, detailed project schedule, plans and specifications.

The Town has started working on the project. As mentioned above, the Town adopted a resolution on August 13, 2018, declaring the Oakridge Water District issues to be an emergency, therefore time is of the essence. The Administrative Order led to the creation of a two-phase Corrective Action Plan (completed) and a Map, Plan and Report (accepted by the Town Board on 8/13/18, attached) that outlines engineering solutions to the Water District violations. The Town has passed a bond resolution (attached) concerning the project, and has completed environmental review (SEQR, attached) determining that the project is a Type II action. The Town has entered into an engineering agreement with Delaware Engineering for design (attached) and has developed a detailed project schedule (attached).



11. Check the applicable box(es) below to indicate the financing plan for the balance of the project following a grant award.

- ☒ Municipal Contributions Amount: \$ 193,000
Source: Municipal Bond
- ☐ Municipal Interfund Borrowing Amount: \$ _____
- ☐ DWSRF Financial Assistance Amount: \$ _____

☐ The project is currently listed on 2018 Intended Use Plan (IUP)
DWSRF Project Number: _____

☐ A project listing for the 2019 IUP will be submitted

Note: If awarded an IMG grant, the project will not be eligible for subsidized financing through EFC and will only be eligible to apply for market rate financing.

☐ Non-EFC Debt

Type (BAN*, Bonds, other)	Amount	Issue Date	T/A** (<input type="checkbox"/> T / <input type="checkbox"/> A)	Call Date
_____	_____	_____	(<input type="checkbox"/> T / <input type="checkbox"/> A)	_____
_____	_____	_____	(<input type="checkbox"/> T / <input type="checkbox"/> A)	_____
_____	_____	_____	(<input type="checkbox"/> T / <input type="checkbox"/> A)	_____

*If a BAN is callable, please provide call date.

** Check "T" for a target date and "A" for an actual date

☐ Non-EFC Grants

Grant Type	Amount	Status (provide dates)	
		Applied	Approved
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

☐ Other Funding, please describe:

N/A

12. Has the Applicant submitted timely annual financial reports to OSC for each of the last three years?

☐ No ☒ Yes If no, please explain:

E. TOTAL PROJECT BUDGET

Please add line items to the budget as needed. If you have additional questions, please call EFC or refer to the Intended Use Plan.

Category	Estimated Costs
1. Construction Costs	
Contract 1	\$ 370,500
Contract 2	\$
Contract 3	\$
Contract 4	\$
2. Engineering Costs	
a. Planning	\$
b. Design	\$ 56,000
c. Construction	\$
d. Other	\$
3. Other Expenses	
a. Local Counsel	\$
b. Bond Counsel	\$
c. Work Force	
- Technical	\$
- Administrative	\$
d. Fiscal Services	\$
e. Net Interest	\$
f. Miscellaneous (please describe)	\$
	\$
	\$
	\$
4. Equipment	\$
5. Land Acquisition	\$
6. Contingencies	\$ 56,000
7. Total Project Costs (sum lines 1-6)*	\$ 482,500
8. Less: Other Sources of Funding	\$ 0
9. Total Financial Assistance Requested (line 7 minus line 8)	\$ 482,500

*This value should match the estimated project cost on Page 2.

F. REQUIRED DOCUMENTS

1. For All Applications: The following documents are **required and must be submitted with the application** if not previously submitted to DOH/EFC. If any of these items are unavailable, do not continue with the application at this time.

Enclosed	Previously Submitted to EFC	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Engineering Report
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Smart Growth Assessment Form
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Environmental Review Determination
<input checked="" type="checkbox"/>	<input type="checkbox"/>	SHPO Project Review Determination Letter
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Authorizing Resolution (Certified)

2. The following documents are **required as indicated and must be submitted with the application** if not previously submitted to EFC. If any of these items apply to your project and are unavailable, do not continue with the application at this time.

Enclosed	Previously Submitted to EFC	Not Applicable	
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Intermunicipal Agreement (Valid and Binding) <i>(Required if applying for IMG)</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	DWSRF Financing Application <i>(Required if applying for WIIA or IMG grants with DWSRF Financing)</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Water District, District Extension Formation or Other OSC Approvals <i>(Required if forming or extending a district)</i>



G. ACKNOWLEDGEMENTS

1. Upon submission of this application, you acknowledge your responsibility to comply with New York State Executive Law, Article 15-A with respect to Minority and Women's Business Enterprise (MWBE) – Equal Employment Opportunity (EEO) requirements, and Service-Disabled Veteran-Owned Business (SDVOB). By checking this box, you acknowledge that you are aware of these obligations and that you are authorized to make this acknowledgement on behalf of the applicant.

MWBE Goals for IMG with DWSRF financial assistance - 24%

MWBE Goals for WIIA with DWSRF financial assistance - 26%

MWBE Goals for WIIA or IMG without DWSRF financial assistance - 30%

EEO goals for all applicants - % varies by County (<http://www.efc.ny.gov/mwbe>)

SDVOB goals without DWSRF financial assistance – 6%

SDVOB goals are not required, but encouraged, with DWSRF financial assistance

☒ Acknowledged

2. To receive financing assistance through the DWSRF, you will need to meet various other New York State and federal requirements. These requirements include, but are not limited to, Davis-Bacon Federal Prevailing Wage and related acts, and American Iron and Steel. Recipients of financial assistance will be required to perform certain actions to verify compliance and ensure certain provisions are contained in all contracts and subcontracts. By checking this box, you acknowledge that you are aware of this requirement and that you are authorized to make this acknowledgement on behalf of the Applicant.

☒ Acknowledged

Please refer to the current IUP for your additional detail regarding responsibilities under these programs.



H. SIGNATURE FOR GRANT APPLICATION

CERTIFICATION: On behalf of the Applicant, and in accordance with the board resolution by

the Town of Lewisboro

(Governing Body of Municipal Applicant)

authorizing me to do so, I apply for a WIIA grant and/or IMG grant for the project described in this application. By signing this application, I certify and agree on behalf of the Applicant and its governing body that all of the information contained in this application, in other statements and exhibits attached hereto or referenced herein, and in all statements, data and supporting documents which have been made or furnished for the purpose of receiving a WIIA grant or IMG grant for the project described herein, are true, correct and complete to the best of my knowledge and belief.

I further agree on behalf of the Applicant that, if DWSRF assistance is provided for the project described in this application, the Applicant shall comply with all applicable provisions of the Federal Safe Drinking Water Act, 42 U.S.C. §§ 300f, et seq., and applicable provisions of state law, codified under Chapter 413 of the Laws of New York of 1996, 10 NYCRR Part 53, and 21 NYCRR Part 2604, as amended, regarding DWSRF assistance.

I further agree that the Applicant will comply with the provisions of the Minority and Women's Business Enterprise – Equal Employment Opportunity requirements of Article 15-A of the New York State Executive Law and will maintain such records and take such actions necessary to demonstrate such compliance throughout the construction of the project.

Further, I acknowledge that offering a written instrument knowing that the written instrument contains a false statement or false information, with the intent to defraud the State or any political subdivision, public authority or public benefit corporation of the State, with the knowledge or belief that it will be filed with or recorded by the State or any political subdivision, public authority or public benefit corporation of the State, constitutes a crime under New York State Law.

(Signature of Authorized Representative)

Peter Parsons, Supervisor

(Name and Title)

Town of Lewisboro

(Municipal Applicant)

(Date)