



**AGENDA
TOWN OF LEWISBORO
TOWN BOARD MEETING
TOWN HOUSE
FEBRUARY 22, 2016
7:30 P.M.**

I. PUBLIC COMMENT PERIOD

II. COMMUNICATIONS

- 1. Acknowledgment of Receipt of Independent Auditors' Report on the Town Justice Court for the Year Ending December 31, 2015**

III. CONSENT AGENDA

- Approval of Minutes – February 8, 2016**

IV. NEW BUSINESS

- 1. Legislative Update by New York State Senator Terrence Murphy**
- 2. Application for Grant for Highway Truck**

V. OLD BUSINESS

- 1. Resolution to Approve Amendment of Chapters 220-2, 220-10(A), 220-10(E), 220-32B(2) and Article V**
- 2. Further Discussion of Zoning Amendments to Facilitate Increased Businesses**

VI. APPROVAL OF CLAIMS

VII. POLLING OF BOARD

VIII. ANNOUNCEMENTS

Town Board Meeting on Monday, March 14, 2016 at 7:30 p.m. at the Town House, 11 Main Street, South Salem.

IX. MOTION TO GO INTO EXECUTIVE SESSION

Items submitted for inclusion on the agenda for regular Town Board Meetings must be received by the Supervisor's Office by noon on the Thursday preceding the meeting. Items of significant importance may be added if deemed necessary by the Town Board or Supervisor.

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 Town Offices at Orchard Square 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.

Town of Lewisboro, New York

Town Justice Court

Statement of Cash Receipts, Cash Disbursements
and Cash Balances

Year Ended December 31, 2015

Independent Auditors' Report

**The Honorable Town Supervisor
and Members of the Town Board
of the Town of Lewisboro, New York**

Report on the Financial Statements

We have audited the accompanying statement of cash receipts, cash disbursements and cash balances of the Town Justice Court of the Town of Lewisboro, New York, as of and for the year ended December 31, 2015, and the related note to the financial statement.

Management's Responsibility for the Financial Statement

Management is responsible for the preparation and fair presentation of this financial statement in accordance with the basis of accounting described in Note 1; this includes determining that the basis of accounting is an acceptable basis for the preparation of the financial statements in the circumstances. Management is also responsible for the design, implementation and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditors' Responsibility

Our responsibility is to express an opinion on this financial statement based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statement is free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statement. The procedures selected depend on the auditors' judgment, including the assessment of the risks of material misstatement of the financial statement, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statement in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statement.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Opinion

In our opinion, the financial statement referred to in the first paragraph presents fairly, in all material respects, the cash receipts, cash disbursements and the cash balances of the Town Justice Court of the Town of Lewisboro, New York as of December 31, 2015 and for the year then ended, in accordance with the basis of accounting as described in Note 1.

Basis of Accounting

We draw attention to Note 1 to the financial statement, which describes the basis of accounting. The financial statement was prepared on the cash basis of accounting, which is a basis of accounting other than accounting principles generally accepted in the United States of America. Our opinion is not modified with respect to this matter.

Restriction on Use

This report is intended solely for the information and use of the Board of Trustees, the Office of Court Administration and management and is not intended to be and should not be used by anyone other than these specified parties.

PKF O'Connor Davies, LLP

PKF O'Connor Davies, LLP

Harrison, New York

February 1, 2016

Town of Lewisboro, New York

Town Justice Court

Statement of Cash Receipts, Cash Disbursements and Cash Balances

Year Ended December 31, 2015

	Joint Bail	Fines and Parking	
		Justice Seedorf	Justice Simon
CASH RECEIPTS			
Bail	\$ 30,500	\$ -	\$ -
Fines, fees and other	-	223,548	214,925
Total Cash Receipts	30,500	223,548	214,925
CASH DISBURSEMENTS			
Remittance to Town	-	212,022	217,067
Bail Refunds and Bail Applied to Fines and Forfeitures	4,941	-	-
Total Cash Disbursements	4,941	212,022	217,067
Excess (Deficiency) of Cash Receipts Over Cash Disbursements	25,559	11,526	(2,142)
CASH BALANCES			
Beginning of Year	6,931	8,689	12,414
End of Year	<u>\$ 32,490</u>	<u>\$ 20,215</u>	<u>\$ 10,272</u>
CASH BALANCES REPRESENTED BY			
Amount due to Town	\$ -	\$ 20,215	\$ 10,272
Undisposed Cases	32,490	-	-
	<u>\$ 32,490</u>	<u>\$ 20,215</u>	<u>\$ 10,272</u>

Note 1 - Summary of Significant Accounting Policies

A. Basis of Accounting

This financial statement was prepared on the basis of cash receipts and cash disbursements in conformity with the accounting principles prescribed in the New York State Handbook for Town and Village Justices, which is a comprehensive basis of accounting other than generally accepted accounting principles. Under this basis of accounting, revenues are recognized when cash is received and expenditures are recognized when cash is disbursed.

B. Deposits and Risk Disclosures

Cash and Equivalents – Cash and equivalents consist of funds deposited in demand deposit accounts, time deposit accounts and certificates of deposit with original maturities of less than three months.

The Town Justice Court's deposits and investment policies follow the Town of Lewisboro, New York's ("Town") policies. The Town's investment policies are governed by state statutes. The Town has adopted its own written investment policy which provides for the deposit of funds in FDIC insured commercial banks or trust companies located within the state. The Town is authorized to use demand deposit accounts, time deposit accounts and certificates of deposit. Permissible investments include obligations of the U.S. Treasury, U.S. Agencies and obligations of New York State or its political divisions, and accordingly, the Town's policy provides for no credit risk on investments.

Collateral is required for demand deposit accounts, time deposit accounts and certificates of deposit at 100% of all deposits not covered by Federal deposit insurance. The Town has entered into custodial agreements with the various banks which hold their deposits. These agreements authorize the obligations that may be pledged as collateral. Such obligations include, among other instruments, obligations of the United States and its agencies and obligations of the State and its municipal and school district subdivisions.

Custodial credit risk is the risk that in the event of a bank failure, the Town's deposits may not be returned to it. Governmental Accounting Standards Board Statement No. 40 directs that deposits be disclosed as exposed to custodial credit risk if they are not covered by depository insurance and the deposits are either uncollateralized, collateralized by securities held by the pledging financial institution or collateralized by securities held by the pledging financial institution's trust department but not in the Town's name. The Town's aggregate bank balances that were not covered by depository insurance were not exposed to custodial credit risk at December 31, 2015.

The Town was invested only in the above mentioned obligations and, accordingly, was not exposed to any interest rate or credit risk.

A meeting of the Town Board of the Town of Lewisboro, Westchester County, New York, was held on Monday, February 8, 2016, at 7:30 p.m. at the Town House, 11 Main Street, South Salem, New York (this was a snowy evening).

PRESENT: Supervisor - Peter H. Parsons
Councilmen - Peter DeLucia,*Frank Kelly, Daniel Welsh
Town Clerk - Janet Donohue
Absent - John Pappalardo

Also attending was the Attorney for the Town Jennifer Herodes, Confidential Secretary/Benefits Coordinator Mary Hafter and Facilities Maintenance Manager Joel Smith.

Mr. Parsons called the meeting to order at 7:36 p.m.

PLEDGE OF ALLEGIANCE

Supervisor Parsons led the Pledge of Allegiance to the flag.

PUBLIC COMMENT PERIOD

There were no public comments.

PUBLIC HEARING – Chapter 220, Section 220-10 (A) Building Lots (7:37 – 7:53 pm)

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

Mr. Parsons explained that the intention of this amendment is to allow a property owner who owns two properties opposite each other and with the other property separate from their house to be able to build with proper permitting.

The Supervisor read portions of a letter from resident, Mary Curtis, who is in opposition to the proposed local law which would amend Chapter 220 entitled “Building Lots” (her letter is included).

George Ferman, who enforced the zoning code for 38 years asked if a study was done of the properties throughout the town and was there an environmental impact study done. Mr. Parsons stated no there was no study done of similar properties. Mr. Parsons stated this situation tends to be common in the lake areas. Mr. Ferman asked about farms and if they are separate lots, yes it would pertain to them as well.

February 5, 2016

Mr. Peter Parsons, Supervisor
Town House
11 Main Street
South Salem, New York 10590

Dear Supervisor Parsons:

I am submitting my opposition to the proposed local law which will amend Chapter 220, Section 220-10(A) entitled "Building Lots." Current zoning laws of New York State and the Town of Lewisboro do not allow for the placement of a barn-like structure on the vacant lot at 48 Truesdale Lake Drive, on the east side of the street, across from the Plunkett residence. Putting an accessory building on this historically "unbuildable" lot is illegal. Why is the Town Board proposing a change in the zoning rules and regulations? Is this an accommodation for one property owner?

If the zoning law is amended, the owners need to prove "that the alleged hardship relating to the property in question is unique;" and that the proposed change "will not alter the essential character of the neighborhood." The hardship is self-imposed and erection of an accessory building (possibly 1800 sq. ft.) will negatively impact the character of the neighborhood. The lot's limitations include its irregular dimensions and location on a curve. The plans call for a dual-access driveway which will necessitate the removal of many additional trees. Drainage issues with stormwater and run-off with stretches of ice in the road during winter months have been problematic. Obviously, the proposed project will result in increased erosion.

Issues and questions that need to be addressed:

- Will the proposed project of a barn-like structure and development of the lot at 48 Truesdale Lake Drive be subject to SEQR - State Environmental Quality Review?
- Will the CAC - Conservation Advisory Council be apprised of the project? What about OSPAC - Open Space & Preserves Advisory Committee?
- Will the dual-access driveway be reviewed by the Highway Department?
- Will the Building Department oversee the project with strict adherence to zoning laws?
- Are the two properties - the Plunkett residence and the lot across the street - under one deed?

In conclusion, are you, as members of the Town Board of Lewisboro, willing to amend laws that may lead to property devaluation and decreased tax base? The complexities and serious ramifications that will result from changes in zoning law will be long-felt and enormously detrimental to our neighborhood and the Truesdale Lake community.

Sincerely,


Mary Curtis

This is not an accommodation to a specific individual but rather an accommodation to many. This is an unintended consequence of a previous zoning law change done in 2004.

Everything that would normally apply for building on a property would still apply.

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

THE VOTE:	Yes	- Parsons, DeLucia, , Welsh	(3)
	No	- None	(0)
	Absent	- Kelly, Pappalardo	(2)

RESOLUTION

RESOLVED, that the public hearing for Chapter 220, 220-10(A), Building Lots, is now closed.

Mr. Parsons stated that there is one other request that has been brought to his attention and it is an unusual circumstance. There are two properties that are divided by a path owned by the Lake Kitchawan Association. Mr. Parsons asked Jan Johannsen to make a minor change to the proposed amendment to accommodate this situation.

The conclusion of the Board was to re-write and clean up the language and wait for a full board to be present and will adopt this amendment at an upcoming Town Board meeting.

PUBLIC HEARING –Amendment to Zoning Map for 469 Smith Ridge Road and 471 Smith Ridge Road, South Salem, NY, from Retail Business (RB) to General Business (GB)
(7:54 – 8:13 p.m.)

Mr. Parsons stated that the Town Board received a recommendation from both the Planning Board and the Zoning Board of Appeals not to approve this change of zoning because they feel the additional uses are uses that are not favored in that area based on the original plan for the town.

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

Mr. Ripperger who lives next to the property in question objects to the change in zoning and does not see the need to change this zoning to GB. He feels that the environmental impact would be compromised. He feels that using it as RB is suitable for this property.

*Mr. Kelly arrives at 7:56 pm

Mark Robins from Robins Wood Lane, which is behind the property in question, approached the Board. Mr. Robins is concerned about the property and feels that it is not being used consistently with the zoning that it has. He feels that it is inviting dangerous behavior and being used as a dumping ground for garbage and pollutants. He also feels that it is being used illegally for residences. Mr. Robins does not approve of the Zoning change.

Lisa Smith, who has lived on East Street for the past 20 years, backs up to the property in question. She feels that the property has not been properly used for the last 20 years that she has lived there. There are often huge construction vehicles parked there. She significantly questions the good faith of this application and the lack of specificity.

Ms. Smith stated that for those that call this area “home”, they want to make sure this area is properly being used. The owner is an absentee landlord, he is not a resident in the community and she feels if you give him an inch he will take a mile.

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

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Welsh	(4)
	No	- None	(0)
	Absent	- Pappalardo	(1)

RESOLUTION

RESOLVED, that the public hearing for the Amendment to Zoning Map for 469 Smith Ridge Road and 471 Smith Ridge Road, South Salem, NY, from Retail Business (RB) to General Business (GB), is now closed.

Mr. DeLucia stated that when you look at the limited amount of business in town, he feels that each application needs to be looked at closely. Mr. DeLucia stated that he thinks that most of the people are more afraid of the current owner as opposed to this being rezoned to GB. Mr. DeLucia does not necessarily agree with not rezoning this to GB.

Mr. Welsh stated that the Board has the intention of looking at the definitions of RB or GB but they may not meet the needs today and there are other ways to go about zoning.

Mr. Welsh also suggested that the Vista residents take an example from the Goldens Bridge residents and form a hamlet enhancement group.

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

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Welsh	(4)
	No	- None	(0)
	Absent	- Pappalardo	(1)

RESOLUTION

RESOLVED, that the Town Board did not approve the amendment to the Zoning Map for 469 Smith Ridge Road and 471 Smith Ridge Road, South Salem, NY, from Retail Business (RB) to General Business (GB) due to the lack of specificity and an overarching plan of this site and application.

CONSENT AGENDA

On motion by Mr. Parsons, seconded by Mr. DeLucia, the Board voted 4-0 to approve meeting minutes and to receive and file departmental reports.

MINUTES - Approved

On the above motion and second, the minutes of the January 25, 2016 Town Board meeting were approved.

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Welsh	(4)
	No	- None	(0)
	Absent	- Pappalardo	(1)

REPORTS – Monthly Reports

On the above motion and second, the January, 2016 reports from the Building and Police Departments were received and filed.

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Welsh	(4)
	No	- None	(0)
	Absent	- Pappalardo	(1)

NEW YORK STATE DEPARTMENT OF TRANSPORTATION (NYSDOT) – Shared Service Agreement

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

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Welsh	(4)
	No	- None	(0)
	Absent	- Pappalardo	(1)

RESOLUTION

RESOLVED, that the Town Board does approve the Highway Superintendent to sign the shared service agreement with the New York State Department of Transportation (NYSDOT) as reviewed by counsel.

ALS TRI-STATE BICYCLE TOUR – Authorize the use of Town Park and Town Roads

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

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Welsh	(4)
	No	- None	(0)
	Absent	- Pappalardo	(1)

RESOLUTION

RESOLVED, that the Town Board does hereby authorize the use of the Town Park to be used as a rest stop area, provided that the date is coordinated through the Parks & Recreations Department, for a Tri-State Trek bicycle ride to take place on Sunday, June 26, 2016, in the Town of Lewisboro and be it further

RESOLVED, that the Town Board does hereby authorize use of Town roads for a Tri-State Trek bicycle ride to take place on Sunday, June 26, 2016 through the Town of Lewisboro.

ZONING OPTIONS FOR COMMERCIAL DEVELOPMENT – Discussion

This will be discussed at a future meeting and the Supervisor will invite the Pace Land Use group to attend.

MEETINGS – Date Set

There will be a Town Board meeting on Monday, February 22, 2016 at 7:30 p.m. at the Town House, 11 Main Street, South Salem, NY. State Senator Terrence Murphy will be at this meeting.

CLAIMS – Authorized for Payment

On motion by Mr. Parsons, seconded by Mr. DeLucia, the Board voted 4-0 to authorize payment of the Town’s bills in the amount of \$310,563.65.

EXECUTIVE SESSION – To Discuss Legal Issues

On motion by Mr. Parsons, seconded by Mr. Kelly, the Board voted 4-0 to go into executive session at 8:23 p.m. to discuss legal issues.

On motion by Mr. Parsons, seconded by Mr. Kelly, the Board voted 4-0 to come out of executive session at 8:35 p.m.

NASH ROAD HOLDINGS – Authorize Town Attorney to Sign

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

THE VOTE:	Yes	- Parsons, DeLucia, Kelly, Welsh	(4)
	No	- None	(0)
	Absent	- Pappalardo	(1)

RESOLUTION

RESOLVED, that the Town Board does hereby authorize the town attorney to sign the settlement documents regarding the Nash Road Holdings LLC Tax Certiorari matter.

ADJOURNMENT

On motion by Mr. Parsons, seconded by Mr. Kelly, the Board voted 4-0 to adjourn at 8:36 p.m.

Janet L. Donohue
Town Clerk

TOWN OF LEWISBORO

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Lewisboro will hold a public hearing on February 8, 2016 at 7:30 p.m., or soon thereafter as time permits at the Lewisboro Town House, 11 Main Street, South Salem, New York for the purpose of hearing the public with regard to a proposed local law to amend Chapter 220, Section 220-10(A), entitled "Building lots" to include "Accessory buildings, structures and/or uses shall only be permitted and located on the same lot as a duly authorized principal building, structure and/or use to which it is accessory, or on a lot under the same ownership that is adjoining or across the street from said lot" and Section 220-10(E) to include "for any new lot created by subdivision."

At said hearing all interested persons are invited to attend and will be heard. The Town of Lewisboro is committed to equal access for all. Anyone needing accommodation to attend or participate in this meeting is encouraged to call the Town Clerk's office at 914-763-3511 in advance.

BY ORDER OF THE TOWN BOARD
TOWN OF LEWISBORO
JANET L. DONOHUE
TOWN CLERK

Dated at South Salem, New York
This 26th day of January, 2016

TOWN OF LEWISBORO

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Lewisboro, hold a public hearing on February 8, 2016, at 7:30 p.m. or soon thereafter as time permits, at the Lewisboro Town House, 11 Main Street, South Salem, New York for the purpose of hearing the public with regard to the amendment of the Zoning Map for 469 Smith Ridge Road and 471 Smith Ridge Road, South Salem, NY, from Retail Business (RB) to General Business (GB). Lewisboro is committed to equal access for all. Anyone needing accommodations to attend or participate in this meeting is encouraged to call the Town Clerk's office at 914-763-3511 in advance. Notices can also be viewed on the town's website at www.lewisborogov.com.

BY ORDER OF THE TOWN BOARD
TOWN OF LEWISBORO
JANET L. DONOHUE
TOWN CLERK

Dated at South Salem, New York
this 26th day of January, 2016

TOWN OF LEWISBORO
OFFICE OF THE SUPERVISOR



TOWN OF LEWISBORO
11 MAIN STREET
P.O. BOX 500
SOUTH SALEM, NEW YORK 10590

(914) 763-3151
FAX (914) 763-6496
email:supervisor@lewisborogov.com
www.lewisborogov.com

PETER H. PARSONS, SUPERVISOR

Amanda Fallon, Deputy Chief of Staff
Office of Senator Terrence Murphy
Room 817, Legislative Office Building
Albany, NY 12247

February 16, 2016

Dear Mandy:

State and Municipal Facilities Program

Attached is the Town of Lewisboro's Preliminary Application for funding of the purchase of a Heavy Duty Highway Truck under this program.

I believe that the project qualifies based on the eligibility criteria for the program as follows:

- Acquisition of Heavy Duty Road Maintenance and Construction Vehicles are specifically cited as being eligible
- Towns are named as being eligible grantees
- The \$100,000 requested is above the minimum project amount of \$50,000 and less than 70% of the total cost of the project
- The Town believes that it should have no problem in borrowing the balance of the funding
- Maintenance of the vehicle would be a normal cost in the Town's Highway budget
- The vehicle has an expected life of more than 15 years so it meets the 10 year useful life requirement
- The project will not be begun until funding is received.

If you have any questions or comments, please do not hesitate to call or e-mail me.

Many thanks,

Peter H. Parsons
Lewisboro Town Supervisor

STATE AND MUNICIPAL FACILITIES PROGRAM PRELIMINARY APPLICATION

Project Category: State and Municipal Economic Development * Environmental*
* projects in these categories may require additional information and approval/certification

SECTION 1: DATA SHEET / GENERAL INFORMATION

A. Project Name: PURCHASE OF HEAVY DUTY HIGHWAY TRUCK

Project Location: TOWN OF LEWISBORO, HIGHWAY DEPARTMENT
11, MAIN STREET, SOUTH SALEM, NY 10590

B. Applicant Organization:

Legally Incorporated Name: TOWN OF LEWISBORO

Street (not P.O. Box): 11 MAIN STREET

City: SOUTH SALEM Zip: NY 10590 County: WESTCHESTER

Phone: 914 763-3151 Ext: Fax: 914 763-6496 E-mail: SUPERVISOR@LEWISBORO.GOV.COM

Contact Name & Title: PETER H. PARSONS, TOWN SUPERVISOR

Federal Taxpayer I.D./Charity Reg.# (Non-profits Only): 14-6002276

1. Type of Organization:

- Municipality Local Development Corporation or Industrial Dev. Agency
 Not-for-Profit University/Educational Org.
 Business Corporation Other (please describe) _____

2. Is the organization currently seeking or receiving any other New York State assistance for this project? (If your answer is "yes", please provide a detailed explanation on an attached separate sheet.)

No Yes

3. Name of project beneficiary if not applicant:

SECTION 2: PROJECT DESCRIPTION

A. Project Description and Amount

1. Please attach a detailed description of the specific capital project that will be undertaken and funded pursuant to this application. EXHIBIT I

2. Please list the amount of funding anticipated to be received from the State and Municipal Facilities Program for this project.

\$ 100,000 —

3. Project Start Date:

12/1/2016

Anticipated Date of Project Completion:

1/31/2017

SECTION 3: PROJECT BUDGET, DISBURSEMENT SCHEDULE, & OPERATING COSTS

A. Use of Funds Complete the following Project Budget detailing the proposed sources and uses of funds (attach additional sheets if necessary).

USE OF FUNDS	SOURCES			TOTAL
	State	In-Kind / Equity / Sponsor Contribution	Other sources	
Direct Costs:	\$100,000	\$92,427.21	\$	\$192,427.21
Indirect/Soft Costs:				
Total:	\$100,000	\$92,427.21	\$	\$192,427.21

B. Please describe other sources of funds and if they have been secured.
BOND ANTICIPATION NOTE TO BE RAISED APRIL 2016

C. Does the project require environmental or other regulatory permits? No Yes NA

Have they been secured? No Yes NA

D. Has any State or local government agency reviewed the project under the State Environmental Quality Review Act (SEQRA) or is such review necessary to obtain any governmental approvals? No Yes NA

E. Please describe the ongoing operating costs required to maintain the proposed project and the sources of these funds. **SOURCE OF FUNDS IS VEHICLE EQUIPMENT REPAIR LINE IN TOWN HIGHWAY BUDGET FUNDED AT \$90,000 IN 2016.**

SECTION 4: ELIGIBILITY FOR TAX-EXEMPT FINANCING

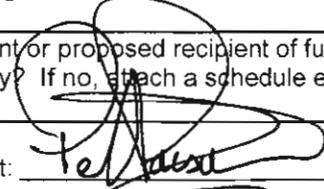
1. Do you believe your project is eligible for tax-exempt financing under the Federal Internal Revenue Service code? No Yes

2. Has the applicant or proposed recipient of funds previously received financing from the sale of tax-exempt bonds? If yes, attach a schedule describing the details of such financing. **EXHIBIT II** No Yes

3. Does the applicant or proposed recipient of funds anticipate applying for financing for this project from the sale of other tax-exempt bonds? No Yes

4. Have any funds been expended or obligations incurred to date on that portion of the project for which this application is made? If yes, attach a schedule showing details of such disbursements (date, purpose, payee, etc.). No Yes

5. Does the applicant or proposed recipient of funds plan to occupy 100% of the project facility? If no, attach a schedule explaining the planned occupancy. No Yes

Signature of Applicant: 

Date: **February 16, 2016**

EXHIBIT I

NAVISTAR INC.
899 ALBANY SHAKER RD.
LOUDONVILLE, NY 12211

Onandaga Piggy Back Contract ORDER

Date 2/5/2016 Contract # 7823 Onandaga HEAVY
Contact Peter Ripperger Phone 914-763-3166
Customer Town of Lewisboro Fax 914-763-8134
Address 11 Main St E Mail: highway@lewisborogov.com
City South Salem State NY Zip 10590
Item # 7500 sfa Description Proposal 1 4167-01 Price
Tenco Industries Quote 13116 Body and Equipment per unit \$112,103.00
Total delivered price \$80,324.21
\$192,427.21

PO Or Voucher Addressed To:
NAVISTAR INC.
399 albany Shaker Rd suite 202
LOUDONVILLE, NY 12211

PT1 Color Red Code 2303 Schematic 209gm
1 unit 187 CA/CT 112 AF 63"

WB will change subject to Body company needs for your equipment needs

Accepted: _____ Date _____

Payment for cab chassis 30 days from receipt to The body Company:

NEW AND RENEWAL ISSUE

BOND ANTICIPATION NOTES

In the opinion of Norton Rose Fulbright US LLP, New York, New York, Bond Counsel, assuming continuous compliance with certain covenants described herein, interest on the Notes will be excludable from gross income for federal income tax purposes under existing law, and interest on the Notes will not be subject to the alternative minimum tax on individuals. In the further opinion of Bond Counsel, under existing law interest on the Notes is exempt from personal income taxes imposed by the State of New York or any political subdivision thereof (including The City of New York). See "TAX MATTERS" herein for a description of the opinion of Bond Counsel and certain other tax consequences.

The Notes will be "qualified tax-exempt obligations" under Section 265 (b)(3) of the Internal Revenue Code of 1986.

**TOWN OF LEWISBORO
WESTCHESTER COUNTY, NEW YORK**

\$1,978,000

0.55% BOND ANTICIPATION NOTES, 2015 SERIES A

(Not Reoffered)
(the "Notes")

Date of Issue: April 22, 2015

Maturity Date: April 22, 2016

The Notes will constitute a general obligation of the Town of Lewisboro, Westchester County, New York (the "Town") and will contain a pledge of the faith and credit of the Town for the payment of the principal and interest on the Notes. All the taxable real property within the Town will be subject to the levy of ad valorem taxes to pay principal of and interest on the Notes, without limitation as to rate or amount, for such purposes. See "Nature of Obligation" and "Tax Increase Procedural Limitation Legislation," herein.

The Notes will not be subject to redemption prior to maturity.

The Notes will be issued in registered form registered in the name of the successful bidder. A single note certificate will be issued for those Notes bearing the same rate of interest in the aggregate principal amount awarded to such purchaser at such interest rate. Principal of and interest on such Notes will be payable in federal funds by the Town to the registered owner.

The Notes are offered subject to the final unqualified legal opinion of Norton Rose Fulbright US LLP, Bond Counsel, New York, New York, and certain other conditions. It is expected that the delivery of the Notes will be made on or about April 22, 2015 in New York, New York or as otherwise agreed upon with the purchaser.

THIS TOWN DEEMS THIS OFFICIAL STATEMENT TO BE FINAL FOR PURPOSES OF SECURITIES AND EXCHANGE COMMISSION RULE 15c2-12 (THE "RULE"), EXCEPT FOR CERTAIN INFORMATION THAT HAS BEEN OMITTED HEREFROM IN ACCORDANCE WITH SAID RULE. THE TOWN WILL COVENANT IN A DISCLOSURE UNDERTAKING TO PROVIDE NOTICE OF CERTAIN EVENTS (AS DEFINED IN THE RULE) AS REQUIRED BY THE RULE (SEE APPENDIX E HEREIN). FOLLOWING THE SALE OF THE NOTES, THIS OFFICIAL STATEMENT WILL BE UPDATED UPON REQUEST OF THE SUCCESSFUL BIDDER IN ACCORDANCE WITH THE NOTICE OF SALE.

Dated: April 8, 2015

TD BANK, N.A.

Debt Service Schedule

The following table sets forth the annual debt service requirements on all outstanding bonds of the Town.

Year Ending Dec. 31:	Outstanding Bonded Debt:			% Principal Paid 2015-2024
	Principal	Interest ⁽¹⁾	Total	
2015 ⁽²⁾	\$ 755,900	\$ 437,929	\$ 1,193,829	6.58%
2016	790,000	399,044	1,189,044	13.46
2017	825,000	369,341	1,194,341	20.65
2018	845,000	338,818	1,183,818	28.01
2019	870,000	308,826	1,178,826	35.59
2020	900,000	278,315	1,178,315	43.43
2021	920,000	246,000	1,166,000	51.44
2022	715,000	217,253	932,253	57.67
2023	440,000	197,750	637,750	61.50
2024	450,000	182,932	632,932	65.42
2025	325,000	168,915	493,915	
2026	335,000	156,211	491,211	
2027	340,000	142,735	482,735	
2028	355,000	128,873	483,873	
2029	365,000	114,122	479,122	
2030	215,000	102,108	317,108	
2031	215,000	93,022	308,022	
2032	215,000	83,252	298,252	
2033	220,000	73,483	293,483	
2034	220,000	63,486	283,486	
2035	230,000	53,489	283,489	
2036	230,000	43,038	273,038	
2037	230,000	32,451	262,451	
2038	235,000	21,864	256,864	
2039	240,000	11,047	251,047	
Totals	<u>\$11,480,900</u>	<u>\$4,264,304</u>	<u>\$15,745,204</u>	

(1) As of March 16, 2015 the Town has outstanding \$5,110,000 principal of bonds issued through the State Revolving Fund Program. Pursuant to these financings, the Town expects to receive approximately \$1,489,981 of interest subsidies over the remaining life of the bonds. However, these subsidies are not reflected in the interest figures shown above.

(2) As of March 16, 2015, the Town has paid \$-0- principal and \$-0- interest for bond payments due during the year ending December 31, 2015.

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TOWN OF LEWISBORO

LOCAL LAW NUMBER __-2016 OF THE TOWN OF LEWISBORO

AMENDMENT TO CHAPTER 220, SECTIONS 220-2, 220-10(A), 220-32B(2), and Article V
OF THE LEWISBORO TOWN CODE

BE IT ENACTED by the Town Board of the Town of Lewisboro, Westchester County, New York, as follows:

Section 1.

Chapter 220, Section 220-2, entitled "Definitions and word usage," is hereby amended to modify the definition of the terms "BUILDING, ACCESSORY" and "USE, ACCESSORY":

BUILDING, ACCESSORY: A subordinate building, the use of which is customarily incidental to that of a main building ~~on the same lot~~, and the height of which does not exceed 20 feet.

USE, ACCESSORY: A use which is customarily incidental and subordinate to the principal use ~~on a lot, and located on the same lot therewith.~~

Section 2.

Chapter 220, Section 220-10(A), entitled "Building lots," is hereby amended to read as follows:

- A. Every building and structure hereafter erected, and every use hereafter established, shall be located on a lot as defined herein. Unless a Special Use Permit is granted in accordance with Article V of this Chapter, accessory buildings, structures and/or uses shall only be permitted and located on the same lot as a duly authorized principal building, structure and/or use to which it is accessory, and no lot shall be created that has an accessory building, structure or use without a principal use.

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Section 3.

Chapter 220, Section 220-32B(2) of the Zoning Code is hereby amended to add the following subsection:

B(2)(g): Construction or placement of an accessory building on a lot located proximate to or across the street from a principal building.

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Section 4:

Chapter 220, Article V, entitled "Supplemental Regulations," is hereby amended to add the following section:

§220-43.4. Construction or placement of an accessory building on a lot located proximate to or

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across the street from a principal building.

A. Purpose. The purpose and intent of this Section is to allow an accessory building, specifically a private garage or shed, to be constructed or placed on a lot located proximate to or across the street from the principal building to which it shall serve. This section is intended to provide some relief to homeowner's when it is determined that the principal building lot cannot reasonably accommodate an accessory building.

B. The construction or placement of an accessory building on a lot located proximate to or across the street from a principal building shall require a special use permit and shall only be authorized when all of the following conditions are satisfied:

(1) The principal and accessory building lots shall be in the same ownership and shall be accompanied with a deed restriction establishing that the accessory building lot can only be conveyed with the parcel on which the principal building is located.

(2) The location of the accessory building lot shall meet one (1) of the following criteria:

a) The accessory building lot shall be located immediately opposite and across the street from the principal building lot. For the purposes of this section, immediately opposite shall mean that a straight or diagonal line can be drawn through the street line of both lots without intersecting another lot, other than that associated with the street right-of-way.

b) The accessory building lot shall be located not more than 20 feet from the principal building lot. This provision shall only apply when the two (2) building lots are separated by one or more lots that are under different ownership and therefore cannot be merged.

3) Both the accessory building lot and the principal building lot shall be located within a residential district.

4) The construction or placement of an accessory building on a lot located proximate to or across the street from the principal building shall only be permitted when it is demonstrated that the principal building lot does not presently contain or cannot reasonably accommodate the accessory building.

5) Accessory buildings authorized under this section shall be limited to private garages and sheds, subject to §220-23D, "Permitted accessory uses," of this Chapter.

6) A maximum of one (1) accessory building shall be allowed on the accessory building lot.

7) The accessory building and accessory building lot shall be suitably developed to complement the principal building and principal building lot.

8) The use of the accessory building shall be clearly incidental to and customarily found in

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conjunction with the primary residential building to which it serves. The use of the accessory building shall not include any activity commonly conducted for gain, with the exception of home occupation, subject to §220-23D(1).

9) The outdoor storage of vehicles, trailers, boats, campers, motor homes, equipment, materials, or refuse shall be prohibited on the accessory building lot: all matter shall be stored within a fully enclosed building.

10) In cases of private garages intended for the indoor parking of vehicles, no garage shall be approved where the vehicle must back-out into a street to exit; provisions shall be made so that the vehicle can turnaround on the accessory building lot before exiting the lot.

11) The accessory building shall not contain a bathroom nor shall it contain plumbing facilities; the accessory building lot shall not contain a well that is subject to Westchester County Department of Health rules and regulations.

12) All proposed utilities serving the accessory building shall be installed underground.

Section 5. If any provision of this Local Law is declared illegal, unconstitutional or unenforceable by a court of competent jurisdiction, the remainder of this Local Law shall be declared to have been separately adopted and shall remain in full force and effect.

Section 6. This local law shall take effect immediately upon filing in the Office of the Secretary of State of the State of New York.

Dated: _____, 2016

BY THE ORDER OF THE TOWN BOARD OF
THE TOWN OF LEWISBORO

JANET L. DONOHUE, TOWN CLERK

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TOWN OF LEWISBORO

LOCAL LAW NUMBER __-2016 OF THE TOWN OF LEWISBORO

AMENDMENT TO CHAPTER 220, SECTION 220-10(E)
OF THE LEWISBORO TOWN CODE

BE IT ENACTED by the Town Board of the Town of Lewisboro, Westchester County, New York, as follows:

Section 1. Chapter 220, Section 220-10(E), entitled "Parts of lots not counted toward minimum area requirements," is hereby amended to read as follows:

§ 220-10. Building lots.

E. Parts of lots not counted toward minimum area requirements.

(1) For any new lot created by subdivision, filed on or after November 1, 2004, no part of such lot less in width than 1/3 of the required minimum lot width for the district in which it is located shall be counted as part of the required minimum lot area.

(2) Buildable area.

(a) The area of any new lot created by subdivision, filed on or after November 1, 2004, must be documented to contain a portion of the basic required minimum lot area as specified in § 220-23 or 220-24 which consists of land likely to be buildable. Such portion of land shall not include land under water, land meeting the definition of "wetlands and watercourses," "one-hundred-year floodplain," or land with slope of or greater than 15% over a horizontal distance of 25 feet or more in the direction of the slope.

- (b) Said portion of the basic required minimum lot area of any new lot created by subdivision, filed on or after November 1, 2004, must be a contiguous segment of each lot having a minimum width of 50 feet between opposing limits of said contiguous buildable area (refer to Figure B below). Any portion of a lot less in width than 1/3 of the required minimum lot width shall not be included.

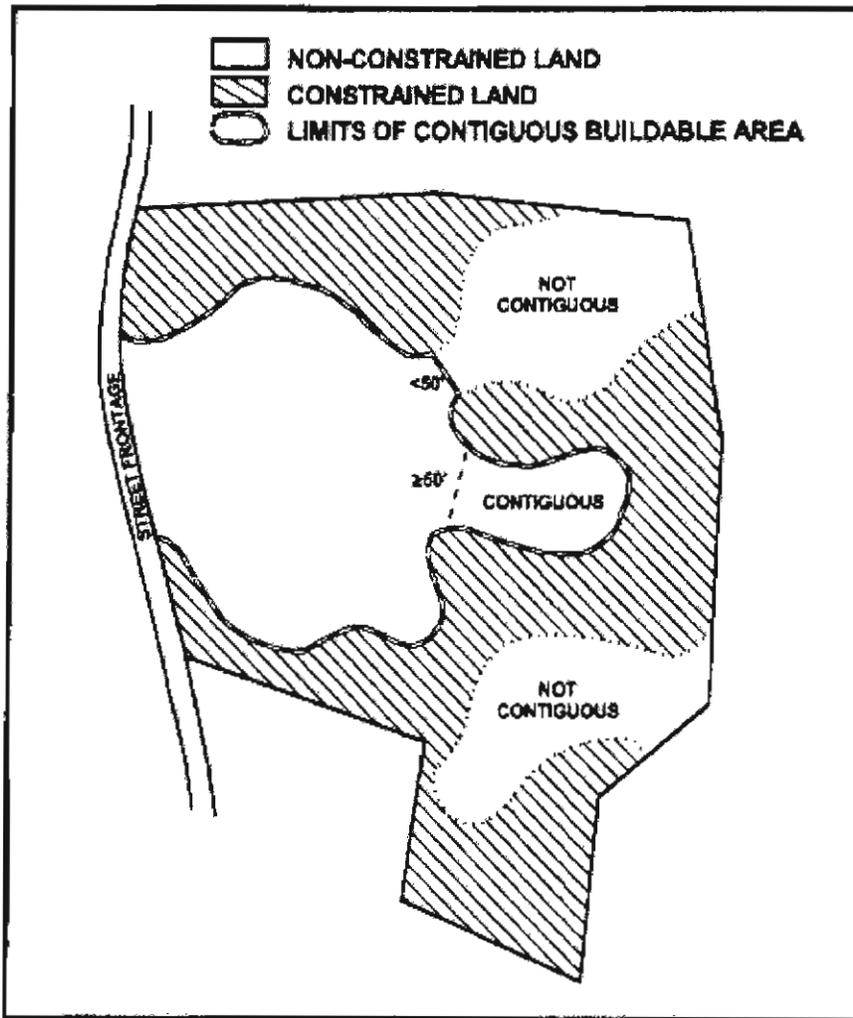


Figure B
Contiguous Buildable Area

- (c) The portion of the basic required minimum lot area for any new lot created by subdivision, filed on or after November 1, 2004, shall be as follows:

Zoning District	Required Minimum Contiguous Area Consisting of Land Likely to be Buildable (square feet)
R-4A	50,000
R-2A	40,000
R-1A	35,000
R-1/2A	20,000
R-1/4A	10,000
R-2F-10	9,300
R-2F-7.5	7,125
R-MF	No regulation

- (d) The principal building and sewage disposal system (not including centralized sewer systems) for any new lot created by subdivision, filed on or after November 1, 2004, shall be constructed in the contiguous buildable area.

Section 2. If any provision of this Local Law is declared illegal, unconstitutional or unenforceable by a court of competent jurisdiction, the remainder of this Local Law shall be declared to have been separately adopted and shall remain in full force and effect.

Section 3. This local law shall take effect immediately upon filing in the Office of the Secretary of State of the State of New York.

Dated: _____, 2016

BY THE ORDER OF THE TOWN BOARD OF
THE TOWN OF LEWISBORO

JANET L. DONOHUE, TOWN CLERK