

**NORTH SALEM TOWN BOARD AGENDA
REGULAR MEETING/WORKSESSION
TOWN MEETING HALL
66 JUNE ROAD
February 28, 2023**

**6:45 pm Executive Session
7:30 pm Regular Meeting**

**MEETINGS ARE IN-PERSON or
ZOOM DIAL IN NUMBER**

1. 929-205-6099
2. ID 914-261-2636
3. <https://zoom.us/j/9142612636>

RESOLUTIONS

1. To Go Into Executive Session – Board Interviews
2. To Approve the Revised Conservation Advisory Council Youth Member Position Duties
3. To Authorize Payment – Barrett, Inc.
4. To Authorize Payment – Tectonic Engineering Consultants
5. To Authorize Expense – Air Professional Associates, LLC.
6. To Authorize Expense - ICLEI Local Governments for Sustainability USA
7. To Authorize Refund - Building Permit
8. To Authorize Electrical Inspection Corporation
9. To Grant a Waiver of the Application Processing Restrictive Law
10. To Appoint Member – Conservation Advisory Council
11. To Appoint Member – Board of Ethics
12. To Appoint Climate Smart Community Leadership Committee Members
13. A Resolution Authorizing the Issuance of \$500,000 Bonds of the Town of North Salem
14. To Go Into Executive Session – Legal Advice of Counsel

WORKSESSION

1. Discussion – Croton Fall Community Greenspace - Gazebo Park
2. Discussion – Communications Regarding Developments at 3 Owens Road

Posted: February 24, 2023

1. TO GO INTO EXECUTIVE SESSION – BOARD INTERVIEWS

Motion made by

Seconded by

RESOLVED, that the Town Board of the Town of North Salem shall enter into Executive Session to meet prospective board candidates.

2. TO APPROVE THE REVISED CONSERVATION ADVISORY COUNCIL YOUTH MEMBER POSITION DUTIES

Motion made by

Seconded by

RESOLVED, that the Town Board of the Town of North Salem hereby approves the revised duties and responsibilities of the Youth Member Position on the Conservation Advisory Council (CAC) as described in the attached document.

3. TO AUTHORIZE PAYMENT – BARRETT, INC.

Motion made by

Seconded by

RESOLVED, that the Town Board of the Town of North Salem hereby authorizes payment of seven thousand five hundred five dollars (\$7,505.00) to Barrett, Inc. for roof repair work at 3 Owens Road per the attached application for payment #5 dated February 28, 2023.

4. TO AUTHORIZE PAYMENT – TECTONIC ENGINEERING CONSULTANTS

Motion made by

Seconded by

RESOLVED, that the Town Board of the Town of North Salem hereby authorizes payment of eight hundred forty-five dollars (\$845.00) to Tectonic Engineering Consultants for intumescent paint inspection conducted on January 5, 2023 at 3 Owens Road per the attached invoice dated February 14, 2023.

5. TO AUTHORIZE EXPENSE – AIR PROFESSIONAL ASSOCIATES, LLC.

Motion made by

Seconded by

RESOLVED, that the Town Board of the Town of North Salem hereby authorizes an expense in the amount of eight hundred seventy dollars (\$870.00) to Air Professional Associates, LLC. for courtroom furnace repairs at 66 June Road per the quote dated February 2, 2023.

6. TO AUTHORIZE EXPENSE – ICLEI LOCAL GOVERNMENTS FOR SUSTAINABILITY USA

Motion made by
Seconded by

RESOLVED, that the Town Board of the Town of North Salem hereby authorizes an expense in the amount of six thousand five hundred dollars (\$6,500.00) to ICLEI Local Governments for Sustainability USA to conduct a Community-scale GHG Inventory for the Town and to prepare a narrative GHG Inventory Report per the proposal dated February 20, 2023.

7. TO AUTHORIZE REFUND - BUILDING PERMIT

Motion made by
Seconded by

RESOLVED, that the Town Board of the Town of North Salem hereby authorizes a refund in the amount of two thousand four hundred sixty-three dollars (\$2,463.00) to Kevin T. Hanney, 12 Crosby Road North Salem, NY 10560 for cancellation of a renovation project, as approved by Building Inspector James Duhigg on February 15, 2023.

8. TO AUTHORIZE ELECTRICAL INSPECTION CORPORATION

Motion made by
Seconded by

RESOLVED, that the Town Board of the Town of North Salem hereby appoints the following corporation to perform electrical inspections in the Town of North Salem for the period ending December 31, 2023.

- Better Homes Electrical Inspection Services, Inc.

9. TO AUTHORIZE WAIVER OF APPLICATION PROCESSING RESTRICTIVE LAW (APRL) – 113 MILLS ROAD

Motion made by
Seconded by

RESOLVED, that the Town Board of the Town of North Salem hereby issues an extension of the waiver of the provision of the Application Processing Restrictive Law (APRL) granted on July 26, 2022 to Martin Monaghan and Catherine McGinn of 113 Mills Road, North Salem, N.Y. for Violation No.22-01, for a period of six months to expire on July 26, 2023, so that the Application may proceed before the Planning Board.

10. TO APPOINT MEMBER - CONSERVATION ADVISORY COUNCIL

Motion made by
Seconded by

RESOLVED, that the Town Board of the Town of North Salem hereby appoints Edris Scherer to the Conservation Advisory Council for a term to expire October 31, 2024.

11. TO APPOINT MEMBER – BOARD OF ETHICS

Motion made by
Seconded by

RESOLVED, that the Town Board of the Town of North Salem hereby appoints Barbara Martensson to the Board of Ethics for a term to expire December 31, 2025.

12. TO APPOINT CLIMATE SMART COMMUNITY LEADERSHIP COMMITTEE MEMBERS

Motion made by
Seconded by

RESOLVED, that the Town Board of the Town of North Salem hereby appoints the following members of the Climate Smart Community Leadership Committee for terms to expire December 31, 2025:

Christopher Brockmeyer
Katherine Daniels, Chair
Annie Farrell
Charlotte Harris
Brandy Keenan
Janine Kourakos
Jocko McKean
Richard O’Leary
Pamela Pooley (or Eric Pooley, as alternate)
Amy Rosmarin
Edris Scherer
Holly Thomson

AND BE IT FURTHER RESOLVED, that the Town Board of the Town of North Salem hereby appoints the following ad hoc members of the Climate Smart Community Leadership Committee:

Nina Eisenman
Warren Lucas
Peter McCartt
Janet Olshansky
John Roach
Susan Romanski
Robert Tompkins

13. A RESOLUTION AUTHORIZING THE ISSUANCE OF \$500,000 BONDS OF THE TOWN OF NORTH SALEM, WESTCHESTER COUNTY, NEW YORK, TO PAY THE COST OF THE ENGINEERING, PLANNING AND OTHER PRELIMINARY EXPENSES IN CONNECTION WITH THE ESTABLISHMENT OF THE CROTON FALLS SEWER DISTRICT, IN AND FOR SAID TOWN

Motion made by
Seconded by

WHEREAS, the capital project hereinafter described, as proposed, has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which regulations state that Type II Actions will not have a significant impact on the environment; and

WHEREAS, it is now desired to authorize the financing thereof; NOW, THEREFORE,

BE IT RESOLVED, by the affirmative vote of **not less than two-thirds of the total voting strength** of the Town Board of the Town of North Salem, Westchester County, New York, as follows:

Section 1. Preliminary engineering, planning and other incidental expenses relating to the establishment of the Croton Falls Sewer District, in and for said Town, is hereby authorized at a maximum estimated cost of \$500,000.

Section 2. It is hereby determined that the plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$500,000 bonds of said Town, hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is five years, pursuant to subdivision 62nd(2nd) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will not exceed five years.

Section 4. The faith and credit of said Town of North Salem, Westchester County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds

as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. 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 6. 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 the Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor. 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 7. 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 8.

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 9.

This resolution, which takes effect immediately, shall be published in

summary form in the official newspaper of said Town for such purpose, 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.

* * * * *

14. TO GO INTO EXECUTIVE SESSION – LEGAL ADVICE OF COUNSEL

Motion made by

Seconded by

RESOLVED, that the Town Board of the Town of North Salem shall enter into Executive Session for legal advice of counsel.