



**TOWN OF LEWISBORO
TOWN BOARD MEETING 7:30 P.M.
AGENDA
VIA REMOTE ACCESS (SEE INSTRUCTIONS BELOW)
MONDAY, APRIL 26, 2021**

- I. PUBLIC HEARING Regarding Outdoor Seating at Restaurants**
- II. PUBLIC HEARING Regarding Wetlands and Watercourses**
- III. PUBLIC COMMENT I**
- IV. COMMUNICATIONS Acknowledge Gift for Trails from John and Nancy Wolff**
- V. CONSENT AGENDA**
 - a. Approval of Minutes of March 22, 2021**
- VI. NEW BUSINESS**
 - a. Resolution Approving Eagle Scout Project of Candidate Kye Viall**
 - b. Resolution Approving the Application of Farmer's Grind for an Outdoor Special Events and Sales Permit**
 - c. Resolution Designating Town Clerk Janet Donohue as Minority and Women-Owned Enterprise Officer for the Purpose of Delaware Engineering's Submission of NY Water Grants to NYS Environmental Facilities Corporation (EFC)**
 - d. Discussion of Formation of Grants Committee**
 - e. Discussion Regarding Prohibiting Commercial Vehicles on Wild Oaks Road**
- VII. PUBLIC COMMENT PERIOD II**
- VIII. APPROVAL OF CLAIMS**
- IX. POLLING OF THE BOARD**
- X. ANNOUNCEMENTS**

Town Board Meeting Monday, May 10, 2021, at 7:30 p.m., via remote access.

MOTION TO GO INTO EXECUTIVE SESSION

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

REMOTE ACCESS INSTRUCTIONS:

Join Zoom Meeting
<https://zoom.us/j/94717306576?pwd=RXo2bjZRMkxPdEtZOVJ2WUJHMTh1Zz09>

Meeting ID: 947 1730 6576
Passcode: 693832

Dial by your location
+1 929 205 6099 US (New York)
Meeting ID: 947 1730 6576
Passcode: 693832

PROPOSED LOCAL LAW #4 OF THE YEAR
2021

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

SECTION 1 : AUTHORITY

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

SECTION 2 : AMENDMENT OF CHAPTER 220

Chapter 220 of the current Code of the Town of Lewisboro entitled “Zoning” is hereby amended by the addition of subsection “L” to Section 220-16

220-16. Seasonal Outdoor Restaurant Seating.

- L.** Notwithstanding the above, outdoor restaurant seating shall be permitted through to December 31, 2021 in accordance with the following:
- (1) The provisions of Section 220-16(B) are suspended in that a full site plan shall not be required for outdoor restaurant seating. The Planning Board shall provide for an expedited review of outdoor dining applications without a public hearing and shall accept a sketch plan or other design drawing deemed acceptable by the Planning Board to sufficiently describe the area to be used for outdoor dining.
 - (2) The provisions of Section 220-16(E)(1), (3) and (4) are suspended in order to allow parking areas to be used for outdoor restaurant seating to the extent same may be set up in a safe area away from the flow of traffic, and to suspend the landscape buffer and minimum yard area requirements set forth therein.
 - (3) The provisions of Section 220-16(G) are suspended to allow outdoor restaurant seating without required screening and buffering. However, the Planning Board may require sufficient screening or buffering that it may deem appropriate for each seating area.
 - (4) Any such outdoor restaurant seating that is approved pursuant to this section shall remain in compliance with all Westchester County Department of Health and New York State codes, rules, regulations and guidelines.
 - (5) Except as modified herein, all other provisions of Section 220-16 shall continue to apply to outdoor restaurant seating.

SECTION 3 – HOME RULE

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

SECTION 4 – SEVERABILITY

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

SECTION 5– EFFECTIVE DATE

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

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

SECTION 1 : AUTHORITY

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

SECTION 2 : AMENDMENT OF CHAPTER 217

Chapter 217 of the current Code of the Town of Lewisboro entitled “Wetlands and Watercourses”, specifically Section 217-5(B) is hereby amended to now read as follows:

B. Allowable activities and uses not requiring a permit or clearance form. The following activities and uses may be conducted without a permit or clearance form being issued pursuant to the standards and procedures of this chapter, to the extent that they are not prohibited by this or any other law, or ordinance, rule or regulation; and such activities do not require structures, grading, filling, draining or dredging, except as allowed below:

(1) Normal ground maintenance of existing landscaped areas and residential gardens, including mowing of existing law areas and the trimming and removal of dead or diseased vegetation.

(2) Selective cutting, provided stumps are left in place and work is accomplished without the assistance of any motorized vehicle.

(3) Repair or replacement, in-kind, of walkways, terraces, patios, walls, seawalls, fences, driveways and roadways, provided that the height, size and/or spatial extent (i.e., no increase in the area beyond the existing footprint) of the affected area does not change and appropriate erosion are maintained.

(4) Public health activities, orders and regulations of the Westchester County District of Health and/or New York State District of Health for emergencies only, with prior notification to the Planning Board.

(5) Recreational activities, not involving new or expanded land disturbances or structures, and recreational fishing, hunting, swimming and boating as otherwise permitted or allowed.

(6) Activities of farmers and other landowners as set forth in § 24-0701(4) of the Environmental Conservation Law.

(7) Normal building or structure maintenance activities, including periodic pumping of septic tanks and interior and building or structure exterior repairs and improvements which do not enlarge or expand the building or structure, or require excavation, filling, or other similar disturbances and alterations (temporary or permanent).

(8) Seasonal installation and removal of docks (does not include the construction or installation of new, expanded or enlarged docks).

(9) Normal maintenance and repair of existing swimming pools, tennis courts and other existing recreational facilities. The development or establishment of new or expanded recreational facilities and/or uses is a regulated activity.

(10) Withdrawals of water through a dry hydrant by a fire district in response to a fire emergency and for firefighting training purposes.

(11) Repairs to, and testing and maintenance of a dry hydrant by a fire district.

(12) Installation of sheds not exceeding 144 s.f. in footprint located within the wetland buffer area provided that no tree removal or installation of utilities is proposed and the maximum cut or fill is limited to no more than an increase or decrease of two feet from the elevation of existing grade.

(13) Installation of emergency generators and associated trenching within the wetland buffer area but not including the installation of underground propane tanks.

(14) Removal of underground fuel storage tanks.

(15) Construction of a deck, porch or fence accessory to a single-family residence and located within the wetland buffer area, utilizing hand-dug support posts, provided there is no machine activity or grading, and excess fill is removed or spread under deck, porch or fence and stabilized.

SECTION 3 : AMENDMENT OF CHAPTER 217

Chapter 217 of the current Code of the Town of Lewisboro entitled “Wetlands and Watercourses”, specifically Section 217-5(C) is hereby amended to now read as follows:

C. Regulated activities requiring an activity implementation permit.

(1) The following regulated activities shall require an activity implementation permit as issued by the Wetland Inspector:

(a) All authorized regulated activities pursuant to an approved activity permit, as issued by the Planning Board.

(b) Swimming pools accessory to a single-family residence located no closer than 50 linear feet to a wetland or watercourse, including associated grading.

- (c) Terrace or patio accessory to a single-family residence, with a ground footprint area of less than 500 square feet and located no closer than 50 linear feet to a wetland or watercourse, including associated grading.
- (d) Repair of existing septic disposal facilities.
- (e) Permitted single-family residential building additions, structural alterations, replacements, or detached accessory structures not exceeding a ground footprint area of 600 square feet and located no closer than 50 linear feet to a wetland or watercourse, including associated grading, provided that associated grading or land disturbance is less than 10,000 square feet in spatial extent and maximum fill or cut is limited to no more than an increase or decrease of two feet from the elevation of existing grade.
- (f) Permitted single-family residential accessory use located no closer than 100 linear feet to a wetland or watercourse, including associated grading, provided associated grading or land disturbance is less than 10,000 square feet in a spatial extent and maximum fill or cut is limited to no more than an increase or decrease of two feet from the elevation of existing grade.
- (g) The installation of a dry hydrant by or under the authority of a fire district, provided such dry hydrant is used for firefighting purposes and firefighting training purposes.
- (h) Any activity requiring Planning Board review and approval which the Planning Board duly refers to the Wetland Inspector for disposition, including any conditions thereto.

(2) At the discretion of the Wetland Inspector, the review and approval of any of the regulated activities set forth in Subsection C(1) above may be referred to the Planning Board for its review and action.

(3) Appeals of decisions by the Wetland Inspector shall be made to the Planning Board in writing within 30 days. The Planning Board may review all appeals in accordance with the procedures pertaining to an activity permit.

SECTION 4 – HOME RULE

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

SECTION 5 – SEVERABILITY

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

SECTION 6 – EFFECTIVE DATE

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

Hello there Peter and Mary -

Can we please request that Eagle Scout Candidate Kye Viall be placed on the Town Board Meeting Agenda for Monday, April 26th – to present his proposal for his Eagle Scout Project for Town Park new trail enhancements. He would like permission to donate his project to the Town on Town Property and have all possible fees waived from his project – but I don't anticipate there being any . . .

Here is his a basic idea of his proposal – he does have a really nice power point he used for his PRAC presentation – that I have no doubt that he will show at the Town board meeting . . .

Hi Dana,

I would like to see the viability for an eagle project idea. My idea is to build and create a lending library, build a bench and to design and build signs to inform about the ecology of the woods and pond in the town park and it would be done through the new trail that is proposed around the Town Park Pond. Some topics could be the woodland ecosystem, erosion, and how the pond works.

Here is a picture of the signage I would like to use -



This would benefit the town park and the community of Lewisboro because it would educate the public on the natural features of the town park, thus making their experience at the town park more interesting and educational. In addition, one of my favorite programs at main event was nature and these signs can be used as part of the program to further inform campers about the nature of town park.

I understand that as part of this process, my plan would have to be submitted to a town committee and that I may need a wetlands permit in order to carry this out.

In conclusion, I would appreciate your feedback to see if my idea is a workable project for the town park and rec department.

Sincerely, Kye Viall

If you need anything else – Jane and I both have met and discussed with Kye and he is on this email as well. And PRAC approved this project back on January 25th, 2021

Thanks

Dana

Dana M. Mayclim

Superintendent of Parks and Recreation

Town of Lewisboro

99 Elmwood Road

South Salem, NY 10590

(914) 232-6162

www.lewisbororecreation.com

TOWN OF LEWISBORO
OUTDOOR SPECIAL EVENTS & SALES
PERMIT APPLICATION

This application is pursuant to Chapter 164 of the Lewisboro Town Code regulating Outdoor Special Events and Sales in the Town of Lewisboro.

APPLICANT'S NAME: Michelle Piacente The Farmer's GRIWO

ADDRESS: 475 Smith Ridge Road South Salem 0590

BUSINESS TELEPHONE NO.: 914-533-7139

Please respond to the following:

- Saturdays June - Oct 6pm - 9:00pm
1. Provide the date(s) and time(s) of the event: 6/5, 6/19, 7/10, 7/24, 7/31, 8/14, 8/28
9/11, 9/18, and 10/02.
 2. What is the nature of the event? Street fair _____ Antiques Market _____
Outdoor Arts and Crafts _____ Other ☒ Food Truck and live music
~~Car show and the~~
 3. How many vendors will participate? 2
 4. Will there be any banners across the road? No
 5. What arrangements will be made for traffic control and police protection?
Use of parking space and traffic director if needed
 6. What arrangements have been made to insure adequate parking for the vendors and visitors to this event? Please provide a detailed description of your plans.
Vendors, live music and food truck have dedicated area on site at our store, private property
 7. What arrangements have been made to insure adequate parking and pedestrian access to facilities that will be open during this special event? Please be specific how and where you expect to protect dedicated customer parking spaces in front of stores and businesses.
They will use Cop's parking lot and field at Vista Park.
 8. Have you reviewed your parking and access plans with affected shopkeepers and/or service providers?
Yes this will not affect other business, the business we are attached to Cop's will be closed.
 9. Will there be any entrance fee? If so, how much? No entrance fee

**TOWN OF LEWISBORO - OUTDOOR SPECIAL EVENTS AND
SALES PERMIT APPLICATION - CHAPTER 164 Page 2 of 2**

10. Have arrangements been made to provide sanitary facilities? Please include answers to the following questions in your response:

This is outdoor event for three hours, no pot-a-potty needed. People can go and come as please. No other seating or table service.

- A. How many portable toilet facilities do you expect to provide? 0
B. Does the number of planned facilities meet Board of Health standards for the number of visitors expected? Yes
C. Where will they be located? -
D. Have you planned for adequate and easily visible signs of directing visitors to the locations of toilet facilities? -

11. Amplified music as special event is not permitted pursuant to Chapter 160 of the Lewisboro Town Code. Please be sure any visiting vendors are aware of this restriction..
12. You, as the applicant for this permit are responsible for advising each participating vendor of the requirement to have and display a New York State Sales Tax Certificate at the location of their booth or sales location.
13. If food vendors are part of your event, approvals must be obtained from Westchester County Board of Health. Copies of these appropriate approvals must be on file in the Town Clerk's Office prior to the start of the event.
14. This application must be signed by the applicant. The applicant's signature attest to the veracity of the statements made in this application and indicates his/her responsibility to comply with the requirements of Chapter 164 of the Town Code of the Town of Lewisboro.

Michelle Mont...
Signature of Applicant

Date

04 12 2021

**THIS SECTION
DEPARTMENTAL USE ONLY**

Signature of Town Clerk/Deputy Clerk

Date

Fee Paid with Application

Yes

 No

Permit Year



Environmental Facilities Corporation

WORK PLAN FOR PARTICIPATION OF MINORITY- & WOMEN-OWNED BUSINESS ENTERPRISES, PARTICIPATION OF SERVICE-DISABLED VETERAN-OWNED BUSINESS ENTERPRISES, AND EQUAL EMPLOYMENT OPPORTUNITIES FOR MINORITY GROUP MEMBERS

Name of Applicant: (T) Lewisboro SRF No.: 18592
County: Westchester EPG# (if applicable): N/A

The Applicant will comply with the provisions of New York State Executive Law Article 15-A, 5 NYCRR Parts 140-145, Executive Law Article 17-B, 9 NYCRR Part 252, 40 CFR Part 33, Titles VI and VII of the Civil Rights Act of 1964, 40 CFR Part 7, 41 CFR Part 60-1 Subpart A, and 41 CFR Part 60-4, and other requirements prescribed by the New York State Environmental Facilities Corporation ("EFC") relating to the participation of minority- and women-owned business enterprises ("MWBEs"), the participation of service-disabled veteran-owned business enterprises ("SDVOBEs"), equal employment opportunities ("EEO"), and affirmative action, throughout the life of the project.

Designated Minority- & Women-Owned Business Enterprise Officer ("MBO"): The MBO is the individual responsible for administering the Applicant's MWBE, SDVOBE, and EEO programs. A document containing guidance for the MBO can be obtained from your MWBE representative at EFC.

MBO Name: Janet Donohue MBO Email Address: townclerk@lewisborogov.com
MBO Phone No.: (914) 763-3511 MBO Mailing Address: 11 Main Street, South Salem,
NY 10590

MWBE Goals:

- **NY Water Grants (WIIA)/Loans:**
 - Drinking Water - Total Combined MWBE Participation: 30%

EEO Goals: EEO goals by county can be found on the EFC website at www.efc.ny.gov/mwbe under EEO Forms and Guidance.

- Minority Labor Force Participation: 22.6
- Female Labor Force Participation: 6.9%

Actual and Expected Contracts and Agreements:

Contract - and Contractor Name (if known)	Amount	Estimated or Actual?	Start Date	Estimated or Actual?
Delaware Engineering, DPC	56,000	Actual	3/2020	Actual

Signature of Municipal Official: ☐ Name: Title: Date:

Please check the box, type the name and title, and fill in the date.

I certify that the information submitted herein is true, accurate and complete to the best of my knowledge and belief.

**New York State Environmental Facilities Corporation
Minority & Women Owned Business Enterprise (MWBE) Waiver Request Form**

Instructions for Contractors & Service Providers:

Contractors and Service Providers must complete Sections 2, 3, and 4. **Submit the completed, signed (electronic signature box checked and dated) form in Microsoft Word format to the Recipient's designated Minority Business Officer (MBO).** Incomplete forms will be found deficient.

See the Bid Packet at www.efc.ny.gov or consult your designated MBO for further guidance.

Instructions for Minority Business Officers (MBO):

The MBO must complete Section 1. **Submit the completed, signed (electronic signature box checked and dated) form in Microsoft Word format via e-mail to your EFC MWBE Representative.** The subject heading of the e-mail to the EFC MWBE Representative should follow the format "Waiver Request, Project Number, Contractor." EFC will review and notify the MBO via e-mail of its acceptance or denial.

If a partial MWBE waiver is requested, an MWBE Utilization Plan must also be submitted for the amount of proposed MWBE participation.

SECTION 1: MUNICIPAL INFORMATION				
Recipient/Municipality: Town of Lewisboro			County: Westchester	
Project No.: 18592	GIGP/EPG No.:	Contract ID:	Registration No. (NYC only):	
Minority Business Officer (MBO): Janet Donohue		Email: townclerk@lewisborogov.com	Phone #: 914-763-3511	
Address of MBO: 11 Main Street, South Salem, NY 10590				
Signature of MBO: <input type="checkbox"/> I certify that the information submitted herein is true, accurate and complete to the best of my knowledge and belief.				Date:

SECTION 2: PRIME CONTRACTOR / SERVICE PROVIDER INFORMATION				
Firm Name: Delaware Engineering, DPC			Contract Type: <input type="checkbox"/> Construction <input checked="" type="checkbox"/> Other Services	
Prime Firm is Certified as: <input type="checkbox"/> MBE <input type="checkbox"/> WBE <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Other:				
Address: 28 Madison Avenue, Albany, NY 12203		Phone #: (518) 452-1290	Fed. Employer ID #: 16-1370126	
Contact Information of Firm Representative Authorized to Discuss Waiver Request: Name: Kelly Ryan Title: Assistant Project Manager Phone #: (518) 452-1290 E-mail: kryan@delawareengineering.com				
Description of Work: Engineering Consulting Services			EFC MWBE GOAL Total	
Award Date: 8/2018	Start Date: 3/2020	Completion Date: TBD	MBE: 15% \$ 8,400.00	
Total Contract Amount: \$ 56,000.00			WBE: 15% \$ 8,400.00	
MWBE Eligible Contract Amount: \$ TOTAL CONTRACT (MWBE Goals are applied to this amount and includes all change orders, amendments, & waivers)			Total: 30% \$ 16,800.00	

**New York State Environmental Facilities Corporation
Minority & Women Owned Business Enterprise (MWBE) Waiver Request Form**

SECTION 3: TYPE OF MWBE WAIVER REQUESTED

1. ☒ **Full Waiver** (No MWBE participation)
2. ☐ **Partial Waiver** (Less than the MWBE goals; indicate below the proposed MWBE participation)

PROPOSED MWBE Participation

MBE: % \$

WBE: % \$

Total: % \$

3. ☐ **Specialty Equipment/Services Waiver** (Must be of SIGNIFICANT cost - list of equipment and cost must be attached in addition to the supporting documentation outlined below)

SECTION 4: SUPPORTING DOCUMENTATION

To be considered, the Request for Waiver Form must be accompanied by the documentation requested in items 1 – 9, as listed below. If a Specialty Equipment Waiver is requested, it must be accompanied by the documentation requested in items 1 - 13. If a Specialty Services Waiver is requested, it must be accompanied by the items requested in items 1 – 9 and item 14. Copies of the following information and all relevant supporting documentation must be submitted along with the request. Please contact EFC for assistance, including sample documentation.

1. A letter of explanation setting forth your basis for requesting a partial or total waiver and detailing the good faith efforts that were made.
2. Copies of advertisements in any general circulation, trade association, and minority- and women-oriented publications in which you solicited MWBEs for the purposes of complying with your participation goals, with the dates of publication.
3. Screenshots of search results (by business description or commodity code) from Empire State Development Corporation's (ESD) MWBE Directory of all certified MWBEs that were solicited for purposes of complying with your MWBE participation goals.
4. Copies of faxes, letters, or e-mails sent to MWBE firms to solicit participation and their responses.
5. A log of solicitation results, consisting of the list of MWBE firms solicited for the contract and the outcome of the solicitations. The log should be broken out into separate areas for each task that is solicited (e.g., trucking, materials, electricians) and clearly provide a rationale for firms included on the completed Utilization Plan as well as for those not chosen. The log should show: that each MWBE firm was contacted twice by two different methods (e.g., fax and phone); who was spoken to; what was said; and the final outcome of the solicitation.
6. A description of any contract documents, plans, or specifications made available to MWBEs for purposes of soliciting their bids and the date and manner in which these documents were made available. Specifically, include information on the scope of work in the contract and a breakout of tasks or equipment, such as

**New York State Environmental Facilities Corporation
Minority & Women Owned Business Enterprise (MWBE) Waiver Request Form**

a schedule of values for a construction contract or a proposal or excerpt from a professional services agreement.

7. Documentation of any negotiations between you, the Contractor, and the MWBEs undertaken for purposes of complying with your MWBE participation goals.
8. Any other information you deem relevant which may help us in evaluating your request for a waiver. Examples may include sign-in sheets from any pre-bid meetings where MWBE firms were invited, attendance at MWBE forums, etc.
9. EFC and the MBO reserve the right to request additional information and/or documentation.

Additional Documentation for Requests for Specialty Equipment Waivers:

10. Copies of the appropriate pages of the technical specification related to the equipment showing the choices for manufacturers or other information that limits the choice of vendor.
11. Letter, e-mail or screenshot of website from the manufacturer listing their distributors in NYS and the locations.
12. Screenshots of ESD's MWBE Directory searches for the manufacturer and distributor showing that they are not found in the Directory.
13. An invoice or executed purchase order showing the value of the equipment.

Additional Documentation for Requests for Specialty Service Waivers:

14. A letter of explanation containing information about the scope of work and why no MWBE firms could be subcontracted to provide that service.

Note: Unless a Total Waiver has been granted, Firms will be required to submit all reports and documents pursuant to the provisions set forth in the procurement and/or contract, as deemed appropriate by EFC, to determine MWBE compliance. In cases where EFC accepts a full or partial waiver of MWBE participation goals, the waiver request will be posted to EFC's website.

SIGNATURE

Electronic Signature of Contractor:

☒ I certify that the information submitted herein is true, accurate and complete to the best of my knowledge.

Name: (Please Type): Mary E. Holton

Date: 4/7/2021

**NYS Environmental Facilities Corporation
Minority- & Women- Owned Business Enterprise (MWBE) Utilization Plan**

Instructions for Contractors & Service Providers:

Contractors and Service Providers must complete Sections 2 and 3. **Submit the completed, signed (electronic signature box checked and dated) form in Microsoft Word format to the Recipient's designated Minority Business Officer (MBO) no later than the date of contract execution.** Incomplete forms will be found deficient. If more than 10 subcontractors are used, additional pages for Section 3 can be found on EFC's website.

If the prime contract is being performed by the parties to a Joint Venture, Teaming Agreement, or Mentor-Protégé Agreement that includes a certified MWBE, please contact EFC for assistance.

MWBE firms must be certified by the NYS Empire State Development Corporation (ESD) in order to be counted towards satisfaction of MWBE participation goals. The utilization of certified MWBEs for non-commercially useful functions may not be counted towards utilization of certified MWBEs in the Utilization Plan. Please note whether a firm is serving as a broker or supplier on the contract. A broker is denoted by NAICS code 425120 and is designated as a broker in ESD's MWBE Directory. A supplier is denoted by a NAICS code beginning with 423 or 424, or a NIGP code that does not begin with the number 9, and is designated as a supplier in ESD's MWBE Directory. If a firm is serving as a broker, please additionally provide the percentage of the broker's commission on the contract.

See the Bid Packet at www.efc.ny.gov or consult your designated MBO for further guidance.

Instructions for Minority Business Officers (MBO):

The MBO must complete Section 1. The MBO may designate an Authorized Representative to complete and submit quarterly payment reports on its behalf, and, if so designated, the MBO's Authorized Representative must also complete Section 1. The Authorized Representative may only submit quarterly payment reports on behalf of the MBO and may not submit any other required forms or reports for the MBO. The MBO must complete Section 1 even if designating an Authorized Representative. **Submit the completed, signed (electronic signature box checked and dated) form in Microsoft Word format via e-mail to your EFC MWBE Representative.**

The subject heading of the e-mail to the EFC MWBE Representative should follow the format "UP, Project Number, Contractor." EFC will review the Utilization Plan and notify the MBO via e-mail of its acceptance or denial.

Within 10 days of EFC's acceptance of a Utilization Plan, EFC will post the approved Utilization Plan on the EFC website.

**NYS Environmental Facilities Corporation
Minority- & Women- Owned Business Enterprise (MWBE) Utilization Plan**

SECTION 1: MUNICIPAL INFORMATION			
Recipient/Municipality: Town of Lewisboro		County: Westchester	
Project No.: 18592	GIGP/EPG No.:	Contract ID:	Registration No. (NYC only):
Minority Business Officer: Janet Donohue		Email: townclerk@lewisborogov.onmicrosoft.com	Phone #: (914) 763-3511
Address of MBO: 11 Main Street, South Salem, NY 10590			
Electronic Signature of MBO: <input type="checkbox"/> I certify that the information submitted herein is true, accurate and complete to the best of my knowledge and belief.			Date:
Complete if applicable:			
Authorized Representative: Mary E. Holton		Title: Construction Administrator	
Authorized Rep. Company: Delaware Engineering, DPC		Email: mholton@delawareengineering.com	Phone #: (518) 452-1290
Electronic Signature of Authorized Rep.: Mary E. Holton <input checked="" type="checkbox"/> I certify that the information submitted herein is true, accurate and complete to the best of my knowledge and belief.			Date: 4/7/2021

SECTION 2: PRIME CONTRACTOR / SERVICE PROVIDER INFORMATION				
Firm Name: Delaware Engineering, DPC			Contract Type: <input type="checkbox"/> Construction <input checked="" type="checkbox"/> Other Services	
Prime Firm is Certified as: <input type="checkbox"/> MBE <input type="checkbox"/> WBE <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Other: Please repeat information in the Utilization Plan below (Section 3). If dual certified, you must select either MBE or WBE.				
Address: 28 Madison Ave Ext, Albany, NY 12203		Phone #: (518) 452-1290		Fed. Employer ID #: 16-1370126
Description of Work: Engineering Consultant				
Award Date: 8/2018	Start Date: 2/2018	Completion Date: 12/2020	MWBE GOAL Total	PROPOSED MWBE Participation
Total Contract Amount: \$ 56,000.00 MWBE Eligible Contract Amount: \$ 56,000.00 (MWBE Goals are applied to this amount and includes all change orders, amendments, & waivers)			MBE: 13% \$ 7,280	MBE: 0% \$ 0
			WBE: 13% \$ 7,280	WBE: 0% \$ 0
			Total: 26% \$ 14,560	Total: 0% \$ 0

**NYS Environmental Facilities Corporation
Minority- & Women- Owned Business Enterprise (MWBE) Utilization Plan**

SECTION 3: MWBE SUBCONTRACTOR INFORMATION				
This Submittal is:	<input checked="" type="checkbox"/> The First/Original Utilization Plan <input type="checkbox"/> Revised Utilization Plan #:			
NYS Certified M/WBE Subcontractor Info		Contract Amount:		For EFC Use:
		MBE (\$)	WBE (\$)	
Name:	Fed. Employer ID#:			
Address:	Phone #:			
Scope of Work:	Email:			
Select Only One: <input type="checkbox"/> MBE <input type="checkbox"/> WBE <input type="checkbox"/> Other:	Start Date:			
Select Only One: <input type="checkbox"/> Broker ___% <input type="checkbox"/> Supplier <input type="checkbox"/> N/A	Completion Date:			
Full Contract Amount: \$				
Name:	Fed. Employer ID#:			
Address:	Phone #:			
Scope of Work:	Email:			
Select Only One: <input type="checkbox"/> MBE <input type="checkbox"/> WBE <input type="checkbox"/> Other:	Start Date:			
Select Only One: <input type="checkbox"/> Broker ___% <input type="checkbox"/> Supplier <input type="checkbox"/> N/A	Completion Date:			
Full Contract Amount: \$				
Name:	Fed. Employer ID#:			
Address:	Phone #:			
Scope of Work:	Email:			
Select Only One: <input type="checkbox"/> MBE <input type="checkbox"/> WBE <input type="checkbox"/> Other:	Start Date:			
Select Only One: <input type="checkbox"/> Broker ___% <input type="checkbox"/> Supplier <input type="checkbox"/> N/A	Completion Date:			
Full Contract Amount: \$				
Name:	Fed. Employer ID#:			
Address:	Phone #:			
Scope of Work:	Email:			
Select Only One: <input type="checkbox"/> MBE <input type="checkbox"/> WBE <input type="checkbox"/> Other:	Start Date:			
Select Only One: <input type="checkbox"/> Broker ___% <input type="checkbox"/> Supplier <input type="checkbox"/> N/A	Completion Date:			
Full Contract Amount: \$				
SECTION 3: M/WBE SUBCONTRACTOR INFORMATION continued				

**NYS Environmental Facilities Corporation
Minority- & Women- Owned Business Enterprise (MWBE) Utilization Plan**

Name:	Fed. Employer ID#:			
Address:	Phone #:			
Scope of Work:	Email:			
Select Only One: <input type="checkbox"/> MBE <input type="checkbox"/> WBE <input type="checkbox"/> Other:	Start Date:			
Select Only One: <input type="checkbox"/> Broker ___% <input type="checkbox"/> Supplier <input type="checkbox"/> N/A	Completion Date:			
Full Contract Amount: \$				
Name:	Fed. Employer ID#:			
Address:	Phone #:			
Scope of Work:	Email:			
Select Only One: <input type="checkbox"/> MBE <input type="checkbox"/> WBE <input type="checkbox"/> Other:	Start Date:			
Select Only One: <input type="checkbox"/> Broker ___% <input type="checkbox"/> Supplier <input type="checkbox"/> N/A	Completion Date:			
Full Contract Amount: \$				
Name:	Fed. Employer ID#:			
Address:	Phone #:			
Scope of Work:	Email:			
Select Only One: <input type="checkbox"/> MBE <input type="checkbox"/> WBE <input type="checkbox"/> Other:	Start Date:			
Select Only One: <input type="checkbox"/> Broker ___% <input type="checkbox"/> Supplier <input type="checkbox"/> N/A	Completion Date:			
Full Contract Amount: \$				
Name:	Fed. Employer ID#:			
Address:	Phone #:			
Scope of Work:	Email:			
Select Only One: <input type="checkbox"/> MBE <input type="checkbox"/> WBE <input type="checkbox"/> Other:	Start Date:			
Select Only One: <input type="checkbox"/> Broker ___% <input type="checkbox"/> Supplier <input type="checkbox"/> N/A	Completion Date:			
Full Contract Amount: \$				
SIGNATURE				
Electronic Signature of Contractor: <input type="checkbox"/> I certify that the information submitted herein is true, accurate and complete to the best of my knowledge and that all MWBE subcontractors will perform a commercially useful function. Name (Please Type): Mary E. Holton				Date: 12/14/2020