



**TOWN OF LEWISBORO
TOWN BOARD MEETING 7:30 P.M.
AGENDA
LEWISBORO LIBRARY
MONDAY, JUNE 28, 2021**

I. PUBLIC COMMENT PERIOD I

II. COMMUNICATIONS

Resignation of PRAC Member Peter DeVittorio

III. CONSENT AGENDA

a. Approval of Minutes of June 14, 2021

IV. UNFINISHED BUSINESS

- a. Re-noticing of Public Hearing Regarding Cannabis Legislation**
- b. Re-noticing of Public Hearing Regarding Highway Superintendent Position**

V. NEW BUSINESS

- a. Library Fair Presentation**
- b. Resolution To Authorize Request of American Recovery Plan Coronavirus Local Fiscal Recovery Funds and Authorizing Supervisor to Sign Required Documentation**
- c. Resolution Approving 2020 Tri-Town Agreement and Authorizing Supervisor to Sign**
- d. Resolution Approving Amendment to Delaware Agreement of August 27, 2018 Regarding Oakridge Water District Improvements**
- e. Discussion Regarding Venue for Meetings**
- f. Resolution Regarding Permissive Referendum for Sale of Town Property**

VI. PUBLIC COMMENT PERIOD II

VII. APPROVAL OF CLAIMS

VIII. POLLING OF THE BOARD

IX. ANNOUNCEMENTS

Town Board Meeting Monday, July 12, 2021, at 7:30 p.m., at the Lewisboro Library.

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.

Live Stream of the meeting is available on Lewisboro TV YouTube

**RESOLUTION REQUESTING AMERICAN RECOVERY PLAN CORONAVIRUS
LOCAL FISCAL RECOVERY FUNDS**

WHEREAS New York State is required by the American Rescue Plan Act (ARPA) to distribute Coronavirus Local Fiscal Recovery Funds to Non-Entitlement Units (NEUs) of local government on behalf of the United States Department of the Treasury; and

WHEREAS, all NEU's must either decline or request ARPA funding by July 9, 2021; and

WHEREAS, The Town of Lewisboro has been classified as an NEU under NEU Recipient Number NY5517 by the New York State Division of Budget;

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Lewisboro hereby authorizes the acceptance of American Rescue Plan Act funding and the submission of all documentation required to secure the acceptance of such funding in connection with this authorization; and

BE IT FURTHER RESOLVED that Town Supervisor Peter Parsons is hereby authorized to execute the all such documentation, including but not limited to US Department of the Treasury Coronavirus Local Fiscal Recovery Fund Award Terms and Conditions, Assurances of Compliance with Civil Rights Requirements and any other and further documentation required to effect this authorization.

Resolution

Offered by: _

Seconded by: _

<u>Roll Call Vote</u>	<u>YES</u>	<u>NO</u>
Richard Sklarin	-	-
Jane Crimmins	-	-
Tony Goncalves	-	-
Daniel Welsh	-	-
Peter Parsons		

OFFICE OF THE SUPERVISOR

Telephone
(914) 277-3637
Fax
(914) 276-0082

Town of Somers
WESTCHESTER COUNTY, N.Y.

SOMERS TOWN HOUSE
335 ROUTE 202
SOMERS, NY 10589

RICK MORRISSEY
SUPERVISOR



2020
MEMORANDUM OF AGREEMENT AMONG THE
TOWNS OF SOMERS, LEWISBORO, AND NORTH SALEM,
with regard to
THE SENIOR CITIZEN NUTRITION PROGRAM

The Town of Somers will provide a Senior Citizen Nutrition Lunch Program meeting the requirements of the Older Americans Act and the rules and regulations of the New York State Office for the Aging for the persons qualifying in the Towns of Somers, Lewisboro and North Salem. Such services will be provided in accordance with the Town of Somers' agreement with the County of Westchester.

The Town of Somers may terminate this Agreement if its arrangement with Westchester County is terminated. If the program is terminated by Westchester County, Somers will promptly notify the supervisors of Lewisboro and North Salem.

The Towns of Lewisboro and North Salem will furnish (1) appropriate insurance in accordance with the requirements of Westchester County, if applicable and (2) proof of insurance and indemnities to Westchester County as might be required by Westchester County.

The Towns of Lewisboro and North Salem will provide the Town of Somers with proof of existing General Liability Insurance containing Broad Form Contractual Liability coverage in the amounts listed below:

\$500,000 per occurrence for bodily injury
\$100,000 per occurrence for property damage

The Town of Somers will provide the Towns of Lewisboro and North Salem with certificates of insurance in like amounts and naming each as an additional insured with respect only to the activities at the congregate site.

If transportation is furnished by the Town of Lewisboro or the Town of North Salem, that town will provide proof of existing Automobile Liability Insurance coverage in the amounts listed below and in which the Town of Somers is named as an additional insured with respect to the Nutrition Program:

\$1,000,000 per occurrence for bodily injury
\$ 100,000 per occurrence for property damage

Nothing arising out of this agreement shall create or give to any third parties a claim or right of action.

The Town of Lewisboro agrees to pay the Town of Somers the sum of \$24,611 and the Town of North Salem agrees to pay the Town of Somers the sum of \$19,999 as indicated in the schedule below:

	<i>S.N.A.P</i>	<u><i>Total</i></u>
<i>Lewisboro</i>	<i>\$24,611</i>	<i>\$24,611</i>
<i>North Salem</i>	<i>\$19,999</i>	<i>\$19,999</i>
<i>Somers</i>	<i>\$139,962</i>	<i>\$139,962</i>

It is further understood that the attendance from each town impacts the cash amounts provided for in this Agreement.

In the event extraordinary and unanticipated expenses are incurred by the Nutrition Program, these expenses will be apportioned among the three towns according to

percentage of attendance as indicated in the attached schedule for both the WIN,
Wellness in Nutrition Program.

The period of time covered by this agreement is from January 1, 2020 to
December 31, 2020.

Rick Morrissey, Town Supervisor
Town of Somers

Peter Parsons, Town Supervisor
Town of Lewisboro

Warren Lucas, Town Supervisor
Town of North Salem

2020 NUTRITION PROGRAM LEWISBORO, NORTH SALEM, SOMERS WIN

WIN

1. SALARIES

Program Director					48,113
Site Manager					39,349
Food Svc Help - F.T.					33,599
Chauffeur - 14.285%					4,255
				Total Salaries	125,316

2. EMPLOYEE BENEFITS

Program Director					
Health Insurance					8,172
Dental Insurance					432
Optical Insurance					67
Life Insurance					250
Retirement (Tier 4 at 15.7%)					7,554
Social Security (6.2%)					2,983
Medicare (1.45%)					698
MTA (.34%)					164
Workers' Compensation (2.176%)					1,047
Site Manager					
Health Insurance					13,237
Dental Insurance					789
Optical Insurance					67
Life Insurance					250
Retirement (Tier 4 at 15.7%)					6,178
Social Security (6.2%)					2,440
Medicare (1.45%)					571
MTA (.34%)					134
Workers' Compensation (2.176%)					856
Food Svc Helper - F.T.					
Health Insurance					8,172
Dental Insurance					432
Optical Insurance					27
Life Insurance					250
Retirement (Tier 4 at 15.7%)					5,275
Social Security (6.2%)					2,083
Medicare (1.45%)					487
MTA (.34%)					114
Workers' Compensation (2.176%)					731
Chauffeur - 14.285% of time					
Health Insurance					2,620
Dental Insurance					113
Optical Insurance					10
Life Insurance					36
Retirement (Tier 4 at 15.7%)					668
Social Security (6.2%)					264
Medicare (1.45%)					62
Workers' Compensation (5.138%)					219
MTA (.34%)					14
				Total Benefits	67,465

3. CONTRACTUAL				
.401 Subcontractor - Food				127,000
.402 Telephone				783
.404 Tray Goods/Utensils				18,121
.406 Miscellaneous				1,695
.407 Cold Food - Milk				0
.408 Janitorial Supplies				143
.775 Transportation - Transportation of Food from Central Kitchen				1,501
			Total Contractual	149,242
TOTAL S.N.A.P. EXPENSES				342,023
LESS REVENUES:				
FED GRANT				17,411
PROGRAM CONTRIBUTIONS WIN				47,315
STATE GRANT				82,825
COMMODITY FUNDING				9,900
TOTAL REVENUES				157,450
S.N.A.P.		TOTAL EXPENSES TO BE SHARED BY TOWNS		184,572
Towns participated at the following rates:				
		<u>Number of Meals</u>	<u>Participation</u>	
Somers		25,915	75.83%	
North Salem		3,703	10.84%	
Lewisboro		4,557	13.33%	
		34,175	100%	
Somers' Share		\$ 139,961.75	75.8303%	
North Salem's Share		\$ 19,999.17	10.8354%	
Lewisboro's Share		\$ 24,611.45	13.3343%	
		\$184,572	100%	

AMENDMENT TO OWNER-ENGINEER AGREEMENT

Amendment No. 1

The Effective Date of this Amendment is: 6/15/2021.

Background Data

Effective Date of Owner-Engineer Agreement: 8/27/2018

Owner: Town of Lewisboro

Engineer: Delaware Engineering, DPC

Project: Oakridge Water District Improvements

Nature of Amendment:

X Additional Services to be performed by Engineer

X Modifications to services of Engineer

Description of Modifications:

Addition of Planning Phase services for the Oakridge Water District Improvement, additional construction phase services including construction administration and construction inspection. Additional funding and grant administration services.

Agreement Summary:

Original agreement amount:	\$ 56,000.00
Net change for prior amendments:	\$ 0.00
This amendment amount:	\$ 55,000.00
Adjusted Agreement amount:	\$ 111,000.00

The foregoing Agreement Summary is for reference only and does not alter the terms of the Agreement, including those set forth in Exhibit C.

Owner and Engineer hereby agree to modify the above-referenced Agreement as set forth in this Amendment. All provisions of the Agreement not modified by this or previous Amendments remain in effect.

OWNER:

ENGINEER:

By: _____

Print
name: _____

Title: _____

Date Signed: _____

By: Roberto Flores_____

Print
name: Robert Flores_____

Title: Senior Project Manager_____

Date Signed: 6/15/21_____

TOWN OF LEWISBORO

County of Westchester, State of New York

AUTHORIZATION TO SELL REAL PROPERTY

INTRODUCED BY:

SECONDED BY:

DATE OF CONSIDERATION/ADOPTION: June 28, 2021

WHEREAS, the Town of Lewisboro owns a certain parcel of real property located on Main Street, South Salem, Lewisboro, Westchester County, New York, and designated as Town of Lewisboro Tax Map Number 10819-25-32B (hereinafter referred to as the “subject parcel”), and

WHEREAS, the subject parcel is a vacant parcel of real property, and

WHEREAS, the subject parcel is not currently used by the Town for any municipal purpose, and

WHEREAS, the Town Board of the Town of Lewisboro desires to sell the subject parcel in order to realize the most beneficial purchase price to the Town for the parcel and to restore the parcel to the tax rolls, which parcel may be sold in the manner the Town Board determines is in the best interest of the Town, which may be through auction, to a direct purchaser without auction or listed through a real estate broker, and

WHEREAS, the Town Board has received a valuation for the subject parcel from its Town Assessor with regard to the proposed sale, and

WHEREAS, the Town Board of the Town of Lewisboro finds that it is in the best interest of the Town to sell the subject parcel;

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Lewisboro hereby authorizes and approves the sale of the subject parcel to Amy Raffle and Daniel Raffle, South Salem, NY for the sum of \$5,000.00, and that any contracts with respect

thereto are subject to the approval of the Town Board and the Attorneys for the Town, and

BE IT FURTHER RESOLVED, that pursuant to Section 64(2) of the Town Law of the State of New York, this Resolution is adopted by the Town Board of the Town of Lewisboro subject to a permissive referendum, and

BE IT FURTHER RESOLVED, that the Lewisboro Town Clerk is hereby authorized and directed to post and publish notice of this Resolution in accordance with Section 90 of the Town Law of the State of New York, and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Lewisboro hereby authorizes the Supervisor to execute any and all documents necessary to give effect to this resolution, including authority to sign a Contract of Sale and all conveyance and title documents with regard to same upon the approval of the terms of said Contract of Sale as aforementioned, and

BE IT FURTHER RESOLVED, that the Purchaser shall be responsible for all attorney fees incurred by the Town of Lewisboro in connection with this transaction, as well as all transfer taxes and recording fees incurred in connection therewith.

TOWN OF LEWISBORO

County of Westchester, State of New York

AUTHORIZATION TO SELL REAL PROPERTY

INTRODUCED BY:

SECONDED BY:

DATE OF CONSIDERATION/ADOPTION: June 28, 2021

WHEREAS, the Town of Lewisboro owns a certain parcel of real property located on Main Street, South Salem, Lewisboro, Westchester County, New York, and designated as Town of Lewisboro Tax Map Number 10819-26-32B (hereinafter referred to as the “subject parcel”), and

WHEREAS, the subject parcel is a vacant parcel of real property, and

WHEREAS, the subject parcel is not currently used by the Town for any municipal purpose, and

WHEREAS, the Town Board of the Town of Lewisboro desires to sell the subject parcel in order to realize the most beneficial purchase price to the Town for the parcel and to restore the parcel to the tax rolls, which parcel may be sold in the manner the Town Board determines is in the best interest of the Town, which may be through auction, to a direct purchaser without auction or listed through a real estate broker, and

WHEREAS, the Town Board has received a valuation for the subject parcel from its Town Assessor with regard to the proposed sale, and

WHEREAS, the Town Board of the Town of Lewisboro finds that it is in the best interest of the Town to sell the subject parcel;

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Lewisboro hereby authorizes and approves the sale of the subject parcel to Mary Hafter and Andrew Hafter, South Salem, NY for the sum of \$5,000.00, and that any contracts with respect thereto are subject to the approval of the Town Board and the Attorneys for the Town, and

BE IT FURTHER RESOLVED, that pursuant to Section 64(2) of the Town Law of the State of New York, this Resolution is adopted by the Town Board of the Town of Lewisboro subject to a permissive referendum, and

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