



**TOWN OF LEWISBORO
TOWN BOARD MEETING AGENDA
TOWN HOUSE
MONDAY, NOVEMBER 7, 2022
7:30 P.M.**

I. PUBLIC COMMENT I

II. COMMUNICATIONS

- a. Eagle Scout Proclamation for Troop 301 Scout Ciara McGroary

III. CONSENT AGENDA

- a. Approval of Minutes of October 24, 2022
- b. Monthly Reports October 2022
 - i. Building Department
 - ii. Police Department

IV. NEW BUSINESS

- a. Discussion: Senior Citizens and Disability Exemptions – New Legislation
- b. Discussion: Proposed Override of State Tax Cap Legislation and Setting Public Hearing
- c. Resolution: Authorizing Comprehensive Plan Committee to Submit Hudson River Valley Greenway Planning Grant Application
- d. Resolution: Approving Primetime Lacrosse Agreement for Use of Onatru and Authorizing Supervisor to Sign
- e. Resolution: Recognition of Local 456 Teamsters Union as Bargaining Representative for Highway Department
- f. Resolution: Supporting New York State's 2022 Environmental Bond Act
- g. Discussion: Review Monroe Balancing Test for 8 Waccabuc Road (OPWDD)
- h. Acknowledgment of Delivery of Tentative Budget to the Town Board by the Town Clerk

V. OLD BUSINESS

- a. Discussion: Status on Oakridge Water District Capacity Analysis

VI. PUBLIC COMMENT II – For Current Agenda Items Only

VII. APPROVAL OF CLAIMS

VIII. POLLING OF THE BOARD

IX. ANNOUNCEMENTS

Town Board Meeting – Monday, November 21, 2022, at 7:30 p.m., at the Town House, 11 Main Street, South Salem

X. 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.

Join Zoom Meeting

<https://us06web.zoom.us/j/82276583213?pwd=cTNVQUYrMFZRSjMwS0VJcWthYWZ0UT09>

Meeting ID: 822 7658 3213

Passcode: 560596

Dial by your location

+1 929 205 6099 US (New York)

Meeting ID: 822 7658 3213

Passcode: 560596

TOWN OF LEWISBORO
Building/Zoning Department
79 Bouton Road
South Salem, NY 10590

M5 Fee Report
From 09/30/2022 To 10/25/2022

Count by Type		
Fee Type	Count	Total
Additional Building Permit Fee	9	\$9,837.50
Additional CC Fee	3	\$165.00
Additional CO Fee	6	\$9,672.50
BUILDING PERMIT FEE	35	\$9,630.00
CERTIFICATE OF COMPLIANCE FEE	22	\$1,612.00
CERTIFICATE OF OCCUPANCY FEE	12	\$4,930.00
DEMOLITION 600 FT AND GREATER	4	\$400.00
ENVIRONMENTAL QUESTIONNAIRE-BUILDING	13	\$650.00
MISCELLANEOUS	1	\$21.25
RE-INSPECTION	2	\$400.00
RECORDS MANAGEMENT FEE	34	\$68.00
RENEWAL FEE	6	\$1,899.50
Stormwater ADMIN	1	\$450.00
Wetland Administrative	1	\$150.00
	149	\$39,885.75

TOWN OF LEWISBORO

Building & Zoning Department 79 Bouton Road, South Salem, NY 10590 914-763-3060

	2020		2021		2022	YEAR TO DATE INCREASE BY MONTH
	BUDGET REVENUE: \$484,900		BUDGET REVENUE: \$510,000		BUDGET REVENUE: 600,000	
MONTH	INCOME	MONTH	INCOME	MONTH	INCOME	
JAN	\$18,802.00	JAN	\$46,580.69	JAN	\$129,768.00	179%
FEB	\$30,148.50	FEB	\$46,052.00	FEB	\$295,108.75	541%
MAR	\$20,785.00	MAR	\$152,883.32	MAR	\$39,169.50	-74%
APR	\$49,473.50	APR	\$62,215.75	APR	\$71,303.00	15%
MAY	\$31,037.87	MAY	\$87,484.00	MAY	\$80,821.75	-8%
JUNE	\$106,037.00	JUNE	\$172,756.00	JUNE	\$68,812.00	-60%
JULY	\$72,945.50	JULY	\$72,809.49	JULY	\$71,446.25	-2%
AUG	\$57,067.00	AUG	\$51,153.00	AUG	\$45,824.00	-10%
SEPT	\$101,789.50	SEPT	\$107,715.18	SEPT	\$91,686.50	-15%
OCT	\$83,161.00	OCT	\$111,226.00	OCT	\$39,885.75	-64%
NOV	\$121,043.10	NOV	\$176,999.75	NOV		
DEC	\$85,554.21	DEC	\$50,350.00	DEC		
	\$777,844.18		\$1,138,225.18		\$933,825.50	

TOWN OF LEWISBORO
Assessor's Office
79 Bouton Road
South Salem, New York 10590



Tel: (914-763-3034
Fax: (914) 763-9149
Email: Assessor@lewisborogov.com
Website: www.lewisborogov.com

October 19, 2022

To: Tony Goncalves, Supervisor

From: Lise Robertson, Assessor

Re: Senior Citizens and Disability Exemptions

Dear Tony;

New York has adopted new legislation and on September 7, 2022 Westchester County voted and adopted legislation to increase the income thresholds for the Senior Citizen exemption RPTL 467 and Disability exemption RPTL 459-c from the base of \$29,000 gross income to \$50,000 gross income for property owners to qualify for a 50% exemption. There is also a sliding scale adopted for both exemptions that graduates down to a 5% exemption for gross incomes below \$58,399. As always the property must be their primary residence and for the Senior Citizen exemption RP 467 they must be at least 65 years of age. There is no age limit for the Disability exemption RP-459-c, but they must provide proof of the disability.

Westchester County has also adopted the implementation of non-reimbursed medical expenses and prescription drug expenses incurred by applicants from their calculated income.

I have attached a copy of the Westchester County adopted law and a copy of the sliding scale for both exemptions.

The town will need to adopt this as a local law and provide a resolution this would effect the 2023 assessment roll and would start with the April 2024 Town/County tax bill and then the September 2024 School tax bill. Please let me know if you have any questions or concerns.

TOWN OF LEWISBORO SENIOR CITIZEN AND DISABILITY NEW INCOME LIMITS

STARTING JANUARY 1, 2023

0	50,000	50%
50,001	50,999	45%
51,000	51,999	40%
52,000	51,999	35%
52,000	52,999	30%
53,000	53,899	25%
53,900	54,799	20%
54,800	55,699	15%
56,600	57,499	10%
57,500	58,399	5%

LOCAL LAW INTRO NO. 459 - 2022

TO: BOARD OF LEGISLATORS
COUNTY OF WESTCHESTER

Your Committee has reviewed "A LOCAL LAW amending Chapters 470 and 472 of the Laws of Westchester County to Allow Senior Citizens and Persons with Disabilities to Reduce Their Income by the Amount of Unreimbursed Medical and Prescription Drug Expenses in Order to Qualify for Tax Exemptions and to Increase the Maximum Eligible Income."

Your Committee is aware that Chapters 470 and 472 of the Laws of Westchester County provide for real property tax exemptions for seniors and persons with disabilities, respectively, and were adopted pursuant to authority granted by the New York State Real Property Tax Law. Under each of these Chapters, the amount of the exemption is calculated based upon the annual income of the applicant; applicants who make more than the threshold limit contained in those Chapters are not entitled to an exemption.

Your Committee is informed that the County is entitled to exclude certain monies from the income calculation. Pursuant to State law, the County can exclude unreimbursed medical and prescription drug expenses incurred by applicants from their calculated income.

Allowing the exclusion of these expenses will provide property tax relief for our low-income seniors and persons with disabilities, recognizing the increased medical expenses that often come with being in these categories. As recognized by the Georgetown University Health Policy Institute, prescription drug spending increases as people age, with persons over age 65 paying significantly more annually than younger adults, and those with chronic conditions pay more than the average adult.¹ Permitting the exemption of these expenses from

¹ <https://www.commonwealthfund.org/blog/2021/medicare-patients-pay-more-drugs-older-adults-other-countries-congress-has-opportunity>

income will allow a greater number of individuals to qualify for exemptions, and to qualify for higher exemptions, which will provide them with much needed tax relief.

Additionally, the State of New York has increased the maximum eligible income for these tax exemptions. This legislation adopts those new, increased limits, raising the maximum eligible income to \$50,000.00, to accommodate the effects of inflation on the value of income over the years since the last time the maximum eligible income was increased by the State. Your Committee notes that the “maximum eligible income” is the maximum amount for the full exemption, and that a reduced exemption is permitted on a sliding income scale up to a maximum income of \$58,399.99.

Your Committee is informed that the proposed legislation does not meet the definition of an action under New York State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617. Please refer to the memorandum from the Department of Planning dated January 14, 2022, which is on file with the Clerk of the Board of Legislators. Your Committee concurs in this conclusion.

In light of all of the foregoing, your Committee recommends the adoption of this Local Law.

Dated: September 7, 2022
White Plains, New York

COMMITTEES ON

James J. [unclear]
W. H. [unclear]
Nancy Barr
Henry Williams Johnson
Vedat [unclear]
[unclear]
Colin [unclear]
Henry Williams Johnson

For Albert
Nancy Barr
Henry Williams Johnson

Budget & Appropriations

Seniors & Youth

Dated: September 7, 2022
White Plains, New York

The following members attended the meeting remotely, as per Chapter 1 of the New York State Laws of 2022 and Executive Order 11, as extended, and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

Budget & Appropriations

Mary Jane Skimich WOP

Catherine F. Parker

Catherine By

Seniors & Youth

Doris A. Iulio

PROPOSED LOCAL LAW # ____ OF THE YEAR 2022
A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT
ESTABLISHED IN GENERAL MUNICIPAL LAW 3-C

SECTION 1. LEGISLATIVE INTENT

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Lewisboro, County of Westchester pursuant to General Municipal Law § 3-c, and to allow the Town of Lewisboro, County of Westchester to adopt a town budget for (a) town purposes (b) fire protection districts and (c) any other special or improvement district governed by the Town Board for the fiscal year 2023 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law § 3-c.

SECTION 2. AUTHORITY.

This local law is adopted pursuant to subdivision 5 of General Municipal Law § 3-c, which expressly authorizes the town board to override the tax levy limit by the adoption of a local law approved by a vote of sixty percent (60%) of the town board.

SECTION 3. TAX LEVY LIMIT OVERRIDE.

The Town Board of the Town of Lewisboro, County of Westchester is hereby authorized to adopt a budget for the fiscal year 2023 that requires a real property tax levy in excess of the limit specified in General Municipal Law § 3-c.

SECTION 4. SEVERABILITY.

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

SECTION 5. EFFECTIVE DATE.

This local law shall take effect immediately upon filing with the Secretary of State.

**RESOLUTION AUTHORIZING SUBMISSION OF
APPLICATION UNDER HUDSON VALLEY GREENWAY GRANT PROGRAM**

WHEREAS, the Town of Lewisboro is applying to the Hudson River Valley Greenway for a grant under the Hudson River Valley Greenway Planning Grant Program for the project designated as Lewisboro Comprehensive Plan, located within the Town of Lewisboro;

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Lewisboro hereby does authorize, approve and endorse the submission of the application for a grant under the Hudson River Valley Greenway Planning Grant Program for the project designated as _____, located within the Town of Lewisboro.

Resolution

Offered by: _____

Seconded: _____

Roll Call Vote	Yes	No
Mary Shah	_____	_____
Andrea Rendo	_____	_____
Richard Sklarin	_____	_____
Daniel Welsh	_____	_____
Tony Goncalves	_____	_____

AGREEMENT WITH
Prime Time Lacrosse Select LLC

COOPERATIVE USE AGREEMENT
BETWEEN
Town of Lewisboro
AND
Prime Time Lacrosse Select LLC
FOR
Usage of Onatru Farm Park & Fox Valley Park

This Use Agreement made and entered into this Monday, the seventh of November 2022, by and between the Town of Lewisboro, New York, hereafter referred to as “Town” and the Prime Time Lacrosse Select LLC, hereafter referred to as “User” for their Annual South Salem Spring Shootout and Prime Time Summer Invitational lacrosse tournaments, in addition to granting them permission to use Onatru & Fox Valley facilities for practices, clinics, camps and tryouts.

In consideration of the mutual promise and agreements contained herein, the Town and User agree as follows:

1. Purpose

The Town agrees to allow the use of Onatru Farm Park (Property) for the sole purpose of conducting a two-day lacrosse tournament during the outlined dates in addition to practices, clinics, camps, and tryouts on dates to be determined between the Town & User.

User agrees to comply with the rules and regulations of the Town of Lewisboro Parks and Recreation Department (LPRD), and applicable city, county, state, and federal laws and regulations.

2. Term

The term of this Use Agreement shall be for the period of three (3) years from the date of entry to August 31, 2025. The User shall have a non-exclusive right to use the Property during the term of this Use Agreement but only on the dates and times specified and agreed to by the Town and the User. User may not schedule an activity on the Property on any other date or time unless with the written permission of the Town and its agents. A refundable \$1,500.00 damage/cleanup deposit will be collected each year for usage of the fields and parks through that calendar year. If deposit is used for any damage, then another check must be issued to cover the next usage. The financial terms and tentative dates the User agrees to during this term;

- **Tournaments**

- **South Salem Spring Shootout**

- **Dates:**

- May 6th & 7th, 2023
 - May 4th & 5th, 2024
 - May 3rd & 4th, 2025

- **Cost:** \$6,000 per weekend

- **Tryouts**

- **Dates:** August TBD

- **Cost:** \$500 per half day per field (4 hours or less)
\$1000 per full day per field

- **Camps**

- **Dates:** July TBD

- **Cost:** \$500 per half day per field (4 hours or less)
\$1000 per full day per field

- **Practice/Clinic**

- **Dates:** TBD Fall, Spring, & Summer depending on availability

- **Cost:** \$75 per hour per grass field

3. Town Obligations

- a. The Town understands that it is the responsibility of the User to make the decision to cancel any and all days of their tournament due to severe weather or act of God. However, the Town does retain the right to cancel if the Town feels the weather is too severe and/or where safety is a concern.
- b. The Town will provide the park complex to the User for their annual tournaments, camps, tryouts, clinics & practices.
- c. The Town will provide staff to line and set up each field with lacrosse goals.
- d. The Town will provide parking lot(s) to accommodate the events.
- e. The Town shall provide garbage receptacles and extra liners for the weekend of tournaments.

4. User Obligations

- a. The User shall inspect the site prior to their tournament in order to minimize the potential for accidents. The User will immediately advise the LPRD of any defective or unsafe condition on the Property and shall not use any facility deemed unsafe until corrected.
- b. The User must follow all rules and regulations set forth by the LPRD as well as local and state laws, including all pool rules and regulations and Westchester County Health Department rules and regulations pertaining to selling any food on the premises.
- c. The User shall be responsible for providing enough coaches and staff to supervise all areas of the Property and to conduct the tournament in a safe and enjoyable manner.
- d. The User shall be responsible for supplying porta johns as restroom facilities on Town Property will not be accessible.
- e. User shall be responsible for maintaining facility grounds and parking area trash and litter free. User may use signage, frequent announcements, and labor by User's members or employees to maintain a clean and orderly facility and grounds.
- f. User shall provide a certificate of insurance to the Town of Lewisboro with a minimum limit of \$1,000,000 per occurrence and a \$2,000,000 general aggregate with a financially responsible company or companies that are authorized to do business in the state of New York and have an A.M. Best rating of "A-VT" or better during the term of the Use Agreement. The policy shall list the Town of Lewisboro (11 Main Street, South Salem, NY 10590) as an additional insured and such coverage afforded by this policy for the benefit of the additional insured is primary and any other coverage maintained by the additional insured (s) shall be non-contributions with the coverage provided under the policy. Coverage must include a waiver of subrogation endorsement. A certificate of insurance with the required information, in a form satisfactory to the Town of Lewisboro, must be presented to the Department.
- g. The User accepts the Property as suitable for the purpose of this Use Agreement. User shall protect and maintain the Property except for maintenance to be performed by the Town. User shall pay Town for any damage to Property during the term of this Use Agreement as determined by LPRD based on pre- and post-tournament inspections.

- h. User covenants that it shall not discriminate against any person on any unlawful basis, including but not limited to, sex, race, religion, national origin, or disability and that its programs and services shall comply with the Americans with Disability Act.

5. Signage

No signs or advertisements shall be posted, displayed, or listed by User on Town property without the prior approval of the Town. All signs must conform to the Town's sign ordinance. Any signage must be removed at the request of the Town.

6. Structure

The User shall not alter or modify any existing fields, building or structure nor build or locate portable or new buildings or structures on the Property without prior written approval of the LPRD and all other appropriate Town agencies.

7. Indemnification

To the fullest extent permitted by the law, User shall indemnify and hold harmless the Town, its officers, agents, and employees from:

- a. Any claims, damages, costs and attorney fees for injuries or damages arising, in part or in whole, from the acts or omissions of User, its officers, employees, guests, invitees and/or agents, including its sub or independent contractors, in connection with the performance of the Agreement.
- b. Any claims, damages, costs and attorney fees arising from any failure of User, its officers, employees, and/or agents, including its sub or independent contractors, to observe applicable law, including, but not limited to, labor laws and minimum wage laws.
- c. User shall pay Town any expenses incurred as a result of User's failure to fulfill any obligation in a professional and timely manner under the Agreement.

1. Termination of Use Agreement

This Use Agreement may not be assigned or transferred. Termination may result from the User's failure to abide by the terms of the Use Agreement. In the event of a breach

of the Use Agreement, the Town will give the User an opportunity to timely correct the default upon written notice to User of such breach.

2. Amendment

This Use Agreement constitutes the entire Agreement between the Town and User. This Agreement may be modified by a subsequent or contemporaneous written amendment executed by all parties and their signatories hereto.

In witness whereof, the Town and User have executed this use Agreement on the day and date first written above.

Town of Lewisboro

By: _____
Tony Goncalves, Town Supervisor

Date: _____

Prime Time Lacrosse Select LLC

By: _____
Nicholas Daniello, Prime Time Lacrosse
Managing Member

Date: _____

TEAMSTERS & CHAUFFEURS UNION LOCAL No. 456

Affiliated with
International Brotherhood of Teamsters

LOUIS A. PICANI
President

Phone: (914) 592-9500
Fax: (914) 592-4266



JOSEPH SANSONE
Secretary-Treasurer

Affiliated With
New York State Building and
Construction Trades Council
Westchester-Putnam Building Trades Council

160 So. Central Avenue • Elmsford, New York 10523

VIA FIRST CLASS MAIL & EMAIL (supervisor@lewisborogov.com)

September 21, 2022

Tony Goncalves, Town Supervisor
Town of Lewisboro
P.O. Box 500
11 Main Street
South Salem, NY 10590

**Re: Voluntary Recognition of Local 456, IBT
Highway Department**

Dear Supervisor Goncalves:

Local 456, International Brotherhood of Teamsters requests that the Town of Lewisboro voluntarily recognize Local 456, International Brotherhood of Teamsters as the bargaining representative for employees of the Town of Lewisboro for the following titles:

- Lead Maintenance Mechanic
- Automotive Mechanic
- Assistant Automotive Mechanic
- Motor Equipment Operator
- Laborer
- Road Maintainer

If you would like to discuss this further, please contact me. Thank you for your attention to this matter.

Very truly yours,

A handwritten signature in black ink that reads "Louis A. Picani".

Louis A. Picani
President
Local 456, IBT

Serving
Westchester, Putnam and Dutchess Counties
New York

Resolution supporting the Clean Water, Clean Air, Green Jobs Environmental Bond Act of 2022

Whereas, providing clean drinking water and protecting our local rivers, bays, lakes, streams and waterfronts from pollution is paramount to quality of life in New York State and The Town of Lewisboro; and

Whereas, modernizing water infrastructure will safeguard clean water, reduce flooding, reduce lead exposure and other public health threats, and create jobs; and

Whereas, The Town of Lewisboro is vulnerable to extreme weather including deadly heat from rising temperatures and flooding from severe storms that put people, properties and public assets across the County at risk; and

Whereas, upgrading transportation and stormwater infrastructure, restoring natural resources, growing urban forests, building green roofs and upgrading cooling centers will reduce the impact of extreme weather, saving lives and money; and

Whereas, the COVID-19 pandemic demonstrated the importance of outdoor recreation and access to fresh, local food, as people flocked to local parks and sought out healthy foods for their families; and

Whereas, upgrades to facilities at state and local parks and preserves and the creation of new outdoor recreational areas will benefit our region by protecting wildlife habitat, providing more people access to nature, and creating jobs in the outdoor recreation economy; and

Whereas, the Clean Water, Clean Air, Green Jobs Environmental Bond Act of 2022 would authorize the four billion and two hundred million dollars of bonds to finance critical environmental restoration, clean water, and infrastructure projects across New York State; and

Whereas, the funds would be targeted towards protecting clean water, reducing flood risk, restoring natural resources, protecting open space and farmland, and reducing the pollution that causes climate change; and

Whereas, the Clean Water, Clean Air, Green Jobs Environmental Bond Act of 2022 was passed by the New York State Legislature as part of the 2022-23 New York State Budget and will appear on the November 8, 2022, New York State General Election Ballot for voter approval; and

Whereas, the Clean Water, Clean Air, Green Jobs Environmental Bond Act of 2022 includes strong labor provisions and will support more than 84,000 family-sustaining jobs for New Yorkers; and

Whereas, the Clean Water, Clean Air, Green Jobs Environmental Bond Act of 2022 would enable New York State and The Town of Lewisboro to address pollution and public health threats in disadvantaged communities by directing at least 35% with a goal of 40% of the measure's funding to address hazardous conditions in such communities; now, therefore, be it

Resolved, that the Town Board of The Town of Lewisboro supports passage of the Clean Water, Clean Air, Green Jobs Environmental Bond Act of 2022.

RESOLUTION MAKING DETERMINATION ON SITE PLAN APPLICATION – 8 WACCABUC ROAD

WHEREAS, the Town of Lewisboro Planning Board has received an application from the NY State Office for People With Developmental Disabilities (NYSOPWDD) which seeks issuance of approvals pursuant to Town of Lewisboro Code Chapters 189 (Stormwater Management and Erosion Control) and Chapter 217 (Wetlands and Watercourses) with respect to proposed improvements for the premises located 8 Waccabuc Road (Town of Lewisboro TM 32.1-2-20); and

WHEREAS, NYSOPWDD has requested that any necessary approvals that would otherwise and ordinarily be required under the referenced Town Code Chapters be exempted from such review, approval and permitting processes before the Planning Board and/or the Conservation Advisory Council; and

WHEREAS, pursuant to the determination of New York State Court of Appeals in ***Matter of County of Monroe v City of Rochester***, the Town Board may engage in a balancing test to determine whether or not it is in the public interest to continue to subject the NYSOPWDD to its land use requirements in this circumstance; and

WHEREAS, the factors to be determined under the ***Monroe*** test are the following:

1. The nature and scope of the instrumentality seeking immunity;
2. The encroaching government's legislative grant of authority;
3. The kind of function or land use involved;
4. The effect local land use regulation would have upon the enterprise concerned;
5. Alternative locations for the facility in less restrictive zoning areas;
6. The impact upon legitimate local interests;
7. Alternative methods of providing the proposed improvement;
8. The extent of the public interest to be served by the improvements; and
9. Intergovernmental participation in the project development process and an opportunity to be heard;

NOW THEREFORE BE IT RESOLVED, that upon consideration of the factors set forth in ***Monroe***, The Town Board determines that consideration of the public interests, purposes and benefits which are provided to the community by the current use and utilization of the premises at 8 Waccabuc Road by NYSOPWDD, together with the relatively minimal impact of the improvements proposed by NYSOPWDD for said premises, as well as the relatively minimal impact on of any legitimate local interests created by the proposed improvements, do indeed warrant exemption from the provisions of Chapter 189 and Chapter 217 for the pending application by NYSOPWDD; and

BE IT FURTHER RESOLVED, that any pending application and/or required applications before the Planning Board for approvals and/or permits under Chapters 189 and 217 of the Town Code for the improvements proposed by NYSOPWDD are hereby exempted from any further review, permitting and/or approval issuance.

Resolution

Offered by: _____ Seconded: _____

Roll Call Vote	Yes	No
Mary Shah	_____	_____
Andrea Rendo	_____	_____
Richard Sklarin	_____	_____
Daniel Welsh	_____	_____
Tony Goncalves	_____	_____

PROPOSED LOCAL LAW # OF THE YEAR 2022

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 212

Chapter 212 of the current Code of the Town of Lewisboro entitled "Vehicles & Traffic", specifically Subsection 212-27.1 entitled "Schedule VIA: Commercial Vehicles Excluded" is hereby amended to add the following to the existing list of streets/roads:

<u>NAME OF STREET</u>	<u>LOCATION</u>
WEST ROAD	ENTIRE LENGTH

SECTION 3 – HOME RULE

Nothing in this Local Law is intended, or shall be construed to limit the home rule authority of the Town under State Law or 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.