



**TOWN OF LEWISBORO
TOWN BOARD WORK SESSION
AGENDA
TOWN HOUSE
OCTOBER 24, 2016
7:30 P.M.**

PUBLIC COMMENT

COMMUNICATIONS

NEW BUSINESS

- Resolution to Approve Partial Release of Bond for Laurel Ridge
- Resolution Approving Revision to Procurement Policy
- Review of 2017 Budget

OLD BUSINESS

- Resolution Urging United States Coast Guard to Reject Proposed Rule in Relation to Establishing New Long-Term Anchorage Grounds in the Hudson River Estuary

APPROVAL OF CLAIMS

POLLING OF THE BOARD

ANNOUNCEMENTS

- Town Board Meeting November 7, 2016 at 7:30 p.m. at the Town House, 11 Main Street, South Salem

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 Town Offices at Orchard Square are accessible to persons with physical handicaps. If anyone who wishes to attend any meeting of the Town Board has special needs, please contact the Supervisor's Office (763-3151) at least one week before any scheduled meeting, and we will try to accommodate whenever possible.



VISTA FIRE DEPARTMENT

377 SMITH RIDGE ROAD
South Salem, NY 10590

Jeffrey M. Peck
Chief of Department

Tel. # (914)-533-2727
Fax (914)-533-2853

September 21st, 2016

To Town Supervisor Peter Parsons & the Lewisboro Town Board –

On behalf of the Vista Volunteer Fire Department, we would like to thank you for your support of our 75th Anniversary this year.

Thank you for allowing us to use Onatru Farm for our 75th Anniversary BBQ on Saturday September 17th and joining us that day. It was a great celebration of the history of our Department and we were fortunate to have your support on that momentous day.

Thanks again for your support,

Chief Jeffrey Peck

TOWN OF LEWISBORO
Westchester County, New York



Planning Board
PO Box 725
Cross River, New York 10518

Tel: (914) 763-5592
Fax: (914) 763-3637
Email: planning@lewisborogov.com

TO: Town of Lewisboro Town Board

FROM: Jerome Kerner – Chairman, Town of Lewisboro Planning Board

SUBJECT: Oakridge Gardens (Laurel Ridge) Release of Bond

DATE: October 19, 2016

Whereas, the Planning Board has received a written request from Laurel Ridge Development, Inc. (see attached) for the release of \$26,151 of a previously posted \$243,770 performance bond for the construction of water and sewer improvements servicing the Laurel Ridge Townhome project; and

Whereas, the Planning Board, upon approval of the Town Board, may reduce the required amount of performance security following due notice and a public hearing;

It is therefore hereby resolved, that the Town Board be notified that the Planning Board seeks approval authorizing it to consider and act upon the requested bond reduction; and

It is further resolved, that, in anticipation of Town Board approval and authorization, the bond reduction request be tentatively placed on the Planning Board's November 15, 2016 agenda for public hearing.

Laurel Ridge Development Inc.

450 Oakridge Commons

South Salem, New York 10590

Telephone 914-533-7519

September 20, 2016, 2016

Town of Lewisboro Planning Board

20 Cross River Shopping Center at Orchard Square

Suite L

Cross River, New York 10518

Attention: Ciorsdan Conran, Secretary

RE: Laurel Ridge Townhomes

Sheet 49D, Block 9830, Lots 279 & 325

Cal # 6-02 P.B.

Dear Chairman Kerner and Members of the Planning Board:

The following is presented in response to Jan K. Johannessen, Town Planner's Memorandum dated September 14th which addressed the items presented in our August 23rd submission to the Planning Board.

In support and documentation of our request for the release of the Phase II portion of the Performance Bond for the Sewer & Water Extension we submit herewith; a copy of the Security Agreement for Construction of Water & Sewer Improvements and a copy of a letter from WCHD dated September 7, 2016 confirming their acceptance of Phase II of the Water & Sewer Main Extension. Please note, section 3.b) of the Security Agreement sets forth the partial release amount for Phase II of \$26,151. We request a letter from the Planning Board to the Town Board (OW & OS) acknowledging your approval of the partial release amount.

As noted in our August 23rd letter to the Planning Board we divided the items for consideration into two parts. Each of the three items in Part 1 relate to approving material specification changes only and do not involve either adding, subtracting or changing the location of any of these improvements. We believe in each case, we are seeking Planning Board acceptance of an equivalent product or material. We believe each of these changes make a better product and enhances market acceptance. We are asking for a green light on these three specification changes so we can continue on our schedule to complete site and building improvements needed for final sign off and C of O's.

PART 1:

Substituting Belgium Block curbing for Concrete curbing in all areas of Phase II and Phase III. See SP-4a with highlight of all concrete curb areas that will be done in Belgium Block.

Changing the material spec of the proposed screening fence along the easterly property line of Phase II from wood to PVC. The fence style (solid privacy), height (6'), spacing between posts (8') are the same as the original proposal and conforms to the Town Zoning Code. We would like to point out that the original fence proposal dates to 2003. Since that time, the fencing industry has moved to product lines that utilize man-made materials from sustainable sources and that are more resistant to rot and decay and require little or no maintenance. This spec change will help the unit owners Association keep common element maintenance expenses lower. The existing fence shown on the Site Plan will be removed. A material spec sheet and photo of a 100' section is provided.

Changing the material specifications on the rear patios from poured concrete to concrete pavers or bluestone. This change is requested to provide an enhancement of the marketability of the townhomes. We and most of the marketplace consider this a better product.

PART 2:

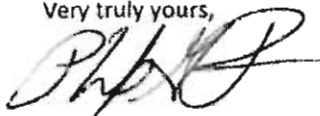
Throughout the marketing of the Laurel Ridge townhomes we have had a number of prospects inquiring about the availability of 3 bedroom units. As we moved into the 2nd Phase of the development we introduced the 1st Floor Master Bedroom alt plans. Our buyer profiles are empty nesters currently living in significantly larger single family homes often 5000 sf with 4 or more bedrooms. Although most if not all of these buyers will use 1 or 2 bedrooms, many are asking for the three bedroom townhome to accommodate guests or family visits.

As noted in Jan Johannessen's response, item #3; three bedroom vs two bedroom has no effect on the required parking spaces. In response to his item #4, we have submitted a letter request (copy enclosed) to the Town (Water & Sewer Companies) asking for their determination of sufficient water supply and sewer capacity if the bedroom count of Laurel Ridge is increased by 18. Attached is our preliminary analysis of the Water & Sewer System adequacy for handling an additional 18 bedrooms. Also attached is a Schedule showing the 2015 and 2016 to date gpd volumes for water consumption and sewer treatment levels. This data was provided by VRI Environmental Services, the licensed contracted operator of both plants.

Item #2 of Jan's Memorandum addresses the density issue relating to changing 18 two bedroom units to three bedroom units. We understand the current Planning Board approval of 46 two bedroom units uses the maximum DU (Density Units) permitted on the 9.193 acre site. Further the change of 18 units to three bedroom would increase the overall site DU calculation by 3 DU over the level currently permitted by zoning. We would like to point out that this change would have no effect on the building footprints (land coverage) or the size (sf and volume) of the buildings or units. The architects plans showing elevation of building 6 were presented to show the window changes in a "typical building" as a result of adding a third bedroom. As the DU calculation and number of Dwelling Unit determination is a Zoning matter, we believe this change will require a Zoning variance.

All of our requests for alteration or amendments to the Planning Board Resolution has been driven by our interest in improving the development and the product. We hope the Board agrees and allows us to proceed in the process.

Very truly yours,



Philip G. Pine

President

Attachments:

Security Agreement (Performance Bond)

WCHD Phase II Water & Sewer Extension Approval

Analysis of Impact of 18 Three Bedroom on Water & Sewer

Actual GPD data on 2015 & 2016 Water & Sewer system usage.

**SMITH RIDGE HOUSING LLC
SECURITY AGREEMENT FOR CONSTRUCTION OF
WATER AND SEWER IMPROVEMENTS TO BE CONVEYED TO
OAKDRIDGE WATER AND SEWER DISTRICTS**

THIS SECURITY AGREEMENT made the 27th day of AUGUST, 2013 by **SMITH RIDGE HOUSING LLC**, a New York limited liability company, with offices located at 450 Oakridge Commons, South Salem, New York 10590 ("**Smith Ridge**").

WITNESSETH:

WHEREAS, Smith Ridge is the owner of certain property located on the northerly and southerly side of Oakridge Drive (a private access road within the Oakridge condominium complex located on the westerly side of Smith Ridge Road (NYS Route 123) in the Hamlet of Vista, Town of Lewisboro, Westchester County, New York as designated on the Town of Lewisboro Tax Maps as Sheet 49L, Block 9830, Parcel 1-A-8 and Sheet 49M, Block 9830, Parcel 1-A-9, now known as Laurel Ridge (the "**Laurel Ridge Property**"); and

WHEREAS, by Resolution adopted on September 24, 2012, the Lewisboro Planning Board granted approvals pertaining to the development of multi-family residences on the Laurel Ridge Property (the "**Resolution**"); and

WHEREAS, in connection with the development of Laurel Ridge, Smith Ridge has proposed to construct certain water and sewer mains, laterals and the necessary valves, hydrants fittings and appurtenances (the "**Utility Improvements**") on the Laurel Ridge Property in accordance with the plans prepared by Kellard Sessions Consulting, P.C. (the "**Plans**") as detailed in the Resolution and as same may thereafter have been or will be amended with the approval of the Town of Lewisboro (the "**Town of Lewisboro**"); and

WHEREAS, by approvals dated September 13, 2012, the Westchester County Department of Health approved the Plans for the Utility Improvements; and

WHEREAS, Condition SP 39 of the Resolution requires that Smith Ridge post a bond or letter of credit with the Town of Lewisboro in the amount of \$243,770.00 which amount represents the estimated cost of the water and sewer improvements to be conveyed to the Oakridge Water and Sewer Districts; and

WHEREAS, in compliance with said Condition SP39, Smith Ridge has elected to deposit with the Town of Lewisboro the said sum of \$243,770.00 in cash as and for its bond (the "**Bond**").

NOW, THEREFORE, Smith Ridge hereby agrees, as follows:

1. Smith Ridge will install the Utility Improvements in accordance with the Plans and the Resolution.

2. The condition of this Security Agreement is that Smith Ridge shall be held and firmly bound to the Town of Lewisboro in said sum of \$243,770.00 as security for the completion of the installation of the Utility Improvements in accordance with the Plans and the Resolution.

3. The Town of Lewisboro shall release the Bond and deliver same to Smith Ridge, or its designee, as follows:

a) Upon completion of the installation of the Utility Improvements for Phase I (Units #1 - #19), the Town of Lewisboro shall release the sum of \$190,281.00; and

b) Upon completion of the installation of the Utility Improvements for Phase II (Units #20 - #36), the Town of Lewisboro shall release the sum of \$26,151.00; and

c) Upon completion of the installation of the Utility Improvements for Phase III (Units #37 - #46), the Town of Lewisboro shall release the remaining sum of \$27,338.00.

4. For the purposes hereof, "completion of the installation of the Utility Improvements" shall be evidenced by the appropriate inspection report of the Town of Lewisboro's Engineer certifying that said improvements have been satisfactorily completed, the issuance of a Completed Works Certificate permitting operation of the Utility Improvements by the Westchester County Department of Health and acceptance of the Utility Improvements by the Oakridge Water and Oakridge Sewer Districts, as applicable.

5. As set forth in the following instruments of record, upon completion of the installation of the Utility Improvements, the Utility Improvements shall become and remain the property of the Oakridge Water and Oakridge Sewer Districts, as the case may be:

Laurel Ridge Declaration of Water Lines, Pump House and Well, Easement to Oakridge Water District dated June 20, 2013 and recorded in the Westchester County Clerk's Office, Division of Land Records on July 9, 2013 under Control #531763614.

Laurel Ridge Declaration of Sewer Lines Easement to Oakridge Sewer District dated June 20, 2013 and recorded in the Westchester County Clerk's Office, Division of Land Records on July 9, 2013 under Control #531763623.

6. This Agreement shall run with the land and shall be binding upon, and inure to the benefit of, the respective parties hereto and their successors and assigns.

7. This Agreement shall not be amended or modified except by an instrument executed by Smith Ridge and approved by the Town of Lewisboro.

IN WITNESS WHEREOF, Smith Ridge has executed this Agreement as of the date first above written.

SMITH RIDGE HOUSING, LLC

By: _____

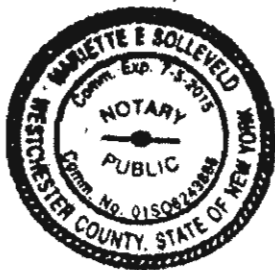
Philip G. Pine, Member

ACKNOWLEDGEMENT

State of New York)
County of Westchester) ss.:

On the th27 day of August in the year 2013 before me, the undersigned, personally appeared Philip G. Pine, personally known to me or proved to me on the basis of satisfactory evidence to be the individuals whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their capacities, and that by their signatures on the instrument, the individuals, or the persons upon behalf of which the individuals acted, executed the instrument.

Notary Public



LAUREL RIDGE DEVELOPMENT INC
450 OAKRIDGE CMNS
SOUTH SALEM, NY 10590-2438

WELLS FARGO BANK, N.A.
www.wellsfargo.com
51-110/211

1022

8/23/2013

PAY TO THE
ORDER OF Town of Lewisboro

\$ **243,770.00

Two Hundred Forty-Three Thousand Seven Hundred Seventy and 00/100*****

DOLLARS (

MEMO Cash Bond - WTS



AUTHORIZED SIGNATURE

⑈0000001022⑈ ⑈021101108⑈ 7475157488⑈



Robert P. Astorino
County Executive

Sherlita Amler, M.D.
Commissioner of Health

September 7, 2016

John Kellard, P.E.,
Kellard Sessions Consulting, P.C.
500 Main Street
Armonk, NY 10504

Re: Partial Certification of Sanitary Sewer
Main Extension
Oakridge Gardens -- Phase II
Lewisboro (T)
Westchester County

Dear Mr. Kellard:

This Department hereby acknowledges the receipt of leakage test results, as-built plans, and the engineer's certification of construction compliance for the above-captioned sanitary sewer main extension.

A review of the information you submitted under the letter dated August 31, 2016 indicates that the sanitary sewer main installation complies with the terms and conditions of the approval of plans issued by this Department. The sewer main extension may be placed into service.

Very Truly Yours,

Delroy Taylor, P.E.
Associate Engineer
Bureau of Environmental Quality

DT:fb

Cc: Philip Pine, Oakridge Gardens, Owner ✓
Peter Barrett, Building Inspector, Town of Lewisboro
Shohreh Karimpour, P.E., NYSDEC
Thomas Lauro, P.E., WCDEF
File

Department of Health
25 Moore Avenue
Mount Kisco, NY 10549

Telephone: (914) 813-5000

FAX: (914) 864-7341



AS-BUILT SEWER MAIN EXTENSION PLANS "OAKRIDGE GARDENS"

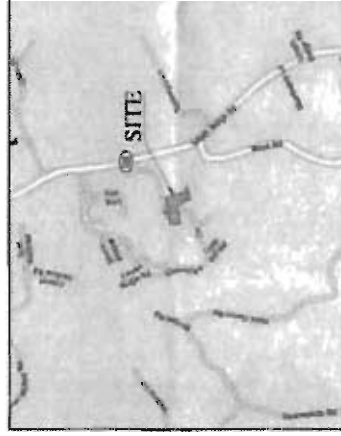
PHASE 2

TOWN OF LEWISBORO
WESTCHESTER COUNTY, NEW YORK

DATED: JUNE 1, 2016
REVISED: AUGUST 18, 2016

SITE DATA

OWNER/APPLICANT: SMITH RIDGE CONSTRUCTION, LLC
281 OAKRIDGE COMMONS
SOUTH SALEM, NEW YORK 10590
TAX MAP DESIGNATION: TAX MAP 64-3, BLOCK 800, LOT 27 & 128
PROPERTY ADDRESS: 281 OAKRIDGE COMMONS
SOUTH SALEM, NY 10590
ZONING DISTRICT: R-40F RESIDENTIAL MEDIUM DENSITY
AREA: 5.14 ACRES



LOCATION MAP
N.T.S.

SHEET INDEX

SEWER AS-BUILT PLAN
AS-BUILT SEWER MAIN PROFILES
AS-BUILT SEWER DETAILS

SHEET 1
SHEET 2
SHEET 3



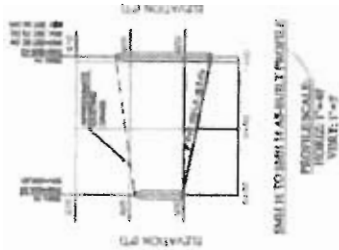
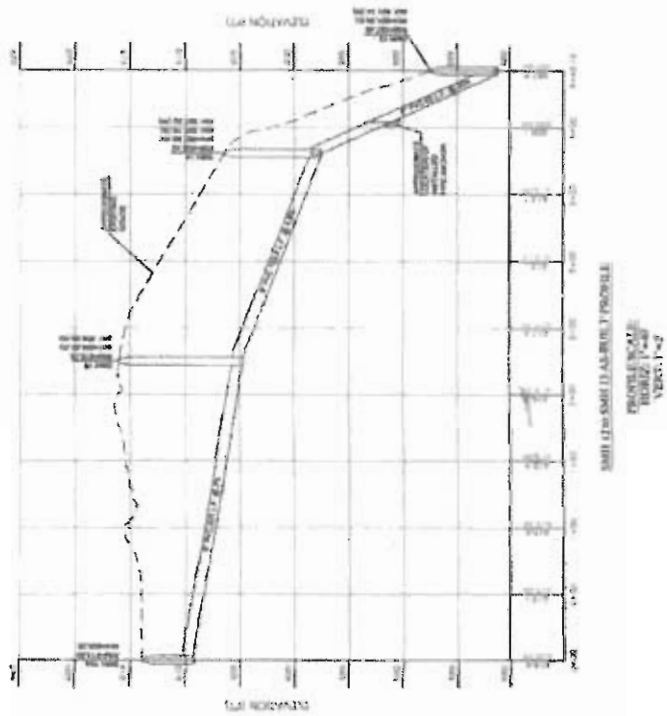
KELLARD
SESSIONS

DESIGNED BY: KELLARD SESSIONS
DRAWN BY: KELLARD SESSIONS
CHECKED BY: KELLARD SESSIONS
APPROVED BY: KELLARD SESSIONS
DATE: 08/18/2016

PROJECT: SEWER MAIN EXTENSION
TOWN OF LEWISBORO, NEW YORK
DATE: 06/01/2016
REVISED: 08/18/2016

THIS DOCUMENT IS THE PROPERTY OF KELLARD SESSIONS
AND IS NOT TO BE REPRODUCED OR COPIED
WITHOUT THE WRITTEN PERMISSION OF KELLARD SESSIONS





AS BUILT NOTES

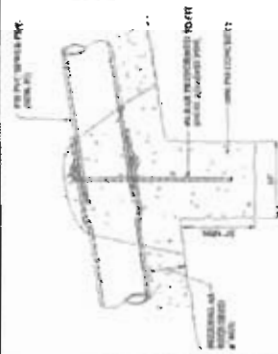
1. ALL MEASUREMENTS TO THE CENTER OF GRAVITY OF THE MAIN SHALL BE TAKEN FROM THE CENTER OF GRAVITY OF THE MAIN.
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KELLARD
STANTON

AS-BUILT SEWER MAIN PROFILE OAKRIDGE GARDENS - PHASE 2

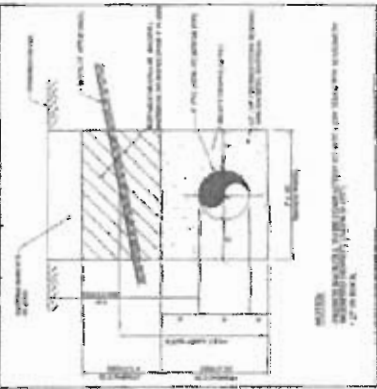
DATE: 10/10/2010	BY: [Signature]
CHECKED: [Signature]	DATE: 10/10/2010
PROJECT: 10-00000000	SHEET: 100
1	2
3	4

Sewer Anchor (N.T.S.)



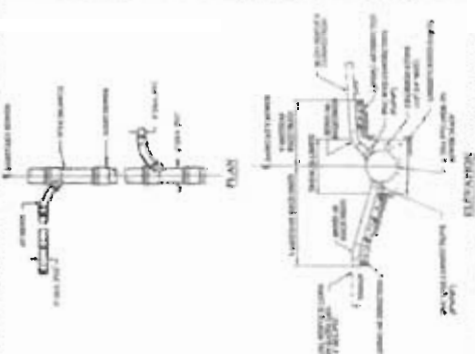
NOTES:
 1. ANCHOR SHALL BE CAST IN PLACE AND CURED FOR 28 DAYS BEFORE USE.
 2. ANCHOR SHALL BE CAST IN PLACE AND CURED FOR 28 DAYS BEFORE USE.
 3. ANCHOR SHALL BE CAST IN PLACE AND CURED FOR 28 DAYS BEFORE USE.

Sewer Pipe Trench Detail (N.T.S.)



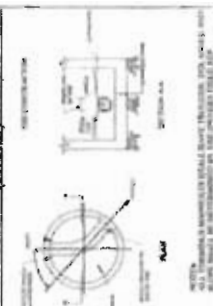
NOTES:
 1. TRENCH SHALL BE BACKFILLED WITH COMPACTED SOIL.
 2. TRENCH SHALL BE BACKFILLED WITH COMPACTED SOIL.
 3. TRENCH SHALL BE BACKFILLED WITH COMPACTED SOIL.

Sanitary Sewer Dividing Connection (N.T.S.)



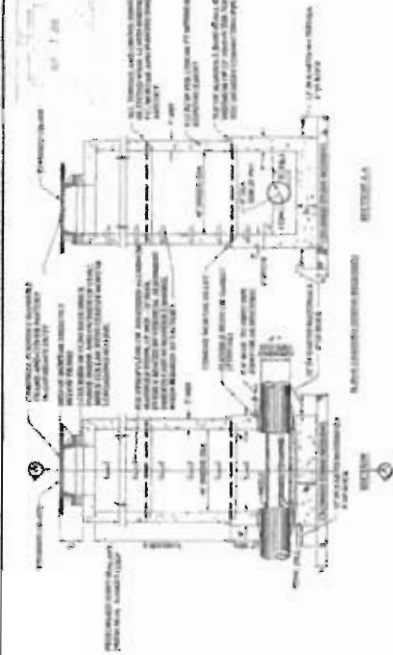
NOTES:
 1. DIVIDING CONNECTION SHALL BE CAST IN PLACE AND CURED FOR 28 DAYS BEFORE USE.
 2. DIVIDING CONNECTION SHALL BE CAST IN PLACE AND CURED FOR 28 DAYS BEFORE USE.
 3. DIVIDING CONNECTION SHALL BE CAST IN PLACE AND CURED FOR 28 DAYS BEFORE USE.

Manhole Trough (N.T.S.)



NOTES:
 1. TROUGH SHALL BE CAST IN PLACE AND CURED FOR 28 DAYS BEFORE USE.
 2. TROUGH SHALL BE CAST IN PLACE AND CURED FOR 28 DAYS BEFORE USE.
 3. TROUGH SHALL BE CAST IN PLACE AND CURED FOR 28 DAYS BEFORE USE.

Precast Concrete Sewer Manhole (N.T.S.)



NOTES:
 1. PRECAST CONCRETE BLOCKS SHALL BE CAST IN PLACE AND CURED FOR 28 DAYS BEFORE USE.
 2. PRECAST CONCRETE BLOCKS SHALL BE CAST IN PLACE AND CURED FOR 28 DAYS BEFORE USE.
 3. PRECAST CONCRETE BLOCKS SHALL BE CAST IN PLACE AND CURED FOR 28 DAYS BEFORE USE.

AS-BUILT NOTES:
 1. ALL DIMENSIONS SHALL BE AS SHOWN ON THE DRAWING.
 2. ALL DIMENSIONS SHALL BE AS SHOWN ON THE DRAWING.
 3. ALL DIMENSIONS SHALL BE AS SHOWN ON THE DRAWING.

KELLARD
ENGINEERS

AS-BUILT SEWER DETAILS
OAKRIDGE GARDENS - PHASE 2



3	3
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Analysis of LRD Request to Increase Units Size to 3 BR on the Water & Sewer Systems

08/03/16

GIVEN:

NYSDEC Water Taking Permit for 80,000 gpd for Oakridge Water District
Existing SPDES Permit allows for 80,000 gpd discharge from the Oakridge Sewer Treatment System

RE: Adequacy of Muni Water Supply

EAf (Part 3) Prepared by Kellard Sessions

Proposed Usage by 46 (2 Br) units

300gpd/2Br x 46 = 13,800 gpd

Delaware Engineering Report to WCHD

Avg Daily flows based on 2004 Actual Usage

58,808 gpd leaves an additional 21,000 gpd for new usage under existing DEC permit

Using the following gpd factors acceptable to WCHD to estimate revised daily water usage

150 gpd/bedroom

2 Br = 300 gpd

3Br = 450 gpd

Revised usage based on maximum number of 2 and 3 BR Units

2 Br = 28 x 300 gpd = 8400 gpd

3 Br = 18 x 450 gpd = 8100 gpd

REVISED TOTAL for 46 Units = 16,500 gpd

The max gpd usage remains below the excess capacity (21,000 gpd) of the water supply system.

NOTE: The excess or available supply volume is prior to the addition of Well #3 to the system

RE: Adequacy of Waste Water Treatment System

Town of Lewisboro Application to WCHD for Approval of Wastewater Disposal System prepared by
Kellard Sessions date Feb 16, 2012

Existing district water consumption = 55,000 gpd

Future district water consumption (after the addition of 46 units) = 66,040 gpd

NOTE: Not sure why additional gpd is 11,040 rather than 13,800 (300 x 46)

Existing wastewater treatment works avd daily flow = 42,000 gpd

Future wastewater treatment works avd daily flow = 53,040 gpd

NOTE: Not sure why additional gpd is 11,040 rather than 13,800 (300 x 46)

Revised usage based on maximum number of 2 and 3 BR Units

2 Br = 28 x 300 gpd = 8400 gpd

3 Br = 18 x 450 gpd = 8100 gpd

REVISED TOTAL for 46 Units = 16,500 gpd

Adding the Revised Total wastewater flow of 16,500 gpd to the pre Laurel Ridge daily volume of 42,000 gpd = 58,500 gpd which is well below the SDPES permit 80,000 gpd discharge.

2015 & 2016 Oakridge Water & Sewer Consumption

8/22/2016

MONTH	WATER (gpd)		SEWER (gpd)	
	2015	2016	2015	2016
JAN	45700	45000	52000	53000
FEB	46100	46200	51000	52000
MAR	43300	44500	56000	51000
APR	47300	45000	52000	50000
MAY	50700	49035	49000	51000
JUN	50200	55233	49000	47000
JUL	53200	59645	49000	
AUG	50400		46000	
SEP	50100		44000	
OCT	45800		47000	
NOV	44400		50000	
DEC	45000		52000	
	572200		597000	
Avg Daily	47683		49750	

Daily usage data provided by VRI Environmental Services

PROCUREMENT POLICY

Whereas, Section 104-b of the General Municipal Law (GML) requires every town to adopt internal policies and procedures governing all procurement of goods and services not subject to the bidding requirement of GML, Section 103 or any other law; and

Whereas, comments have been solicited from those officers of the Town involved with procurement; Now therefore, be it

Resolved: That the Town of Lewisboro does hereby adopt the following procurement policies and procedures:

Guideline 1. Every prospective purchase of goods or services shall be evaluated to determine the applicability of GML, Section 103. Every Town officer, board, department head or other personnel with the requisite purchasing authority (hereinafter Purchaser) shall estimate the cumulative amount of the item of supply or equipment needed in a given fiscal year. The information gathered and conclusions reached shall be documented and kept with the file or other documentation supporting the purchase activity.

Guideline 2. All purchases of (a) supplies or equipment which will exceed \$20,000.00 in the fiscal year or (b) public works contracts over \$35,000.00 shall be formally bid pursuant to GML Section 103.

Guideline 3. All estimated purchases of supplies or equipment:

- *Of \$20,000.00 or less but greater than or equal to \$2,500 require a written request for price (RFP) and written/fax quotes from at least three vendors.

- *Less than \$2,500 but greater than or equal to \$1,000 require an oral request for the goods and documented oral/fax quotes from at least two vendors.

- *Less than \$1,000 is left to discretion of the Purchaser

All estimated public works contracts of:

- *\$35,000 or less but greater than or equal to \$10,000 require a written RFP and written/fax quotes from at least three contractors.

- *Less than \$10,000 but greater than or equal to \$5,000 require written/fax quotes from at least three contractors

- *Less than \$5,000 but greater than or equal to \$1,500 require written quotes from at least two contractors.

- *Less than \$1,500 is left to the discretion of the Purchaser.

Any written RFP shall describe the desired good, quantity and the particulars of delivery. The Purchaser shall compile a list of all vendors from whom written/fax/oral quotes have been requested and the written/fax/oral quotes offered.

All information gathered in complying with the procedures of this policy shall be preserved and filed with the documentation supporting the subsequent purchase or public works contract.

Guideline 4. The lowest responsible bid or quote shall be awarded the purchase of public works contract unless the Purchaser prepares a written justification providing reason why it is in the best interest of the Town and its taxpayers to make an award to other than the low bidder. If a bidder is not deemed responsible, facts supporting that judgment shall be documented and filed with the record supporting the procurement.

Guideline 5. A good-faith effort shall be made to obtain the required number of bids or quotations. If the Purchaser is unable to obtain the required number of bids or quotations, the Purchaser shall document the attempt made at obtaining the bids. In no event shall the inability to obtain the bids or quotes be a bar to the procurement.

Guideline 6. Except when directed by the Town Board, no solicitation of written proposals or quotations shall be required under the following circumstances:

- a) Acquisition of professional services;
- b) Emergencies;
- c) Sole source situations;
- d) Goods purchased from agencies for the blind or severely disabled;
- e) Goods purchased from correctional facilities;
- f) Goods purchased from another governmental agency;

Guideline 7. All contracts with a successful bidder shall contain a provision and condition that the subject of the contract shall be warranted and guaranteed by the bidder for a specific period of time acceptable to the Town Board, and shall contain a provision requiring a surety, performance bond, or other insurance of completion of the work that is the subject of the contract. Any such surety or bond must be provided by a New York State licensed insurer of AAA rating, and any such insurance or bond certificates shall name the Town of Lewisboro, and all applicable Town of Lewisboro Departments, as an additional insured.

Guideline 8. This policy shall be reviewed annually by the Town Board at its organizational meeting or as soon thereafter as is reasonably practicable.

Adopted: May 12, 1992
Effective: June 01, 1992
Revised: January, 1998
Revised: July 14, 2014
Revised: October __, 2016

RESOLUTION – 2016

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF LEWISBORO URGING THE UNITED STATES COAST GUARD TO REJECT PROPOSED RULE USCG-2016-0132 IN RELATION TO ESTABLISHING NEW LONG-TERM ANCHORAGE GROUNDS IN THE HUDSON RIVER ESTUARY

WHEREAS, Congress designated the Hudson River Valley National Heritage Area in Title IX of Public Law 104-333 (1996), as amended by Section 324 of Public Law 105-83; and

WHEREAS, in proposed rule USCG-2016-0132, the United States Coast Guard is considering establishing new long-term anchorage grounds in the Hudson River estuary in the Hudson River Valley National Heritage Area; and

WHEREAS, this proposed rule is irreconcilable with the adopted Hudson River Valley National Heritage Area Management Plan approved by the United States Secretary of the Interior; and

WHEREAS, the Coast Guard is contemplating an Extension Anchorage Ground that would cover approximately 715 acres for up to 16 vessels with a draft of less than 35 feet for long term usage which commercial tankers would use as rest stops; and

WHEREAS, such rule would extend significantly the Hudson River Anchorage Ground adjacent to the City of Yonkers, Village of Hastings-on-Hudson, Village of Dobbs Ferry, and other locations in order to allow for increased shipping and on-river storage activities; and

WHEREAS, although the Town of Lewisboro is not located along the coastal areas of the Hudson River, as Westchester municipality, the inland municipalities of Westchester County would also be negatively impacted as a result of the establishment of new long-term anchorage grounds in the Hudson River estuary in the Hudson River Valley National Heritage Area; and

WHEREAS, the proposal is in direct conflict with 50 years of significant effort to clean up the Hudson River estuary and restore its natural habitats by all levels of government and numerous regional and community-based organizations; and

WHEREAS, Clearwater, the League of Conservation Voters, Scenic Hudson, Riverkeeper, the Village of Irvington, the Village of Dobbs Ferry, and many others have voiced their concern and opposition to the establishing new anchorage grounds; and

WHEREAS, these anchorage sites pose a navigational hazard to recreational and commercial boaters who will be forced to navigate around the anchorages, creating the risk of collision; and

WHEREAS, scientific research shows that the habitats of some fish have been affected by previous anchorage sites; and

WHEREAS, the pile moorings used to create long-term anchorages pose an environmental risk by disturbing sediment along the riverbed as well as to the natural habitat of two Hudson River endangered species, the shortnose and Atlantic sturgeon; and

WHEREAS, vessels containing volatile crude oil and petroleum products pose a serious health risk whereby an anchored boat containing these hazardous materials could catch fire or spill toxic oil in the river; and

WHEREAS, owing to its location in the largest major metropolitan area in the United States, these anchorages would present an opportune target for terrorists and the proposal under consideration provides no additional mechanism or funding for policing our waterfront; and

WHEREAS, the proposed anchorage sites would also take a toll on the scenic beauty of the Hudson River and waterfront revitalization and tourism; and

WHEREAS, many in our community are concerned about the impact of constant noise, light and smoke from anchored boats, as many of the proposed sites are nearby homes and businesses; and

WHEREAS, to our knowledge, there was no direct notification of the proposed rule made to any of the affected communities along the length of the Hudson River as required by Federal Coastal Zone Management requirements; and

WHEREAS, the said proposal would create navigational, health, environmental, homeland security, economic and quality-of-life problems for the affected areas; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Lewisboro pause in its deliberations to urge the United States Coast Guard to reject proposed rule USCG-2016-0132 in relation to establishing new long-term anchorage grounds in the Hudson River estuary;

AND BE IT FURTHER RESOLVED, that the Town Board of the Town of Lewisboro further pauses in its deliberations to urge a comprehensive briefing of elected and public safety officials from all affected river communities in Westchester, such briefing to include additional technical details of the proposal, timelines, and the status of the environmental review under NEPA;

AND BE IT FURTHER RESOLVED, that the Town Board of the Town of Lewisboro urges the Coast Guard to extend the public comment period for the proposed extension of the Hudson River anchorage grounds for an additional ninety (90) days so that our economic, environmental, and public safety and health concerns can be articulated;

AND BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized and directed to submit a copy of this resolution to the docket at <https://www.regulations.gov/docket?D=USCG-2016-0132> on or before the ____ day of _____, 2016;

AND BE IT FURTHER RESOLVED, that copies of this resolution, suitably engrossed, be transmitted to Governor Andrew Cuomo; ***Insert appropriate NYS and US officials***