



# Town of Yorktown

*Office of the Town Clerk*

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## **FINAL TOWN BOARD AGENDA**

**March 20, 2018**

Spadaccia Meeting Room  
363 Underhill Avenue, Yorktown, NY 10598

### **6:45 PM EXECUTIVE SESSION (Closed Session):**

- A motion will be made to go into Executive Session to discuss the following item(s):

#### PERSONNEL

- Human Resources
- Police Department

#### LITIGATION AND NEGOTIATIONS

- Legal Department

### **7:30 PM TELEVISED TOWN BOARD MEETING**

1. PLEDGE OF ALLEGIANCE
2. MOMENT OF SILENCE
3. INTRODUCTIONS
4. SUPERVISOR ILAN GILBERT'S REPORT TO THE TOWN
5. REPORTS FROM THE TOWN COUNCIL
6. REPORTS FROM THE HIGHWAY SUPERINTENDENT
7. COURTESY OF THE FLOOR
8. PERSONNEL:

#### **Appoint Allison Egan to the Position of Librarian I - John C. Hart Memorial Library**

BE IT RESOLVED, that Allison Egan of Yorktown Hts., NY is hereby appointed Librarian I, job class code 0224-01, from eligible list No. 62-705 at the John C. Hart Memorial Library, effective March 29, 2018, to be paid from the Yorktown CSEA Salary Schedule A, Group XI step 1 which is \$56,492 annually,

BE IT RESOLVED, contingent upon successful completion of a drug test and reference checks.

BE IT FURTHER RESOLVED, that this appointment is subject to a probationary period of not less than 12 nor more than 52 weeks, commencing on March 29, 2018.

**Appoint Permanent Police Officer - Police Department – Colin Houlihan**

BE IT RESOLVED, that Colin R. Houlihan of Yorktown, New York is hereby appointed permanent Police Officer in the Town of Yorktown Police Department from Eligible List No. 69-547 effective March 21<sup>st</sup>, 2018 to be paid the contractual salary of \$55,193.00 annually,

BE IT RESOLVED, that this appointment is subject to a probationary period of not less than 12 nor more than 78 weeks, commencing on the first date of appointment on March 21<sup>st</sup>, 2018.

**Appoint Provisional Water Service Worker to the Water Department - James Waterhouse**

BE IT RESOLVED, that James Waterhouse is hereby appointed provisional Water Service Worker, job class code 0636-01, in the Water Department, effective April 23<sup>rd</sup>, 2018 to be paid \$63,413.00 annually.

**Appoint via Reinstatement to the Title of Senior Office Assistant - Automated Systems - Nancy Milanese – Planning Department**

BE IT RESOLVED, that Nancy Milanese, is hereby appointed, via reinstatement, to the title of Senior Office Assistant (Auto Systems), job class code 0751-01, effective March 21<sup>st</sup>, 2018, with an hourly rate of pay at \$25.00 per hour,

BE IT RESOLVED, the reinstatement of Nancy Milanese was approved by Westchester County Department of Human Resources,

BE IT FURTHER RESOLVED, that this appointment is subject to a mandatory probationary period of not less than 12 weeks nor more than 52 weeks, commencing on the first date of appointment on March 21<sup>st</sup>, 2018.

**Appoint Office Assistant – Automated Systems – Nutrition/Senior Services Department – Terri Campanaro**

BE IT RESOLVED, that Terri Campanaro, is hereby promoted as an Office Assistant (auto systems), job class code 0750-01, from Eligible List No. 02-140, effective March 19, 2018, in the Nutrition/Senior Services Department, to be paid from Yorktown CSEA Salary Schedule A-1, Group 8, Step 1, with prorated hours, which is \$43,707.06 annually,

BE IT FURTHER RESOLVED, that this appointment is subject to a probationary period of not less than 12 nor more than 52 weeks, commencing on the first date of appointment on March 19, 2018.

**Appoint Office Assistant - Automated Systems - Refuse and Recycling Department Kristin Scherrer**

BE IT RESOLVED, that Kristin Scherrer of Shrub Oak, NY, is hereby appointed as an Office Assistant (auto systems), job class code 0750-01, from Eligible List No. 02-140,

effective April 12th, 2018, in the Refuse & Recycling Department, to be paid from Yorktown CSEA Salary Schedule A-1, Group 8, Step 1, which is \$50,996.00 annually,

BE IT FURTHER RESOLVED, that this appointment is subject to a probationary period of not less than 12 nor more than 52 weeks, commencing on the first date of appointment on April 12th, 2018.

**Accept Retirement from Paul Welsch – Highway Department**

Resolved, that the Town Board accepts the retirement of Paul Welsch from the Highway Department.

**Accept Resignation from Michael Hecker – Water Department**

Resolved, that the Town Board accepts the resignation of Michael Hecker from the Water Department.

**Accept Resignation from Joseph Angiello – Building Department**

Resolved, that the Town Board accepts the resignation of Joseph Angiello from the Building Department

9. PUBLIC HEARINGS:

**Wetland/Tree Permit Application Request received from Victor Conte for 1515 Journey's End Road**

The Town Board will convene a public hearing to consider the Wetland Permit Application received by Victor Conte for property located at 1515 Journey's End Road, Croton-on-Hudson, NY 10520, Town of Yorktown, also known as Section 69.10, Block 1, Lot 22 in order to remedy a Notice of Violation for unauthorized tree removal.

**Wetland Permit/Drainage Maintenance Program Application Request received from Jefferson Owners Corporation**

The Town Board will convene a public hearing to consider the Wetland Permit Application received from Jefferson Owners Corporation for property located at Jefferson Village, Yorktown Heights, NY, 10598. The request is to perform maintenance of streams, ponds, drainage culverts within the Jefferson Village community, including removal of sticks, branches and sediment, repair of erosion and structures that may occur, and the removal of sediment building up within ponds and silt traps.

**Amended Special Use Permit Request received from CPD Energy Corp – Mobil Gasoline Station located at 2035 Saw Mill River Road**

The Town Board will convene a public hearing to consider the application filed by CPD Energy Corp for an amended Special Use Permit. The request is the demolition of an existing 1000 square foot convenience store and the construction of a new 3000 square foot convenience store at the Mobil Gasoline Station located at 2035 Saw Mill River Road, also known as Section 37.14, Parcel 2, Lot 51 on the Tax Map of the Town of Yorktown.

**Amended Special Use Permit Request received from Lewis Roane - Pinnacle Branded, LLC Convenience Store – Gasoline Station located at 3451 Crompond Road**

The Town Board will convene a public hearing to consider the application filed by Lewis Roane for an amended Special Use Permit for a gasoline station located at 3451 Crompond Road, Yorktown, NY, also known as Section 36.06, Parcel 1, Lot 25. The request is to

renovate the existing convenience store and gas station, expand the gas pump count from three to six pumps, and to add a canopy over the pump area.

10. RESOLUTIONS:

**FROM SUPERVISOR ILAN GILBERT**

**Authorize Supervisor to Sign an Intermunicipal (IMA) Agreement with Westchester County for Enhanced 911 Services**

RESOLVED, that the Town Supervisor is authorized to enter into an IMA agreement with Westchester County for enhanced 911 services. The County will provide enhanced 911 services for a five (5) year term commencing on October 1, 2017 and continuing through September 30, 2022. There is no charge to the Town for this enhanced service.

**Authorize Yorktown Planning Department to coordinate the respective petitioners and their professional representatives in cooperation toward producing a targeted limited master plan for the Weyant Property and Roma Building**

WHEREAS, the Town of Yorktown Town Board has received two petitions to rezone property within the Yorktown Heights hamlet; and

WHEREAS, said petitions are for adjacent and abutting properties known as The Weyant, located at 2040 Crompond Road and known on the tax maps of the Town of Yorktown as tax ID 37.14-2-32, and the Roma Building, located at 2038 Saw Mill River Road and known on the tax maps of the Town of Yorktown as tax ID 37.14-2-33; and

WHEREAS, the Town of Yorktown Town Board, desiring to investigate and understand the cumulative impacts of the proposed uses, planning and layout characteristics, architectural considerations, traffic impacts, inter alia, and to identify appropriate mitigation measures, wishes to study the properties together and produce a targeted limited master plan for both properties; and

THEREFORE BE IT NOW RESOLVED, that the Town of Yorktown Town Board authorizes the Yorktown Planning Department to coordinate the respective petitioners and their professional representatives in cooperation toward producing a targeted limited master plan, and further authorizes the Planning Department to produce any necessary technical material required for completion of same; and

BE IT FURTHER RESOLVED, that no funds for outside consultants are authorized by this resolution, and any necessary service identified by the Planning Department that is required to complete the said limited, targeted master plan shall be reviewed and authorized by the Town Board prior to any service being rendered.

**Authorize Emergency Purchase of a Generac Industrial Diesel Generator for the Town Hall**

Resolved, that the Town Board hereby authorizes the purchase of a Generac SD series 50kw Industrial Diesel Generator with low sound enclosure as per New York State contract PC66786 pricing to be installed at Town Hall,

Be It Further Resolved, that all payments associated with this purchase will be processed to Contingency Capital Projects (A1990.499.1)

**Authorize the Town of Yorktown to Intervene as a Party in the Proceeding before the New York State Department of Public Service known as Case No. 18-00618 - In the Matter of Utility Preparation and Response to Power Outages During the March 2018 Winter Storms**

WHEREAS, the Department of Public Service has initiated, at the request of Governor Cuomo, an investigation into the Utility Preparation and Response to the Power Outages during the March 2018 Winter Storms; and

WHEREAS, the electrical utility companies: Consolidated Edison Company of New York, Inc. and New York State Gas & Electric, provide electrical utility services to the residents of the Town of Yorktown; and

WHEREAS, the Town of Yorktown was severely impacted by the winter storms of March 2018, in that the storms caused interruption to electrical service to approximately Eighty-Five (85%) percent of the residents of the Town of Yorktown; and

WHEREAS, a significant number of those residents were without power for an extended period of time; and

WHEREAS, the Town Board of the Town of Yorktown, desiring to participate in the investigation of the utilities' response to the March 2018 Winter Storms, provide information to the Department of Public Service as to the utilities' response and the impact on the Town of Yorktown's residents and businesses, and understand the reasons behind the slow and delayed response of the electrical utilities in restoring electrical power to its residents, now

THEREFORE BE IT RESOLVED, that the Town Board of the Town of Yorktown authorizes the Town Attorney to file on its behalf and join the Town of Yorktown as a Party to the recently filed case at the New York State Department of Public Service, designated as *Case No 18-00618, In the Matter of Utility Preparation and Response to Power Outages During the March 2018 Winter Storms.*

**FROM TOWN CLERK DIANA QUAST**

**Advertise RFP for Town Attorney and General Municipal Legal Services**

NOTICE IS HEREBY GIVEN that the Town of Yorktown will be accepting sealed request for proposals for TOWN ATTORNEY and GENERAL MUNICIPAL LEGAL SERVICES within said municipality. Request for proposals will be received by the Town Clerk of the Town of Yorktown at the Office of the Town Clerk, Town Hall, 363 Underhill Avenue Yorktown Heights, New York 10598 until 11:00 a.m. local prevailing time on April 16, 2018.

**Advertise RFP for Environmental Consultant Services**

NOTICE IS HEREBY GIVEN that the Town of Yorktown will be accepting sealed request for proposals for professional consulting services from qualified planning firms to provide Environmental Planning Services to the Town of Yorktown. Request for Proposals will be received by the Town Clerk of the Town of Yorktown at the Office of the Town Clerk, Town Hall, 363 Underhill Avenue Yorktown Heights, New York, 10598 until 11:00 a.m. local prevailing time on April 16, 2018.

**Advertise Request for Proposal (RFP) for Food and Refreshment Services at Junior Lake Pool and the Brian J. Slavin Aquatic Facility**

NOTICE IS HEREBY GIVEN, that the Town of Yorktown (“Town”) is accepting sealed request for proposals from qualified proposers (“Proposer”) interested in providing high quality, reasonably priced food and refreshment service (snack bar service) at the Town of Yorktown’s pools located on Edgewater Street, Yorktown Heights (Junior Lake Pool) and Sunnyside Street, Shrub Oak (Brian J. Slavin Aquatic Center). Request for Proposals will be received by the Town Clerk of the Town of Yorktown at the Office of the Town Clerk, Town Hall, 363 Underhill Avenue, Yorktown Heights, New York, 10598 until 11:00 a.m. on April 16, 2018.

**Authorize Supervisor to sign an Agreement with BuyBoard Cooperative Purchasing and Authorizing the Town to make purchases through BuyBoard Cooperative Purchasing**

RESOLVED, that the Town Supervisor is authorized to sign an agreement with BuyBoard Cooperative Purchasing and authorizing the Town of Yorktown to make purchases for the benefit of the Town through BuyBoard Cooperative Purchasing. There is no charge to the Town for joining this purchasing cooperative.

**Reject and Rebid Bathroom Renovations at the John C. Hart Memorial Library**

WHEREAS, invitation to bid for Bathroom Renovations at the John C. Hart Memorial Library for the Town of Yorktown was duly advertised, and

WHEREAS, the Bid Specifications were defective due to an error in the construction plans, now

THEREFORE BE IT RESOLVED, that upon the recommendation of the John C. Hart Memorial Library Board the bid for Bathroom Renovations at the John C. Hart Memorial Library is hereby rejected and re-bid.

**Accept the Yorktown Justice Court Audit prepared by O’Connor and Davies, LLP for the Fiscal Year 2017**

RESOLVED that the audit of the Town of Yorktown Justice Court prepared by O’Connor Davies, LLP, for the fiscal year 2017, submitted to the Town on March 15, 2018, be and is hereby accepted by the Town Board. A copy of the audit is filed with the Town Clerk and is available for public inspection.

**FROM THE TOWN ATTORNEY’S OFFICE**

**Authorize Supervisor to sign a Regional Kitchen agreement with the Town of Somers**

RESOLVED, the Town Supervisor is authorized to sign a Regional Kitchen Agreement with the Town of Somers to prepare meals for a cost of \$4.10 per meal. This is for the period of January 1, 2018 through December 31, 2018.

**Authorize Supervisor to sign an Intermunicipal Agreement with Westchester County Department of Senior Programs and Services**

RESOLVED, the Town Supervisor is authorized to sign an Agreement with Westchester County Department of Senior Programs and Services for Title IIIC-1 in the amount of \$22,770, with an estimate of an additional \$8,426 (NSIP) Nutrition Services Incentive Program, and Title IIIC-2 in the amount of \$47,799, with an estimate of an additional \$20,213 (NSIP). This is for the period January 1, 2018 through December 31, 2018.

**Authorize Supervisor to Sign an agreement with Big Wave Event for Outdoor Movie**  
RESOLVED, that the Town Supervisor is authorized to sign an agreement with the Town of Yorktown and Big Wave Event for the screening of the outdoor movie on July 19, 2018.

**FROM THE ASSESSOR'S OFFICE**

**Extend Contract with Valuation Plus, Inc. for Professional Appraisal Services**

WHEREAS, the Town Board entered into a professional service contract with Valuation Plus, Inc. to provide appraisal services with respect to non-residential properties in the Town of Yorktown on July 19, 2011, as amended by resolution dated May 1, 2012 and

WHEREAS, Valuation Plus, Inc. has been providing services at the 2011 prices in said contract since that time, and

WHEREAS, by communication dated December 14, 2017 from Steve Sherwood, MAI, the owner of Valuation Plus, Inc. to Kim Adams Penner Sole Assessor of the Town of Yorktown, Valuation Plus, Inc. has offered to extend the 2011 contract through December 31, 2018 with no change in fees.

WHEREAS, the Town Board wishes to ratify and extend the contract with Valuation Plus, Inc. through December 31, 2018 and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board ratifies and extends the contract with Valuation Plus, Inc. through December 31, 2018.

**Authorize Supervisor to sign an agreement with The Liro Group for Tax Map Maintenance**

Resolved, the Supervisor is authorized to sign a Professional Service Agreement with The Liro Group (formerly known as Bowne AE&T Group) for Tax Map Maintenance.

**FROM THE BUILDING DEPARTMENT**

**Authorize Supervisor to sign an agreement with DCIS, Inc. for inspection services of blasting operations**

Resolved, that the Supervisor is authorized to sign an agreement with DCIS, Inc. for inspection services of blasting operations at a cost of \$150 per inspection not to exceed a total of \$14,400.00 retroactive to February 28, 2018.

Be It Further Resolved, that the Comptroller is authorized to transfer \$14,400.00 from A1990.499, Contingency to 3620.490, Professional Services.

**FROM THE COMPTROLLER'S OFFICE**

**Authorize the Comptroller to process the following Budget Transfer**

Be It Resolved, that the Comptroller is hereby authorized to transfer \$39,400.00 from the Sewer Department (YS) Fund Balance to Sewer Department Rental Equipment (YS.8130.414) for the two (2) month rental of a Generator to power the Waste Water Treatment Facility.

**Authorize the Comptroller to process the following Budget Transfer**

Be It Resolved, that the Comptroller is hereby authorized to process the following budget transfer to process payments for 2018 Legal services:

From:  
5A1420.101     Legal Salary     \$104,500.00

To:  
A1420.0490     Legal Professional Services     \$104,500.00

**Authorize Comptroller to process the following Budget Transfer**

Be It Resolved, that the Comptroller is hereby authorized to process the following budget transfer to process payments to the DCIS, Inc and International Code Council for work to be completed at 3200 Crompond Road, Yorktown Heights the site of the Lowes Project for blasting and plan review fees:

From:  
A1990.490     Contingency     \$31,815.00

To:  
A3620.0490     Building Professional Services     \$31,815.00

**Authorize contractors to drop off storm debris to the Yorktown Organic Facility**

Resolved, that the Town of Yorktown Organic Waste Facility located at 2200 Greenwood Street Will be open Monday through Saturday from 7:45 AM TO 2:45 PM (Weather Permitting) to receive storm Debris from contractors working on behalf of Yorktown residents Only, now

Therefore, Be It Resolved, that a one day permit application must be obtained from the Town's website, and brought by the contractor to the Yorktown Organic Facility to drop off debris.

**FROM THE LANDMARKS PRESERVATION COMMISSION**

**Authorize Supervisor to sign a Certified Local Government Grant**

WHEREAS, the Town of Yorktown Town Board authorizes the Yorktown Landmarks Preservation Commission to apply to NYS Office of Parks, Recreation and Historic Preservation for the 2018 Certified Local Government Grant Program for the Yorktown Historic Preservation Symposium, *Preserving Yorktown's Disappearing Architectural Legacy: A Call to Action, to be held on May 8, 2019.*

WHEREAS, the Town of Yorktown Town Board will commit a matching share of 40%, including donations, supplies, and/or materials and volunteer labor as needed, to meet the Requirements of the grant; be it

RESOLVED, that the Town of Yorktown Town Board authorizes the Yorktown Landmarks Preservation Commission to apply to the NYS Office of Parks, Recreation and Historic Preservation for the 2018 Certified Local Government Grant Program for the Yorktown Historic Preservation Symposium, *Preserving Yorktown's Disappearing Architectural Legacy: A Call to Action.*

**FROM THE POLICE DEPARTMENT**

**Extend Bid for Uniform Cleaning Services for the Police Department**

WHEREAS, bids for Uniform Cleaning Services for the Police Department were received and opened on April 15, 2016 and

WHEREAS, said bids were awarded to Rite Price Cleaners, the sole bidder; and



WHEREAS, said contract commenced April 17, 2017 and will expire April 16, 2018, and WHEREAS, the town has the option to extend said bid for two additional years in one-year increments; and

THEREFORE BE IT RESOLVED, that the Uniform Cleaning Services Bid for the Police Department awarded to Rite Price Cleaners is hereby extended for one year, per the terms of the bid; and

FURTHER RESOLVED, the dates of the extension will be April 17, 2018 to April 16, 2019.

**FROM THE YORKTOWN COMMUNITY CULTURAL CENTER**

**Authorize the Enrichment Center to use certain rooms in the YCCC**

RESOLVED, that at the request of the Enrichment Center of Yorktown, the Town Board hereby authorizes the use of Rooms 16, 209 and the gymnasium at the Yorktown Community and Cultural Center for 760 hours of after school care programming for students in the Yorktown Central School District, grades 4-8, which will run according to a set schedule. The rental fee to be charged for the program described (September 2018 and continuing through June 2019) is \$5,000.00.

**FROM THE RECEIVER OF TAXES**

**Authorize Comptroller to refund Duplicate Tax Payments**

BE IT RESOLVED, that the Town Comptroller is hereby authorized to refund the following duplicate tax payments:

Account #0322000 in the amount of \$ 2,142.31  
Account #2276007 in the amount of \$ 1,460.59  
Account #2547500 in the amount of \$ 2,808.78  
Account #2837500 in the amount of \$ 3,629.05  
Account #2837000 in the amount of \$ 3,167.64  
Account #2475630 in the amount of \$ 5,575.92  
Account #1974000 in the amount of \$ 3,564.06  
Account #3047000 in the amount of \$11,874.90  
Account #4083625 in the amount of \$11,016.17  
Account #4056050 in the amount of \$10,384.77  
Account #4505000 in the amount of \$ 4,300.11  
Account #4452032 in the amount of \$ 4,349.18  
Account #4394700 in the amount of \$ 4,030.23  
Account #2793000 in the amount of \$ 4,661.63  
Account #0408550 in the amount of \$ 5,011.62  
Account #3555010 in the amount of \$ 4,569.99  
Account #2475520 in the amount of \$ 7,434.08  
Account #0133000 in the amount of \$ 3,731.58  
Account #1377000 in the amount of \$ 3,564.06  
Account #1559500 in the amount of \$ 2,877.08  
Account #4244000 in the amount of \$ 4,888.95  
Account #1947130 in the amount of \$ 4,910.72  
Account #1006540 in the amount of \$ 5,183.37  
Account #4057130 in the amount of \$ 8,569.18  
Account #4075000 in the amount of \$ 6,133.73

Account #4901040 in the amount of \$ 7,382.84  
Account #4853500 in the amount of \$ 5,674.06  
Account #4917500 in the amount of \$ 3,261.42  
Account #4928000 in the amount of \$ 5,624.01  
Account #0900500 in the amount of \$ 2,116.67  
Account #0806500 in the amount of \$ 4,013.55  
Account #4347500 in the amount of \$ 5,348.61  
Account #1947120 in the amount of \$ 4,614.01  
Account #0630000 in the amount of \$ 76.90  
Account #1437000 in the amount of \$ 2,778.94  
Account #4720000 in the amount of \$ 4,005.69  
Account #3667500 in the amount of \$ 3,907.55  
Account #4513500 in the amount of \$ 4,931.52  
Account #1711500 in the amount of \$ 3,883.02  
Account #1500000 in the amount of \$ 4,938.02  
Account #1216000 in the amount of \$ 2,680.61  
Account #1249500 in the amount of \$ 2,680.61  
Account #1442000 in the amount of \$ 3,269.64  
Account #2683545 in the amount of \$ 6,485.25  
Account #2797000 in the amount of \$ 5,618.49  
Account #1744500 in the amount of \$ 5,078.73  
Account #1394000 in the amount of \$ 4,440.82  
Account #2762000 in the amount of \$ 5,544.89  
Account #3038000 in the amount of \$ 8,709.89  
Account #4795000 in the amount of \$ 5,282.75  
Account #0542507 in the amount of \$ 1,512.37  
Account #1054000 in the amount of \$ 2,936.94  
Account #4612500 in the amount of \$ 4,833.38  
Account #4232020 in the amount of \$ 4,833.38  
Account #4757500 in the amount of \$ 5,466.53  
Account #4901000 in the amount of \$ 217.35  
Account #2514500 in the amount of \$ 342.40

11. ACCEPT MONTHLY REPORTS

Building Department – Permit Fee, Permit, and Complaints Reports February 2018  
Comptroller – Expense, and Revenue Reports February 2018  
Receiver of Taxes – January and February 2018

**ADJOURN MEETING**

A motion will be made to adjourn the Town Board meeting.

Dated: March 20, 2018

DIANA L. QUAST, RMC  
TOWN CLERK  
TOWN OF YORKTOWN

**AGENDAS ARE SUBJECT TO CHANGE**

**Americans with Disabilities Act:** If you need special assistance to participate in a Town meeting or other services offered by this Town, please contact the Town Clerk's office, (914) 962-5722, x210. Assisted listening devices are available at all meetings.