



Town of Yorktown

Office of the Town Clerk

FINAL TOWN BOARD AGENDA

March 12, 2019

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

Library/CSEA

Highway Department

Police Department

LITIGATION & NEGOTIATION:

Town Engineer

Town Attorney

8:00 PM WORK SESSION (Open Session)

Discussion Items

Jefferson Village Drainage Issues

675 and 685 Saw Mill River Road Request for Zoning Change

Proposed Solar Law

Proposed Tree Law

RESOLUTIONS

From the Supervisor's Office

Reappoint William Kellner as a member of the Tree Conservation Advisory Commission, and also as the Chair

BE IT RESOLVED, that William Kellner is reappointed as a member of the Tree Conservation Advisory Commission for a three-year term to expire on October 31, 2021. William Kellner is also appointed as the Chair.

Reappoint Keith Schepart as a member of the Tree Conservation Advisory Commission

BE IT RESOLVED, that Keith Schepart is reappointed as a member of the Tree Conservation Advisory Commission for a three-year term to expire on October 31, 2021.

Appoint Lawrence W. Klein, PE as a member of the Tree Conservation Advisory Commission

BE IT RESOLVED, that Lawrence W. Klein, PE is appointed as a member of the Tree Conservation Advisory Commission for a three-year term to expire on October 31, 2021.

From the Town Attorney’s Office

Authorize Supervisor to execute a deed and all related transfer documents for the purchase of Town Property located on Illington Road to Marcia Saunders for the amount of Ten Thousand Dollars

WHEREAS, pursuant to Article 11, Title 3 of the Real Property Tax Law on March 15, 2004 title to the parcel bearing Tax Map designation: Sec. 1802, Parcel 3, Lot 2 was transferred to the Town of Yorktown from Robert Killeen (“Parcel”) constituting 5.73_ acres; and

WHEREAS, in 2005 the Town changed the Tax Map designation of the Parcel to Town of Yorktown Tax Rolls Section 69.08 Block 1 Lot 11;

WHEREAS, by Town Board Resolution 210 on May 19, 2009, the parcel was formally dedicated as public parkland;

WHEREAS, Marcia Saunders, a Town resident, wishes to purchase the parcel as is to maintain it in its current condition with no plans for development. Public access to the pre-existing cemetery situated on the parcel will remain in Town ownership and access to the cemetery will remain in perpetuity.

WHEREAS, the Town Board passed a resolution date May 22, 2018, requesting the alienation of the aforementioned real property;

WHEREAS, a Bill to alienate the aforementioned real property was passed by the Senate on June 12, 2018 and by the Assembly on June 19, 2018 and signed by the Governor on August 17, 2018,

BE IT RESOLVED THAT, the Town Board authorizes the Supervisor to execute a deed and all related transfer documents to transfer the aforementioned property to Marcia Saunders for the amount of Ten Thousand Dollars. The Deed is to have a restriction that the property may never be built on or further developed, and that public access to the cemetery located on the real property will remain in perpetuity.

From the Finance Department

Authorize the Comptroller to process the following budget transfer

BE IT RESOLVED, that the Town Board authorizes the following budget transfer:

| | | |
|-----------|-------------------------------------|-------------|
| From: | | |
| A1990.499 | Contingency | \$10,000.00 |
| To: | | |
| A1440.490 | Engineering – Professional Services | \$10,000.00 |

For on-call engineering inspections at Town-owned bridges and culverts to be performed by WSP USA as per agreement authorized by Town Board resolution June 19, 2018.

Authorize the Comptroller to process the following budget transfer

BE IT RESOLVED, that the Town Board authorizes the following budget transfer to fund payment for a scheduled loss of use payment / Notice of Decision.

| | | |
|-------------|----------------------------------|-------------|
| From: | | |
| SR.1002 | Refuse & Recycling Fund Balance | \$28,556.01 |
| To: | | |
| MC.1930.402 | Worker’s Comp Indemnity Payments | \$28,556.01 |

From the Police Department

Approve Kristin Macey to attend a training seminar in Albany on May 14 and 15, 2019

BE IT RESOLVED, that the Town Board authorizes Kristin Macey to attend a 2 day training seminar in Albany on May 14th and 15th. The cost of the training will be \$210.00.

From the Town Engineer

Approve Release of Performance Bond for 402 Cording Road in the amount of \$250 - Gang

WHEREAS,

1. Rick Gang as applicant posted check #188 in the amount of \$250 which was deposited to the T33 account on January 18, 2018, to serve as the Performance Bond for construction of an addition.
2. Rick Gang has requested the bond be released, as the site is now complete.
3. The Town Engineer has informed this Board that a representative of his department has inspected the property and determined that the work has been satisfactorily completed, and that the above referenced monies may be released.

NOW, THEREFORE BE IT RESOLVED, the above referenced \$250 bond be and is hereby released to Mr. Rick Gang, 402 Cording Road, Yorktown Heights, NY 10598.

Approve Fred Cook, Inc., for Town-wide Program to Perform TV Inspection of Sewer Pipelines and authorize Budget Transfer

WHEREAS,

1. The Town sewer infrastructure is approaching 50 years old in many locations and a program of regular inspections is needed to assess current pipeline conditions and to identify areas that will need rehabilitation or replacement in future years. In addition, as a public-owned treatment works with a SPDES permit, the Town has in place a Capacity, Management, Operation and Maintenance Plan (CMOM) that obligates us to regularly assess the sewer piping system and to prioritize short term and long term repair/replacement projects.
2. The Town started the inspection program in 2017 along Hill and Lee Boulevard and continued in 2018 along Somerston Road and Sheila Court. Through these efforts, the Sewer Department has not encountered any sewage blockages or overflows in these areas. We plan to continue our inspection program at Saw Mill River Rd, Midland Drive and Allen Drive to address any deficiencies.
3. The project will include the following scope of work: (1) perform up to 3,000 linear feet of light cleaning in sewer pipelines; (2) perform up to 3,000 linear feet of heavy cleaning in sewer pipelines; and (3) perform up to 6,000 linear feet of television video inspection. Also includes a report that summarizes the conditions found and any follow-up work that needs to be done.
4. Since the nature of pipeline cleaning will not be known until the actual work begins, i.e. whether light cleaning will be enough to clear debris and sediment for the camera to pass

through (or if heavy cleaning and root cutting will be needed), the project was bid with unit prices.

5. The Town has been very satisfied with the services provided by Fred Cook Inc. and the firm has agreed to hold their pricing for a new agreement. All terms and conditions of the original agreement will remain the same.
6. The prices bid by Fred Cook Inc. were as follows: (1) Light cleaning 3,000 linear feet @ \$1.00 per linear foot; (2) Heavy cleaning including root cutting 3,000 linear feet @ \$1.00 per linear foot; (3) Video inspection, DVD and final report 6,000 linear feet @ \$1.25 per linear foot.
7. The Department will use available funds for the purchase, however we need the Comptroller to make the following 2019 budget transfers:
 - a. \$19,500 from YS8130.460 Maintenance Repair Plant to YS8130.459 Infiltration & Inflow Control. [Note: \$13,500 is required for this agreement and \$6,000 is required for the prior agreement with Fred Cook Inc.

NOW, THEREFORE BE IT RESOLVED, the Town Board authorizes the Town Comptroller to make the budget transfer as noted above and the Town Supervisor to sign a Professional Services Agreement with Fred Cook Inc., for the scope of work as described in preceding section in the not-to-exceed amount of \$13,500.

Declare Intent to be Lead Agency for Drinking Water Fluoridation Project SEQRA Determination-Type II Action

WHEREAS,

1. This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 of the State Environmental Quality Review Act (SEQRA) of the Environmental Conservation Law.
2. The Town of Yorktown desires to comply with SEQRA regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York, being 6 NYCRR Part 617, as amended (the "Regulations") with respect to the Proposed Action;
3. Proposed Action: The Town is working on a project to install chemical feed equipment and chemical storage for the purposes of fluoridating the drinking water supply to the Yorktown Consolidated Water District. The new equipment and storage systems will be located within an existing Town structure located on Catherine Street, within property limits owned by the New York City Department of Environmental Protection (NYCDEP). The use and operation of the structure on NYCDEP-owned lands are covered under a land-use permit previously granted to the Town of Yorktown;
4. Under SEQRA regulations, a Type II Action may be declared where "(2) replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building, energy, or fire codes unless such action meets or exceeds any of the thresholds in section 617.4 of this Part";
5. The Project is not subject to further review under SEQRA since this is a "Type II Action" under 6 NYCRR § 617.5(c)(25).

NOW, THEREFORE, BE IT, RESOLVED that the Town Board of the Town of Yorktown declares that the Project constitutes a "Type II Action" under 6 NYCRR § 617.5(c)(25) and that no further action under the SEQRA Act and the Regulations is required; and BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

EXECUTIVE SESSION (Closed Session)

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

LITIGATION & NEGOTIATION:

Town Attorney

ADJOURN MEETING

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

Dated: March 12, 2019

DIANA L. QUAST, CMC
TOWN CLERK
TOWN OF YORKTOWN
CERTIFIED MUNICIPAL CLERK

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.