



Town of Yorktown

Office of the Town Clerk

FINAL TOWN BOARD AGENDA

April 23, 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):

INTERVIEWS

Environmental Consultants

LITIGATION & NEGOTIATION

Town Attorney

8:00 PM WORK SESSION (Open Session)

Discussion Items

- Eastern Communications – Police Department
- Economic and Business Revitalization Committee
- Proposed Local Law increasing Water Rates
- Proposed Local Law reducing the speed limits in Park Zones from 25 mph to 15 mph
- Proposed Local Law to make Underhill Avenue from Hanover Street to its intersection with Summit Street a One-Way
- Draft Request for Proposal - Inflow and Infiltration Study

PERSONNEL

Appoint Samuel Sansone to the position of Police Sergeant in the Yorktown Police Department

BE IT RESOLVED, that Samuel R. Sansone is hereby appointed promotional permanent as a Police Sergeant, job class code 0133-01, from Eligible List No. 71-198, effective April 29, 2019 to be paid from Yorktown PBA Salary Schedule, which is \$125,946.00 annually;

BE IT 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 29, 2019.

RESOLUTIONS

From the Assessor’s Office

Approve Tax Certiorari Proceedings for Tax Parcel 6.17, Block 1, Lot 31 – 341 East Main Street

WHEREAS, tax certiorari proceedings were instituted challenging the assessment for parcel known as Section 6.17 Block 1 Lot 31, 341 East Main Street on the Tax Map of the Town of Yorktown, now therefore be it

RESOLVED, that the tax certiorari proceedings affecting tax parcel 6.17 Block 1 Lot 31 Account Number 2232500, owned by Osceola Heights Community Association for assessment roll years 2013, 2014, 2015, 2016, 2017 and 2018 are settled as set forth in the proposed stipulation as follows:

Roll Year	Assessed Value From	Assessed Value To	Reduction
2013	4,600	2,078	2,522
2014	4,600	1,883	2,717
2015	4,600	1,920	2,680
2016	4,600	1,845	2,755
2017	4,600	1,785	2,815
2018	4,600	1,763	2,837

Approve Assessor Kim Adams Penner to attend Seminar on Appraising at Cornell University

Whereas, sufficient funds exist in the Assessor Training line to cover the cost of expenses, including lodging and seminar, now

Therefore Be It Resolved, that Kim Adams Penner has permission to attend the 2019 Cornell Seminar on Appraising to be held at Cornell University, Ithaca, NY from July 14, 2019 through July 19, 2019.

From the Town Attorney’s Office

Authorize Supervisor to sign an agreement with Shades of Green, Inc. to provide plants and maintenance to planters on Commerce Street and East Main Street

RESOLVED, that the Town Board authorizes the Supervisor to sign an Agreement with Shades of Green, Inc. to provide plants, install, add/improve soil, maintain, water, fertilize, tend and clean planters on Commerce Street and on East Main Street in vicinity of Library from May 2019 to September 2019. The fee for this will be \$8,375.00.

From the Town Comptroller’s Office

Authorize Comptroller to pay Julianne Vicinanza LaPlaca the cash value of unused time as of retirement date and process the following Budget Transfer

Be It Resolved, that the Town Board hereby authorizes the Town Comptroller to pay Julianne Vicinanza LaPlaca the cash value of unused time as of her retirement date:

Rate of Pay:	\$60.319 hourly				
Vacation	192.00 hours	x	\$60.319	=	\$11,581.25
Personal Days	24.00 hours	x	\$60.319	=	\$ 1,447.66
Comp Time	54.02 hours	x	\$60.319	=	\$ 3,258.43
Holiday Pay	27.04 hours	x	\$60.319	=	\$ 1,631.03

Longevity
 \$2,225 received Payroll #5 (3/14/19)
 8/20/18 to 3/28/19 totals 159 days
 \$2,225 total longevity / 261 days = \$8.52 per day
 \$8.52 x 159 = \$1,354.68 total longevity earned
 \$2,225.00 - \$1,354.68 = \$870.32 amount due Town \$ - 870.32

Total \$17,048.05

Be It Further Resolved, that the Comptroller is hereby authorized to transfer funds for the purpose of this payout at retirement as follows:

From:
 A3120.102 Salary – Uniform \$17,048.05
 To:
 A3120.108 Police Lump Sum Payments \$17,048.05

Authorize Comptroller to pay Steven Chan Chee the cash value of unused time as of separation date and process the following Budget Transfer

Be It Resolved, that the Town Board hereby authorizes the Town Comptroller to pay Steven Chan Chee the cash value of unused time as of his separation date:

Rate of Pay:	\$23.8125				
Vacation	97.5 hours	x	\$23.8125	=	\$ 2,321.72
Personal Days	7.5 hours	x	\$23.8125	=	\$ 178.59
Floating Holiday	7.5 hours	x	\$23.8125	=	\$ 178.59
				Total	\$ 2,678.90

Be It Further Resolved, that the Comptroller is hereby authorized to transfer funds for the purpose of this payout as follows:

From:
 A1630.101 Salary - Town Buildings \$2,678.90
 To:
 A1630.108 Lump Sum Payments – Town Buildings \$2,678.90

From the Engineering Department

Award Bid for Laboratory Services for the Yorktown Heights Water Pollution Control Plant to EnviroTest Laboratories, Inc.

WHEREAS:

- A. The Town currently has an agreement in place for laboratory services for the Yorktown Heights Water Pollution Control Facility that expires on 5/3/19.
- B. The Agreement was originally awarded on 5/3/16 to EnviroTest Laboratories, Inc., for a 1-year duration and then extended for two (2) additional one-year periods. There were no additional options to extend, therefore the Town advertised for new bid prices.
- C. The sole bidder, EnviroTest Laboratories, Inc., is the same firm that held the prior agreement with the Town and there was no change in total bid pricing.

- D. The term of this Agreement will be 5/3/19 through 4/30/21 (2-year agreement). Upon mutual consent of the Contractor and the Town, the agreement may be extended for an additional two (2) year term.

NOW, THEREFORE BE IT RESOLVED, the bid for Laboratory Services for the Yorktown Heights Water Pollution Control be awarded to EnviroTest Laboratories, Inc., the sole bidder, in the amount of \$11,140.00. The contract shall commence on 5/3/19 and be in effect for two (2) years, until 4/30/21.

Approve Release of Check #1238 in the amount of \$250.00 for work completed on French Hill Road - #BSWPPP-031-17

WHEREAS:

1. Heike Schneider, AIA as applicant for Goren/Totino, posted check #1238 in the amount of \$250 which was deposited to the T33 account on June 21, 2017 to serve as the Performance Bond for construction of an addition at 1874 French Hill Road.
2. Heike Schneider has requested her money 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 Heike Schneider, AIA, 515 Croton Heights Road, Yorktown Heights, NY 10598.

Approve Release of Check #752 in the amount of \$250.00 for work completed on Fairfield Court - #BSWPPP-047-18

WHEREAS:

1. Ronald & Nicole Hattar as applicant, posted check #752 in the amount of \$550 which was deposited to the T33 account on August 17, 2018.
2. \$250 of this money was posted to serve as the Performance Bond for construction of an addition at 831 Fairfield Court.
3. Ronald & Nicole Hattar have requested their money be released as the site is now complete.
4. 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 Ronald & Nicole Hattar, 831 Fairfield Court, Yorktown Heights, NY 10598.

Approve Stormwater Management Permit and Tree Removal Permit for Allan Avenue - RPG Properties, Permit #FSWPPP-048-18

WHEREAS:

1. The Applicant submitted an application to the Engineering Department for a MS4 Storm Water Management & Tree Removal permit for construction of a single family residence along with associated site and driveway improvements.
2. The Approval Authority for this permit application is the Town Board as the proposed work

- will involve a land disturbance in excess of 200 cubic yards.
3. The application fee of \$1,500 was paid by the Applicant.
 4. The Applicant submitted engineering plans prepared by Site Design Consultants, Revision 3 dated 10/11/18.
 5. Survey of property prepared by Link Surveyors, dated 12-28-17, 1 sheet.
 6. Elevations and a rendering of the proposed house.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Action is approved by the Town Board subject to compliance with the Town Code and adherence to the plan documents submitted in support of the application.
2. The Town Engineer shall issue the permit in accordance with the terms of this resolution and with the conditions below.
3. The following conditions are included as part of the Action and shall be addressed by the Applicant prior to issuance of the Engineering permit:
 - A. Design professional shall provide backup calculations for the sizing of the underground stormwater detention system, which is based on the 100-year rainfall amount being retained in the underground stormwater detention system.
 - B. There is a significant amount of earth moving required to complete the work. Applicant shall provide a soil management plan that will address how the truck movements will be staged so any adverse impacts to the neighborhood can be minimized. Applicant shall arrange and pay for a Yorktown police officer to be present during major earth moving operations.
 - C. To ensure long term operation and maintenance of the stormwater detention system, Applicant will be required to execute a stormwater maintenance agreement with the Town and shall file with the County so it is binding on all future property owners as well.

Conditions that must be met prior to the commencement of work:

1. A Performance Bond shall be established in the amount of \$500 with the Engineering Department. The bond will be released when the Town Engineer has confirmed that at least 80% of the disturbed areas have been permanently stabilized (vegetative growth), all temporary control measures such as silt fencing removed, all post-construction controls satisfactorily installed and maintained and all conditions of this permit have been met. The Town shall have the right to use the funds if the applicant, upon receiving due notice from the Town, fails to correct deficiencies related to the conditions of this permit.
2. The Performance Bond is taken for a period of no more than twelve (12) months, unless an extension is granted in writing by the Town Engineer prior to the permit expiration date. If the stabilization and re-vegetation has not been completed during this period, the Town will declare the bond in default and monies shall be forfeited to the Town.
3. A Yorktown Building Permit must be obtained from the Building Department.
4. As required by the NYSDEC Standards and Specifications for Erosion & Sediment Control, a silt fence shall be installed around the entire land disturbance area.
5. The property lines must be staked out by a licensed land surveyor prior to construction to ensure the proposed work occurs entirely within the Applicant's property.

6. A pre-construction meeting must be held at the site. The applicant or a representative must contact the Engineering Department (914) 962-5722 x220 to arrange this meeting. All erosion controls and limits of disturbance lines (such as silt fence and orange construction fencing) are to be installed in accordance with the approved plan prior to this inspection.

Conditions that must be met during construction:

1. The entire scope of work is shown on the engineering plans referenced above; no additional land disturbing activity of any kind shall be permitted without the issuance of a new permit by the appropriate approval authority. No further changes to the existing site topography shall be permitted and no protected trees shall be cut.
2. The guidelines contained in the NYSDEC Standards and Specifications for Erosion & Sediment Control, latest edition, shall be followed. At the end of each work day, soil stockpiles shall be covered. If not worked on for more than seven (7) days, stockpiles shall be seeded/mulched with a silt fence around the perimeter.
3. Only those trees specifically shown on the plans may be removed, a new permit shall be obtained from Engineering should the removal of any other trees be required.
4. No soil storage outside the limit of disturbance line is permitted. Road in front of property must be kept broom clean at all times.
5. Excess material shall be removed from the site and a copy of the waste manifest shall be provided to the Engineering Department to confirm the disposal location. If any excess soil material is proposed to remain on site, Applicant shall notify the Town Engineer, who will review and approve in writing prior to the work occurring.
6. The applicant or their representative shall notify the Engineering Department prior to the backfill of any underground stormwater management practices. The engineering inspector will confirm the required improvements have been satisfactorily completed. Applicant will be notified of concurrence or if any work is not acceptable.

When the Project Work is Complete:

1. The applicant or his representative shall fill out and submit a Construction Completion Certificate to the Town Engineer. The Engineering Department will then perform a final inspection to confirm the required improvements have been satisfactorily completed. Applicant will be notified of concurrence or if any work is not acceptable.
2. A Stormwater Maintenance Agreement shall be executed between the Town and the Applicant.
3. A final site survey showing as-built conditions shall be provided to the Engineering Department, provide a printed copy and in pdf format.
4. When area is re-vegetated, stabilized and erosion control removed (silt fence), notify the Engineering Department who will then inspect site and advise if further stabilization is required.

From the Refuse and Recycling Department

Authorize Refuse and Recycling Department to scrap two obsolete police vehicles

Whereas, the following police vehicles have been designated obsolete and the Chief of Police has determined that they must be scrapped and not sold:

2003 Ford Expedition * VIN 1FMPU16L23LC18398 * 175,152 odometer

2008 Ford Crown Victoria * VIN 2FAFP71VX8X112302 * 181,151 odometer

Now, Therefore Be It Resolved, that as per the recommendation of the Chief of Police these two vehicles be scrapped at Brookfield Metal Recyclers because they are obsolete and no longer safe for use.

Authorize Town Clerk to refer out Wetland Application received from Vito Planamento - 3083 Oak Street - #WP-FSWPPP-040-18 for the demolition of existing cottage, construction of a modular home and new single on-site septic system

RESOLVED, the Town Clerk is authorized to refer out the Stormwater Management Permit/Wetland Permit application received from Vito Planamento for property located at 3083 Oak Street, Mohegan Lake, also known as Section 25.12-2-8 on the Tax Map of the Town of Yorktown for the demolition of existing cottage, construction of a modular home, and installation of a new single on-site septic system.

Authorize Town Clerk to refer out Wetland Application received from Lawrence Giuliano 2398 Trelawn Street - #WP-BSWPPP-065-18 for the construction of an in-ground pool, permeable pavers and a garage

RESOLVED, the Town Clerk is authorized to refer out the Stormwater Management Permit/Wetland Permit application from Lawrence Giuliano for property located at 2398 Trelawn Street, Yorktown Heights, also known as Section 27.19-1-11 on the Tax Map of the Town of Yorktown for the construction of an in-ground pool, permeable pavers and a garage.

EXECUTIVE SESSION (Closed Session)

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

INTERVIEWS

Environmental Consultants

LITIGATION & NEGOTIATION

Town Attorney

ADJOURN MEETING

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

Dated: April 23, 2019

DIANA L. QUAST
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.