



Town of Yorktown

Office of the Town Clerk

FINAL TOWN BOARD AGENDA

April 21, 2020

VIDEO CONFERENCE TOWN BOARD MEETING

363 Underhill Avenue, Yorktown, NY 10598

6:30 PM EXECUTIVE SESSION

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

LITIGATION & NEGOTIATION

Town Attorney

7:30 PM VIDEO CONFERENCE TELEVISED TOWN BOARD MEETING

1. PLEDGE OF ALLEGIANCE
2. MOMENT OF SILENCE
3. INTRODUCTIONS
4. REPORT FROM TOWN SUPERVISOR MATTHEW SLATER
5. REPORTS FROM TOWN COUNCIL
6. REPORT FROM HIGHWAY SUPERINTENDENT
7. REPORT FROM COUNTY LEGISLATOR VEDAT GASHI
8. POET LAUREATE
John McMullen
9. PROCLAMATION
Holocaust Remembrance Day
10. PERSONNEL
Accept Retirement of Reva Queler from the John C. Hart Memorial Library effective May 4, 2020
Accept Retirement of Isabel Klein from the Yorktown Justice Court effective May 1, 2020

11. COURTESY OF THE FLOOR

12. RESOLUTIONS

Call upon the President of the United States Donald J. Trump; Nancy Pelosi, Speaker of the House of Representatives; Mitch McConnell, Minority Leader of the United States Senate; United States Congressional Representatives Nita Lowey and Sean Patrick Maloney; and United States Senators Charles Schumer and Kirsten Gillibrand to support federal funding related to the coronavirus pandemic be directly delivered to municipalities

WHEREAS, the federal government recently enacted the Coronavirus Aid, Relief, and Economic Security (CARES) Act to address the economic fallout from the coronavirus pandemic in the United States; and

WHEREAS, Section 601 of the CARES Act (P.L. 116-136) provides a \$150 billion fund for states, tribal governments, and units of local government with a population in excess of 500,000 people; and

WHEREAS, less than one-half of 1 percent of municipalities in the entire United States meet this population threshold and are thus ineligible to receive direct funding from the federal government; and

WHEREAS, of the 933 towns in New York, 931 are not eligible for direct federal funding under the CARES Act, including the Town of Yorktown; and

WHEREAS, towns provide essential services to the 9 million New York town residents including, but not limited to, ambulance, police and fire protection services, building and code enforcement, and highway maintenance, and have continued to do so throughout the ongoing health crisis; and

WHEREAS, the coronavirus pandemic has created significant financial stress for local governments in New York as an estimated \$2 billion in sales tax revenue has been lost, as well as other sources of revenue such as permit fees, justice court fines, and mortgage recording tax; and

WHEREAS, the depletion of different revenue sources for local governments, combined with lack of funding, will result in reducing essential services or shifting the cost onto real property taxpayers, many of whom are experiencing their own financial stress;

NOW THEREFORE BE IT RESOLVED, that the Town of Yorktown calls upon the President of the United States Donald J. Trump; Nancy Pelosi, Speaker of the House of Representatives; Mitch McConnell, Minority Leader of the United States Senate; United States Congressional Representatives Nita Lowey and Sean Patrick Maloney; and United States Senators Charles Schumer and Kirsten Gillibrand to support federal funding related to the coronavirus pandemic that is directly delivered to all municipalities, regardless of population size.

Authorize Supervisor to execute amendments to the contracts of all tenants, licensees at the Albert A. Capellini Community and Cultural Center

RESOLVED, that the Supervisor is authorized to execute amendments to the contracts of all tenants, licensees, etc., at the Albert A. Capellini Community and Cultural Center (“AACCCC”), for proportional abatements in rent, charges, fees, etc., for the period of time that the AACCCC is closed due to the Coronavirus pandemic.

Authorize Supervisor to sign a one-year extension to the N.Y. Private Housing Finance Law tax exemption agreement with Beaveridge Housing Associates, L.P.

RESOLVED, that the Supervisor is authorized to execute a one-year extension to the N.Y. Private Housing Finance Law tax exemption agreement with Beaveridge Housing Associates, L.P.

Authorize Supervisor to sign an agreement with the Energy Improvement Corporation relating to Energize NY Open C-PACE Financing Program

RESOLVED, that the Supervisor is hereby authorized to sign an agreement with the Energy Improvement Corporation relating to Energize NY Open C-PACE Financing Program. The term of this agreement shall be until such time that the Town of Yorktown opts out with 60 days’ notice. There are no fees or costs associated with this agreement.

Authorize Supervisor to sign an agreement with Bleakley, Platt & Schmidt to provide Municipal Law Services to the Town of Yorktown

WHEREAS, the Town issued a request for proposals for Municipal Legal Services/Town Attorney; and

WHEREAS, the Town Board reviewed the price, experience, knowledge, expertise and skills of the proposers, and determined that the proposal submitted by Bleakley Platt & Schmidt, LLP (“BPS”) was in the best interests of the Town;

NOW, THEREFORE BE IT RESOLVED, that the Supervisor is authorized to sign an agreement with BPS to provide Municipal Law Services to the Town of Yorktown until December 31, 2021, upon the terms provided by BPS to the Town in its proposal; and

BE IT FURTHER RESOLVED, that Adam Rodriguez, Esq., of BPS, shall serve as Town Attorney until December 31, 2021.

Designate Town Clerk as the Records Access Officer for the Town

RESOLVED, that the Town Board hereby designates its Town Clerk, with a business address of 363 Underhill Avenue, Yorktown Heights, NY 10598, and an email address of townclerk@yorktownny.org, as Records Access Officer under the N.Y. Freedom of Information Law.

Designate Councilperson, Town Attorney and Director of Planning as the Records Appeal Committee and Town Comptroller as alternate member

RESOLVED, that the Town Board hereby designates Councilman Edward Lachterman, the Town Attorney and the Director of Planning as the body to hear appeals regarding denial of access to records under the N.Y. Freedom of Information Law;

BE IT FURTHER RESOLVED, that the Comptroller shall serve as an alternate in the event that the Councilman, Town Attorney or Director of Planning are unable to hear an appeal.

Authorize Comptroller to set up a Tree Bank Fund under Chapter 270 of the Code of the Town of Yorktown

BE IT RESOLVED, that the Comptroller is hereby authorized to establish a Tree Bank Fund, a dedicated reserve fund to be administered in accordance with Chapter 270 of the Town Code.

Approve Extension of Bid for Electrical Work on Town Buildings

RESOLVED, that the Annual Maintenance Contract for electrical work on Town Buildings for the Town of Yorktown be hereby extended for one year per the terms of the bid agreement, dated February 6, 2019, to Michael Dubovsky (Hanover Electric) 251 G Underhill Avenue, Yorktown Heights, NY 10598. The date of the extension will be from February 7, 2020 through February 6, 2021.

Award Request for Proposal for Mohegan Lake Aquatic Pesticide Treatments

Whereas, Requests for Proposals were received and opened on the 13th day of April 2020, and

Whereas, the Request for Proposal tabulations are as follows:

Limnology Information & Fresh Water Ecology, Inc.
Cutrine Ultra \$7,150 per treatment
Copper Sulfate \$2,200 per treatment

Solitude Lake Management
Cutrine Ultra \$6,987 per treatment
Copper Sulfate \$2,075 per treatment

Now, Therefore Be It Resolved, that upon recommendation of the Mohegan Lake Improvement District the bid be awarded to Solitude Lake Management as the lowest responsible bidder.

Be It Further Resolved, that the bid and the NYS DEC permit provide for up to a maximum of 10 lake treatments. The number of treatments, if any, is at the sole discretion of the Mohegan Lake Improvement District and will not exceed the amount of \$67,870.00, if all treatments are determined to be needed.

Authorize Comptroller to process the following Budget Transfer

Be It Resolved, that the Town Board authorizes the following budget transfer to fund a Worker’s Compensation scheduled loss of use payment / Notice of Decision:

From:		
SW.1002	Water Fund Balance	\$12,014.42
To:		
MC.1930.402	Worker’s Comp Indemnity Payments	\$12,014.42

Approve Dedication of Parkland – Section 16.10, Block 4, Lot 8.2 Prestige

Renovations and Remodeling

WHEREAS, pursuant to Section §195-35(A) of the code of the Town of Yorktown, the Planning Board as a part of its approval of a subdivision known as Prestige Renovations and Remodeling, situated on Buckhorn Street and known on the tax map as parcel 16.10-4-8, the Board required a portion of the land within the subdivision to be conveyed by Prestige Renovations and Remodeling, the applicant, to the Town of Yorktown for passive recreational purposes; and

WHEREAS, the Planning Board approval for the Prestige Renovations and Remodeling, Resolution #18-15 dated September 17, 2018, required the conveyance of the recreation parcel; and

WHEREAS, that plot, piece, or parcel of land, being that plot designated as “Proposed Recreation Parcel” on the approved sub-division plat entitled “Subdivision Plat prepared for Prestige Renovations and Remodeling, Town of Yorktown, Westchester County, New York, dated January 17, 2019 by Badey & Watson, Surveying & Engineering P.C, Cold Spring, N.Y.”, which map was filed in the Office of the Clerk of the County of Westchester (Division of Land Records) on November 22, 2019 as Map No. 29351, (hereinafter, the “Park Parcel”) was offered for dedication to the Town as for public use as parkland, and

WHEREAS, the Park Parcel consists of 0.368 acres, is described on the filed plat as Section 16.10, Block 4, Lot 8.2, and is located near the terminus of Buckhorn Street, adjacent to Town-owned parkland known as Section 16.14, Block 1, Lot 20; and

WHEREAS, the Town Board finds that acceptance of this parcel as parkland is in the public interest and is consistent with the Town’s policy with respect to the acquisition and preservation of parkland, now therefore be it

RESOLVED, the Town of Yorktown does hereby formally accept and dedicate the Park Parcel as a public park; and be it

FURTHER RESOLVED, that the Town Clerk shall cause this accepting resolution to be filed or recorded in the Office of the Clerk of the County of Westchester (Division of Land Records).

Authorize the Supervisor to sign a Letter of Authorization that will enable WSP to submit engineering plans and associated documents for water and sewer main relocations to the appropriate regulatory authorities

WHEREAS:

- A. The Town was awarded 100 percent funding (\$820,000) for the Culvert Replacement at Veterans Road over Hallocks Mill Brook as part of the 2016 Bridge NY program.
- B. The Town was awarded 95 percent funding for the Bridge Replacement Hill Boulevard over Tributary to Barger Brook (\$2,600,000 project cost; award amount \$2,470,000) as part of the 2016 Bridge NY program.
- C. The engineering company working for the Town on this project, WSP USA Inc., has completed the engineering design and preparation of the contract drawings and specifications for both projects, which are currently being advertised for bids.
- D. The costs for relocation of the Town water and sewer mains are part of the contract scope of work and will be included in the contractor bid prices.
- E. In order to submit the engineering documents for Westchester County Health Department approval, a Letter of Authorization and signature on the application forms from the Town is required.

NOW, THEREFORE BE IT RESOLVED, the Town Board authorizes the Town Supervisor to sign a Letter of Authorization that will enable WSP to submit engineering plans and associated documents for the water and sewer main relocations to the appropriate regulatory authorities.

13. MONTHLY REPORT

Receiver of Taxes Monthly Report for March 2020

14. ADJOURN

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

Dated: April 21, 2020

*****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.