



Town of Yorktown

Office of the Town Clerk Diana L. Quast

FINAL TOWN BOARD AGENDA

February 2, 2021

Spadaccia Meeting Room

363 Underhill Avenue, Yorktown, NY 10598

6:00 PM EXECUTIVE SESSION (Closed Session):

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

Personnel

Draft Emergency Health Plan

Litigation & Negotiations

Town Attorney

7:30 PM TELEVISED TOWN BOARD MEETING (Open Session)

1. PLEDGE OF ALLEGIANCE
2. MOMENT OF SILENCE
3. REPORT FROM TOWN SUPERVISOR MATTHEW J. SLATER
4. REPORTS FROM TOWN COUNCIL
5. REPORT FROM HIGHWAY SUPERINTENDENT
6. PROCLAMATION – Black History Month
WHEREAS, Black History Month was first celebrated as Negro History Week on February 1, 1926; and

WHEREAS, it became a nationally recognized month in 1976 to pay tribute to African-Americans who struggled through an oppressive society; and

WHEREAS, the Town of Yorktown recognizes and acknowledges that Black History is in fact American History; and

WHEREAS, Black History Month gives our community time to reflect on the struggles and triumphs of African-Americans throughout our national society; and

WHEREAS, African-Americans have made invaluable contributions to the American cause, including protecting our liberties and democratic society; and

WHEREAS, the Town of Yorktown acknowledges and applauds the many contributions that African American members of society have made including but not limited to John Sweat Rock, Frederick Douglass, W. E. B. Du Bois, Martin Luther King Jr., Thurgood Marshall, Duke Ellington, Maya Angelou, Guion Bluford, and Jackie Robinson; and

WHEREAS, the John C. Hart Library has assembled a collection of material for residents of all ages that highlights and celebrates the history, cultural experience, and perseverance of African-Americans throughout society; and

NOW THEREFORE BE IT RESOLVED, the Town of Yorktown recognizes February as Black History Month; and

BE IT FURTHER RESOLVED, the Town of Yorktown stands as a community of hope, generosity, and acceptance to everyone regardless of religion, race, national origin, ethnicity, culture or orientation.

7. POET LAUREATE

John McMullen

8. COURTESY OF THE FLOOR

9. PUBLIC HEARINGS

Convene Public Hearing to consider a proposed Local Law amending Chapter 275 of the Town Code entitled “VEHICLES AND TRAFFIC” by adding the following no parking areas: Commerce Street, both sides from Route 118 to Hanover Street and White Hill Road, both sides, from Mohansic Avenue to Hunterbrook Road

Supervisor Matthew Slater will convene a public hearing to consider a proposed Local Law amending Chapter 275 of the Town Code entitled “VEHICLES AND TRAFFIC” by adding the following no parking areas:

- Commerce Street, both sides, from its intersection with Route 118 to its intersection with Hanover Street
- White Hill Road, both sides, from its intersection with Mohansic Avenue to its intersection with Hunterbrook Road.

Convene Public Hearing to consider a proposed Local Law amending Chapter 135 of the Town Code entitled “BUILDINGS, UNSAFE” by adding a new section 135-13 “Yorktown Zombie Properties Law.

Supervisor Matthew Slater will convene a public hearing to consider a proposed Local Law amending Chapter 135 of the Town Code entitled “BUILDINGS, UNSAFE” by adding a new section 135-13 “Yorktown Zombie Properties Law.”

10. **RESOLUTIONS**

Authorize Supervisor to enter into a Revocable License agreement with Yorktown Omni Garden of Hope, Inc., to enter upon Town Property to perform certain gardening, community programs, and farming work

RESOLVED, that the Supervisor is authorized to enter into a revocable license agreement with the Yorktown Omni Garden of Hope, Inc., to enter upon Town Property to perform certain gardening, community programs, and farming work, as approved by the Town. The term of the agreement shall expire on December 31, 2026. Either party may terminate this license, with or without cause, on at least ninety (90) days prior written notice to the other party.

Authorize Supervisor to enter into an agreement with Alliance for Safe kids, Inc., for the provision of a community-based mental health, diversity, equity and inclusion program, in an amount not to exceed \$15,000

RESOLVED, that the Supervisor is authorized to enter into an agreement with Alliance for Safe kids, Inc., for the provision of a community-based mental health, diversity, equity and inclusion program, in an amount not to exceed \$15,000 (which funding shall be in addition to the \$18,000 that Westchester County has earmarked for the effort). The term of the agreement shall be February 1, 2021 through December 31, 2021. The Comptroller shall also be authorized to transfer \$15,000 from Contingency A1990.499 to 1220.490 professional services.

Authorize Supervisor to enter into an agreement with Cushman & Wakefield U.S. Inc., for the provision of a facilities assessment in an amount not to exceed \$32,000

WHEREAS, the Town received quotes from three companies to conduct a facilities assessment;

WHEREAS, Laberge Group’s proposal was for \$39,000, H2M Architects and Engineers’ proposal was for \$35,000, and Cushman and Wakefield’s proposal was for \$32,000;

RESOLVED, that the Supervisor is authorized to enter into an agreement with Cushman & Wakefield U.S., Inc. for the provision of a facilities assessment in an amount not to exceed \$32,000. The term of the agreement shall end on December 31, 2021.

FURTHER RESOLVED, that the Comptroller is authorized to transfer \$32,000 from Capital Contingency (A1990.499.1) to Professional Services (A1220.490).

Authorize Town Clerk to advertise a Request for Proposals for the Services of a Professional Engineering Firm to perform a flow study that will quantify the amount of inflow and infiltration that is occurring within the collection system

RESOLVED, that the Clerk is authorized to advertise Request for Proposals for the services of a professional engineering firm to perform a flow study that will quantify the amount of inflow and infiltration that is occurring within the collection system of the Town of Yorktown/Hallocks Mill Sanitary Sewer District.

Authorize Town Clerk to advertise a Request for Proposals for a firm to provide the Town with smart utility services to assist the Town in managing its public water supply and distribution system

RESOLVED, that the Clerk is authorized to advertise Request for Proposals for a firm to provide the Town with smart utility services to assist the Town in managing its public water supply and distribution system.

Approve Garbage License for Sani-Pro Disposal Services Corp/Suburban Carting Co. to Service Commercial Properties in the Town of Yorktown for the year 2021

RESOLVED, that Sani-Pro Disposal Services Corp/Suburban Carting Co. be and is hereby granted renewal of their Garbage License to service commercial properties in the Town of Yorktown for the year 2021.

Authorize Comptroller to pay Thomas Travis the Cash Value of Unused Time upon his Retirement

Be It Resolved, that the Town Board hereby authorizes the Town Comptroller to pay Thomas Travis the cash value of unused time as of his date of retirement:

Rate of Pay:					\$30.1499
Sick	413.5 hours @	50%	=	206.75 hours	
	206.75 hours x	\$30.1499	=	\$6,233.49	
Vacation	71.75 hours x	\$30.1499	=	\$2,163.25	
Personal	10.25 hours x	\$30.1499	=	\$ 309.04	
Float	6.75 hours x	\$30.1499	=	\$ 203.51	
Total					\$8,909.29

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

From:
A909.8 General Fund Reserve Employee Accrued Benefits \$6,233.49

A1410.110Town Clerk Part Time Salary \$2,675.80

To:

A1410.108Town Clerk Lump Sum Payments \$8,909.29

Authorize Release of Performance Bond to Mohegan Lake Motors d/b/a Mohegan Lake Audi in the amount of \$100,000

WHEREAS,

1. Mohegan Lake Motors d/b/a Mohegan Lake Audi as applicant, provided the Town with Philadelphia Insurance Companies Bond #PB00002700043 in the amount of \$100,000, which was accepted at the Town Board meeting of April 16, 2019 to serve as the Performance Bond for permit #WP-FSWPPP-003-19 at the Route 6 location, and
2. The applicant has requested the money be released as the site development work 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 Performance Bond be released to Mohegan Lake Motors d/b/a Mohegan Lake Audi, P.O. Box 965, Mohegan Lake, NY 10547, Attn: Mr. Barry Rost.

Approve Reduction in Performance Bond for Yorktown Jaz, LLC (LOWES) to \$100,000.00

WHEREAS:

1. Planning Board Approval Resolution #16-22 referenced bonds to be posted for Erosion & Sediment Control, Performance and Wetland Planting Bond. In lieu of the providing individual bond amounts, the Town agreed that the Applicant could provide one Project Performance Bond in the aggregate amount of \$1,000,000.
2. Yorktown Jaz, LLC, as Applicant, provided the Town with The Guarantee Company of North America's Site Improvement Bond #76154779, in the amount of \$1,000,000, to serve as the Erosion & Sediment Control bond, Performance Bond, and Wetland Planting Bond for permit #WP-E-028-10, for the Lowe's Site Development Plan located on Route 202.
3. In a prior resolution dated 11/19/19, the Town Board approved a reduction in the Project Performance Bond from \$1,000,000 to \$250,000. At this time, Yorktown Jaz, LLC is requesting the Performance Bond be further reduced, from \$250,000 to \$100,000.

4. We note that Pad B was recently completed and Pad A is currently under construction. The only remaining construction to be performed as part of this project is Pad D (currently an undeveloped parcel). Since the entire project is nearly complete, the Engineering Department believes a further reduction in the Project Performance Bond is warranted.

NOW, THEREFORE BE IT RESOLVED, the Performance Bond is hereby reduced to \$100,000 (\$250,000 - \$150,000 = \$100,000). The remaining funds (\$100,000) will be held until all remaining project work has been completed and the warranty period has elapsed.

Release Tree & Wetland Permit Application Fee in the amount of \$800 to the Westchester Land Trust in care of Brendan Murphy as the work will not be performed at the Beekman Court residence

WHEREAS,

1. Brendan Murphy as applicant for Westchester Land Trust, posted check #1733 in the amount of \$800 to serve as an application fee for a Tree & Wetland Permit, which was deposited to the A2116 account on March 13, 2020 for work to be performed at the Beekman Court residence.
2. The applicant has requested his application fee be released as the work will not be moving forward.
3. The Town Engineer has reviewed the above and recommends that the \$800 application fee be released since no work will be performed.

NOW, THEREFORE BE IT RESOLVED, that the above referenced fee be released to Westchester Land Trust, Attn: Mr. Brendan Murphy, 403 Harris Road, Bedford Hills, NY 10507.

Authorize Comptroller to release Professional Review Escrow fee in the amount of \$750.00 to PCSBbank

WHEREAS, PCSBbank, as applicant to the Planning Board, submitted a Professional Review Escrow fee in the sum of \$750.00, Check# 71719 dated April 24, 2018, which was deposited into the T100 Account on May 8, 2018, as part of the Planning Board site plan application, should there have been a need for the Town to hire an outside consultant to review portions of said application, and

WHEREAS, a request to release this fee was received on January 21, 2021 from Jose F. Cabello, FVP, Procurement Officer for PCSBbank; and

WHEREAS, the Director of Planning has informed this Board that no outside consultants were hired by the Town to review this application and that the \$750.00 for professional review escrow may be released, NOW THEREFORE BE IT

RESOLVED, that the above-described Professional Review Escrow fee in the amount of \$750.00 be and is hereby released to PCSBbank, 2651 Strang Boulevard, PO Box 712, Yorktown Heights, NY 10598.

Award Bid for Water Maintenance Materials for the Water Department

WHEREAS, invitation to bid for the Water Maintenance Materials was duly advertised, and

WHEREAS, said bids were received and opened on January 5, 2021, and

RESOLVED, that upon the recommendation of the Distribution Superintendent, Ken Rundle, the bid for the Water Maintenance Materials be hereby awarded to:

Item 1: Kennedy K81 AW Screw-in Hydrants – Carmel Winwater:

<u>4 1/2" 5 ft.</u>	<u>4 1/2" 6 ft.</u>	<u>5 1/4" 5 ft.</u>	<u>5 1/4" 6 ft.</u>
\$2,830.00	\$2,973.00	\$2,915.00	\$3,063.00

Item 1A: Mueller A421 & A423 Hydrants Ductile Iron – Core & Main or Schmidt's Wholesale:

<u>4 1/2" 5 ft.</u>	<u>5 1/4" 5 ft.</u>
\$2,364.00	\$2,491.00

Core & Main:

<u>4 1/2" 6 ft.</u>	<u>5 1/4" 6 ft.</u>
\$2,449.00	\$2,600.00

Item 2: Mueller/Kennedy Resilient Wedge MJ DI Gate Valve – Carmel Winwater:

<u>6"</u>	<u>8"</u>	<u>10"</u>	<u>12"</u>	<u>16"</u>
\$619.60	\$986.87	\$1,538.82	\$1,947.18	\$6,764.25

Schmidt's Wholesale:

<u>24"</u>
\$19,827.11

Item 2A: Powerseal Cut-In Sleeve Model #3520 w/kit - Schmidt's Wholesale:

<u>4"</u>	<u>6"</u>	<u>8"</u>	<u>10"</u>	<u>12"</u>
\$312.70	\$381.45	\$413.33	\$593.77	\$832.94

Item 3: Smith Blair Style 441 Malleable Iron Couplings – Core & Main and Carmel Winwater:

<u>8"</u>
\$98.00

Carmel Winwater:

<u>6"</u>	<u>12"</u>	<u>16"</u>	<u>24"</u>
\$69.25	\$154.00	\$268.00	\$495.00

Core & Main:

10"
\$127.00

Item 4: Powerseal Repair Couplings (3121AS) -Schmidt's Wholesale:

<u>2"x8"</u>	<u>2"x10"</u>	<u>2"x12"</u>	<u>6"x8"</u>	<u>6"x10"</u>	<u>6"x12"</u>
\$38.18	\$51.20	\$55.59	\$49.56	\$66.63	\$71.66

<u>8"x8"</u>	<u>8"x12"</u>	<u>10"x12"</u>	<u>12"x12"</u>	<u>16"x16"</u>	<u>24"x16"</u>
\$58.15	\$81.18	\$93.02	\$96.31	\$245.03	\$389.17

Item 4A: Powerseal Repair Couplings (3131AS w/1"cc) - Schmidt's Wholesale:

<u>2"x8"</u>	<u>2"x10"</u>	<u>2"x12"</u>	<u>6"x8"</u>	<u>6"x10"</u>	<u>6"x12"</u>
\$53.07	\$66.10	\$70.48	\$64.46	\$81.52	\$86.55

<u>6"x16"</u>	<u>6"x24"</u>	<u>6"x30"</u>
\$95.78	\$143.81	\$180.00

<u>8"x8"</u>	<u>8"x12"</u>	<u>8"x16"</u>	<u>8"x24"</u>	<u>8"x30"</u>
\$73.04	\$96.07	\$108.28	\$162.64	\$203.30

<u>10"x12"</u>	<u>10"x16"</u>	<u>12"x12"</u>	<u>16"x16"</u>	<u>24:x16"</u>
\$107.91	\$142.50	\$149.50	\$260.99	\$405.13

Item 5: Cement Lined Ductile Pipe Push-on Joint (price per foot) – Carmel Winwater:

<u>6"</u>	<u>8"</u>	<u>10"</u>	<u>12"</u>	<u>16"</u>	<u>24"</u>
\$17.25	\$24.00	\$31.50	\$39.75	\$57.50	\$97.25

Item 6: Type K Copper Water Tube (price per foot) – Schmidt's Wholesale:

<u>3/4"</u>	<u>1"</u>	<u>1 1/4"</u>	<u>1 1/2"</u>	<u>2"</u>
\$4.03	\$4.38	\$6.63	\$7.51	\$10.60

Item 7: Mueller Curb Stops (H15214N) –

Core & Main LP:

<u>3/4"</u>	<u>1 1/4"</u>
\$65.70	\$167.50

Carmel Winwater: Alternate item: AY McDonald #76100

<u>1"</u>	<u>1 1/2"</u>	<u>2"</u>
\$92.25	\$230.75	\$355.50

Item 7A: Mueller Corporations Mueller (H15000N) – Carmel Winwater:

Alternate item: AY McDonald #74701

<u>3/4"</u>	<u>1"</u>	<u>1 1/4"</u>	<u>1 1/2"</u>	<u>2"</u>
\$26.50	\$40.50	\$122.75	\$128.00	\$223.86

Item 7B: Mueller Curb Stop Mueller (H15219N) – Carmel Winwater:
Alternate item: AY McDonald #76100Q

<u>3/4"</u>	<u>1"</u>	<u>2"</u>
\$69.25	\$98.25	\$326.25

Core & Main LP:

1 1/2"
\$236.75

Item 7C: Mueller Corporations Mueller (H15008N) – Carmel Winwater:

Alternate item: AY McDonald #74701Q

<u>3/4"</u>	<u>1"</u>
\$28.50	\$43.00

Item 7D: Mueller Corporations Mueller (H15013N) – Carmel Winwater:

Alternate item: AY McDonald #74701BQ

<u>1 1/2"</u>	<u>2"</u>
\$124.00	\$205.00

Item 7E: Mueller 3 Pt Flare/Flare (H15400N) – Carmel Winwater:

Alternate item: AY McDonald #74758

<u>3/4"</u>	<u>1"</u>	<u>1 1/4"</u>	<u>1 1/2"</u>
\$14.75	\$25.75	\$52.75	\$77.00

Schmidt's Wholesale:

2"
\$100.96

Item 7F: Mueller Comp Union (H15403N) – Carmel Winwater:

Alternate item: AY McDonald #74758Q

<u>3/4"</u>	<u>1"</u>	<u>1 1/4"</u>	<u>1 1/2"</u>	<u>2"</u>
\$16.00	\$18.25	\$31.50	\$60.75	\$82.25

Item 8: Mueller Curb/bx Ext. Type w/Rods - Carmel Winwater:

Alternate item: AY McDonald

#5604 #5607LR

<u>H10386</u>	<u>H10314</u>
\$39.25	\$38.75

Item 9: 5' Main Valve/Bx Slide/Lid Mark/Water - Schmidt's Wholesale: \$58.56

Item 9A: Main Valve Box Tops 2' – Carmel Winwater: \$28.00

Item 9B: Main Valve Box Lids/Marked Water 5 1/4" – Core & Main LP: \$8.50

Item 10: Fixed Valve Box Riser or Rite Heights 5 ¼” – Carmel Winwater:

1” 1 ½”
\$5.20 \$7.15

Schmidt’s Wholesale:

2”
\$7.78

Core & Main LP:

3”
\$9.75

Item 11: Hymax Couplings (Series 2000) - Core & Main LP:

2” 4” 6” 8” 10” 12” 16” 24”
\$88.00 \$149.00 \$197.50 \$223.00 \$286.00 \$338.00 \$945.00 \$1,279.00

Item 12: Mueller (or approved equal) Safety Flange Repair Kit – Carmel Winwater:

A300 4 ½ MVO A301 5 ¼ MVO
\$123.00 \$130.00

Item 13: Kennedy Collision Repair Kit (#K8149) – Schmidt’s Wholesale:

4 ½ MVO 5 ¼ MVO
\$161.00 \$161.00

Item 13A: Mueller Super Centurion Fire Hydrant Extension Kit - Carmel Winwater:

A319 4 ½ MVO
6” 12” 18”
\$282.60 \$330.00 \$357.00

A320 5 1/4 MVO
6” 12” 18”
\$311.00 \$366.00 \$415.00

Item 13B: Heavy Duty Fiberglass Hydrant Markers 5 ft. Standard Marker Flat Bracket w/spring – Ferguson Waterworks: \$25.95

Item 14: Curb Box Extension w/Set Screw 1” Box -

Core & Main LP:
3” 6” 9”
\$5.00 \$5.85 \$7.00

Ferguson Waterworks:

12”
\$7.84

Item 14A: Mueller Curb Box Lids Two-hole H10310-89982 – Carmel Winwater:
\$6.95

Item 15: Foster Adaptor (Mechanical Joint Adaptors) - Carmel Winwater:

<u>4"</u>	<u>6"</u>	<u>8"</u>	<u>10"</u>	<u>12"</u>
\$67.50	\$84.25	\$122.25	\$179.25	\$184.25

Item 16: Positive Displacement Meters – Core & Main LP:

<u>5/8"x3/4"</u>	<u>1"</u>		
<u>Indoor Set</u>	<u>Outdoor Set</u>	<u>Indoor Set</u>	<u>Outdoor Set</u>
<u>MXU M2 sp/tc</u>	<u>MXU M2 pit sp/tc</u>	<u>MXU M2 sp/tc</u>	<u>MXU M2 pit sp/tc</u>
<u>hr/leak det. 510</u>	<u>hr/leak det. 520</u>	<u>hr/leak det. 510</u>	<u>hr/leak det. 520</u>
\$378.84	\$379.44	\$495.09	\$495.69

Item 17: 510M Smartpoint M2 TC SP Single Port Touch Coupler (House MXU only)
- Core & Main LP: \$188.65

Item 18: 5250M Smartpoint M2 Pit Ver. Single Port Touch Coupler (Meter Pit MXU
only) - Core & Main LP: \$189.25

Item 19: iPERL Touchpad for 510M Radio – Core & Main LP: \$32.41

Item 20: IPERL Smart Water Meter (Electromagnetic Flow Measure System) –
Core & Main LP:

<u>5/8"x3/4"</u>	<u>1"</u>
\$165.15	\$237.99

Item 21: 20" Round Meter Pit Covers with Remote Hole - Ferguson Waterworks:
\$135.00

Item 22: Straight Meter Installation Couplings – Core & Main LP:

5/8"x3/4"
\$8.50

Carmel Winwater

1"
\$6.00

Item 23: 2" Extension Ring – Ferguson Waterworks: \$80.00

Item 24: 3-Ply Remore Wire copper (Price per Foot) – Core & Main LP: \$15.00

Item 25: Stargrip Series 3000 Mechanical Joint Wedge Action Restraining Glands
with Accessory Pack - Schmidt's Wholesale:

<u>6"</u>	<u>8"</u>	<u>10"</u>	<u>12"</u>
\$29.78	\$40.59	\$57.71	\$77.56

Item 26: Anti Rotation T-Bolts w/nut – Ferguson Waterworks:
3/4” x 4” 3/4” x 6”
\$5.06 NO Bid

FURTHER RESOLVED, said bid shall remain in effect with a fixed price for a binding period of one (1) year after execution of contract.

11. ADJOURN

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

Dated: February 2, 2021

Instructions for the Public to participate in Town Board Meetings Remotely:

The Town Board of the Town of Yorktown will not be meeting in person. Until further notice, meetings will be held via video conferencing. The Town of Yorktown will televise a video conference Town Board meeting on Tuesday, February 2, 2021 beginning at 7:30 p.m.

Please make sure to register in advance if you would like to speak at Courtesy of the Floor and/or the Public Hearings for this meeting at dquast@yorktownny.org

You will need to provide your name, phone number and email address when registering so we can send a confirmation to you containing instructions on how to join the meeting. You will have an opportunity to see and hear the meeting live on Channel 20 (Cable) or Channel 33 (Fios). If you have a computer, tablet, or smartphone, you will be able to see and hear the meeting while it is occurring on the Town’s website at yorktownny.org.

AGENDAS ARE SUBJECT TO CHANGE