



Town of Yorktown
Office of the Town Clerk Diana L. Quast

FINAL TOWN BOARD AGENDA

May 18, 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):

Litigation & Negotiations

Town Attorney

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

1. PLEDGE OF ALLEGIANCE
2. MOMENT OF SILENCE
3. INTRODUCTIONS
4. REPORT FROM TOWN SUPERVISOR MATTHEW J. SLATER
5. REPORTS FROM TOWN COUNCIL
6. REPORT FROM HIGHWAY SUPERINTENDENT
7. PROCLAMATION

Declaring May 16th – 22nd Emergency Medical Services Week

WHEREAS, it is fit and proper to recognize the outstanding service to the residents of Yorktown by dedicated individuals whose selfless acts save lives and protect our community; and

WHEREAS, National Emergency Medical Services Week recognizes allows communities to honor those who stand on the front lines providing lifesaving services; and

WHEREAS, Yorktown's emergency medical services team provide lifesaving care to those in need 24 hours a day, seven days a week; and

WHEREAS, the Town of Yorktown is served by the Mohegan Volunteer Ambulance Corps, Yorktown Volunteer Ambulance Corps and Empress Ambulance; and

WHEREAS, the challenges and emergencies of 2020, including the COVID-19 pandemic, increased call volumes and responses to record levels; now, therefore, be it,

RESOLVED, that the Town of Yorktown declares the week of May 16th – 22nd as Emergency Medical Services Week; and be it further

RESOLVED, that the Town of Yorktown recognize the countless hours and selfless dedication of the members of the Mohegan Volunteer Ambulance Corps and Yorktown Volunteer Ambulance Corps; and be it further

RESOLVED, that the Town of Yorktown recognize and applaud the commitment displayed by all of the Emergency Medical Service operations who service the Town of Yorktown during the COVID-19 pandemic.

8. PERSONNEL

Appoint the following members to the Local Waterfront Revitalization Committee: Dina Aversano, Chair; Matthew Talbert, Stewart Glass, Bernard Molloy, and Ken Belfer

RESOLVED, that Matthew Talbert, Stewart Glass, Bernard Molloy and Ken Belfer, are hereby appointed as members of the Local Waterfront Revitalization Committee for a term to expire on December 31, 2022;

BE IT FURTHER RESOLVED, that Dina Aversano is hereby appointed as a member and Chairperson of the Local Waterfront Revitalization Committee for a term to expire on December 31, 2022.

9. POET LAUREATE

John McMullen

10. COURTESY OF THE FLOOR

11. RESOLUTIONS

Oppose the proposed 9% Water Rate hike being deliberated by the NYC Water Board

Town of Yorktown opposes the proposed water rate hike by the New York City Water Board; and

WHEREAS, the Town of Yorktown as a member of the Northern Westchester Joint Waterworks purchases its water from New York City; and

WHEREAS, the Town of Yorktown and our residents adhere to strict guidelines to protect the watershed which is a main source of the water we purchase; and

WHEREAS, the New York City Water Board is currently deliberating on increasing rates up to 9%; and

WHEREAS, the proposed rate hike will have a negative impact on the consumers of Yorktown including the operations and planning of capital improvement projects of the Yorktown Water Department and Northern Westchester Joint Waterworks; and

WHEREAS, one of the performance goals of the NYCDEP is to establish rates that are fair and affordable; now, therefore, be it

RESOLVED, the Town of Yorktown opposes the proposed water rate hike by the New York City Water Board; and be it further

RESOLVED, the Town of Yorktown will submit this resolution as part of the official record.

Authorize Supervisor to enter into a professional services agreement with Sam Schwartz Engineering, DPC for Traffic and Transportation Planning Services

RESOLVED, that the Supervisor is authorized to enter into a professional services agreement with Sam Schwartz Engineering, DPC for traffic and transportation planning services in an amount not to exceed \$50,000.00.

Authorize Comptroller to pay Bradley Goodman the cash value of unused time as of his retirement date

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

Rate of Pay:	\$53.1434			
Sick	242.25 hours	@	50%	=121.12 hours
	121.12 hours	x	\$53.1434	= \$ 6,436.72
Vacation	145.25 hours	x	\$53.1434	= \$ 7,719.07
Personal	21.00 hours	x	\$53.1434	= \$ 1,116.01
Floating Holiday	14.00 hours	x	\$53.1434	= \$ 744.00
Longevity				
	\$1,600 / 261 days			= \$6.13 per day
	12/28/20-04/29-21			= 89 days
	89 days	x	\$6.13	= \$ 545.57

Total =\$16,561.37

Be It Further Resolved, 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	\$6,436.72
To:		
T905.1	Medical, Dental, Vision Premium Trust	\$6,436.72

From:
 A3620.101 Building Salary \$9,579.08
 A3620.106 Building Longevity \$ 545.57

To:
 A3620.108 Building Lump Sum Payments \$10,124.65

Authorize Comptroller to pay William Gordineer the cash value of unused time as of his retirement date

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

Rate of Pay: \$60.1303

Vacation	216.00 hours	x	\$60.1303	= \$12,988.14
Personal	24.00 hours	x	\$60.1303	=\$ 1,443.12
Compensatory Time	10.90 hours	x	\$60.1303	=\$ 655.42
Holiday Pay	36.80 hours	x	\$60.1303	=\$ 2,212.79
Longevity				
\$2,425 / 260 days = \$9.33 per day				
04/05/21-04/29/21 = 18 days				
	18 days	x	\$9.33	=\$ 167.94
Total				\$17,467.91

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

From:
 A3120.102 Police Salary \$17,299.97
 A3120.106 Police Longevity \$167.94

To:
 A3120.108 Police Lump Sum Payments \$17,467.91

Authorize Comptroller to pay Lawrence Paniccia the cash value of unused time as of his retirement date

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

Rate of Pay: \$54.1686

Vacation	144.00 hours	x	\$54.1686	=\$ 7,800.27
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Personal	24.00 hours	x	\$54.1686	= \$ 1,300.04
Compensatory Time	14.43 hours	x	\$54.1686	= \$ 781.65
Holiday Pay	36.80 hours	x	\$54.1686	= \$ 1,993.40
Longevity				
\$2,225 / 261 days = \$8.56 per day				
04/01/20-04/01/21				\$ 2,225.00
04/01/21-04/30/21 = 21 days				
	21 days	x	\$8.56	= \$ 179.76
Total				= \$14,280.12

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

From:

A3120.102	Police Salary	\$11,875.36
A3120.106	Police Longevity	\$ 2,404.76

To:

A3120.108	Police Lump Sum Payments	\$14,280.12
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Authorize Comptroller to process the following Budget Transfer for the Water Department

BE IT RESOLVED, that the Town Comptroller is hereby authorized to make the following budget transfer:

Transfer \$35,900 from the Water Department Cement Lining line (SW.8340.0483.0001) to the Water Department Professional Services line (SW.8340.0490) to cover the cost for engineering services from Weston & Sampson, PE, LS, LA PC relating to the bidding and construction of the cleaning and cement relining project.

Authorize Comptroller to process the following Budget Transfer for the Highway Department

Resolved, Comptroller is hereby authorized to process the following budget transfer:

From:

D.1002	Highway – Fund Balance	\$483,924.00
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To:

D5110.201	Highway – Equipment	\$483,924.00
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For the purchase of a Caterpillar Loader from HO Penn in the amount of \$226,500 under New York State contract #PC66988, a Tree Truck with 70' boom and forestry body from Altec in the amount of \$216,424 under New York State contract #PGB-22792/PC68526 and a Ford F350 under New York State mini bid for the approximate price of \$41,000.

Authorize Grant Program to provide reimbursement costs up to \$5,000 for removal of underground storage fuel oil tanks in the Yorktown Affordable Homeownership Program

Whereas, the Yorktown Community Housing Board came upon information that two affordable homes in the Bridle Ridge Development have underground fuel oil storage tanks, which are approximately 12 feet apart between the homes, and

Whereas, all of the homeownership units in the Yorktown Affordable Homeownership Program are between 25 and 30 years old, and

Whereas, there is a risk of leakage as underground fuel tanks age, and

Whereas, it would be beneficial to the environment and to the affordability of the homes if the existing underground fuel oil storage tanks were removed and replaced, preferably with above ground storage tanks, and

Whereas, there is a fund for affordable housing in the Town of Yorktown, otherwise known as the Affordable Housing Trust Fund or T75, and that fund has a balance that would be more than sufficient to cover all or a portion of the expense for removal and replacement of the aged underground fuel oil storage tanks, and

Whereas, getting this accomplished will improve Yorktown's affordable homes and help ensure continued affordability, while also protecting the environment, now

Therefore Be it Resolved, the Yorktown Community Housing Board recommends to the Town Board that Yorktown establish a grant program for the existing homes in Yorktown's Affordable Homeownership Program that would provide cost reimbursement up to \$5,000 towards the owners' actual reasonable and necessary costs per home for removal and replacement of any existing underground fuel oil storage tanks at these properties in accordance with all applicable Town, County and State codes and requirements.

Adopt the New York State Unified Solar Permit application form and procedures for the installation of Small Scale Energy Systems

WHEREAS, The Town of Yorktown duly adopted the NYS Fire Prevention and Building Code to provide minimum requirements to safeguard the public safety; and

WHEREAS, The Town of Yorktown Code Enforcement Officer administers and enforces all provisions of the New York State Uniform Fire Prevention and Building Code, the New York State Energy Code, and the Town of Yorktown Code; and

WHEREAS, The Town of Yorktown requires the issuance of a building permit for the construction, enlargement, alteration, repair, removal or demolition of any building or other structure; and

WHEREAS, the New York State Uniform Fire Prevention and Building Code regulates the design, construction, installation, alteration and repair of equipment and systems using solar systems; and

WHEREAS, the New York State Energy Research and Development Authority has developed a New York State Unified Solar Permit that reduces the cost for solar projects by streamlining municipal permitting processes and

WHEREAS, the Town of Yorktown desires to promote the streamlining of the application process for small-scale photovoltaic system installations under 25 kW in size (“Small Scale Energy Systems”) by adopting the New York State Unified Solar Permit application form and implementing the new procedures,

NOW THEREFORE, BE IT RESOLVED, the Town of Yorktown hereby adopts the New York State Unified Solar Permit application form and procedures for the installation of Small Scale Energy Systems; and it is further

RESOLVED, the Town of Yorktown Code Enforcement Officer is hereby directed to use said New York State Unified Solar Permit application for and procedures in the issuance of building permits for the installation of Small Scale Energy Systems; and it is further

RESOLVED, any further actions required of the Town of Yorktown to effect the foregoing are hereby authorized and the Supervisor is hereby authorized to execute and deliver any instruments, documents or the like as required to effect the same.

Authorize Comptroller to refund the following duplicate tax payments

Resolved, the Comptroller is authorized to refund the following duplicate 2021 Town/County Tax Payments:

<u>Account No:</u>	<u>Amount</u>	
4138500	\$2,888.32	Refund Duplicate 2021 Town/County Tax
1659500	\$4,946.05	Refund Duplicate 2021 Town/County Tax
4399000	\$3,205.32	Refund Duplicate 2021 Town/County Tax
1862000	\$7,091.79	Refund Duplicate 2021 Town/County Tax
4213000	\$4,421.19	Refund Duplicate 2021 Town/County Tax
1518500	\$4,821.72	Refund Duplicate 2021 Town/County Tax

2948500	\$4,849.95	Refund Duplicate 2021 Town/County Tax
1753500	\$3,742.52	Refund Duplicate 2021 Town/County Tax
2387000	\$4,629.87	Refund Duplicate 2021 Town/County Tax
2570000	\$4,122.40	Refund Duplicate 2021 Town/County Tax
0585500	\$2,745.10	Refund Duplicate 2021 Town/County Tax
2494290	\$3,601.60	Refund Duplicate 2021 Town/County Tax
0279641	\$2,101.55	Refund Duplicate 2021 Town/County Tax
1395000	\$3,297.68	Refund Duplicate 2021 Town/County Tax

Authorize reduction in Erosion & Sediment Control bond, Performance Bond, and Wetland Planting Bond for the Lowe’s Site Development Plan

WHEREAS, 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; and

WHEREAS, 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; and

WHEREAS, in a prior resolution dated 2/2/21, the Town Board approved a reduction in the Project Performance Bond to \$100,000. Yorktown Jaz, LLC has requested the Performance Bond be further reduced, from \$100,000 to \$5,000; and

WHEREAS, the infrastructure improvements associated with the project are substantially complete, and a bond in the amount of \$5,000 should remain in place to serve as the erosion control bond; now

THEREFORE BE IT RESOLVED, the Performance Bond is hereby reduced to \$5,000 (\$100,000 - \$95,000 = \$5,000). The remaining funds (\$5,000) will be held until all remaining project work has been completed and the site completely stabilized.

Authorize the below listed vehicles to be deemed obsolete and either scrapped at Brookfield Metal or sold at auction by Absolute Auctions & Realty, Inc.

Whereas, the Town of Yorktown has found that certain vehicles are obsolete and no longer needed for public use by the Town of Yorktown, and

Whereas, the Central Garage recommends to the Town Board that the listed vehicles be deemed obsolete and either scrapped at Brookfield Metal or sold at auction by Absolute Auctions & Realty, Inc:

2005 Crown Vic	Vin# 2FAFP71W65X177376
2005 Crown Vic	Vin# 2FAFP71W05X177373
2005 Crown Vic	Vin# 2FAFP71W45X177375
2005 Crown Vic	Vin# 2FAFP71W25X177374
2003 Crown Vic	Vin# 2FAFP71W53X118266
2002 Crown Vic	Vin# 2FAFP71W93X122207
2003 Crown Vic	Vin# 2FAFP71W13X118264
2006 Crown Vic	Vin# 2FAFP71W46X165454
2011 Crown Vic	Vin# 2FABP7BV1BX169976
2004 Crown Vic	Vin# 2FAFP71WX4X102100
2001 Chevy Tahoe	Vin# 1GNEK13VX1J257487
1999 Chevy Dump	Vin# 1GBHK33J3XF076777

Now, Therefore, Be It Resolved, that the above listed vehicles are deemed obsolete and will be scrapped at Brookfield Metal or sold at auction by Absolute Auctions & Realty, Inc.

12. WORK SESSION

Overlay District

John Tegeder, Planning Director and Robyn Steinberg, Planner

Security cameras in parks and other town locations

Supervisor Matt Slater and James Martorano, Supt. Parks & Recreation

Review of mask policy for town facilities and parks

Supervisor Matt Slater

13. ADJOURN

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

Dated: May 18, 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, May 18, 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 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 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). You can also watch the meeting while it is occurring on the Town's website at yorktownny.org.

AGENDAS ARE SUBJECT TO CHANGE