



Town of Yorktown

Office of the Town Clerk Diana L. Quast

FINAL TOWN BOARD
VIDEO CONFERENCE MEETING AGENDA

June 15, 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

Refuse & Recycling/Central Garage

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. PROCLAMATIONS – Flag Day and Juneteenth

Flag Day

WHEREAS, the American flag represents our nation and values of freedom, equality, justice and hope; and

WHEREAS, when the American Revolution began in 1775, the colonists did not fight under one unifying flag but under their own flags; and

WHEREAS, on June 14, 1777, the Second Continental Congress passed a resolution stating that “the flag of the United States shall be 13 stripes, alternate

red and white,” and that “the Union be 13 stars, white on a blue field, representing a new constellation”; and

WHEREAS, President Woodrow Wilson marked the 100th anniversary of the resolution establishing the flag by declaring June 14th as Flag Day; and

WHEREAS, the American flag has inspired Americans on the battlefield, has provided comfort during times of war and peace, and has stood as a symbol of hope for the millions of people who have come to America seeking better lives; NOW, THEREFORE BE IT

RESOLVED, that the Town of Yorktown recognizes June 14, 2021 as Flag Day and encourages its residents to proudly display this important symbol throughout the year.

Juneteenth Day

WHEREAS, Juneteenth is recognized as the oldest nationally celebrated commemoration of the ending of slavery in the United States; and

WHEREAS, President Abraham Lincoln first issued the Emancipation Proclamation effective January 1, 1863, freeing the slaves in the South, however, southern slave owners ignored that order. On June 19th, 1865, Union soldiers arrived in Galveston, Texas and enforced the president’s order, freeing the slaves two and a half years after it was first decreed. This day has since come to be known as Juneteenth; and

WHEREAS, Juneteenth has been also titled “Jun-Jun,” “Freedom Day,” “Emancipation Day,” and “Emancipation Celebration;” and

WHEREAS, Juneteenth celebrations have been held to honor African-American freedom while encouraging self-development, education and respect for all cultures; and

WHEREAS, Juneteenth will be recognized at this year’s Summerfest hosted by the Yorktown Chamber of Commerce and Town of Yorktown;

NOW, THEREFORE BE IT RESOLVED, That the Town of Yorktown proclaims June 19th as Juneteenth Day in recognition of June 19, 1865, the date on which Union soldiers ended slavery in Galveston, Texas; and

FURTHER BE IT RESOLVED, The Town of Yorktown reiterates its stance against all forms of oppression, racism and bigotry; and

FUTHER BE IT RESOLVED, That the Town of Yorktown supports the continued nationwide celebration of Juneteenth Day to provide an opportunity for the people of the United States to learn more about the past and to better understand the experiences that have shaped this nation.

8. PRESENTATION

Trail Town - Mohegan Quarry

9. PERSONNEL

Acknowledge the accomplishments of Patricia Barresi as Interim Director for the John C. Hart Memorial Library

WHEREAS, The Town of Yorktown is proud to acknowledge the accomplishments of Patricia Barresi as Interim Director for the John C. Hart Memorial Library; and

WHEREAS, Patricia Barresi demonstrated her dedication to the library through her decision to come back from retirement after previously serving as Library Director for 21 years to ensure that the day-to-day operations of the library could be maintained and carried out until a new Library Director is appointed; and

WHEREAS, Patricia Barresi planned and oversaw the safe re-opening of the library building for in-person services six days a week with evening hours; and

WHEREAS, Patricia Barresi played a vital role throughout the COVID-19 pandemic in keeping the Yorktown community served with virtual programs, library materials, and information services;

NOW, THEREFORE, BE IT RESOLVED that I, as Town Supervisor, on behalf of Yorktown citizens and the Library staff, are pleased to thank her for her nine months of dedicated service and to wish her a healthy, happy, and well-deserved retirement as Interim Director of the John C. Hart Memorial Library.

Accept the retirement of Vincent Haight from the Parks and Recreation Department

Resolved, the Town Board accepts the retirement of Vincent Haight from the Parks and Recreation Department effective June 25, 2021.

Accept the retirement of Margaret O'Reilly from the John C. Hart Memorial

Resolved, the Town Board accepts the retirement of Margaret O'Reilly from the John C. Hart Memorial Library effective May 31, 2021.

10. POET LAUREATE

John McMullen

11. COURTESY OF THE FLOOR

12. PUBLIC HEARINGS

Convene Public Hearing to consider amending Chapter 275 of the Code of the Town of Yorktown entitled “Vehicles and Traffic,” by adding full stop signs at the following locations: Granite Springs at its intersection with Quaker Church Road; and Chesterfield Drive at the intersection with Cross Road

Supervisor Matthew Slater will convene a public hearing to consider amending Chapter 275 of the Code of the Town of Yorktown entitled “Vehicles and Traffic,” by adding full stop signs at the following locations: the Northwest corner of Granite Springs at its intersection with Quaker Church Road; and the Northeast corner of Chesterfield Drive at the intersection with Cross Road.

Convene Public Hearing to consider a Site Plan Amendment application submitted by Washington Prime Group for the construction of a new 2,446 square foot exterior patio at the Jefferson Valley Mall

Supervisor Matthew Slater will convene a public hearing to consider a Site Plan Amendment application submitted by Washington Prime Group for the construction of a new 2,446 square foot exterior patio at the Jefferson Valley Mall.

Convene Public Hearing for the proposed Establishment of the Hallocks Mill Sewer District Extension

Supervisor Matthew Slater will convene a public hearing on the petition, together with a map showing the boundaries of a proposed sewer district extension in said Town, to be known as Hallocks Mill Sewer District Extension in the Town of Yorktown (the “Extension”) a general plan to serve said Extension, and a report of the proposed method of operation thereof; and

WHEREAS, said map, plan and report were prepared by a competent engineer duly licensed by the State of New York, and have been filed in the office of the Town Clerk of said Town, where the same are available during regular office hours for examination by any persons interested in the subject matter thereof, including estimate of cost; and

WHEREAS, the boundaries of said Extension shall be as described in Exhibit A attached hereto and hereby incorporated herein; and

WHEREAS, the improvements proposed consist of the construction of a sanitary sewer system at a maximum estimated cost of \$14,300,000; and

WHEREAS, the cost of hook-up fees to the typical property in said Extension is \$5,850; and

WHEREAS, the estimated cost of said Extension to the typical property therein is \$1,494 in the first year in which operation, maintenance, debt service and other charges and expenses are to be paid (\$782 for a typical property not connected); and

WHEREAS, a detailed explanation of the manner by which such costs were computed has been filed in the office of the Town Clerk where the same are available during regular office hours for examination by any person interested in the subject matter thereof.

13. RESOLUTIONS

Authorize Supervisor to enter into an Intermunicipal Agreement with the Yorktown Central School District for use of School District facilities, vehicles and equipment

RESOLVED, the Supervisor is authorized to enter into an Intermunicipal Agreement with the Yorktown Central School District for the purpose of allowing the Town of Yorktown, to use the School District's facilities, vehicles and equipment and for the Yorktown Central School District to use the Town's facilities, vehicles and equipment, for the benefit of the residents of the Town of Yorktown and the Yorktown Central School District. The term of the Agreement shall be from July 1, 2021 through June 30, 2022.

Authorize Supervisor to enter into an amendment to the Agreement with Ciarcia Engineering, P.C. for on-call Engineering Services

RESOLVED, the Supervisor is authorized to enter into an amendment to the agreement with Ciarcia Engineering, P.C. for on-call engineering services for a total amount not to exceed of \$55,000 (an additional \$33,000), for a term to end July 31, 2021, according to the terms set forth in the proposal dated March 1, 2021.

Be It Further Resolved that the Comptroller is authorized to transfer \$33,000 from A1440.101 Engineer Salary to A1440.490 Engineer Professional Services for Ciarcia Engineering agreement amendment.

Authorize Supervisor to enter into an amendment to the Agreement with LynStaar Engineering, P.C. for on-call Engineering Services

RESOLVED, the Supervisor is authorized to enter into an amendment to the agreement with LynStaar Engineering, P.C. for on-call engineering services for a total amount not to exceed \$15,000 (an additional \$5,000) for a term to end December 31, 2021, according to the terms set forth in the proposal dated February 26, 2021.

Authorize Creation of an Accessibilities Committee

WHEREAS, the Town Board is desirous of supporting the Town's special needs community by enhancing services, raising awareness and coordinating support;

NOW, THEREFORE BE IT RESOLVED, that the Town Board hereby creates an Accessibilities Committee for the purpose of: (1) advising the Town Board on how best to support the special needs community in the Town; (2) raise awareness of and coordinate support for special needs residents; (3) enhance services to the special needs community and their families; (4) coordinate support of the special needs community and their families; and (5) help craft more inclusive policies;

BE IT FURTHER RESOLVED, that the Committee shall consist of at least five (5) volunteer members; and

BE IT FURTHER RESOLVED, that each Committee member shall be appointed by and serve at the discretion of the Town Board; and

BE IT FURTHER RESOLVED, that the Committee shall select its own Chairperson; and

BE IT FURTHER RESOLVED, that all Committee meetings will be open to the public, the public will be permitted to participate in the Committee's discussions, and the Committee's meeting dates are to be posted on the Town's website; and

BE IT FURTHER RESOLVED, that detailed minutes will be prepared of all Committee meetings;

BE IT FURTHER RESOLVED, that the Committee shall submit a report, on or before the 31st day of January, setting forth for the prior calendar year: (1) the dates the Committee met, (2) all votes taken by the Committee, (3) all memoranda prepared by the Committee and submitted to the Town Board, (4) all activities undertaken by the Committee, and (5) all minutes of the Committee's meetings; and

BE IT FURTHER RESOLVED, that Thomas Panek and Kathleen Macias-Torres are hereby appointed as members of the Committee with terms to expire on December 31, 2022.

Authorize Supervisor to execute an Inter-Municipal Agreement (“IMA”) with the County of Westchester to grant the County a license, permit and easement in order to allow the County to connect to the Town-owned sanitary sewer system for property located at 3840 Crompond Road

WHEREAS, the Supervisor is authorized to execute an Inter-Municipal Agreement (“IMA”) with the County of Westchester to grant the County a license, permit and easement in order to allow the County property located at 3840 Crompond Road, Cortlandt Manor, New York (“County Property”) to connect to the Town-owned sanitary sewer system (“Town District”), a portion of which is located along Route 202 (Crompond Road), and

Whereas, in consideration for the privilege of connecting to and discharging sanitary sewage from the County Property into the Town District's sanitary sewer during the term of this Permit, the County agrees and covenants to pay a fee equivalent to what the County would pay if the Town was able to levy a sewer tax against the County Property, and the County would also be subject to payment of its share of debt service for any capital improvements made to the Town District during the term of the Agreement, and

WHEREAS, Town Law §64 requires that the Town's conveyance of real property be subject to a permissive referendum under Town Law §90 and 91; and

NOW THEREFORE, BE IT RESOLVED, that the Town has determined the action contemplated under this Resolution is a Type II action under the State Environmental Quality Review Act ("SEQR") and therefore no further review is required under SEQR; and be it

FURTHER RESOLVED, the Town Board hereby directs that a copy of this resolution be filed with the Town Clerk and a copy be provided to any person who has requested a copy hereof; and be it

FURTHER RESOLVED, that pursuant to NY Town Law §82 and 90, within ten (10) days from the date of this Resolution the Town Clerk shall post and publish a notice which shall set forth the date of the adoption of the Resolution, shall contain an abstract of such Resolution concisely setting forth the purpose and effect thereof, shall specify that this Resolution was adopted subject to a permissive referendum; and shall publish such notice in The Yorktown News, a newspaper published in the County having a general circulation in the Town of Yorktown, and in addition thereto that the Town Clerk shall post or cause to be posted on the sign-board of the Town of Yorktown, a copy of such notice within ten (10) days after the date of the adoption of this Resolution.

Authorize Comptroller to pay Margaret O'Reilly the cash value of unused time as of her date of retirement

Be It Resolved, that the Town Board hereby authorizes the Town Comptroller to pay Margaret O'Reilly the cash value of unused time as of her date of retirement:

Rate of Pay: \$30.9026

Sick	976.75 hours @	50%	=488.37 hours
	488.37 hours x	\$30.9026	=\$15,091.90
Vacation	253.00 hours x	\$30.9026	=\$ 7,818.35

Total \$22,910.25

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

From:

L909.8	Library Reserve Employee Accrued Benefits	\$15,091.90
L7410.101	Library Salary	\$ 7,818.35

To:

L7410.108	Library Lump Sum Payments	\$22,910.25
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Authorize Comptroller to process the following Budget Transfer to fund a Worker's Compensation scheduled loss of use payment / Notice of Decision

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: D.909	Highway Fund - Fund Balance	\$63,267.40
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To: MC.1930.402	Worker's Comp Indemnity Payments	\$63,267.40
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Authorize Comptroller to process the following budget transfer for the Mohegan Highlands Park District

Resolved, the Comptroller is hereby authorized to process the following budget transfer for the Mohegan Highlands Park District:

From:

MH909	Fund Balance	\$9,876.00
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To:

MH7180.200	Equipment	\$9,876.00
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For the purchase of playground equipment from Best in Backyards/Eastern Jungle Gym for a total price of \$9,876.00.

Authorize Supervisor to sign an agreement with Michael Reilly Jr., PE to provide the specs for replacement of boilers

Whereas, the Building Maintenance Department is requesting Michael Reilly Jr., PE to provide specs for boiler replacements at both the Albert A. Capellini Community & Cultural Center & Yorktown Police Department

- Albert A. Capellini Community & Cultural Center: two-to-one boiler replacement specs costing \$6,000.00

- Yorktown Police Department: one-to-one boiler replacement specs costing \$6,000.00

Resolved, the Town Supervisor is authorized to sign an agreement with Michael Reilly Jr., PE to provide the specs for replacement of said boilers.

Authorize Supervisor to execute an agreement with Site Design Consultants in an amount not to exceed \$5000.00 for on-call Engineering Consultant Services

RESOLVED, that the Supervisor is authorized to execute an agreement with Site Design Consultants in an amount not to exceed \$5,000 for the provision of on-call engineering consultant services in connection with the Granite Knolls Sports Complex. The term of the agreement shall be retroactive to May 1, 2021 through December 31, 2021.

Extend Bid for Alarm Monitoring Services for Town Facilities with Marshall Alarm Systems

Whereas,

1. The Town of Yorktown at its meeting of August 1, 2017 awarded the bid for Alarm Monitoring Services for Town Facilities to Marshall Alarm Systems.
2. The contract term for this service was for a contractual duration of three (3) years commencing on 8/2/17.
3. Upon mutual consent of the Contractor and the Town, the contract may be extended for two 1-year periods.

Be It Resolved, that the Town Board extends the contract with Marshall Alarm Systems for Alarm Monitoring Services for Town facilities through August 1, 2022.

Authorize the Climate Smart Communities Task Force, in collaboration with Sustainable Westchester to provide education, outreach and engagement to the public regarding climate change

RESOLVED, that through the Climate Smart Communities Task Force, in collaboration with Sustainable Westchester, will provide education, outreach and engagement to the public in regards to effects of climate change and the reduction of greenhouse gas (GHG) emissions as preventative measures for further climate change.

Authorize Comptroller to accept the project bond and fee for the New York Self Storage Site Plan

WHEREAS, NY Jefferson Valley Self Storage, LLC as applicant, provided the Town with Check #1013 in the amount of \$11,200.00 to serve as the 8% Inspection Fee for permit #WP-FSWPPP-065-20 for the site plan project located at 621 Bank Road, and

WHEREAS, NY Jefferson Valley Self Storage, LLC as applicant, provided the Town with Check #1014 in the amount of \$5,000.00, to serve as the Erosion Control Bond for permit #WP-FSWPPP-065-20, NOW, THEREFORE BE IT

RESOLVED, that the above referenced monies are hereby accepted to serve as the required bonds and fee for the above referenced site plan.

Authorize Comptroller to release project bonds for Hunterbrook Road and Crompond Road to John Barile, President of JAB Builders

WHEREAS, Andrew Ryder as applicant in 2016 for a land development project consisting of two lots, one on Hunterbrook Road, the other on Crompond Road, posted check #181 in the amount of \$2,500 to serve as the Wetland Bond and check #182 in the amount of \$1,500 to serve as the Erosion Control Bond (totaling \$4,000) for permit #WP-FSWPPP-062-15, which was deposited to the T33 account on August 29, 2016.

WHEREAS, Andrew Ryder sold the property to JAB Builders in March of 2018 and the bonds were assigned to JAB Builders the new owners of the property.

WHEREAS, John Barile, President and applicant of JAB Builders posted Check No. 1992 in the amount of \$5,000, which was deposited into the T33 account on January 31, 2020, to serve as the project Performance Bond for Landscaping.

WHEREAS, John Barile, President of JAB Builders and as applicant has requested all monies be released and a final inspection be performed as the project work is now complete.

WHEREAS, a site inspection was performed and determined that the Erosion Control Bond and the Performance Bond may be returned as all disturbed areas have been restored.

WHEREAS, The Wetland Bond cannot be returned as the three-year time period for growth of plantings has not been satisfied.

NOW, THEREFORE BE IT, RESOLVED, that the above referenced monies totaling \$6,500 be and are hereby released to JAB Builders, 361 Route 6, Mahopac, NY 10541, Attn: Mr. John Barile.

Authorize Comptroller to release project bond for 3617 Buckhorn Street to PanBar Realty, LLC

WHEREAS, PanBar Realty, LLC, as applicant posted check #1650 in the amount of \$500, which was deposited into the T33 account on June 12, 2020 to serve as the Performance Bond for property located at 3617 Buckhorn Street, and,

WHEREAS, PanBar Realty, LLC has requested the Performance Bond be released.

NOW, THEREFORE BE IT RESOLVED, the above referenced check in the amount of \$500 be released to PanBar Realty, LLC, 361 Route 6, Mahopac, NY 10541.

Authorize Comptroller to release project bond for 1401 Front Street Site Plan to 1401 Front Street Associates, LLC

WHEREAS, 1401 Front Street Associates, LLC, as applicant, provided the Town with Arch Insurance Company Bond No. SU1034019, in the amount of \$48,847.00, to serve as the Performance Bond, for the 1401 Front Street Site Plan, located on Front Street, and

WHEREAS, 1401 Front Street Associates, LLC, as applicant, provided the Town with Check No.050658, in the amount of \$5,000.00 which was deposited into the T33 account on May 23, 2008, to serve as the Erosion Control Bond, for the 1401 Front Street Site Plan, and

WHEREAS, the project was abandoned and the owner is requesting monies be returned, and

WHEREAS, an inspection was performed and it was determined the above referenced monies may be returned, NOW, THEREFORE, BE IT

RESOLVED, that the above referenced check and bond are hereby released to 1401 Front Street Associates, LLC, c/o Brewster Business Park, 1944 Route 22, Brewster, NY 10509.

Authorize Comptroller to release project bond for 3655 & 3659 Old Crompond Road to JAM Real Estate Development, LLC in the amount of \$7,028.00

WHEREAS, JAM Real Estate Development, LLC as applicant posted check #1013 in the amount of \$7,028.00, which was deposited into the T33 account on August 1, 2019 to serve as the Performance Bond for property located at 3655 & 3659 Old Crompond Road, and,

WHEREAS, JAM Real Estate, LLC / Maria Cipriano has requested the Performance Bond be released.

NOW, THEREFORE BE IT RESOLVED, the above referenced check in the amount of \$7,028 be released to JAM Real Estate Development, LLC, 82 Furnace Dock Road, Croton-on-Hudson, NY 10520-1419.

Authorize Comptroller to release project bond for Saddle Ridge Road to Matthew Murphy

WHEREAS, Matthew Murphy as applicant, posted check #2834 in the amount of \$250 which was deposited to the T33 account on February 28, 2020.

WHEREAS, Matthew Murphy has requested his money be released as the site is now complete.

WHEREAS, 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. Matthew Murphy, 2994 Saddle Ridge Road, Yorktown Heights, NY 10598.

14. **ADJOURN**

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

Dated: June 15, 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, June 15, 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 or at the public Hearings scheduled 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