



Town of Yorktown

Office of the Town Clerk Diana L. Quast

FINAL TOWN BOARD MEETING AGENDA

July 6, 2021

**Meeting will be held in person and on zoom
at 363 Underhill Avenue, Yorktown Heights, NY 10598**

Due to the inclement weather and heat advisory for this evening the Town Board meeting has been moved to Town Hall, 363 Underhill Avenue, Yorktown, NY 10598. Please register in advance with the Town Clerk to speak during Courtesy of the Floor and/or during Public Hearings. Thank you.

6:00 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. POET LAUREATE
John McMullen
8. COURTESY OF THE FLOOR
9. PERSONNEL

Appoint Sandrine Nseng temporary to the Civil Service title, Director-Section 8 Rental Assistance Program

BE IT RESOLVED, that Sandrine Nseng, of Carmel, NY, is hereby appointed temporary to the civil service title, Director-Section 8 Rental Assistance Program, job class code 0245-01, from Eligible list No. 65-486, effective July 12, 2021 through July 21st, 2021, to be paid \$105,000.00 annually,

BE IT RESOLVED, that Sandrine Nseng is hereby appointed permanent to the civil service title, Director – Section 8 Rental Assistance Program, job class

code 0245-01, from Eligible list No. 65-486, effective July 22, 2021, to be paid \$105,000.00 annually,

BE IT FURTHER 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 July 22, 2021.

Accept the resignation received from Richard Romanski from the Parks & Recreation Commission with thanks for his service to the community

Resolved, that the Town Board accepts the resignation received from Richard Romanski from the Parks & Recreation Commission with thanks for his service to the community.

10. **PUBLIC HEARINGS**

Reconvene a public hearing to consider the establishment of a Sewer District Extension to be known as the Hallocks Mill Sewer District Extension

Supervisor Matthew Slater will reconvene a public hearing to consider the establishment of the Sewer District Extension in said Town as described in the preambles hereof, to be known as Hallocks Mill Sewer District Extension, and the improvements proposed therefor, and to consider the petition, map, plan and report filed in relation thereto, and to hear all persons interested in the subject matter thereof concerning the same, and for such other action on the part of said Town Board as may be required by law or shall be proper in the premises.

Convene public hearing to consider a rezoning application received from Ben Cozzi, Contract Vendee of property located at 1760 Wiley Road

Supervisor Matthew Slater will convene a public hearing to consider a rezoning application received from Ben Cozzi, Contract Vendee of property located at 1760 Wiley Road, also known on the Yorktown Tax Rolls as Section 15.19, Block 1, Lot 10 seeking a zoning map amendment to Transitional Zone to allow the parcel to be developed as a residence.

Convene public hearing to consider amending the Code of the Town of Yorktown by adding Chapter 301 to opt out of allowing cannabis retail dispensaries and on-site consumption sites

Supervisor Matthew Slater will convene a public hearing to consider amending the Code of the Town of Yorktown by adding Chapter 301 to opt out of allowing cannabis retail dispensaries and on-site consumption sites as authorized under Cannabis Law Article 4.

11. RESOLUTIONS

Authorize Supervisor to execute all documentation necessary for the Town to apply for the ConEdison Electric Vehicle Make-Ready Program

RESOLVED, that the Supervisor is authorized to execute all documentation necessary for the Town to apply for the ConEdison Electric Vehicle Make-Ready Program.

Authorize Supervisor to execute agreements with the County of Westchester to provide social and nutritional services to the elderly a/k/a Nutrition Services Incentive Program (“NSIP”), Title III-C1 and III-C2

RESOLVED, that the Supervisor is authorized to execute agreements with the County of Westchester to provide social and nutritional services to the elderly (a/k/a Nutrition Services Incentive Program (“NSIP”), Title III-C1 and III-C2. The term of the agreements is retroactive to January 1, 2021 through December 31, 2021 for the III-C programs and retroactive to October 1, 2020 through September 30, 2021 for the NSIP. The Town will be responsible for matching \$8,107 for III-C1 and \$16,319 for III-C2 NSIP.

Authorize Comptroller to process the following Budget Transfer for the Granite Knolls Inclusive Playground

The Town Board passed a resolution on August 6, 2019 accepting the State and Municipal Grant (SAM Grant) in the amount of \$250,000 and authorizing a transfer from the General Fund – Fund Balance for the inclusive playground at the Granite Knolls Recreation and Sports Complex.

The Town has now received final grant funding approval and will proceed with the installation of the inclusive playground. Pricing for the equipment through Sourcewell cooperative contract has increased, therefore the following additional transfer is needed:

from:

A.1002	General Fund – Fund Balance	\$40,000.00
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to:

HA7110.200	Capital – Granite Knolls Project	\$40,000.00
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Authorize Comptroller to process the following Budget Transfer for the Police Department

The Comptroller is hereby authorized to process the following budget transfer:

from:

A.1002	General Fund – Fund Balance	\$45,000.00
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to:

A3120.210	Police – Vehicles	\$38,000.00
A3120.210.1	Police – Vehicle Equipment	\$ 7,000.00

for the purchase of a Ford Explorer Hybrid and equipment (radio, cages, lights, etc) from Westchester County Contract RFB-WC-19023.

Authorize Town Supervisor to apply for and receive funding under the 2021 Department of State - Local Waterfront Revitalization Program

WHEREAS, Junior Lake; Lake Mohegan; Osceola Lake and Sparkle Lake are New York State Legislature assigned ‘Coastal Waterbodies & Designated Inland Waterways’ per NYSDOS; and

WHEREAS, formation of a Local Waterfront Revitalization Program (LWRP) will provide a vision for compatible conservation and development in an as yet undefined community waterfront area, plus address future land and water use strategies for a unified waterfront redevelopment area, consistent with State Coastal Policy and local context; and

WHEREAS, preparing an LWRP will generate detailed recommendations on ways to improve water dependent and water enhanced recreation, and it will identify resilience measures Yorktown can deploy to guide growth and capital planning and better avoid impacts from flooding, as well as proactively address risks from climate change, at the same time it provides for complimentary economic development and overcoming the economic impacts of Covid-19; and

WHEREAS, the Town of Yorktown seeks to secure funding from the New York State Department of State (NYSDOS) Division of Coastal Resources for a 2021 Regional Economic Development Council award for an Environmental Protection Fund (EPF) underwritten grant for the purpose of a Town of Yorktown LWRP Preparation; and

WHEREAS, Harmful Algae Blooms (HABs) have impacted Lake Mohegan and its hamlet, stimulating further community interest in enhancing water quality in this lake, and an LWRP can be used to structure beneficial long-term multi-party collaboration that will advance management planning and improvement in the quality of local water bodies and their surrounding environments;

NOW THEREFORE BE IT RESOLVED by the Town of Yorktown Town Board that the Town shall hereby apply to the NYS Department of State for LWRP Grant funds; and

THEREFORE, BE IT FURTHER RESOLVED, that the Project shall be entitled “Town of Yorktown Local Waterfront Revitalization Program Preparation”; and

BE IT FURTHER RESOLVED, that the Town Supervisor is authorized and designated as representative for this LWRP grant application that will execute the grant application, provide any additional information as may be required including all understandings and assurances, and is authorized and directed to

execute any contract and/or agreement with New York State in connection with fully implementing an award for said application; and

BE IT FURTHER RESOLVED, that the Town Board hereby commits to using municipal funds as a required local cash match of twenty-five (25%) of the total project cost.

Authorize Court Clerk to attend the 2021 NYS Association Magistrate Court Clerk Annual Conference from September 12, 2021 through September 15, 2021

RESOLVED that the Court Clerk, Maria Ricci, be granted permission to attend the 2021 NYS Association Magistrate Court Clerk Annual Conference from September 12, 2021 through September 15, 2021 in Albany, New York. The estimated expenses include a registration fee in the amount of \$65.00 and a hotel package rate which includes all meals and hotel accommodations in the amount of \$883.00 for a total expense of \$948.00. Sufficient funds exist in the department's training line.

Authorize Supervisor to execute a contract with Transpo Group for the purpose of providing traffic consulting services on an as needed basis, as a supplemental consultant to Sam Schwartz

WHEREAS the Town Board of the Town of Yorktown has solicited proposals for transportation engineering and planning services for the Town; and

WHEREAS the Town received proposals from the following prospective consultants:

Cameron Engineering & Associates, L.L.P
303 Old Tarrytown Road
White Plains, NY 10603

Sam Schwartz
1 North Broadway
White Plains, NY 10601

Kimley-Horn of New York, P.C.
1 North Lexington Avenue
White Plains, NY 10601

Transpo Group
118 Maple Avenue
New City, N.Y. 10956

Provident Design Engineering
7 Skyline Drive
Hawthorne, N.Y. 10532

Hardesty & Hanover
555 Theodore Fremd Avenue
Rye, N.Y. 10580

Chazen Companies
1 North Broadway
White Plains, N.Y. 10601

WHEREAS, the proposals of all of the respondents were reviewed to determine the qualifications of each respondent, their understanding of the scope of work, the appropriateness of their proposed schedules, and the adequacy of their proposed cost proposals for the required services; and

WHEREAS, the Town Board determined that Sam Schwartz Engineering, DPC and Transpo Group presented the most complete proposal and demonstrated the most appropriate understanding of the required services and needs of the Town; and

WHEREAS, Sam Schwartz Engineering, DPC, a traffic consulting firm, has entered into an agreement with the Town of Yorktown to provide these services on an on-call basis which was authorized by the Town Board by resolution on May 18, 2021; and

WHEREAS, the Town Board desires to enter into an agreement with Transpo Group to perform traffic analyses on individual project proposals, on an as needed basis, as a supplemental consultant to Sam Schwartz; now therefore

BE IT HEREBY RESOLVED, that the Supervisor of the Town of Yorktown is hereby authorized to execute a contract with Transpo Group for the purpose of providing traffic consulting services on an as needed basis to perform traffic analyses for individual project proposals, the costs thereof to be determined for each project pursuant to a schedule of hourly rates provided within the agreement; and be it further

RESOLVED, that the costs, where applicable, shall be charged to, and borne by, each individual projects' applicant or sponsor.

Authorize Supervisor to sign agreements for Environmental Planning Services with Barton & Loguidice and Weston & Sampson, PE, LS, LA, PC for the purpose of providing environmental consulting services

WHEREAS, the Town Board of the Town of Yorktown has solicited proposals for environmental planning services for the Town; and

WHEREAS, the Town received proposals from the following prospective consultants:

NV5
32 Old Slip
New York, NY

Weston & Sampson, PE, LS, LA, PC
100 South Bedford Road
Mount Kisco, NY 10549

Barton & Loguidice, D.P.C.
247 Route 100
Somers, NY 10589

Boomi Environmental, L.L.C.
494 Eighth Avenue
New York, N.Y. 10001

HVEA Engineers
560 Route 52
Beacon, N.Y. 12508

WHEREAS, the proposals of all of the respondents were reviewed to determine the qualifications of each respondent, their understanding of the scope of work, the appropriateness of their proposed schedules, and the adequacy of their proposed cost proposals for the required services; and

WHEREAS, the Town Board determined that Barton & Loguidice, D.P.C. and Weston & Sampson, PE, LS, LA, PC presented the most complete proposals and demonstrated the most appropriate understanding of the required services and needs of the Town; and

WHEREAS, the Town Board desires to enter into an agreement with Barton & Loguidice, D.P.C. to perform environmental consulting services on individual project proposals, on an as needed basis, and

WHEREAS, the Town Board desires to enter into an agreement with Weston & Sampson, PE, LS, LA, PC to perform environmental consulting services on individual project proposals, on an as needed basis, as a supplemental consultant to Barton & Loguidice, D.P.C.; now therefore

BE IT HEREBY RESOLVED, that the Supervisor of the Town of Yorktown is hereby authorized to execute a contract with Barton & Loguidice and Weston & Sampson, PE, LS, LA, PC for the purpose of providing environmental consulting services on an as needed basis for individual project proposals, the costs thereof to be determined for each project pursuant to a schedule of hourly rates provided within each agreement; and be it further

RESOLVED, that the costs, where applicable, shall be charged to, and borne by, each individual projects' applicant or sponsor.

Extend Bid for John Deere Construction Equipment OEM Parts for the Highway Department

WHEREAS, invitation to bid for the John Deere Construction Equipment OEM Parts for the Town of Yorktown was duly advertised, and

WHEREAS, no bids were received on May 11, 2021, and

WHEREAS, Jesco Inc., 118 St. Nichols Avenue, So. Plainfield, NJ 07080 has agreed to a one-year extension as per the terms of the bid, now

Therefore, Be It Resolved, that upon the recommendation of the Highway Superintendent, Dave Paganelli, the bid for the John Deere Construction Equipment OEM Parts is extended for one additional year to Jesco Inc., 118 St. Nichols Avenue, So. Plainfield, NJ 07080.

Authorize Town Clerk to advertise Bid for Tree Removal Services for the Highway Department

Resolved, that the Town Clerk is authorized to advertise bid for Tree Removal Services. Specifications may be obtained from the Office of the Town Clerk at the above address Monday through Friday, 8:00 A.M. to 4:00 P.M. as well as on the Town's website, www.yorktownny.org under "Bids and RFPs," and on BidNet Direct, www.bidnetdirect.com. Bids will be received at the Office of the Town Clerk, Town Hall, 363 Underhill Avenue, Yorktown Heights, New York 10598 until 11:00 A.M. on Monday, July 19, 2021.

Authorize Town Clerk to advertise Bid for prompt reliable advanced life support services to the Town of Yorktown Advanced Life Support District

Resolved, the Town Clerk is authorized to advertise Bid for qualified and interested companies to furnish prompt reliable advanced life support service within the Town of Yorktown Advanced Life Support District. The purpose of this request for proposals is to select, after review and evaluation, the most effective advanced life support service company to work in conjunction with the existing police, fire, and basic life support ambulance services in providing these services for the District. sealed proposals will be received by the Town Clerk, Town of Yorktown, Westchester County, NY until 11:00 a.m. on Wednesday, August 11, 2021.

Approve MS4 Storm Water Management Permit - #FSWPPP-T-032-21 for a proposed single-family residence located at 1039 Underhill Avenue-Lajqi

WHEREAS, Besim Lajqi submitted an application to the Engineering Department for a MS4 Storm Water Management Permit - #FSWPPP-T-032-21 for a proposed single-family residence; and

WHEREAS, 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; and

WHEREAS, the Applicant submitted engineering plans for the subject property prepared by Site Design Consultants consisting of the following sheets:

- Existing Conditions & Proposed Site Plan (Sheet 1 of 2) dated May 11, 2021
- Details (Sheet 2 of 2) dated May 11, 2021

WHEREAS, correspondence has been received from the Planning Board, Conservation Board, ABACA, the Tree Conservation Advisory Commission, and the New York City Department of Environmental Protection, and no objections were provided; and

WHEREAS, the Engineering Department performed a review of the submitted improvement plans and has determined that the plans address the Town's requirements; now

THEREFORE, BE IT RESOLVED THAT, the Town Board finds that the proposed regulated activity is consistent with the policies and goals of the Town Code as stated herein; and be it further; and

BE IT FURTHER RESOLVED, that the Proposed Action minimizes to the extent practicable any adverse impact on public health and safety, soil erosion, wildlife habitat, and drainage, and will not be detrimental to adjoining properties; and

BE IT FURTHER RESOLVED, the permit is granted subject to the signing of the plans by the Town Supervisor and shall be valid for a period of one year from date of this resolution. All work associated with the Wetland and Stormwater Permit shall be conducted in strict compliance with the approved plans; and

BE IT FURTHER RESOLVED THAT, the permit shall automatically expire upon completion of work; and

BE IT FURTHER RESOLVED THAT, the following conditions must be followed by the applicant:

Conditions that must be met prior to the Supervisor signing the Plans:

1. The Town Stormwater Officer shall sign the MS4 acceptance form.
2. A construction monitoring fee in the amount of \$1,000.00 must be submitted to the Engineering Department Clerk.

3. An Erosion and Sediment Control Bond, or other collateral acceptable to the Town Board and in form acceptable to the Town Attorney, shall be submitted to the Engineering Department. Said security shall be in the amount of \$1,500.00 which shall be released upon required documentation of satisfactory completion of all work and stabilization of the site.
4. Submission of a Notice of Intent (NOI) in compliance with the requirements of NYSDEC.

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

1. A Yorktown Building Permit must be obtained from the Building Department.
2. 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.
3. **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 herein; 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 workday, 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. No soil storage outside the limit of disturbance line is permitted.
4. Road in front of property must be kept broom clean at all times.
5. A copy of the waste manifest for material exported from or imported to the site shall be provided to the Engineering Department.
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 if any work is not acceptable.

Conditions that must be met after project completion.

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 any discrepancies from the approved plans 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 stabilized and erosion control practices have been removed, the applicant shall notify the Engineering Department and schedule a final inspection.

12. ADJOURN

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

Dated: July 6, 2021

Instructions for the Public to participate in Town Board Meetings:

The Town Board of the Town of Yorktown will be meeting in person and via Zoom at 363 Underhill Avenue, New York 10598 on July 6, 2021. **If you would like to participate via video conferencing, please contact the Town Clerk before the meeting.** The meeting will begin at 6:00 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 at dquast@yorktownny.org

You will need to provide your name, phone number and email address when registering.

AGENDAS ARE SUBJECT TO CHANGE