



Town of Yorktown

Office of the Town Clerk Diana L. Quast

FINAL TOWN BOARD MEETING AGENDA

January 17, 2023

Spadaccia Meeting Room

363 Underhill Avenue, Yorktown, NY 10598

6:00 PM EXECUTIVE SESSION

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

Interviews

RFP's for Par 3 Golf Course

Litigation and Negotiations

Town Attorney

7:30 PM TELEVISED TOWN BOARD MEETING

1. PLEDGE OF ALLEGIANCE
2. MOMENT OF SILENCE
3. INTRODUCTIONS
4. REPORT FROM TOWN SUPERVISOR THOMAS DIANA
5. REPORTS FROM TOWN COUNCIL
6. REPORT FROM HIGHWAY SUPERINTENDENT
7. PROCLAMATION-OBSERVANCE OF MARTIN LUTHER KING, JR. DAY
Whereas, Dr. Martin Luther King, Jr.'s dream of equality and achieving social change through nonviolence has helped shape our nation, and

Whereas, this week we celebrate Dr. Martin Luther King, Jr.'s Birthday and we remember his legacy as an American hero and tireless social activist who called upon our nation to ensure equal justice under the law and to uphold our founding principles, which recognize individual rights to life, liberty, and the pursuit of happiness, and

Whereas, Dr. Martin Luther King, Jr. encouraged Americans to come together, regardless of age, race, or creed, to alleviate poverty, and value the dignity and respect inherent in all people. Through his example, he taught the values of courage, truth, justice, compassion, humility, and service to strengthen our communities, now

Therefore Be It Resolved, that I, Thomas P. Diana, Supervisor of the Town of Yorktown along with the Town Board recognize January 16, 2023 as

“Dr. Martin Luther King, Jr. Day”

and encourage all residents to act for the future betterment of our community.

8. **POET LAUREATE**

John McMullen

9. **PRESENTATION**

Brian Amico - Competitive Carting

10. **COURTESY OF THE FLOOR**

11. **PUBLIC HEARING**

Reconvene public hearing to consider a wetland permit application submitted by Homeland Towers, LLC for the proposed construction of a telecommunications facility

Supervisor Thomas Diana will reconvene a public hearing to consider a wetland permit application submitted by Homeland Towers, LLC for the proposed construction of a telecommunications facility at Hill Boulevard, Jefferson Valley, NY.

12. **RESOLUTIONS**

From the Albert A. Capellini Community and Cultural Center

Approve Lease of space to the Yorktown Teen Center, Inc. subject to Permissive Referendum

WHEREAS, The Yorktown Teen Center, Inc., a nonprofit corporation (“Tenant”), wishes to lease from the Town of Yorktown certain rooms within the Albert A. Capellini Community and Cultural Center as set forth in Exhibit A of a proposed lease, which Exhibit A is on file with the Town Clerk, and the Town of Yorktown wishes to lease such space to Tenant, and

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

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, that 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.

Approve Lease of Space to Yorktown Stage Inc. subject to Permissive Referendum

WHEREAS, Yorktown Stage Inc., a nonprofit corporation (“Tenant”), wishes to lease from the Town of Yorktown Room 12 within the Albert A. Capellini Community and Cultural Center as set forth in Exhibit A of a proposed lease, which Exhibit A is on file with the Town Clerk, and the Town of Yorktown wishes to lease such space to Tenant, and

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

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

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Approve Lease of Space to Yorktown Community Help, Inc. subject to Permissive Referendum

WHEREAS, Yorktown Community Help, Inc., a nonprofit corporation (“Tenant”), wishes to lease from the Town of Yorktown certain rooms(s) within the Albert A. Capellini Community and Cultural Center as set forth in Exhibit A of a proposed lease, which Exhibit A is on file with the Town Clerk, and the Town of Yorktown wishes to lease such space to Tenant, and

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

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

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Approve Lease of Space to Corporate Children’s Center Consultants, Inc. subject to Permissive Referendum

WHEREAS, Corporate Children’s Center Consultants Inc., a for profit corporation (“Tenant”), wishes to lease from the Town of Yorktown certain rooms(s) within the Albert A. Capellini Community and Cultural Center as set forth in Exhibit A of a proposed lease, which Exhibit A is on file with the Town Clerk, and the Town of Yorktown wishes to lease such space to Tenant, and

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

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

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From the John C. Hart Memorial Library

Authorize Supervisor to execute an agreement with Automated Control Logic, for on-call monitoring of the Library’s mission-critical equipment

RESOLVED, that the Library Director is authorized to execute an agreement with Automated Control Logic, for on-call monitoring of the Library’s mission-critical equipment, in an amount not to exceed \$4,000. The term of the contract will be retroactive from January 2023 through January 2024.

From the Highway Department

Award Bid for the Purchase of a Used or New Combination Single Engine Sewer Cleaner with Positive Displacement Vacuum System or Fan System Mounted on a Heavy Duty Truck Chassis or Equivalent

WHEREAS, invitation to bid for the purchase of a Used or New Combination Single Engine Sewer Cleaner with Positive Displacement Vacuum System or Fan System Mounted on a Heavy Duty Truck Chassis or Equivalent for the Yorktown Highway Department was duly advertised, and

WHEREAS, said bids were received and opened on January 12, 2023 with the bid amounts for the above-referenced project summarized below:

| Vendor | Used | New |
|---------------------------------------|--------------|--------------|
| Jack Doheny Company | \$455,000.00 | \$521,821.36 |
| International Link Trucks & Equipment | \$314,149.00 | No Bid |
| Technology International Inc. | No Bid | \$522,500.00 |

THEREFORE, BE IT RESOLVED, that upon the recommendation of Highway Superintendent Dave Paganelli the bid for the Purchase of a New Combination Single Engine Sewer Cleaner with Positive Displacement Vacuum System or Fan System Mounted on a Heavy Duty Truck Chassis for the Yorktown Highway Department is hereby awarded to the lowest bidder, Jack Doheny Company, 777 Doheny Drive, Northville, MI 48167, in the amount of \$521,821.36.

BE IT FURTHER RESOLVED, that the Comptroller is authorized to process the following budget transfer:

From:

A.1002 General Fund – Fund Balance \$500,000.00
(to be offset by ARPA revenue)

D.1002 Highway – Fund Balance \$ 21,821.36

To:

D5110.201 Highway – Equipment \$521,821.36

for the purchase of a 2023 Combination Single Engine Sewer Cleaner with Positive Displacement Vacuum System (Vactor) from Jack Doheny Company.

From the Nutrition/Senior Services Department

Advertise Bid for the purchase of a 7-Passenger Van Conversion for the Nutrition/Senior Services Department

NOTICE IS HERE GIVEN that sealed proposals will be received by the Town Clerk, Town of Yorktown, Westchester County, NY until 10:00 a.m., Monday, February 13, 2023 at the Town Hall, 363 Underhill Avenue, Yorktown Heights, NY 10598 for the purchase of a 7-Passenger Van Conversion.

From the Parks and Recreation Department

Advertise Bid for Pool Tile Repair for the Parks and Recreation Department

NOTICE IS HERE GIVEN that sealed proposals will be received by the Town Clerk, Town of Yorktown, Westchester County, NY until 10:00 a.m., on Monday, February 13, 2023 at the Town Hall, 363 Underhill Avenue, Yorktown Heights, NY 10598 for the Pool Tile Repair.

From the Police Department

Approve recognition of “Captain Kenneth Sgroi Act of Kindness Day” as March 16th of every year

Resolved, that Captain Kenneth Sgroi be memorialized each year and that the flag of the United States of America be lowered to half-staff on January 2nd of each year and that March 16th of every year shall be forever known as the “CAPTAIN KENNETH SGROI ACT OF KINDNESS DAY,” in the Town of Yorktown.

From the Town Attorney

Authorize Supervisor to sign an amendment and extension for calendar year 2023 for the professional services agreement with Barton & Loguidice, D.P.C.

BE IT RESOLVED, that the Supervisor of the Town of Yorktown is hereby authorized to execute an amendment and extension for calendar year 2023 for the professional services agreement with Barton & Loguidice, D.P.C., for an additional amount not to exceed \$100,000.00.

From the Town Board

Authorize the Supervisor to attend the New York State Conference of Mayors on February 5th through February 7th 2023

Resolved, that the Supervisor is authorized to attend the New York State Conference of Mayors in Albany, NY from February 5 - 7, 2023.

Authorize Supervisor to execute the NYS Master Contract for Grants and any associated documents for a \$30,000 grant for the Lake Mohegan Green Infrastructure and Stormwater Retrofit Design

RESOLVED, the Supervisor is authorized to execute the NYS Master Contract for Grants and any associated documents for a \$30,000 grant for the Lake Mohegan Green Infrastructure and Stormwater Retrofit Design, for the study of phosphorous mitigation in the Lake’s watershed.

Reappoint Christine Dunn as a member of the Parks and Recreation Commission

Be It Resolved, that Christine Dunn is hereby reappointed to the Parks and Recreation Commission for a term to expire on December 31, 2029.

From the Town Clerk

Authorize attendance at the 2023 New York State Town Clerks Association Annual Conference and Training Meeting to be held in Syracuse, New York from April 23-26, 2023

WHEREAS, sufficient funds exist in the Town Clerk's Training line to cover the cost of expenses, including lodging and conferences; now

Therefore, Be It Resolved, that Town Clerk Diana Quast and Deputy Town Clerk Maura Weissleder is authorized to attend the 2023 New York State Town Clerks Association Annual Conference and Training Meeting to be held in Syracuse, New York from April 23-26, 2023.

Renew Sani-Pro Disposal Services Corp. d/b/a Suburban Carting Commercial Garbage Licenses for 2023

RESOLVED, that Sani-Pro Disposal Services Corp. d/b/a Suburban Carting be and is hereby granted renewal of their Garbage License to service commercial properties in the Town of Yorktown for the year 2023.

Renew AAA Carting & Rubbish Removal, Inc., Commercial Garbage Licenses for 2023

RESOLVED, that AAA Carting & Rubbish Removal, Inc., be and is hereby granted renewal of their Garbage License to service commercial properties in the Town of Yorktown for the year 2023.

From the Town Comptroller

Authorize attendance at the 2023 New York State Government Finance Officers Association annual conference / training in Albany, New York March 29, 2023 through March 31, 2023

Whereas, sufficient funds exist in the Comptroller Training line to cover the cost of expenses, including lodging and conference, now

Therefore, Be It Resolved, that Patricia Caporale, Gennelle MacNeil and Rachel Marchionno are authorized to attend the 2023 New York State Government Finance Officers Association annual conference/training to be held in Albany, New York March 29, 2023 through March 31, 2023.

From the Water Department

Award Bid for the Purchase of a 2023 Vacuum Hydro-Excavator

WHEREAS, invitation to bid for the Purchase of a 2023 Vacuum Hydro-Excavator for the Yorktown Water Department was duly advertised, and

WHEREAS, said bids were received and opened on December 29, 2022 with the bid amounts for the above-referenced project summarized below:

| | |
|----------------------|-----------------|
| Jack Doheny Company | \$588,229.30 |
| 777 Doheny Drive | with warranties |
| Northville, MI 48167 | |

Trius, Inc.
458 Johnson Avenue
Bohemia, NY 11716

\$659,649.00
with warranties

Gabrielli Truck Sales, LTD
153-20 Conduit
Jamaica, NY 11434

\$743,855.00
with warranties

THEREFORE, BE IT RESOLVED, that upon the recommendation of the Water Distribution Superintendent, Ken Rundle, the bid for the Purchase of a 2023 Vacuum Hydro-Excavator be and is hereby awarded to the lowest bidder, Jack Doheny Company 777 Doheny Drive, Northville, MI 48167, in the amount of \$588,229.30 with warranties.

13. ADJOURN MEETING

A motion will be made to adjourn the Town Board meeting.

Dated: January 17, 2023

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

*****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.