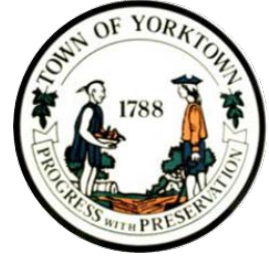




Town of Yorktown

Office of the Town Clerk
Diana L. Quast



FINAL TOWN BOARD MEETING AGENDA

September 19, 2023

Spadaccia Meeting Room

363 Underhill Avenue, Yorktown, NY 10598

6:30 PM EXECUTIVE SESSION

The Town Board may move into Executive Session to discuss personnel and/or litigation matters.

7:30 PM TOWN BOARD MEETING

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. MOMENT OF SILENCE
4. INTRODUCTIONS
5. REPORT FROM TOWN SUPERVISOR THOMAS DIANA
6. REPORTS FROM TOWN OFFICIALS
7. PRESENTATION
Kathy Quinn, Executive Director - Support Connection
8. PERSONNEL

Appoint Jaynee Becerra as Laborer in the Highway Department

BE IT RESOLVED, that Jaynee Becerra of Poughkeepsie, NY, is hereby appointed Laborer, job class code 0425-05, within the Highway Department, effective September 20, 2023 to be paid from Yorktown CSEA Salary Schedule A, Group 5, Step 1 which is \$47,549.00 annually with benefits, such as, sick days, personal days, and floating holidays to follow the CSEA agreement;

BE IT RESOLVED, contingent upon successful completion of a drug test;

BE IT 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 September 20, 2023.

Appoint Donald Allen Hopper II as Laborer in the Highway Department

BE IT RESOLVED, that Donald Allen Hopper II of Garrison, NY, is hereby appointed Laborer, job class code 0425-05, within the Highway Department, effective September 20, 2023 to be paid from Yorktown CSEA Salary Schedule A, Group 5, Step 1 which is \$47,549.00 annually with benefits, such as, sick days, personal days, and floating holidays to follow the CSEA agreement;

BE IT RESOLVED, contingent upon successful completion of a drug test;

BE IT 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 September 20, 2023.

Appoint Thomas J. Dalton, Jr. as Laborer in the Highway Department

BE IT RESOLVED, that Thomas J Dalton, Jr. of Wappingers Falls, NY, is hereby appointed Laborer, job class code 0425-05, within the Highway Department, effective September 20, 2023 to be paid from Yorktown CSEA Salary Schedule A, Group 5, Step 1 which is \$47,549.00 annually with benefits, such as, sick days, personal days, and floating holidays to follow the CSEA agreement;

BE IT RESOLVED, contingent upon successful completion of a drug test;

BE IT 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 September 20, 2023.

9. POET LAUREATE
John McMullen

10. OPEN FLOOR FOR PUBLIC COMMENT

11. RESOLUTIONS

From the Building and Maintenance Department

Advertise Bid for the purchase of a used Ford Explorer low mileage vehicle, or equivalent

Resolved, the Town Board authorizes the Town Clerk to advertise a bid for the purchase of a used Ford Explorer low mileage vehicle, or equivalent, for the Town Building Maintenance Department's use.

From the Engineering Department

Release of Erosion Control Bond – 2269 Willoway Street

WHEREAS, Gail & Robert Cohn, as applicants, posted check #4486 in the amount of \$250, which was deposited to the T33 account on December 1, 2022, to serve as the Erosion Control Bond, and WHEREAS, the applicant has requested his money be released as the project is complete, and

WHEREAS, the Town Engineer has informed this Board that the monies may be released, NOW, THEREFORE BE IT

RESOLVED, that the above referenced bond be released to Gail & Robert Cohn, 2269 Willoway Street, Yorktown Heights, NY 10598.

Accept Erosion Control and Landscape Bond – Chipotle

WHEREAS, Wetland & Excavation Permit #WP-E-028-10 was approved by the Planning Board on February 23, 2018 for the Lowe’s Site Plan which included three additional Pad sites, and

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, posted The Guarantee Company of North America’s Site Improvement Bond #76154779 in the amount of \$1,000,000 for Wetland & Excavation Permit #WP-E-028-10, and

WHEREAS, Site Improvement Bond #76154779 was reduced by the Town Board at their May 18, 2021 meeting to \$5,000, as two of the three pad sites have been constructed, and

WHEREAS, Grace & Grace Attorneys at Law, as attorney for Chipotle, posted check #5321 in the amount of \$3,000 to serve as the landscape bond for amended permit #WP-E-028-10, NOW, THEREFORE BE IT,

RESOLVED that the remaining \$5,000 bond #76154779 will serve as the Erosion Control Bond for the Chipotle restaurant proposed on pad C, and be it FURTHER

RESOLVED, the above referenced check is hereby accepted to serve as the landscape bond for the landscaping associated with the pad C site plan.

From the Highway Department

Authorize Comptroller to process the following budget transfer for Street Light Repair

RESOLVED, the Town Comptroller is authorized to process the following budget transfer:

From: A.1002 General Fund	\$20,000.00
To: A5182.418 Street Light Repair	\$20,000.00

Authorize Comptroller to process the following budget transfer for the purchase of ProMelt Ultra 2000

RESOLVED, the Town Comptroller is authorized to process the following budget transfer:

From: D5130.101	\$25,000.00
To: D5142.403	

for the purchase of ProMelt Ultra 2000 which is blended with the road salt.

Authorize Comptroller to process the following budget transfer for paving
RESOLVED, the Comptroller is hereby authorized to process the following budget transfer:

From: A.909 General Fund – Fund Balance \$1,000,000.00

To: D5112.210 Highway – Paving \$1,000,000.00

From the Human Resources Department

Authorize Supervisor to execute an agreement with Northern Westchester Ortho for the provision of IME exams

RESOLVED, the Supervisor is authorized to execute an agreement with Northern Westchester Ortho for the provision of IME exams for Town employees in an amount not to exceed \$500.00 per exam.

From the Library

Accept Resignation of Ellen Tannenbaum – J. C. Hart Memorial Library

BE IT RESOLVED, that the Town Board of the Town of Yorktown hereby accepts the resignation of Ellen Tannenbaum. Her last day of employment will be September 19, 2023.

From the Parks & Recreation Department

Authorize the Comptroller to process a budget transfer for the purchase of a new Toro 5910 Mower Engine

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

From:

A.1002 General Fund – Fund Balance \$16,424.84

To:

A.7110.0201 Parks – Equipment \$16,424.84

for the purchase of a new Toro 5910 Mower Engine as authorized by the September 12th, 2023 Town Board resolution.

Authorize the Comptroller to process a budget transfer for the purchase of a new 2023 Bobcat Mini Excavator

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

From:

A.1002 General Fund – Fund Balance \$60,687.78

To:

A.7110.0201 Parks – Equipment \$60,687.78

or the purchase of a new 2023 Bobcat Mini Excavator as authorized by the September 12th, 2023 Town Board resolution.

Authorize the Comptroller to process a budget transfer for the DE Tank Resurfacing at the Brian J. Slavin Aquatic Facility

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

From:
A.1002 General Fund – Fund Balance \$51,800.00

To:
A.7180.0416 Beach & Pool Facilities – Facility Maintenance \$51,800.00

for the DE (Diatomaceous Earth) Tank Resurfacing at the Brian J. Slavin Aquatic Facility as authorized by the September 12th, 2023 Town Board resolution.

Authorize the Comptroller to process a budget transfer for the chlorine tank removal and installation at the Junior Lake Aquatics Facility

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

From:
A.1002 General Fund – Fund Balance \$45,200.00

To:
A.7180.0416 Beach & Pool Facilities – Facility Maintenance \$45,200.00

for the Chlorine Tank Removal and Installation at the Junior Lake Aquatics Facility as authorized by the September 12th, 2023 Town Board resolution.

Authorize Comptroller to process a budget transfer to the installation/retrofit of the Musco LED Sports Lighting System at the Downing Park Baseball/Softball Fields

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

From:
A.1002 General Fund (ARPA) – Fund Balance \$37,700.00

To:
A.7110.0416 Parks – Grounds Maintenance \$37,700.00

for the Installation Retrofit of the Musco LED Sports Lighting System at the Downing Park Baseball/Softball Fields as authorized by the September 12th, 2023 Town Board resolution.

Award Bid for the Brian J. Slavin Aquatic Facility DE Tank Resurfacing

WHEREAS, invitation to bid for Brian J. Slavin Aquatic Facility DE (diatomaceous earth) Tank Resurfacing, was duly advertised, and

WHEREAS said bids were received and opened at 10:00am on the 18th day of September 2023, now therefore be it,

RESOLVED, that upon the recommendation of the Superintendent of Parks & Recreation, the bid be and is hereby awarded to the lowest bidder whom fully complied with the bid document, Marine Pool Renovations, LLC.

Award Bid for the removal of the chlorine tank and installation at the Junior Lake Aquatic Facility

WHEREAS, invitation to bid for Junior Lake Aquatic Facility Chlorine Tank Removal and Installation, was duly advertised, and

WHEREAS said bids were received and opened at 10:30am on the 18th day of September 2023, now therefore be it,

RESOLVED, that upon the recommendation of the Superintendent of Parks & Recreation, the bid be and is hereby awarded to the lowest bidder whom fully complied with the bid document, Marine Pool Renovations, LLC.

Bid Award for the Downing Park Softball LED Retrofit

WHEREAS, invitation to bid for Downing Park Softball LED Retrofit, was duly advertised, and

WHEREAS said bids were received and opened at 11:00am on the 18th day of September 2023, now therefore be it,

RESOLVED, that upon the recommendation of the Superintendent of Parks & Recreation, the bid be and is hereby awarded to the lowest bidder whom fully complied with the bid document, Shock Electrical Contractors, Inc.

From the Police Department

Authorize Chief of Police to execute a Hold Harmless Agreement with the City of Rye Police Department for the donation of two bicycles to the Yorktown Police Department

RESOLVED, the Chief of Police is authorized to execute a Hold Harmless Agreement with the City of Rye Police Department regarding the donation of two (2) bicycles to the Yorktown Police Department.

Authorize Chief of Police to execute and extend service agreement with Daktronics, Inc.

RESOLVED, the Chief of Police is authorized to execute and extended service agreement with Daktronics, Inc., effective October 30, 2023, through October 29, 2026.

From the Supervisor's Office

Grant Application (CREST) for Renovation of Railroad Park Playground

RESOLVED, that the TOWN OF YORKTOWN has applied for financial assistance from the COMMUNITY RESILIENCY, ECONOMIC SUSTAINABILITY AND TECHNOLOGY ("CREST") fund under ASSEMBLYWOMAN DANA LEVENBERG'S OFFICE for the purpose of funding the RENOVATION OF RAILROAD PARK'S PLAYGROUND;

RESOLVED, that the TOWN OF YORKTOWN is authorized and directed to accept these grant funds in an amount not to exceed \$250,000 for the project described in the grant application;

RESOLVED, that the TOWN OF YORKTOWN is authorized and directed to agree to the terms and conditions of the Master Contract with ASSEMBLYWOMAN LEVENBERG'S OFFICE for such RENOVATION OF RAILROAD PARK'S PLAYGROUND;

RESOLVED, that the TOWN OF YORKTOWN is authorized and directed to agree to the terms and conditions of any required deed of easement granted to ASSEMBLYWOMAN LEVENBERG'S OFFICE that affects title to real property owned by the municipality and improved by the grant funds, which may be a duly recorded public access covenant, conservation easement, and/or preservation covenant; and

RESOLVED, that the governing body of the municipality delegates signing authority to execute the Master Contract and any amendments thereto, any required deed of easement, and any other certifications to the individual(s) who hold(s) the following elected or appointed municipal office(s) or employment position title(s): THOMAS DIANA, TOWN SUPERVISOR.

Grant Application (CREST) for the Repair and Cement Relining of Water Mains

RESOLVED, that the TOWN OF YORKTOWN has applied for financial assistance from the COMMUNITY RESILIENCY, ECONOMIC SUSTAINABILITY AND TECHNOLOGY ("CREST") under the Assemblywoman Dana Levenberg's Office for the purpose of funding the REPAIR AND CEMENT RELINING OF WATER MAINS in YORKTOWN;

RESOLVED, that the TOWN OF YORKTOWN is authorized and directed to accept these grant funds in an amount not to exceed \$250,000 for the project described in the grant application;

RESOLVED, that the TOWN OF YORKTOWN is authorized and directed to agree to the terms and conditions of the Master Contract with ASSEMBLYWOMAN LEVENBERG'S OFFICE for such REPAIR AND CEMENT RELINING OF THE WATER MAINS;

RESOLVED, that the TOWN OF YORKTOWN is authorized and directed to agree to the terms and conditions of any required deed of easement granted to ASSEMBLYWOMAN LEVENBERG'S OFFICE that affects title to real property owned by the municipality and improved by the grant funds, which may be a duly recorded public access covenant, conservation easement, and/or preservation covenant; and

RESOLVED, that the governing body of the municipality delegates signing authority to execute the Master Contract and any amendments thereto, any required deed of easement, and any other certifications to the individual(s) who hold(s) the following elected or appointed municipal office(s) or employment position title(s): THOMAS DIANA, TOWN SUPERVISOR.

From the Water Department

Approve Change Order No. 2 to the cement relining bid awarded to Michel's Pipe Services for reconciliation of scheduled and installed quantities for unit price items for the Strawberry Road portion of the cement relining project

WHEREAS, the Water District has a net credit for unused unit price items within the cement relining contract for the Strawberry Road component of the work; and

WHEREAS, during the cement relining project on Hanover Street, homeowners on that street requested that the temporary water system be buried in their driveway crossing for better and safer access to their property; and

WHEREAS, Ken Rundle, Water Distribution Superintendent, requests that the Town Supervisor sign the Change Order No. 2 to be attached to the cement relining bid awarded to Michel's Pipe Services for reconciliation of scheduled and installed quantities for unit price items for the Strawberry Road portion of the cement relining project resulting in a net credit of \$26,500 and to include the additional cost of \$9,951.98 for the burying of a 4" temporary water system at driveway crossings on Hanover St.; and

THEREFORE, BE IT RESOLVED, that upon the Water Distribution Superintendent's recommendation, the Town Supervisor is authorized to sign Change Order No. 2 to be attached to the cement relining bid awarded to Michel's Pipe Services.

Authorize Comptroller to process a budget transfer for Water – Meters (Materials & Supplies)

RESOLVED, Town Comptroller is hereby authorized to process the following budget transfers:

From: SW.1002	Water- Fund Balance	\$20,000
To: SW.8340.0210	Water – Meters	\$20,000

and

From: SW.1002	Water – Fund Balance	\$25,000
To: SW.8340.0403	Water – Materials & Supplies	\$25,000

12. ADJOURN

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

Dated: September 19, 2023

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