



Town of Yorktown

Office of the Supervisor Thomas P. Diana

TOWN BOARD WORK SESSION AGENDA

May 23, 2023

Spadaccia Meeting Room

363 Underhill Avenue, Yorktown, NY 10598

6:30PM EXECUTIVE SESSION

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

Personnel

Police Department

Litigation, Legislation and Negotiations

Town Attorney

7:30PM OPEN SESSION

7:30pm: Welcome and Opening Remarks

7:40pm: MTA Radio Communications

Contact: Robert Noble, Yorktown Chief of Police
Tim Kolkmann, Lieutenant
Craig Scatola, Yorktown Sergeant
John Vallarelli, (ret) MTA Captain

Discussion: Project update

8:00pm 3232 Gomer Street

Contact: Joseph Riina, Site Design

Discussion: Request for authorization for the Planning Board to use flexibility standards

8:15pm 1530 East Main Street

Contact: Diah Hamed, Mohegan Auto

Discussion: Sign permit application

RESOLUTIONS

Gay Pride Month

WHEREAS, the Town of Yorktown recognizes the many contributions to our community, county, state, and nation by Lesbian, Gay, Bisexual, Transgender, and Questioning (LGBTQ)

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individuals which have included advancements in business, medicine law, education, music, sports, arts and culture; and

WHEREAS, members of the LGTBQ community come from all parts of our community regardless of color, ethnicity, religion, economic status or gender; and

WHEREAS, June is recognized as Gay Pride Month because it marks the fifty-fourth anniversary of the Stonewall Rebellion, an event accepted as the single most important events leading to the fight for LGBTQ rights in our nation; and

WHEREAS, following the Stonewall Rebellion demonstrations, calls for equal rights and freedoms from members of the LGBTQ community were made across the country; and

NOW, THEREFORE, BE IT RESOLVED, the Town of Yorktown recognizes and celebrates June as Gay Pride Month; and

BE IT FURTHER RESOLVED, the Town of Yorktown recommits itself to support and accept all members of our community regardless of race, religion, ethnicity, gender, sexual orientation or preference; and

BE IT FURHTER RESOLVED, the Town of Yorktown stans as a community of hope, generosity, and acceptance to everyone regardless of religion, race, national origin, ethnicity, culture, or orientation.

Comptroller

Authorize the Town Comptroller to accept the decommissioning bond pursuant to Town Code Section 300-81.4(G)(1) for the Kitchawan Farm Solar Farm project

WHEREAS, Ecogy Kitchawan Community Solar Farm, LLC, as applicant, provided the Town with Atlantic Specialty Insurance Company's Bond #800008034 in the amount of \$34,543.00, to serve as the site restoration bond for the site plan and special permit approvals for a large-scale solar generation system known as the Arcadia Farm Solar Farm and approved by Planning Board Resolution #22-09 dated March 28, 2022; and

WHEREAS, the documentation submitted by the Applicant was referred to the Town Attorney for review and acceptance as to form; NOW, THEREFORE BE IT

RESOLVED, that the bond required prior to issuance of the Town permits, i.e. delivery of the required project decommissioning bond has been satisfied and that the Town Comptroller is authorized to accept the above referenced project bond.

Authorize the Comptroller to process the following budget transfer

The Comptroller is hereby authorized to process the following budget transfer for the Amazon Park Beach District:

From:

AP.1002	Fund Balance	\$5,600.00
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To:
AP7180.416 Property Maintenance \$5,600.00

For the purpose of a large fallen tree removal

Engineering Department

Authorize the release of Bond #WP-FSWPPP-036-20 to Mr. Luis Carlos Pires

WHEREAS, Luis Carlos Pires, as applicant, posted check #2242 in the amount of \$500 to serve as the Erosion Control Bond, which was deposited to the T33 account on December 14, 2020 for work at his White Horse Lane location, and

WHEREAS, Luis Carlos Pires, as applicant, posted check #2241 in the amount of \$5,000 to serve as the Landscape Bond, which was deposited to the T33 account on December 14, 2020 for work at his White Horse Lane location, and

WHEREAS, Luis Carlos Pires 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 monies be released to Mr. Luis Carlos Pires, 1220 White Horse Lane, Yorktown Heights, NY 10598.

Highway Department

Authorize the Highway Superintendent to deem to the following equipment obsolete and sold at auction by Absolute Auctions & Realty, Inc.

WHEREAS, the Town of Yorktown Highway Department has found that certain motorized and used equipment are obsolete and no longer needed for public use by the Highway Department, and

WHEREAS, the Highway Department recommends to the Town Board that the listed motorized equipment be deemed obsolete and sold at auction by Absolute Auctions & Realty, Inc:

- 2008 Ford F-350
- 2008 Ford F-550
- 2003 International
- 1991 GMC Topkick
- 2014 Freightliner
- 2001 Caterpillar 938G Wheel Loader
- 1978 Bobcat Skid Stear
- Porta Cool Evaporative Cooling Fan
- Miscellaneous Automotive/Equipment Filters

NOW, THEREFORE, BE IT RESOLVED, that the above listed motorized equipment is deemed obsolete and will be sold at auction by Absolute Auctions & Realty, Inc.

Authorize the Highway Superintendent to make changes for the Master Fee Schedule under the Highway Department Section

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RESOLVED, that upon the recommendation of the Highway Superintendent, Dave Paganelli, the following changes are made to the Master Fee Schedule under the Highway Department section;

Street Opening Permits –

Application Inspection Fee (non-refundable) \$500 from \$400.

Half Way Across Roadway min refundable after five years from one year.

Half Way Across Roadway \$2500 from \$2000

Full Way Across Roadway refundable after five years from one year

Full Way Across Roadway \$5000 from \$4000.

Over 50ft in length \$60 per foot from \$30. Refundable after five years

1st 50 ft \$5000/Add'l footage \$60 per ft. from \$50. Refundable after five years.

Library

Authorize the Library Director to accept a State and Municipalities (SAM) Grant

Be it resolved that the Library Director is authorized to accept a State and Municipalities (SAM) grant, project ID# 24919 for a Lighting Upgrade and Creation of a New Circulation Desk in the amount of \$50,000 for the John C. Hart Memorial Library. Be it further resolved that the Town Board recognizes that this is a non-matching reimbursable grant and certifies that the funds will be available from the Town of Yorktown Library Fund Balance.

Supervisor

Authorize Barton & Loguidice, D.P.C. to Perform an Environmental Review for Garden Lane Apartments

WHEREAS, the Planning Board of the Town of Yorktown desires to verify the wetland boundary on the subject site of the proposed Garden Lane Apartments Site Plan application located on Garden Lane near Old Crompond Road, Cortlandt Manor, also known as Section 35.08, Block 1 Lot 27 on the Town of Yorktown Tax Map, as outlined in the New Project Task Order Summary for Garden Lane Apartments prepared by Barton & Loguidice, D.P.C.; and

WHEREAS, Barton & Loguidice, D.P.C., an environmental 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 July 7, 2021; and

WHEREAS, Barton & Loguidice, D.P.C. has submitted a proposal to provide the requested environmental review of the submitted project materials pursuant to said on-call agreement for an amount not to exceed \$4,700.00; now therefore

BE IT RESOLVED, that the Supervisor of the Town of Yorktown is hereby authorized to engage Barton & Loguidice, D.P.C. under the on-call agreement with the Town of Yorktown for the purpose of verifying the wetland boundary on the site located on Garden Lane near Old Crompond Road, in an amount not to exceed \$4,700.00, and that the total cost shall be reimbursed by the applicant as part of the cost of the application's review.

Resolution to Authorize Barton & Loguidice, D.P.C. to Perform an Environmental Review for the MJM Land Development Corp. Subdivision Application

WHEREAS, the Planning Board of the Town of Yorktown desires to verify the wetland

boundary on the subject site of the proposed MJM Land Development Corp. subdivision plan application located at 3232 Gomer Street, Yorktown Heights, also known as Section 17.18, Block 2 Lot 2 on the Town of Yorktown Tax Map, as outlined in the New Project Task Order Summary for Gomer Street Subdivision prepared by Barton & Loguidice, D.P.C.; and

WHEREAS, Barton & Loguidice, D.P.C., an environmental 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 July 7, 2021; and

WHEREAS, Barton & Loguidice, D.P.C. has submitted a proposal to provide the requested environmental review of the submitted project materials pursuant to said on-call agreement for an amount not to exceed \$7,200.00; now therefore

BE IT RESOLVED, that the Supervisor of the Town of Yorktown is hereby authorized to engage Barton & Loguidice, D.P.C. under the on-call agreement with the Town of Yorktown for the purpose of verifying the wetland boundary and reviewing the wetland mitigation plans for the site located at 3232 Gomer Street, in an amount not to exceed \$7,200.00, and that the total cost shall be reimbursed by the applicant as part of the cost of the application's review.

Authorize the Supervisor to execute and agreement with the County of Westchester for Transportation Services

RESOLVED, the Supervisor of the Town of Yorktown is hereby authorized to execute and agreement with the County of Westchester for the Town to provide transportation services to the elderly for the term retroactively on April 1, 2023 through March 31, 2024; the Town will receive \$3,322 from the County for these services.

Town Board

Authorize the Town Board to issue a home rule request effective May 16, 2023 in support and passage of Assembly Bill A.6701A/Senate Bill S.6743A

WHEREAS, the Town desires to discontinue as parklands and lease at fair market value to Homeland Towers, LLC for a term not to exceed 55 years certain lands (set forth below) to make the necessary renovations and operate a radio transmission tower facility;

WHEREAS, the lands to be discontinued are described as follows: BEGINNING AT A POINT, SAID POINT BEING LOCATED ON THE SOUTHERLY BOUNDS OF US ROUTE 6 (SH 1309), SAID POINT ALSO BEING THE NORTHEASTERLY CORNER OF SAID LANDS OF THE TOWN OF YORKTOWN, AND BEING LOCATED ON THE WESTERLY BOUNDS OF HILL BOULEVARD, THENCE FROM SAID POINT OF BEGINNING ALONG THE SAID WESTERLY BOUNDS OF HILL BOULEVARD ON A CURVE TO THE LEFT HAVING A RADIUS OF 827.45, AND A CENTRAL ANGLE OF 110 43' 02" AND LENGTH OF CURVE OF 169.22' TO A POINT, THENCE ALONG THE SAID SOUTHERLY BOUNDS OF THE SAID LANDS OF THE TOWN OF YORKTOWN, S. 59 00' 00", 30.91' W. TO A POINT, THENCE THROUGH THE SAID LANDS OF THE TOWN OF YORKTOWN, THE FOLLOWING SEVEN (7) COURSES AND DISTANCES:

1. N. 02° 32' 58" W., 73.43', THENCE

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2. N. 46° 38' 01" W., 30.01', THENCE
3. N. 57° 33' 50" W., 25.29', THENCE
4. N. 79° 32' 32" W., 26.30', THENCE
5. N. 88° 20' 33" W., 45.30'. THENCE
6. N. 22° 16' 51" W., 26.30', THENCE
7. N. 01° 32' 48" E., 31.46' TO A POINT OF THE SOUTHERLY BOUNDS OF US ROUTE 6 (SH 1309), THENCE ALONG SAID SOUTHERLY BOUNDS OF US ROUTE 6 (SH 1309) ON A CURVE TO THE LEFT HAVING A RADIUS OF 1412.5, AND A CENTRAL ANGLE OF 05° 09' 02" AND LENGTH OF CURVE OF 126.98' TO THE POINT OR PLACE OF BEGINNING, CONTAINING 0.26 ACRES, MORE OR LESS;

WHEREAS, the revenues generated from said leasing would be used solely for the care of said parks and fields;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Yorktown hereby issues this Home Rule request, effective as of May 16, 2023, in support and passage of Assembly Bill A.6701A/Senate Bill S.6743A.

AND BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized to transmit a home rule request form and a copy of this resolution to the home rule counsel of the state senate and state assembly.

Award Bid to Ziba Construction for the furnishing and installation of flooring for the Nutrition Center

WHEREAS, invitation to bid for the furnishing and installation of flooring for the Nutrition Center office was duly advertised and said bids were opened on May 18, 2023, with the bid amounts summarized as follows:

<u>Name of Bidder</u>	<u>Cost for Heat Pumps</u>
Empire Core Group	\$9,272.00
GP Flooring Solutions	\$5,848.00
Ziba Construction (dba 212 Carpet)	\$3,145.00

NOW, THEREFORE, BE IT RESOLVED that upon the recommendation of the Building Maintenance General Foreman, Philip Marino, the bid for the furnishing and installation of flooring for the Nutrition Center office is hereby awarded to Ziba Construction (dba 212 Carpet), the lowest bidder.

Appoint Jonathan Pratt as an alternate member to the Board of Assessment Review

BE IT RESOLVED, that Jonathan Pratt is hereby appointed as an alternate member of the Board of Assessment Review for a five-year term expiring May 23, 2028.

Appoint James Pugliese as an alternate member of the Board of Assessment Review

BE IT RESOLVED, that James Pugliese is hereby appointed as an alternate member of the Board of Assessment Review for a five-year term expiring May 23, 2028.

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Appoint Margaret M. Bagley to the Legal Department effective May 30th 2023

BE IT RESOLVED, that Margaret M. Bagley, of Rye, NY, is hereby appointed to the civil service title, Office Assistant (auto systems), job class code 0750-01, from Eligible List No. 02-140, effective May 30, 2023, to be paid at the rate set forth in Yorktown CSEA Salary Schedule A-1, Group 8, Step 5, which is \$69,094.00 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 Margaret M. Bagley will report to work at the Legal Department on May 30, 2023 and this date will be used as the first date of appointment;

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 May 30, 2023.

Appoint Stephen O. Proctor to Maintenance Mechanic in the Parks and Recreation Department effective May 29, 2023

BE IT RESOLVED, that Stephen O. Proctor is hereby appointed promotional to the civil service title, Maintenance Mechanic (Repair), job class code 0465-02, in the Parks & Recreation Department, to be paid from Yorktown CSEA Salary Schedule A, Group 11, Step 1 which is \$62,128.00, effective May 29, 2023;

BE IT FURTHER RESOLVED, that this appointment is subject to a probationary of 12 weeks, commencing on the first date of appointment on May 29, 2023.

Accept the retirement of Margaret Gspurning effective June 9th 2023

Resolved, the Town Board of the Town of Yorktown hereby accepts the retirement of Human Resource Director Margaret Gspurning effective June 9th, 2023.

Town Clerk

Authorize Town Clerk to advertise for bid

RESOLVED, the Town Clerk is authorized to advertise a bid for Fence/Netting Improvement Granite Knolls Field 1-2 North Endzone.

ADJOURN

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

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.

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