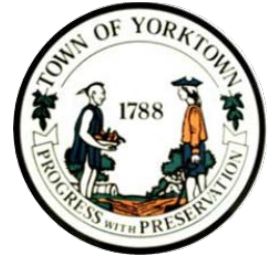




# **Town of Yorktown**

**Office of the Town Clerk**  
**Diana L. Quast**



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## **FINAL TOWN BOARD MEETING AGENDA**

**MARCH 5, 2024**

**Spadaccia Meeting Room**  
**Underhill Avenue, Yorktown, NY 10598**

### **6:00 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 DEPUTY SUPERVISOR EDWARD LACHTERMAN
6. REPORTS FROM TOWN OFFICIALS
7. PROCLAMATIONS

#### **Women's History Month**

Whereas, the month of March is observed nationally as Women's History Month to promote equality and celebrate women's roles in history and society; and

Whereas, Women's History Month honors and celebrates the achievements of American women throughout the history of the United States who have struggled for over 200 years to gain rights, not simply for themselves, but for many other under-represented groups in America; and

Whereas, this year's theme for Women's History Month is "Women Who Advocate for Equity, Diversity, and Inclusion," as this theme recognizes the invaluable contributions of women who have dedicated themselves to advocating for equity, diversity, and inclusion in all aspects of society; and

Whereas, in 2024, we honor the women who have tirelessly worked to dismantle barriers, challenge prejudices, and create opportunities for all individuals, regardless of their background;

Now, Therefore, Be It Resolved, that the Town Board of the Town of Yorktown proclaims March 2024 as Women's History Month in the Town of Yorktown.

### **Irish American Heritage Month**

Whereas, the Town of Yorktown celebrates March as Irish American Heritage Month; and

Whereas, millions of Irish passed through Ellis Island, entering New York City in the 19th Century fleeing hunger and injustice within their country; and

Whereas, one of the first immigrants to pass through Ellis Island was Annie Moore, a 17 year-old from County Cork, Ireland; and

Whereas, since 1762, Irish New Yorkers have celebrated and cherished the feast of Saint Patrick every March 17<sup>th</sup> which stands as a day to celebrate Irish heritage and share traditions with younger generations; and

Whereas, Irish Americans have defended our nation, most notably through the Irish Brigade which originally consisted of the 63<sup>rd</sup>, the Fighting 69<sup>th</sup>, and the 88<sup>th</sup> Infantry of New York whose members fought in the Civil War, World War I, World War II and Iraq; and

Whereas, Irish immigrants and Irish Americans have contributed greatly to American society, the State of New York, and the Town of Yorktown; and

Whereas, Irish Americans are deeply committed to family and community and exhibit an incredible work ethic as shown through the many contributions to our Town and society;

Now, Therefore, Be It Resolved, that the Town Board of the Town of Yorktown proclaims March 2024 as Irish American Heritage Month in the Town of Yorktown.

### **Developmental Disabilities Awareness Month**

Whereas, Developmental Disabilities Awareness Month is recognized each March to promote respect for people with developmental disabilities and bring awareness of the barriers that people with developmental disabilities can face; and

Whereas, developmental disabilities are a group of conditions relating to physical, learning, language, or behavior that last throughout a person's lifetime, such as ADHD, Autism, Cerebral Palsy, Down Syndrome, intellectual disability, learning disability, and other disabilities; and

Whereas, people with developmental disabilities should be treated with dignity and respect and should have the resources needed to live secure, fulfilling lives and have access to their communities and services needed; and

Whereas, stereotyping, discrimination, and bullying toward individuals with developmental disabilities is a nationwide problem; and

Whereas, awareness of barriers people with developmental disabilities can face in participating in the community, and collaboration on how to overcome those barriers can bring about broader inclusion and better outcomes for everyone; and

Whereas, Yorktown is a community that is dedicated to fostering acceptance and welcome of all residents and preventing discrimination and bullying;

Now, Therefore, Be It Resolved, that the Town Board of the Town of Yorktown proclaims March 2024 as Developmental Disabilities Awareness Month in the Town of Yorktown.

8. POET LAUREATE

John McMullen

9. DISCUSSION ITEMS

Vetting suggestions for recognizing Supervisor Tom Diana  
Parks and Recreation Commission

10. PERSONNEL

**Accept Retirement Letter received from Michael Samuels from the Refuse and Recycling Department**

BE IT RESOLVED, that the Town Board of the Town of Yorktown hereby accepts the retirement letter received from Michael Samuels from the Refuse and Recycling Department with thanks for his many years of service to the town. Effective March 29, 2024.

**Accept Retirement Letter received from Margaret Groccia, Senior Library Clerk from the John C. Hart Memorial Library**

BE IT RESOLVED, that the Town Board accepts the Retirement Letter received from Margaret Groccia from the John C. Hart Memorial Library with thanks for her service to the town. Effective May 31, 2024.

**Appoint Colin Russel to position of Librarian I in the John C. Hart Memorial Library**

BE IT RESOLVED, that Colin Russel, is hereby appointed to the civil service title, Librarian I, job class code 0224-01, from Eligible List No. 62-705, Certification #000035809, at the John C. Hart Memorial Library, to be paid from Yorktown CSEA Salary Schedule A-1, Group 11, Step 5 which is \$82,297.00 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 Colin Russel will report to work at the John C. Hart Memorial Library on March 25, 2024 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 March 25, 2024.

**Approve Margaret Bagley, Office Assistant in the Legal Department permanent status effective March 5, 2024**

BE IT RESOLVED, that Margaret Bagley, Office Assistant (Auto Systems) for the Legal Department, job class code 0750-01, has completed the minimum probationary period and is hereby granted permanent status effective March 5, 2024.

**Authorize Michael Hecker from the Water Department be paid the rate set forth in the CBA Yorktown CSEA Salary Schedule A Group 14, Step 4, which is \$83,964, annually**

BE IT RESOLVED, that the Town Board voted in favor to sign the MOA between Michael Hecker from the Water Department, the CSEA and the Town, on February 20, 2024, and

BE IT RESOLVED, that the MOA was signed on February 21, 2024, and

BE IT FURTHER RESOLVED, that effective January 1, 2024, Michael Hecker is to be paid the rate set forth in the CBA Yorktown CSEA salary schedule A Group 14 Step 4, which is \$83,964, annually.

**Appoint Thomas Dalton to the position of Motor Equipment Operator in the Highway Department**

BE IT RESOLVED, that Thomas J Dalton, is hereby promoted to Motor Equipment Operator, job class code 0427-02, effective March 11, 2024 to be paid from Yorktown CSEA Salary Schedule A, Group 10, Step 1 which is \$58,733.00 annually with benefits, such as, sick days, personal days, and floating holidays to follow the CSEA agreement;

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 March 11, 2024.

11. **OPEN FLOOR FOR PUBLIC COMMENT**

12. **RESOLUTIONS**

From the Albert A. Capellini Community & Cultural Center

**Authorize waiving the rental fee in the amount of \$387.00 for the Yorktown Lions Club to use the Nutrition Center for eight (8) hours on Saturday, March 16th, 2024**

Resolved, at the request of the Yorktown Lions Club, the Town Board hereby authorizes the use of the Albert A. Capellini Community & Cultural Nutrition Center for 8 hours on Saturday, March 16th, 2024. The Town Board waives the rental and overtime fees of \$387.00.

From the Comptroller's Office

**Authorize Deputy Supervisor to execute an agreement with Pitney Bowes for the provision of a MailCenter 2000 Postage Meter Machine**

Resolved, the Deputy Supervisor is authorized to execute an agreement with Pitney Bowes for the provision of a MailCenter 2000 Postage Meter Machine with a lease using Sourcewell Contract #011322-PIT. The term of the lease shall be 60 months, to commence on May 28, 2024, at a monthly amount of \$478.14, billed in quarterly installments in the amount of \$1,434.42.

**Authorize Comptroller to process the following Budget Transfer for the Lake Mohegan Improvement District**

Resolved, the Comptroller is hereby authorized to process the following budget transfer for December 31, 2023:

|                 |  |            |
|-----------------|--|------------|
| From: ID.1002   | Lake Mohegan Improvement District – Fund Balance | \$1,685.00 |
| To: ID.7180.407 | Electricity                                      | \$1,685.00 |

for additional funds to cover electric bills.

**Authorize Comptroller to process the following Budget Transfer to pay Donna Andrews the cash value of unused time**

Be It Resolved, that the Town Board hereby authorizes the Town Comptroller to pay Donna Andrews the cash value of unused time as of her date of retirement:

Rate of Pay: \$45.2181

|            |  |               |
|------------|--|---------------|
| Sick:      | 133.5 hours @ 50% = 66.75 hours x \$45.2181    | = \$ 3,018.31 |
| Vacation:  | 196 hours @ 100% = 196 hours x \$45.2181       | = \$ 8,862.75 |
| Personal:  | 14 hours @ 100% = 14 hours x \$45.2181         | = \$ 633.05   |
| Floater:   | 0 hours @ 100% = 0 hours x \$45.2181           | = \$ 0.00     |
| Longevity: | 187 days (5/13/23-01/30/24) x \$6.7308 per day | = \$ 1,258.65 |
|            | (Amount \$1,750.00)                            |               |
|            | Total Amount of Payout                         | = \$13,772.76 |

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

|                |  |             |
|----------------|--|-------------|
| From: A.1002.8 | General Fund Reserve Employee Accrued Benefits | \$ 2,751.70 |
| A.1315.101     | Comptroller Salaries                           | \$ 9,762.41 |
| A.1315.106     | Comptroller Longevity                          | \$ 1,258.65 |
| To: T.905.1    | Medical, Dental, Vision Premium Trust          | \$ 3,018.31 |
| A.1315.108     | Comptroller Lump Sum Payment                   | \$10,754.45 |

**Authorize Comptroller to process the following Budget Transfer for the Museum**

Be It Resolved, that the Town Board hereby authorizes the Town Comptroller to process the following Budget Transfer for the Museum:

|                  |                         |             |
|------------------|-------------------------|-------------|
| From: A.7450.110 | Museum – Part Time Help | \$47,927.88 |
| To: A.7450.101   | Museum – Salaries       | \$47,927.88 |

to cover the conversion from part time to full time salary.

**Authorize Comptroller to process the following Budget Transfer for the Engineering Department**

Resolved, the Comptroller is hereby authorized to process the following budget transfer for the Engineering Department:

|               |              |              |
|---------------|--------------|--------------|
| From: YS.1002 | Fund Balance | \$167,825.00 |
|---------------|--------------|--------------|

|             |             |              |
|-------------|-------------|--------------|
| To: GD.5031 | Transfer In | \$131,575.00 |
| GJ.5031     | Transfer In | \$ 3,750.00  |
| OS.5031     | Transfer In | \$ 32,500.00 |

for the purpose to reestablish multiple expenditure budget codes for the 2024 year in each fund.

From the Deputy Supervisor's Office

**Authorize Deputy Supervisor to sign an agreement with Alliance for Safe Kids, Inc., to provide a community-based youth mental health, substance abuse prevention, recovery and treatment programs**

RESOLVED, that the Deputy Supervisor is authorized to sign an agreement with Alliance for Safe Kids, Inc., for the provision of a community-based youth mental health; substance abuse prevention, recovery and treatment programs and resources, in an amount not to exceed \$20,000 (which funding shall be in addition to the \$40,000 that Westchester County has earmarked for the effort). The term of the agreement shall be retroactive to January 1, 2024 through December 31, 2024.

From the Highway Department

**Authorize Comptroller to process the following Budget Transfer for the Highway Department**

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

|                   |                                     |              |
|-------------------|-------------------------------------|--------------|
| From: HE2.1002    | Old Crompond Culvert – Fund Balance | \$142,493.50 |
| To: HE2.8020.0200 | Equipment                           | \$ 72,000.00 |
| HE2.8020.490      | Professional Services               | \$ 70,493.50 |

to re-establish funding from 2023 unexpended funds to cover 2024 expenditures to Traffic Lane Closures and Barton and Loguidice, DPC for the Beginning Phase of Engineering/Highway cost to repair/replace Old Crompond Road Culvert.

**Authorize Comptroller to process the following Budget Transfer for the Highway Department**

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

|                    |                     |             |
|--------------------|---------------------|-------------|
| From: A.1990.499.1 | Contingency Capital | \$29,000.00 |
| To: A.5182.418     | Equipment           | \$29,000.00 |

this is for a spare Cabinet and Controller for the Town owned Traffic Lights.

From the Human Resources Department

**Authorize Deputy Supervisor to sign an Agreement between the Town of Yorktown and Driver Safety Training Center for Defensive Driving Certification**

BE IT RESOLVED, that the Deputy Supervisor is hereby authorized to sign an Agreement, subject to prior review and approval by the Town Attorney, between the Town of Yorktown and Driver Safety Training Center for Defensive Driving Certification in compliance with

the New York State Insurance Reduction Program regulations. Class shall be paid for by the Town of Yorktown for each Town Driver at a fee of \$32 per employee. Class will be offered to all other staff and family at the same self-pay rate.

From the Mohegan Lake Improvement District

**Authorize active members of the Mohegan Lake Improvement District to attend the New York State Federation of Lake Association Conference from May 3 - 4, 2024 in Lake George**

WHEREAS, the Mohegan Lake Improvement District wishes to send active volunteers from the lake community to the New York State Federation of Lake Association conference to be held on May 3<sup>rd</sup>-4<sup>th</sup>, 2024 at the Fort William Henry Hotel and Conference Center in Lake George, NY, and

WHEREAS, the conference has multiple workshops taking place simultaneously throughout the days, and represents an opportunity to meet with DEC staff, lake management scientists, vendors, and representatives from lakes around New York State and educate ourselves about best lake management practices, and

WHEREAS, seven residents would like to attend the 2024 conference, and

WHEREAS, conference registration costs are \$325 per person for the full conference for a total of \$1,582 (\$325 x 7) and hotel costs are \$113.00 per person per night for a total of \$2,275 (\$113 x 2 x 7).

RESOLVED, that Felicity Arengo, Kenneth Belfer, Randall Duggan, Celeste Foster, Laura Kosbar, Shelley Reid, and Stacy Williams-Kerr are authorized to attend the New York State Federation of Lake Associations conference on May 3<sup>rd</sup> – 4<sup>th</sup> 2024, and the amount of \$3,857 is authorized to be paid for hotel costs and conference registration from Account ID.7180.0423 Training, and the Comptroller is authorized to process the following Transfer:

|  |            |
|--|------------|
| From: Mohegan Lake Improvement District Fund Balance | \$1,257.00 |
| To: Account ID.7180.0423 Training                    | \$1,257.00 |

From the Police Department

**Approve CSW-ACO Kristin Bohler to attend the Annual ACO Conference from November 5-6, 2024 in Guilderland, New York**

RESOLVED, that CSW-ACO Kristin Bohler of the Yorktown Police Department is approved to attend a conference involving two (2) overnight stays from November 5- 6, 2024 to attend an annual ACO Conference in Guilderland, NY.

From the Town Clerk

**Schedule a Town Board Meeting for April 30, 2024**

NOTICE IS HERE GIVEN, that the Town Board of the Town of Yorktown will hold a Town Board Meeting on Tuesday, April 30, 2024 at 7:30 p.m. at the Town Hall, 363 Underhill Avenue, Yorktown, NY 10598.

**Set Public Hearing to consider a proposed Local Law known as the “Large-Scale Energy Systems Moratorium”**

NOTICE IS HERE GIVEN that a public hearing will be convened by the Town Board, Town of Yorktown, Westchester County, New York on Tuesday, March 12, 2024 at the Town Hall, 363 Underhill Avenue, Yorktown Heights, New York at 7:30 o’clock PM, or as soon thereafter as the same can be heard, to consider a proposed local law known as the “Large-Scale Energy Systems Moratorium.”

**Set Public Hearing to consider a proposed Local Law known as the “Smoke Shop Moratorium”**

NOTICE IS HERE GIVEN that a public hearing will be convened by the Town Board, Town of Yorktown, Westchester County, New York on Tuesday, March 12, 2024 at the Town Hall, 363 Underhill Avenue, Yorktown Heights, New York at 7:30 o’clock PM, or as soon thereafter as the same can be heard, to consider a proposed local law known as the “Smoke Shop Moratorium.”

**Set Public Hearing to consider a proposed Local Law to amend Chapter 275 of the Town Code entitled “VEHICLES AND TRAFFIC” concerning ATVs and eBikes**

NOTICE IS HERE GIVEN that a public hearing will be convened by the Town Board, Town of Yorktown, Westchester, New York on Tuesday, March 19, 2024 at the Town Hall, 363 Underhill Avenue, Yorktown Heights, New York at 7:30 o’clock PM, or as soon thereafter as the same can be heard, to consider a proposed local law to amend Chapter 275 of the Town Code entitled “VEHICLES AND TRAFFIC” concerning ATVs and eBikes.

**Set Public Hearing to consider a proposed Local Law to amend Chapter 45 of the Town Code entitled “ETHICS.”**

NOTICE IS HERE GIVEN that a public hearing will be convened by the Town Board, Town of Yorktown, Westchester, New York on Tuesday, March 19, 2024 at the Town Hall, 363 Underhill Avenue, Yorktown Heights, New York at 7:30 o’clock PM, or as soon thereafter as the same can be heard, to consider a proposed local law to amend Chapter 45 of the Town Code entitled “ETHICS.”

**Authorize Town Clerk to Refer out a Wetlands, Stormwater Management, and Tree Permit Application submitted by the East of Hudson Watershed Corporation for a stormwater retrofit project**

RESOLVED, that the Town Clerk is hereby authorized to refer out the application submitted by East of Hudson Watershed Corporation for a Wetlands, Stormwater and Tree permit for a stormwater retrofit project.

**Set Public Hearing to consider a Wetlands, Stormwater Management, and Tree Permits submitted by the East of Hudson Watershed Corporation for a stormwater retrofit project**

NOTICE IS HEREBY GIVEN, that a public hearing will be convened by the Town Board, Town of Yorktown, Westchester County, New York at Town Hall, 363 Underhill Avenue, Yorktown Heights, New York 10598 on the Tuesday, March 19, 2024 at 7:30 PM, or as soon thereafter as the same can be heard, to consider Wetlands, Stormwater Management, and Tree Permits submitted by the East of Hudson Watershed Corporation for a stormwater retrofit project located on Saw Mill River Road in Yorktown Heights, NY 10598 that will divert water quality volume to a treatment area prior to discharge to the Hallock’s Mill River and the Muscoot Reservoir.



13. MONTHLY REPORTS

**Accept Monthly Reports from:**

Receiver of Taxes - January and February 2024

Town Clerk - February 2024

14. ADJOURN MEETING

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

Dated: March 5, 2024

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