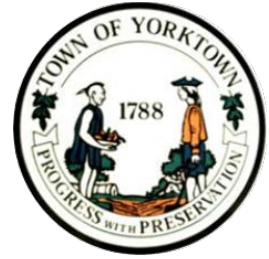




# **Town of Yorktown**

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



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## **FINAL TOWN BOARD MEETING AGENDA**

**MARCH 19, 2024**

**Spadaccia Meeting Room**  
**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 DEPUTY SUPERVISOR EDWARD LACHTERMAN
6. REPORTS FROM TOWN OFFICIALS
7. REPORT FROM NYS ASSEMBLY DISTRICT 95  
Assemblymember Dana Levenberg via zoom
8. PRESENTATIONS  
Election Information  
Arbor Day Committee  
Climate Smart Community Task Force

### **PROCLAMATIONS**

#### **World Down Syndrome Awareness Day**

WHEREAS, World Down Syndrome Awareness Day is observed on the 21<sup>st</sup> day of March every year which has been officially observed by the United Nations since 2012, and

WHEREAS, Down Syndrome is a disorder that occurs when there is a duplication of the twenty-first chromosome that affects approximately six thousand babies at birth every year, and

WHEREAS, the date for World Down Syndrome Awareness Day is the 21<sup>st</sup> day of March and was selected to signify the uniqueness of the triplication of the 21<sup>st</sup> chromosome which causes Down Syndrome, and

WHEREAS, World Down Syndrome Awareness Day is a day to raise public awareness, promote inclusivity, encourage advocacy, and support the wellbeing of those individuals living with Down Syndrome, and

WHEREAS, the Town of Yorktown vows to come together and raise awareness of those individuals living with Down Syndrome, now

THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Yorktown proclaims March 21, 2024 Down Syndrome Awareness Day in the Town of Yorktown.

**National Vietnam War Veterans Day**

WHEREAS, the Vietnam War Veterans Recognition Act was signed into law in 2017, and March 29 is recognized as National Vietnam War Veterans Day when the Town of Yorktown and the nation will honor and recognize the service and sacrifice of our Vietnam War Veterans and their families; and

WHEREAS, the Town of Yorktown respects all who have fallen and paid the ultimate price for our nation; and

WHEREAS, today, we remember the thousands of men and women who served our nation during the Vietnam War and thank them for their service; and

WHEREAS, the freedoms we and other nations enjoy today are a direct result of the courage, sacrifice, and devotion of the members of the United States Armed Forces. We, as American citizens, are grateful for their strength and dedication; and

WHEREAS, the people of Yorktown are inspired by our veterans and will never forget their loyalty to our great country; now

THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Yorktown proclaims March 29, 2024 as National Vietnam War Veterans Day in the Town of Yorktown and encourage everyone to remember and respect our veterans for their service year-round.

9. **POET LAUREATE**

John McMullen

10. **PUBLIC HEARINGS**

**Deputy Supervisor Lachterman will convene a public hearing to consider Wetlands, Stormwater Management, and Tree Permits submitted by the East of Hudson Watershed Corporation for a stormwater retrofit project**

Deputy Supervisor Lachterman will convene a public hearing to consider the Wetlands, Stormwater Management, and Tree Permit application 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.

**Deputy Supervisor Lachterman will convene a public hearing to consider a proposed Local Law to amend Chapter 275 of the Town Code entitled "VEHICLES AND TRAFFIC" concerning ATVs and eBikes**

Deputy Supervisor Lachterman will convene a public hearing to consider a proposed local law to amend Chapter 275 of the Town Code entitled "VEHICLES AND TRAFFIC" concerning ATVs and eBikes.

**Deputy Supervisor Lachterman will convene a public hearing to consider a proposed Local Law to amend Chapter 45 of the Town Code entitled "ETHICS."**

Deputy Supervisor Lachterman will convene a public hearing to consider a proposed local law to amend Chapter 45 of the Town Code entitled "ETHICS."

11. OPEN FLOOR FOR PUBLIC COMMENT

12. RESOLUTIONS

From the Central Garage

**Authorize obsolete vehicle to be scrapped at Brookfield Resource Management**

WHEREAS, the Town of Yorktown has found the following vehicle is obsolete and no longer needed for public use by the Town of Yorktown, and

WHEREAS, the Central Garage recommends to the Town Board that the listed vehicle be deemed obsolete and scrapped at Brookfield Resource Management.

2008 Ford Crown Victoria

VIN#2FAFP71V88X112301

From the Climate Smart Community Task Force

**Authorize Deputy Supervisor to enter into a Professional Services Agreement with the Daylight Savings Company for ASHRAE Level II Energy Audit**

Resolved, the Deputy Supervisor is authorized to enter into a professional services agreement with the Daylight Savings Company for an ASHRAE Level II Energy Audit in an amount not to exceed \$9,920.00 for the Town's share of the audit, and

Be It Further Resolved, that the Comptroller is authorized to process the following budget transfer:

|  |            |
|--|------------|
| From: A.1002 General Fund                    | \$9,920.00 |
| To: A.1420.490 Legal – Professional Services | \$9,920.00 |

From the Engineering Department

**Authorize Deputy Supervisor to sign an agreement with Green Mountain Pipeline Services, LLC to authorize the repair of certain pipes within the Hunterbrook and Hallocks Mill sewer districts**

WHEREAS, Green Mountain Pipeline Services, LLC has the specialized equipment required to repair a leaking service connection from the sewer mainline, now therefore be it

RESOLVED, that the Deputy Town Supervisor is hereby authorized to sign an agreement with Green Mountain Pipeline Services, LLC to authorize the repair of certain pipes within the Hunterbrook and Hallocks Mill sewer districts, and be it further

RESOLVED, that the total annual cost of the agreement is \$7,840 and will be funded as follows:

|  |         |
|--|---------|
| Hunterbrook Infiltration / Inflow Control GD.8130.0549 | \$1,960 |
| Yorktown Infiltration Control YS.8130.0459             | \$5,880 |

**Authorize Deputy Supervisor to sign an agreement with H.O. Penn Machinery Company, Inc. for preventative maintenance for equipment at the Water Pollution Control Plant**

RESOLVED, that the Deputy Town Supervisor is hereby authorized to sign an agreement with H.O. Penn Machinery Company, Inc. for preventative maintenance for equipment at the Water Pollution Control Plant and associated pump stations, and be it further

RESOLVED, that the total annual cost of the Preventative Maintenance Agreement is \$8,859.05 per year, for three years and will be funded annually as follows:

|  |            |
|--|------------|
| Equipment Maintenance YS.8130.0418 -             | \$3,691.05 |
| Maintenance & Repair Pump Station YS.8130.0462 - | \$2,584.00 |
| Maintenance & Repair Pump Station GD.8130.0462 - | \$2,584.00 |

For a total cost over three years of \$26,577.15.

From the Finance Department

**Authorize Comptroller to process the following budget transfer for the purchase of computer equipment**

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

|                                |                             |             |
|--------------------------------|-----------------------------|-------------|
| From: A.1002                   | General Fund – Fund Balance | \$50,000.00 |
| (to be offset by ARPA revenue) |                             |             |
| To: A.1345.201                 | Purchasing – Equipment      | \$50,000.00 |

for the purchase of computer equipment.

**Authorize Comptroller to pay Jeffrey Rosenstrach the cash value of unused time as of his date of retirement**

Be It Resolved, that the Town Board hereby authorizes the Town Comptroller to pay Jeffrey Rosenstrach the cash value of unused time as of his date of retirement:

Rate of Pay: \$36.6579

|           |  |   |             |
|-----------|--|---|-------------|
| Sick:     | 1500 hours @ 50% = 750 hours x \$36.6579 | = | \$27,493.43 |
| Vacation: | 195 hours @ 100% = 195 hours x \$36.6579 | = | \$7,148.29  |

|                        |   |   |               |
|------------------------|---|---|---------------|
| Personal:              | 0 hours @ 100% = 0 hours x \$36.6579            | = | \$0.00        |
| Floater:               | 7.5 hours @ 100% = 7.5 hours x \$36.6579        | = | \$274.93      |
| Longevity:             | 137 days (08/22/23-02/28/24) x \$6.7308 per day | = | \$922.12      |
| (Amount \$1,750.00)    |   |   |               |
| Total Amount of Payout |   |   | = \$35,838.77 |

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

|       |   |             |
|-------|---|-------------|
| From: | SR.1002.8 Refuse & Recycling Reserve Employee Acc. Benefits | \$26,823.08 |
|       | SR.7210.101 Refuse & Recycling Salaries                     | \$8,093.57  |
|       | SR.7210.106 Refuse & Recycling Longevity                    | \$922.12    |
| To:   | T.905.1 Medical, Dental, Vision Premium Trust               | \$27,493.43 |
|       | SR.7210.108 Refuse & Recycling Lump Sum Payment             | \$8,345.34  |

**Authorize Comptroller to process the following Budget Transfers listed below to fund Worker's Compensation claims paid from January 1, 2023 - December 31, 2023**

Be It Resolved, that the Town Board authorizes the Comptroller to process the following Budget Transfers listed below to fund Worker's Compensation claims paid from January 1, 2023 through December 31, 2023:

|       |   |
|-------|---|
| From: | A.1002 General Fund- Fund Balance                             |
| To:   | A.9901.900 General Fund- Transfer to Worker's Compensation    |
|       | Amount: \$104,136.46  |
| From: | D.1002 Highway- Fund Balance                                  |
| To:   | D.9901.900 Highway- Transfer to Worker's Compensation         |
|       | Amount: \$82,565.45   |
| From: | SR.1002 Special Refuse- Fund Balance                          |
| To:   | SR.9901.900 Special Refuse- Transfer to Worker's Compensation |
|       | Amount: \$1,188.56  |
| From: | SW.1002 Water- Fund Balance                                   |
| To:   | SW.9901.900 Water- Transfer to Worker's Compensation          |
|       | Amount: \$10,158.35   |
| From: | YS.1002 Sewer- Fund Balance                                   |
| To:   | YS.9901.900 Sewer- Transfer to Worker's Compensation          |
|       | Amount: \$4,716.00  |

**From the Engineering Department**

**Authorize Comptroller to release Erosion Control Bond for work done at 2881 Springhurst Street in the amount of \$500.00**

WHEREAS, Lisa & Nicholas Serio, as applicants, posted check #774 in the amount of \$500, which was deposited to the T33 account on June 29, 2023, to serve as the Erosion Control Bond, and

WHEREAS, the applicant has requested their 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 totaling \$500 be released to Lisa & Nicholas Serio, 2881 Springhurst Street, Yorktown Heights, NY 10598.

From the Highway Department

**Award Bid for Asphaltic Concrete & Liquid Bituminous - Highway Department**

WHEREAS, invitation to bid for Asphaltic Concrete & Liquid Bituminous for the Town of Yorktown was duly advertised, and

WHEREAS, said bids were received and opened on March, 8, 2024, with the bid amounts for the above-referenced bid summarized are attached, and

WHEREAS, The Town may award the bid based on either Lowest Responsible Bid or Best Value, in accordance with the 2012 amendments to General Municipal Law, Section 103, as implemented by Chapter 78 of the Code of the Town of Yorktown, now

RESOLVED, that upon the recommendation of the Highway Superintendent, Dave Paganelli, the bid for the Asphaltic Concrete & Liquid Bituminous Materials for the Town of Yorktown be and is hereby awarded to Peckham Materials, 20 Haarlem Avenue, White Plains, NY 10603, based on the best value.

BE IT FURTHER RESOLVED, the contract is to begin on April 10, 2024 and terminate on April 9, 2027.

**Award Bid for the Horizon Signal Temporary Traffic Lights – Highway Department**

WHEREAS, invitation to bid for the Horizon Signal Temporary Traffic Lights for the Town of Yorktown was duly advertised, and

WHEREAS, said bids were received and opened on March, 8, 2024, with the bid amounts for the above bid listed below.

|                            |   |
|----------------------------|---|
| Traffic Lane Closures, LLC | \$3,000.00 per light, per month,<br>no set-up fees.             |
| JC Smith, Inc.             | \$3,500.00 per light, per month<br>Plus \$1,000.00 set-up fees. |

RESOLVED, that upon the recommendation of the Highway Superintendent, Dave Paganelli, the bid for the Horizon Signal Temporary Traffic Lights Bid for the Town of Yorktown be and is hereby awarded to Traffic Lane Closures, the lowest responsible bidder.

BE IT FURTHER RESOLVED, the contract is to begin on April 1, 2024 and terminate on December 31, 2024.

From the Human Resources Department

BE IT RESOLVED, that Senior Account Clerk, job class code 0710-01, is being modified from Group 11 to Group 13, effective January 1, 2024 to be paid from Yorktown CSEA Salary Schedule A1, and

BE IT FURTHER RESOLVED, that Sandra Serrano and Maria DeRubeis, who are permanent as Senior Account Clerks be moved to Group 13, Step 5 which is \$90,012.00 annually.

From the Parks and Recreation Department

**Award Bid for Pool Pump and Motor Rebuild for Brian J. Slavin Aquatic Facility**

WHEREAS, invitation to bid for Pool Pump and Motor Rebuild for Brian J. Slavin Aquatic Facility was duly advertised, and

WHEREAS, said bids were received and opened at 10:00 am on the 15th day of March 2024 with the bid amounts for the above referenced project summarized below:

| <u>Bidder</u>   | <u>Bid Amount</u> |
|---|-------------------|
| A&C Furia Electric Motors, Inc.<br>135 Lafayette Avenue<br>White Plains, NY 10603 | \$18,835.00       |
| Precision Electric Motor Works, Inc.<br>18 Sebago Street<br>Clifton, NJ 07013     | \$96,125.17       |
| All Makes Pump & Motor Repair<br>1735 Front Street<br>Yorktown Hts., NY 10598     | \$20,595.00       |
| GMH Association of America<br>5 Cheltenham Way, Building 15<br>Trenton, NJ 08638  | \$43,895.00       |

NOW, THEREFORE, BE IT RESOLVED, that upon the recommendation of the Superintendent of Parks & Recreation, James Martorano Jr., the bid for the Pool Pump and Motor Rebuild for Brian J. Slavin Aquatic Facility be and is hereby awarded to the lowest bidder, A&C Furia Electric Motors Inc.

From the Planning Department

**Authorize Transpo Group USA, Inc. to perform a review of the traffic study for 800 East Main Yorktown Dev AMS LLC Rezoning Petition**

WHEREAS, the Town Board of the Town of Yorktown desires to have a review of the traffic study within the AMS Yorktown Draft EIS for the petitioned rezone of property located at 800 East Main Street, Jefferson Valley also known as the former Contractors Register site and Section 5.19, Block 1 Lot 15 on the Town of Yorktown Tax Map; and

WHEREAS, Transpo Group USA, Inc., 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 July 6, 2021; and

WHEREAS, Transpo Group USA, Inc. has submitted a proposal to review the traffic study for the rezone pursuant to said on-call agreement for an amount not to exceed \$5,880.00 for the work; now therefore

BE IT RESOLVED, that the Supervisor of the Town of Yorktown is hereby authorized to engage Transpo Group USA, Inc. under the on-call agreement with the Town of Yorktown for the purpose of reviewing the applicant's traffic study in an amount not to exceed \$5,880.00 for this work, and that the total cost shall be reimbursed by the applicant as part of the cost of the application's review.

From the Police Department

**Authorize Deputy Supervisor to execute and agreement with the County of Westchester for the Town Police Department to run special enforcement details**

RESOLVED, the Deputy Supervisor is authorized to execute and agreement with the County of Westchester for the Town Police Department to run special enforcement details to conduct high visibility road checks, saturation patrols, and drug recognition expert call-outs, for which the County will pay the Town \$10,000, for a term retroactive to October 1, 2023 and continue through September 30, 2024.

From the Water Department

**Authorize Deputy Supervisor to sign an agreement with Weston & Sampson for engineering services relative to the Croton Heights Road water main installation**

WHEREAS, it is the intention of the Yorktown Consolidated Water District to install approximately 1,000 LF new section of 8-inch water line along Croton Heights Road, connecting existing service lines at the intersections with White Horse Road and Spring Drive; and

WHEREAS, this new service line will provide the Water District with more flexibility in redirecting flows during routine maintenance work in the future; and

WHEREAS, the installation is to be self-performed by the Water District and will not require temporary redirection of the water supply as this is to be an entirely new length of pipe connecting two existing sections of the system and that an external bypass system shall not be required; and

WHEREAS, The Yorktown Consolidated Water District hereby requests approval to enter into an agreement with Weston & Sampson, PE, LS, LA, Architects, PC for engineering services for the design and permitting services for the Croton Heights Road water main installation project; and

THEREFORE, BE IT RESOLVED, the Town Board authorizes the Deputy Supervisor to sign an agreement with Weston & Sampson, PE, LS, LA, Architects, PC for engineering services relative to the Water District's Croton Heights Road water main installation project for a total cost of \$14,900 to be funded by Water District's Professional Services line SW.8340.0490.

**Authorize Deputy Supervisor to sign Change Order No. 1 of the cement relining bid awarded to Michel's Pipe Services**

WHEREAS, there is a net increase of \$62,800.20 in the cement relining contract value for scheduled and installed quantities for the unit price items for Front Street and Underhill Avenue sections of the project; and

WHEREAS, overages were primarily due to exceeding the anticipated scheduled values for pay items: FS 12 Pavement Restoration, FS 13 Exploratory Excavations, UA 10 6"



Ductile Iron Pipe Fittings, UA 13 Pavement Restoration, and FS 14 Exploratory Excavations; and

WHEREAS, additional test pits were needed because Michels encountered some unmarked obstructions (bends) that were not on the record maps during the cleaning/lining process; and

WHEREAS, when the additional test pits were needed to find/replace the fittings, this resulted in the need for additional fittings, backfill, and pavement; and

WHEREAS, Paul Vasillo, Water Distribution Superintendent, requests that the Town Supervisor sign Change Order No. 1 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 Front Street and Underhill Avenue sections of the cement relining project resulting in a net increase of \$62,800.20; and

THEREFORE, BE IT RESOLVED, that upon the Water Distribution Superintendent's recommendation, the Deputy Supervisor is authorized to sign Change Order No. 1 to be attached to the cement relining bid awarded to Michel's Pipe Services.

BE IT FURTHER RESOLVED, that the Town Comptroller is hereby authorized to make the following budget transfer:

|  |             |
|--|-------------|
| From: SW.8340.0483 Water - Special Projects line         | \$62,800.20 |
| To: HN.5031 Water - Cement Relining Capital Project line | \$62,800.20 |

13. ADJOURN MEETING

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

Dated: March 19, 2024

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

**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.

**\*\*AGENDAS ARE SUBJECT TO CHANGE\*\***