



# Town of Yorktown

*Office of the Deputy Supervisor Edward Lachterman*

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**FINAL TOWN BOARD**  
**WORK SESSION MEETING AGENDA**

**April 9, 2024**

**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/Negotiations

**7:30PM OPEN SESSION**

**Proclamation for Autism Awareness and Acceptance Month**

WHEREAS, the Town of Yorktown is guided by the principles of inclusivity in its commitment to help improve the lives of all individuals in the diverse community we serve; and

WHEREAS, Autism impacts people regardless of race, ethnicity, and social-economic backgrounds; and

WHEREAS, while conditions characterized with Autism may challenge communication, social skills, and behavior; and individuals within the Autism Spectrum Disorder (ASD) community present varying qualities, strengths and challenges; and

WHEREAS, in the month of April, we strive to promote Autism awareness, inclusion, and acceptance, and the Town of Yorktown is committed to providing equitable access to services, events and activities that support self-determination for all Autistic individuals; and

WHEREAS, the Town of Yorktown recognizes the importance of creating spaces that, beyond acceptance, provide opportunities for representation and celebration of all autism groups; and

WHEREAS, the Town of Yorktown seeks to create a socially conscience community that values and celebrates the unique individuals within the ASD community which celebrates all kinds of minds; and

NOW, THEREFORE BE IT RESOLVED, that the Yorktown Town Board hereby proclaims the month of April to be designated as Autism Awareness & Acceptance Month and encourages the community to join in advocacy efforts.

**Discussion**

Advance Life Support Commission

**Discussion**

**Proposed Local Law to amend Chapter 216 of the Code of the Town of Yorktown entitled “Peace and Good Order”**

Section 216-2 of the Code of the Town of Yorktown is hereby replaced in its entirety with the following language:

- A. No person or persons shall cause, make, create or be the means of causing, making creating or allowing, any noise disturbance (as defined herein) within the corporate limits of the Town of Yorktown.
- B. The provisions of this section shall not apply to the following:
  - (1) The emission of sound for the purpose of alerting persons to the existence of an emergency.
  - (2) Noise from municipally sponsored or approved celebrations or events.
  - (3) The operation or use of any organ, bell, chimes or other instrument, apparatus or device by any church, synagogue or school licensed or chartered by the State of New York, provided that such operation or use does not occur between the hours of 11:00 p.m. and 7:00 a.m. prevailing time.
  - (4) Noise generated by construction equipment or lawn maintenance equipment, provided that such operation or use does not occur between the following hours: 5:00 p.m. and 7:00 a.m., from Sunday evening through and including Monday morning; 8:00 p.m. and 7:00 a.m., from Monday evening through and including Friday morning; 8:00 p.m. and 9:00 a.m., from Friday evening through and including Saturday morning; 6:00 p.m. and 10:00 a.m., from Saturday evening through and including Sunday morning; Legal holidays shall follow Sunday hours, i.e., 10:00 a.m. and 5:00 p.m.
  - (5) Snow removal equipment used or operated during periods of inclement weather, regardless of time.
  - (6) Noise generated by agriculturally or farm-related equipment used in the production of agricultural crops.

**Proposed Local Law to amend Chapter 275 of the Code of the Town of Yorktown entitled “Vehicles and Traffic”**

Section 275-4(J) of the Code of the Town of Yorktown is hereby amended by adding the following section 275-4(J)(7):

It shall be unlawful to park a commercial vehicle, including trailers with or without trailer registration plates, on the N.Y. Route 6 service road adjacent to the Town of Yorktown’s

Golf Course from (41.332393, -73.815373) to (41.331188, -73.810719), unless said vehicle is engaged in the process of delivery or rendition of services to the Town's Golf Course.

**Proposed Local Law to amend Chapter 275 of the Code of the Town of Yorktown entitled "Vehicles and Traffic"**

Section 275-17(A) of the Code of the Town of Yorktown is hereby amended in its entirety as follows:

No motor vehicles, motorcycle or other vehicle of any description whatever shall be run, driven or operated upon Town highways within the Town of Yorktown at a rate of speed greater than 30 miles per hour, except on the following Town highway, the speed limit shall be 40 miles per hour.

Underhill Avenue between the west side of Overhill Street and the point at which the entrance and exit ramps of the northbound side of the Taconic State Parkway intersect with Underhill Avenue

Section 275-17(B)(1) of the Code of the Town of Yorktown is hereby amended by adding the following public highway locations:

Aqueduct Road  
Hitching Post  
Woodfield Court  
High Ridge Road  
Baptist Church Road  
Wood Street Hill, between Overhill and Route 118

**Decision - Proposed Local Law known as the "Large-Scale Energy Systems Moratorium" (Amended full version of proposed local law is on Town website)**

**Excerpt:** No special permits or site plans permitting the construction, establishment and/or operation of any additional or new Large-Scale Solar Energy Systems which are not currently in existence or operation at the time of the enactment of this section shall be issued by the Town of Yorktown within any zone within the Town of Yorktown, from the effective date of this local law until September 30, 2024. Notwithstanding the foregoing, special permit and site plan applications for Large-Scale Solar Energy Systems may be reviewed by the Town of Yorktown if an applicant signs a moratorium acknowledgment, in a form approved by the Town Attorney, that confirms the applicant is aware of the moratorium, is processing its application at the risk of the applicable regulations being changed, and assumes the consequences of such risk.

**RESOLUTIONS**

From Deputy Supervisor's Office

**Request for Amendments to New York State's Criminal Justice Reforms**

WHEREAS, in 2019, unwise reforms were enacted to New York's criminal justice statutes; and

WHEREAS, the changes in the laws pertaining to discovery and bail are overly broad and vague and are having unintended consequences at the municipal level, all of which have been evident over the course of the past four years; and

WHEREAS, since cashless bail went into effect, over 40% of individuals released on non-monetary bail for violent felonies have been rearrested while their charges are pending; and

WHEREAS, the shortened time period in which prosecutors must disclose evidence to defendants and the broad expansion of the matters to which such discovery mandates apply has had significant cost implications for municipalities with police departments and local justice courts; and

WHEREAS, law abiding residents of the Town of Yorktown, Westchester County and the State of New York have been made demonstrably less safe in their own communities due to these bail reform measures;

NOW THEREFORE BE IT RESOLVED, that the Town of Yorktown supports the following set of amendments, which are consistent with the intent of the criminal justice reforms but which will also allow for more effective and affordable implementation: (1) ensure that cities, towns and villages are provided with additional financial and operational support to offset the cost of these mandated measures; (2) allow an increased timeline for prosecutors to disclose evidence to the defense for criminal charges; (3) exclude from the accelerated discovery requirements any charge not involving a misdemeanor or felony; (4) allow prosecutors to withhold sensitive information, such as victim contact information, without having to obtain a court order; (5) judges must be given the discretion to order pre-trial detention by amendment of the bail reform measures which have put citizens of the State of New York at risk; (6) impose a dangerous standard, which would eliminate the defendant's return to court as the sole factor for a judge to consider when determining pre-trial release by requiring the court to make an individualized determination as to whether the principal poses a risk or threat of physical danger to the safety of any person or the community and an individualized determination as to whether they pose a risk of flight to avoid prosecution; and (7) add all misdemeanor and felony offenses involving the possession, display, or discharge of a firearm, rifle, shotgun, machine-gun or disguised gun to the list of "qualifying offenses" that authorize a judge to fix bail or remand a defendant into custody.

From the Finance Department

**Authorize the following banks be designated as additional depositories**

BE IT RESOLVED, that the following banks be designated as additional depositories for the Town of Yorktown:

JP MORGAN WEALTH MANAGEMENT  
277 Park Avenue, Floor 03  
New York, NY 10172

NY Class  
717 17<sup>th</sup> Street, Suite 1850  
Denver, CO 80202

From the Highway Department

**Authorize the following change of fees for the Highway Department and authorize Master Fee Schedule to be changed to reflect these changes**

Resolved, that the following fees for the Highway Department are approved and the Master Fee Schedule shall be changed to reflect these changes:

DRIVEWAY PERMIT	\$500.00 (check refundable after one year)
INSPECTION FEE	\$250.00 (non-refundable)
GENERAL RIGHT OF WAY	\$1,400.00 (non-refundable)
PERMANENT STRUCTURES	(includes permit fee & inspection fee)
GENERAL RIGHT OF WAY	\$350.00 UP TO 10 SQ. FT (80% refundable)
WORKING IN TOWN'S ROW	ADDITIONAL FOOTAGE
	\$35.00 PER SQ. FT (80%-refundable)
INSPECTION FEE	\$250.00 (non-refundable)
STREET OPENING	80% of Total amount refundable
HALF WAY ACROSS	\$2,500.00 (check refundable after three years)
ROADWAY (MIN)	
ACROSS ENTIRE	\$5,000.00 (check refundable after three years)
ROADWAY	
INSPECTION FEE	\$500.00 (non-refundable)
OVER 50 FT. IN LENGTH	\$60.00 PER FOOT
1 <sup>ST</sup> 50'	\$5,000.00
ADDITIONAL FOOTAGE	\$60.00 PER FT.
TIE INTO TOWN DRAINAGE	\$1,000.00 (check refundable after one year)
	\$ 300.00 (non-refundable)

From the Human Resources Department

**Authorize Police Officer Michael Tillstrand to be promoted to sergeant, effective Wednesday, April 15, 2024**

BE IT RESOLVED, that Michael Tillstrand is hereby appointed promotional permanent as a Police Sergeant, job class code 0133-01, from eligible list # 74-902, effective April 15, 2024 to be paid from Yorktown PBA Salary Schedule, which is \$140,073.00 annually;

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 April 15, 2024.

**Appoint Ashley Sacaza Police Officer in the Town of Yorktown effective May 1, 2024**

BE IT RESOLVED, that Ashley Sacaza is hereby appointed Police Officer in the Town of Yorktown effective May 1, 2024 to be paid \$62,732.00 annually;

BE IT RESOLVED, contingent upon successful completion of a medical and psychological examination,

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 1, 2024.

**Appoint Michael Campion to permanent Police Officer in the Town of Yorktown Police Department effective April 1, 2024**

BE IT RESOLVED, that Michael Campion is hereby returned to permanent appointment as a Police Officer in the Town of Yorktown Police Department effective April 1, 2024 to be paid the contractual salary of \$121,799.00 annually.

**Appoint Andrew A. Heady to the position of Lead Maintenance Mechanic (Sanitation), within the Refuse & Recycling Department, effective April 15, 2024**

BE IT RESOLVED, that Andrew A. Heady, is hereby appointed Lead Maintenance Mechanic (Sanitation), job class code 0491-02, within the Refuse & Recycling Department, effective April 15, 2024, to be paid from Yorktown CSEA Salary Schedule A, Group 15, Step 4, which is \$89,166.00 annually.

BE IT FURTHER RESOLVED, that this appointment is subject to a probationary period of no more than 12 weeks, commencing on the first date of appointment on April 15, 2024.

**Approve Wastewater Treatment Plant Operator Grade 3, job class code 0587-01, be modified from Group XIV to Group XV, effective April 8, 2024**

BE IT RESOLVED, that Wastewater Treatment Plant Operator Grade 3, job class code 0587-01, is being modified from Group XIV to Group XV, effective April 8, 2024 to be paid from Yorktown CSEA Salary Schedule A,

BE IT FURTHER RESOLVED, that Kyle Gulitz, who is permanent as Wastewater Treatment Plant Operator Grade 3 be moved to Group 15, Step 4 which is \$89,166.00 annually.

**Appoint Winston Ralph to the Senior Advisory Committee**

RESOLVED, that Winston Ralph is appointed as a member of the Senior Advisory Committee.

From the Parks and Recreation Department

**Authorize the Comptroller to process the following budget transfer for the Parks & Recreation Department for the Shrub Oak Park Stream Repair Project**

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

From: A.1002 General Fund – Fund Balance                      \$11,000.00 To:                      A.7110.0454  
Parks – Park Improvements    \$11,000.00

**Authorize Town Clerk to advertise a Request for Proposals for Food Concessions at the Town Pools and the Granite Knolls Recreation and Sports Complex**

Resolved, the Town Clerk is authorized to advertise a Request for Proposals for Food Concessions at the Town Pools and the Granite Knolls Recreation and Sports Complex.

From the Planning Department

**Accept Landscape Bond for the Burger King located at 385 Downing Drive, Section 17.18, Block 2, Lot 57**

WHEREAS, Quick Quality Restaurants, Inc, lessee, as applicant for the project known as Burger King, has completed site work on the site plan approved by Planning Board Resolution #23-05 dated April 10, 2023; and

WHEREAS, to insure the installation of the on-site landscaping as approved on the site plan, the applicant must post a cash bond; and

WHEREAS, the amount of the cash bond has been determined to be in the amount of \$1,500.00; and

WHEREAS, Quick Quality Restaurants, Inc. (Robert & Margaret Canniff) has provided the Town with check#160 in the amount of \$1,500.00, to serve as the required cash bond; and

NOW THEREFORE BE IT RESOLVED, that the monies required prior to issuance of the Certificate of Occupancy for the project known as Burger King have been tendered to the Town and that the Town Comptroller is authorized to accept the above-referenced project bond for the purposes stated herein.

From the Police Department

**Authorize one (1) Police Officer to attend a conference involving (3) three overnight stays October 19<sup>th</sup> through October 21<sup>st</sup>, 2024**

BE IT RESOLVED, that (1) one Police Officer of the Yorktown Police Department is approved to attend a conference involving (3) three overnight stays October 19<sup>th</sup> through October 21<sup>st</sup>, 2024 to attend a police conference out of state.

**Extend Bid for Dry Cleaning Services with Rite Price Cleaners, Inc. is hereby extended an additional year**

RESOLVED, that the bid for Dry Cleaning Services with Rite Price Cleaners, Inc. is hereby extended an additional year, effective April 8, 2024 to April to April 7, 2025 as per the bid specifications.

From the Water Department

**Authorize Deputy Supervisor to sign an agreement with Weston & Sampson, PE, LS, LA, Architects, PC for Engineering Services Water Line Cleaning & Structural Relining (Route 35 / Greenwood Street)**

WHEREAS, the Town has historically experienced a number of water main breaks on the 12-inch water main on Saw Mill River Rd./Rte. 35/Rte. 202 and Greenwood Street costing the Water District a significant amount in restoration costs and resulting in the need for a structural liner to increase structural stability; and

WHEREAS, the 8-inch water main on Mill Street has been removed from service due to the construction of a bridge over the water main. The Town would like to bring this water main back into service; and

WHEREAS, in accordance with the Town of Yorktown procurement procedures, the Yorktown Water District received proposals from three (3) engineering firms to provide design, permitting, bidding, construction administration, and construction inspection services related to the cleaning and structural relining of approximately 1,200 LF of a 12-inch cast iron water line along Saw Mill River Rd./Rte. 35/Rte. 202 and Greenwood Street and approximately 250 LF of 8-inch cast iron water line along Mill Street; and

WHEREAS, the following firms provided written proposals to the Yorktown Water District:

H2M Architects + Engineers 1133 Westchester Avenue, Ste N-210 White Plains, NY 10605	\$47,200
Weston & Sampson, PE, LS, LA, Architects, PC 1 Winners Circle, Suite 130 Albany, NY 12205	\$55,100
Woodard & Curran Engineering and Geological Services, P.A. P.C. 800 Westchester Avenue, Suite N507 Rye Brook, NY 10573	\$66,800

WHEREAS, the Yorktown Water District believes that it is in the best interest of the Town to move forward with Weston & Sampson, PE, LS, LA, Architects, PC due to their familiarity with working with the Water District and the fact that they have been hired by the Water District to perform grant writing services specifically for this structural relining project; and

WHEREAS, The Yorktown Water District hereby requests approval to enter into an agreement with Weston & Sampson, PE, LS, LA, Architects, PC for engineering services related to the cleaning and structural relining of water line along Saw Mill River Rd./Rte. 35/Rte. 202 and Greenwood Street, and Mill Street for a total cost of \$55,100; 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 for water line cleaning and structural relining on Saw Mill River Rd./Rte. 35/Rte. 202, Greenwood Street and Mill Street for a total cost of \$55,100.

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

From: SW.8340.0483	Special Projects	\$55,100
To: SW.8340.0490	Professional Services	\$55,100

**Authorize the release of \$64,633.30 in retainage owed to Michels Trenchless, Inc. for the completion of the cleaning and cement relining project on Strawberry Road and Hanover Street**

RESOLVED, that upon the recommendation of the Distribution Superintendent, Paul Vasillo, the Town Comptroller is authorized to release \$64,633.30 retainage owed to Michels Trenchless, Inc. for the completion of the cleaning and cement relining project on Strawberry Road and Hanover Street.

**Authorize the release of \$43,554.41 in retainage owed to Michels Trenchless, Inc. for the completion of the cleaning and cement relining project on Underhill Avenue and Front Street**

RESOLVED, that upon the recommendation of the Distribution Superintendent, Paul Vasillo, the Town Comptroller is authorized to release \$43,554.41 retainage owed to Michels Trenchless, Inc. for the completion of the cleaning and cement relining project on Underhill Avenue and Front Street.

**Authorize Comptroller to pay Adele Hobby the cash value of unused time as of her date of retirement**

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

Rate of Pay: \$37.0654

Sick:	31.25 hours x \$18.5327 (50% Rate of Pay)	= \$579.15
Vacation:	231.5 hours x \$37.0654	= \$8,580.64
Personal:	15 hours x \$37.0654	= \$555.98
Floater:	10 hours x \$37.0654	= \$370.65
Longevity:	129 days (07/03/23-12/28/23) x \$6.7308 per day	= \$868.27
	(Amount \$1,750.00)	

Total Amount of Payout = \$10,954.69

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	Museum Reserve Employee Accrued Benefits	\$579.15
	A.7450.110	Museum Salaries	\$9,507.28
	A.7450.106	Museum Longevity	\$868.27
To:	T.905.1	Medical, Dental, Vision Premium Trust	\$0.00
	A.7450.108	Museum Lump Sum Payment	\$10,954.69

**Authorize Comptroller to pay Zoe Kozma the cash value of unused time as of her date of separation**

Be It Resolved, that the Town Board hereby authorizes the Town Comptroller to pay Zoe Kozma the cash value of unused time as of her date of separation:

Rate of Pay:	\$28.6088		
Sick:	8 hours x \$14.3044 (50% Rate of Pay)	= \$	114.44
Vacation:	91 hours x \$28.6088	= \$	2,603.40
Personal:	21 hours x \$28.6088	= \$	600.78
Floater:	0 hours x \$28.6088	= \$	0.00
Severance:		= \$	2,002.61
	Total Amount of Payout	= \$	5,321.23

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

From:	L.7410.110	Library Salaries	\$5,321.23
To:	L.7410.108	Library Lump Sum Payment	\$5,321.23

**Authorize the use of the Yorktown Community and Cultural Center Gym to hold a Job Fair and waives the rental fee in the amount of \$156.00**

BE IT RESOLVED, that at the request of the Westchester Putnam Career Center Network, the Town Board hereby authorizes the use of the Yorktown Community and Cultural Center Gym to hold a Job Fair on May 1, 2024 from 10 a.m. to 2p.m. The Town Board waives the rental fee in the amount of \$156.00.

**ADJOURN**

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

**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\*\***