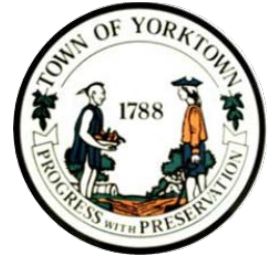




Town of Yorktown

Office of the Town Clerk
Diana L. Quast



FINAL TOWN BOARD **MEETING AGENDA**

January 17, 2024

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. PRESENTATION
In memory of Town Supervisor Thomas P. Diana
4. MOMENT OF SILENCE
5. INTRODUCTIONS
6. REPORT FROM DEPUTY TOWN SUPERVISOR EDWARD LACHTERMAN
7. REPORTS FROM TOWN OFFICIALS
8. PROCLAMATION - OBSERVANCE OF MARTIN LUTHER KING, JR. DAY
Whereas, Dr. Martin Luther King, Jr.'s dream of equality and achieving social change through nonviolence has helped shape our nation, and

Whereas, this week we celebrate Dr. Martin Luther King, Jr.'s Birthday and we remember his legacy as an American hero and tireless social activist who called upon our nation to ensure equal justice under the law and to uphold our founding principles, which recognize individual rights to life, liberty, and the pursuit of happiness, and

Whereas, Dr. Martin Luther King, Jr. encouraged Americans to come together, regardless of age, race, or creed, to alleviate poverty, and value the dignity and respect inherent in all people.

Through his example, he taught the values of courage, truth, justice, compassion, humility, and service to strengthen our communities, now

Therefore Be It Resolved, that I, Edward A. Lachterman, Deputy Supervisor of the Town of Yorktown along with the Town Board recognize January 15, 2024 as

“Dr. Martin Luther King, Jr. Day”

and encourage all residents to act for the future betterment of our community.

9. **POET LAUREATE**

John McMullen

10. **OPEN FLOOR FOR PUBLIC COMMENT**

11. **PERSONNEL**

Appoint Antonio Cambareri to Lead Maintenance Mechanic (Automotive) in the Central Garage

BE IT RESOLVED, that Antonio Cambareri is hereby appointed Lead Maintenance Mechanic (Automotive), job class code 0480-02, in the Department of Central Garage, effective January 18, 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 January 18, 2024.

Appoint Amy Swan to the position of Assistant Curator in the Yorktown Museum

BE IT RESOLVED, that Amy Swan of Ossining, NY, is hereby appointed provisional to the civil service title Assistant Curator, job class code 0892-01, with the Museum, effective February 5, 2024 to be paid from Yorktown CSEA Salary Schedule A1, Group 7, Step 1 which is \$56,642.00 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, and

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 February 5, 2024.

Grant Personnel Manager Tracey Kuzemczak permanent status effective January 1, 2024

BE IT RESOLVED, that Tracey Kuzemczak, Personnel Manager, job class code 0165-01, has completed the minimum probationary period and is hereby granted permanent status effective January 1, 2024.

Appoint Paul Vasillo to Provisional Distribution Superintendent in the Water Department

BE IT RESOLVED, that Paul Vasillo is hereby appointed Provisional Distribution Superintendent, job class code 0617-01, in the Water Department, effective January 18, 2024 to be paid \$148,958.00 annually.

Appoint Jeff Dahke to Provisional Assistant Distribution Superintendent in the Water Department

BE IT RESOLVED, that Jeff Dahlke is hereby appointed Provisional Assistant Distribution Superintendent, job class code 1026-01, in the Water Department, effective January 18, 2024, to be paid at the rate set forth in Yorktown CSEA Salary Schedule A, Group 16, Step 5, which is \$97,091.00 annually.

12. **PUBLIC HEARING – POSTPONED UNTIL JANUARY 30, 2024**

The public hearing to consider the Underhill Farm Landmark Application submitted by the Yorktown Heritage Preservation Commission has been postponed until January 30, 2024.

13. **ADVERTISEMENTS**

Authorize Town Clerk to notice a Town Board Meeting for January 30, 2024

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

Authorize Town Clerk to notice a public hearing to consider the Underhill Farm Landmark Application submitted by the Yorktown Heritage Preservation Commission

NOTICE IS HEREBY GIVEN, that a public hearing will be convened by the Town Board of the Town of Yorktown, Westchester County, New York on Tuesday, January 30, 2024 at the Town Hall, 363 Underhill Avenue, Yorktown Heights, New York 10598 at 7:30 o'clock PM, or as soon thereafter as the same can be heard, to consider the Underhill Farm Landmark Application submitted by the Yorktown Heritage Preservation Commission on October 19, 2023 requesting that the Underhill Farm property located at 370 Underhill Avenue, Yorktown Heights, New York 10598 be a designated landmark in the Town of Yorktown.

Authorize Town Clerk to Advertise Bid for Various Chemicals for the Yorktown Heights Water Pollution Control Plant

Resolved, that sealed proposals will be received by the Town Clerk of the Town of Yorktown, Westchester County, New York, at the Town Hall, 363 Underhill Avenue, Yorktown Heights, New York, until 10:00 A.M., on Monday, February 5, 2024 for Various Chemicals for the Yorktown Heights Water Pollution Control Plant, Bid #24-1.

Authorize Town Clerk to Advertise Bid for Grit & Screenings Removal for the Yorktown Heights Water Pollution Control Plant

Resolved, that sealed proposals will be received by the Town Clerk of the Town of Yorktown, Westchester County, New York, until 10:00 A.M. on Monday, February 5, 2024 at Town Hall, 363 Underhill Avenue, Yorktown Heights, N.Y. 10598 for Grit & Screenings Removal for the Water Pollution Control Plant.

Authorize Town Clerk to Advertise Bid for the Parks and Recreation Department's Semi-Annual Program Brochures

Resolved, that sealed proposals will be received by the Town Clerk of the Town of Yorktown, Westchester County, New York, until 10:30 A.M. on Monday, February 5, 2024 at Town Hall, 363 Underhill Avenue, Yorktown Heights, N.Y. 10598 for the Parks and Recreation Department's Semi-Annual Program Brochures.

Authorize Town Clerk to Advertise Bid for Transportation Services for Camp Buses

Resolved, that sealed proposals will be received by the Town Clerk of the Town of Yorktown, Westchester County, New York, until 10:30 A.M. on Monday, February 5, 2024 at Town Hall, 363 Underhill Avenue, Yorktown Heights, N.Y. 10598 for the Parks and Recreation Department's Transportation Services for Camp Buses.

Authorize Town Clerk to Advertise Request for Proposals for Town Attorney and General Municipal Legal Services

Resolved, that sealed proposals will be received by the Town Clerk of the Town of Yorktown, Westchester County, New York, until 11:00 A.M. on Monday, February 12, 2024 at Town Hall, 363 Underhill Avenue, Yorktown Heights, N.Y. 10598 for Town Attorney and General Municipal Legal Services.

14. **RESOLUTIONS**

From the Assessor's Office

Authorize Deputy Supervisor to execute an agreement with Valuation Plus, Inc. for appraisal services

RESOLVED, Deputy Supervisor is authorized to execute an agreement with Valuation Plus, Inc., for appraisal services in an amount not to exceed \$7,500.

Authorize Deputy Supervisor to execute an agreement with Diamond McCarthy LLP for litigation services

RESOLVED, Deputy Supervisor is authorized to execute a supplemental engagement agreement with Diamond McCarthy LLP for litigation services in connection with the Washington Prime bankruptcy proceeding.

From the Building and Maintenance Department

Authorize Building and Maintenance Department to purchase a used Chevy Tahoe

WHEREAS, bids were received and opened on January 5, 2024 for the purchase of a used Chevy Tahoe or equivalent for the Yorktown Building and Maintenance Department; and

WHEREAS, two bid proposals were received by the below listed bidders:

<u>Bidder</u>	<u>Bid Amount</u>
Westchester Auto Exchange 2311 Crompond Road Cortlandt Manor, NY 10567	\$41,187.00
Lasorsa Chevrolet, Inc. 3510 Webster Avenue Bronx, NY 10467	\$57,369.00

Now, Therefore Be Resolved, that upon the recommendation of General Foreman Phil Marino, the bid for the purchase of a used Chevy Tahoe be hereby awarded to Westchester Auto Exchange, 2311 Crompond Road, Cortlandt Manor, NY 10567, and Be It Further

Resolved, that the Deputy Town Supervisor is authorized to execute the sale with Westchester Auto Exchange for a 2018 Chevrolet Tahoe in an amount not to exceed \$41,187.00, and

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

From: General Fund A.1002	\$41,187.00
To: Vehicles A.1630.210	\$41,187.00

From the Clerk's Office

Authorize Deputy Supervisor to sign amended agreement with Northwind Kennels for harboring of Dogs

Resolved, that the Deputy Supervisor is authorized to sign an amended agreement with Northwind Kennels for the harboring of Dogs for the Town of Yorktown. The following fees have been increased for this year: Boarding Dogs-\$40.00, Rabies Vaccinations-\$40.00 and Spay/Neuter \$125.00.

Authorize Deputy Supervisor to sign amended agreement with SPCA Westchester for Non-Lethal Trap, Neuter and Return Program for Feral Cats

Resolved, that the Deputy Supervisor is authorized to sign an amended agreement with SPCA Westchester for Non-Lethal Trap, Neuter and Return Program for Feral Cats in the Town of Yorktown. The following fees have been increased for this year: Feral Spay/Neuter including Rabies Vaccinations-\$60.00.

Renew AAA Carting & Rubbish Removal, Inc., Commercial Garbage Licenses for 2024

RESOLVED, that AAA Carting & Rubbish Removal, Inc., be and is hereby granted renewal of their Garbage License to service commercial properties in the Town of Yorktown for the year 2024.

From the Comptroller

Budget Transfer to pay 2023 Garbage Services

BE IT RESOLVED, the Comptroller is authorized to process the following budget transfer to pay 2023 Garbage Services:

From :	SR.9000.810 Medical \$31,000.00
From:	SR.9000.811 NYSLRS \$3,306.60
To:	SR.8160.425 Outside Contractor \$34,306.60

Authorize Comptroller to pay John Winter the cash value of unused time as of his date of separation

Be It Resolved, that the Town Board hereby authorizes the Town Comptroller to pay John Winter the cash value of unused time as of his date of separation:

Rate of Pay: \$44.6108

Vacation	11.5 hours	x	\$44.6108	= \$513.02
Personal	0 hours	x	\$44.6108	= \$ 0.00
Float	0 hours	x	\$44.6108	= \$ 0.00
Total				\$513.02

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

From:	A.7215.101	Central Garage - Salaries	\$513.02
To:	A.7215.108	Central Garage - Lump Sum Payments	\$513.02

Authorize Comptroller to pay Jenna Belcastro 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 Jenna Belcastro the cash value of unused time as of her date of separation:

Rate of Pay: \$52.6055

Vacation	126 hours	x	\$52.6055	= \$6,628.29
Personal	0 hours	x	\$52.6055	= \$ 0.00
Float	0 hours	x	\$52.6055	= \$ 0.00
Total				\$6,628.29

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

From:	A.1220.101	Supervisor – Salaries	\$6,628.29
To:	A.1220.108	Supervisor - Lump Sum Payments	\$6,628.29

From the Community Housing Board

Authorize Maura Gregory to attend the New York State Housing Summit to be held on January 26-27, 2024 at the University of Albany

WHEREAS, the Yorktown Community Housing Board wishes to send a representative to the New York State Housing Summit to be held on January 26-27, 2024 at the University of Albany campus, and

WHEREAS, conference registration costs are \$75 per person and hotel costs are \$96.09, and

WHEREAS, Maura Gregory, a member of the Yorktown Community Housing Board, is willing to attend this conference.

RESOLVED, that Maura Gregory is authorized to attend the New York State Housing Summit on January 26th-27th, and the amount of \$171.09 is authorized to be paid for hotel costs and conference registration from Account TE75 Affordable Housing Trust Fund.

From the Engineering Department

Extend Bid for Sludge & Grease Removal for the Water Pollution Control Plant to Fred A. Cook, Jr., Inc.

WHEREAS, the Town Board at its meeting of February 8, 2022, awarded the Sludge & Grease Removal for the Water Pollution Control Plant to Fred A. Cook, Jr., Inc., and

WHEREAS, the Town has the contractual option to extend the bid for one additional term of two (2) years, and

WHEREAS, Fred A. Cook, Jr., Inc., agrees to the contract extension for the next two years, NOW, THEREFORE BE IT

RESOLVED, that the Sludge & Grease Removal Bid for the Water Pollution Control Plant, is hereby extended for the final contractual extension of two years, ending February 8, 2026.

Approve release of Erosion Control Bond for work done at 330 Heather Court in the amount of \$500.00

WHEREAS, Marc Sussman, as applicant, posted check #461 in the amount of \$500, which was deposited to the T33 account on July 25, 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 Marc Sussman, 330 Heather Court, Yorktown Heights, NY 10598.

Approve release of Erosion Control Bond for work done at Landmark Court in the amount of \$500.00

WHEREAS, Lisa Purcell & Eugene Vanderbeek, as applicants, posted check #189 in the amount of \$500, which was deposited to the T33 account on April 19, 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 Purcell & Eugene Vanderbeek, Landmark Court, Yorktown Heights, NY 10598.

From the John C. Hart Memorial Library

Authorize an additional expenditure of \$5,503.34 under existing temporary "at will" agreement with Robert Half Agency for professional services

Be It Resolved, that the Town Board authorizes an additional expenditure of \$5,503.34 under existing temporary “at will” agreement with the Robert Half Agency and the John C. Hart Memorial Library for professional services, and

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

From: L7410.101 Salaries \$7,692.62

To: L7410.490 Professional Services \$7,692.62

Authorize the John C. Hart Memorial Library to continue to purchase audiobook titles and Large Print titles from Blackstone Publishing as a valid sole source vendor

Be It Resolved, that the Town Board authorizes the John C. Hart Memorial Library to continue to purchase audiobook titles and Large Print titles from Blackstone Publishing as a valid sole source vendor. Blackstone Publishing offers a selection of audiobook titles and Large Print titles for libraries that are not available through any other distributor or repackaging company nor are they available for purchase from other publishers.

Authorize Comptroller to process the following budget transfer for the John C. Hart Memorial Library

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

From: Library Fund Balance - L.1002 \$50,000.00

To: Building Maintenance SAM Grant - L.7410.416.103 \$50,000.00

for a reimbursable SAM Grant #24919 to replace existing lights with LED lights and for a new circulation desk.

From the Highway Department

Extend bid for Stone Gravel and Concrete Materials for the Highway Department for an additional year as per the bid contract

WHEREAS, invitation to bid for the Stone, Gravel, Concrete Materials Bid for the Town of Yorktown was duly advertised, and

WHEREAS, said bids were received and opened on December 29, 2022,

RESOLVED, that upon the recommendation of the Highway Superintendent, Dave Paganelli, the bid for the Stone Gravel, Concrete Materials for the Town of Yorktown be and is hereby extended for one year, per the terms of the Bid.

BE IT FURTHER RESOLVED, the dates of the extension will be January 1, 2024 to December 31st, 2024.

From Mohegan Lake Improvement District

Award Proposal for Mohegan Lake Aquatic Pesticide Treatments to Limnology Information and Freshwater Ecology, Inc.

WHEREAS, a request for proposals for Lake Mohegan Aquatic Pesticide Treatments was duly advertised, and

WHEREAS, three proposals were received by the Town Clerk and opened on January 11, 2024, and the responding vendors’ proposals were as follows:

Limnology Information and Freshwater Ecology, Inc.	\$47,400
All Habitat Services, LLC	\$67,305
Stahl Holdings, LLC d/b/a The Pond & Lake Connection	\$77,050

RESOLVED, that upon review and recommendation by the Mohegan Lake Improvement District, that the Lake Mohegan Aquatic Pesticide Treatments proposal be awarded to Limnology Information and Freshwater Ecology, Inc., 19 Sandy Pines Blvd., Hopewell Junction, NY 12533, and be it further

RESOLVED that the Town Supervisor is authorized to execute a contract with Limnology Information and Freshwater Ecology, Inc. for 2024 Lake Mohegan Aquatic Pesticide Treatments in an amount not to exceed \$47,400.

From the Parks and Recreation Department

Authorize Deputy Supervisor to execute an agreement with Site Design Consultants in an amount not to exceed \$5000 for on-call engineering consultant services performed from December 1, 2022 through December 31, 2023

RESOLVED , that the Supervisor is authorized to execute an agreement with Site Design Consultants in an amount not to exceed \$5000 for the provision of on-call engineering consultant services in connection with the Granite Knolls Sports Complex. The term of the agreement shall cover December 1, 2022 through December 31, 2023.

From the Planning Department

Special Permit Extension for 7-Eleven Existing Store with Fueling Remodel

WHEREAS, in accordance with the Town of Yorktown's Zoning Regulations adopted April 29, 1975, a formal application for the approval of a Special Permit titled "7-ELEVEN EXISTING STORE W/ FUELING REMODEL," prepared by Core States Group, dated August 24, 2021, was submitted to the Town Board on behalf of 7-Eleven Inc. (hereinafter referred to as "the Applicant") and the applicant has represented to this board that they are the lawful owners of the land within said plan;

WHEREAS, said plan was approved by the Town Board by Resolution #509 on November 22, 2022; and

WHEREAS, said resolution expired on November 21, 2023; and

WHEREAS, no modifications have been made to the plan as stated in a letter from the Applicant's engineer, Core States Group, dated December 13, 2023; and

BE IT FURTHER RESOLVED, that Resolution #509 is hereby extended with the following conditions: None.

BE IT FURTHER RESOLVED, that unless a building permit has been issued by November 21, 2024, or a time extension has been granted by the Town Board, this approval will be null and void.

Authorize Legal Review of Documents to be Submitted for the Colangelo Subdivision

WHEREAS, the Planning Board of the Town of Yorktown required review of the legal instruments effecting conditions of the subdivision approval for the Colangelo Subdivision

a.k.a. Featherbed Properties, Inc., located at Jacob Road in Yorktown, also known as Section 35.16, Block 1, Lot 4 on the Town of Yorktown Tax Map, and approved by Planning Board Resolution #21-01, dated February 8, 2021; and

WHEREAS, the initial estimate of cost to review the legal instruments is \$2,750; and

WHEREAS, Featherbed Properties, Inc. has submitted a check #001000 dated December 11, 2023 to perform this review pursuant to said approval requirements; now therefore

BE IT RESOLVED, that the Comptroller of the Town of Yorktown is hereby authorized to deposit Featherbed Properties, Inc. check #001000 in the amount of \$2,750.00 and reimburse such costs of review borne by the Town Attorney to the Town's legal firm in an amount not to exceed \$2,750.00 for this review.

From the Police Department

Approval for Two Police Officers to Attend a C-Pass School Safety Training Conference

RESOLVED, that (2) two police officers of the Yorktown Police Department are approved to attend a C-Pass School Safety Training Conference involving (3) three overnight stays February 18th through February 20th, 2024 in Saratoga Springs, NY.

From the Water Department

Authorize Purchase of two 2024 Ford F350's for the Water Department

WHEREAS, it is the intention of the Water District to purchase two 2024 Ford F350 Super Cab Pickups; and

WHEREAS, the 2024 Ford F350 Super Cab Pickups are listed as part of the Westchester County Contract # RFB-WC-23363 for Pickup Trucks; and

WHEREAS, Hempstead Ford Lincoln, located in Hempstead NY, has been awarded this bid for Ford Pickup Trucks; now

THEREFORE, BE IT RESOLVED, the Town Board authorizes the Yorktown Water District to purchase two 2024 Ford F350 Super Cab Pickups as specified in the Westchester County Contract # RFB-WC-23363 for a total amount of \$113,945.60.

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

From:	SW.8340.0420.000	Water- Vehicle Maintenance	\$13,945.60
To:	SW.8340.0201.0002	Water – Equipment, Vehicle	\$13,945.60

15. **AMEND ORGANIZATIONAL RESOLUTIONS**

Authorize and direct Supervisor/Deputy Supervisor to pay regular bi-weekly salaries of all elected and appointed Town officials

RESOLVED, that the Supervisor/Deputy Supervisor be hereby authorized and directed to pay regular bi-weekly salaries of all elected and appointed Town officials and employees without prior audit: this shall not apply to lump sum payments.

Direct Supervisor/Deputy Supervisor to submit the Fiscal Report to the State Comptroller and Town Clerk within 120 days after the close of the fiscal year

RESOLVED, that by the authority vested pursuant to Paragraph 10-a of Section 29 of the Town Law, the Supervisor/Deputy Supervisor shall submit to the Town Clerk within one hundred twenty days after the close of the fiscal year, a copy of the report to the State Comptroller required by Section 30 of the General Municipal Law and the Town Clerk shall cause a summary of such report or a notice that a copy of such report is on file in the Town Clerk's Office.

Authorize Supervisor/Deputy Supervisor to make application to the New York State Division of Youth for State Aid for a Recreation and Youth Service Grant

RESOLVED, that the Supervisor/Deputy Supervisor be directed to make application to the New York State Division of Youth for State Aid for a Recreation and Youth Service Project Grant for 2024. The Parks and Recreation Department receives \$5,000 of this application for recreation youth.

Designate Delegates to the New York State Association of Towns Meeting

RESOLVED, that Deputy Supervisor Edward Lachterman be and is hereby designated as the voting delegate to represent the Town of Yorktown at the Association of Towns Meeting to be held in February 2024, and be it

Authorize Supervisor/Deputy Supervisor to act on behalf of the Town of Yorktown with regards to designated depositories

RESOLVED, that Supervisor/Deputy Supervisor of the Town of Yorktown, is hereby authorized, pursuant to Town Law Section 29(2), to act on behalf of the Town of Yorktown with said banks.

Authorize Blanket Authority for Supervisor/Deputy Supervisor to sign contracts up to the amount of \$12,500, not to exceed \$50,000 in a calendar year

RESOLVED, that the Town Board hereby grants blanket authority to sign contracts for the Town, without the necessity of express advance approval by the Town Board to the Supervisor/Deputy Supervisor in the event the contract involves any expenditure of not more than \$12,500.00, not to exceed \$50,000.00 in any calendar year and is limited to one year in duration and be it

FURTHER RESOLVED, that this blanket authorization shall remain in effect until amended.

16. **ADJOURN MEETING**

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

Dated: January 17, 2024

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