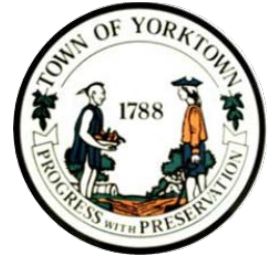




# **Town of Yorktown**

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



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## **FINAL TOWN BOARD MEETING AGENDA**

**April 30, 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. PRESENTATIONS  
Teatown Lake Reservation  
Rochambeau Festival - Heritage Preservation Commission
8. POET LAUREATE  
John McMullen
9. PUBLIC HEARINGS

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

Deputy Supervisor Edward Lachterman will convene a public hearing to consider amending Chapter 275, Section 275-4(J) of the Code of the Town of Yorktown 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”**

Deputy Supervisor Edward Lachterman will convene a public hearing to consider amending Chapter 275, Section 275-17(A) of the Code of the Town of Yorktown by amending in its entirety as follows:

No motor vehicles, motorcycles or other vehicles 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

10. **PERSONNEL**

**Approve Stephen Lennox to be promoted to the position of Maintenance Mechanic in the Refuse and Recycling Department**

BE IT RESOLVED, that Stephen Lennox is hereby promoted to Maintenance Mechanic (Sanitation), job class code 0496-02, within the Refuse and Recycling Department, effective May 6, 2024, to be paid at the rate set forth in Yorktown CSEA Salary Schedule A, Group 13, Step 1, which is \$70,849.00 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 May 6, 2024.

**Approve Luke Testa to be appointed to the position of Motor Equipment Operator in the Refuse and Recycling Department**

BE IT RESOLVED, that Luke Testa, is hereby appointed to Motor Equipment Operator, job class code 0427-02, within the Refuse and Recycling Department, effective May 20, 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 May 20, 2024.

**Approve Tamarah Hyman to be promoted to the position of Senior Library Clerk in the John C. Hart Memorial Library**

Be It Resolved, that Tamarah Hyman is hereby promoted to the civil service title, Senior Library Clerk, job class code 0232, promoted provisionally pending the next applicable civil service exam, effective June 1, 2024; to be paid at the rate set forth in Yorktown CSEA salary schedule A1, group VIII, Step 2, which is \$60,800 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 weeks, commencing on the first day of appointment on June 1, 2024.

**Appoint Marissa Lieto to the permanent position of Assistant Superintendent of Recreation in the Parks and Recreation Department**

BE IT RESOLVED, that Marissa Lieto is hereby appointed permanent to the civil service title, Assistant Superintendent of Recreation, job class code 0261-01, from Eligible List No. 61-047, effective May 1, 2024 to be paid \$82,000.00 annually.

**Appoint Thomas Dunn to the Board of Assessment Review to fill the unexpired term of John Kincart expiring on September 30, 2027**

BE IT RESOLVED, that Thomas Dunn is hereby appointed as a member of the Board of Assessment Review to fill the unexpired term of John Kincart expiring on September 30, 2027.

11. **OPEN FLOOR FOR PUBLIC COMMENT**

12. **RESOLUTIONS**

From the Building and Maintenance Department

**Authorize Bid to be advertised for Elevator Modernization at the Albert A. Capellini Community & Cultural Center**

NOTICE IS HEREBY GIVEN that sealed bids will be received by the Town Clerk, Town of Yorktown, Westchester County, NY until 10:30 A.M. on Thursday, May 23, 2024 at the Town Hall, 363 Underhill Avenue, Yorktown Heights, NY 10598 for Elevator Modernization at the Albert A. Capellini Community & Cultural Center.

From Central Garage

**Approve bid extension for Repair Work on Town Automobiles and Trucks for one (1) additional year**

WHEREAS, on April 20, 2021 the bid for "Repair Work on Town Automobiles and Trucks" was awarded to Yorktown Auto Body Inc., 1798 Front Street, Yorktown Heights, NY.

WHEREAS, the bid provided that the Town has the option to extend said bid for two (2) additional one-year terms upon the same terms and conditions as set forth in the original contract.

BE IT RESOLVED, the Town Board authorizes the Supervisor to exercise the option to extend the contract for one (1) additional year. The date of the final extension will expire April 19, 2025.

From the Engineering Department

**Authorize Comptroller to release Erosion Control Bond for work done at 2420 Orchard View Court in the amount of \$500.00**

WHEREAS, John & Christina Hampton, as applicants, posted check #1594 in the amount of \$500, which was deposited to the T33 account on May 3, 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 John & Christina Hampton, 2420 Orchard View Court, Yorktown Heights, NY 10598.

From the Finance Department

**Authorize Comptroller to process the following budget transfer for payment to the East of Hudson Watershed Corporation for 2023 maintenance of ponds**

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

From:	A1990.499	General Fund – Contingency	\$23,096.14
To:	A.1440.479	Engineering – Special Projects	\$23,096.14

for payment to the East of Hudson Watershed Corporation for 2023 maintenance of ponds located at Junior Lake, the Police Station and the Trailway by the Commons. This payment will be reimbursed by East of Hudson through a grant with Westchester County.

**Authorize Comptroller to pay Kim Penner the cash value of unused time as of her date of retirement and authorize Comptroller to process the following budget transfer**

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

Rate of Pay:	\$81.7676		
Sick:	1400 hours x \$40.8838 (50% Rate of Pay)	=	\$57,237.32
Vacation:	420 hours x \$81.7676	=	\$34,342.39
Personal:	21 hours x \$81.7676	=	\$ 1,717.12
Floater:	14 hours x \$81.7676	=	\$ 1,144.75
Longevity:	3 days (03/20/24-03/22/24) x \$6.7308 per day	=	\$20.19
	(Amount \$1,750.00)		
Total Amount of Payout			= \$94,461.77

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

From:	A.1002.8	Assessor Fund Reserve Employee Accrued Benefits	\$73,359.50
	A.1355.101	Assessor Salaries	\$21,082.08
	A.1355.106	Assessor Longevity	\$20.19
To:	T.905.1	Medical, Dental, Vision Premium Trust	\$15,382.00
	A.1355.108	Assessor Lump Sum Payment	\$79,079.77

**Authorize Comptroller to pay Michael Samuels the cash value of unused time as of his date of retirement and authorize Comptroller to process the following budget transfer**

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

Rate of Pay:	\$47.7579		
Sick:	1500 hours x \$23.8790 (50% Rate of Pay)	=	\$35,818.43
Vacation:	192.75 hours x \$47.7579	=	\$ 9,205.34
Personal:	12 hours x \$47.7579	=	\$ 573.09
Floater:	7.5 hours x \$47.7579	=	\$ 358.18
Longevity:	161 days (08/17/23-03/28/24) x \$6.7308 per day	=	\$ 1,083.65
	(Amount \$1,750.00)		
Total Amount of Payout			= \$47,038.69

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

From:	SR.1002.8	Refuse & Recycling Reserve Employee Accrued Benefits	\$35,189.72
	SR.7210.101	Refuse & Recycling Salaries	\$10,765.32
	SR.7210.106	Refuse & Recycling Longevity	\$ 1,083.65
To:	T.905.1	Medical, Dental, Vision Premium Trust	\$ 0.00
	SR.7210.108	Refuse & Recycling Lump Sum Payment	\$47,038.69

**Authorize Comptroller to process the following budget transfer for unanticipated expenses associated with the MTA Communication Project for the Police Department**

Be It Resolved, the Town Comptroller is authorized to process the following budget transfer for unanticipated expenses associated with the MTA Communication Project for the Police Department:

From:	A.1002	GENERAL FUND	\$16,745.00
To:	A.3120.0201.000	POLICE EQUIPMENT	\$16,745.00

**Authorize Comptroller to process the following budget transfer for the Parks and Recreation Department**

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

From:	A.1002	General Fund – Fund Balance	\$188,000.00
To:	HR2.5031	Recreation Renovations Capital Projects – Transfer In	\$188,000.00

for the Rehabilitation of Pickleball Courts at Granite Knolls Recreation and Sports Complex.

**Authorize Comptroller to close the following Capital Project: HH Library Bathroom Renovation as of December 31, 2023**

Resolved, that the Comptroller is authorized to close the following capital project: HH Library Bathroom Renovation as of December 31, 2023.

**Authorize Comptroller to release retainage for the Town Hall Entry project in the amount of \$9,650.55 to A. Devito & Son**

RESOLVED, that the retainage held for the Town Hall Entry project in the amount of \$9,650.55 be released to A. Devito & Son.

**Authorize Bid to be advertised for the Voice Over Internet Protocol (VOIP) Phone System Services and Replacement/Upgrade of all Voice Cabling with Cat 6 and Surveillance/Security Cameras and Cabling**

RESOLVED, that the Town Clerk is authorized to advertise a bid for the Voice Over Internet Protocol (VOIP) Phone System Services and Replacement/Upgrade of all Voice Cabling with Cat 6 and Surveillance/Security Cameras and Cabling.

From the Highway Department

**Authorize Comptroller to release the following Street Opening Permit to Fitz's Landscaping for work completed at 1365 Aspen Road**

Whereas, a representative of the Highway Department has inspected the following site and found the work to be completed satisfactorily,

Now, Therefore Be It Resolved, that the below listed Street Opening Permit be released:

Type of Permit	Permit #	Amount	Location	Refund To
Street Opening	023-004	\$2000.00	1365 Aspen	Fitz's Landscaping 40 Kirkham Road Brewster, NY 10509

From the Parks and Recreation

**Award Bid for the Rehabilitation of the Pickleball Courts at Granite Knolls Recreation and Sports Complex to DeRosa Sports Construction Inc.**

Whereas, bids were opened on April 12th, 2024 for the Rehabilitation of Pickleball Courts at Granite Knolls Recreation and Sports Complex. Bids were submitted by the following Vendors:

1. D. F. Eastwood Construction Corp. \$189,000
2. DeRosa Sports Construction Inc. \$188,000
3. LandVscape Inc. \$295,000
4. Paladino Concrete Creations Corp. \$249,000
5. Peter J. Landi Inc. \$240,000
6. Sport-Tech Construction Corp. \$400,000

Now, Therefore Be It Resolved, that the lowest bidder, DeRosa Sports Construction Inc., be awarded the bid for the Rehabilitation of the Pickleball Courts at the Granite Knolls Recreation and Sports Complex.

From the Planning Department

**Authorize Gregory Dietrich Preservation Consulting to Perform a Review of the Historic Analysis, Conditions & Adaptive Reuse Report Submitted for the Field Home Mansion by the Toll Brothers Project**

WHEREAS, the Planning Board of the Town of Yorktown desires to have a historic review of the Historic Analysis, Conditions & Adaptive Reuse Report submitted by Toll Brothers for the Field Home mansion located at 2302 Catherine Street in Cortlandt Manor, also known as Section 35.12, Block 1, Lot 2 on the Town of Yorktown Tax Map; and

WHEREAS, Gregory Dietrich Preservation Consulting, a historic resource 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 April 10, 2024; and

WHEREAS, Gregory Dietrich Preservation Consulting has submitted a proposal dated March 19, 2024 to perform a historic review of the Historic Analysis, Conditions & Adaptive Reuse Report submitted by Toll Brothers pursuant to said on-call agreement for an amount not to exceed \$4,350.00; now therefore

BE IT RESOLVED, that the Supervisor of the Town of Yorktown is hereby authorized to engage Gregory Dietrich Preservation Consulting under the on-call agreement with the Town of Yorktown for the purpose of reviewing the cultural resources for the Underhill Farm project, in an amount not to exceed \$4,350.00 for this review, 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

**Approve a member of the Yorktown Police Department to attend a conference involving (3) three overnight stays June 3<sup>rd</sup>, 4<sup>th</sup> & 5<sup>th</sup>, 2024 to attend an FBI's OPE 2024 Eastern Regional Conference**

RESOLVED, that a member of the Yorktown Police Department is approved to attend a conference involving (3) three overnight stays June 3<sup>rd</sup>, 4<sup>th</sup> & 5<sup>th</sup>, 2024 to attend an FBI's OPE 2024 Eastern Regional Conference out of state. Meal expense will be the only expense incurred.

**Authorize Chief of Police to execute an agreement with Pace Scheduler for an additional \$4,060.00 over the original \$8,500.00 for add-on features to the original program to accommodate YPD scheduling**

RESOLVED, the Chief of Police is authorized to execute an agreement with Pace Scheduler for an additional \$4,060.00 over the original \$8,500.00 for add-on features to the original program to

accommodate YPD scheduling. This would be an additional fee of \$2,560.00 over the allowed \$10,000 stated in a Town Board Resolution dated September 26, 2023.

From Refuse and Recycling

**Authorize Bid to be advertised for the Collection and Disposal of Residential Refuse and Recycling**

RESOLVED, that the Town Clerk is authorized to advertise a bid for the Collection and Disposal of Residential Refuse & Recycling.

From the Town Attorney

**Authorize Deputy Supervisor to request Bill Numbers from the New York State Legislature for the Alienation of Parkland for the construction of a wireless telecommunications facility at 109 Granite Springs Road**

WHEREAS, the Town seeks to enter into a lease agreement with Homeland Towers, LLC, for the construction of a wireless telecommunications facility at 109 Granite Springs Road; and

WHEREAS, the agreement would constitute alienation of parkland and requires the N.Y. State Legislature's permission; and

WHEREAS, the Town Board intends to act as lead agency under SEQRA; and

WHEREAS, the applicants will need a wetlands permit from the Town; now,

THEREFORE, BE IT RESOLVED, that the Town Board declares itself as lead agency under SEQRA; and

BE IT FURTHER RESOLVED, that the Town Board formally requests the enactment of a parkland alienation bill required by the New York State Legislature; and

BE IT FURTHER RESOLVED, that the Town Board authorizes the Deputy Town Supervisor to request assignment of a bill number by the NY State Legislature, and execute all necessary documentation to formally request the enactment of a parkland alienation bill, including the Municipal Information form required by the NYS Office of Parks, Recreation and Historic Preservation; and

BE IT FURTHER RESOLVED, that the Town Board upon signature of the Deputy Supervisor, authorizes the Town Clerk to forward copies of the aforementioned documents to all necessary entities and individuals; and

BE IT FURTHER RESOLVED, that the Town Clerk is authorized to schedule a public hearing for the wetland permit.

**Approve proceedings pursuant to Article 7 of the Real Property Tax Law challenging the 2020, 2021, 2022 and 2023 assessments of the real property designated on the Town's assessment roll as Parcels 16.08-1-18, 16.12-1-24 and 16.12-1-3, the Mall at Jefferson Valley, LLC**

Whereas, The Mall at Jefferson Valley, LLC commenced proceedings pursuant to Article 7 of the Real Property Tax Law challenging the 2020, 2021, 2022 and 2023 assessments of the real property designated on the Town's assessment roll as Parcels 16.08-1-18, 16.12-1-24 and 16.12-1-30, and

Whereas, the Town Board having been advised by its special counsel for tax certiorari matters, in consultation with appraisers engaged by the Town, that these proceedings should be settled by reducing the 2020, 2021, 2022 and 2023 assessments of Parcel 16.08-1-24 as shown below.

RESOLVED, that the tax certiorari proceedings brought by The Mall at Jefferson Valley, LLC challenging the 2020, 2021, 2022 and 2023 assessments of the real property, designated on the Town's assessment roll as Parcels 16.08-1-18, 16.12-1-24 and 16.12-1-30 be and the same hereby are settled by the Town reducing the assessed value for Parcel 16.12-1-24 as follows:

Assessment Year	Final Assessment	Settled Assessment	Reduction in the Assessment
2020	1,520,300	707,550	812,750
2021	1,520,000	650,600	869,700
2022	1,520,000	561,800	958,500
2023	1,520,000	464,400	1,055,900

and be it further

RESOLVED, that the 2020, 2021, 2022 and 2023 assessments of the real property, designated on the Town's assessment roll as Parcel 16.08-1-18 and Parcel 16.12-30 remain the same as it is shown on Final Assessment Roll for each of those years, and be it further

RESOLVED, that upon being presented with a judgment entered in the office of the County Clerk of the County of Westchester embodying the terms of the settlement expressed above, the Assessor of the Town of Yorktown be and hereby is directed to correct the assessments of Parcel 16.12-1-24 on the assessment rolls for the years 2020, 2021, 2022 and 2023 to conform with the reduced assessment indicated above, and be it further

RESOLVED, that upon being presented with notice of entry of a judgment entered in the office of the County Clerk of the County of Westchester embodying the terms of the settlement expressed above, the Receiver of Taxes be and hereby is directed forthwith to pay the refunds in Town taxes caused by such reductions in assessment.

From the Town Clerk's Office

**Set Public Hearing to consider amending Chapter 216, Section 216-2 of the Code of the Town of Yorktown entitled "Peace and Good Order."**

NOTICE IS HERE GIVEN that a public hearing will be held by the Town Board, Town of Yorktown, Westchester County, New York, at the Town Hall, 363 Underhill Avenue, Yorktown Heights, New York 10598 on the 21<sup>st</sup> day of May, 2024 at 7:30 o'clock PM, or as soon thereafter as the same can be heard, to consider amending Chapter 216, Section 216-2 of the Code of the Town of Yorktown entitled "Peace and Good Order."

**Set Public Hearing to consider a wetland permit application submitted by Homeland Towers, LLC for the proposed construction of a telecommunications facility located at 109 Granite Springs Road**

NOTICE IS HERE GIVEN that a public hearing will be convened by the Town Board, Town of Yorktown, Westchester County, New York, at the Town Hall, 363 Underhill Avenue, Yorktown Heights, New York 10598 on the 21<sup>st</sup> day of May 2024 at 7:30 o'clock PM, or as soon thereafter as the same can be heard to consider a wetland permit application submitted by Homeland Towers, LLC for the proposed construction of a telecommunications facility located at 109 Granite Springs Road.

13. **ADJOURN MEETING**

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

Dated: April 30, 2024

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