

TOWN BOARD AGENDA  
TOWN OF YORKTOWN  
December 15, 2015

PLACE:  
TOWN HALL

TIME:  
7:30pm

1. PLEDGE OF ALLEGIANCE
2. MOMENT OF SILENCE
3. REPORT TO THE TOWN FROM SUPERVISOR GRACE
4. REPORTS FROM THE TOWN COUNCIL
5. COURTESY OF THE FLOOR
6. PUBLIC HEARINGS

Convene:

Stephen and Betty Ianuzzi, requesting permission for the Planning Board to process their subdivision application for a 19.56 acre site, known on the Yorktown Tax Map as Section 47.15 Block 1 Lots 14, 15, 16 utilizing the flexibility standards.

7. RESOLUTIONS

**Request from Building Department:**

Resolved, that upon the recommendation of the Building Inspector the fee of \$75.00 be refunded to Eric Gossner, Holbrook Heating, Inc. for a withdrawn Mechanical Permit.

**Request from Building and Grounds Department:**

Approve agreement with Head Start

RESOLVED, that the Town Board authorizes the Supervisor to sign an Agreement with Head Start to hold in place the YCCC 2015 rent rate for 2016.

BE IT FURTHER RESOLVED, that the term of the license is from January 1, 2016 through December 31, 2016.

Proposed Lease for Corporate Children's Center Consultants, Inc.

WHEREAS, Corporate Children's Center Consultants Inc., a for profit corporation ("Tenant"), wishes to lease from the Town of Yorktown certain room(s) within the Yorktown Community & Cultural Center as set forth in Exhibit A of a proposed lease, which Exhibit A is on file with the Town Clerk, and the Town of Yorktown wishes to lease such space to Tenant, and

WHEREAS, Town Law § 64 requires that the Town's lease of real property be subject to a permissive referendum under Town Law §§ 90 and 91; and

NOW THEREFORE, BE IT RESOLVED, that the Town has determined the action contemplated under this Resolution is a Type II action under the State Environmental Quality Review Act (“SEQR”) and therefore no further review is required under SEQR; and be it

FURTHER RESOLVED, the Town Board hereby directs that a copy of this resolution be filed with the Town Clerk and a copy be provided to any person who has requested a copy hereof; and be it

FURTHER RESOLVED, that pursuant to NY Town Law §§ 82 and 90, within ten (10) days from the date of this Resolution the Town Clerk shall post and publish a notice which shall set forth the date of the adoption of the Resolution, shall contain an abstract of such Resolution concisely setting forth the purpose and effect thereof, shall specify that this Resolution was adopted subject to a permissive referendum; and shall publish such notice in The Yorktown News, a newspaper published in the County having a general circulation in the Town of Yorktown, and in addition thereto that the Town Clerk shall post or cause to be posted on the sign-board of the Town of Yorktown, a copy of such notice within ten (10) days after the date of the adoption of this Resolution.

Proposed Lease for Yorktown Community Help, Inc.

WHEREAS, Yorktown Community Help Inc., a nonprofit corporation (“Tenant”), wishes to lease from the Town of Yorktown certain room(s) within the Yorktown Community & Cultural Center as set forth in Exhibit A of a proposed lease, which Exhibit A is on file with the Town Clerk, and the Town of Yorktown wishes to lease such space to Tenant, and

WHEREAS, Town Law § 64 requires that the Town's lease of real property be subject to a permissive referendum under Town Law §§ 90 and 91; and

NOW THEREFORE, BE IT RESOLVED, that the Town has determined the action contemplated under this Resolution is a Type II action under the State Environmental Quality Review Act (“SEQR”) and therefore no further review is required under SEQR; and be it

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Proposed Lease for Yorktown Teen Center, Inc.

WHEREAS, The Yorktown Teen Center Inc., a New York nonprofit corporation (“Tenant”), wishes to lease from the Town of Yorktown certain room(s) within the Yorktown

Community & Cultural Center as set forth in Exhibit A of a proposed lease, which Exhibit A is on file with the Town Clerk, and the Town of Yorktown wishes to lease such space to Tenant, and

WHEREAS, Town Law § 64 requires that the Town's lease of real property be subject to a permissive referendum under Town Law §§ 90 and 91; and

NOW THEREFORE, BE IT RESOLVED, that the Town has determined the action contemplated under this Resolution is a Type II action under the State Environmental Quality Review Act ("SEQR") and therefore no further review is required under SEQR; and be it

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Proposed Lease for Manetoo Dance Ensemble, Inc. d/b/a/ Westchester Ballet Center

WHEREAS, Manetoo Dance Ensemble, Inc. d/b/a Westchester Ballet Center, a New York for profit corporation ("Tenant"), wishes to lease from the Town of Yorktown certain room(s) within the Yorktown Community & Cultural Center as set forth in Exhibit A of a proposed lease, which Exhibit A is on file with the Town Clerk, and the Town of Yorktown wishes to lease such space to Tenant, and

WHEREAS, Town Law § 64 requires that the Town's lease of real property be subject to a permissive referendum under Town Law §§ 90 and 91; and

NOW THEREFORE, BE IT RESOLVED, that the Town has determined the action contemplated under this Resolution is a Type II action under the State Environmental Quality Review Act ("SEQR") and therefore no further review is required under SEQR; and be it

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Proposed Lease for Yorktown Stage, Inc.

WHEREAS, Yorktown Stage Inc., a nonprofit corporation (“Tenant”), wishes to lease from the Town of Yorktown certain room(s) within the Yorktown Community & Cultural Center as set forth in Exhibit A of a proposed lease, which Exhibit A is on file with the Town Clerk, and the Town of Yorktown wishes to lease such space to Tenant, and

WHEREAS, Town Law § 64 requires that the Town's lease of real property be subject to a permissive referendum under Town Law §§ 90 and 91; and

NOW THEREFORE, BE IT RESOLVED, that the Town has determined the action contemplated under this Resolution is a Type II action under the State Environmental Quality Review Act (“SEQR”) and therefore no further review is required under SEQR; and be it

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Approve advertisement for new bidder for the Emergency and On-Call Service for Town Furnaces and Boiler

WHEREAS, the Town issued a request for bids for a Town contract for Annual Maintenance and Emergency On-Call Service for Town Boilers and Furnaces and bids were received and opened on September 19, 2014; and

WHEREAS, HRR Industries, Inc. submitted the only responsive bid, and accordingly, the Town awarded said bid to HRR Industries, Inc. on September 23, 2014; and

WHEREAS, HRR Industries, Inc. has not performed the contract to the satisfaction of the Town;

NOW THEREFORE BE IT RESOLVED, that the Town Attorney shall send a letter of termination of the contract to HRR Industries, Inc., and

BE IT FURTHER RESOLVED, that the said bid shall be readvertised.

Award Bid for Electrical Work on Town Buildings

WHEREAS, invitation to bid for the Electrical Work on Town Buildings for Maintenance for the Town of Yorktown was duly advertised, and

WHEREAS, said bids were received and opened on December 14, 2015, with the bid amounts for the above-referenced project summarized as follows:

A-AMP Electric Corporation \$119.00 \$178.50 \$178.50 (Sunday)/ \$238.00 (Holiday)  
Hanover Electric \$95.00 \$142.50 \$170.00 (Sunday/Holiday)

RESOLVED, that upon the recommendation of the Building Maintenance/Human Resource Specialist, Margaret Gspurning, the bid for the Electrical Work for the Town Buildings for Maintenance be and is hereby awarded to Hanover Electric, the lowest responsible bidder.

FURTHER RESOLVED, this contract is effect for one (1) year, commencing on November 17<sup>th</sup>, 2015 through November 18<sup>th</sup>, 2016 with an option for two additional one-year extensions upon its original terms and conditions.

**Request from Finance Department:**

Whereas, the following departments are in need of a new copier: Tax; Engineering; Parks and Recreation; Police, and

Whereas, Ricoh copiers are on State Bid, and

Whereas, there are funds available in each of those departments to pay for the copiers, now

Therefore Be it Resolved, that the Comptroller is hereby authorized to process the following budget transfers:

From:	A1315.101	Finance – Salary	\$ 6,569
To:	A1330.201	Tax – Equipment	\$ 6,569
From:	A1440.479	Engineering – Special Projects	\$ 7,000
To:	A1440.201	Engineering – Equipment	\$ 7,000
From:	A7110.101	Parks – Salary	\$11,109
To:	A7020.200	Recreation – Equipment	\$11,109
From:	A.3120.810	Police – Medical	\$13,076
To:	A.3120.201	Police – Equipment	\$13,076

Re-engage Sullivan Data for IT Services:

Whereas, the Town of Yorktown’s procurement policy allows for the Town Board to re-engage the same vendor without issuing a new Request For Proposals (RFP), and

Whereas, an RFP for Information Technology Services was received from Sullivan Data Management on October 20, 2011 and awarded on November 1, 2011, now

Therefore Be It Resolved, that Sullivan Data Management is re-engaged for the services of Information Technology for an additional term of one year commencing January 1, 2016 through December 31, 2016 at a total cost of \$63,100 which represents no price increase from 2015.

**\*\* Request from the Comptroller and Human Resources:**

WHEREAS, the following employees have requested and received permission from their applicable department heads to carry accrued 2015 vacation time for use in 2016 and

WHEREAS, the Comptroller has confirmed the available balances as of 2015 Payroll 24, for pay period ending November 27, 2015,

NOW THEREFORE BE IT IT RESOLVED, the following employees may carry over remaining vacation time balances as follows, unless the employee takes vacation time after 2015 Payroll 24 which would reduce the time listed in the attachment. See below.

**Request from East of Hudson Corporation:**

Approve O&M Policy

WHEREAS, the Town of Yorktown is a member of the East of Hudson Watershed Corporation (“EOHWC”), a not-for-profit local development corporation formed to assist the member municipalities in complying with the stormwater retrofit requirements of the Municipal Separate Storm Sewer System Permit (MS4 Permit); and

WHEREAS, EOHWC has installed and will continue to install stormwater retrofit projects (SRPs) or has reimbursed member municipalities for installing SRPs in compliance with the first five year Region Stormwater Retrofit Plan and intends to do so for the second five year plan to the extent funding is provided by New York City Department of Environmental Protection (DEP); and

WHEREAS, the MS4 Permit requires member municipalities to maintain each SRP for its useful life to ensure that it continues to operate as it was designed, and

WHEREAS, the Board of Directors of EOHWC has adopted an O&M Policy providing for the equitable sharing of the costs and responsibilities of O&M by all member municipalities in a manner consistent with the MS4 Permit bubble compliance concept, conditioned on the legislative body of each member municipality agreeing to comply with the terms and conditions of the O&M Policy; and

WHEREAS, approval of the O&M Policy is a Type II action exempt from the State Environmental Quality Review Act (SEQRA) under 6 NYCRR617.5(c)(1) as it relates to the routine maintenance of the SRPs; and

WHEREAS, approval of the O&M Policy is in the best interests of Westchester County as it assures continued compliance by the Town of Yorktown with the MS4 Permit;

NOW THEREFORE IT IS HEREBY RESOLVED by the Town Board of the Town of Yorktown that:

1. The Town of Yorktown accepts and agrees to the terms of the conditions of the EOHEC O&M Policy; and
2. Authorizes the Supervisor to take whatever other actions are required to implement the resolution.

**Request from Parks and Recreation Superintendent:**

Award Bid for Brush Chipper

WHEREAS, invitation to bid for one (1) New Vermeer BC1500 Tier4i (StageIIIB) Brush Chipper with Winch (or equivalent) for the Yorktown Parks and Recreation Department was duly advertised, and

WHEREAS, said bids were received and opened on Wednesday, December 2, 2015, with the bid amounts for the above referenced project summarized as follows;

COMPANY	BRAND/MODEL	PRICE
Westchester Tractor, Inc.	Bandit Model 1390XP 15” Drum Style Brush Bandit	\$47,497.00
A. Montano Co. Inc.	Morbark Beaver Model M15R	\$59,800.00
Vermeer North Atlantic	Vermeer Model BC1500	\$60,944.00

WHEREAS, thorough review of each model specifications was performed and determined that the Bandit Model 1390XP 15” Drum Style Brush Bandit is equivalent to the Vermeer BC1500.

NOW THEREFORE BE IT RESOLVED, that upon recommendation of the Superintendent of Parks and Recreation, Brian Gray, the bid be and is hereby awarded to Westchester Tractor Inc. the lowest responsible bidder of an equivalent unit, at \$47,497.00.

Request to waive rent fee for Nor-West – Use of YCCC Gym:

Resolved, that the Town Board waives the rent fee for Tuesday evenings from 4:00 – 6:00PM for 21 weeks from January through June totaling \$1,344.00 for use of the YCCC gymnasium by Nor-West for their Winter and Spring session.

**Request from the Coordinator of Refuse and Recycling:**

Resolved, effective January 1, 2016, the Town Board approves the following fee schedule for goods and services offered by the Refuse & Recycling Department:

“Special” Bulk Trash Collection: \$ 50.00

Car Tires without rim: \$ 5.00 each *(Note: car tires will no longer be picked up curbside with Bulk Trash collections. During pre-scheduled “Recovery Days” residents can bring car tires to the Refuse & Recycling Department where a \$ 5.00/tire disposal fee must be paid in the office).*

30-gallon Biodegradable Leaf Bags: \$ .40 each

18-gallon Recycling Bin: \$ 8.00

14-gallon Recycling Bin: \$ 6.00

**Request from Town Attorney:**

RESOLVED, that the Town Comptroller is authorized to pay Happy Software, Inc. for a one year software license and software support for computer software provided to the Section 8 Office, to cover the period from February 1, 2016 through January 31, 2017. The payment amount is \$4,668.00 as shown on the invoice(s) dated December 1, 2015. The source of funds is Housing Assistance Payments Account maintained by the Section 8 office and funded by U.S. Department of Housing and Urban Development (“HUD”).

Budget Transfer:

BE IT RESOLVED, the following budget transfer in the Town Attorney's 2015 budget is hereby authorized:

**\$25,000.00** from A.1420.0439.0000 (Litigation Outside Counsel Fees) to A.1420.0426.0000 (Non-Litigation Outside Counsel Fees).

**Request from the Water Distribution Superintendent:**

WHEREAS, while performing field work on Granite Springs Road the Water Department staff discovered an additional 6,250 linear feet of water main that needs relining that is not included in our relining project contract; and

WHEREAS, these roads include Granite Springs Road (2,575 ft.), Sarles Drive (1,000 ft.), Windmill Drive (1,000 ft.), Knoll Place (350 ft.) and Sunrise Street (1,325 ft.); and

WHEREAS, the cost for this additional engineering, design and construction is \$21,100;

WHEREAS, Water Distribution Superintendent David Rambo is requesting authorization to enter into amendment #2 contract agreement with Weston & Sampson, PE; and

THEREFORE BE IT RESOLVED, the Town Board authorizes the Supervisor to sign a Cleaning and Relining Amendment No. 2 with Weston & Sampson, PE to perform engineering, design and construction services for the additional 6,250 linear feet of water main for a total cost of \$21,100, to be paid out of the SW.8340.0483.0001 fund.

Budget Transfer:

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

Transfer \$450,000 from the Water Department Cement Lining line (SW8340.483.0001) to the Water Department Water Purchase line (SW.8320.0450) for water purchase charges from Northern Westchester Joint Waterworks for the remainder of 2015.

8. MONTHLY REPORTS  
Building Department – November 2015
9. ADJOURN

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Alice E. Roker, Town Clerk  
Town of Yorktown

Dated: December 15, 2015

**ADJOURNED PUBLIC HEARINGS**

Request to amend a Special Use Permit to construct a parking lot for an additional 27 cars and to redesign an existing trash receptacle area at the Northern Westchester Restorative Care Center located on the East side of Lexington Avenue and known as Section 15.15, parcel 1, Lot 23 on the Tax Map of the Town of Yorktown.



**CLOSED PUBLIC HEARINGS**

Request to consider the application made by Mandalay Builders, LLC in connection with property known on the Yorktown Tax Rolls as Section, Parcel and lots 26.18-1-9, 26.18-1-10, 26.18-1-11, 26.18-1-12, 26.18-1-13, 26.18-1-14, 26.18-1-15, 26.18-1-16 for a Change of Zone from R1-20 to C2R and R-3.

Proposed local law to amend Chapter 275 of the Code of the Town of Yorktown entitled “VEHICLES AND TRAFFIC.” Article 1, entitled “Traffic and Parking Regulations,” restricting parking on Laurel Court and Rochambeau Drive.

**OUTSTANDING BIDS:**

- Shirts and uniform - Parks and Recreation Department
- Unmarked Police Cars - Police Department

For details on bids see the Town Clerk’s Website at [www.yorktownny.org](http://www.yorktownny.org)

**\*\*Carry Over Vacation days from 2015 to 2016**

<b><u>Name</u></b>	<b><u># hours</u></b>
Ann Anderson	56
Jeff Bischoff	100.25
Peter Goldberg	71.25
Paul Hollopeter	262.5
Charlie Vilarino	131.25
Adam Cerrato	30
Robert Ireland	90
John Calcutti	97.5
Paul Shields	22.5
Joseph Dell'Olio	52.5
Paul Welsch	37.25
Ted Devlin	30
Andrew Alimonti	60
Michael Grasso	60
David Nikishier	22.5
Scott Mills	30
John Tegeder	63
Doug Neeson	30
Curt Doerr	112.5
Shajan George	75
Cathy Romanych	82.5
George Routsis	60
David Rambo	28
Patricia Caporale	189
Donna Andrews	35
Sandra Serrano	14

Noreen O'Driscoll	56
Tom Travis	63.7
Kathie Nicholson	56
Elena Panagi	14
Adele Hobby	75
Joe Venitucci	70
John Winter	49
Vinny Ambrosino	37.5
Kim Angliss-Gage	35
Scott Baldwin	30
Doug Paget	35
Jeff Rosenstrach	52.5
Michael Samuels	22.5
Rich Weber	37.5
David Doherty	7.5
Don Gaffney	18.75
Peter Legler	22.5
John Winter Jr.	22.5
Richard Flocco	22.5
Kim Adam Penner	245
Karren Perez	28
Nancy Calicchia	28.25
Barbara Korsak	154
Margaret Gspurning	154
Louise Kobiliak	70
Andrew Cerrato	97.5
Scott Ferreira	22.5
Barry Gelbman	45
Michael Hoek	90
Eric Hollberg	45
Dominic Monopoli	127.5
Guido Parks	105
Richard William	30
Jessica Bambach	42
Brian Gray	98.5
Anita Hecker	91
Erin Mantz	42
Todd Orłowski	38.5
Robert Rohr	32
Daniel McMahon	152
Martin McGannon	97.5
Donald Mesuda	37.5
Curt Chase	22.5

Kyle Gulitz	22.5
Anthony Cuccovia	7.5
Mary Capoccia	56
Al Pisano	72
Daniel Cruz	45
Kieran Carney	97.5
Mark Gallagher	22.5
Yolanda Vazquez	14
Shane Enea	43.25
Maria Ricci	56
Isabel Klein	120.25