

TOWN BOARD AGENDA
TOWN OF YORKTOWN
August 5, 2014

PLACE:
PATRIOTS PARK

TIME:
6:00pm

1. **PLEDGE OF ALLEGIANCE**
2. **MOMENT OF SILENCE**
3. **WELCOME – John Tegeder, Brian Gray**
4. **PRESENTATION - NYS Champion Lacrosse Team
Yorktown High School**

In Memory of the late Pat Kibbe – Founder of Kids to Kids

5. **POLICE DEPARTMENT PROMOTIONS AND AWARD**

BE IT RESOLVED, that Craig M. Scatola is hereby appointed Police Sergeant, job class code 0133-01, from Eligible List No. 71-197, effective August 6th, 2014 to be paid from Yorktown PBA Salary Schedule, which is \$113,440.00 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 August 6th, 2014.

6. **REPORT TO THE TOWN FROM SUPERVISOR GRACE**

Update - Hilltop Hanover Environmental Center
- Lucille Munz, Farm Manager

7. **REPORTS FROM THE TOWN COUNCIL**
8. **REPORT FROM WHITE PLAINS – Michael Kaplowitz
Chairman, Westchester County Board of
Legislators**
9. **RESOLUTIONS from the July 1, 2014 Meeting**
10. **COURTESY OF THE FLOOR**
11. **PUBLIC HEARINGS – Proposed local law amending chapter 260, Article IV entitled
“Installment agreement for delinquent real property taxes”**

12. ADVERTISEMENTS

Public Hearings:

- Proposed local law creating Chapter 65 – Filling Vacancies in Elected Office
NOTICE IS HEREBY 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 Tuesday, September 2, 2014

Bids:

- Annual Maintenance and Emergency On-Call Service for Town Boilers and Furnaces
RESOLVED, the Town Clerk is hereby authorized to receive sealed proposals for the Annual Maintenance and Emergency On-Call Service for Town Boilers and Furnaces.

- Electrical Contract
Yorktown Community and Cultural Center Emergency Generator (YCCC)
RESOLVED, the Town Clerk is hereby authorized to receive sealed proposals for electrical work associated with the Emergency Generator at the YCCC.

- Plumbing Contract
Yorktown Community and Cultural Center Emergency Generator (YCCC)
RESOLVED, the Town Clerk is hereby authorized to receive sealed proposals for plumbing work associated with the Emergency Generator at the YCCC.

13. APPOINTMENTS

Staff Assistant/Library

BE IT RESOLVED, contingent upon successful completion of a drug test that Christine M. Julian is hereby appointed Staff Assistant/Library, job class code 0228-01, from Eligible List No. 64-715, at the John C. Hart Memorial Library, effective August 11, 2014, to be paid from Yorktown CSEA Salary Schedule A-Group X, step 1, which is \$48,371.00 annually.

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 August 11, 2014

Court Officer

RESOLVED, that effective August 5, 2014 Howard I Moskalik rate of pay will be increased to \$25.00 an hour retroactive to January 1, 2014.

14. VOLUNTEER BOARD APPOINTMENT

- John C. Hart Library
BE IT RESOLVED, that Dr. Joan Landzberg is hereby re-appointed as a member of the Library Board of Trustees for a five year term expiring on August 31, 2019.

15. **AWARD BIDS/RFPs**
Shallow Creek RFP

WHEREAS, the Yorktown Parks and Recreation Department solicited Request for Proposals from qualified firms and/or individuals for the management, operation and maintenance of the Valley Fields Golf Course and Restaurant Concession (formerly known as Shallow Creed Golf Course).

Whereas two proposals were submitted on August 29, 2011 to the Yorktown Parks and Recreation Commission for review and consideration, and

Whereas, the Parks and Recreation Commission has conducted a thorough review and negotiations with Rocco Cambereri, President, RC Recreational Development, LLC, now

Therefore Be it Resolved, that upon the recommendation of the Yorktown Parks and Recreation Commission, that the Request for Proposal for the management, operation and maintenance of the Valley Fields Golf Course and Restaurant Concession be hereby awarded to RC Recreation Development, LLC, and

Be It Further Resolved, that the Town Board authorizes the Supervisor to enter into Revocable License Agreements for the management, operation and maintenance of the Valley Fields Golf Course and Restaurant Concession.

Traffic Signs:

WHEREAS, invitation to bid for the Traffic Signs for the Town of Yorktown was duly advertised, and

WHEREAS, said bids were received and opened on July 22, 2014, with the bid amounts for the above-referenced project summarized are attached.

RESOLVED, that upon the recommendation of the Highway Superintendent, Dave Paganelli, the bid for the Traffic Signs Bid be and is hereby awarded to Vulcan Signs, P. O. Box 1850, Foley AL, 36536, the lowest and most responsive bidder.

BE IT FURTHER RESOLVED, the contract is to begin on August 1, 2014 and terminate on July 31, 2015. The Town shall have the option to extend this contract at the same price for (3) consecutive one-year terms.

16. **RESOLUTIONS**

- Request from the Assessor

Attendance at Conference

WHEREAS, in her capacity as Assessor for the Town of Yorktown, Kim Adams Penner is required to attend a training session to be held in Latham, New York from August 19, 2014

through August 21, 2014, and a training session in Rensselaer County from September 15, 2014 through September 20, 2014 and

WHEREAS estimated expenses include lodging (\$1150) and food (\$400), for a total estimated expenses of \$1550, and sufficient funds exist in the department's training line,

NOW, THEREFORE BE IT RESOLVED that, Assessor Kim Adams Penner be granted permission to attend said session and use of a town vehicle for the trip.

- Request from the Engineering Department:
Bond Acceptance & Bond Reduction:

WHEREAS, at the Town Board meeting of October 4, 2011, accepted the Erosion Control Bond in the amount of \$5,000.00 and the 8% Inspection Fee in the amount of \$4,051.00 for the RCB Development Subdivision located on Old Crompond Road, and

WHEREAS, Rich Bartzick had chosen to construct the public facilities first and not pay the Performance Bond at that time and was required as per Town code to post a Maintenance Bond or equivalent security equal to 10% of the Performance Bond, and

WHEREAS, Rich Bartzick posted Check #1093 in the amount of \$4,563.00 on June 24, 2014, to serve as the 10% of the Performance Bond, and

WHEREAS, a representative of the Engineering Department has inspected the site and determined that the Performance Bond can be further reduced ($\$4,563.00 - \$2,028.00 = \$2,535$ back to developer), NOW, THEREFORE BE IT

RESOLVED, that the above referenced check is hereby accepted to serve as the required bond for the above referenced subdivision, AND BE IT FURTHER

RESOLVED, that \$2,535.00 may be released to the developer.

Bond Release #WP-002-06 – Edgewater Street

WHEREAS, William Morrison, as applicant, posted check #2500 in the amount of \$500.00 which was deposited into the T33 Account on March 17, 2006 covering Wetland Permit #002-06 for work performed at his Edgewater Avenue residence, and

WHEREAS, the Town Engineer has informed this Board that a representative of her Department has inspected the property and determined that the work has been satisfactorily completed, and that the \$500.00 for erosion may be released, NOW THEREFORE BE IT

RESOLVED, that the above-described Wetland Bond in the amount of \$500.00, be and is hereby released to Mr. William Morrison, 1902 Edgewater Street, Yorktown Heights, NY 10598.

Bond Release #WP-010-03 & #E-002-03

WHEREAS, Akija & Bora Lajqi, as applicants, posted Old Republic Insurance Company Site Improvement Bond No.VCN-1140850 in the amount of \$10,000.00 covering Wetland Permit #010-03, for work performed at their Underhill Avenue parcel, and

WHEREAS, Akija & Bora Lajqi, as Principal, provided the Town with Old Republic Insurance Company's Erosion Control Bond No.VCN-1140849, in the amount of \$15,000.00 to serve as the Erosion Control Bond for Excavation Permit #002-03, for excavation work located at their Underhill Avenue parcel, and

WHEREAS, the bonding company has requested both bonds be closed out, and

WHEREAS, the Town Engineer has informed this Board that a representative of her Department has inspected the properties and determined that the work has been satisfactorily completed, and that the \$10,000.00 for wetlands and \$15,000 for excavation may be released, NOW THEREFORE BE IT

RESOLVED, that the above-described bonds totaling \$25,000.00, be and are hereby released to Akija & Bora Lajqi, 2134 Colonial Avenue, 2B, Bronx, NY 10461.

Bond Release - #WP-001-13

WHEREAS, Patrick Navas, as applicant, posted check #11262 in the amount of \$1,500.00, which was deposited into the T33 Account on February 15, 2013, covering Wetland Permit #001-13, for work performed at his Underhill Avenue residence, and

WHEREAS, the Town Engineer has informed this Board that a representative of her Department has inspected the property and determined that the work has been satisfactorily completed, and that the \$1,500.00 for erosion may be released, NOW THEREFORE BE IT

RESOLVED, that the above-described Erosion Bond in the amount of \$1,500.00, be and is hereby released to Mr. Patrick Navas, 748 Underhill Avenue, Yorktown Heights, NY 10598.

Bond Release - #WP-063-13

WHEREAS, Ronald Bronk, as applicant, posted check #4138 in the amount of \$300.00 which was deposited into the T33 Account on August 30, 2013, covering Wetland Permit #063-13 for work performed at his Gregory Street residence, and

WHEREAS, the Town Engineer has informed this Board that a representative of her Department has inspected the property and determined that the work has been satisfactorily completed, and that the \$300.00 for erosion may be released, NOW THEREFORE BE IT

RESOLVED, that the above-described Wetland Bond in the amount of \$300.00, be and is hereby released to Mr. Ronald Bronk, 2668 Gregory Street, Yorktown Heights, NY 10598.

Bond Substitution - #WP-BSWPPP- T-026-11

WHEREAS, Nathan & Nancy Caswell, as applicants, provided the Town with Check No. 3044 in the amount of \$6,550 for work performed at the Hanover Road site for Wetland & Stormwater & Tree permit #WP-BSWPPP-T-026-11, and accepted at the Town Board meeting of July 2, 2013, and

WHEREAS, the monies are broken down as follows:

\$2,500 to serve as the Erosion Control Bond
\$2,500 to serve as the Wetland Bond
\$1,000 to serve as the Construction Monitoring Fee
\$550 to serve as additional permit review money for the town's wetland consultant, and

WHEREAS, \$500 of the permit review money has been used for permit review and a balance of \$50 remains to be released to the original applicants, and

WHEREAS, John Barile, as partner of Louis Panny and contract vendee of said property, has provided the Town with Check #167 in the amount of \$6,550 (\$2,500 to serve as the Erosion Control Bond - \$2,500 to serve as the Wetland Bond - \$1,000 to serve as the Construction Monitoring Fee - \$550 for additional permit review), NOW, THEREFORE BE IT

RESOLVED, that the above referenced monies (**\$6,550.00**) are hereby released to Nathan & Nancy Caswell, 2688 Crompond Road, Yorktown Heights, NY 10598, and BE IT FURTHER

RESOLVED, that the above referenced check is hereby accepted for Wetland & Stormwater permit #WP-BSWPPP-T-026-11.

- Requests from the Highway Department:
Extend Bid for Asphaltic Concrete Laid-in-Place

WHEREAS, invitation to bid for the Asphaltic Concrete Laid-in-Place for the Town of Yorktown was duly advertised, and

WHEREAS, said bids were received and opened on July 5, 2011,

RESOLVED, that upon the recommendation of the Highway Superintendent, Dave Paganelli, the bid for the Asphaltic Laid-in-Place for the Town of Yorktown be and is hereby extended for one year, per the terms of the Bid, to Bilotta Construction Corp., 296 Purchase Ave, Rye, NY 10580,

BE IT FURTHER RESOLVED, the dates of the extension will be August 1, 2014 through July 31, 2015.

Extend Bid for Street Light Maintenance and Repair Services

WHEREAS, invitation to bid for the Street Light Maintenance and Repair Services for the Town of Yorktown was duly advertised, and

WHEREAS, said bids were received and opened on September 3, 2013,

RESOLVED, that upon the recommendation of the Highway Superintendent, Dave Paganelli, the bid for the Street Light Maintenance and repair Services for the Town of Yorktown be and is hereby extended for one year, per the terms of the Bid, to Hanover Electric, 251 Underhill Avenue, Yorktown heights, NY 10598,

BE IT FURTHER RESOLVED, the dates of the extension will be August 15, 2014 through August 14, 2015.

Extend Bid for Traffic Light Maintenance and Repair Services

WHEREAS, invitation to bid for the Traffic Light Maintenance and Repair Services for the Town of Yorktown was duly advertised, and

WHEREAS, said bids were received and opened on September 3, 2013,

RESOLVED, that upon the recommendation of the Highway Superintendent, Dave Paganelli, the bid for the Traffic Light Maintenance and Repair Services for the Town of Yorktown be and is hereby extended for one year, per the terms of the Bid, to Verde Electric, 89 Edison Avenue, Mt. Vernon, NY 10550,

BE IT FURTHER RESOLVED, the dates of the extension will be August 15, 2014 through August 14, 2015.

Refund – Street Opening Permit

RESOLVED, that upon the recommendation of the Supt. of Highways authorization is hereby given for the release of the following:

<u>Type of Permit</u>	<u>Amount</u>	<u>Refund to</u>
Street Opening #	\$2, 000.00	Todd Cable Const.

- Request from the Human Resource Specialist:

Authorize the Supervisor to extend the lease with Yorktown Stage for Room 12 at the YCCC

WHEREAS, the Town of Yorktown, as Landlord, and Yorktown Stage, Inc., as Tenant, wish to amend the lease dated June 11, 2014 for Room 12 at the Yorktown Community and Cultural Center, which presently expires on August 31, 2014, to extend the term to December 31, 2014, and

NOW THEREFORE, BE IT RESOLVED, that the Town Board authorizes the Town Supervisor to sign an Amendment to Lease with the Tenant at a monthly rent of \$1,584.86 from September 1, 2014 to December 31, 2014.

Authorize the Supervisor to sign an agreement with Empire Consulting

BE IT RESOLVED, that the Town supervisor is hereby authorized to sign an Agreement between the Town of Yorktown and Empire Consulting for services in compliance with the Federal Department of Transportation regulations regarding drug and alcohol testing services in accordance with the fee schedule on file with the Town Clerk. The Agreement shall be effective from June 15, 2014 until June 14, 2017.

- Request from the Library Director:

Release Retainage for Meyer Contracting Corp.

WHEREAS, Meyer Contracting Corp., completed the Children's Room Contract at the John C. Hart Memorial Library, which the Town considered complete on April 10, 2014, and

WHEREAS, the Town withheld \$14,900 as retainage, and

WHEREAS, the project total was \$149,000, NOW, THEREFORE BE IT

RESOLVED, the retainage percentage be reduced from 10% to 0%, and

BE IT FURTHER RESOLVED, that the amount of \$14,900 is hereby released to Meyer Contracting Corp., 12 Charles St. Pleasant Valley, NY 12569.

- Request from the Nutrition Center Director:

Authorize the Supervisor to sign the WIN Agreement:

RESOLVED, that the Town Board authorizes the Town Supervisor to sign an agreement for the Wellness in Nutrition Program (WIN) formerly known as SNAP Supplemental Nutrition Assistance Program for the year April 1, 2014 through March 31, 2015. State funding for the Program year will be in an aggregate amount nor to exceed \$13,675.

- Request from the Water /Superintendent:

Authorize the Supervisor to sign an agreement with Woodward & Curran

WHEREAS, the Water Department needs to perform repairs to the supervisory control and data acquisition equipment which communicates with the storage tank sites; and

WHEREAS, the Water Department requests authorization to enter into a professional services agreement with Woodward & Curran to perform programming to the storage tank supervisory control and data acquisition equipment for a cost amount not to exceed \$4,000; and

THEREFORE BE IT RESOLVED, the Town Board authorizes the Supervisor to sign a professional service agreement with Woodward & Curran Engineering.

Approve Budget Transfer

WHEREAS on December 15, 2004, The Town of Yorktown entered into a 20 year water supply agreement (W.S.A.) with the Town of New Castle for the purchase of water for the Pines Bridge Water District; and

WHEREAS according to the W.S.A. Yorktown is responsible for the maintenance, replacement and repair to all valves and appurtenances; and

WHEREAS New Castle has purchased two (2) new 6 inch Neptune water meters for the master meter pit and requests reimbursement of \$11,716.00 for the cost of said meters; now

THEREFORE BE IT RESOLVED, that the following 2014 budget transfer is approved:

Transfer \$11,716.00 from the Water Department Meter Projects Line (SW.8340.0483.0000) to the Water Department Meters line (SW.8340.0210) to reimburse the Town of New Castle for the purchase of two (2) Neptune 6' Tru/Flo Compound Water Meters and Installation Kits for the Pines Bridge meter pit.

17. REFUNDS

Duplicate Tax Payments

	<u>Account Number</u>	<u>Amount</u>
Wells Fargo Real Estate Tax Services	2984090	\$ 195.54
Corelogic	0481500	3,180.11
Quicken Loans	1960500	4,071.55
Chase	3178500	4,397.02
Vicananza	3385000	3,750.75
Dovenmuehle Mortgage Inc.	3388000	3,926.03
Wells Fargo Real Estate Tax Services	4452330	4,831.53
Westchester Cable Television	0119530	4,715.31
Wells Fargo Real Estate Tax Services	0541663	683.09
Wells Fargo Real Estate Tax Services	2725500	2,462.41
Wells Fargo Real Estate Tax Services	3392000	4,953.08
Pennymac	3784000	4,757.73
Wells Fargo Real Estate Tax Services	4314501	771.11
Wells Fargo Real Estate Tax Services	4664550	1,715.46
Resident	4110500	52.18
Mahopac Family Limited Partnership	0109000	116.90

Building Department:

Refund Zoning Board of Appeals Application Fee

RESOLVED, that the Town Board approves a refund to Wanda Diulio at 1587 Cross Road, Mohegan Lake, NY for a Zoning Board of Appeals Application Fee. and

BE IT FURTHER RESOLVED, that refund will be \$198.18. \$11.82 has been deducted from the application fee of \$210 for an ad placed with Halston Media.

18. MONTHLY REPORTS – Building Department

Cost of Construction Report – June, 2014

Receiver of Taxes – June, 2014

- July, 2014

19. ADJOURN

Alice E. Roker
Town Clerk
Town of Yorktown

Date: August 5, 2014

The Town Board's Meeting begins at 6:00PM

See a list of outstanding bids on the Town Clerk's page, Town of Yorktown's website:
www.yorktownny.org

The Town of Yorktown will hold a public hearing on September 2, 2014 to allow comment on the Housing Choice Voucher Program's 5 –Year Plan.

The 5-Year Plan states the program's mission for serving the needs of very low-income, and extremely low-income families in the PHA's jurisdiction, and lists the goals and objectives which will be used to measure the agency's success in fulfilling the mission.

A copy of the proposed Plan is on file in the Office of the Town Clerk as well as the Yorktown Section 8 Office where it may be inspected during regular business hours. It may also be viewed on the Town's website at www.yorktownny.org.