



Town of Yorktown

Office of the Town Clerk

FINAL TOWN BOARD AGENDA

April 3, 2018

Spadaccia Meeting Room
363 Underhill Avenue, Yorktown, NY 10598

6:45 PM EXECUTIVE SESSION (Closed Session):

- A motion will be made to go into Executive Session to discuss the following item(s):

PERSONNEL

- Planning Department

LITIGATION AND NEGOTIATIONS

- Legal Department

7:30 PM TELEVISED TOWN BOARD MEETING

1. PLEDGE OF ALLEGIANCE
2. MOMENT OF SILENCE
3. INTRODUCTIONS
4. SUPERVISOR ILAN GILBERT'S REPORT TO THE TOWN
5. REPORTS FROM THE TOWN COUNCIL
6. REPORTS FROM THE HIGHWAY SUPERINTENDENT
7. PROCLAMATIONS
 - Proclamation for Parkinson's Awareness Month
 - Proclamation for National Alliance on Mental Illness - NAMI
8. PRESENTATIONS
 - Housing Action Council
 - Police Department
 - NYNJ Trail Conference
9. COURTESY OF THE FLOOR

10. PUBLIC HEARINGS

Proposed Decisions:

Wetland Permit/Drainage Maintenance Program Application Request received from Jefferson Owners Corporation

Under review by Town Board

Wetland/Tree Permit Application Request received from Victor Conte for 1515 Journey's End Road

WHEREAS:

1. The Engineering Department received a complaint regarding trees being removed in a wetland area for the subject property. An Environmental Inspector went to the site and confirmed approximately 25 trees had been removed from the land area surrounding a waterbody (aka Blueberry Pond), summarized below:
 - 30-inch diameter at stump level: 1 tree
 - 24-inch diameter: 2 trees
 - 18-inch diameter: 4 trees
 - 14-inch diameter: 1 tree
 - 12-inch diameter: 4 trees
 - 10-inch diameter: 1 trees
 - 8-inch diameter: 3 trees
 - 6-inch diameter: 5 trees
 - 4-inch diameter: 1 trees
 - Number of "dead" trees removed: 3
2. A Notice of Violation was issued by the code enforcement officer on 1/24/18 for removal of trees without obtaining the required permits.
3. The Applicant subsequently submitted an application for a Wetlands & Tree Removal Permit to permit removal of approximately 25 trees at 1515 Journeys End Road.
4. The approval authority for this application is the Town Board since the waterbody is listed on the most recent New York State Freshwater Wetlands Map.
5. The required application fee, doubled due to the issuance of a Notice of Violation, was paid by the Applicant (\$3,600).
6. The Applicant appeared at Town Board work sessions on 2/13/18 and 2/27/18. The Applicant stated his tree removal contractor was working to remove trees for the purpose of improving the views from the home. He stated he was unaware of the tree removal code and the requirement for obtaining a permit.
7. Applicant submitted a Tree Replacement Plan prepared by Johnsen Landscapes, dated 2/5/18. The proposed work includes the installation of 20 trees, 57 shrubs and perennials.
8. A Public Hearing regarding this application was opened on 3/20/18. The Town Board reviewed communications prepared by Town departments and boards. No members of the public spoke on this application.
9. The Public Hearing regarding this application was closed on 3/20/18.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Action is approved by the Town Board subject to compliance with the Town Code and adherence to the plan documents submitted in support of the application.
2. The Town Engineer shall issue the permit in accordance with the terms of this resolution and with the conditions below.
3. The following conditions are included as part of the Action:

Conditions that must be met prior to the commencement of work:

1. A Project Performance Bond shall be established in the amount of \$1,000 with the Engineering Department. The bond will be released when the Town Engineer has confirmed that all conditions of this permit have been met and the new plantings have survived a minimum of two (2) growing seasons or one calendar year, whichever comes first. Any trees that do not survive as described in the preceding sentence shall be replaced at the Applicant's expense. The Town shall have the right to use the funds if the applicant, upon receiving due notice from the Town, fails to correct deficiencies related to the conditions of this permit.
2. A pre-construction meeting must be held at the site. The applicant or a representative must contact the Engineering Department (914) 962-5722 x220 to arrange this meeting.

Conditions that must be met during construction:

1. The work shall only be done during the spring or fall planting season and shall be supervised by the landscape design professional that prepared the plan referenced above. The Town Engineer shall be notified of any planting substitutions or replacements.
2. The entire scope of work is shown on the landscape plans referenced above; no additional tree removal or land disturbing activity of any kind shall be permitted without the issuance of a new permit by the appropriate approval authority.
3. The guidelines contained in the NYSDEC Standards and Specifications for Erosion & Sediment Control, latest edition, shall be followed.

When the Project Work is Complete:

1. The applicant shall fill out and submit a Construction Completion Certificate to the Town Engineer. The Engineering Department will then perform a final inspection to confirm the required improvements have been satisfactorily completed. Applicant will be notified of concurrence or if any work is not acceptable.
2. When the new plantings have survived a minimum of two growing seasons or one calendar year, notify the Engineering Department who will then inspect site and authorize bond release or planting replacement is required.

Convene:

Public Hearing to consider Alienation of Parkland located on Illington Road

The Town Board will convene a public hearing to consider the request received from Marcia Saunders to purchase the Town-owned Parkland located on Illington Road known on the Tax Maps as Section 69.08-1-11.

Public Hearing to consider Wetland Permit for 1775 Darby Street

The Town Board will convene to consider the Wetland Permit Application made by John Barile for property located at 1775 Darby Street, also known as Section 48.05, Block 1, Lot 38 for the purpose of construction of a single-family house and septic system.

Public Hearing to consider Wetland Permit - Mohansic Trail Extension

The Town Board will convene to consider the Wetland Permit Application from the Town of Yorktown for the Yorktown Trailtown Committee to create a trailway extension through Town property located at Route 118 and Downing Drive through to Baldwin Road, known on the Tax Maps as Section 37.14, Block 1, Lot 43. The activity in the wetland and/or wetland buffer is clearing for an 8-foot wide, approximately 950-foot long gravel path,

construction of three 6-foot wide wooden bridges, and construction of approximately 600 feet of 8-foot wide boardwalk.

Public Hearing to consider Wetlands Permit - NYCDEP Pilot Program New Croton Reservoir

The Town Board will convene a public hearing to consider the application for a wetlands permit by the New York City Department of Environmental Protection for the purpose of conducting a pilot project to treat the aquatic invasive species Hydrilla Verticillata in two sample areas of the New Croton Reservoir that cover approximately 22 acres.

11. RESOLUTIONS

From the Town Clerk Diana Quast

Advertise Request for Proposals for Lake Mohegan Aquatic Pesticide Treatments

NOTICE IS HERE GIVEN that sealed proposals will be received by the Town Clerk, Town of Yorktown, Westchester County, until 11:00 A.M. on April 30, 2018 at Town Hall, 363 Underhill Avenue, Yorktown Heights, N.Y. 10598 for Lake Mohegan Aquatic Pesticide Treatments.

Advertise Bid for Printed and Embroidered T-Shirts and Uniforms

NOTICE IS HEREBY GIVEN that sealed proposals will be received by the Town Clerk, Town of Yorktown, Westchester County, NY until 11:00 AM on Monday, April 30, 2018 at the Town Hall, 363 Underhill Avenue, Yorktown Heights, NY 10598 for Printed and Embroidered T-Shirts and Uniforms Bid.

Advertise Bid for Contracting Bus Service for Various Programs – Parks and Recreation Department

NOTICE IS HEREBY GIVEN that sealed proposals will be received by the Town Clerk, Town of Yorktown, Westchester County, NY until 11:00 AM on Monday, April 30, 2018, at the Town Hall, 363 Underhill Avenue, Yorktown Heights, NY 10598 for contracting bus service for various programs in the Yorktown Parks and Recreation Department.

From the Building Department

Authorize the Comptroller to pay \$75.00 per hour to Ralph Tarchine to provide Assistant Building Inspector Services to the Building Department

BE IT RESOLVED that the Town Comptroller is authorized to pay \$75.00 per hour (not to exceed 16 hours per week) to Ralph Tarchine to provide the Town's Building Department with Plan Review and Assistant Building Inspection Services until another Assistant Building Inspector is hired.

From the Finance Department

Authorize Comptroller to pay out the Cash Value of unused time as of date of separation – Michael Hecker

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

Rate of Pay: \$25.7604 hourly

Personal Days	7.50 hours	x	\$25.7604	=	\$ 193.21
Vacation Days	135.00 hours	x	\$25.7604	=	\$3,477.66

Total \$3,670.87

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

From:	SW8340.101	Water Salary	\$3,670.87
To:	SW8340.108	Water Lump Sum	\$3,670.87

Authorize Comptroller to make the following Budget Transfer - Amazon Beach Park District

Be It Resolved that the Town Board authorizes the following 2018 Budget Transfer for the Amazon Beach Park District to disburse payment for work to be performed to repair sidewalks:

From:			
AP.909	Fund Balance		\$7,250.00
To:			
AP7180.454	Property Improvements		\$7,250.00

Authorize the Comptroller to make the following Budget Transfer – Highway Department

Be It Resolved, that the Town Board authorizes the following Fund Balance Budget Transfer for Highway Department Snow Overtime to disburse payment for overtime incurred during the snow storms of March 2, 2018 and March 7, 2018.

From:			
D.1002	Highway Fund Balance		\$35,490.31
To:			
D5142.105	Highway Snow Overtime		\$35,490.31

From the Parks and Recreation Department

Authorize Supervisor to sign an Intermunicipal Agreement with Westchester County State funding to the Yorktown Parks and Recreation Youth Development Program

Resolved, that the Supervisor is authorized to sign an Intermunicipal Agreement with Westchester County to reallocate State funding to the Yorktown Parks and Recreation Youth Development Program.

From the Police Department

Authorize Police Department to purchase two Ford Utility Police Interceptors off New York State Contract in the amount of \$57,980.00.

Whereas, the Town Board of the Town of Yorktown has funded the purchase of (2) two police utility interceptors in the Police Department’s 2018 budget; and

Whereas, the State of New York Office of General Services has published specification and requested bids for the purchase of Ford Utility Police Interceptors; and

Whereas, the State of New York Office of General Services has received, reviewed and awarded the bids for the Ford Utility Police Interceptors; and

Whereas, Genesee Valley Ford LLC has submitted the lowest bid for the Ford Utility Police Interceptors; and

Whereas, the State of New York Office of General Services has awarded Mini-Bid Response #18020052, Award 22898, Contract #PC67357 to the lowest bidder; and

Now, Therefore, Be It Resolved that the Town Board of the Town of Yorktown hereby authorizes the Yorktown Police Department to purchase two (2) Ford Utility Police Interceptors from the State of New York Office of General Services, Award 22898, Contract #67357 from Genesee Valley Ford LLC in the amount of approximately fifty seven thousand, nine hundred and eighty dollars and no cents (\$57,980.00).

Authorize Supervisor to sign a Stipulation Agreement between the Police Benevolent Association and the Town of Yorktown

Resolved, that the Supervisor is authorized to sign a Stipulation Agreement between the Police Benevolent Association and the Town of Yorktown for a temporary addition to the Collective Bargaining Agreement.

From the Highway Department

Authorize Comptroller to Release Escrow Deposit for Street Opening Permit #017-003 in the amount of \$1,000

Resolved, that the Comptroller is authorized to release escrow deposit permit #017-003 in the amount of \$1,000 to Vericon Const., 1063 Route 22, East Mountainside, NJ 07092.

Award Bid for Asphaltic Concrete & Liquid Bituminous Materials

WHEREAS, invitation to bid for the Asphaltic Concrete & Liquid Bituminous Materials for the Town of Yorktown was duly advertised, and

WHEREAS, said bids were received and opened on March 15th, 2018 with the bid amounts for the above-referenced Bid summarized are attached.

RESOLVED, that upon the recommendation of the Highway Superintendent, Dave Paganelli, the bid for the Asphaltic Concrete & Liquid Bituminous Materials be and is hereby awarded to Peckham Materials, 20 Haarlem Avenue, White Plains, NY 10603, based on the best value.

BE IT FURTHER RESOLVED, the contract is to begin on April 10, 2018 and terminate on April 9, 2021.

12. MONTHLY REPORTS
Finance Department Expense and Revenue Reports March 2018

13. **ADJOURN MEETING**

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

Dated: April 3, 2018

DIANA L. QUAST, RMC
TOWN CLERK
TOWN OF YORKTOWN

AGENDAS ARE SUBJECT TO CHANGE

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. Assisted listening devices are available at all meetings.