



# Town of Yorktown

*Office of the Town Clerk*

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## **FINAL TOWN BOARD AGENDA**

**April 17, 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

- Town Clerk's Office

#### 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. PRESENTATIONS  
Con Edison – Gas Main Replacement  
Landmarks Preservation Commission – Lynn Briggs, Chair  
“Battle of Yorktown” Kim Gage - Refuse and Recycling  
Parks and Recreation – Todd Orłowski, Superintendent
8. COURTESY OF THE FLOOR
9. RESOLUTIONS  
**From the Supervisor's Office**

Be It Resolved that, at the request of The American Cancer Society, the Town Board hereby authorizes the use of Room 104 at the Yorktown Community & Cultural Center on Friday May 4<sup>th</sup>, 2018 from 7am to 10am and 11:45am to 4pm for activities related to the “Paint the Town Purple” event and Room 26 and the gymnasium at the Yorktown Community & Cultural Center beginning at 5pm on Friday, June 8<sup>th</sup> 2018 through 1am on Saturday, June 9<sup>th</sup>, 2018 for activities related to the “Relay for Life” event. The Town Board waives the rental fees of \$611.00.

**Authorize support of Senate Bill S7358 and Assembly Bill A5979 that would mandate that the state pay all local property taxes for state owned land in Westchester County, including the Town of Yorktown**

WHEREAS, it is the goal of the Town Board to do all it can to lessen the tax burden of Yorktown property owners, and

WHEREAS, it has come to the attention of the Town Board that New York State pays local property taxes on state-owned land in most counties in New York State, including neighboring Putnam and Rockland counties, but with the exception of Westchester County, and

WHEREAS, New York State is not paying any local property taxes on approximately 1,000 acres it owns in Yorktown, including approximately 600 acres in FDR State Park, and 154 acres in the French Hill Section of Donald J. Trump State Park, and

WHEREAS, New York State pays town, county, school and fire taxes on approximately 300 acres it owns in the Indian Hill section of the Donald J. Trump Park in Putnam County, and

WHEREAS, New York State owns approximately 2,300 acres in the Town of Cortlandt, including 1,900 acres at Camp Smith which is in the Lakeland School district, and

WHEREAS, Senator Terrence Murphy has sponsored Senate Bill S7358 that would mandate that the state pay all local property taxes for state-owned land in Westchester County, including the Town of Yorktown,

NOW THEREFORE BE IT RESOLVED that the Town board send a letter to our State Senator, Terrence Murphy, showing support for the passage of S7358, and

BE IT FURTHER RESOLVED that the Town Board send a letter to our State Assemblyman, Kevin Byrne, showing support for the companion bill sponsored by Assemblyman David Buchwald, A5979 in the Assembly.

**From the Town Attorney’s Office**  
**Authorize Supervisor to sign an agreement with Westchester County Department of Senior Services for IIIB (Transportation)**

Be It Resolved that the Town Board authorizes the Town Supervisor to sign an Agreement with Westchester County Department of Senior Programs and Services for IIIB (Transportation) in the amount of \$10,113. This is for the period January 1, 2018 through December 31, 2018.

**From the Town Clerk's Office**

**Authorize Town Clerk to report the record of activities for elected and appointed officials**

Be It Resolved, the Town of Yorktown hereby establishes the standard work days for elected and appointed officials and will report the following to the New York State and Local Employees' Retirement System based on record of activities maintained and submitted by these officials to the Clerk of this body.

**Refer Out Wetlands Permit Application received from Mohegan Lake Improvement District**

RESOLVED that the Town Clerk is hereby authorized to refer out to the agencies listed below for their review and/or recommendation for the Wetland Permit Application received from Mohegan Lake Improvement District (MLID) for a general wetlands permit for the purpose of maintaining and improving the lake environment. Such activities may include fish stocking, aeration, weed harvesting, garbage cleanup, maintenance of aeration sheds/equipment, maintenance of areas to access the lake, removal of invasive species, and chemical treatments to control harmful algae bloom and the toxins they produce.

BE IT FURTHER RESOVED, the Town Board declares its intent to act as Lead Agency, and

BE IT FURTHER RESOLVED, the Town Board would like your comments and/or recommendations back before May 17, 2018.

Refer to the following agencies:

New York City Department of Environmental Protection  
New York State Department of Transportation  
New York State Department of Environmental Conservation

Westchester County Planning Department

Conservation Board  
Planning Board  
Planning Department  
Town Engineer  
Town Attorney  
Town Board

**From the Finance Department**

**Authorize Supervisor to sign an agreement with Corporate Plans Plus, Inc. d/b/a/ CPI-HR to provide assistance with the Patient Protection and Affordable Care ACT**

BE IT RESOLVED that the Town Supervisor is authorized to sign the agreement with Corporate Plans Plus, Inc. d/b/a CPI-HR to provide assistance with the Patient Protection and Affordable Care ACT for year starting June 1, 2018 as further set forth in the agreement.

**Authorize Comptroller to pay out cash value of unused time to Joseph Angiello**

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

Rate of Pay:	\$50.7679			
Vacation	91.00 hours x	\$50.7679	=	\$ 4,619.88
Personal Days	13.50 hours x	\$50.7679	=	\$ 685.37
Floating Holidays	14.00 hours x	\$50.7679	=	\$ 710.75
Comp Time	16.50 hours x	\$50.7679	+	\$ 836.67
			Total	\$ 6,852.67

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

From:

A3620.101 Building Salary \$ 6,852.67

To:

A3620.108 Building Lump Sum Payments \$ 6,852.67

**Authorize Comptroller to pay out cash value of unused time to Paul Welsch**

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

Rate of Pay:	\$32.3949			
Sick	954.925 hours	@ 50%	=	477.47 hours
	477.47 hours x	\$32.3949	=	\$15,467.60
Vacation	187.00 hours x	\$32.3949	=	\$ 6,057.85
Personal Days	22.50 hours x	\$32.3949	=	\$ 728.89
Floating Holidays	15.00 hours x	\$32.3949	=	\$ 485.93
			Total	\$22,740.27

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

From:

D909.8 Highway Fund Reserve for Employee Accrued Benefits \$15,467.60

D5110.101 Highway Salary \$ 7,272.67

To:

D5110.108 Highway Lump Sum Payments \$22,740.27

**Authorize the Comptroller to do the following Fund Balance Budget Transfer Highway Department**

Be It Resolved that the Town Board authorizes the following Fund Balance Budget Transfer for Highway Department purchase of three (3) trucks as follows:

New York Freightliner	Oneida Contract #1949	\$303,809.00
Henderson Products	NYS Contract #PC66985	\$261,423.00

From:

D.1002 Highway Fund Balance \$565,222.00

To:

D5142.0200 Highway Snow Equipment \$565,222.00

**From the Parks and Recreation Department**

**Authorize Supervisor to sign an agreement with the Grange Fair Association, Inc.**

Be It Resolved that the Town Supervisor is authorized to sign the agreement with Yorktown Grange Fair Association, Inc. for the 2018 summer day camp program.

**Award Bid for Pool Concessions**

RESOLVED that the bid for the Food and Refreshment Concessions for 2018 at the Brian J. Slavin Aquatic Facility and Junior Lake Pool Complex be awarded to Westchester Food Services, Inc., at a cost of \$3,600.00.

**Authorize Supervisor to sign an agreement with the Senior Clubs**

Be It Resolved that the Town Supervisor is authorized to sign an agreement with the following Senior Clubs: AARP Chapter 3297, St. Patrick's Seniors, Yorktown Senior Club Chapter 1, Jefferson Owners Corp., Shrub Oak Senior Citizen Club.

**Authorize Supervisor to sign an agreement with the Youth Sports Clubs**

Be It Resolved that the Town Supervisor is authorized to sign an agreement with the following Youth Athletic Clubs: Shrub Oak Athletic Club, Yorktown Athletic Club, Mohansic Girls Basketball.

**From the Town Engineering Department**

**Approve extension of bid for Laboratory Services for the Water Pollution Control Plant**

WHEREAS:

1. The Town Board at its meeting of May 3, 2016, awarded the bid for Laboratory Services for the Water Pollution Control Plant, Bid #16-1, to EnviroTest Laboratories, Inc.
2. The contract documents included options to extend the bid for two (2) additional 1-year terms. The Town has received satisfactory service from EnviroTest Laboratories and would like to continue to utilize their services.
3. Both the Town Engineer and Asst. Plant Superintendent recommend the Town exercise its option to extend the agreement for laboratory services for one (1) additional year – the final available extension as per the contract.

NOW THEREFORE, BE IT RESOLVED, that the Town Board extends the agreement with EnviroTest Laboratories, Inc. for Laboratory Services at the Water Pollution Control Plant Bid #16-1, for an additional one year period, under the same terms and conditions. Contract Price: \$11,140.00 (see attached) Contract term: 5/3/2018 until 5/3/2019.

10. **ADJOURN MEETING**

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

Dated: April 17, 2018

DIANA L. QUAST, RMC  
TOWN CLERK  
TOWN OF YORKTOWN

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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.