



Town of Yorktown

Office of the Town Clerk

FINAL TOWN BOARD AGENDA

July 17, 2018

Please Note Venue:

**Teatown Lake Reservation's Carriage House
1600 Spring Valley Road, Ossining, NY 10562**

5:45 PM EXECUTIVE SESSION (Closed Session):

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

LITIGATION AND NEGOTIATIONS

- Legal Department

6:00 PM TOWN BOARD MEETING (recorded for next day airing)

1. PLEDGE OF ALLEGIANCE
2. MOMENT OF SILENCE
3. INTRODUCTIONS
4. WELCOME
Dianne Barron, Managing Director - Teatown Lake Reservation
5. SUPERVISOR ILAN GILBERT'S REPORT TO THE TOWN
6. REPORTS FROM THE TOWN COUNCIL
7. REPORTS FROM THE HIGHWAY SUPERINTENDENT
8. PRESENTATIONS
Auditor's Report - PKF O'Connor Davies
County Executive George Latimer – Good Neighbor Policy
9. COURTESY OF THE FLOOR
10. RESOLUTIONS
From the Town Attorney's Office
Authorize Supervisor to sign an agreement with Westchester County Department of Senior Programs and Services for State Transportation Services

RESOLVED, that the Town Board authorizes the Town Supervisor to sign an Agreement with Westchester County Department of Senior Programs and Services for State Transportation Services in the amount of \$3,322. This is for the period April 1, 2018 through March 31, 2019.

Authorize Supervisor to sign an agreement with Westchester County Department of Senior Programs and Services for WIN

RESOLVED, that the Town Board authorizes the Town Supervisor to sign an Agreement with Westchester County Department of Senior Programs and Services for WIN in the amount of \$9,357 , with an estimate of an additional \$2,771 (NSIP) Nutrition Services Incentive Program. This is for the period April 1, 2018 through March 31, 2019.

Revised Resolution for the Economic and Business Revitalization Committee

Whereas, the mission of the Economic and Business Revitalization Committee is to attract and support private investments by identifying and marketing the town's assets; and

Whereas, increasing employment opportunities; supporting existing as well as attracting new high quality retail, commercial and industrial enterprises throughout the town, with a particular emphasis on redeveloping under-performing areas of the town; and

Whereas, to further assist in the diversity of business interests with a wide range of needs, and continue to work with our partners in order to bring about a higher level of prosperity, job growth and expanded economic and entrepreneurial development opportunities throughout the town; and

Whereas, to utilize the untapped resources of our residents and other volunteers with expertise in various areas, including, but not limited to, those with economic, marketing and planning expertise, now

Therefore It is Resolved that the Resolution, dated February 20, 2018, establishing the Economic and Business Revitalization Committee is hereby amended,

Therefore Be It Resolved that the Town Board of the Town of Yorktown establishes an Economic and Business Revitalization Committee that shall be comprised of nine (9) members. Seven (7) of which shall be appointed by the Town Board. One (1) member shall be a representative of the Yorktown Chamber of Commerce selected by its President and one (1) member shall be a representative of the Yorktown Small Business Association selected by its President. The term of these two (2) representatives shall continue until replaced by the President of each of the above respective organizations. The members appointed by the Town Board shall serve for a term of three (3) years and shall have staggered terms. The terms of the initial members appointed by the Town Board shall expire as follows: Two (2) members' terms will expire December 31, 2020, three (3) members' terms will expire December 31, 2021, and two (2) members' terms will expire on December 31, 2022. All members shall serve without compensation.

All of the members shall select a Chairperson from the Seven (7) Members appointed by the Town Board. The Chairperson shall serve for a two year Term or to the end of their Term appointment, whichever is shorter.

From the Engineering Department

Authorize Town Engineer to issue MS4 Storm Water Management Permit and Tree Permit to 1447 Delaware Road

RESOLVED, the Town Engineer is authorized to issue an MS4 Storm Water Management Permit and Tree Permit to 1447 Delaware Road – Figari permit # #FSWPPP-066-17 for excavation required to construct a single-family residence.

Authorize Town Engineer to issue MS4 Storm Water Management Permit and Tree Permit to 340 Illington Road

RESOLVED, the Town Engineer is authorized to issue an MS4 Storm Water Management Permit to 340 Illington Road – YKY – Yeshiva Kehilath Yakov Permit #FSWPPP-029-18 for excavation required to construct a single-family residence.

Authorize Town Comptroller to Release Erosion Control Bond #BSWPPP-002-17 in the amount of \$250 - Patel

WHEREAS:

1. Mitesh & Purvi Patel as applicants for a land development project, posted check #1139 in the amount of \$250 to serve as the Erosion Control Bond which was deposited to the T33 account on February 24, 2017 for work performed at the Casey Court location.
2. Mitesh & Purvi Patel as applicants have requested monies be released as the site is now complete.
3. The Town Engineer has informed the Town Board that a representative of his department has inspected the property and determined that the work has been satisfactorily completed, and that the above referenced monies may be released,

NOW, THEREFORE BE IT RESOLVED, that the above referenced monies totaling \$250 be and is hereby released to Mitesh & Purvi Patel, 1767 Casey Court, Yorktown Heights, NY 10598.

Authorize Town Comptroller to Release Performance Bond #FSWPPP-T-051-17 in the amount of \$500 - Lederer

WHEREAS:

1. Mary Faithorn Scott Architect as applicant for a land development project at the Lederer residence, 1441 Old Logging Road, posted check #4061 in the amount of \$1,700 (\$1,200 for the application fee balance and \$500 to serve as the Performance Bond) which was deposited to the T33 account on August 31, 2017.
2. Mary Faithorn Scott, as applicant, has requested the Performance Bond released as the project work is now complete.
3. The Town Engineer has informed the Town Board that a representative of his department has inspected the property and determined that the work has been satisfactorily completed, and that the above referenced monies may be released,

NOW, THEREFORE BE IT, RESOLVED, that the above referenced money totaling \$500 be and are hereby released to Mary Faithorn Scott Architect, 33 Fairways Drive, Mt. Kisco, NY 10549.

Authorize Town Comptroller to Release Erosion Control Bond #WP-BSWPPP-035-15 in the amount of \$800 - Cipriani

WHEREAS:

1. Rick Cipriani of Envirogreen Associates as applicant for a demolition project, posted check #4613 in the amount of \$800 (\$500 to serve as the Erosion Control Bond and \$300 to serve as the Wetland Bond) which was deposited to the T33 account on July 10, 2015 for work performed at the East Main Street location.
2. Rick Cipriani of Envirogreen Associates has requested his money be released as the site is now complete.
3. The Town Engineer has informed the Town Board that a representative of his department has inspected the property and determined that the work has been satisfactorily completed, and that the above referenced monies may be released,

NOW, THEREFORE BE IT RESOLVED, that the above referenced monies totaling \$800 be and is hereby released to Envirogreen Associates, 11 Hageman Court, Katonah, NY 10536, Attn: Mr. Rick Cipriani.

Authorize Town Comptroller to Release Bond #BSWPPP-013-17 in the amount of \$250 - Trauring

WHEREAS:

1. Everett Trauring as applicant for a land development project, posted check #2023 in the amount of \$250 which was deposited to the T33 account on May 4, 2017 for work performed at the Elizabeth Street location.
2. Everett Trauring has requested his money be released as the site is now complete.
3. The Town Engineer has informed the Town Board that a representative of his department has inspected the property and determined that the work has been satisfactorily completed, and that the above referenced monies may be released,

NOW, THEREFORE BE IT RESOLVED, that the above referenced monies totaling \$250 be and is hereby released to Mr. Everett Trauring, 479 Elizabeth Street, Yorktown Heights, NY 10598.

Authorize Town Comptroller to Release Check #3557 in the amount of \$13,540.00 which was posted for a Wetland and Erosion Control Bond – Spano Subdivision

WHEREAS:

1. Albert Capellini as attorney and applicant for the Spano Subdivision for a land development project at the Saw Mill River Road site, posted check #3557 in the amount of \$13,540 to serve as the Wetland & Erosion Control Bonds, which was deposited to the T33 account on August 26, 2005.
2. The Town Engineer has informed the Town Board that a representative of his department has inspected the property and determined that the work has been satisfactorily completed, and that the above referenced monies may be released,

NOW, THEREFORE BE IT, RESOLVED, that the above referenced monies totaling \$13,540 be and are hereby released to Mr. Albert A. Capellini, as Attorney, 1500 Front Street, Suite A, Yorktown Heights, NY 10598, Attn: Rosanna Capellini.

Authorize Town Comptroller to Release Check #2463 in the amount of \$10,241.00 which was posted to serve as an Erosion Control Bond - Mikkelsen

WHEREAS:

1. Kenneth Mikkelsen as applicant for a land development project at the Saw Mill River Road site, posted check #2463 in the amount of \$2,000 to serve as the Erosion Control Bond which was deposited to the T33 account on February 8, 2002.
2. Kenneth Mikkelsen as applicant, posted check #2471 in the amount of \$23,241 and was reduced to \$8,241 at the Town Board meeting of March 4, 2008.
3. The Town Engineer has informed the Town Board that a representative of his department has inspected the property and determined that the work has been satisfactorily completed, and that the above referenced monies may be released,

NOW, THEREFORE BE IT, RESOLVED, that the above-referenced monies totaling \$10,241 be and are hereby released to Mr. Kenneth Mikkelsen, 2235 Saw Mill River Road, Yorktown Heights, NY 10598.

Authorize Town Comptroller to Release Check #0002084 in the amount of \$1,500.00 which was posted to serve as a Wetland Control Bond #WP-BSWPPP-T-028-14 – Teatown Lake Reservation

WHEREAS:

1. Teatown Lake Reservation as applicant for a land development project at the Teatown Lake Reservation site, posted check #0002084 in the amount of \$1,500 to serve as the Wetland Bond which was deposited to the T33 account on October 6, 2014.
2. Teatown Lake Reservation as applicant has requested monies be released as the project work is now complete.
3. The Town Engineer has informed this Board that a representative of his department has inspected the property and determined that the work has been satisfactorily completed, and that the above referenced monies may be released,

NOW, THEREFORE BE IT, RESOLVED, that the above referenced monies totaling \$1,500 be and are hereby released to Teatown Lake Reservation, 1600 Spring Valley Road, Ossining, NY 10562, Attn: Ms. Dianne Barron.

Authorize Town Comptroller to Release Check #1268 in the amount of \$500.00 which was posted to serve as a Performance Bond #FSWPPP-T-094-15 - Kelderhouse

WHEREAS:

1. Bruce Kelderhouse of Dornoch Development LLC, as applicant, posted check #1268 in the amount of \$500 to serve as the Performance Bond which was deposited to the T33 account on May 11, 2017 for work performed at the Turus Lane location.
2. Bruce Kelderhouse, as applicant has requested monies be released as the site is now complete.

- The Town Engineer has informed the Town Board that a representative of his department has inspected the property and determined that the work has been satisfactorily completed, and that the above referenced monies may be released,

NOW, THEREFORE BE IT RESOLVED, that the above referenced monies totaling \$500 be and are hereby released to Dornoch Development, LLC, 200 Brady Avenue, Hawthorne, NY 10532, Attn: Mr. Bruce Kelderhouse.

Authorize Town Supervisor to Sign a Professional Services Agreement for Water Fluoridation Project

WHEREAS:

- The Water Superintendent and the Town Engineer solicited proposals for professional engineering services to build a new facility for fluoride addition to the Yorktown drinking water supply.
- In accordance with the Town of Yorktown procurement procedures, proposals were solicited from three (3) firms that had the in-house expertise and expressed interest in providing professional engineering services. The three firms that provided written proposals were D&B Engineers & Architects (D&B), Arcadis of New York, and Environmental Design & Research (EDR). A summary of the pricing is below:

Task	Task	D&B Engineers	Arcadis	EDR
1	Survey/Testing (Allowance)	\$15,000	\$15,000	\$15,000
2	Design & Construction Documents	\$95,000	\$77,000	\$120,000
3	Permitting (Allowance)	\$40,000	\$40,000	\$40,000
4	Bidding Phase	\$5,000	\$6,050	\$5,000
5	Design Services During Construction	\$49,000	\$85,000	\$103,000
6	Project Close-Out	\$5,000	\$4,000	\$7,000
Total		\$209,000	\$227,050	\$290,000

- In the professional opinion of the Water Superintendent and the Town Engineer, Arcadis of New York provided the best overall proposal to the Town. In terms of cost, Arcadis of New York was the second bidder; however, they agreed to perform the work at the same price as the low bidder (\$209,000).

NOW, THEREFORE BE IT RESOLVED, the Town Board authorizes the Town Supervisor to sign a Professional Services Agreement with Arcadis of New York for the scope of work as described in the preceding section for the Not-to-Exceed Amount of \$209,000.

Intent to Declare Lead Agency for Extension of Sewers with the Hallocks Mill Sewer District and Implement Improvements to the Crystal Lake Pump Station

WHEREAS,

1. The Town of Yorktown proposes to extend sewer service within the Hallocks Mills Sewer District (HMSD) and implement improvements to the Crystal Lake Pump Station within the HMSD (hereafter referred to as, “Proposed Action”) including:
 - Extension of sewer service to select unsewered areas within the Hallocks Mills Sewer District (HMSD) using a combination of gravity and low pressure sewer service,
 - The areas to be sewerred comprise approximately 660 parcels, designated as (1) Birch Street Sub-Area, 340 parcels; (2) Broadview Sub-Area, 50 parcels; (3) Carolina Road Sub-Area, 25 parcels, (4) Ridge Street Sub-Area, 175 parcels; (5) Sparkle Lake Sub-Area, 69 parcels; and (6) Sunrise Street Sub-Area, 26 parcels.
 - Implement improvements to the Crystal Lake Pump Station within the HMSD including replacement of mechanical equipment (i.e., pumps, accessories), emergency generator, process controls, lighting, electrical, HVAC, architectural, and miscellaneous equipment,
2. The Proposed Action requires review under the New York State Environmental Quality Review Act (SEQRA), per 6NYCRR Part 617, and;
3. The Proposed Action is defined as an Unlisted Action under 6NYCRR Part 617 because the action is not listed under 6NYCRR Part 617.4 or 617.5.
4. Multiple regulatory agencies have approval or funding authority over the Proposed Action, and;
5. The State Environmental Quality Review Act 6NYCRR Part 617.6(b)(3) calls for coordinated review of Unlisted Actions, and;
6. The State Environmental Quality Review Act 6NYCRR Part 617.6(b)(2)(i) requires that a Lead Agency for a coordinated review be established prior to a determination of significance, and;
7. The State Environmental Quality Review Act 6NYCRR Part 617.2(u) defines “Lead Agency” as, “an involved agency principally responsible for undertaking funding or approving an action, and therefore responsible for determining whether an environmental impact statement is required in connection with the action, and for the preparation and filing of the statement if one is required”, and;
8. The Town of Yorktown intends to act as Lead Agency in the coordinated review of said Actions as Unlisted Action under SEQRA and further intends to implement and complete all responsibilities of that office,

NOW THEREFORE BE IT RESOLVED that the Town Board declares its intent to act as Lead Agency for this Unlisted Action, as defined in 6NYCRR Part 617.2(u), for the coordinated review of the Proposed Action under SEQRA.

From the Finance Department

Authorize Comptroller to do 2018 Library Fund Balance Budget Transfer for Payment of Invoices

Be it resolved that the Town Board authorizes the Comptroller to process the following 2018 Library Fund Balance Budget Transfers for payment of invoices related Air Conditioning Repair and Septic Services:

From:		
L.909	Fund Balance	\$34,100.00
To:		
L7410.418	Equipment Maintenance	\$24,100.00
L7410.416	Maintenance	\$10,000.00

Authorize Comptroller to do the following Budget Transfer for Highway Department

Be It Resolved, the Town Board authorizes the following Fund Balance Budget Transfer for Highway Department for the purchases of a Ford F350, Bobcat, two F550 trucks and Basin Truck.

From:		
D.1002	Highway Fund Balance	\$350,000.00
To:		
D5110.201	Highway Equipment	\$350,000.00

Authorize Comptroller to do the following Budget Transfer for Mohegan Lake Improvement District

Be It Resolved, that the Town Board authorizes the following 2018 Budget Transfers for the Mohegan Lake Improvement District as follows:

From:		
ID.909	Fund Balance	\$17,792.00
To:		
ID7180.412	Postage	\$ 400.00
ID7180.416	Maintenance	\$ 850.00
ID7180.475	Misc Outside Services	\$ 5,150.00
ID7180.480.2	Special Projects – Building	\$ 8,500.00
ID710.490	Outside Services	\$ 2,892.00

Authorize the Town Comptroller to do the following Budget Transfer for large dollar Worker's Compensation claims

Be it resolved that the Town Board authorizes the following budget transfer to fund payment for large dollar Worker's Compensation claims

From:		
A 9000.811	NYS Retirement	\$25,035.60

To:
 MC.1930.400 Worker's Comp Medical \$25,035.60

Authorize the Town Comptroller to do the following Budget Transfer for the 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 winter storm damage to club house roof and windows

From:
 AP.909 Fund Balance \$3,500.00

To:
 AP7180.416 Property Maintenance \$3,500.00

Release of Escrow for Driveway Permits

RESOLVED, that the Comptroller is authorized to release escrow deposit for the following Driveway Permits:

Permit #	Amount	Location	Refund to
DR1204	\$500.00	345 Heather Court	Fred & Joan DiSalvatore 345 Heather Court
DR1212	\$500.00	2338 Broad Street	Joe Bellamy Construction Inc. 2333 Willoway Street

From the John C. Hart Memorial Library

Appointment of Sunitha Howard as a member of the Library Board of Trustees

BE IT RESOLVED, that Sunitha Howard is hereby appointed as a member of the Library Board of Trustees for a five-year term expiring on 8/31/2023.

From the Parks and Recreation Department

Authorize Comptroller to pay Montesano Brothers, Inc. Change Order M18.1 Water Main

RESOLVED, that the Comptroller is authorized to pay Montesano Brothers, Inc. Change Order M18.1 in the amount of \$38,169.73 to complete the Water Main installation at the Granite Knolls Recreation and Sports Facility.

From the Refuse and Recycling Department

Authorize the sale of obsolete and out-of-service vehicles by Absolute Auctions Realty

Be It Resolved, that the following obsolete vehicles are presently Out-of-Service, and parked at the Central Garage, and

Be It Further Resolved, that the Town Board authorizes the sale of the following obsolete vehicles by Absolute Auction Realty:

- 2001 Ford Taurus Wagon, VIN # 1FAFP58UX1G215152 - 106,998 miles (Mail Room)
- 1999 Chevy Lumina, VIN # 2G1WL52M9X9251865 - 110,257 miles (Engineering)
- 2000 K30 Pickup, VIN # 1GCHK34R2YR211022 - 124,785 miles (Sewer)

11. **EXECUTIVE SESSION (Closed Session):**

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

PERSONNEL

- Engineering Department

12. **ADJOURN MEETING**

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

Dated: July 17, 2018

DIANA L. QUAST, RMC, CMC
TOWN CLERK
TOWN OF YORKTOWN