



Town of Yorktown

Office of the Town Clerk

FINAL TOWN BOARD WORK SESSION AGENDA

December 11, 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

Human Resources

John C. Hart Memorial Library

Justice Court

LITIGATION AND NEGOTIATIONS

Town Engineer

Town Attorney

8:00 PM WORK SESSION (Open Session)

PERSONNEL

Appoint Michael Vuoso as permanent Police Officer in the Yorktown Police Department

BE IT RESOLVED, that Michael T. Vuoso of Yorktown Heights, New York is hereby appointed permanent Police Officer in the Town of Yorktown Police Department from Eligible List No. 69-547, effective December 12, 2018 to be paid the contractual salary of \$55,193.00 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 December 12, 2018.

Discussion Items

Freedom Gardens – Water Bill

Proposed Changes to Town Code and Collection of Sewer O & M Revenue

Request for Stormwater Management Permit -1285 Aspen Road - Panbar

Clean Energy Collective - Solar Law - Kathy Haake

Energize New York - Sarah Smiley

RESOLUTIONS

From the Town Board

Adopt the Preliminary Budget as the Adopted Budget for 2019

WHEREAS, Supervisor Ilan D. Gilbert, acting as Budget Officer, did on the 30th day of October, 2018 file his tentative budget with the Town Clerk and the Town Board for its review, and

WHEREAS, upon completion of its review and modification of the tentative budget, the Town Board filed its preliminary budget of the estimated revenues and expenditures for the fiscal year commencing January 1, 2019, and

WHEREAS, a public hearing was called and duly held on the 4th day of December, 2018, at the Town Hall, 363 Underhill Avenue, Yorktown Heights, NY at which time and place the Yorktown Town Board did meet and review such preliminary budget as compiled, and accepted public comment for or against any item contained therein, be it

RESOLVED, that the Town Board of the Town of Yorktown does hereby adopt such preliminary budget and be it

FURTHER RESOLVED, that the said preliminary budget as adopted by this resolution be entered in detail in the minutes of the proceedings of this Town Board and it shall be known as the Annual Budget of the Town of Yorktown for the fiscal year beginning on the 1st day of January, 2019, and be it

FURTHER RESOLVED, that the several sums estimated for expenditures in the same annual budget as adopted are hereby appropriated in the amounts for the purposes therein specified, and be it

FURTHER RESOLVED, that the several sums therein estimated as anticipated revenues and the monies necessary to be raised by tax and assessments in addition thereto, to pay the expenses of conducting the business of the Town for the purposes contemplated by the Town Law and otherwise by law, shall be and become applicable in the amounts therein named for the purposes of meeting such appropriations.

FURTHER NOTICE IS HEREBY GIVEN pursuant to Section 108 of the Town Law that the following are adopted yearly salaries of Town Officers of this Town, to wit:

Supervisor -	\$121,328.00
Councilman (4) -	\$ 19,575.00
Town Clerk -	\$ 98,731.00
Superintendent of Highways -	\$121,328.00
Town Justice (2) -	\$ 33,126.00

From the Albert A. Capellini Community and Cultural Center

Authorize Waiving Fees for Use of Room(s) at the Albert A. Capellini Community and Cultural Center by Drug Crisis in Our Backyard

BE IT RESOLVED, that based on a request from Drug Crisis in Our Backyard, a community-based 501(c)(3) non-profit organization which offers education and action-oriented opportunities for families and individuals struggling with addiction, to hold support group meetings for families dealing with drug abuse and addiction in their homes, the Town Board hereby waives the rent fees of \$882.00 for 26 - one and one half hour sessions in Room 26 and 1 - one and one half hour session in the Nutrition Center at the Albert A. Capellini Community & Cultural Center beginning in January 2019 through December 2019.

From the Engineering Department

Authorize Supervisor to Sign Professional Services Agreement with WSP for Replacement of Veterans Road Culvert Project in an Amount Not to Exceed \$80,000

WHEREAS,

1. A Project for the Replacement of the Veterans Road Culvert over Hallocks Mill Brook in the Town of Yorktown, Westchester County, identified as PIN 8761.71 is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 0% Federal funds and 100% non-federal funds; and
2. NYSDOT awarded the Town \$820,000 for the project as part of the 2016 Bridge NY program.
3. The program guidelines required the Town to solicit qualifications from all the prequalified firms that are on a Region 8 list put together by NYSDOT. Letters were sent to all fifteen (15) firms on the list and we received responses from five (5) firms.
4. Each of the five (5) responding firms provided a technical proposal that described the various resources of the firm, their project approach, resumes for key personnel and an organization chart. Note: in accordance with the program guidelines, the initial selection was based on technical qualifications only; no cost proposals were included.
5. The Engineering Department, in consultation with the Highway Department, created a ranking sheet to go through the various proposals and scored each firm based on the submitted documentation.
6. Following a presentation to the Town Board on 11/13/18, the Town selected WSP USA Inc. as the most qualified firm to perform the work.
7. The Town then negotiated a professional services agreement with WSP USA Inc. in accordance with the base scope elements that are part of NYSDOT's base task list.
8. The professional engineering services to be provided by WSP USA Inc. are summarized in the executed IPP Agreement with NYSDOT (Attachment #1) and the work will be performed for the maximum payable amount of \$80,000 (Attachment 2).
9. The Agreement to be signed shall be acceptable to NYSDOT program administrators and the Town Attorney.
10. In the professional opinion of the Town Engineer, WSP USA Inc. provided a fair and reasonable proposal for professional services. We note the firm has previously performed satisfactory work for the Town and is well versed in NYSDOT program guidelines, which should help the Town quickly move through the construction approval process.

NOW, THEREFORE BE IT RESOLVED, the Town Board authorizes the Town Supervisor to sign a Professional Services Agreement to provide construction inspection with WSP USA Inc., for the scope of work as described in the preceding section for the Not-to-Exceed Amount of \$80,000.

Authorize Supervisor to Sign Professional Services Agreement with WSP for Hill Boulevard Bridge Replacement Project in an Amount Not to Exceed \$241,000

WHEREAS,

1. A Project for the Replacement of Hill Boulevard Bridge over Tributary to Barger Brook in the Town of Yorktown, Westchester County, identified as PIN 8761.66 is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 95% Federal funds and 5% non-federal funds; and
2. NYSDOT awarded the Town \$2,470,000 for the project as part of the 2016 Bridge NY program.
3. The program guidelines required the Town to solicit qualifications from all the prequalified firms that are on a Region 8 list put together by NYSDOT. Letters were sent to all fifteen (15) firms on the list and we received responses from five (5) firms.

4. Each of the five (5) responding firms provided a technical proposal that described the various resources of the firm, their project approach, resumes for key personnel and an organization chart. Note: in accordance with the program guidelines, the initial selection was based on technical qualifications only; no cost proposals were included.
5. The Engineering Department, in consultation with the Highway Department, created a ranking sheet to go through the various proposals and scored each firm based on the submitted documentation.
6. Following a presentation to the Town Board on 11/13/18 the Town selected WSP USA Inc. as the most qualified firm to perform the work.
7. The Town then negotiated a professional services agreement with WSP USA Inc. in accordance with the base scope elements that are part of NYSDOT's base task list.
8. The professional engineering services to be provided by WSP USA Inc. are summarized in the executed IPP Agreement with NYSDOT (Attachment #1) and the work will be performed for the maximum payable amount of \$241,000 (Attachment 2).
9. The Agreement to be signed shall be acceptable to NYSDOT program administrators and the Town Attorney.
10. In the professional opinion of the Town Engineer, WSP USA Inc. provided a fair and reasonable proposal for professional services. We note the firm has previously performed satisfactory work for the Town and is well versed in NYSDOT program guidelines, which should help the Town quickly move through the construction approval process.

NOW, THEREFORE BE IT RESOLVED, the Town Board authorizes the Town Supervisor to sign a Professional Services Agreement to provide construction inspection with WSP USA Inc., for the scope of work as described in the preceding section for the Not-to-Exceed Amount of \$241,000.

Authorize Supervisor to Sign Professional Services Agreement with Woodard & Curran for Additions to the Work Order Management System in an Amount Not to Exceed \$40,000

WHEREAS,

1. The Town engaged the services of Woodard & Curran to create a computerized work order management system in 2017. The new system was integrated with the Town-wide Geographic Information System (GIS) and launched in May 2018. This new system replaces the previous paper-based work order system that was difficult to track and did not provide the proper documentation for regulatory reporting.
2. At the Town Board work session of 11/27/18, representatives of Woodard & Curran presented a demonstration of the new work order system currently being utilized by the Water and Sewer Departments personnel (still being introduced to the Highway Department). All resident and staff follow-up issues can now be logged into the system, starting as a service request and then proceeding to a work order based on initial assessment. Work orders are assigned to the appropriate staff member or crew and then closed when the work task has been completed.
3. The professional engineering services to be provided by Woodard & Curran will be performed at the firm's normal hourly rate schedule in the not-to-exceed amount of \$35,000. There will be an additional \$5,000 annual web hosting fee payable to Woodard & Curran. Total amount of agreement: \$40,000.
4. The scope of work will include the following:
 - a. Modify the asset selection tabs to improve system functionality
 - b. Create a new field and status tab for ease of printing

- c. Enhance the data set to allow for in-program editing of assets
 - d. Additional system training for Town staff
 - e. Update data set to improve accuracy and incorporate new development projects
 - f. Launch “public” sewer GIS mapping to assist residents in accessing data
5. In the professional opinions of the Town Engineer and the Water Superintendent, Woodard & Curran Engineering provided a fair and reasonable proposal to the Town, with the same terms and conditions as the prior agreement.
 6. The cost of this agreement will be shared between the Water and Sewer Departments and will be paid with available funds from the 2018 budget (Water Dept. \$20,000 & Sewer Dept. \$20,000), however we need the Town Comptroller to perform the following budget transfers
 7. Water Department: Transfer \$20,000 from SW.8340.0483.0004 GIS to SW.8340.421.1 Computer Support/Software
 8. Sewer Department: Transfer \$20,000 from YS.8130.490 Professional Services to YS.8130.421.1 Computer Support/Software.

NOW, THEREFORE BE IT RESOLVED, that The Town Board authorizes the Town Comptroller to make the budget transfers as noted above and the Town Supervisor to sign a Professional Services Agreement with Woodard & Curran Engineering, PC for the scope of work as described in preceding section and the not-to-exceed amount of \$40,000.

Authorize Comptroller to Release Wetland Bond Permit #WP-049-05 - 1710 Baptist Church Road in the amount of \$2,000

WHEREAS,

1. Robert & Bonnie Mongno, as applicant for a wetland remediation project, posted \$1,500 which was deposited into the T33 account on December 15, 2006 to serve as the Wetland Bond for permit #WP-049-05.
2. Robert & Bonnie Mongno as applicant for construction of a detached garage, posted \$500 which was deposited into the T33 account on December 15, 2006 to serve as the Wetland Bond for permit #WP-070-06.
3. The applicants have requested their monies be released as the project work is now complete.
4. 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 bonds be and are hereby released to Robert & Bonnie Mongno, 1710 Baptist Church Road, Yorktown Heights, NY 10598.

From Human Resources

Authorize the Following Employees to Carry Over time from 2018 to Be Used in 2019

Whereas, the following employees have requested and received permission from their applicable department heads to carry accrued 2018 vacation time for use in 2019 and

Whereas, the Comptroller has confirmed the available balances as of 2018 Payroll 24, for pay period ending November 30, 2018, now

Therefore, Be It Resolved, the following employees may carry over remaining vacation time balances as follows, unless the employee takes vacation time after 2018 Payroll 24 which would reduce the time listed below:

<u>Name</u>	<u># hours</u>	<u>Name</u>	<u># hours</u>
Dawn Irving	19	Terrance Deveau	82
Kevin Alimonti	10	LeArtis El	26
Vinny Ambrosino	45	David Humphrey	6.5
Kim Angliss-Gage	44	Sal Rivera	72
Scott Baldwin	75	Franz Rom	34.5
Joseph Bergin	12	Pat Caporale	245
David Doherty	56.75	Gennelle MacNeil	74
Donald Gaffney	30	Sandy Serrano	42
Andrew Heady	42.25	Donna Andrews	45
Peter Legler	11.25	Donna Polito	21.25
Doug Paget	60	Michael Quinn	98
Jeffrey Rosenstrach	71	William Batista	57
Michael Samuels	12.75	Louise Kobiliak	108.5
John Winter	21.25	Michael Mill	84
Isabel Klein	118.75	Anthony Cuccovia	57
Maria Ricci	63	Charles Chase	67
Allison Egan	35	John Landi	112
Irena Goss	39	Joe Venitucci	122.5
Ellen Tannenbaum	14	Barbara Korsak	294
Margaret Groccia	21	Lori Rotunno	22
Patricia Hallinan	56.5	Kathy Nicholson	42
Shirley McCord	78.5	Andrew Cerrato	52.5
Peggy O'Reilly	31	Scott Ferreira	60.6
Maria Stolfi	63	Barry Gelbman	97.5
John Tegeder	271	Michael Hoek	56.25
Sophie James	40.5	Eric Hollberg	22.5
Ann Anderson	96	Stephen Melillo	15.03
Mike Battista	67.5	Dominic Monopoli	148.75
Nick Bernard	1.875	Bryan O'Keefe	127.5
Tony Cambareri	192.75	Guido Parks	109.5
Kieran Carney	71.25	Richard Williams	7.5
Angela Cavallo	82.5	Jessica Bambach	56
Joey Dellolio	54	Anita Hecker	45.5
Keith DeVito	37.5	Christopher Soi	14
Ted Devlin	28.5	Todd Orłowski	132.25
Pete Goldberg	45.75	Kyle Thornton	128
Michael Grasso	41.25	Vincent Calicchia	105
Kevin Harrigan	18.75	Curtis Doerr	187.5
Paul Hollopeter	465	Carl Laduca	35
Bobby Ireland	135	James Morgan	96.8
Dave Nikisher	105	Cathleen Romanych	127.5
Charlie Vilarino	225	John Van Debrook	90
Noreen O'Driscoll	196	Kim Penner	245

Mark Bistro	18	Peggiann Thorp	46.5
Terri Campanaro	30	Karren Perez	161
Al Pisano	78.75	Margaret Gspurning	210
Steven Chan Chee	22.5	Mike Hoy	37.5
Danny Cruz	72.5	Paul Colarusso	73
Patricia DeMarsh	42	Stewart Glass	98
James Graham	40	Tommy Gallelo	97.5

From the Parks and Recreation Department

Authorize Waiving Fees for Use of Room(s) at the Albert A. Capellini Community and Cultural Center by NorWest

RESOLVED, that the Town Board waives the rent fee for Tuesday evenings from 4:00-6:00 PM for 20 weeks from January to June totaling \$1,520.00 for use of the ACCCC gymnasium by Nor-West for the Winter and Spring session.

From the Planning Department

Authorizing the Supervisor to Sign Contract between the Town of Yorktown and the Hudson River Valley Greenway

WHEREAS, the Hudson River Valley Greenway (the Greenway) is spearheading the Empire State Trail Initiative which is a 750 mile bike and pedestrian trail across New York state; and

WHEREAS, the Greenway is constructing trailheads across the State along the Empire State Trail which consist of trail amenities, signage and educational material that serve to mark and educate the public about the trail and provide convenient points of access to the trail; and

WHEREAS, The North County Trail (NCT) has been designated as a part of the Empire State Trail system and Patriot Garden is a trailside amenity adjacent to the NCT which was developed constructed and managed by the Town of Yorktown (the Town); and

WHEREAS, the Greenway desires to enter into a partnership with the Town of Yorktown to create a trailhead of the Empire State Trail at the Patriot Garden with various improvements at the Patriot Garden and the adjacent commuter Parking lot that abuts Yorktown Town Hall; and

WHEREAS, the Greenway proposes to fund the cost of material to pave the missing section of asphalt pavement that connects the commuter lot to the NCT; and

WHEREAS, the Greenway is requesting the Town initiate the partnership by executing a Letter of Understanding, which sets forth the basic respective responsibilities to execute the project; and

THEREFORE BE IT NOW RESOLVED, that the Town Board authorizes the Supervisor of the Town of Yorktown to sign the Letter of Understanding with the Hudson River Valley Greenway for the purpose of creating a trailhead of the Empire State Trail at Patriot Garden.

From the Receiver of Taxes

Authorize Comptroller to Refund the Following Duplicate Tax Payment

RESOLVED, the Comptroller is authorized to refund the following duplicate tax payment:

<u>Account #</u>	<u>Amount</u>
1131000	\$84.70

From the Section 8 Office

Authorize Supervisor to Sign Agreement with MRI Software, LLC for the Happy Software and Support for Section 8 Program

RESOLVED, that the Town Comptroller is authorized to pay MRI Software, LLC for the Happy Software one-year license and support for computer software provided to the Section 8 Office, to cover the period from February 1, 2019 through January 31, 2020. The payment amount is \$5,761.00 as shown on the invoice dated November 30, 2018.

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”).

From the Town Attorney’s Office

Authorize Supervisor to Sign an Agreement with Westchester County for Free Access to Westchester County Records Online

RESOLVED, that the Town Board hereby authorizes the Town Supervisor to sign the Inter-municipal Agreement with the Westchester County Clerk for Town staff access to the Westchester Records Online free of charge. The term of the agreement is from January 1, 2019 to December 31, 2019.

Authorize the Supervisor to Sign a Declaration and Restrictive Covenant Agreement with Yorktown JAZ, LLC for Maintenance and Repair of the Water and Sewer Improvements – Lowe’s Home Center

RESOLVED, that the Town Board hereby authorizes the Town Supervisor to sign the Declaration and Restrictive Covenant Agreement with Yorktown JAZ, LLC for the maintenance, and repair of the Water and Sewer Improvements located at the Lowe’s Home Center site on Route 35/202.

ADJOURN MEETING

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

Dated: December 11, 2018

DIANA L. QUAST, RMC, CMC
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.