



# Town of Yorktown

*Office of the Town Clerk*

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## **FINAL TOWN BOARD AGENDA**

**March 26, 2019**

**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):

#### **LITIGATION & NEGOTIATION:**

Town Attorney

### **8:00 PM WORK SESSION (Open Session)**

#### **Discussion Items**

Rezoning Request 675 & 685 Saw Mill River Road  
Panbar Realty – Aspen Road  
HMSD Extension Project – Status Update  
Quality of Life Committee

### **PERSONNEL**

#### **Appoint Mark Rapisarda Administrative Sergeant of the Detective Bureau – Yorktown Police Department**

BE IT RESOLVED, the Town Board of the Town of Yorktown authorizes Mark Rapisarda to be paid a stipend of \$280.76 per pay period for the performance of the duties of Administrative Sergeant of the Detective Bureau, effective March 29, 2019.

#### **Appoint Matthew Racioppo Police Sergeant – Yorktown Police Department**

BE IT RESOLVED, that Matthew D. Racioppo is hereby appointed promotional permanent as a Police Sergeant, job class code 0133-01, from Eligible List No. 71-198, effective March 29, 2019 to be paid from Yorktown PBA Salary Schedule, which is \$125,946.00 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 March 29, 2019.

#### **Reappoint Gordon Fine to the Zoning Board of Appeals and as Chair**

BE IT RESOLVED, that Gordon B. Fine be re-appointed as a member of the Zoning Board of Appeals for a term expiring on 12/31/21.

BE IT FURTHER RESOLVED, that Gordon B. Fine is hereby appointed as Chairman of the Zoning Board of Appeals.

**RESOLUTIONS**

**From the John C. Hart Memorial Library**

**Authorize Comptroller to increase this Capital Project for the Renovation of the John C. Hart Memorial Library Bathrooms to \$123,000**

Resolved, that the Comptroller is authorized to increase this capital project to \$123,000.00 and \$9,000 will be donated from the Library Trustees.

**Rescind Sherwani Contracting, Inc. Bid Award and Award Bid for Bathroom Renovations at the John C. Hart Memorial Library to the second lowest bidder Nika Contracting Group Corp.**

WHEREAS, invitation to bid for the bathroom renovation of the John C. Hart Memorial Library located at 1130 East Main Street, Shrub Oak, NY 10588 was duly advertised, and

WHEREAS, said bids were received and opened on the 14th day of November 2018, and

Whereas, the lowest bidder Sherwani Contracting, Inc. was unable to provide the materials as per the ALY document and withdrew its bid on March 14, 2019, and

Whereas, the bid amounts for the above-referenced project are summarized below:

Bidder	Amount
Sherwani Contracting, Inc.	\$114,000
Nika Contracting Group, Corp.	\$123,000
Vinco Builders	\$137,600
Collier Construction, LLC	\$156,500
Pearl River Plumbing, Heating, & Electric, Inc.	\$168,168
Piazza Inc., Inc.	\$233,936
Manhattan Premier Construction, Inc.	\$257,350

NOW, THEREFORE BE IT RESOLVED, that the Town Board rescinds the bid award to Sherwani Contracting, Inc. and awards the bid to the second lowest responsive bidder, Nika Contracting Group Corp., 83 Sands Point Road, Port Washington, NY 11050 in the Amount of \$123,000.

**From the Police Department**

**Approve Police Officer to attend Law Enforcement Conference, lodging expenses are \$841.00**

RESOLVED, that the Town Board approves lodging expenses of \$841.00 for a Yorktown Police Officer to attend a Law Enforcement Conference.

**From the Town Clerk's Office**

**Authorize the Town Clerk to advertise Bid for T-Shirts and Uniforms**

NOTICE IS HERE GIVEN that sealed bids will be received by the Town Clerk of the Town of Yorktown, Westchester County, NY until 11:00 AM on Wednesday, April 17, 2019 at the Town Hall, 363 Underhill Avenue, Yorktown Heights, NY 10598 for the T-Shirt and Uniform Bid.

**Authorize the Town Clerk to advertise Bid for Laboratory Services for the Yorktown Heights Water Pollution Control Plant, Bid #19-1.**

Sealed proposals will be received by the Town Clerk of the Town of Yorktown, Westchester County, New York, at the Town Hall, 363 Underhill Avenue, Yorktown Heights, New York, until 11:00 A.M., on Wednesday, April 17, 2019 for Laboratory Services for the Yorktown Heights Water Pollution Control Plant, Bid #19-1.

**From the Town Engineer**

**Authorize Comptroller to do the following Budget Transfer - Pump Station Rehabilitation**

WHEREAS, a professional service agreement with GHD Consulting Engineers was executed in March 2015 for \$465,300 for the Pump Station Rehab Project- Jefferson Park, Walden Woods, Jefferson Valley. Through 12/31/18, GHD was paid \$194,900, therefore there is an open balance of \$270,400.

NOW, THEREFORE BE IT RESOLVED, transfer \$270,400 from the Sewer Fund Balance into the HP.8130.0200 Equipment/Capital Outlay for the Pump Station Rehabilitation Project- Jefferson Park, Jefferson Valley and Walden Woods.

**Approve State Environmental Quality Review Act Determination for Brennan Wetlands/ Stormwater Pollution Prevention Plan - Type II Action**

WHEREAS:

1. This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 of the State Environmental Quality Review Act (SEQRA) of the Environmental Conservation Law.
2. The Town of Yorktown desires to comply with SEQRA regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York, being 6 NYCRR Part 617, as amended (the "Regulations") with respect to the Proposed Action;
3. Project Work Location: 2200 Saw Mill River Road, Town of Yorktown, Westchester County, New York. Parcel is indicated on the Town of Yorktown Tax Rolls as Section 37.10 Block 2 Lots 64, 66, 67.
4. Proposed Action in the Project: Under an earlier phase of work, the Applicant received Town approval to dredge up to 15,000 cubic yards of material from the bottom of pond using suction harvesting and excavating equipment. In the proposed new phase of the project, an existing stone dam will be substantially reconstructed in order to meet current state regulations regarding dam safety. While the dam work is underway a temporary channel will be installed to bypass the dam structure. Plans were prepared by P.W. Scott Engineering under the direction of a New York State licensed professional engineer Mr. Peder Scott, P.E. In support of this application the Engineer submitted signed and sealed plans, a stormwater pollution prevention plan and a site survey. It is noted that this activity requires a Town wetland and MS4 stormwater management permit in addition to regulatory approval/permits from NYSDEC, NYCDEP and/or the Army Corps of Engineers.
5. Under SEQRA regulations, an Type II Action may be declared where “ (1) maintenance or repair involving no substantial changes in an existing structure or facility; (2) replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site including upgrading buildings to meet building, energy, or fire codes unless such action meets or exceeds any of the thresholds in section 617.4 of this Part”;
6. The Project is not subject to further review under SEQRA since this is a “Type II Action” under 6 NYCRR § 617.5(c)(25).

NOW, THEREFORE, BE IT, RESOLVED that the Town Board of the Town of Yorktown declares that the Project constitutes a "Type II Action" under 6 NYCRR § 617.5(c)(25) and that no further action under the SEQRA Act and the Regulations is required; and BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

**From the Parks and Recreation Department**

**Authorize the Parks and Recreation Department to auction vehicles and equipment obsolete or no longer needed for public use**

WHEREAS, the Town of Yorktown has found that certain motor vehicles and motorized equipment are obsolete and no longer needed for public use by the Town, and

WHEREAS, the Parks and Recreation Superintendent recommends to the Town Board to dispose of the motor vehicles and motorized equipment,

NOW, THEREFORE, BE IT RESOLVED, the following vehicles and equipment are deemed obsolete and be disposed of by Absolute Auction:

2000	CHEVROLET S10 LIGHT PICKUP	VIN: 1GCDT14W7YK241258
1997	GMC FULL SIZE PICK UP	VIN: 1GTHK34J5VE553707
1992	CHEVROLET 3500 9' DUMP BED	VIN: 1GBJK34K1NE223691
2001	CHEVROLET S10 LIGHT PICKUP	VIN: 1GCDT19W61K129629

Motorized Equipment:

HYSTER FORKLIFT  
1991 TORO 580 PARTS  
WEED HARVESTER & TRAILER

**ADJOURN MEETING**

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

Dated: March 26, 2019

DIANA L. QUAST, TOWN CLERK  
TOWN OF YORKTOWN  
CERTIFIED MUNICIPAL CLERK

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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.