



Town of Yorktown

Office of the Town Clerk

FINAL TOWN BOARD AGENDA

May 7, 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):

INTERVIEW

Environmental Design & Research – Pump Stations

PERSONNEL

Engineering Department

LITIGATION & NEGOTIATION

Town Attorney

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. PERSONNEL

Volunteer Board Appointments

Reappointment of John Meisterich as a member of the Zoning Board of Appeals

BE IT RESOLVED, that John Meisterich is hereby re-appointed to the Zoning Board of Appeals for a five-year term expiring on December 31, 2023.

Reappointment of Walter Daniels as Member and Co-Chair of the Open Space Committee

BE IT RESOLVED, that Walter Daniels is hereby re-appointed as a member of the Advisory Committee on Open Space for a term to expire on December 31, 2021.

NOW BE IT FURTHER RESOLVED, that the Town Board re-appoints Walter Daniels as the Co-Chair of the Advisory Committee on Open Space.

Reappointment of John Settembrino as Member and Co-Chair of the Open Space Committee

BE IT RESOLVED, that John Settembrino is hereby re-appointed as a member of the Advisory Committee on Open Space for a term to expire on December 31, 2021.

NOW BE IT FURTHER RESOLVED, that the Town Board re-appoints John Settembrino as the Co-Chair of the Advisory Committee on Open Space.

Reappointment of Phyllis Bock as Member of the Open Space Committee

BE IT RESOLVED, that Phyllis Bock is hereby re-appointed as a member of the Advisory Committee on Open Space for a term to expire on December 31, 2022.

Reappointment of John Schroeder as Member of the Open Space Committee

BE IT RESOLVED, that John Schroeder is hereby re-appointed as a member of the Advisory Committee on Open Space for a term to expire on December 31, 2020.

Reappointment of Paul Moskowitz as Member of the Open Space Committee

BE IT RESOLVED, that Paul Moskowitz is hereby re-appointed as a member of the Advisory Committee on Open Space for a term to expire on December 31, 2022.

Reappointment of Mark Michaels as Member of the Open Space Committee

BE IT RESOLVED, that Mark Michaels is hereby re-appointed as a member of the Advisory Committee on Open Space for a term to expire on December 31, 2020.

7. POET LAUREATE - John McMullen

8. COURTESY OF THE FLOOR

9. RESOLUTIONS

From the Town Attorney

Approve the following Cell Phone Use Policy for all Town Employees:

Objective

This policy outlines the use of cellphones at work and the safe use of cellphones by employees while driving.

Policy

Cellphones should be turned off or set to silent or vibrate mode during meetings, conferences and in any circumstance where incoming calls may be disruptive.

Personal cellphones

While at work, employees are expected to exercise discretion in using personal cellphones. Excessive personal calls during the workday can interfere with employee

productivity and be distracting to others. Employees are encouraged to make any personal calls during nonwork time when possible and to ensure that friends and family members are aware of the Town of Yorktown's policy.

The Town of Yorktown will not be liable for the loss of personal cellphones brought into the workplace.

Town-provided cellphones

When job duties or business needs demand, the Town may issue a business cellphone to an employee for work-related communications. Personal use of Town-owned cellphones should be kept to a minimum.

Employees in possession of Town-owned cellphones are expected to protect the equipment from loss, damage or theft. Upon resignation or termination of employment, or at any time on request, the employee may be asked to produce the phone for return or inspection.

Safety issues for cellphone use

All employees are expected to follow applicable local, state, and federal laws and regulations regarding the use of cellphones at all times.

Employees whose job responsibilities include regular or occasional driving and who are issued a cellphone for business use are expected to refrain from using their phone while driving; use of a cellphone while driving is not required by the Town. Safety must come before all other concerns. Regardless of the circumstances, including slow or stopped traffic, employees are required to use hands-free operations or pull off to the side of the road and safely stop the vehicle before placing or accepting a call. Employees are encouraged to refrain from discussion of complicated or emotional matters and to keep their eyes on the road while driving at all times. Special care should be taken in situations where there is traffic or inclement weather, or the employee is driving in an unfamiliar area.

An employee may use a cell while driving without a hands-free device when the purpose of the phone call is to communicate an emergency to police or fire department, a hospital or physician's office, or an ambulance corps or when operating an authorized emergency vehicle in the performance of official duties.

Reading or sending text messages while driving is strictly prohibited.

Video or audio recording devices

The use of camera or other video or audio recording-capable devices in restrooms and/or locker rooms is strictly prohibited.

Consequences for Violators

Employees violating this policy will be subject to discipline, up to and including termination of employment.

Employee Acknowledgement

The undersigned employee acknowledges that he or she has read the cellphone use policy and agrees to comply with all terms of the policy.

From the Town Clerk

Authorize Referral of Wetland Permit and Tree Removal Application by Con Edison

RESOLVED, the Town Clerk is authorized to refer the wetland permit application and tree removal permit application made by Con Edison for property located known on the Tax Map of the Town of Yorktown as: 16.12-1-15, 16, & 31; 70.14-1-6; 48.18-1-2; 37005-1-30 & 34 to the appropriate agencies.

Authorize Referral of Stormwater Management Permit and Tree Removal Application made by Conte Homes, Inc.

RESOLVED, the Town Clerk is authorized to refer the stormwater management permit application and tree removal permit application made by Victor Conte, Conte Homes, Inc. for property located at 1420 Journeys End Road, Croton-on-Hudson, NY to the appropriate agencies.

Authorize Referral of Wetland Permit Application made by Danielle & Paul Kilkenny

RESOLVED, the Town Clerk is authorized to refer the wetland permit application made by Danielle & Paul Kilkenny for property located at 39 Somerston Road, Yorktown Heights, NY to the appropriate agencies.

Authorize Advertisement of Public Hearing for Wetland/Stormwater Permit Application made by Vito Planamento – 3083 Oak Street

RESOLVED, the Town Clerk is authorized to advertise for a public hearing to be convened by the Town Board, Town of Yorktown on Tuesday, June 4, 2019 to consider the wetland/stormwater permit application made by Vito Planamento for property located at 3083 Oak Street, Mohegan Lake, NY for the purpose of demolition of existing cottage, abandonment of existing cesspool, construction of a modular home foundation and modular home, and installation of a new single on-site septic system.

Authorize Advertisement of Public Hearing for Wetland/Stormwater Permit Application made by Roy A. Fredriksen, P.E. (Giuliano) – 2398 Trelawn Street

RESOLVED, the Town Clerk is authorized to advertise for a public hearing to be convened by the Town Board, Town of Yorktown on Tuesday, June 4, 2019 to consider the wetland/stormwater permit application made by Roy A. Fredriksen, P.E. for property located at 2398 Trelawn Street, Yorktown Heights, NY for the purpose of construction of an in-ground pool and garage.

From the Town Comptroller

Authorize Comptroller to process the following Budget Transfers:

BE IT RESOLVED, the Comptroller is hereby authorized to process the following budget transfer:

From:

A1990.499.1 General Fund – Contingency Capital \$30,000.00

To:

D5110.479 Highway – Drainage \$30,000.00
to replace Town-wide failing drainage.

Authorize Comptroller to process the following Budget Transfers:

BE IT RESOLVED, that the Comptroller is authorized to process the following Budget Transfers listed below to fund Worker’s Compensation from September 1, 2017 through December 31, 2018:

From: A.1002 General Fund - Fund Balance

To: A9901.900 General Fund Transfer to Worker’s Compensation

Amount: \$258,162.12

From: D.1002 Highway – Fund Balance

To: D9901.900 Highway Transfer to Worker’s Compensation

Amount: \$239,302.34

From: L.1002 Library – Fund Balance

To: L9901.900 Library Transfer to Worker’s Compensation

Amount: \$390.87

From: SR.1002 Refuse – Fund Balance

To: SR9901.900 Refuse Transfer to Worker’s Compensation

Amount: \$33,012.00

From: SW.1002 Water – Fund Balance

To: SW9901.900 Water Transfer to Worker’s Compensation

Amount: \$26,557.57

From: YS.1002 Sewer – Fund Balance

To: YS9901.900 Sewer Transfer to Worker’s Compensation

Amount: \$68,799.96

From the Highway Department

Approve the Comptroller to release the following Escrow Deposit:

RESOLVED, that Street Opening Permit #018-003 in the amount of \$2,000.00 be refunded to Spirelli Electric, Inc., 990 E. Main Street, Shrub Oak, NY 10588 for 3545 Buckhorn Street.

From the Parks and Recreation Department

Authorize Supervisor to sign a one-year extension for the Concession License Agreement with O’Neill’s Concession

RESOLVED, that the Supervisor is authorized to sign a one year extension of the Concession License Agreement with O'Neill's Concessions to provide food and refreshment services at the Town of Yorktown's pools located on Edgewater Street, Yorktown Heights (Junior Lake Pool) and Sunnyside Street, Shrub Oak (Brian J. Slavin Aquatic Center).

Award Bid for T-SHIRT AND UNIFORMS for use Town-wide

WHEREAS, invitation to bid for T-SHIRT AND UNIFORMS for use town-wide, was duly advertised, and

WHEREAS, said bids were received and opened at 11:00am on the 17th day of April 2019, now therefore be it,

RESOLVED, that upon the recommendation of the Supt. of Parks & Recreation, the bid be and is hereby awarded to the lowest bidder, Front Nine Capital, LLC d/b/a Star Screen Print, for the items numbered PR-1 through LIB-3.

BE IT FURTHER RESOLVED, these items will be ordered on a per item basis by Department.

Award Bid - Buses for Summer Camp Programs for the Parks and Recreation Department

WHEREAS, invitation to bid for the Provision of Buses for the Summer Camp Program for the Yorktown Parks and Recreation Department was duly advertised, and

WHEREAS, said bids were received and opened on April 22, 2019, with the bid amounts for the above-referenced project summarized as follows; NOW, THEREFORE BE IT

Section I. A. (School Buses for Swimming Program)

	COMPANY	BID
1	Baumann & Sons Buses, Inc.	\$18,388.50
2	Hudson Valley Transportation	No Bid
3	JTR Transportation Corp	No Bid
4	Coach Tours	No Bid

Section I. B (School Buses for Extended Day Program)

	COMPANY	BID
1	Baumann & Sons Buses, Inc.	\$1,377.70
2	Hudson Valley Transportation	No Bid
3	JTR Transportation Corp	No Bid
4	Coach Tours	No Bid

RESOLVED, that upon recommendation of the Superintendent of Parks and Recreation, Todd Orłowski, the bid for Section I. A. (School Buses for Swimming Program) and

Section I. B (School Buses for Extended Day Program) be combined and is hereby awarded to Baumann & Sons Buses, Inc. the lowest responsible bidder.

Section I. C (School Buses for Trips 1, 2, 6, 8, 9, 11, 14, 16)

1	Baumann & Sons Buses, Inc.	\$10,560.00
2	HudsonValley Transportation	No Bid
3	JTR Transportation Corp	No Bid
4	Coach Tours	No Bid

RESOLVED, that upon recommendation of the Superintendent of Parks and Recreation, Todd Orłowski, the bid for Section I. C (School Buses for 1 - 15) be and is hereby awarded to Baumann & Sons Buses, Inc. the lowest responsible bidder.

Section II (Coach Buses for Trips 3, 4, 5, 7, 10, 12, 13, 15)

	COMPANY	BID
1	JTR Transportation Corp	\$25,800.00
2	HudsonValley Transportation	\$26,625.00
3	Coach Tours	\$29,895.00
4	Baumann & Sons Buses, Inc.	No Bid

RESOLVED, that upon recommendation of the Superintendent of Parks and Recreation, Todd Orłowski, the bid for Section II. (Coach Buses for Trips) be and is hereby awarded to JTR Transportation Corp., the lowest responsible bidder.

AND BE IT FURTHER RESOLVED, the results of sections I.A. and I.B. is hereby awarded to Baumann & Sons Buses, Inc.; the results of sections I.C. is hereby awarded to Baumann & Sons Buses, Inc. Section II is hereby awarded to JTR Transportation Corp. and will amount to approximately \$25,800.00 (please note – trips may change due to scheduling changes/conflicts/weather etc.). Additional bids were collected for other trips and will be used if needed)

Section I.A (2 buses) and Section I.B (1 bus) to Baumann & Sons Buses, Inc. = \$19,766.20

Section I.C to Baumann & Sons Buses, Inc. = \$10,560.00

Section II to JTR Transportation Corp = \$25,800.00

Endorse Yorktown Trail Town Committee to apply for a grant to the Hudson River Valley National Heritage Area Grant Program

WHEREAS, the Yorktown Trail Town Committee is applying to the Hudson River Valley National Heritage Area for a grant under the Hudson River Valley National Heritage Area Grant Program for a project entitled “Interpreting Quarrying in the Town of Yorktown with

Signs and Online Resources,” to be located in the Sylvan Glen Park Preserve in the Town of Yorktown, and

WHEREAS, the Sylvan Glen Park Preserve is the site of the former Mohegan Quarry that was in operation from 1895 to the mid-20th century, and

WHEREAS, the Mohegan Quarry once played a major role in the town’s economy, and WHEREAS, the interpretive project will add to an understanding and appreciation for the town’s economic history, and

WHEREAS, the interpretive project will add to the enjoyment of the Sylvan Glen Park Preserve for town residents, and

WHEREAS, the interpretive project will further the town’s economic development goal, and the goal of its Economic Development and Revitalization Committee, to make Yorktown a destination by promoting the town’s trails, parks and history, and

WHEREAS, the grant application requires the applicant to obtain the approval and endorsement of the governing body of the municipality in which the project will be located,

NOW, THEREFORE, Be It Resolved, that Town Board of the Town of Yorktown hereby does approve and endorse the application of the Yorktown Trail Town Committee for a grant under the Hudson River Valley National Heritage Area Grant Program, for a project known as “Interpreting Quarrying in the Town of Yorktown with Signs and Online Resources” and located within this community at no cost to the Town.

From the Engineering Department

Award Bid for the Mohegan Avenue Retaining Wall

WHEREAS:

1. The Mohegan Avenue Retaining Wall, which runs along Mohegan Lake in the vicinity of Kimble Avenue, has reached the end of its useful life. In June 2016, the Town retained Manganaro Engineers to prepare contract documents for the replacement of the retaining wall.
2. The Town Board passed a resolution on 1/22/19 that authorized the advertisement for bids for this project.
3. The scope of work included the replacement of approximately 600 linear feet of wall with modular precast blocks, associated tree removal, erosion and sediment controls, and traffic control along with new asphalt overlay through the work area.
4. The Contract Documents and Proposal Pages required bidders to provide a Base Bid for all required work of the project. Bidders were also required to include an Add Alternate to remove and replace the existing guardrail along the lake side of Mohegan Avenue, which will enable the Town to widen this section of roadway.
5. Bids were opened on 4/8/19.
6. In a follow-up meeting held on 4/18/19, the Town Engineer and Highway Superintendent met with the low bidder (Remus Industries). The full project scope of work was reviewed and the Remus representatives confirmed their bid pricing and intention to complete the work as indicated in the Contract Documents.
7. The Town Engineer and Highway Superintendent recommend awarding the bid to the low bidder, Remus Industries LLC, Ossining, NY.

NOW, THEREFORE BE IT RESOLVED, that The Town Board authorizes the bid for Mohegan Avenue Retaining Wall Replacement Project, be awarded to Remus Industries LLC Ossining, NY the low bidder, at a cost of \$935,998, which includes the Add Alternate for removal & replacement of guardrail, and

BE IT FURTHER RESOLVED, the contract is to commence when the Town issues a Notice of Award on or about May 15, 2019 and the contract completion date shall be 120 calendar days from the Notice of Award date.

Approve Bond Release for Peterkin – Pheasant Road - #T-WP-BSWPPP-005-18

WHEREAS:

1. Tracey Peterkin as applicant, posted check #4432 in the amount of \$250 which was deposited to the T33 account on April 25, 2018.
2. \$250 of this money was posted to serve as the Performance Bond for construction of a pool 1049 Pheasant Road.
3. Tracey Peterkin has requested her money be released as the site 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, the above referenced \$250 bond be and is hereby released to Ms. Tracey Peterkin, 1049 Pheasant Road, Yorktown Heights, NY 10598.

10. MONTHLY REPORTS

Receiver of Taxes – April 2019 Report

11. ADJOURN MEETING

Dated: May 7, 2019

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

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.