



# Town of Yorktown

*Office of the Town Clerk*

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## **FINAL TOWN BOARD AGENDA**

**July 2, 2019**

**Spadaccia Meeting Room**

**363 Underhill Avenue, Yorktown, NY 10598**

### **6:00 PM EXECUTIVE SESSION (Closed Session):**

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

#### **PERSONNEL**

Town Supervisor Ilan Gilbert – Employment of a Particular Person  
Deputy Supervisor Alice Roker – Employment of Particular Persons  
John C. Hart Memorial Library – Interview Library Board of Trustees

#### **LITIGATION & NEGOTIATION**

Town Engineer - RFP Pump Station Rehabilitation Project  
Town Attorney – Richard Place - Easement over Road Bed - Article 78

### **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. **REPORT FROM HIGHWAY SUPERINTENDENT**

7. **PERSONNEL**

**Appoint Jean Zappia to fill the unexpired term of Library Trustee Linda Gironda until August 31, 2019 and a five-year term beginning September 1, 2019**

RESOLVED, that Jean Zappia of 2661 Old Yorktown Road, Yorktown Hts., who has been selected to fill the unexpired term of Library Trustee Linda Gironda from July 1 to August 31, 2019 and be appointed to a subsequent five-year term as Trustee of the John C. Hart Memorial Library beginning September 1, 2019.

8. **POET LAUREATE** - John McMullen

9. **COURTESY OF THE FLOOR**

10. **PUBLIC HEARING**

**Reconvene Public Hearing for Wetland/Stormwater Permit Application received from Vito Planamento for property located at 3083 Oak Street, Mohegan Lake, NY also known as Section 25.12, Block 2, Lot 8**

Supervisor Gilbert will reconvene a public hearing to consider the Wetland/Stormwater Permit Application received from Vito Planamento for property located at 3083 Oak Street, Mohegan Lake, NY also known as Section 25.12, Block 2, Lot 8 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.

11. **RESOLUTIONS**

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

**Authorize Comptroller to increase the capital project for the John C. Hart Memorial Library for the Bathroom Renovations**

Resolved, that the Comptroller is authorized to increase the capital project of the John C. Hart Memorial Library Bathrooms by \$ 7,657.62. This amount is funded by a check from the Library Board of Trustees Gift Fund.

**From the Planning Department**

**Approve Grant reimbursement for Restoration of Railroad Station Building at Railroad Park in the amount of \$476,386.00 to include Base Bid and Alternate 1 and 2**

WHEREAS bids were accepted by the Town Clerk on Monday, August 27, 2018, for restoration of the Yorktown Heights Railroad Station building in Railroad Park; and

WHEREAS as required by the New York State Department of Transportation (NYSDOT), notice of this request for bidders was published in all local papers including the Yorktown News, The Examiner News, and The Journal News, as well as in The New York State Contract Reporter; and

WHEREAS one bid was submitted by Clemco Construction & Restoration, Inc. that included the following:

Base Bid	\$414,367.00
Alt.01	\$26,688.00 Restoration of original chimney
Alt.02	\$35,331.00 Replacement of wall sill
Alt.03	\$3,876.00 Replacement of original wood exterior cabinet
Alt.04	\$50,370.00 Install dry-pipe fire protection system
Alt.05	\$1,604.00 Provide professional photographic documentation

WHEREAS, the NYSDOT authorized a total project cost of \$443,643.00, therefore the NYSDOT has approved reimbursement for this project, as part of a grant known as PIN 8780.26, to include the Base Bid and Alternate 1, which totals \$441,055.00; and

WHEREAS the Town Board approved Resolution #422 on November 14, 2017 appropriating \$443,643.00 from the General Fund – Fund Balance for participation in the NYSDOT grant with NYSDOT share of \$295,762.00 and town share of \$147,881.00; and

WHEREAS, the Planning Department recommends Alternative 2 in the amount of \$35,331.00 be included in the bid award because this element is critical to the integrity of the restoration project; and

WHEREAS, the Town of Yorktown will therefore be solely responsible for any costs beyond that approved by the NYSDOT; and

BE IT THEREFORE NOW RESOLVED, that the bid for restoration of the Yorktown Heights Railroad Station is awarded to Clemco Construction & Restoration, Inc. including all work described in the Bid Proposal base bid, Alternate 1, and Alternate 2.

**From the Police Department**

**Approve Police Officer John E. Doherty to take Introduction to Homeland Security Management Course**

Resolved, that Police Officer John E. Doherty has approval to take the Introduction to Homeland Security Management Course offered through Long Island University. The Total cost of the course is \$2,574.00 and is reimbursable for the cost of books and tuition after successful completion of the course.

**From the Town Attorney's Office**

**Authorize Supervisor to sign an Intermunicipal Agreement and Hold Harmless with the Yorktown Central School District**

BE IT RESOLVED, that the Town Supervisor is authorized to sign the Intermunicipal Agreement and Hold Harmless Agreement with the Yorktown Central School District for the mutual sharing of facilities, vehicles and equipment.

**From the Town Clerk's Office**

**Authorize Town Clerk to advertise bid for the purchase of Police Department Unmarked Vehicles**

Notice Is Hereby Given that sealed bids will be received by the Town Clerk, Town of Yorktown, Westchester County, NY until 11:00 A.M. on August 12, 2019 at the Town Hall, 363 Underhill Avenue, Yorktown Heights, N.Y. 10598 for the purchase of *Police Department Unmarked Vehicles*. Specifications may be obtained at the office of the Town Clerk in said Town Hall.

**Authorize Town Clerk to advertise Request for Proposals for the Town of Yorktown to develop a Branding Campaign**

Notice Is Hereby Given that sealed bids will be received by the Town Clerk, Town of Yorktown, Westchester County, NY until 11:00 A.M. on August 1, 2019 at the Town Hall, 363 Underhill Avenue, Yorktown Heights, N.Y. 10598 to develop a branding campaign. Specifications may be obtained at the office of the Town Clerk in said Town Hall.

**Approve change of dates for Department Heads to review their budgets with the Town Board**

RESOLVED, that the Town Board will meet with its Department heads to review their budgets on November 7 and November 8.

**From the Town Comptroller’s Office**

**Authorize Comptroller to process the following Budget Transfer for Paving Roadways and the Purchase of Highway Trucks**

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

From:

General Fund – Fund Balance \$559,000.00

To:

Highway – Equipment (D5110.201) \$309,000.00

Highway – Paving (D5112.210) \$250,000.00

For paving roadways and the purchases of the following:

- 1 (6) Wheel Dump Truck \$173,000.00
- 1 Ford F750 Basin Truck \$ 92,000.00
- 1 Ford F350 Pickup Truck with Plow \$ 44,000.00

**Authorize Comptroller to process the following Budget Transfer for the Highway Department:**

From:

Highway – Fund Balance \$250,000.00

To:

Highway – Paving (D5112.210) \$250,000.00

For the paving of Quinlan Street, to be reimbursed by NYS DOT grant

**From the Town Engineer’s Office**

**Approve Release of Bond for #BSWPPP-028-19 - Indorf/Ferrante - California Road WHEREAS:**

1. Steve Indorf as applicant for Ferrante, posted \$250 cash which was deposited to the T33 account on June 7, 2019, to serve as the Performance Bond for drainage work at the California Road residence.

2. Steve Indorf has requested the bond be released as the site 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, the above referenced \$250 bond be and is hereby released to Mr. Steven Indorf, 5 Ridgeview Drive, Ossining, NY 10562.

**Approve Release of Bond for #WP-BSWPPP-050-17 – Arengo/Chapnik - Lakeshore Drive**

**WHEREAS:**

1. Felicity Arengo as applicant, posted check #1532 in the amount of \$500 to serve as the Performance Bond which was deposited to the T33 account on February 5, 2018.
2. The applicants have requested their money be released as the site 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, the above referenced \$500 bond be and is hereby released to Ms. Felicity Arengo, 1554 Wenonah Trail, Mohegan Lake, NY 10547.

**Approve Release of Bond for #BSWPPP-046-18 – Allende - London Road**

**WHEREAS:**

1. Jennifer Allende as applicant, posted check #106 in the amount of \$250 to serve as the Performance Bond which was deposited to the T33 account on August 27, 2018.
2. The applicant has requested her money be released as the site 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, the above referenced \$250 bond be and is hereby released to Ms. Jennifer Allende, 448 London Road, Yorktown Heights, NY 10598.

**Approve Release of Bond for - #BSWPPP-023-18 – Giacomini - Manchester Road**

**WHEREAS:**

1. Laura Giacomini as applicant, posted check #469 in the amount of \$250 to serve as the Performance Bond which was deposited to the T33 account on May 23, 2018.

2. The applicant has requested her money be released as the site 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, the above referenced \$250 bond be and is hereby released to Ms. Laura Giacomini, 570 Manchester Road, Yorktown Heights, NY 10598.

**Approve Release of Bond for - #BSWPPP-004-18 – Demilia - Evergreen Street**

WHEREAS:

1. David Demilia as applicant, posted check #1935 in the amount of \$250 to serve as the Performance Bond which was deposited to the T33 account on April 25, 2018.
2. The applicant has requested his money be released as the site 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, the above referenced \$250 bond be and is hereby released to Mr. David Demilia, 2499 Evergreen Street, Yorktown Heights, NY 10598.

**Accept Performance Bond – Mohegan Avenue Retaining Wall Replacement Project  
Remus Industries, LLC/Laura Li Industries LLC**

WHEREAS:

1. The Town Board awarded the Mohegan Avenue Retaining Wall Replacement Project at the Town Board Meeting of May 7, 2019 to Remus Industries, LLC, for a total bid amount of \$935,998.00.
2. Remus Industries, LLC, as applicant provided the Town with Endurance Assurance Corporation Performance Bond #EAIC4000337 in the amount of \$935,998.00.
3. The documentation submitted by the Applicant was referred to the Town Attorney and Town Comptroller for review and acceptance as to form.

NOW THEREFORE BE IT RESOLVED, that the delivery of the required project Performance Bond has been satisfied and that the Town Comptroller is authorized to accept the above-referenced project Performance Bond.

**Authorize Comptroller to process the following Budget Transfer - Work Order Management System- Woodard & Curran**

WHEREAS:

1. In December 2018, the Town Board passed a resolution awarding a professional services agreement to Woodard & Curran Engineering, PC for upgrades to the work order management system.
2. The Department planned to use available funds from the 2018 budget, however the agreement was not executed until 2019 so unencumbered 2018 funds were placed into the Sewer Reserve Fund.
3. The Department requests a \$20,000.00 budget transfer from the Sewer Reserve Fund to pay for the shared cost of the professional services agreement. The work will be assigned to Cost Code YS.8130.421.1 Computer Support/Software.

RESOLVED, that the Comptroller is hereby authorized to transfer \$20,000.00 from the Sewer Department (YS) Fund Balance to Sewer Department Computer Support/Software (YS.8130.421.1).

**From the Highway Superintendent**

**Award Bid for Traffic Light Maintenance – Highway Department**

WHEREAS, invitation to bid for the Traffic Light Maintenance for the Town of Yorktown was duly advertised, and

WHEREAS, said bids were received and opened on June 17, 2019, with the bid amounts for the above-referenced project summarized as follows:

Verde Electric

Hourly Rate:

Regular	\$275.00
Overtime	\$344.00
Sunday/Holiday	\$386.00

NY-Conn Corporation

Hourly Rate:

Regular	\$150.00
Overtime	\$225.00
Sunday/Holiday	\$300.00

RESOLVED, that upon the recommendation of the Highway Superintendent, Dave Paganelli, the bid for Traffic Light Maintenance be and is hereby awarded to NY-Conn Corporation, 5 Shelter Rock Road, Suite 8, Danbury, CT 06810-7169.

**Award Bid for Fine Milling of Bituminous Concrete – Highway Department**

WHEREAS, invitation to bid for the Fine Milling of Bituminous Concrete for the Town of Yorktown was duly advertised, and

WHEREAS, said bids were received and opened on July 1, 2019, with the bid amounts for the above-referenced project summarized as follows:

<u>Bidder</u>	<u>Bid Amount</u>
Intercounty Paving Co., Inc.	\$2.69 per SY
Garrity Asphalt Reclaiming, Inc.	\$3.24 per SY
Kect Construction Corp	\$4.00 per SY
Montesano Brothers, Inc.	\$4.30 per SY

RESOLVED, that upon the recommendation of the Highway Superintendent, Dave Paganelli, the bid for Fine Milling of Bituminous Concrete be and is hereby awarded to Intercounty Paving Co., Inc. P.O. Box 360, Carmel, NY 10512.

12. EXECUTIVE SESSION (Closed Session):

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

PERSONNEL

Town Supervisor Ilan Gilbert - Employment of a Particular Person

13. ADJOURN MEETING

Dated: July 2, 2019

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

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**AGENDAS ARE SUBJECT TO CHANGE**

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