



# Town of Yorktown

*Office of the Town Clerk*

---

---

## **FINAL TOWN BOARD AGENDA**

**July 23, 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**

Department Heads

Building Department

Building Department (Contractual Services)

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

#### **DISCUSSION**

Water Repairs on State Roads

Proposed Tree Law

Proposed Solar Law

#### **RESOLUTIONS**

##### **From the Town Attorney**

##### **Authorize Supervisor to Sign Agreement with The New York Academy of Medicine for Yorktown Senior Advisory Committee to Host Focus Group**

IT IS HEREBY RESOLVED that the Town Board authorizes the Supervisor to sign an agreement with The New York Academy of Medicine for the Yorktown Senior Advisory Committee to host one focus group. The agreement shall commence on August 1, 2019 and end on September 30, 2019. The payment for hosting the focus group will be \$500.00.

##### **Authorize Supervisor to Sign Agreement with MonuMedic for Intern Education Program**

IT IS HEREBY RESOLVED that the Town Board authorizes the Supervisor to sign an agreement with MonuMedic, Inc for an intern education program in the amount of \$350.00.

##### **Authorize Grant Application under NYS DEC Non-Agricultural Nonpoint Source Planning Program**

IT IS HEREBY RESOLVED that the Town Board Authorizes the Town and the Town Supervisor to submit a grant application under the NYS DEC Non-Agricultural Nonpoint Source Planning Program for the purpose to undertake a Green Infrastructure Stormwater

Feasibility Study and BMP Designs for Mohegan Lake. This grant is in the amount of \$30,000.00 and requires a Ten (10%) Percent Match from the Town in the amount of \$3,000.00.

**Authorize Grant Application under NYSDOS Local Waterfront Revitalization Program**  
 IT IS HEREBY RESOLVED that the Town Board Authorizes the Town and the Town Supervisor to submit a grant application under the NYSDOS Local Waterfront Revitalization Program for the purpose to undertake a Green Infrastructure Stormwater Feasibility Study and BMP Designs for Mohegan Lake. This grant is in the amount of \$55,125.00 and requires a Twenty-five (25%) Percent Match from the Town in the amount of \$18,375.00.

**Authorize Grant Application for Environmental Protection Fund Parks Preservation and Heritage Grant, the Local Waterfront Revitalization Program and the Recreational Trails Program – Active and Passive Recreational Park – Rock Hill Park**  
 It Is Hereby Resolved that the Town Board Authorizes the Town and the Town Supervisor and the Yorktown Parks and Recreation Commission to submit a grant application under the Environmental Protection Fund Parks Preservation and Heritage Grant, the Local Waterfront Revitalization Program, and the Recreational Trails Program for the purpose of implementing a project to make an active and passive recreational park at Rock Hill Park/Holland Sporting Club. This grant is in the amount of \$1,000,000.00 and requires a Twenty-five (25%) percent match from the Town.

**Authorize Grant Application for Environmental Protection Fund Parks Preservation and Heritage Grant, the Local Waterfront Revitalization Program and the Recreational Trails Program – Tot Lot and Spray Park- Sparkle Lake Park**  
 It Is Hereby Resolved that the Town Board Authorizes the Town and the Town Supervisor and the Yorktown Parks and Recreation Commission to submit a grant application under the Environmental Protection Fund Parks Preservation and Heritage Grant, the Local Waterfront Revitalization Program, and the Recreational Trails Program for the purpose of implementing a project to make a Tot Lot and Spray Park at Sparkle Lake Park. This grant is in the amount of \$200,000.00 and requires a Twenty-five (25%) percent match from the Town.

**From the Town Comptroller**

**Authorize Comptroller to payout the cash value of unused time for Rose Vanca**

Be It Resolved, that the Town Board hereby authorizes the Town Comptroller to pay Rose Vanca the cash value of unused time as of her retirement date.

Rate of Pay: \$35.3670

Sick	756.00 hours	@	50%	=	378.00 hours
	378.00 hours	x	\$35.3670	=	\$13,368.72
Vacation	150.00 hours	x	\$35.3670	=	\$ 5,305.05
Holiday Pay	48.60 hours	x	\$35.3670	=	\$ 1,718.82
Compensatory Time	2.25hours	x	\$35.3670	=	\$ 79.57
			Total		\$20,472.16

Be It Further Resolved, that the Comptroller is hereby authorized to transfer funds for the purpose of this payout at retirement as follows:

From:  
A909.8            General Fund Reserve for Employee Accrued Benefits            \$13,368.72  
A3120.101       Police Civilian Salary     \$ 7,103.44

To:  
A3120.108       Police Lump Sum Payments     \$20,472.16

**Authorize Comptroller to payout the cash value of unused time for Todd Orlowski**

Be It Resolved, that the Town Board hereby authorizes the Town Comptroller to pay Todd Orlowski the cash value of unused time as of his date of resignation.

Rate of Pay:    \$56.4565  
Vacation:       228.50 hours x \$56.4565 = \$12,900.31

Total    \$12,900.31

Be It Further Resolved, that the Comptroller is hereby authorized to transfer funds for the purpose of this payout at resignation as follows:

From:  
A7020.101       Recreation Salary     \$12,900.31

To:  
A7020.108       Recreation Lump Sum Payments     \$12,900.31

**Authorize Comptroller to payout the cash value of unused time for Patrick Van Den Bergh**

Be It Resolved, that the Town Board hereby authorizes the Town Comptroller to pay Patrick Van Den Bergh the cash value of unused time as of his date of resignation.

Rate of Pay:                 \$17.1814  
Floating Holidays       12.00 hours x \$17.1814 =         \$206.18

Total    \$206.18

Be It Further Resolved, that the Comptroller is hereby authorized to transfer funds for the purpose of this payout at resignation as follows:

From:  
A6772.101       Nutrition Salary     \$206.18

To:

A6772.108 Nutrition Lump Sum Payments \$206.18

**Authorize Comptroller to process the following Budget Transfer - Highway Paving**  
Resolved, the Comptroller is hereby authorized to process the following budget transfer:

From:

Highway – Fund Balance

To:

Highway – Paving (D5112.210)

for up to a maximum of \$50,000 to cover additional paving expenses that may be incurred during the 2019 paving of Town roadways.

**From the Town Engineer**

**Authorize Site Stabilization Work at Jefferson Park Pump Station to be done**

WHEREAS,

1. While construction work for the Pump Station Upgrade Project was progressing at the Jefferson Park PS, an old underground fuel tank was uncovered. The Town issued a purchase order to World Management Services for removal of the tank in the amount of \$6,180. See Attachment #1.
2. World Management Services started work associated with the tank removal on 5/29/19. During the work it was discovered this was a leaking underground fuel tank, which was reported to NYSDEC as required by state regulations.
3. The following additional work tasks were performed by World Management Services on 5/30/19 & 6/5/19 to stabilize the site: (1) excavate contaminated soil to determine extent of leakage, (2) stockpile on the site, (3) vacuum excavation of contaminated water, (4) install a monitoring well, (5) install temporary backfill and (6) took soil samples for waste characterization. The approximate value of this work was \$13,000. See Attachment #2.
4. The Town Engineer requests the Board declare the stabilization work noted above as “Emergency Work” as defined by the Town procurement policy.
5. The estimated additional cost to complete the remediation at Jefferson Park PS is \$19,000 as per Attachment #3. In accordance with the Town procurement policy, the Engineering Department will obtain a minimum of three (3) written vendor quotes before issuing a purchase order for this work.
6. For the leaking underground fuel tank uncovered at the Jefferson Valley PS, the estimated cost to remove the contaminated soil at is \$13,570 as per Attachment #4. Since the work of both projects (Jefferson Park PS & Jefferson Valley PS) will exceed the \$35,000 threshold where the Town procurement policy requires sealed bids, the Engineering Department will begin preparation of project specifications. After the documents have been prepared and reviewed with the various Town departments, the Town Engineer will request Town Board approval to advertise for bids.
7. Note: The Department is continuing to work with the Town Attorney to see if any of the tank removal and remediation expenses are covered under the Town insurance policy.

RESOLVED, the Town Board authorizes the site stabilization work performed at the Jefferson Park PS on 5/30/19 and 6/5/19 to be an Emergency Repair, with the work performed by World Management Services as defined above.

**Authorize Comptroller to process the following Budget Transfer from Sewer Fund**

WHEREAS:

1. During the storm events of March 2018, the emergency generator at the Yorktown Heights Water Pollution Control Facility that serves the Microfiltration Building failed. The Town Engineer and Assistant Plant Superintendent have been working with representatives of the NYCDEP on various repair and replacement options. In a written communication dated 9/19/18 the NYCDEP directed the Town to proceed with repair of the damaged unit.
2. The repair work by Cummins stated in May 2019 and required ordering of additional parts, which delayed the project completion. Work was complete as of 6/30, approximately one month past the scheduled completion date. As a result of the delay, the Town maintained a rental generator on the site for back-up power.
3. All costs associated with the rental generator and repair of the emergency generator are billable to NYCDEP under our O&M agreement and reimbursable at 100 percent of our cost.
4. The Department intends to work with the generator manufacturer to perform work and will need the following budget transfer to issue a purchase order:
  - Transfer \$15,000 from the Sewer Reserve Fund into YS.8130.460.3 Maintenance & Repair NYCDEP

RESOLVED, the Town Comptroller is authorized to transfer \$15,000 from Sewer Fund- Fund Balance to YS.8130.460.3 Maintenance & Repair NYCDEP for the purpose of paying for emergency generator repair/rental costs as a result of the storms and resulting power outages that occurred during the week of 3/1/18.

**ADJOURN MEETING**

Dated: July 23, 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.