



Town of Yorktown

Office of the Town Clerk

FINAL TOWN BOARD AGENDA

September 3, 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):

PERSONNEL

Highway Department

LITIGATION & NEGOTIATION

Town Attorney

8:00 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. **POET LAUREATE** - John McMullen
8. **PERSONNEL**

**Appoint James J. Martorano, Jr. to the position of Superintendent of Recreation
(Already passed by the Town Board on August 20, 2019)**

BE IT RESOLVED, that James J. Martorano of Yorktown Heights, NY, is hereby appointed Superintendent of Recreation, job class code 0260-01, from Eligible List No. 60-560, effective September 9th, 2019, to be paid \$110,000.00 annually;

BE IT RESOLVED, contingent upon successful completion of a drug test that James J. Martorano will report to work at the Parks & Recreation Department on September 9th, 2019 and this date will be used as the first date of appointment;

BE IT FURTHER 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 September 9th, 2019.

Accept resignation from Christopher Soi, Assistant Superintendent of Recreation

Resolved, the Town Board accepts the resignation of Christopher Soi, Assistant Superintendent of Recreation effective August 9, 2019.

9. **COURTESY OF THE FLOOR**

10. **PUBLIC HEARING**

Supervisor Gilbert will convene a public hearing to consider amending Chapter 275 of the Code of the Town of Yorktown entitled "VEHICLES AND TRAFFIC," Article 1, entitled "Traffic and Parking Regulations," by repealing and replacing that portion of §275-4A relating to Commerce Street.

Section 275-4A, entitled "VEHICLES AND TRAFFIC," Article I, of the Town Code, entitled "Traffic and Parking Regulations," is hereby amended by repealing: Commerce Street, both sides, east from Saw Mill River Road 2/10 mile.

Section 275-4A, entitled "VEHICLES AND TRAFFIC," Article I, of the Town Code, entitled "Traffic and Parking Regulations," is hereby amended by adding: Commerce Street, both sides from Saw Mill River Road to Hanover Street.

11. **RESOLUTIONS**

From the Town Attorney

Authorize the Supervisor to sign a Memorandum of Agreement between the Lakeland Central School District and the Yorktown Police Department

Resolved, that the Town Board authorizes the Supervisor to sign a Memorandum of Agreement between the LAKELAND CENTRAL SCHOOL DISTRICT and the YORKTOWN POLICE DEPARTMENT, pursuant to New York State Education Law § 2801-a (10) as amended effective July 1, 2019, which requires that the roles and areas of responsibility of school personnel, security personnel and law enforcement be defined and requires that the role of school discipline be clearly delegated to the school administration. There are no fees or charges associated with this Memorandum of Agreement.

Waive the rental fee for the American Red Cross to use the gym at the Albert A. Capellini Community and Cultural Center

RESOLVED, that the Town Board waives the rental fee for the American Red Cross for use of the gymnasium at the Albert A. Capellini Community and Cultural Center for the purpose of blood donations from the public on October 13, 2019. Any additional costs for Town employees to be available during this Blood drive will be paid directly by the Yorktown Chamber of Commerce.

From the Town Comptroller

Authorize Comptroller to Payout the cash value of unused time to Christopher Soi as of resignation date

Be It Resolved, that the Town Board hereby authorizes the Town Comptroller to pay Christopher Soi the cash value of unused time as of his date of separation:

Rate of Pay:	\$49.7488 hourly	
Vacation	52.50 hours x \$49.7488 =	\$2,611.81
Total		\$2,611.81

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

From:		
A7020.101	Recreation Salary	\$2,611.81
To:		
A7020.108	Recreation Lump Sum	\$2,611.81

Authorize Budget Transfer and Purchase of a 2019 Ford F350 Extended Cab Utility Vehicle for the Parks Department

Be It Resolved, that the Parks Department is hereby authorized to purchase a 2019 Ford F350 Extended Cab Utility Vehicle as per quote attached totaling \$46,329.75 from Westchester County Contract RFB-WC-18169, and

Be It Further Resolved, that the Comptroller is hereby authorized to process the following Budget Transfer:

From:	Parks Contractual	A7110.425	\$7,578.70
To:	Parks Equipment	A7110.201	\$7,578.70

Authorize Comptroller to Process the Following Budget Transfer to purchase a Dump Trailer for the Parks Department

Be It Further Resolved, that the Comptroller is hereby authorized to process the following Budget Transfer:

From:	Parks Contractual	A7110.425	\$8,651.00
To:	Parks Equipment	A7110.201	\$8,651.00

for the purchase of a dump trailer.

Authorize Comptroller to Process a Budget Transfer for the Purchase of Water Meters for the remainder of the year

Be It Resolved, that the Town Comptroller is hereby authorized to make the following budget transfer:

Transfer \$10,000 from the Water Department Equipment Hydrants line (SW.8340.0201.0001) to the Water Department Meters line (SW.8340.0210) for the purchase of meters for the remainder of the year.

Authorize Comptroller to Process the following Budget Transfer to Cover Overtime for the remainder of the year in the Water Department

Be It Resolved, that the Town Comptroller is hereby authorized to make the following budget transfer:

Transfer \$10,500 from the Water Department Part Time Seasonal line (SW.8340.0110) to the Water Department Overtime line (SW.8340.0105) to cover overtime for the remainder of the year.

From the Town Engineer

Authorize the Town Clerk to advertise bid for Various Chemicals for the Water Pollution Control Plant

Resolved, that the Town Clerk is hereby authorized to advertise a bid for Various Chemicals for the Water Pollution Control Plant, Bid #19-1.

Sealed bids 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, October 9, 2019 for Various Chemicals for the Yorktown Heights Water Pollution Control Plant.

Accept Letter of Credit for UB Yorktown, LLC to serve as a Performance Bond for Permit #T-FSWPPP-033-15 in the amount of \$370,257.00

WHEREAS:

1. UB Yorktown, LLC as applicant, provided the Town with BNY Mellon Letter of Credit #S00069959 in the amount of \$370,257.00, to serve as the Performance Bond for Permit #T-FSWPPP-033-15 at the Route 202 location, and
2. 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 monies required prior to issuance of the Town permits, i.e. payment of non-refundable Engineering Department inspection fees and delivery of the required project performance bond have been satisfied and that the Town Comptroller is authorized to accept the above referenced project bonds and fee.

Amend Budget Code YS.8130.460 to YS.8130.462 to correct Resolution #291 of 2019 with regards to the Jefferson Park Pump Station

Whereas,

1. While construction work was progressing at the Jefferson Park PS located on Juniper Drive, a leaking underground fuel tank was uncovered. As required by state regulations, a spill report was made to NYSDEC.
2. Another leaking underground fuel tank was uncovered at the Jefferson Valley PS while work was proceeding at that location. This station is located at the intersection of Poplar Court and Forest Drive. As required by state regulations, a spill report was made to NYSDEC.
3. The estimated cost to remove the tanks and all contaminated material from both locations is \$45,000. Note: The Department is currently working with the Town Attorney to see if any of the removal and remediation expenses are covered under the Town insurance policy.
4. The Department intends to work with World Management Services to perform the work and will need the following budget transfer to issue a purchase order:
 - Transfer \$45,000 from the Sewer Reserve Fund into YS.8130.462 Pump Station Maintenance & Repair

RESOLVED, the Town Comptroller is authorized to transfer \$45,000 from Sewer Fund - Fund Balance to YS.8130.462 Pump Station Maintenance & Repair for the purpose of paying for remediation of leaking underground fuel tanks at two pump stations.

From the Justice Court

Authorize Supervisor to sign a JCAP Grant Application for the Yorktown Justice Court totaling \$1,867.62

Resolved, that the Town Board authorizes the Town Supervisor to sign the JCAP Grant Application from the Office of Court Administration, totaling \$1,867.62; and

Be It Further Resolved, the Town Board authorizes the Yorktown Justice Court to apply for a JCAP Grant in the 2019-2020 grant cycle.

From the Police Department

Award Bid for the Purchase of One (1) Unmarked Vehicle for the Police Department

WHEREAS, invitation to bid for one (1) Police Department Unmarked Vehicle Purchase (or equivalent) for the Yorktown Police Department was duly advertised, and

WHEREAS, said bid was received and opened at 11:00A.M., on the 12th day of August 2019, and now therefore be it.

RESOLVED, that upon the recommendation of the Chief of Police, the bid be and is hereby awarded to Park Ford of Mahopac Inc, located at 276 Rt. 6, Mahopac, NY 10541, the sole bidder of an equivalent vehicle.

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Yorktown hereby authorizes the Yorktown Police Department to purchase (1) vehicle from Park Ford of Mahopac Inc., at a total cost not to exceed nineteen thousand nine hundred dollars and no cents (\$19,900.00).

12. **ADJOURN MEETING**

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

Dated: September 3, 2019

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.