



Town of Yorktown

Office of the Town Clerk

FINAL TOWN BOARD AGENDA

October 15, 2019

Spadaccia Meeting Room

363 Underhill Avenue, Yorktown, NY 10598

6:30 PM EXECUTIVE SESSION (Closed Session):

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

INTERVIEW

Two Firms for the Inflow & Infiltration Study

PERSONNEL

Town Attorney

LITIGATION & NEGOTIATION

Town Attorney

8:00 PM TELEVISED TOWN BOARD MEETING (Open Session)

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. **POET LAUREATE** - John McMullen
7. **PROCLAMATIONS**
Italian American Month - Christopher Columbus Society - Circolo da Vinci
German American Day
Breast Cancer Awareness Month
National Domestic Violence Awareness Month
8. **PRESENTATIONS**
Yorktown Military Tribute Banners – Paul Martin, Sons of American Legion Squadron #1009
Blue Ribbon Award - Dr. Ron Hattar, Superintendent, Yorktown Central School District
Adopt-A-Road Program - Westchester Youth Volunteers - Kim Gage, Coordinator Refuse and Recycling Department
Census 2020 - Norma Drummond, Commissioner of Planning

9. **COURTESY OF THE FLOOR**

10. **PUBLIC HEARING**

Supervisor Ilan Gilbert will convene a public hearing to consider the request received by Imagine VR Studios for a new exterior entrance/exit by adding new glass doors and sidelights for their facility in order to allow for after-hours operation at the Jefferson Valley Mall.

11. **RESOLUTIONS**

From the Albert A. Capellini Community and Cultural Center

Approve the hourly rent schedule for rooms located at the Albert A. Capellini Community & Cultural Center

Be It Resolved that the Town Board hereby approves the hourly rent schedule for rooms located at the Albert A. Capellini Community & Cultural Center effective January 1, 2020 through December 31, 2020.

2020	Non Profit Hourly Rates	Standard Hourly Rates
Room 26	\$23.00	\$39.00
Room 29	\$23.00	\$39.00
Sr Nutrition Center	\$39.00	\$67.00
Room 16	\$39.00	\$67.00
Gym	\$39.00	\$67.00

From the Housing Section 8 Program

Authorize Section 8 Housing Director to open its waiting list for the Section 8 Choice Voucher Program

WHEREAS, the Section 8 Housing Choice Voucher Program (HCVP) waiting list has been closed and unable to accept pre-applications to its list since May 11, 2016. At this time, The Town of Yorktown (PHA) has exhausted its list to 30 or fewer applicants.

WHEREAS, if a waiting list has been closed, it cannot be reopened until the PHA publishes a notice in local newspapers of general circulation, minority media and other suitable outlets. A list is included in but not limited to the PHA administrative plan.

WHEREAS, the Section 8 Housing Choice Voucher Program is fully federally funded, there is no financial consequence to the Town or any current or future HCVP participants.

NOW, THEREFORE BE IT RESOLVED that the Town Board hereby directs the Program Director to proceed to open its waiting list electronically, utilizing <https://www.waitlistcheck.com/NY132> (link is external) commencing January 8, 2020 at 12:01am through January 9, 2020 at 11:59pm. Further, public notices in media outlets, written and e-mail notification to other local Westchester and Putnam PHAs and written notification to community based organizations will be placed/dispensed no earlier than November 9, 2019 and no later than December 7, 2019.

From the Town Attorney's Office

Authorize the Supervisor to exercise the option to extend the contract with Empress Emergency Medical Services for advanced life support Services

IT IS HEREBY RESOLVED that the Town Board Authorizes the Supervisor to exercise the option to extend the contract with Empress Emergency Medical Services for advanced life support for the Town of Yorktown for a two year period. The Stipend for 2020 is \$635,400.00 annually and the Stipend for 2021 is \$654,500.00 annually.

Accept parcel for the purposes of recreational use and designate the parcel to be open space and further authorize the Supervisor to execute any documents required to record the deed
WHEREAS, in accordance with the Planning Board’s Land Development Regulations, Town of Yorktown Town Code Chapter 195, adopted February 4, 1969, and as amended, a formal application for approval of a subdivision plat titled, “Prestige Renovations and Remodeling,” prepared by Site Design Consultants dated and last revised September 4, 2018, was submitted to the Planning Board;

WHEREAS, the application was considered by the Planning Board and the Planning Board did approve the application and did pass Resolution Number #18-15 Approving the Subdivision Plat Titled “Prestige Renovations and Remodeling and Sediment & Erosion Control Plan, dated September 17, 2018”;

WHEREAS, the Planning Board has reviewed the recreation needs created by the subject subdivision as well as the present and anticipated future needs of the surrounding area as analyzed and planned for in the Town’s Recreation Plan adopted in 1978;

WHEREAS, pursuant to Town Code Section §195-35(A)(1), approximately 10% of the total area of a subdivision is required to be dedicated for recreation use;

WHEREAS, the Planning Board has resolved that upon due consideration of the recreational opportunities present in the vicinity of the subject property and the existence of Town lands abutting the subject property to the south, determine that a 15,700 sf area of land at the western border of the property be deeded to the Town and reserved for a recreational use as a future potential trail connection to potential trails north of this property;

IT IS HEREBY RESOLVED that the Town Board accepts the aforementioned parcel for the purposes of recreational use and designates the parcel to be open space and further authorizes the Supervisor to execute any documents required to record the deed for the aforementioned parcel.

From the Town Comptroller’s Office

Be It Resolved that the Town Board hereby authorizes the Town Comptroller to pay Patricia Hallinan the cash value of unused time as of her retirement date:

Rate of Pay: \$57.4713

Sick 1400.00 hours @ 50% = 700.00 hours
700.00 hours x \$57.4713 = \$40,229.91

Vacation 147.00 hours x \$57.4713 = \$8,448.28

Personal 7.00 hours x \$57.4713 = \$402.29

Longevity
\$1,600 / 261 days = \$6.13 per day
10/21/18 to 09/27/19 = 246 days
246 days x \$6.13 = \$1,507.98

Total \$50,588.46

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

From:		
L909.8	Library Reserve for Employee Accrued Benefits	\$40,229.91
L7410.101	Library Salary	\$8,850.57
L7410.106	Library Longevity	\$1,507.98
To:		
L7410.108	Library Lump Sum Payments	\$50,588.46

Authorize the Comptroller to process the following budget transfers:

From:		
D5110.810	Highway – Medical	\$25,500.00
D5142.414	Highway – (Snow) Equipment Rental	\$10,000.00
To:		
D5142.403	Highway (Snow) – Materials	\$25,500.00
D5142.200	Highway (Snow) – Equipment	\$10,000.00

For the purchase of ML2000 Magnesium Chloride to treat salt and replacement tanks to hold ML2000 Magnesium Chloride

From the Highway Department

Resolved, that the Town Board authorizes the release of the following escrow deposits:

<u>Permit type and Number</u>	<u>Amount</u>	<u>Location</u>	<u>Refund to:</u>
Driveway DR1224	\$500.00	1236 Ivy Road	J.Bellamy Construction 2333 Willoway St. Yorktown, NY 10598
Street Opening #018-008	\$1,000.00	1236 Ivy Road	Same as above

From the Town Engineer’s Office

Accept the Map, Plan and Report in connection with the Extension of Sewer Service in the Hallock’s Mill Sewer District and calling for Public Informational Hearings in connection therewith

WHEREAS, the Town Engineer has prepared a map, plan and report dated April 29, 2019 (the “Report”) in connection with the extension of sewer service in the Hallocks Mill Sewer District; and

WHEREAS, it is proposed that undertaking such sewer improvements will be considered by the Town Board upon receipt of petitions from property owners that benefit from such improvements; and

WHEREAS, in connection with this process public informational hearings will be held by the Town Board;

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Yorktown, Westchester County, New York, as follows:

Section 1. The Report is hereby accepted by the Town Board.

Section 2. Public informational hearings regarding the proposed sewer improvements will be held on October 29, 2019 and November 4, 2019.

Section 3. The form of petition to be signed by benefited property owners as presented at this meeting is hereby approved and the Town Clerk is hereby directed to make such petition and the Report available to any such property owner upon request and to post same on the Town website.

Authorize Extension of Bid Sludge & Grease Removal for the Water Pollution Control Plant with Fred Cook Inc.

Whereas,

1. The Town currently has a 2-year agreement in place for Sludge & Grease Removal Services that expires on 10/31/19. The agreement included an option to renew for one addition two-year (2) period.
2. The Department has been satisfied with the services provided by Fred Cook Inc. and wishes to renew the agreement at the same terms, conditions, and price as in the previous agreement. The contractor, Fred Cook Inc., provided written confirmation that they also wish to renew the agreement.
3. The scope of the work includes the following:
 - a. Pumping, removal and disposal of liquid sludge from the Yorktown Heights Water Pollution Control Plant and from Town-owned wastewater pumping stations, estimated quantity per year of 26,000 gallons. The unit price bid was \$.13 per gallon (same price as the current agreement).
 - b. Pumping, removal and disposal of liquid grease from the Yorktown Heights Water Pollution Control Plant, Town-owned wastewater pumping stations, and/or Town sewer lines, estimated quantity per year of 18,000 gallons. The unit price bid was \$.20 per gallon (same price as the current agreement).
 - c. During some maintenance activities and during emergency system breaks, the Town will request the presence of a vehicle and operator to remove sludge and grease if needed. During these times, Town will pay a standby rate of \$165 per hour for vehicle/operator to be on site in case services are needed (30-minute maximum response time during emergencies).
 - d. The Yorktown Heights Water Pollution Control Plant has two (2) sludge digesters on one (1) sludge storage tank that need periodic removal of contents for cleaning, repair and/or maintenance. The unit price for removal was \$.41 per gallon.
4. The Department will use available funds to pay for this agreement under cost code YS.8130.460.2 Sludge Removal.

Now, Therefore, Be It Resolved, the Town Board extends the contract with Fred Cook Inc., for Sludge & Grease Removal, commencing on or about 11/1/19 for a 2-year term, with the same conditions and prices as indicated above.

Authorize Extension of Bid for Various Chemicals for the Water Pollution Control Plant Bid # 18-3 with Univar Solutions for Caustic Soda 50%

Whereas,

1. The Town Board at its meeting of October 16, 2018, awarded the bid for Various Chemicals for the Water Pollution Control Plant, for two (2) chemicals. The term of the contract was one year, expiring on October 31, 2019.
2. The contract language included an option to extend the bid for an additional one-year term at the same price, contract terms and conditions, upon mutual consent of the Town and the contractor.
3. One (1) of the vendors agreed to hold their bid price for an additional 1-year period: Univar Solutions for Caustic Soda 50% at a cost of \$2.1947/gallon
4. The Town Engineer recommends that the Town accept the bid extension for an additional 1-year term, for the period of 11/1/19 through 0/31/20.

- There are five (5) chemicals in which the vendors did not wish to extend the current Town agreement, and the Town is currently advertising for bids for these chemicals.

Resolved, that the Town Board extends the contact for Caustic Soda 50% with Univar USA, Inc., at a cost of \$2.1947/gallon, for a one-year period, commencing on 11/1/19 and ending 10/31/20, the final bid extension.

Amend Resolution #343 of 2019 to correct budget transfer amount authorizing the Supervisor to sign a Professional Services Agreement with Charles Manganaro Consulting Engineering, P.C. for Engineering Services for the Mohegan Avenue Retaining Wall Project

WHEREAS:

- Contractor bids for the Mohegan Avenue Retaining Wall Replacement Project were opened on 4/8/19 and the Town Board awarded the contract to the low bidder, Remus Industries LLC/Laura Li Industries LLC.
- The Town Engineer and Highway Superintendent are requesting the services of the design engineering firm (Charles A. Manganaro Consulting Engineers, P.C.) to assist with professional engineering services during the construction phase. This firm is the engineer of record and we wish to keep the full design responsibility with one firm.
- The scope of work for this project includes the replacement of approximately 600 linear feet of wall with modular precast blocks, associated tree removal, erosion and sediment controls, traffic control along with new asphalt overlay through the work area.
- The proposal for services to be provided by Charles A. Manganaro Consulting Engineers will be on an hourly rate basis, in a not-to-exceed amount of \$25,000. The firm will be using the same hourly rate schedule that was utilized for the engineering design portion of work.

NOW, THEREFORE BE IT RESOLVED, the Town Board authorizes the Town Supervisor to sign a Professional Services Agreement in the amount of \$25,000 with Charles A. Manganaro Consulting Engineers, P.C. for engineering services during construction of the Mohegan Avenue Retaining Wall Replacement Project.

Award Bid for Various Chemicals for the Water Pollution Control Plant

WHEREAS:

- The Town rebid eight (8) chemicals as one vendor agreed to hold their price for the final one (1) year contract period (Univar for Caustic Soda 50% at \$2.1947 per gallon).
- The bids are summarized as follows:

<u>CHEMICAL</u>	<u>BIDDER</u>	<u>AMOUNT</u>
Ferric Chloride	PVS Technologies	635/dry ton
Ferric Chloride 37% to 40	Surpass	97.30/55 gal. drum
Caustic Soda 25%	Surpass	80.25/55 gal. drum
Citric Acid 50%	Shannon	278.28/55 gal. drum
Sulfuric Acid (not more than 51%)	Slack	145.42/55 gal. drum
Sodium Bisulfite 38%	Slack	114.18/55 gal. drum
Sodium Hypochlorite 15%	Surpass	89.10/55 gal. drum
Polymer (Calgon Poly-E-Z or equivalent)	Slack	1.29/lb.-11.61/dry ton

RESOLVED, that the bid for Ferric Chloride be awarded to PVS Technologies the low bidder, at a cost of \$635/ per dry ton and be it further

RESOLVED, that the bid for Ferric Chloride 37% to 40% be awarded to Surpass the low bidder, at a cost of \$97.30/per 55 gal. drum and be it further

RESOLVED, that the bid for Caustic Soda 25% be awarded to Surpass the low bidder, at a cost of \$ 80.25 per 55 gal. drum and be it further

RESOLVED, that the bid Citric Acid 50% be awarded to Shannon the low bidder, at a cost of \$ 278.28 per 55 gal. drum and be it further

RESOLVED, that the bid for Sulfuric Acid (not more than 51%) be awarded to Slack the low bidder, at a cost of \$145.42 per 55 gal. drum and be it further

RESOLVED, that the bid for Sodium Bisulfite 38% be awarded to Slack the low bidder, at a cost of \$114.18 per 55 gal. drum and be further

RESOLVED that the bid for Sodium Hypochlorite 15% be awarded to Surpass the low bidder, at a cost of \$89.10 per 55 gal. drum and be if further

RESOLVED, that the bid for Polymer (Calgon Poly-E-Z or equivalent) be awarded to Slack the low bidder, at a cost of \$ 1.29 per lb.-11.61/ton and be it further

RESOLVED, that the contract term for this project shall be for a duration of one (1) year, commencing or about 11/1/19. Upon mutual consent of the Contractor and the Town, the contract may be extended for one additional term of one (1) year at the same price, terms and conditions.

From the Parks and Water Departments

Authorize the sale of obsolete vehicles, materials, and equipment from the Parks and Water Departments

WHEREAS, the Water Distribution Superintendent Ken Rundle and the Parks and Recreation Superintendent James Martorano have designated the following vehicles, materials and equipment to be obsolete:

1. One 1998 Chevy 3500 pick-up truck VIN #1GCHK34RXWZ268369
2. One 2004 Ford Ranger truck cap (fiberglass)
3. Four dewatering Pumps - various makes
4. Three 3" pump hoses
5. One Dayton heater
6. One Beacon Morris heater
7. One 24" butterfly valve
8. Four pallets of ¾" used meters
9. 1GCHK34R3YF498761 - 2000 Chevy Pickup with 105,328 miles
10. 1GTHK34ROWE549281 - 1998 GMC Pickup with 71,804 miles
11. 1GDJK34J4XF035565 - 1999 GMC K30 Utility with 88,942 miles
12. 1GDHP32R8V3502736 - 1997 Grumman Box Truck 99,601

THEREFORE BE IT RESOLVED, that the Town Board authorizes such vehicles, materials and equipment, excluding the pallets of ¾" meters, to be placed on public online auction with Absolute Auctions & Realty, Inc., the Town's contracted auctioneer, and to be sold to the highest bidder upon Distribution Superintendent's approval; and

FURTHER RESOLVED, that the Town Board authorizes the Water Department to dispose of the pallet of ¾" meters at Brookfield Resource Management in Elmsford, NY.

Authorize extension of Automotive and Small Engine Parts and Equipment/Tools bid for the Water Department

WHEREAS, invitation to bid for the Automotive and Small Engine Parts and Equipment/Tools was duly advertised; and

WHEREAS, said bids were received and opened on October 19, 2018; and

Now, Therefore Be It Resolved, that upon recommendation of the Distribution Superintendent, Ken Rundle, the Automotive and Small Engine Parts and Equipment/Tools bid is hereby extended for one year, per terms of the bid contract which will expire October 24, 2020.

From the Receiver of Taxes

Authorize Comptroller to refund the below listed duplicate tax payments

<u>Account No:</u>	<u>Amount</u>	
4419000	\$2,390.50	Refund Duplicate First Half 2019/2020 School Tax
2701000	\$4,343.96	Refund Duplicate First Half 2019/2020 School Tax
1064100	\$ 808.30	Refund Duplicate First Half 2019/2020 School Tax
2241086	\$1,627.03	Refund Duplicate First Half 2019/2020 School Tax
0099500	\$3,858.98	Refund Duplicate First Half 2019/2020 School Tax
2073500	\$1,037.23	Refund Duplicate First Half 2019/2020 School Tax
0018000	\$4,041.50	Refund Duplicate First Half 2019/2020 School Tax
4314343	\$1,273.63	Refund Duplicate First Half 2019/2020 School Tax
1892500	\$4,432.61	Refund Duplicate First Half 2019/2020 School Tax
1421137	\$1,288.32	Refund Duplicate First Half 2019/2020 School Tax
0541658	\$1,136.84	Refund Duplicate First Half 2019/2020 School Tax
3004550	\$ 293.92	Refund Duplicate First half 2019/2020 School Tax
1451030	\$1,946.18	Refund Duplicate First Half 2019/2020 School Tax
2276007	\$1,485.71	Refund Duplicate First Half 2019/2020 School Tax
0541680	\$1,773.05	Refund Duplicate First Half 2019/2020 School Tax
2180036	\$1,376.20	Refund Duplicate First Half 2019/2020 School Tax
2218319	\$ 742.59	Refund Duplicate First Half 2019/2020 School Tax
0530500	\$6,961.80	Refund Duplicate First Half 2019/2020 School Tax
2276105	\$ 300.38	Refund Duplicate First Half 2019/2020 School Tax

12. **ADJOURN MEETING**

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

Dated: October 15, 2019

AGENDAS ARE SUBJECT TO CHANGE

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