



# Town of Yorktown

*Office of the Town Clerk*

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## **FINAL TOWN BOARD AGENDA**

**January 21, 2020**

**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

Police Department

### **7:30 PM TELEVISED TOWN BOARD MEETING (Open Session)**

1. PLEDGE OF ALLEGIANCE
2. MOMENT OF SILENCE
3. REPORT FROM TOWN SUPERVISOR MATTHEW J. SLATER
4. REPORTS FROM TOWN COUNCIL
5. REPORT FROM HIGHWAY SUPERINTENDENT
6. POET LAUREATE  
John McMullen
7. PRESENTATIONS  
Paula Miritello - My Brother Vinny  
Alliance for Safe Kids (ASK)  
Vision 2020 - Community Transition Team Presentation
8. COURTESY OF THE FLOOR
9. RESOLUTIONS  
**From the Town Supervisor**  
**Honor Dr. Martin Luther King, Jr. and celebrate his memory**  
WHEREAS, Dr. Martin Luther King, Jr. devoted his life to strengthening the American character and called on our nation to live up to its founding principles of life, liberty, and the pursuit of happiness for all its citizens; and

WHEREAS, through his determination, spirit, and resolve, Dr. King led one of the greatest movements for equality and freedom in history; and

WHEREAS, the Town of Yorktown wishes to honor the legacy of this great American and remember the ideals for which he fought; and

WHEREAS, as we observe Dr. King's birthday, the Town encourages all its residents to celebrate his memory by performing acts of kindness through service to others;

NOW, THEREFORE, BE IT RESOLVED, that all residents of the Town be encouraged to honor Dr. King and celebrate his memory by living out his teachings.

**Establishes an annual "Dr. Martin Luther King, Jr. Essay Contest;"**

WHEREAS, Dr. Martin Luther King, Jr. devoted his life to strengthening the American character and called on our nation to live up to its founding principles of life, liberty, and the pursuit of happiness for all its citizens; and

WHEREAS, through his determination, spirit, and resolve, Dr. King led one of the greatest movements for equality and freedom in history; and

WHEREAS, the Town of Yorktown wishes to honor the legacy of this great American and remember the ideals for which he fought; and

WHEREAS, as we observe Dr. King's birthday, the Town encourages all its residents to celebrate his memory by performing acts of kindness through service to others;

NOW, THEREFORE, BE IT RESOLVED, that the Town hereby establishes the annual "Dr. Martin Luther King, Jr. Essay Contest;" and

BE IT FURTHER RESOLVED, that Town residents in the 4th and 5th grades shall be entitled to participate; and

BE IT FURTHER RESOLVED, that the Supervisor shall be responsible for coordinating the logistics surrounding the Contest, including soliciting submissions; and

BE IT FURTHER RESOLVED, that the Town Board shall review the submissions and select and announce the winners of the Contest.

**Authorize the hiring of four (4) "part-time available" assistant fire inspectors**

WHEREAS, until such time as the Town has hired an additional Fire Inspector or an additional Assistant Building Inspector, the Building Department is desirous of hiring four (4) "part-time available" assistant fire inspectors; and

WHEREAS, the Town Board has determined that James Malone, Alexander Vergo, Paul Liberatore and John Falcone are qualified to perform the duties described above on an interim basis;

NOW, THEREFORE, BE IT RESOLVED, that until the Town has hired an additional Fire Inspector or an additional Assistant Building Inspector, the Town is authorized to hire four (4) “part-time available” assistant fire inspectors.

**Authorize Supervisor to solicit Request for Proposals for General Municipal Legal Services/Town Attorney**

WHEREAS, Bleakley, Platt & Schmidt LLP was retained (with Adam Rodriguez, Esq. serving as Town Attorney), on an interim basis, by the Town to provide it with municipal law legal services (“Services”); and

WHEREAS, the Town is desirous of receiving proposals from qualified attorneys and law firms with experience in municipal law matters for the provision of the Services;

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor is authorized to prepare a request for proposals from qualified attorneys and law firms with experience in municipal law matters for the provision of the Services; and

BE IT FURTHER RESOLVED, that the Supervisor is authorized to advertise for such proposals.

**From the Interim Town Attorney**

**Authorize Supervisor to sign an amendment to the Town’s License Agreement with the Yorktown Volunteer Ambulance Corp.**

RESOLVED, the Supervisor is authorized to sign an amendment to the Town’s License agreement with the Yorktown Volunteer Ambulance Corp. (YVAC) for the storage of the flycar for advanced life support services, through December 31, 2020, at the same annual rate as set forth in the agreement.

**From the Town Clerk**

**Authorize attendance at the 2020 New York State Town Clerk’s Association Annual Conference and Training**

Be It Resolved, that Diana Quast, Town Clerk has permission to attend the 2020 New York State Town Clerk’s Association Annual Conference and Training to be held in Albany, New York from April 26, 2020 through April 29, 2020.

**Renew Oak Ridge Hauling, LLC Commercial Garbage License for 2020**

RESOLVED, that Oak Ridge Hauling, LLC be and is hereby granted renewal of their Garbage License to service commercial properties in the Town of Yorktown for the year 2020.

**Approve Order Calling the Public Hearing for the Establishment of Hallocks Mill Sewer District Extension**

WHEREAS, the Town Board of the Town of Yorktown, Westchester County, New York, has received a petition, together with a map showing the boundaries of a proposed sewer district extension in said Town, to be known as Hallocks Mill Sewer

District Extension in the Town of Yorktown (the “Extension”) a general plan to serve said Extension, and a report of the proposed method of operation thereof; and

WHEREAS, said map, plan and report were prepared by a competent engineer duly licensed by the State of New York, and have been filed in the office of the Town Clerk of said Town, where the same are available during regular office hours for examination by any persons interested in the subject matter thereof, including estimate of cost; and

WHEREAS, the boundaries of said Extension shall be as described in Exhibit A, As described in the list of parcels attached hereto and hereby incorporated herein; and

WHEREAS, the improvements proposed consist of the construction of a sanitary sewer system at a maximum estimated cost of \$14,300,000; and

WHEREAS, the cost of hook-up fees to the typical property in said Extension is \$5,850 (gravity connection) and \$15,100 (pumped system); and

WHEREAS, the estimated cost of said Extension to the typical property therein is \$1,494 in the first year in which operation, maintenance, debt service and other charges and expenses are to be paid (\$782 for a typical property not connected); and

WHEREAS, a detailed explanation of the manner by which such costs were computed has been filed in the office of the Town Clerk where the same are available during regular office hours for examination by any person interested in the subject manner thereof; and

WHEREAS, it is now desired to call a public hearing upon the question of the establishment of said Extension and the improvements proposed therefor, all pursuant to Section 193 of the Town Law; NOW, THEREFORE, BE IT

ORDERED, by the Town Board of the Town of Yorktown, Westchester County, New York, as follows:

Section 1. A meeting of the Town Board of the Town of Yorktown, Westchester County, New York, shall be held at the Town Hall, 363 Underhill Avenue, in Yorktown Heights, New York, in said Town, on the 18th day of February, 2020, at 7:30 o'clock P.M., Prevailing Time, for the purpose of holding a public hearing to consider the establishment of the Sewer District Extension in said Town as described in the preambles hereof, to be known as Hallocks Mill Sewer District Extension, and the improvements proposed therefor, and to consider the petition, map, plan and report filed in relation thereto, and to hear all persons interested in the subject matter thereof concerning the same, and for such other action on the part of said Town Board as may be required by law or shall be proper in the premises.

Section 2. The Town Clerk is hereby authorized and directed to cause a copy of this order to be published once in The Yorktown News, the official newspaper of said Town, the first publication thereof to be not less than ten nor more than twenty days before the day set herein for the hearing as aforesaid, and said Town Clerk shall also cause a copy thereof to be posted on the sign-board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law not less than ten nor more than twenty days before the day set for the hearing as aforesaid.

Section 3. This order shall take effect immediately.

**From the Town Engineer**

**Approve Release of Performance Bond for Bonfiglio - #BSWPPP-T-039-16 & #BSWPPP-068-16 – Baldwin Road**

WHEREAS:

1. Michael Bonfiglio as applicant for a land development project at 1233 Baldwin Road, posted check #6322 in the amount of \$2,500 to serve as the Erosion Control Bond for permit #BSWPPP-T-039-16, which was deposited to the T33 account on August 1, 2016.
2. Michael Bonfiglio as applicant posted check #6432 in the amount of \$1,700 - \$500 of this money was posted to serve as the Performance Bond for permit #BSWPPP-068-16, which was deposited into the T33 account on December 5, 2016.
3. Michael Bonfiglio as applicant has requested monies be released as the project work 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, that the above referenced monies totaling \$3,000 be and are hereby released to Sensible Choice Contracting, LLC, 1000 Saw Mill River Road – Suite B, Yonkers, NY 10710, Attn: Mr. Michael Bonfiglio.

**Approve Reduction of Performance Bond for Underhill / Kear Retail & Office Site Development - #FSWPPP-T-068-17**

WHEREAS:

1. Planning Board Approval Resolution #17-20 and the Engineering Permit issued for this project required the Applicant to post a Performance Bond in the amount of \$50,000.

2. Kear Underhill Associates, LLC, as applicant provided the Town with check #1019 in the amount of \$50,000, which was deposited into the T33 account on September 21, 2018 to serve as the Performance Bond for permit #FSWPPP-T-068-17.
3. Kear Underhill Associates, LLC, has requested the Performance Bond be released.
4. The Engineering Department has inspected the property and determined that the improvements for the site have been completed. The project completion date has been established as 10/31/19.
5. Since the Engineering Permit requires a \$5,000 maintenance bond for a period extending one (1) year past the project completion date, the Engineering Department recommends reducing the Performance Bond to \$5,000 (\$50,000 less \$45,000). In lieu of this, the Applicant may post a \$5,000 Warranty/Maintenance Bond and the Performance Bond may be returned in full.

NOW, THEREFORE BE IT RESOLVED, the Performance Bond is hereby reduced to \$5,000 (\$50,000 - \$45,000 = \$5,000 back to developer) and may be released to Kear Underhill Associates, LLC, 10 Julia Lane, Suite 101, Cold Spring, NY 10516. The remaining funds (\$5,000) will be held until the 1-year warranty/maintenance period has elapsed.

**From the Finance Department**

**Authorize attendance at the 2020 New York State Government Finance Officers Association annual conference / training**

Be It Resolved, that Patricia Caporale, Gennelle MacNeil and Sandra Serrano have permission to attend the 2020 New York State Government Finance Officers Association annual conference / training to be held in Albany, New York March 31, 2020 through April 3, 2020.

**From the Parks and Recreation Department**

**Award Bid for Parks and Recreation Brochure**

WHEREAS, bids were received on Tuesday January 7<sup>th</sup>, 2020 for formatting, printing, and delivering the 2020 Parks & Recreation Brochures as specified by the Town of Yorktown's Parks and Recreation Department. Bids were submitted by the following Vendors:

1. Rose Press  
 8 North 14<sup>th</sup> Ave.  
 Mt. Vernon, NY 10550  
 BID per brochure: \$8,039.00  
 Option 1: \$2,380.00  
 Total cost per year (x2) \$20,838.00

2. Graphic Image Inc.  
561 Boston Post Rd.  
Milford, Ct. 06460  

BID per brochure:	\$8,185.00
Option 1:	\$150.00
Total cost per year (x2)	\$16,670.00
  
3. Courier Printing Corp.  
24 Laurel Ave.  
Deposit, NY 13754  

BID per brochure:	\$6,266.00
Option 1:	\$300.00
Total cost per year (x2)	\$13,132.00
  
4. The Mines Press, Inc  
231 Croton Ave.  
Cortlandt Manor, NY 10507  

BID per brochure:	\$8,151.20
Option 1:	\$150.00
Total cost per year (x2)	\$16,602.00
  
5. Chase Press  
31 Peeks Lane, Ste 3  
Newtown, Ct., 06470  

BID per brochure:	\$5,665.00
Option 1:	\$195.00
Total cost per year (x2)	\$11,720.00
  
6. Premium Productions, Inc  
6 Lincoln Ave.,  
Pleasantville, NY 10570  

BID per brochure:	\$5,559.00
Option 1:	\$570.00
Total cost per year (x2)	\$12,258.00
  
7. Indiana Printing and Publishing Company, Inc  
899 Water St.  
Indiana, Pa. 15701  

BID per brochure:	\$5,333.00
Option 1:	\$1,400.00
Total cost per year (x2)	\$13,466.00

Resolved, that the lowest bidder including Cover Design & Layout, Chase Press, is awarded the 2020 Program Brochure Bid.

**From the Police Department**

**Authorize Police Department Employee to attend Training Seminar**

RESOLVED, that the Town Board approves a 2 night lodging expense of \$238.00 for a Yorktown Police Department Employee to attend a Training Seminar.

**From the Water Department**

**Authorize the Yorktown Water Department to purchase a John Deere 310SL HL Backhoe Loader pursuant to the New York State Contract for Heavy Equipment from John Deere Shared Services, Inc. and one model RB100G Hydraulic Hammer for the Backhoe Loader from RBHAMMERS Corp. for a total cost of \$120,073.87**

WHEREAS, it is the intention of the Distribution Superintendent to purchase one John Deere 310SL HL Backhoe Loader as listed on the New York State Contract for Heavy Equipment #PC67075 awarded to John Deere Shared Services, Inc. DBA John Deere Construction Retail Sales for a cost of \$111,006.37; and

WHEREAS, three price quotes were obtained to purchase one new model RB100G Hydraulic Hammer to fit the John Deere 310SL HL Backhoe Loader with the lowest bidder being RBHAMMERS Corp. (Heatherdell) of Blauvelt, NY for a cost of \$9,067.50; and

WHEREAS, as confirmed by the Town Comptroller, monies have been allocated in the 2020 Water Department budget line SW.8340.0201.0002 (equipment/vehicles) for these purchases; and

THEREFORE BE IT RESOLVED, the Town Board authorizes the Yorktown Water Department to purchase a John Deere 310SL HL Backhoe Loader pursuant to the New York State Contract for Heavy Equipment from John Deere Shared Services, Inc. DBA John Deere Construction Retail Sales and one model RB100G Hydraulic Hammer for the Backhoe Loader from RBHAMMERS Corp. for a total cost of \$120,073.87.

10. ADJOURN

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

Dated: January 21, 2020

**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.