



# Town of Yorktown

*Office of the Town Clerk*

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**FINAL TOWN BOARD MEETING AGENDA  
VIDEO CONFERENCE  
FOR JULY 7, 2020  
363 Underhill Avenue, Yorktown, NY 10598**

**6:30 PM EXECUTIVE SESSION**

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

**PERSONNEL**

Police Department

**LITIGATION & NEGOTIATION**

Assessor

Town Attorney

**7:30 PM VIDEO CONFERENCE TELEVISED TOWN BOARD MEETING**

1. PLEDGE OF ALLEGIANCE
2. MOMENT OF SILENCE
3. INTRODUCTIONS
4. REPORT FROM TOWN SUPERVISOR MATTHEW SLATER
5. REPORTS FROM TOWN COUNCIL
6. REPORT FROM HIGHWAY SUPERINTENDENT
7. POET LAUREATE  
John McMullen
8. COURTESY OF THE FLOOR

9. PUBLIC HEARINGS

**Convene Public Hearing to consider a proposed Local Law amending Chapter 200 entitled "LIGHTING, OUTDOOR," Article III, entitled "Procedures and Requirements"**

Supervisor Matt Slater will convene a public hearing to consider a proposed Local Law amending Chapter 200 of the Code of the Town of Yorktown entitled "LIGHTING, OUTDOOR," Article III, entitled "Procedures and Requirements," Section 200-6(H), by deleting the words "fully shielded" and replacing it with the words "shielded to the greatest extent practicable."

**Convene Public Hearing to consider a proposed Local Law amending Chapter 248 entitled "Stormwater Management and Erosion and Sediment Control"**

Supervisor Slater will convene a public hearing to consider amending Chapter 248 of the Code of the Town of Yorktown entitled "Stormwater Management and Erosion and Sediment Control."

**Convene Public Hearing to consider a proposed Local Law to amend Chapter 178 entitled "Freshwater Wetlands"**

Supervisor Slater will convene a public hearing to consider amending Chapter 178 of the Code of the Town of Yorktown entitled "Freshwater Wetlands."

10. RESOLUTIONS

**Authorize Supervisor to sign an agreement with Westchester County for Title III-B nutrition site and supportive services transportation funding for senior residents in the amount of \$17,878**

RESOLVED, that the Town Board authorizes the Town Supervisor to sign an Agreement with Westchester County for Title III-B nutrition site and supportive services transportation funding for senior residents in the amount of \$17,878. This is for the retroactive period April 1, 2019 through March 31, 2020.

**Authorize Supervisor to sign an agreement with Westchester County for overserved meals and other nutrition programs funding expenses for senior residents in the amount of \$12,646**

RESOLVED, that the Town Board authorizes the Town Supervisor to sign an Agreement with Westchester County for overserved meals and other nutrition programs funding expenses for senior residents in the amount of \$12,646. This is for the retroactive period April 1, 2019 through March 31, 2020.

**Authorize Supervisor to sign an agreement with PNW BOCES Center for Environmental Education (CEE) for the purpose of facilitating a 2020 summer hiking program for students grades 3 through 8, in amount not to exceed \$9,900, this is contingent upon enrollment**

RESOLVED, that the Supervisor is authorized to sign an agreement with PNW BOCES Center for Environmental Education (CEE) for the purpose of facilitating a 2020 summer hiking program for students grades 3 through 8, focusing on the environmental education and the natural world, in an amount not to exceed \$9,900,

this is contingent of enrollment. The services will be provided between July 20 and August 7, 2020.

**Authorize Supervisor to sign a license agreement with Westchester County for certain VOIP-related equipment that will facilitate the Town's participation in the County's new Hotline system**

RESOLVED, that the Town Board authorizes the Town Supervisor to sign a License Agreement with Westchester County for certain VOIP-related equipment that will facilitate the Town's participation in the County's new Hotline system, facilitating the speedy communication of information, coordination of operations, and the like between the County and various other municipal entities when circumstances necessitate such action.

**Authorize Supervisor to sign an Electrical Supply Agreement with Constellation NewEnergy, Inc.**

RESOLVED, that the Town Board authorizes the Town Supervisor to sign an Electricity Supply Agreement with Constellation NewEnergy, Inc. at the rate of \$0.06475/kWh for the term of February 1, 2021 through February 26, 2023.

**Authorize additional Work Session Meeting for July 16, 2020 and cancel Work Session Meeting scheduled for August 11, 2020**

Resolved, that the Town Board of the Town of Yorktown will hold an additional Work Session Video Conference Meeting via Zoom on Thursday, July 16, 2020 beginning at 5:00 p.m., 363 Underhill Avenue, Yorktown Heights, New York 10598. The televised portion will begin at 6:00 p.m.

Be It Further Resolved, the Town Board Work Session scheduled for August 11, 2020 is cancelled.

**Authorize Town Clerk to refer out the Wetland-Stormwater Management Permit Application received from Paul Fitzgerald for the installation of a new in-ground swimming pool**

RESOLVED, the Town Clerk is authorized to refer out to the appropriate agencies for their review and/or recommendation the application submitted by Paul Fitzgerald for a Wetland-Stormwater Management Permit for the installation of a new in-ground swimming pool.

**Resolved, that the Comptroller is authorized to process credits to August rent for March abatements for all tenants, licenses, etc., at the Albert A. Capellini Community and Cultural Center**

WHEREAS, the Town Board passed a resolution on April 21, 2020 authorizing the Supervisor to execute amendments to the contracts of all tenants, licenses, etc., at the Albert A. Capellini Community and Cultural Center ("AACCCC") for proportional abatements in rent, charges, etc., because of the closing of the AACCCC building on March 13, 2020 due to the Coronavirus Pandemic.

Resolved, that the Comptroller is authorized to process credits to August rent for March abatements as follows:

- Yorktown Stage - daily rent (\$133.10) x total days (11) = \$1,464.10
- Bright Beginnings - daily rent (\$203.42) x total days (16) = \$3,254.72
- Westchester Ballet - daily rent (\$171.94) x total days (18) = \$3,094.92.

**Extend Bid for Street Light Maintenance for the Highway Department**

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

WHEREAS, said bids were received and opened on June 17, 2019,

RESOLVED, that upon the recommendation of the Highway Superintendent, Dave Paganelli, the bid for the Street Light Maintenance for the Town of Yorktown be and is hereby extended for one year, per the terms of the Bid, to Hanover Electric, 1803 Commerce Street, Yorktown Heights, NY 10598.

BE IT FURTHER RESOLVED, the dates of the extension will be August 15<sup>th</sup>, 2020 to August 14<sup>th</sup>, 2021.

**Extend Bid for Traffic Light Maintenance for the 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,

RESOLVED, that upon the recommendation of the Highway Superintendent, Dave Paganelli, the bid for the Traffic Light Maintenance for the Town of Yorktown be and is hereby extended for one year, per the terms of the Bid, to NY-Conn Corporation, 5 Shelter Rock Road, Suite 8, Danbury, CT 06810.

BE IT FURTHER RESOLVED, the dates of the extension will be August 15<sup>th</sup>, 2020 to August 14<sup>th</sup>, 2021.

**Approve Change Order #2 for Mohegan Avenue Retaining Wall Project**

WHEREAS, the Town Board awarded the bid for the Mohegan Avenue Retaining Wall Project on May 7, 2019 to the lowest responsible bidder, Remus Industries LLC, and

WHEREAS, additional expenditures for the following are needed:

600' of 4' chain link fencing	\$34,650.00
Road drainage work	\$18,000.00
Alt #1: additional guiderail	\$ 9,300.00
Alt #2: removal of 23 trees	\$14,800.00

Total Additions \$76,750.00

WHEREAS, the Town Board accepts the following credits to the original contract for work that will not be performed, and

#21 Rock Excavation:	\$10,518.75
#22 Mismarked Utilities	\$ 8,000.00
#23 Temp & Permanent Vegetation	\$ 5,250.00
#24 Additional Concrete	\$ 3,000.00
#25 Additional Foundation Material	\$ 450.00
#26 Police Traffic Control Allowance	\$10,000.00
#27 All Work Allowance	\$25,000.00

TOTAL CREDITS \$62,218.75

Whereas, the Town Board on March 3, 2020, accepted a substitute for the stone Strong System which resulted in a credit of \$18,000, now

Therefore Be It Resolved, the Town Board on the recommendation of the Dave Paganelli, Superintendent of Highways does hereby accept Change Order #2 in the amount of \$14,531.25 which leaves a credit of \$3,468.75.

**Authorize Comptroller to release Wetland Bond #WP-FSWPPP-013-14 in the amount of \$2,500 for work done at 2579 Barry Court**

WHEREAS:

1. Victoria Abbate as applicant, posted check #2590 in the amount of \$4,000 which was deposited to the T33 account on September 29, 20014 (\$2,500 to serve as the Wetland Bond – all other monies previously released).
2. Victoria Abbate has requested the remaining \$2,500 money be released as the pool construction is 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 \$2,500 bond be and is hereby released to Victoria Abbate, 2579 Barry Court, Yorktown Heights, NY 10598.

**Authorize Comptroller to release Performance Bond #BSWPPP-059-19 in the amount of \$250 for work done at 830 Kipling Drive**

WHEREAS:

1. Erica Bates as applicant, posted check #180 in the amount of \$250 which was deposited to the T33 account on October 25, 2019.
2. \$250 of this money was posted to serve as the Performance Bond for construction of a pool.

3. Erica Bates has requested her money be released as the site 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, the above referenced \$250 bond be and is hereby released to Ms. Erica Bates, 830 Kipling Drive, Yorktown Heights, NY 10598.

**Authorize Comptroller to release Performance Bond #WP-T-BSWPPP-006-15 in the amount of \$2,000 for work done at 3186 Strang Boulevard**

WHEREAS:

1. Savino & Erica Gallinelli as applicants, posted check #723 in the amount of \$2,000 which was deposited to the T33 account on February 26, 2016.
2. \$250 of this money was posted to serve as the Performance Bond for construction of a house.
3. Savino & Erica Gallinelli have requested their money be released as the site 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, the above referenced \$2,000 bond be and is hereby released to Savino & Erica Gallinelli, 3186 Strang Boulevard, Yorktown Heights, NY 10598.

**Authorize Comptroller to release Performance Bond #BSWPPP-019-19 in the amount of \$250 for work done at 2747 Old Yorktown Road**

WHEREAS:

1. Jehona Muriqi as applicant, posted check #112 in the amount of \$250 which was deposited to the T33 account on May 16, 2019.
2. \$250 of this money was posted to serve as the Performance Bond for site improvements and tree removal.
3. Jehona Muriqi has requested her money be released as the site 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, the above referenced \$250 bond be and is hereby released to Ms. Jehona Muriqi, 2747 Old Yorktown Road, Yorktown Heights, NY 10598.

**Authorize Town Supervisor to Sign Contract Amendment No. 1 in the Amount of \$10,200.50 for the Pump Station Upgrade Project - Walden Woods, Jefferson Valley and Jefferson Park Pump Stations Contract No. 1**

WHEREAS:

1. In April 2018, the Town Board passed a resolution that authorized the award of bids for the Pump Station Upgrade Program - Walden Woods, Jefferson Valley and Jefferson Park Pump Stations.
2. For Contract No. 1, General Work, the bid was awarded to Kings Capital Construction Group in the amount of \$1,995,000.
3. During a final inspection performed by a representative of the Westchester County Health Department, it was requested that a perimeter chain link fence be placed around the Jefferson Park Pump Station for site security.
4. Kings Capital Construction Group provided an extra cost proposal in the lump sum amount of \$10,200.50 to furnish and install the following:
  - Furnish and install chain link fencing (vinyl-coated) around the Jefferson Park PS, 8-foot high
  - Provide a 10-foot wide double leaf swing gate
  - Provide privacy slats for all fencing
5. As per the attached communication, GHD accepted the contractor's extra cost proposal as fair and reasonable.
6. The Town Engineer and Assistant Plant Superintendent have also reviewed the submitted cost proposal and recommend approval.
7. This work would be charged to Cost Code HP.8130.200 Equipment/Capital Outlay. We are requesting a transfer from the Sewer operating budget, using funds from Cost Code YS.8130.105 Overtime. Therefore we need the Town Comptroller to make the following budget transfer: \$10,200.50 from YS.8130.105 Overtime to HP.8130.200 Equipment/ Capital Outlay.

NOW, THEREFORE BE IT RESOLVED, that the Town Board authorizes the Town Supervisor to sign Contract Amendment No. 1 in the amount of \$10,200.50 for the Pump Station Upgrade, Walden Woods, Jefferson Valley and Jefferson Park Pump Stations, Contract No. 1, General work, Kings Capital Construction. Additionally, the Town Comptroller is authorized to transfer \$10,200.50 from YS.8130.105 Overtime to HP.8130.200 Equipment/Capital Outlay.

**Resolved, that the Comptroller is authorized to refund the following Duplicate Tax Payments:**

<u>Account No:</u>	<u>Amount</u>	
2956000	\$4,519.92	Refund Duplicate 2020 Town/County Tax
1593500	\$3,812.00	Refund Duplicate 2020 Town/County Tax
0279641	\$2,108.79	Refund Duplicate 2020 Town/County Tax
3751000	\$4,592.83	Refund Duplicate 2020 Town/County Tax
0542595	\$1,646.57	Refund Duplicate 2020 Town/County Tax
0829000	\$4,278.05	Refund Duplicate 2020 Town/County Tax
3610000	\$4,539.59	Refund Duplicate 2020 Town/County Tax
1554000	\$4,592.83	Refund Duplicate 2020 Town/County Tax
3014885	\$55,153.94	Refund Duplicate 2020 Town/County Tax

11. ADJOURN

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

Dated: July 7, 2020

**Instructions for the Public to participate in Town Board Meetings Remotely:**

The Town Board of the Town of Yorktown will not be meeting in person. In accordance with the Governor's Executive Order 202.1, until further notice, meetings will be held via video conferencing. The Town of Yorktown will televise a video conference Town Board meeting for 7:30 pm on Tuesday, July 7, 2020. The Town Board will open the meeting and then vote to go into an Executive Session beginning at 6:30 p.m. **There are three public hearings on the agenda and you can register with the Town Clerk if you would like to speak during these public hearings.**

**Please make sure to register in advance if you would like to speak at Courtesy of the Floor or during the Public Hearings for this meeting at [dquast@yorktownny.org](mailto:dquast@yorktownny.org) or call me at (914) 962-8152.**

You will need to provide your name, phone number and email address when registering so we can send a confirmation to you containing instructions on how to join the meeting. You can also email comments in advance of the meeting to [dquast@yorktownny.org](mailto:dquast@yorktownny.org). All written comments received before the meeting will be given to the Town Board. You will have an opportunity to see and hear the meeting live on Channel 20 (Cable) or Channel 33 (Fios). If you have a computer, tablet, or smartphone, you will be able to see and hear the meeting while it is occurring on the Town's website at [yorktownny.org](http://yorktownny.org).

If you have any questions, please contact me at [dquast@yorktownny.org](mailto:dquast@yorktownny.org) or (914) 962-8152.