



Town of Yorktown

Office of the Town Clerk

**FINAL TOWN BOARD MEETING AGENDA
VIDEO CONFERENCE
FOR JULY 21, 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

Nutrition Center

LITIGATION & NEGOTIATION

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. POET LAUREATE
John McMullen
7. PRESENTATION
Sale of existing affordable unit - Ken Belfer, Community Housing Board
8. COURTESY OF THE FLOOR

9. PUBLIC HEARINGS

Reconvene Public Hearing to Amend Chapter 300, entitled “Zoning” by adding a new Article VII, Section 300-81.5 “Battery Energy Storage Systems”

Supervisor Matt Slater will reconvene a public hearing to consider amending Chapter 300 of the Code of the Town of Yorktown entitled “Zoning” by adding a new Article VII, Section 300-81.5 “Battery Energy Storage Systems.”

Reconvene a Public Hearing to amend Chapter 300 entitled “Zoning” by adding a new Article VII, Section 300-81.4 “Solar Power Generation Systems and Facilities”

Supervisor Slater will reconvene a Public Hearing to consider amending Chapter 300 of the Code of the Town of Yorktown entitled “Zoning” by adding a new Article VII, Section 300-81.4 “Solar Power Generation Systems and Facilities.”

Convene a Public Hearing to amend Chapter 198, entitled “Landmark Preservation” by replacing the word “Landmark” with the word “Heritage”

Supervisor Slater will convene a Public Hearing amending Chapter 198, entitled “Landmark Preservation” by replacing the word “Landmark with the word “Heritage.”

10. RESOLUTIONS

Approve Creation of an Arts and Culture Committee

RESOLVED, that the Town Board hereby creates an Arts and Culture Committee in collaboration with the Yorktown Chamber of Commerce for the purpose of: (1) advising the Town Board on how best to support the arts and culture community in the Town; and (2) raising awareness of and coordinating support for the artistic and cultural institutions in the Town; and

BE IT FURTHER RESOLVED, that the Committee shall consist of seven (7) volunteer members; and

BE IT FURTHER RESOLVED, that four (4) of the Committee members will be appointed by the Town Board, and three (3) of the Committee members will be appointed by the Chamber; and

BE IT FURTHER RESOLVED, that there shall be two (2) co-Chairpersons of the Committee appointed from the Committee membership, one appointed by the Town Board and one appointed by the Chamber; and

BE IT FURTHER RESOLVED, that all Committee meetings will be open to the public, the public will be permitted to participate in the Committee’s discussions, and the Committee’s meeting dates are to be posted on the Town's website; and

BE IT FURTHER RESOLVED, that detailed minutes will be prepared of all Committee meetings; and

BE IT FURTHER RESOLVED, that the Committee shall submit a report, on or before the 31st day of January, setting forth for the prior calendar year: (1) the dates the Committee met, (2) all votes taken by the Committee, (3) all memoranda prepared by the Committee and submitted to the Town Board, (4) all activities undertaken by the Committee, and (5) all minutes of the Committee's meetings.

Authorize Supervisor to Sign Contract Amendment No. 1 in the amount of \$19,500 to ELQ Industries for removal of suction piping from the Catskill Aqueduct

WHEREAS:

1. In December 2019, the Town Board passed a resolution that authorized the award of bids for the Drinking Water Fluoridation Project. For the General Construction Contract, the bid was awarded to ELQ Industries Inc. in the amount of \$687,155.
2. The work of this project will be occurring in a structure that is located on NYCDEP-owned property. The Town has a land use permit from NYCDEP to use the site, however, under terms of the 2019 permit renewal the Town is required to remove an old/abandoned suction pipe that leads to the Catskill Aqueduct. The Town obtained pricing to perform this work under Bid Alternate C. The Town received two bids for the General Contract; prices for Bid Alternate C was as follows: (1) ELQ Industries \$19,500 and (2) OCS Industries \$24,849.
3. The Consolidated Water District requested the work of Bid Alternate C be done now; while the site is being disturbed and contractors are already mobilized on site with the necessary equipment and manpower to perform the work.
4. This work will be charged to Fluoride Capital Project Cost Code HI.8340.004 Contractual Expenditures. We are requesting the Comptroller make the following budget transfer: \$19,500 from Cost Code SW.8340.0201.0002 Equipment Vehicles to HI.8340.004 Contractual Expenditures.

NOW, THEREFORE BE IT RESOLVED, that the Town Board authorizes the Town Supervisor to sign Contract Amendment No. 1 in the amount of \$19,500 to ELQ Industries for removal of suction piping from the Catskill Aqueduct. Additionally, the Town Comptroller is authorized to transfer \$19,500 from Cost Code SW.8340.0201.0002 Equipment Vehicles to HI.8340.004 Contractual Expenditures.

Authorize Supervisor to sign a Professional Services Agreement with WSP USA Inc., professional services to perform on-call inspections in the amount of \$10,000

WHEREAS,

1. As per a Town Board resolution dated 5/28/19, the Town entered into a professional services contract with WSP USA Inc. for professional services to

perform on-call inspections that will help ensure the Town is fully compliant with the rules and regulations of NYSDOT and safeguarding the traveling public.

2. The Engineering Department, the Highway Department and WSP plan to continue working to address various deficiencies and infrastructure issues that arise from time-to-time along with ongoing monitoring of Town-owned bridges, culverts, retaining walls and roadways.
3. As under the prior agreement, the Town will only incur cost when services are performed. All work will be as directed by the Highway Superintendent or Town Engineer. Under this arrangement WSP would be paid at the firm's normal hourly rate schedule that will be included as part of the Agreement.
4. This work will again be assigned to Budget Code A.1440.490 Professional Services and will require the following budget transfers:
 - \$5,000 from A.1440.490.1 Professional Services Stormwater
 - \$5,000 from A.1440.490.2 Professional Services Environmental Consultant/Wetland

NOW, THEREFORE BE IT RESOLVED, the Town Board authorizes the Town Supervisor to sign a Professional Services Agreement with WSP USA Inc., for the scope of work as described in the preceding section in the amount of \$10,000. And the Town Comptroller is authorized to transfer \$5,000 from A.1440.490.1 Professional Services Stormwater and \$5,000 from A.1440.490.2 Professional Services Environmental Consultant/Wetland.

Authorize Comptroller to release Bond #WP-078-06 posted for work done at 830 Swed Circle

WHEREAS:

1. Mr. Gloade as applicant, posted \$500 which was deposited to the T33 account on May 11, 2007.
2. Mr. Gloade has requested his money be released as the site is now 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 \$500 bond be and is hereby released to Mr. Gloade, 830 Swed Circle, Yorktown Heights, NY 10598.

Authorize Comptroller to release Bond #BSWPPP-043-18 posted for work done at 1879 French Hill Road

WHEREAS:

1. Gilda Aronson & Steven Wirz as applicants, posted \$250 which was deposited to the T33 account on August 11, 2018.

2. The applicants have requested their money be released as the site is now 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 \$250 bond be and is hereby released to Ms. Gilda Aronson & Mr. Steven Wirz, 1879 French Hill Road, Yorktown Heights, NY 10598.

11. ADJOURN

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

Dated: July 21, 2020

The phones at Town Hall are not working, please contact me via my cell at 914-438-8466 if you have any questions or would like to sign up to speak during Courtesy of the Floor or during the scheduled Public Hearings for tonight's Town Board meeting. Thank you, Diana.

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 21, 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 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. 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.

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