



Town of Yorktown

Office of the Town Clerk Diana L. Quast

FINAL TOWN BOARD AGENDA
January 5, 2021
Spadaccia Meeting Room
363 Underhill Avenue, Yorktown, NY 10598

6:00 PM EXECUTIVE SESSION (Closed Session):

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

Interviews

Facilities Assessment

Personnel

Employment of a particular person

Litigation & Negotiations

Town Attorney

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. PERSONNEL
Accept the Retirement of Thomas Travis from the Town Clerk's Office with many thanks for all his years of dedicated service to the Town. His hard work and diligence have greatly benefitted the Town's Records Management Program. His retirement date will be effective on January 15, 2021.
8. COURTESY OF THE FLOOR

9. RESOLUTIONS

Authorize Supervisor to enter into a license agreement with Greg and Alana Millings to enter upon Town Property and remove 30 feet of natural growth at their expense

RESOLVED, the Supervisor is authorized to enter into a license agreement with Greg Millings and Alana Millings to enter upon Town Property and remove, at their sole cost and expense, approximately (30) feet of natural growth running perpendicularly beyond the boundary between the Millings' Premises and Town Property and to install shrubbery around the property line to act as a natural screen and buffer.

Requests that the N.Y.S. Department of Transportation perform an analysis of the intersection of Route 35 and Quaker Church Road

RESOLVED, that the Town desires and requests that the N.Y.S. Department of Transportation perform an analysis of the intersection of Route 35 and Quaker Church Road to determine if a traffic signal is warranted.

Town of Yorktown does not desire to eliminate the N.Y. R.P.T.L. 487 exemption from taxation for certain energy systems regulated under that Section

RESOLVED, that the Town of Yorktown does not desire to eliminate the N.Y. R.P.T.L. 487 exemption from taxation for certain energy systems regulated under that section, but will instead require the owner or developer of such systems to enter into a contract for payments in lieu of taxes.

Authorize recycling bins to be placed in all Town-owned buildings, common areas and employee work stations

RESOLVED, that in all Town-owned buildings, to the extent safe and practical, a recycling bin shall be placed wherever there is a trash bin, including in common areas (e.g., copy rooms) and at every employee workstation.

Authorize Chief of Police to execute a Use and Dissemination Agreement with the NYS Division of Criminal Justice for the access to criminal history and wanted and/or missing persons data

RESOLVED, that the Chief of Police is authorized to execute a Use and Dissemination Agreement with the N.Y.S. Division of Criminal Justice Services, for the access to criminal history and wanted and/or missing persons data.

Authorize Town Clerk to advertise Request for Proposals for providing food and refreshment service at the Yorktown Heights Railroad Station in Railroad Park

Resolved, that the Town Clerk is authorized to advertise a Request for Proposals from qualified proposers interested in providing high quality, reasonably priced food and refreshment service (snack bar service) at the Yorktown Heights Railroad Station in Railroad Park located at 1862 Commerce Street in Yorktown Heights, NY.

Accept Landscape and Site Improvement Bond from AVS Food, Inc. for Popeyes Restaurant

WHEREAS, Vijay Singh, of AVS Food Inc., owner of Popeyes Restaurant, has

completed site work for the project known as Popeyes at Staples Plaza, approved by Planning Board Resolution #18-18 dated October 15, 2018; and

WHEREAS, due to winter conditions the applicant is not able to complete on-site landscaping and a few other minor site improvements; and

WHEREAS, the Popeyes Restaurant owner has informed the Yorktown Planning Board and the Planning Board determined that, to insure the installation of the on-site landscaping and other minor site improvements, the applicant must post a cash bond; and

WHEREAS, the amount of the cash bond has been determined to be in the amount of \$20,000.00; and

WHEREAS, AVS Food, Inc. has provided the Town with check# 1095 in the amount of \$20,000.00, to serve as the required cash bond; and

NOW THEREFORE BE IT RESOLVED, that the monies required prior to issuance of the Certificate of Occupancy for the project known as Popeyes at Staples Plaza have been tendered to the Town and that the Town Comptroller is authorized to accept the above-referenced project bond for the purposes stated herein.

Direct Town Assessor to continue temporary suspension and Modification of laws relating to the Pandemic Disaster Emergency, specifically as it pertains to Senior and Disability Exemptions, Section 467 and 459C of the Real Property Tax Law to grant Exemptions on the 2021 Assessment Roll

WHEREAS, on March 7, 2020, Andrew M. Cuomo, Governor of the State of New York issued Executive Order Number 202, declaring a State disaster emergency for the entire State of New York; and

WHEREAS, on December 18, 2020, the Governor issued Executive Order 202.83, a portion of which includes a local option pertaining to Senior Citizens' and Persons with Disabilities' partial property tax exemption, Subdivisions 7, 7-a and 8 of Section 459-c of the Real Property Tax Law (Partial Tax Exemption for Persons with Disabilities), and Subdivisions 5, 5-a, 5-b, 5-c and 6 of Section 467 of the Real Property Tax Law (Partial Tax Exemption for Low Income Senior Citizens), to the extent necessary to permit the governing body of an assessing unit to adopt a resolution directing the assessor to grant exemptions pursuant to such section on the 2021 assessment roll to all property owners who received either of those exemption on the 2020 assessment roll, unless there has been a change in status that would no longer qualify the homeowner, dispensing with the need for renewal applications from such persons, and further dispensing with the requirement for assessors to mail renewal applications to such persons; and

WHEREAS, the Town is desirous to adopt such resolution while also allowing the assessor to require a renewal application to be filed when the assessor has reason to

believe that an owner who qualified for the exemption on the 2020 assessment roll may have since changed primary residence, added another owner to the deed, transferred the property to a new owner, or died;

NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of Yorktown directs the Town Assessor, pursuant to the NYS Governor's Executive Order 202.83 Continuing Temporary Suspension and Modification of Laws relating to the pandemic disaster emergency, specifically as it pertains to Senior and Disability Exemptions, Section 467 and 459c of the Real Property Tax Law, to grant exemptions on the 2021 Assessment Roll to all property owners who received that exemption on the 2020 Assessment Roll, except in the case that there is a change of status that would no longer qualify the homeowner, thereby dispensing with the need for renewal applications from such persons, and further dispensing with the requirement for assessors to mail renewal applications to such persons.

Accept Audit of Yorktown Justice Court for fiscal year 2019

Resolved, that the audit of the Town of Yorktown Justice Court prepared by PKF O'Connor Davies, LLP, for the fiscal year 2019, submitted to the Town on December 23, 2020 be and is hereby accepted by the Town Board. A copy of the audit is filed with the Town Clerk and available for public inspection.

10. **ORGANIZATIONAL RESOLUTIONS**

Salaries

RESOLVED, that the Supervisor be hereby authorized and directed to pay salaries of all elected and appointed Town officials and employees without prior audit.

Mileage Rate

RESOLVED, that the rate of 56 cents per mile be allowed to those Town officials and employees who use their own automobiles in the performance of their official duties in accordance with the budgetary appropriations, provided however, the expense incurred is presented to the Town Board in the proper manner and on the proper claim form.

Blanket Authority to Sign Contracts

RESOLVED, that the Town Board hereby grants blanket authority to sign contracts for the Town, without the necessity of express advance approval by the Town Board to the Supervisor in the event the contract involves any expenditure of not more than \$12,500, not to exceed \$50,000 in any calendar year and is limited to one year in duration and be it

FURTHER RESOLVED, that this blanket authorization shall remain in effect until amended.

Fiscal Report Filing to State Comptroller

RESOLVED, that by the authority vested pursuant to Paragraph 10-a of Section 29 of the Town Law, the Supervisor shall submit to the Town Clerk within one hundred

twenty days after the close of the fiscal year, a copy of the report to the State Comptroller required by Section 30 of the General Municipal Law and the Town Clerk shall cause a summary of such report to be published within 10 days after receipt thereof in a form approved by the State Comptroller.

Comptroller to Refund Certain Corrections of Error

RESOLVED, that the Comptroller is appointed, as per Section 554 of the Real Property Tax Law to make refunds for correction of error up to a maximum of \$2,500.00.

New York State Division of Youth State Aid Recreation/Youth Services Project

RESOLVED, that the Supervisor be directed to make application to the New York State Division of Youth for State Aid for a Recreation and Youth Service Project Grant for 2021. The Parks and Recreation Department receives \$10,000 of this application for youth recreation, and the Police Department receives another \$10,000 for the Youth Officer.

Authorize Supervisor to sign Agreement with Nor-West

Authorize the Supervisor to sign an agreement with Nor-West for therapeutic recreational programs.

Authorize Supervisor to sign Agreement with Sports Clubs

Authorize the Supervisor to sign an agreement with the following Sports Clubs:

Shrub Oak Athletic Club
Yorktown Athletic Club

Authorize Supervisor to sign Agreement with Senior Clubs

Authorize the Supervisor to sign an agreement with the following Senior Clubs:

Jefferson Owners Foundation
AARP Chapter 3297
Shrub Oak Senior Citizens Club
St. Patrick's Seniors
Yorktown Senior Club Chapter 1

Designate Official Newspapers

RESOLVED, that the official newspaper for the Town of Yorktown is hereby designated to be The Yorktown News, and

BE IT FURTHER RESOLVED, that should a daily Newspaper be required, The Journal News is hereby designated.

Designated Depositories

RESOLVED, that the following banks located in the Town of Yorktown are hereby designated as depositories for the Town of Yorktown:

JP Morgan Chase
1975 Commerce Street
Yorktown Heights, New York 10598

PCSB Bank
2002 Commerce Street
Yorktown Heights, NY 10598

Signature Bank
1C Quaker Ridge Road
New Rochelle, NY 10804,

and be it

FURTHER RESOLVED, that the Supervisor of the Town of Yorktown, is hereby authorized, pursuant to Town Law Section 29(2), to act on behalf of the Town of Yorktown with said banks, and be it

FURTHER RESOLVED, that the above named banks are hereby required to provide a surety bond or pledge securities when applicable as required by Town Law Section 64(1) and General Municipal Law Article 2, Section 10, and be it

FURTHER RESOLVED, that the following banks are designated depositories for the following officers of the Town of Yorktown:

JP Morgan Chase, Yorktown Heights, New York:

Justice Raniolo Account
Justice Lagonia Account
Joint Bail Account - Justices Lagonia & Justice Raniolo

Meeting Dates

RESOLVED, that the following meeting dates of this Town Board shall be as follows for the year 2021:

January 5
January 12
January 19
January 26
February 2
February 9
February 16
February 23
March 2
March 9
March 16
March 23
April 6
April 13

April 20
April 27
May 4
May 11
May 18
May 25
June 1
June 8
June 15
July 6
July 13
July 20
July 27
August 3
August 10
September 14
September 21
September 28
October 5
October 12
October 19
October 26
November 4 (Dept. Head Budget Review)
November 5 (Dept. Head Budget Review)
November 9
November 16
November 23
December 7 (Budget Public Hearing)
December 14
December 21
December 28, and be it

FURTHER RESOLVED, that the Town Board meetings will begin at 6:00 PM, with television coverage beginning at 7:30PM unless otherwise noted and be it

FURTHER RESOLVED, that the Town Board will hold its budget review with department heads during regular business hours on November 4 and 5, and be it

FURTHER RESOLVED, that the Town Board will hold its regular budget public hearing meeting at 7:00 PM on the following date: December 7, 2021 (Tuesday) and, be it,

FURTHER RESOLVED, the Town of Yorktown will hold its annual Record Management Days on February 4 and February 5, 2021.

Delegates for Association of Towns Meetings

RESOLVED, that Councilman Vishnu Patel be and is hereby designated as the voting delegate to represent the Town of Yorktown at the Association of Towns Meeting to be held in February 2021, and be it

FURTHER RESOLVED, that Supervisor Matthew Slater be and is hereby designated the alternate delegate to the aforementioned meeting.

11. **ADJOURN**

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

Dated: January 5, 2021

AGENDAS ARE SUBJECT TO CHANGE

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. Until further notice, meetings will be held via video conferencing. The Town of Yorktown will televise a video conference Town Board meeting on Tuesday, January 5, 2021 beginning at 7:30 p.m.

Please make sure to register in advance if you would like to speak at Courtesy of the Floor for this meeting at dquast@yorktownny.org

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 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.