



**Town of Yorktown**  
*Office of the Town Clerk Diana L. Quast*

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**FINAL TOWN BOARD AGENDA**  
**February 16, 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

Arts & Culture Committee

Personnel

Engineering

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. COURTESY OF THE FLOOR

8. PUBLIC HEARINGS

**Reconvene Public Hearing to consider a proposed Local Law amending Chapter 135 of the Town Code entitled “BUILDINGS, UNSAFE” by adding a new section 135-13 “Yorktown Zombie Properties Law.**

Supervisor Matthew Slater will reconvene a public hearing to consider a proposed Local Law amending Chapter 135 of the Town Code entitled “BUILDINGS, UNSAFE” by adding a new section 135-13 “Yorktown Zombie Properties Law.”

9. RESOLUTIONS

**Authorize Supervisor to enter into an agreement with Cushman & Wakefield U.S., Inc. for the provision of a facilities assessment in an amount not to exceed \$32,000**

WHEREAS, the Town received quotes from three companies to conduct a facilities assessment;

WHEREAS, Laberge Group’s proposal was for \$39,000, H2M Architects and Engineers’ proposal was for \$35,000, and Cushman and Wakefield’s proposal was for \$32,000;

RESOLVED, that the Supervisor is authorized to enter into an agreement with Cushman & Wakefield U.S., Inc. for the provision of a facilities assessment in an amount not to exceed \$32,000. The term of the agreement shall end on December 31, 2021.

FURTHER RESOLVED, that the Comptroller is authorized to transfer \$32,000 from Capital Contingency (A1990.499.1) to Professional Services (A1220.490).

**Authorize Supervisor to execute documents necessary to transfer water mains and appurtenances to the Northern Westchester Joint Water Works as part of the Town’s common infrastructure**

WHEREAS, the Town of Yorktown was one of the founding members of the Northern Westchester Joint Water Works to provide for the treatment and bulk distribution of drinking water; and

WHEREAS, the formation of the Water Works occurred in the 1990s; and

WHEREAS, at the time of formation each member transferred infrastructure to the Water Works; and

WHEREAS, it has been determined that two parts of the transmission line, to wit a 16” and 24” on Route 35 at the town’s border with Somers, have not been transferred; and

WHEREAS, it is the desire of the Board to clarify this;

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor is authorized to execute the documents necessary to transfer the above water mains and appurtenances to the Northern Westchester Joint Water Works as part of the town's common infrastructure, and the Water Superintendent is authorized to settle and close out any accounts associated with the mains.

**Authorize Comptroller to pay the cash value of unused time for Donald Mesuda as of his retirement date**

Be It Resolved, that the Town Board hereby authorizes the Town Comptroller to pay Donald Mesuda the cash value of unused time as of his date of retirement:

Rate of Pay:	\$38.1344			
Sick	504.375 hours @	50%	=	252.18 hours
	252.18 hours	x	\$38.1344	=\$ 9,616.73
Vacation	120.00 hours	x	\$38.1344	=\$ 4,576.12
Total	\$14,192.85			

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

From:			
YS909.8	Sewer Reserve Employee Accrued Benefits		\$ 9,616.73
YS8130.101	Sewer Salary		\$ 4,576.12
To:			
YS8130.108	Sewer Lump Sum Payments		\$14,192.85

**Authorize Comptroller to process the following Budget Transfer for the Refuse and Recycling Department**

The Comptroller is hereby authorized to process the following transfer from 2020 budget:

From:			
SR7210.101	Refuse & Recycling - Salary		\$30,804.25
To:			
SR8160.450	Refuse & Recycling – Dumping Fees		\$30,804.25

For payment to Westchester County for payment of December 2020 solid waste disposal fees.

**Authorize Town Clerk to advertise bid for Asphalt Concrete & Liquid Bituminous Materials for the Highway Department**

Resolved, that the Town Clerk is authorized to advertise bid for Asphalt Concrete & Liquid Bituminous Materials for the Highway Department.

**Authorize Release of Project Performance Bond in the amount of \$5000.00 to A. DeVito & Sons, Inc**

WHEREAS,

1. A. DeVito & Sons, Inc., as applicant, posted check #18877 in the amount of \$5,000 to serve as the Project Performance Bond. The funds were deposited to the T33 account on August 3, 2020.
2. DeVito & Sons has requested the money be released as the site development work 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 Project Performance Bond be released to A. DeVito & Sons, Inc., 334 Underhill Avenue, Suite 4D, Yorktown Heights, NY 10598.

**Authorize Release of Project Bond in the amount of \$2,500.00 to PCSB Bank**

WHEREAS,

1. PCSB Bank as applicant, posted check #73688 in the amount of \$2,500 which was deposited to the T33 account on December 28, 2018.
2. PCSB Bank has 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 \$2,500 bond be and is hereby released to PCSB Bank, 2651 Strang Boulevard, Box 712, Yorktown Heights, NY 10598.

**Award Bid for aquatic pesticide treatments to control blue green algae blooms at Mohegan Lake**

WHEREAS, the Town received proposals from three companies to conduct aquatic pesticide treatments to control blue green algae blooms at Mohegan Lake;

WHEREAS, based on anticipated treatments, Limnology Information and Freshwater Ecology Inc.'s proposal was for \$49,100, Stahl Holdings, LLC's (d/b/a The Pond and Lake Connection) was \$53,300, and Solitude Lake Management LLC's was \$47,074;

RESOLVED, that upon the recommendation of the Mohegan Lake Improvement District, the Bid be awarded to Solitude Lake Management LLC,

BE IT FURTHER RESOLVED, that the Supervisor is authorized to enter into an agreement with Solitude Lake Management LLC for the provision of aquatic pesticide treatments in an amount not to exceed \$47,074. The term of the agreement shall end on December 31, 2021.

10. ADJOURN

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

Dated: February 16, 2021

**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, February 16, 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 and/or the Public Hearings for this meeting at [dquast@yorktownny.org](mailto:dquast@yorktownny.org)**

You will need to provide your name, phone number and email address when registering so we can send a confirmation 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). You can also watch the meeting while it is occurring on the Town's website at [yorktownny.org](http://yorktownny.org).

**AGENDAS ARE SUBJECT TO CHANGE**