



# Town of Yorktown

*Office of the Town Clerk Diana L. Quast*

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## **FINAL TOWN BOARD AGENDA**

**March 2, 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):

#### Personnel

Engineering Department

#### Litigation & Negotiations

Assessor

Town Attorney

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

1. PLEDGE OF ALLEGIANCE
2. MOMENT OF SILENCE
3. INTRODUCTIONS
4. REPORT FROM TOWN SUPERVISOR MATTHEW J. SLATER
5. REPORTS FROM TOWN COUNCIL
6. REPORT FROM HIGHWAY SUPERINTENDENT
7. REPORTS FROM WHITE PLAINS  
Westchester County Legislators Vedat Gashi and Colin Smith
8. PROCLAMATION - Women's History Month  
WHEREAS, March stands as Women's History Month and March 8th recognized as International Women's Day;

WHEREAS, the Town of Yorktown recognizes and acknowledges the countless women who have contributed to the advancement of our culture through a multitude of roles within society; and

WHEREAS, Women's History Month gives our community time to reflect on the struggles and triumphs of women throughout our national society; and

WHEREAS, New York State and its citizens have a long and proven history of embracing the unlimited potential of women in our society including holding the first women's rights convention in 1848 at Seneca Falls, guaranteeing women the right to vote in 1917 which was three years before the ratification of the 19th amendment; electing the first African-American woman to Congress in 1968, through the appointment of the first Hispanic Justice to the United States Supreme Court in 2009 and through the appointment of the first woman to serve as Attorney General of the State of New York in 2015 who was then succeeded by the first African-American woman elected to the office of New York State Attorney General in 2018; and

NOW THEREFORE BE IT RESOLVED, that the Town of Yorktown recognizes March as Women's History Month;

BE IT FURTHER RESOLVED, the Town of Yorktown reaffirms itself as a community of hope, generosity and acceptance to everyone, regardless of gender, religion, race, national origin, ethnicity, culture or orientation.

9. POET LAUREATE

John McMullen

10. COURTESY OF THE FLOOR

11. PERSONNEL

**Accept the Retirement received from Dawn Irving from the Engineering Department effective June 30, 2021**

Resolved, that the Town Board accepts the Retirement received from Dawn Irving Effective June 30, 2021 with thanks for her 21 years of service to the Town.

**Accept the Retirement received from Margaret O'Reilly from the John C. Hart Memorial Library effective May 28, 2021**

Resolved, that the Town Board accepts the Retirement received from Margaret O'Reilly Effective May 28, 2021 with thanks for her 23 years of service to the Town.

**Accept the Retirement received from Elizabeth Proctor from the Assessor's Office effective March 18, 2021**

Resolved, that the Town Board accepts the Retirement received from Elizabeth Proctor Effective March 18, 2021 with thanks for her 35 years of service to the Town.

**Accept the Retirement received from Brad Goodman from the Building Department effective April 30, 2021**

Resolved, that the Town Board accepts the Retirement received from Brad Goodman Effective April 30, 2021 with thanks for his many years of service to the Town.

**Accept the Resignation received from Patricia DeMarsh from the Albert A. Capellini Community and Cultural Center effective March 12, 2021**

Resolved, that the Town Board accepts the Resignation received from Patricia DeMarsh effective March 12, 2021.

**Accept the Resignation received from Joseph Dellolio from the Highway Department effective February 22, 2021**

Resolved, that the Town Board accepts the Resignation received from Joseph Dellolio Effective February 22, 2021.

**Reappoint Douglas McGowan as a member of the Board of Assessment Review**

BE IT RESOLVED, that Douglas McGowan is hereby reappointed as a member of the Board of Assessment Review for a five-year term expiring September 30, 2025.

12. PUBLIC HEARING

**Decision**

**Adopt Lead Agency, Negative Declaration and SEORA for Local Law amending Chapter 135 of the Town Code entitled "BUILDINGS, UNSAFE" by adding a new section 135-13 "Yorktown Zombie Properties Law**

RESOLVED, the Town Board does hereby declare itself lead agency for the purpose of reviewing the environmental impact of the proposed local law pursuant to the State Environmental Quality Review Act, and

BE IT FURTHER RESOLVED, that the Town Board finds that the action has no identifiable adverse impacts and the Town Board hereby adopts a negative declaration pursuant to the State Environmental Quality Review Act, 6NYCRR, part 617, et. seq.

**Adopt Local Law No. 4 of 2021 amending Chapter 135 of the Town Code entitled “BUILDINGS, UNSAFE” by adding a new section 135-13 “Yorktown Zombie Properties Law**

Whereas, a public hearing was held on the February 2, 2021 and reconvened on February 16, 2021 pursuant to notice duly published as required by law 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.

13. **RESOLUTIONS**

**Already passed by the Town Board on February 23, 2021**

**Authorize Supervisor to sign a twenty-five year agreement with HESP Solar, LLC for the construction of a solar facility and four EV charging stations at the Granite Knolls Sports Complex subject to Permissive Referendum**

WHEREAS, the Town seeks to enter into a twenty-five-year agreement with HESP Solar LLC for the construction of a solar facility (including a canopy system, ground mount system, and energy storage unit) and four EV charging stations at the Granite Knolls Sports Complex; and

WHEREAS, Town Law § 64 requires that the Town’s lease of real property be subject to a permissive referendum under Town Law §§ 90 and 91; and

NOW THEREFORE, BE IT RESOLVED, that the Town has determined the action contemplated under this Resolution is a Type II action under the State Environmental Quality Review Act (“SEQR”) and therefore no further review is required under SEQR; and be it

FURTHER RESOLVED, the Town Board hereby directs that a copy of this resolution be filed with the Town Clerk and a copy be provided to any person who has requested a copy hereof; and be it

FURTHER RESOLVED, that pursuant to NY Town Law §§ 82 and 90, within ten (10) days from the date of this Resolution the Town Clerk shall post and publish a notice which shall set forth the date of the adoption of the Resolution, shall contain an abstract of such Resolution concisely setting forth the purpose and effect thereof, shall specify that this Resolution was adopted subject to a permissive referendum; and shall publish such notice in the Yorktown News, a newspaper published in the County having a general circulation in the Town of Yorktown, and in addition thereto that the Town Clerk shall post or cause to be posted on the sign-board of the Town of Yorktown, a copy of such notice within ten (10) days after the date of the adoption of this Resolution.

FURTHER RESOLVED, that if 30 days after publication and posting of the above-described notice, this Resolution has not been challenged by permissive referendum, the resolution shall take effect.

**Authorize SEQRA for alienation of parkland to enter into a twenty-five-year agreement with HESP Solar LLC for the construction of a solar facility and four EV charging stations at the Granite Knolls Sports Complex which requires the N.Y. State Legislature's permission**

WHEREAS, the Town seeks to enter into a twenty-five-year agreement with HESP Solar LLC for the construction of a solar facility (including a canopy system, ground mount system, and energy storage unit) and four EV charging stations at the Granite Knolls Sports Complex; and

WHEREAS, the agreement would constitute alienation of parkland and requires the N.Y. State Legislature's permission;

WHEREAS, the request for alienation would constitute an Unlisted Action under SEQRA;

NOW THEREFORE, BE IT RESOLVED, that the Town Board intends to act as Lead Agency under SEQRA, and that the Town Clerk will circulate the Short Form EAF to relevant agencies.

**Authorize Extension of Bid for Annual Electric Work on Town Buildings**

WHEREAS:

1. The Annual Electric Work on Town Buildings for Maintenance Bid was awarded to Hanover Electric on February 6, 2019.
2. The bid was extended as per the contractual three additional one-year extensions from February 7, 2020 through February 6, 2021.
3. The bid has lapsed and the Town is going to exercise its next one-year extension from February 7, 2021 to February 6, 2022.

NOW, THEREFORE BE IT RESOLVED, the Town Board hereby approves the one-year extension of the electric bid to Hanover Electric, 251 G, Yorktown Heights, NY 10598, Attn: Mr. Michael Dubovsky.

**Reject and Rebid the Preventive Maintenance and On-Call Services of Emergency Generators #20-1 Bid**

Resolved, the Town Board rejects and rebids the Preventive Maintenance and On-Call Services of Emergency Generators #20-1 Bid.

Sealed proposals will be received by the Town Clerk of the Town of Yorktown, Westchester County, New York, at the Town Hall, 363 Underhill Avenue, Yorktown Heights, New York, until 11:00 A.M., on Monday, March 22, 2021, for the Rebid for Preventive Maintenance and On-Call Services of Emergency Generators #20-1 Bid.

**Authorize Comptroller to refund the following Duplicate Second Half School Tax Payments**

<u>Account No:</u>	<u>Amount</u>	
0513500	\$1,224.81	Refund Duplicate 2020/21 Second Half School Tax
0008000	\$1,808.03	Refund Duplicate 2020/21 Second Half School Tax
0141500	\$2,258.41	Refund Duplicate 2020/21 Second Half School Tax
0688500	\$2,945.75	Refund Duplicate 2020/21 Second Half School Tax
1450500	\$3,098.04	Refund Duplicate 2020/21 Second Half School Tax
3480000	\$4,684.24	Refund Duplicate 2020/21 Second Half School Tax
0590500	\$4,180.90	Refund Duplicate 2020/21 Second Half School Tax
2028000	\$2,686.62	Refund Duplicate 2020/21 Second Half School Tax
0943500	\$3,824.31	Refund Duplicate 2020/21 Second Half School Tax
1441500	\$4,163.77	Refund Duplicate 2020/21 Second Half School Tax
3828000	\$3,529.29	Refund Duplicate 2020/21 Second Half School Tax
4314322	\$1,417.66	Refund Duplicate 2020/21 Second Half School Tax

and penalty.

14. **MONTHLY REPORTS**

Building Department – February 2021  
Finance Department – February 2021  
Receiver of Taxes – February 2021  
Town Clerk – February 2021

15. **ADJOURN**

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

Dated: March 2, 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, March 2, 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](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**