



Town of Yorktown

Office of the Town Clerk Diana L. Quast

FINAL TOWN BOARD AGENDA

March 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):

Personnel

Parks and Recreation Department

Refuse and Recycling Department

Water Department

Litigation & Negotiations

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. PRESENTATION
Alliance for Safe Kids
8. POET LAUREATE
John McMullen
9. COURTESY OF THE FLOOR

10. PERSONNEL

Accept the Retirement of Robert Ireland from the Highway Department

Resolved, that the Town Board accepts the Retirement of Robert Ireland from the Highway Department.

11. PUBLIC HEARINGS

Decision

Adopt the Yorktown Coalition on Community Safety and Engagement Plan under Executive Order 203

WHEREAS, on June 12, 2020, Governor Andrew Cuomo issued Executive Order No. 203, which required the Town to “perform a comprehensive review of current police force deployments, strategies, policies, procedures, and practices, and develop a plan to improve such deployments, strategies, policies, procedures, and practices, for the purposes of addressing the particular needs of the communities served by such police agency and promote community engagement to foster trust, fairness, and legitimacy, and to address any racial bias and disproportionate policing of communities of color”;

WHEREAS, the Executive Order also required the Town Supervisor to form a group that would undertake the police review in order to “consider evidence-based policing strategies, including but not limited to, use of force policies, procedural justice; any studies addressing systemic racial bias or racial justice in policing; implicit bias awareness training; de-escalation training and practices; law enforcement assisted diversion programs; restorative justice practices; community-based outreach and conflict resolution; problem-oriented policing; hot spots policing; focused deterrence; crime prevention through environmental design; violence prevention and reduction interventions; model policies and guidelines promulgated by the New York State Municipal Police Training Council; and standards promulgated by the New York State Law Enforcement Accreditation Program”;

WHEREAS, Supervisor Matthew J. Slater established the Yorktown Coalition on Community Safety and Engagement (“CCSE”) in the summer of 2020, which included representatives of Yorktown’s diverse stakeholders, including faith-based leaders, the business community, senior citizens, youth and ordinary residents;

WHEREAS, activities specified in Executive Order 203 were completed by the CCSE, which held six public meetings between October 8, 2020 and January 6, 2021;

WHEREAS, the meetings were recorded and shared on the town’s website and YouTube page;

WHEREAS, in February 2021, the CCSE issued “FROM GREAT TO GREATEST: A ROADMAP FOR THE YORKTOWN POLICE DEPARTMENT,” which recommended that the Town: (1) Revise the personnel complaint policy to require a quarterly report from the police chief on personnel complaints from the public or disciplinary actions initiated by the department; (2) Beta test body cameras with a report on the tests for the Town Board by April 30, 2021; (3) Collaborate with Westchester County to restore the Mobile Crisis Unit to better deal with emotionally disturbed individuals; (4) Improve public understanding of the role Town Board members play as acting Police Commissioners; (5) Introduce annual anti-bias and de-escalation in-service training; (6) Post the police complaint policy on the department’s website and enhance the integration and information sharing on the Town’s website; (7) Acknowledge that racial profiling is prohibited; (8) Continue community outreach initiatives, diversionary and accreditation programs;

WHEREAS, the CCSE Plan was offered for public comment at a hearing held on March 4, 2021; and

WHEREAS, the Town Board has considered the comments made on March 4, 2021.

NOW, THEREFORE, BE IT RESOLVED, that the Town hereby adopts the CCSE Plan;

BE IT FURTHER RESOLVED, that: (1) the Town shall advocate that NY State modify and enhance its data collection capabilities at traffic stops; (2) the Chief of Police will present to the Town Board an annual report every February sharing, for the previous calendar year, arrest data, use of force statistics, training data, and any policy changes implemented; and

BE IT FURTHER RESOLVED, that the Supervisor is authorized to transmit a Certification to the N.Y. Director of the Division of the Budget to affirm that the foregoing process was followed and the Town Clerk will certify that the resolution was thereby duly adopted by the Town Board.

Convene
Public Hearing to consider a Wetlands/Tree Permit Application submitted by Marcia Saunders for dam repair/replacement work to be done at Illington Road

Supervisor Matthew Slater will convene a public hearing to consider a Wetlands/Tree Permit Application submitted by Marcia Saunders for dam repair/replacement work to be done at on Illington Road, Ossining, NY, also known as Section 69.08, Block 1, Lot 11 on the Tax Map of the Town of Yorktown. The proposed work includes removal of dam remnants, installation of temporary bi-pass channel/stream crossing, installation of permanent forebay,

pouring of concrete dam and cofferdam, installation of stone stream vane, the repair of dam earth berms, and the installation of NYSDEC buffer plants.

12. RESOLUTIONS

Accept Yorktown Justice Court Audit prepared by PKF O'Connor Davies, LLP for fiscal year 2020

RESOLVED, that the audit of the Town of Yorktown Justice Court prepared by PKF O'Connor Davies, LLP, for the fiscal year 2020, submitted to the Town on March 10, 2021 be and is hereby accepted by the Town Board. A copy of the audit is filed with the Town Clerk and is available for public inspection.

Approve Tax Certiorari Proceedings for 1766 Front Street formerly owned by Truro Realty Corp

WHEREAS, tax certiorari proceedings were instituted challenging the assessment for parcel known as Section 37.19 Block 1 Lot 89, 1766 Front Street on the Tax Map of the Town of Yorktown, now therefore be it

RESOLVED, that the tax certiorari proceedings affecting tax parcel 37.19 Block 1 Lot 89 Account Number 4468500, formerly owned by Truro Realty Corp. for assessment roll years 2010, 2011 and 2012 are settled as set forth in the proposed stipulation as follows:

Roll Year	Assessed Value From	Assessed Value To	Reduction
2010	19,950	14,940	5,010
2011	19,950	16,835	3,115
2012	19,950	18,620	1,330

Authorize Supervisor to exercise the two-year extension option with EnviroTest Laboratories, Inc. for laboratory services for the Yorktown Heights Water Pollution Control Facility

WHEREAS,

- A. The Town currently has an agreement in place with EnviroTest Laboratories, Inc. for laboratory services for the Yorktown Heights Water Pollution Control Facility that expires on 4/30/21.
- B. The Agreement was originally entered into, after public bidding, for a 2-year duration with an option to extend for one (1) additional two-year period.

NOW, THEREFORE BE IT RESOLVED, that the Supervisor is authorized to exercise the two-year extension option and execute all documents necessary to effectuate the extension, for a not to exceed amount of \$11,140.00. The contract shall commence on 5/1/21 and be in effect for two (2) years, until 4/30/23.

Authorize Supervisor to execute an Inter-Municipal Agreement (“IMA”) with the County of Westchester for the Town to participate in the Residential Food Scrap Transportation and Disposal Program

RESOLVED, the Supervisor is authorized to execute an Inter-Municipal Agreement (“IMA”) with the County of Westchester (acting by and through Refuse Disposal District No. 1) for the Town to participate in the Residential Food Scrap Transportation and Disposal Program, depending upon the manner of pickup and delivery and under a per-tonnage fee schedule. The term of the IMA shall begin upon full execution and continue until terminated according to the terms of the IMA.

Authorize Supervisor to execute an Inter-Municipal Agreement (“IMA”) with the County of Westchester to grant the County a license, permit and easement in order to allow the County to connect to the Town-owned sanitary sewer system for property located at 3840 Crompond Road

RESOLVED, the Supervisor is authorized to execute an Inter-Municipal Agreement (“IMA”) with the County of Westchester to grant the County a license, permit and easement in order to allow the County property located at 3840 Crompond Road, Cortlandt Manor, New York (“County Property”) to connect to the Town-owned sanitary sewer system (“Town District”), a portion of which is located along Route 202 (Crompond Road). In consideration for the privilege of connecting to and discharging sanitary sewage from the County Property into the Town District’s sanitary sewer during the term of this Permit, the County agrees and covenants to pay a fee equivalent to what the County would pay if the Town was able to levy a sewer tax against the County Property, and the County would also be subject to payment of its share of debt service for any capital improvements made to the Town District during the term of the Agreement.

Reduce Retainage for Granite Knolls Project to be release to Montesano Brothers, Inc., in the amount of \$87,195.86

WHEREAS, the Town has withheld \$130,143.08 as retainage for Montesano Brothers, Inc.’s full performance of the Granite Knolls Recreation and Sports Complex Project;

WHEREAS, upon recommendation of the Parks & Recreation Commission and Parks Superintendent, the amount of the retainage can be reduced to \$42,947.22;

NOW, THEREFORE BE IT RESOLVED, that retainage in the amount of \$87,195.86 is hereby released to Montesano Brothers, Inc.

Approve Garbage License for CRP Sanitation Inc. to Service Commercial Properties in the Town of Yorktown for the year 2021

RESOLVED, that CRP Sanitation, Inc. be and is hereby granted renewal of their Garbage License to service commercial properties in the Town of Yorktown for the year 2021.

Authorize Release of Driveway Permit #1215 in the amount of \$500 and Driveway Permit #1217 in the amount of \$500 to JAB Builders, Inc.

Resolved, that upon the recommendation of the Highway Superintendent the following Escrow Deposits for Driveway Permit #1215 in the amount of \$500.00 to JAB Builders, Inc. 361 Route 6, Mahopac, NY 10541 for work done at 2475 Hunterbrook Road, and Driveway Permit #1217 in the amount of \$500.00 to JAB Builders, Inc. 361 Route 6, Mahopac, NY 10541 for work done at 3645 Old Crompond Road be released.

Authorize Town Clerk to advertise Bids for Bodywork on Town Trucks and Town Cars

Resolved, that the Town Clerk is authorized to advertise Bids for Bodywork on Town Trucks and Bodywork on Town Cars.

Extend Bid for Dry Cleaning Services for the Police Department with Rite Price Cleaners, Inc.

RESOLVED, that the bid for Dry Cleaning Services for the Police Department with Rite Price Cleaners, Inc. is hereby extended an additional year as per the bid specifications.

13. ADJOURN

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

Dated: March 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, March 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 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 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.

AGENDAS ARE SUBJECT TO CHANGE