



Town of Yorktown

Office of the Town Clerk

FINAL TOWN BOARD MEETING IN PERSON/VIDEO CONFERENCE AGENDA

December 7, 2021

Spadaccia Meeting Room, Town Hall
363 Underhill Avenue, Yorktown, NY 10598

2022 PRELIMINARY BUDGET PUBLIC HEARING

6:00 PM EXECUTIVE SESSION

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

INTERVIEWS SOLAR ENERGY RFPs

Innergex, Borrego, Hesp

7:00 PM TELEVISED TOWN BOARD MEETING

1. **PLEDGE OF ALLEGIANCE**
2. **MOMENT OF SILENCE**
3. **PEARL HARBOR REMEMBRANCE DAY – 80 YEARS**
4. **2022 PRELIMINARY BUDGET PUBLIC HEARING**

NOTICE IS HEREBY GIVEN, that the preliminary budget of the Town of Yorktown, Westchester County, NY for the fiscal year beginning January 1st, 2022 has been completed and filed in the office of the Town Clerk of the said Town at the Town Hall, 363 Underhill Avenue in Yorktown Heights, in the said Town where it is available for inspection by any interested person during regular office hours of the Town Clerk beginning November 19, 2021, and

FURTHER NOTICE IS HEREBY GIVEN, that the Town Board of said Town of Yorktown will meet and hold a public hearing thereon at the Town Hall, 363 Underhill Avenue, in the said Town, on the 7st day of December, 2021 at 7:00 o'clock PM, or as soon thereafter as the same can be heard, and that at such hearing any person shall be heard in favor of or against the preliminary budget as compiled for or against any items therein contained, and

The 2022 Preliminary Proposed General Budget totals \$63,169,071 representing an increase of \$2,416,533 from the 2021 Adopted Budget with the following salaries of the elected officials:

Supervisor -	\$124,361
Councilman (4) -	\$ 20,064
Town Clerk -	\$105,247
Superintendent of Highways -	\$131,336
Town Justice (2) -	\$ 40,000

5. RESOLUTIONS

Reappoint Steven Tvert as a member of the Board of Assessment Review

B E IT RESOLVED, that Steven P. Tvert is hereby reappointed as a member of the Board of Assessment Review for a five-year term expiring September 30, 2025.

CREATION OF LOCAL HISTORY ADVISORY COMMITTEE AND APPOINTMENT OF TOWN HISTORIAN

WHEREAS, the Town of Yorktown is desirous of creating a Local History Advisory Committee which will work with the Town Historian and be dedicated to preserving, collecting, researching and celebrating our town's rich history, and

WHEREAS, the Town Supervisor of the Town of Yorktown desires to appoint a Town Historian in order to further preserve Yorktown's history for future generations to come; and

WHEREAS, the Town Historian shall serve with compensation of \$10,000.00 per year, and with an annual appropriation of funds as may be necessary to reimburse the Town Historian for expenses incurred in the performance of their duties and responsibilities.

WHEREAS, the Town Historian shall have the following powers:

- To carry out an historical program, including but not restricted to collecting, preserving and making available materials relating to the history of the Town.
- The Town Historian shall make an annual report to the Supervisor and Town Board stating all the work performed and accomplished during that year.
- The Town Historian shall transmit an annual copy of such report to the New York State Historical Society.
- The Town Historian may research, write and cause to have published a municipal history, and may recommend appropriate historical materials for publication;
- The Town Historian shall assist in projects of commemoration.
- The Town Historian will Chair the Local History Advisory Committee which will assist the Town Historian in carrying out his or her duties on matters of importance to the preservation of the history of the Town of Yorktown and the commemoration thereof.

WHEREAS, the Town Board may appoint up to seven (7) members to the Local History Advisory Committee which will serve at the discretion of the Town Board, and

WHEREAS, the Local History Advisory Committee will designate the date, time and frequency of its meetings by a majority vote of the Committee's membership, and

WHEREAS, Committee meetings will be open to the public and minutes of its meetings will be posted on the Town Website, now

THEREFORE, BE IT RESOLVED, that the Town Board hereby creates a Local History Advisory Committee which will work with the Town Historian and be dedicated to preserving, collecting, researching and celebrating our town's rich history for future generations to come.

Appoint Alice E. Roker to serve as the Town Historian and Chair of the Local History Advisory Committee

Resolved, that Alice E. Roker is hereby appointed to serve as the Town Historian and Chair of the Local History Advisory Committee at an annual compensation of \$10,000.00.

Appoint Paul Martin to serve as a member of the Local History Advisory Committee

Resolved, Paul Martin is hereby appointed to serve as a member of the Local History Advisory Committee, as a representative of the Yorktown Historical Society and will serve at the discretion of the Town Board.

Appoint Linda Kiederer to serve as a member of the Local History Advisory Committee

Resolved, Linda Kiederer is hereby appointed to serve as a member of the Local History Advisory Committee, as a representative of the Yorktown Historical Society and will serve at the discretion of the Town Board.

Appoint Bridget Krowe to serve as a member of the Local History Advisory Committee

Resolved, Bridget Krowe is hereby appointed to serve as a member of the Local History Advisory Committee, as a representative of the Heritage Preservation Commission and will serve at the discretion of the Town Board.

Appoint Christine Sisler to serve as a member of the Local History Advisory Committee

Resolved, Christine Sisler is hereby appointed to serve as a member of the Local History Advisory Committee, as a representative of the Heritage Preservation Commission and will serve at the discretion of the Town Board.

Appoint Adele Hobby to serve as a member of the Local History Advisory Committee

Resolved, Adele Hobby is hereby appointed to serve as a member of the Local History Advisory Committee, as a member of the Yorktown Museum and will serve at the discretion of the Town Board.

Appoint Yvonne Cech to serve as a member of the Local History Advisory Committee

Resolved, Yvonne Cech is hereby appointed to serve as a member of the Local History Advisory Committee, as a member of the John C. Hart Memorial Library and will serve at the discretion of the Town Board.

Appoint Michael Dubovsky to serve as a member of the Local History Advisory Committee

Resolved, Michael Dubovsky is hereby appointed to serve as a member of the Local History Advisory Committee, as a representative of the Community at-large and will serve at the discretion of the Town Board.

Appoint Diana L. Quast to serve as the liaison to the Local History Advisory Committee

Resolved, the Diana L. Quast is hereby appointed to serve as the liaison to the Local History Advisory Committee, as the Records Management Officer.

Authorize the following employees to carry over their remaining vacation time in 2022

Whereas, the following employees have requested and received permission from their applicable department heads to carry accrued 2021 vacation time for use in 2022 and

Whereas, the Comptroller has confirmed the available balances as of 2021 Payroll 23, for pay period ending November 19, 2021, now

Therefore, Be It Resolved, the following employees may carry over remaining vacation time balances as follows, unless the employee takes vacation time after 2021 Payroll 23, which would reduce the time listed below:

<u>Name</u>	<u># Hours</u>	<u>Name</u>	<u># Hours</u>
Robert Noble	40	Sandra Serrano	77
Kim Penner	245	Donna Andrews	91
Anne Anderson	229	Mark Bistro	22.5
Jake Arcara	12.75	Vincent Calicchia	37.5
Michale Battista	43.5	Adam Cerrato	127.5
Nicholas Burns	115.75	Maria DeRubeis	119
Antonio Cambareri	198	Curt Doerr	90
Kieran Carney	105.75	Giulio Eliseo	32
Angela Cavallo	50.25	Tom Lagatella	17.5
Ted Devlin	168	Carl Laduca	57
Dennis Flynn	63	Jim Morgan	139

Peter Goldberg	65.25	John Vanderbrook	67.5
Michael Grasso	262.5	Doug Neeson	45
Kevin Harrigan	107.5	Paul Vasillo	120
Philip Klein	34.5	Edward Kolisz	63
Thomas McNulty	189.5	Sandrine Nseng	28
David Nikisher	127.5	Noreen O'Driscoll	245
Robert Reddy	33	Terri Campanaro	87
Margaret Gspurning	189	Franz Rom	37.5
Maria Ricci	196	Le Artis El	61
Yolanda Vazquez	49	Sonia Mejia	21
Shane Enea	71.9	David Humphrey	5.5
Peggiann Thorp	110	Katherine Sotomayor	54
Tara Guerrero	28	Robert Alfano	30.75
Philip Marino	67.5	Andrew Bergin	15
Andrew Heady	19	Andrew Cerrato	135.5
Matthew Hoek	42	Scott Ferreira	82.5
Douglas Paget	47	Barry Gelbman	150
Kristin Scherrer	93.5	Michael Hoek	103.25
Jake Vaccaro	45	Eric Hollberg	37.5
Mark Alexander	52.5	Stephen Melillo	37.5
John Winter Jr.	74.75	Dominic Monopoli	171
Paul Colarusso	97.25	Bryan O'Keefe	78.25
Victor Contreras	90	Guido Parks	135.5
Daniel Cruz	72	Richard Williams	30
Michael Hoy	112.5	Jessica Bambach	122.5
Christopher Moran	178	Anita Hecker	189
Alfred Pisano	100	James Martorano, Jr.	182
Steven Vitulli	85.5	Deanna Peterson	21
Louise Kobiliak	76.5	Daniel Walzewski	63
William Batista	59.5	Allison Egan	64.75
Dan Moran	105	Maria Stolfi	245
Anthony Cuccovia	122	Margaret Groccia	101
Kyle Gulitz	64.5	Shirley McCord	213.5
Curt Chase	141.25	Yvonne Cech	108.5
Michael Mill	224	John Landi	176.5
Daniel Ciarcia	101	Richard Falcone	38.5
Michael Antonucci Jr.	75	John Tegeder	245
Kyra Brunner	70	Robyn Steinberg	126
Jenna Belcastro	98	Nancy Calicchia	63
Lori Rotunno	89	Maura Weissleder	42
Barbara Korsak	245	Elena Panagi	42
Patricia Caporale	245	Kathy Nicholson	35
Gennelle MacNeil	158.5	Adele Hobby	50
Rachel Marchionno	56	Christine Julian	14

Authorize the following Managerial Employees vacation buy outs:

Whereas, the Town Board on December 18, 2012 adopted a resolution clarifying the benefits provided to department heads and other managerial and professional employees holding office titles not covered by the Town's CSEA contract,

Whereas, the Town Board wishes to provide certain additional benefits to the Managerial Employees, as permitted pursuant to General Municipal Law 92(1),

Authorize Release of Performance Bond for Stormwater Permit #T-FSWPPP-055-18 to Zappico Construction, LLC for Orchard View Subdivision – Sherry Drive

WHEREAS, Zappico Construction, LLC, as applicant, posted check #09324 in the amount of \$500 to serve as the Performance Bond which was deposited to the T33 account on September 21, 2018 for Stormwater Permit #T-FSWPPP-055-18, and

WHEREAS, the applicant has requested his money be released as the site is now complete, and

WHEREAS, 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 bond be released to Zappico Construction, LLC, 194 Brady Avenue, 2nd Floor, Hawthorne, NY 10532.

Authorize Comptroller to process the following Budget Transfer for the Sewer Department

RESOLVED, that \$55,000 is transferred from YS.8130.0101 to YS.8130.0460.0003.

Authorize Comptroller to process the following Budget Transfer for the Water Department

Resolved, that the Comptroller is authorized to transfer \$5,000 from the Kitchawan Water District Fund Balance (SW2.0000.0909.0000) to the Water Purchases Line (SW2.8320.0450.0000) to cover the remaining invoices for 2021 water purchases.

Approve the following Vehicle Use Policy

Policy Statement – All vehicles and related equipment of the Town of Yorktown are owned and maintained for the purpose of conducting official business of the Town. Said vehicles and equipment may not be used for the personal use or private gain of any official or employee nor for any other purpose which is not in the general public interest.

License Requirements

All Department employees who drive or are required to drive a Town vehicle must have a valid driver's license on their person at all times. Employees are obligated to report immediately any loss, suspension, revocation or expiration of their license to their immediate supervisor.

Town Vehicle Use

All employees are restricted to use of the Town vehicle for the performance of official duties only. Only stops incidental to the conduct of official business such as for meals on route to and from a destination are permitted. Department employees shall not allow a person who is not a Department employee to drive a Town vehicle nor shall they transport non-Town employees unless such persons are transported for a departmental purpose.

Out of Town Trips

No personnel shall be authorized to use a Town owned vehicle for out of Town trips without a prior written request to and approval of the Town Supervisor. The Supervisor will notify the Fleet Committee if he/she will be utilizing a Town vehicle for any out of Town trip

Driving Policy

All drivers must adhere to all New York State driving regulations and traffic laws and all vehicle operating procedures by the State of New York. All drivers must wear seatbelts in accordance with provision set forth in New York State Law and General Law 09-07. All accidents must be reported immediately to the local Police Department. All accident reports must be submitted to the Town Legal Department. All drivers are responsible for checking the operation of all safety-related equipment and fluids prior to the operation of any department vehicle and reporting any malfunction to maintenance personnel immediately. All drivers are responsible for all summonses, fines, or penalties issued as a result of operating a vehicle while conducting Town business.

Commuting Privilege Personnel

Commuting privilege assignment of Town owned vehicles is for personnel who are authorized to use their assigned vehicle to commute between their home and their workplace. Town vehicles may not be used for commuting between an employee's home and workplace unless the employee is required to respond to emergencies during non-business hours. Employees who are authorized to commute with Town owned vehicles are required under Internal Revenue Service (IRS) regulations to report the value of all mileage commuted as taxable income. The value of personal use will be calculated according to IRS guidelines. All vehicles taken home by employees are to prominently display at all times a permanently affixed Town emblem on both sides of the vehicle. Magnetic emblems will not be permitted. The Yorktown Police Department does not have to comply with this requirement.

Commuting Vehicle Privileges are authorized for the following Employees
(or their designee):

- Supervisor
- Highway Superintendent
- Highway General Foreman
- Chief of Police
- Police Lieutenants
- Police Sergeant of the Detective Division
- Police Detectives
- Refuse and Recycling General Foreman
- Town Clerk
- Sewer Assistant Plant Superintendent
- Building Inspector
- Superintendent Parks and Recreation
- Water Distribution Superintendent and staff as per May 2, 2017 Town Board Resolution

Authorize Barton & Loguidice, D.P.C. to Perform an Environmental Review for the Home & Hearth Proposed Site Plan

WHEREAS, the Planning Board of the Town of Yorktown desires to verify the wetland delineation on the subject site and study the environmental impacts of the proposed site plan as outlined in their New Project Task Order Summary for the Home and Hearth Warehouse and Showroom located at 1750 East Main Street, Mohegan Lake, NY 10547, also known as Section 15.12, Block 1, Lot 2 on the Town of Yorktown Tax Map; and WHEREAS, Barton & Loguidice, D.P.C., an environmental consulting firm, has entered into an agreement with the Town of Yorktown to provide these services on an on-call basis which was authorized by the Town Board by resolution on July 7, 2021; and

WHEREAS, Barton & Loguidice, D.P.C. has submitted a proposal to provide the requested environmental review of the submitted project materials pursuant to said on-call agreement for an amount not to exceed \$3,800.00; now therefore

BE IT RESOLVED, that the Supervisor of the Town of Yorktown is hereby authorized to engage Barton & Loguidice, D.P.C. under the on-call agreement with the Town of Yorktown for the purpose of reviewing the proposed Home & Hearth Site Plan located at 1750 East Main Street, in an amount not to exceed \$3,800.00 for the environmental review, and that the total cost shall be borne by the applicant as part of the cost of the application's review.

Authorize Barton & Loguidice, D.P.C. to Perform an Environmental Review for the NY-578 - Granite Springs Proposed Cell Tower

WHEREAS, the Town Board of the Town of Yorktown desires to verify the wetland delineation on the subject site as outlined in their New Project Task Order Summary for NY-578 - Granite Springs located on Granite Springs Road, Yorktown Heights, NY 10598, also known as Section 27.11, Block 1, Lot 33 on the Town of Yorktown Tax Map; and

WHEREAS, Barton & Loguidice, D.P.C., an environmental consulting firm, has entered into an agreement with the Town of Yorktown to provide these services on an on-call basis which was authorized by the Town Board by resolution on July 7, 2021; and

WHEREAS, Barton & Loguidice, D.P.C. has submitted a proposal to provide the requested environmental review of the submitted project materials pursuant to said on-call agreement for an amount not to exceed \$2,300.00; now therefore

BE IT RESOLVED, that the Supervisor of the Town of Yorktown is hereby authorized to engage Barton & Loguidice, D.P.C. under the on-call agreement with the Town of Yorktown for the purpose of verifying the wetland delineation for the NY-578 - Granite Springs located on Granite Springs Road, in an amount not to exceed \$2,300.00 for this environmental review, and that the total cost shall be borne by the applicant as part of the cost of the application's review.

Authorize Barton & Loguidice, D.P.C. to Perform an Environmental Review for the NY-087 - Jefferson Valley Proposed Cell Tower

WHEREAS, the Town Board of the Town of Yorktown desires to verify the wetland delineation on the subject site as outlined in their New Project Task Order Summary for NY-087 – Jefferson Valley located at the corner of Route 6 and Hill Boulevard, Jefferson Valley, NY 10535, also known as Section 16.12, Block 1, Lot 31 on the Town of Yorktown Tax Map; and

WHEREAS, Barton & Loguidice, D.P.C., an environmental consulting firm, has entered into an agreement with the Town of Yorktown to provide these services on an on-call basis which was authorized by the Town Board by resolution on July 7, 2021; and

WHEREAS, Barton & Loguidice, D.P.C. has submitted a proposal to provide the requested environmental review of the submitted project materials pursuant to said on-call agreement for an amount not to exceed \$2,300.00; now therefore

BE IT RESOLVED, that the Supervisor of the Town of Yorktown is hereby authorized to engage Barton & Loguidice, D.P.C. under the on-call agreement with the Town of Yorktown for the purpose of verifying the wetland delineation for the NY-087 – Jefferson Valley site located at the corner of Route 6 and Hill Boulevard, in an amount not to exceed \$2,300.00 for this environmental review, and that the total cost shall be borne by the applicant as part of the cost of the application’s review.

Award Bid for the replacement of boilers at the Town Hall, Yorktown Police Department, and Albert A. Capellini Community & Cultural Center

WHEREAS, bids were received from the below vendors for the replacement of boilers in the Town Hall, Yorktown Police Department, and Albert A. Capellini Community & Cultural Center:

<u>NAME OF BIDDER</u>	<u>AMOUNT OF BID</u>
Peak Performance & Service, Inc.	\$327,500.00
Sun-Dance Energy Contractors, Inc.	\$352,050.00
ThermoDynamics Corp.	\$507,000.00
Bertussi Contracting, Inc.	\$588,588.00

RESOLVED, that the bid for the replacement of boilers in the above-named buildings be awarded to Peak Performance & Service, Inc., at a total bid price of \$327,500.00.

Authorize use of the Albert A. Capellini Community & Cultural Center by Love Holds Life, Inc., for use of a toy giveaway and waives the rental fee of \$117.00 and the overtime fee of \$225.00

RESOLVED, at the request of Love Holds Life, Inc., the Town Board hereby authorizes the use of the Albert A. Capellini Community & Cultural Center gymnasium for 3 hours of use for a toy giveaway on Sunday, December 19, 2021. The Town Board waives the rental fee of \$117.00 and the overtime fee of \$225.00.

Authorize Comptroller to release Street Opening Permit #020-004 in the amount of \$7,000.00 and Street Opening Permit 020-005 in the amount of \$4,000.00 to Amawalk Real Estate for work done at 1447 Delaware Road

Resolved, that the Comptroller is authorized to release Street Opening Permit #020-004 in the amount of \$7,000.00 and Street Opening Permit #020-005 in the amount of \$4,000.00 to Amawalk Real Estate, 11 Bedell Road, Amawalk, NY 10501 for work done at 1447 Delaware Road.

Authorize Comptroller to release Street Opening Permit #021-006 in the amount of \$2,000.00 to Catucci 14, Inc. for work done on 1715 Strawberry Road

Resolved, that the Comptroller is authorized to release Street Opening Permit #021-006 in the amount of \$2,000.00 to Catucci 14, Inc. 1998 East Main Street, Mohegan Lake, NY 10547.

6. ADJOURN MEETING

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

Dated: December 7, 2021

Instructions for the Public to participate in Town Board Meetings Remotely:

The Town of Yorktown will televise an in person/video conference Town Board meeting on Tuesday, December 7, 2021 beginning at 7:00 p.m.

Please make sure to register in advance if you would like to speak at the Public Hearing 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 via zoom, if you will not be in person. **Anyone wishing to speak must register before 5 p.m. on the day of 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.