

FINAL TOWN BOARD AGENDA  
TOWN OF YORKTOWN  
May 3, 2016

PLACE:  
TOWN HALL

TIME:  
7:30pm

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- I. PLEDGE OF ALLEGIANCE
- II. MOMENT OF SILENCE
- III. REPORT FROM SUPERVISOR MICHAEL GRACE
- IV. REPORTS FROM TOWN COUNCIL
- V. PRESENTATION
  - Arbor Day

VI. PROCLAMATION  
**Country Childrens Center**

WHEREAS, the Town of Yorktown and other local municipalities and organizations, in conjunction with the National Association for the Education of Young Children and the Country Childrens Center, with five child care sites in our area, including two in Yorktown, are celebrating the Week of the Young Child April 10 through April 16, 2016; and

WHEREAS, by joining the Country Childrens Center in calling attention to the need for high quality early childhood services for all children and families within our community, these groups hope to improve the quality and availability of such services; and

WHEREAS, the purpose of the Week of the Young Child is also to focus on recognizing the early childhood programs and services that meet the needs of young children in our community; and

WHEREAS, the future of our community depends on the quality of the early childhood experiences provided to young children today; and

WHEREAS, high quality early childhood services represent a worthy commitment to our children's future

NOW, THEREFORE, BE IT RESOLVED, that I, Michael J. Grace, Supervisor of the Town of Yorktown, do hereby proclaim April 10 through 16, 2016 as the Country Childrens Center Week of the Young Child in Yorktown, New York, and urge all citizens to recognize and support the needs of young children in our community.

PROCLAMATION

**Healthy Teen Brain Day**

WHEREAS, our youth are our greatest joy and our hope for the future so it is necessary for us to support them in making safe and healthy decisions, while creating a supportive environment that safeguards their future, and;

WHEREAS, Many of our youth are making very healthy and safe decisions to remain marijuana-free and providing leadership in their schools and communities to help other youth remain marijuana-free, and;

WHEREAS, there is strong objective evidence that marijuana is harmful to the adolescent brain, with the potential to cause distorted perceptions, difficulty with thinking and problem solving, disrupted learning and memory, and impaired reaction time, attention span, judgment, balance and coordination, and:

WHEREAS, it is with special pleasure that I join with the youth and adult leaders of Alliance for Safe Kids (ASK) in celebrating the first “Healthy Teen Brain Day” to applaud and support our youth who are making healthy decisions, and;

NOW, THEREFORE, BE IT RESOLVED, that I, Michael J. Grace, Supervisor of the Town of Yorktown, along with the members of the Town Board, hereby proclaim Wednesday, April 20, 2016 as HEALTHY TEEN BRAIN DAY in the Town of Yorktown and I urge all residents to join their fellow residents in marking this observance.

VII. PERSONNEL:

**Appoint Todd Orłowski Superintendent of Recreation**

BE IT RESOLVED, that Todd D. Orłowski is hereby appointed Superintendent of Recreation, job class code 0260-01, from Eligible List No. 73-732, in the Parks & Recreation Department, effective May 4th, 2016, to be paid \$95,000.00 annually,

BE IT FURTHER RESOLVED, that this appointment is subject to a probationary period of not less than 12 nor more than 52 weeks, commencing on the first date of appointment on May 4th, 2016.

**Re-Appoint Richard Fon to the Planning Board**

BE IT RESOLVED, that Richard Fon is hereby re-appointed as a member of the Planning Board for a term expiring on December 31, 2020.

**Appoint Robert Puff to the Conservation Board**

BE IT RESOLVED, that Robert Puff is hereby appointed as a member of the Conservation Board for a three-year term expiring on August 31, 2018.

**Appoint Michael Reda to the Board of Ethics**

BE IT RESOLVED, that Michael C. Reda is hereby appointed as a member of the Board of Ethics for a three-year term expiring on May 31, 2018.

**Accept the Retirement of Joseph Pagliaro from the Highway Department**

Resolved, the Town Board accepts the retirement of Joseph Pagliaro effective April 29, 2016.

VIII. PUBLIC HEARINGS:

**Proposed Local Law Repealing Chapter 102 – Affordable Housing**

NOTICE IS HEREBY GIVEN, that a public hearing will be held by the Town Board, Town of Yorktown, Westchester County, New York at the Town Hall, 363 Underhill Avenue, Yorktown Heights, New York 10598 on the 3<sup>rd</sup> day of May, 2016 at 7:30 o'clock PM, or as soon thereafter as the same can be heard for the purpose of repealing Chapter 102 of the Code of the Town of Yorktown entitled “AFFORDABLE HOUSING.”

**Create Hunterbrook Sewer District Extension - Orchard View**

A meeting of the Town Board of the Town of Yorktown, Westchester County, New York, shall be held at the Town Hall, 363 Underhill Avenue, in Yorktown Heights, New York, in said Town, on the 3<sup>rd</sup> day of May, 2016, at 7:30 o'clock P.M., prevailing time, for the purpose of holding a public hearing to consider the establishment of the Sewer District Extension in said Town as described in the preambles hereof, to be known as Hunterbrook Sewer District Extension - Orchard View, and the improvements proposed therefor, and to consider the petition, map, plan and report filed in relation thereto, and to hear all persons interested in the subject matter thereof concerning the same, and for such other action on the part of said Town Board as may be required by law or shall be proper in the premises.

**Increase and Improvement of the Facilities of the Consolidated Water District**

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Yorktown, Westchester County, New York, will meet at the Town Hall, in Yorktown Heights, New York, on May 3, 2016, at 7:30 o'clock P.M., prevailing time, for the purpose of conducting a public hearing in relation to the proposed increase and improvement of the facilities of the Consolidated Water District, in said Town, consisting of the replacement and enlargement of the Catskill water tank at the Northern Westchester Joint Water Works, at a maximum estimated cost to the District of \$3,000,000.

**Proposed Local Law amending Chapter 15 - Building Construction Administration**

NOTICE IS HEREBY GIVEN, that a public hearing will be held by the Town Board, Town of Yorktown, Westchester County, New York at the Town Hall, 363 Underhill Avenue, Yorktown Heights, New York on the 3<sup>rd</sup> day of May, 2016 at 7:30 o'clock PM, or as soon thereafter as the same can be heard to consider a proposed local law amending Chapter 15 of the Code of the Town of Yorktown entitled “BUILDING CONSTRUCTION ADMINISTRATION” by amending Section 15-4 (A) to modify the circumstances when a building permit is required.

IX. RESOLUTIONS

**Advertise Bid for Water Maintenance Materials – Water Department**

NOTICE IS HERE GIVEN, that sealed bids will be received by the Town Clerk, Town of Yorktown, Westchester County, NY until 11:00 A.M. on May 26, 2016 at the Town Hall, 363 Underhill Avenue, Yorktown Heights, N.Y. 10598 for Water Maintenance Materials. Specifications may be obtained at the office of the Town Clerk in said Town Hall.

**Approve Bond Release #WP-051-09 AND #WP-081-14 – 16 Lake Road, Inc.**

WHEREAS, 16 Lake Road Inc., as applicant and developer, provided the Town with Check No. 1019 in the amount of \$2,500.00 which was deposited into the T33 account on October 18, 2013, to serve as the five year wetland mitigation bond for Wetland Permit #051-09, for work performed at his Parmly Road location, and

WHEREAS, 16 Lake Road Inc., as applicant and developer, provided the Town with Check No. 1018 in the amount of \$2,500 which was deposited into the T33 account on October 18, 2013, to serve as the stormwater bond for Wetland Permit #WP-051-09, and

WHEREAS, 16 Lake Road Inc., as applicant and developer, posted Check No. 1109 in the amount of \$300, which was deposited into the T33 account on January 20, 2015, to serve as the wetland bond covering Wetland Permit #WP-081-14, and

WHEREAS, the applicant has requested his stormwater and wetland bond be released, 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 \$300.00 for wetlands and the \$2,500.00 for stormwater may be released, NOW THEREFORE BE IT

RESOLVED, that the five year wetland mitigation bond will be held, and BE IT FURTHER

RESOLVED, that the above-described bonds be released to 16 Lake Road, Inc., P.O. Box 508, Bedford, NY 10506, Attn: Mr. George Vignogna.

**Authorize Supervisor to sign a Hold Harmless Agreement between the Town and Algonquin Gas Transmission, LLC d/b/a Spectra Energy Partners and MD Drilling and Blasting, Inc.**

WHEREAS, pursuant to Town Code Chapter 124, Algonquin Gas Transmission, LLC d/b/a Spectra Energy Partners and MD Drilling and Blasting, Inc. have applied to the Building Inspector for blasting permits for certain sites along the Algonquin Gas Line;

WHEREAS, pursuant to Town Code Chapter 124, Algonquin Gas Transmission, LLC d/b/a Spectra Energy Partners and MD Drilling and Blasting, Inc. are required to agree to hold the Town of Yorktown harmless in connection with such blasting activities;

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Yorktown, that the Town Supervisor is hereby authorized to sign the hold harmless agreement.

**Authorize Supervisor to sign an agreement with SunGard Public Sector, Inc. for a renewal maintenance contract and support services for the Police Department**

RESOLVED, that the Town Board hereby authorizes the Town Supervisor to sign an agreement with SunGard Public Sector, Inc. for a renewal maintenance contract and support services for the Yorktown Police Department's productivity software from February 1, 2016 through January 31, 2017. The annual renewal fee is \$30,000.00.

**Authorize Supervisor to sign an agreement with Westchester County for Title 111B Transportation Services**

RESOLVED, that the Town Board authorizes the Town Supervisor to sign an Agreement with Westchester County Department of Senior Programs and Services for Title 111B Transportation Services Agreement in the amount of \$17,141. This is for the period January 1, 2016 through December 31, 2016.

**Authorize Supervisor to sign an agreement with Westchester County for Title 111C-1 and Title 111C-2, Nutrition Services Incentive Program**

RESOLVED, that the Town Board authorizes the Town Supervisor to sign an Agreement with Westchester County Department of Senior Programs and Services for Title 111C-1 in the amount of \$22,770, with an estimate of an additional \$9,629 (NSIP) Nutrition Services Incentive Program, and Title 111C-2 in the amount of \$47,799, with an estimate of an additional \$23,581 (NSIP). This is for the period January 1, 2016 through December 31, 2016.

**Authorize Emergency Purchase of Generator for Police Department**

Whereas, the Town Board has previously authorized the Yorktown Police Department to purchase a Generac Industrial diesel generator, 100K rating, wired for 120/208 VAC, three phase, 60hz Model and a Generac PSTS series, 1000 amp, 3 pole, 120/208 VAC, three phase automatic transfer switch, now

Therefore Be It Resolved, that the Town Board hereby authorizes the emergency purchase of a Generac, Industrial diesel engine driven, turbocharged 4 cylinder 3.4L engine, 50k W 120/208V, steel SD Industrial, diesel series Generator with Level 1, steel, low sound enclosure and upsized 211 gallon fuel tank and a Generac 200 Amp, automatic, three phase, GTS Series Transfer Switch with a five year extended limited warranty from HPE Huntington Power as per proposal #48069C-RT for a total cost of \$25,110 for the Yorktown Police Department.

**Authorize the Adoption of the 2015 Westchester County Hazard Mitigation Plan Update**

WHEREAS, all jurisdictions within Westchester County have exposure to natural hazards that increase the risk to life, property, environment, and the County and local economy; and

WHEREAS, pro-active mitigation of known hazards before a disaster event can reduce or eliminate long-term risk to life and property; and

WHEREAS, The Disaster Mitigation Act of 2000 (Public Law 106-390) established new requirements for pre and post disaster hazard mitigation programs; and

WHEREAS, a coalition of Westchester County municipalities with like planning objectives has been formed to pool resources and create consistent mitigation strategies within Westchester County; and

WHEREAS, the coalition has completed a planning process that engages the public, assesses the risk and vulnerability to the impacts of natural hazards, develops a mitigation strategy consistent with a set of uniform goals and objectives, and creates a plan for implementing, evaluating and revising this strategy;

NOW, THEREFORE, BE IT RESOLVED that the Town of Yorktown:

- 1) Adopts in its entirety, the 2015 Westchester County Hazard Mitigation Plan (the “Plan”) as the jurisdiction’s Natural Hazard Mitigation Plan, and resolves to execute the actions identified in the Plan that pertain to this jurisdiction.
- 2) Will use the adopted and approved portions of the Plan to guide pre- and post-disaster mitigation of the hazards identified.
- 3) Will coordinate the strategies identified in the Plan with other planning programs and mechanisms under its jurisdictional authority.
- 4) Will continue its support of the Mitigation Planning Committee as described within the Plan.
- 5) Will help to promote and support the mitigation successes of all participants in this Plan.
- 6) Will incorporate mitigation planning as an integral component of government and partner operations.
- 7) Will provide an update of the Plan in conjunction with the County no less than every five years.

**Award bid for used Bucket Truck – Parks Department**

WHEREAS, invitation to bid for one (1) pre-owned 2009 or newer 4x4 Utility Body Bucket Truck with a telescoping, articulating, electrically insulated 42’ maximum working height and 37’ minimum bottom of platform height boom for the Yorktown Parks and Recreation Department was duly advertised, and

WHEREAS, said bids were received and opened on Friday, April 15, 2016, with the bid amounts for the above referenced project summarized as follows; NOW THEREFORE BE IT

COMPANY	PRICE
Global Rental: Division of Altec Industries (2011 AT37G –Ford 550 – 56,317 miles)	\$53,900.00

RESOLVED, that upon recommendation of the Assistant Superintendent of Parks and Recreation, Todd Orlowski, the bid be and is hereby awarded to Altec Industries Inc. the lowest responsible bidder for one (1) unit at \$53,900.00.

**Award bid for Dry Cleaning Services for the Police Department**

WHEREAS, invitation to bid for Dry Cleaning Services for the Police Department was duly advertised, and

WHEREAS, said bid was received and opened on the 15<sup>th</sup> day of April 2016 with the bid amount for the above-referenced project as follows:

Rite Price Cleaners	Shirts	\$4.50
P.O. Box 370	Slacks	\$4.50
Jefferson Valley, NY 10535	Blouses	\$4.50
	Sweaters	\$4.50
	Coats	\$4.50
	Ties	N/C
	Hats	N/C
	Blankets	N/C

RESOLVED, that the bid for Dry Cleaning Services be and is hereby awarded to Rite Price Cleaners, the sole bidder.

**Award Bid for Laboratory Services for the Water Treatment Pollution Control Plant**

Resolved, that the bid for Laboratory Services for the Water Pollution Control Plant, Bid #16-1, be awarded to EnvironTest Laboratories, Inc., the sole bidder, at a cost of \$11,140.00.

**Waive Rent Fee for the Enrichment Center of Yorktown for use of Rooms at the YCCC**

Resolved that the Town Board waives the rent fee of \$19,396.80 for use of rooms at the Yorktown Community & Cultural Center by The Enrichment Center of Yorktown from September 2016 through June 2017.

Based on the 2016 rent rate. It is possible the standard rates will increase in 2017.

Enrichment Center					
YCCC Room Use					
			2016-2017 Rate	Hours	
After School Program 2:15pm to 6:15pm, (Room 16)					
182 School Days @ 4 hours/ Day					
Enrichment Center Hourly Rate			\$5.60	728	\$ 4,076.80
Early Dismissal Program 10:15am to 2:15pm (Rooms 16, 209)					
Maximum of 40 hours					
Enrichment Center Hourly Rate			\$5.60	40	\$ 224.00
Gym Use, Mondays 4:00pm to 5:00pm					
12/7, 12/14, 12/21, 1/11, 1/25, 2/1, 2/8, 2/22, 2/29, 3/7, 3/14, 3/28					
Enrichment Center Hourly Rate			\$5.60	12	\$67.20
		TOTAL RENT BASED ON REQUESTED DISCOUNT:			\$ 4,368.00
		DISCOUNT FROM NON PROFIT STANDARD RATE:			\$ 19,396.80

X. COURTESY OF THE FLOOR

X1. MONTHLY REPORTS

Accept Building Department Construction Report – April 2016

Accept Receiver of Taxes Monthly Report – April 2016

XII. ADJOURN

\_\_\_\_\_  
Diana L. Quast, Town Clerk  
Town of Yorktown

Dated: May 3, 2016

**Courtesy of the Floor Policy**

1. Each speaker shall identify themselves before speaking by stating their name and address
2. Speakers shall limit their comments to three minutes
3. Speakers will address their comments to the Town Board
4. Speakers shall keep their comments to the business of the Town
5. Personal attacks will not be tolerated
6. All speakers are expected to comment with respect and civility

7. The Supervisor reserves the right to stop a speaker's comments if they are not in accordance with this approved Courtesy of the Floor Policy

**Anyone wishing to contact the Town Board in writing may send their correspondence to the Town Clerk ([townclerk@yorktownny.org](mailto:townclerk@yorktownny.org)) or Town Supervisor ([supervisor@yorktownny.org](mailto:supervisor@yorktownny.org)), 363 Underhill Avenue, Yorktown Heights, NY 10598.**

## **PUBLIC HEARINGS ADJOURNED**

### **Request for Rezoning – 3574 Lexington Avenue – Re-scheduled for May 17, 2016**

To consider a petition filed by RPG Properties, Inc. seeking a zoning map amendment and a proposed local law to amend the Town of Yorktown zoning map, as follows:

Section I. The Zoning Map of the Town of Yorktown, New York as established under Chapter 300 of the Code of the Town of Yorktown is hereby amended as follows:

The following lot on the Tax Map of the Town of Yorktown is rezoned from the R1-20 Zoning District to the R-3 zoning district:

Section 15.15, Parcel 1, Lot 22 (15.15-1-22) (approximately one acre)

### **Amend Special Use Permit – Mobil Gas Station:**

To demolish the existing 1000 square foot convenience store and construct a new 3000 square foot convenience store at the Mobil Gasoline Station located at 2035 Saw Mill River Road also known as Section 37.14, Parcel 2, Lot 51 on the Tax Map.