

TOWN BOARD AGENDA
TOWN OF YORKTOWN
September 6, 2016

PLACE:
TOWN HALL

TIME:
7:30pm

- I. PLEDGE OF ALLEGIANCE
- II. MOMENT OF SILENCE
- III. SINGING OF THE NATIONAL ANTHEM
 - Police Officer Angel Garcia
- IV. REPORT FROM TOWN SUPERVISOR MICHAEL GRACE
- V. REPORTS FROM TOWN COUNCIL

VI. PERSONNEL - POLICE DEPARTMENT:

Police Retirements:

Accept Retirement of Daniel McMahon – Chief of Police

Resolved, the Town Board accepts the retirement of Daniel McMahon, Chief of Police effective August 29, 2016.

Accept Retirement of John LaPlaca – Police Lieutenant

Resolved, the Town Board accepts the retirement of John LaPlaca, Police Lieutenant effective September 28, 2016.

Appointment of Robert Noble - Chief of Police

Swearing in Ceremony:

- Julianne Vicinanza - Administrative Sergeant, Detective Bureau
- James Graham - Operations Lieutenant
- Robert Noble – Chief of Police

VII. PERSONNEL:

Appointments:

Appointment of Distribution Superintendent - Kenneth P. Rundle

BE IT RESOLVED, that Kenneth P. Rundle is hereby appointed Provisional Distribution Superintendent, job class code 0617-01, in the Water Department, effective September 7, 2016 to be paid \$105,000.00 annually.

Appointment of Park Groundskeeper – Bryan O’Keefe

BE IT RESOLVED, that Bryan G. O’Keefe is hereby appointed Park Groundskeeper, job class code 0288-05, within the Parks & Recreation Department, effective

September 7th, 2016 to be paid from Yorktown CSEA Salary Schedule A, Group 10, Step 1 which is \$49,217.00 annually;

BE IT 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 September 7th, 2016.

Appointment of Town Engineer - Michael Quinn

BE IT RESOLVED, that Michael Quinn is hereby appointed Town Engineer, job class code 0370-01, in the Engineering Department, effective September 7th, 2016 to be paid \$145,000.00 annually,

BE IT 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 September 7th, 2016.

Resignations:

Accept Resignation of John Winter - Building Inspector

Resolved, the Town Board accepts the resignation of John Winter, Building Inspector effective September 11, 2016.

Accept Resignation of Nancy Calicchia – Senior Clerk – Tax Department

Resolved, the Town Board accepts the resignation of Nancy Calicchia, Senior Clerk effective August 17, 2016.

Retirement:

Accept Retirement of Maureen Davis – John C. Hart Memorial Library

Resolved, the Town Board accepts the retirement of Maureen Davis, Reference Librarian effective September 19, 2016.

Volunteer Board Appointments – Industrial and Commercial Incentive Board:

BE IT RESOLVED, that Michael Ciniscolo is hereby appointed as a member of the Industrial and Commercial Incentive Board for a five-year term expiring on September 30, 2021.

BE IT RESOLVED, that Clifford Weber is hereby appointed as a member of the Industrial and Commercial Incentive Board for a five-year term expiring on September 30, 2021.

BE IT RESOLVED, that Joseph Visconti is hereby appointed as a member of the Industrial and Commercial Incentive Board for a five-year term expiring on September 30, 2021.

BE IT RESOLVED, that Matthew Bloom is hereby appointed as a member of the Industrial and Commercial Incentive Board for a five-year term expiring on September 30, 2021.

BE IT RESOLVED, that Jeffrey Jankowski is hereby appointed as a member of the Industrial and Commercial Incentive Board for a five-year term expiring on September 30, 2021.

BE IT RESOLVED, that Robert Giordano is hereby appointed as an alternate member of the Industrial and Commercial Incentive Board for a five-year term expiring on September 30, 2021.

VIII. PRESENTATIONS:

- **Support Connection**
- **Kim Angliss Gage, Coordinator – Refuse and Recycling**
- **Financial Audit Report – O’Connor Davies**

IX. PUBLIC HEARINGS:

Proposed Local Law to amend Chapter 260-33 entitled Deadline for Filing Applications

NOTICE IS HEREBY GIVEN, that a public hearing will be convened by the Town Board, Town of Yorktown, Westchester County, New York at the Town Hall, Town of Yorktown, 363 Underhill Avenue, Yorktown Heights, New York on the 6th day of September, 2016 at 7:30 o'clock PM, or as soon thereafter as the same can be heard to consider amending Chapter 260-33 of the Code of the Town of Yorktown entitled Deadline for Filing Applications.

Proposed Local Law amending Chapter 260 by adding a new Article XI entitled Taxable Status Date

NOTICE IS HEREBY GIVEN, that a public hearing will be convened by the Town Board, Town of Yorktown, Westchester County, New York at the Town Hall, Town of Yorktown, 363 Underhill Avenue, Yorktown Heights, New York on the 6th day of September, 2016 at 7:30 o'clock PM, or as soon thereafter as the same can be heard to consider amending Chapter 260 of the Code of the Town of Yorktown entitled Taxation by adding a new Article XI, Taxable Status Date.

X. ADVERTISEMENTS:

Advertise Request for Proposals (RFP’s) seeking a highly qualified attorney or law firm to serve as the Town’s Land Use Counsel

Notice is Hereby Given that the Town of Yorktown is seeking proposals for a highly qualified attorney(s) or law firm(s) with extensive experience in land use and development matters including compliance with New York State and Federal Environmental Laws to serve as the Town’s Land Use Counsel.

Advertise Bid for Preventative Maintenance and On-Call Services of Emergency Generators #16-4

WHEREAS:

The Town has fifteen (15) locations with emergency generators in place to provide back-up power in the event of an electrical service outage. The generators need

regular preventative maintenance services to ensure they are ready for operation at any time.

The Town had a previous contract in place for the furnishing of preventative maintenance services. The previous contract expired on 6/30/16 (although there is an option to extend this Agreement for an additional 1-year term we do not wish to exercise this option).

Under the new contract we will be seeking a Contractor with the in-house resources to perform preventative maintenance, repair work and on-call services. The bid documents will be for a 2-year contract duration. Upon mutual consent of the contractor and the Town, the Agreement may be extended for one (1) additional 2-year term. We will include a bid item for labor rates (regular working hours and overtime hours) and an additional work allowance that can be used for on-call services that will ensure the Town can receive emergency repairs or additional parts if needed on a timely basis.

RESOLVED, that the Town Board authorizes the Town Clerk to advertise for bids the Preventative Maintenance & On-Call Services of Emergency Generators.

Advertise Bid for Dewatered Sludge – Water Pollution Control Plant #16-5

WHEREAS:

The Town performs on site dewatering of digested sludge at the Yorktown Wastewater Treatment Plant and needs a means to remove and dispose of dewatered sludge.

The Town had a previous contract in place for dewatered sludge removal and disposal, that contract expired on 8/31/16. In a separate resolution the department is requesting the Board's approval to extend this contract agreement for an additional 60-day period, until 10/31/16.

Under a new contract we will be seeking a hauling contractor with the ability to transport and legally dispose of municipal sludge. The anticipated start date for this contract will be 11/1/16.

The bid documents will be for a 2-year contract duration. Upon mutual consent of the contractor and the Town, the Agreement may be extended for one (1) additional 2-year term.

RESOLVED, that the Town Board authorizes the Town Clerk to advertise for bids for the Dewatered Sludge Removal & Disposal from the Yorktown Wastewater Treatment Plant.

Advertise Bid – Various Chemicals – Water Pollution Control Plant #16-6

WHEREAS:

The Town requires the use of various chemicals for on-site operations at the Yorktown Wastewater Treatment Plant.

The chemicals that will be included in this contract: Ferric Chloride (per dry ton), 40% Ferric Chloride (per 55-gallon drum), 50% Caustic Soda (per gallon), 25% Caustic Soda (per 55-gallon drum), 50% Citric Acid (per 55-gallon drum), Sulfuric Acid (per 55-gallon drum), 38% Sodium Bisulfite (per 55 gallon drum), 15% Sodium Hypochlorite (per 55-gallon drum), Calgon Poly E-Z or equivalent polymer (per 55-gallon drum).

The Town has a current contract in place for furnishing of the chemicals indicated above. The contract expires on 10/20/16 at which time the Town will need to put a new contract in place.

The bid documents will be for a 1-year contract duration. Due to the variability of commodity prices, most chemical suppliers will not guarantee their pricing for longer than the 1-year duration that is specified in this Contract.

RESOLVED, that the Town Board authorizes the Town Clerk to advertise for bids for the Furnishing of Various Chemicals for the Yorktown Wastewater Treatment Plant.

Advertise Bid for Purchase of Unmarked Vehicles – Police Department

NOTICE IS HEREBY GIVEN that sealed bids will be received by the Town Clerk, Town of Yorktown, Westchester County, NY until 11:00 A.M. on October 4, 2016 at the Town Hall, 363 Underhill Avenue, Yorktown Heights, N.Y. 10598 for Police Department Unmarked Vehicle Purchase.

Extend Bid for Dewatered Sludge Removal & Disposal for a period of sixty (60) days with New England Water Services of ME

WHEREAS:

The Town Board at its meeting of August 13, 2013, awarded the bid for Dewatered Sludge Removal & Disposal, Bid #13-04, for the Water Pollution Control Plant to New England Waste Services of ME, and

The Town previously exercised its contractual option to extend the bid in one-year increments for the periods 9/1/14- 8/31/15 and 9/1/15- 8/31/16. The maximum contract term of three (3) years has been reached.

The Town is finalizing documents for a re-bid of this contract. The Contractor providing services under the current agreement is willing to hold their contract price for an additional period of sixty (60) days. The Town has received satisfactory service from the Contractor and would like to continue to utilize their services until 10/31/16, at which time a new bid will be ready to be put in place.

RESOLVED, that the Town Board extends the contract with New England Waste Services of ME for Dewatered Sludge Removal & Disposal, Bid #13-4 for a period of sixty (60) days with the same terms and conditions. Contract Price: unit price of \$105/ton, Contract term: 9/1/16-10/31/16.

XI. RESOLUTIONS:

Accept a Conveyance of Real Property - Dedicate as Public Parkland

WHEREAS, the Town of Yorktown promotes the preservation of existing open and/or natural conditions as undeveloped wooded land without improvements as dedicated public parkland; and

WHEREAS, on July 15, 2016, Dornoch Development, LLC conveyed to the Town certain parcels of property shown and described as Section 16.17, Block 1, Lots 48.3, 48.4, 48.12, 48.13, and 48.14 and part of Stone Drive, part of Alice Lane, and Rose Lane Lot 48.69 on Filed Map #6438 filed on October 3, 1947 consisting of approximately 3.507 acres as set forth in the deed for the purpose of conveying and dedicating the property as public parkland.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Yorktown accepts the conveyance of the property for the purpose of dedicating the property as public parkland.

RESOLVED, the Town Supervisor is hereby authorized to sign any required documents or forms and to take such further acts as may be necessary to finalize the conveyance of the donated property.

Approve Bond Release #BSWPPP-012-16

WHEREAS,

L & M Attard, as applicants, posted check #1544 in the amount of \$300 which was deposited into the T33 account on April 15, 2016, to serve as the Erosion Control Bond for Stormwater Permit #BSWPPP-012-16, for work performed at their Wharton Drive residence.

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, that the above referenced Erosion Control Bond be released to Mr. & Mrs. M. Attard, 3108 Wharton Drive, Yorktown Heights, NY 10598.

Approve Bond Release #WP-BSWPPP-059-13

WHEREAS,

Thomas Bodkin, as applicant, posted check #252 in the amount of \$300 which was deposited into the T33 account on September 13, 2013, to serve as the Erosion

Control Bond for Wetland & Stormwater Permit #WP-059-13, for work performed at his Croton Lake Road residence.

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, that the above referenced Erosion Control Bond be released to Mr. Thomas Bodkin, 1535 Croton Lake Road, Yorktown Heights, NY 10598.

Approve Budget Transfer – Highway Department

Resolved, as per request of David Paganelli, Highway Superintendent, the Comptroller is hereby authorized to transfer the following:

\$16,060.44 from D5110.810 Medical Insurance to D5130.425 Outside Services to process payment to Altec for repairs to tree truck #22.

Approve Budget Transfer – Water Department

BE IT RESOLVED, that the Town Comptroller is hereby authorized to make the following budget transfers:

Transfer \$30,000 from the Water Department Cement Lining line (SW8340.483.0001) to the Water Department Materials and Supplies Line (SW.8340.0403) for the purchase of water valves and miscellaneous materials and supplies for the distribution system.

Transfer \$15,000 from the Water Department Cement Lining Line (SW.8340.0483.0001) to the Water Department Vehicle Maintenance line (SW.8340.0420) for repairs of vehicles for the remainder of 2016.

Approve Refund for overpayment of Alarm Permit

Resolved, that upon the recommendation of the Building Inspector John Winter, a duplicate alarm payment is hereby refunded to 2413 Ridge Street in the amount of \$30.00.

Authorize Building Inspector to issue temporary Certificate of Occupancy to Dicks Sporting Goods

Resolved, the Building Inspector is authorized to issue a temporary CO to The Mall at Jefferson Valley (16.12-1-24) in the event that all site plan improvements have not been made before Dicks Sporting Goods (Building Permit # 20160116) is ready to open for business.

Approve Contract Extension - Marshall Alarm Systems for Annual Alarm Services and Monitoring

RESOLVED, that the Annual alarm services for upgrading and monitoring the network for the Town of Yorktown be hereby extended for one year per the terms of the bid agreement to Marshall Alarm Systems, 2024 Saw Mill River Road, Yorktown Heights, NY 10598. The date of the extension will be from June 3, 2016 through June 4, 2017.

Authorize Supervisor to sign an agreement with BidNet

BE IT RESOLVED, that the Town Supervisor is hereby authorized to execute an agreement between Town of Yorktown and International Data Base Corp., doing business under the trade name BidNet.

Authorize Supervisor to sign the Federal Transit Assistance Agreement

WHEREAS, the New York State Department of Transportation recommended approval of a grant application by the Town of Yorktown for purchase of one transport vehicle with a share from a grant under the Federal Transit Administration (FTA) Enhanced Mobility of Seniors and Individuals with Disabilities Program;

BE IT RESOLVED, the Town Board adopts the Title VII Plan for submission in connection with the FTA grant and authorizes the Town Supervisor to execute the Federal Transit Assistance Agreement;

BE IT FURTHER RESOLVED, that the Town Comptroller is hereby authorized to issue a check in the amount of \$11,672.27 to the U.S. Bank National Association for the benefit of the Town's share of the transport vehicle.

Authorize Supervisor to sign an agreement with Land Communications, Inc.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board authorizes the Supervisor to execute the Maintenance of Police Department Telephone System Agreement between the Town of Yorktown and Land Communications, Inc.

Authorize Supervisor to sign a consultant agreement with Pro-Safety Services, LLC

NOW, THEREFORE, BE IT RESOLVED, that the Town Board authorizes the Supervisor to execute the Consultant Agreement between the Town of Yorktown and Pro-Safety Services, LLC,

Authorize Stipend - Julianne Vicinanza to perform the duties of Administrative Sergeant of the Detective Bureau

Resolved, the Town Board of the Town of Yorktown authorizes Julianne Vicinanza to be paid a stipend of \$280.76 per pay period for the performance of the duties of Administrative Sergeant of the Detective Bureau retroactive from June 25, 2016.

Authorize Town Clerk to refer out Wetland/Stormwater Pollution Prevention Plan Application for Murray Brennan - 2200 Saw Mill River Road

Resolved, the Town Clerk is authorized to refer out the Wetland/Stormwater Pollution Prevention Plan application received from Peder Scott Engineering, P.E. on behalf of Murray Brennan, 2200 Saw Mill River Road, Yorktown Heights, NY 10598 to the agencies listed below. The request is to perform the following activity: Suctioning harvest of 15,000 cy of bottom material from existing pond within C (T) stream. Material removed pumped into Geotubes for dewatering. Once material dry (2 months) spread in 8" lifts across existing site material disposal area," then seeded,

Now, Therefore Be It Further Resolved, the Town Board declares its intent to act as Lead Agency and would like your comments and/or recommendations back by October 12, 2016.

U.S. Army Corps of Engineers
New York City Department of Environment Protection
New York State Department of Environmental Conservation, Region III
New York State Department of Transportation
Town of Somers
Westchester County Planning Board/Department
Conservation Board
Environmental Consultant
Highway Department
Planning Board/Department
Town Attorney
Town Engineer
Tree Commission
Wetlands Inspector

Be It Further Resolved, that notice is hereby given that a Public Hearing will be convened by the Town Board, Town of Yorktown, Westchester County, New York at the Town Hall, 363 Underhill Avenue, Yorktown Heights, New York on the 18th day of October, 2016 at 7:30 o'clock PM.

XII. MONTHLY REPORTS

- Building Department – Cost of Construction Report July 2016

XIII. COURTESY OF THE FLOOR

XIV. ADJOURN

Diana L. Quast, Town Clerk
Town of Yorktown

Dated: September 6, 2016

*** Agendas are Subject to Change ***

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) or Town Supervisor (supervisor@yorktownny.org), 363 Underhill Avenue, Yorktown Heights, NY 10598.

PUBLIC HEARINGS SCHEDULED FOR SEPTEMBER 20, 2016

Repeal Tree Ordinance and replace with a new Chapter 270, Tree Ordinance

NOTICE IS HEREBY GIVEN, that a public hearing will be convened by the Town Board, Town of Yorktown, Westchester County, New York at 363 Underhill Avenue, Yorktown Heights, New York 10598 on the 20th day of September, 2016 at 7:30 PM, or as soon thereafter as the same can be heard, to repeal in its entirety Chapter 270 entitled "TREES" and replace it with a new Chapter 270 of the Code of the Town of Yorktown entitled TREE ORDINANCE.

PUBLIC HEARINGS ADJOURNED

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.

Proposed Local Law amending Chapter 245-5 entitled "SOLID WASTE."

Proposed Local Law amending Chapter 245-5 of the Code of the Town of Yorktown entitled "SOLID WASTE" by amending Section 245-5 entitled "DEFINITIONS" and adding a new Section 245-20-1 entitled "RECEPTACLES: STANDARDS AND PLACEMENT" and adding a new Section 245-20-2 entitled "GARBAGE AND REFUSE COMPACTORS."

Repeal Chapter 102 entitled Affordable Housing

For the purpose of repealing Chapter 102 of the Code of the Town of Yorktown entitled "AFFORDABLE HOUSING."