

TOWN BOARD AGENDA
TOWN OF YORKTOWN
December 6, 2016

PLACE:
TOWN HALL

TIME:
7:30 pm

- I. PLEDGE OF ALLEGIANCE
- II. MOMENT OF SILENCE
- III. REPORT FROM TOWN SUPERVISOR MICHAEL GRACE
- IV. REPORTS FROM TOWN COUNCILMEN: GREG BERNARD, TOM DIANA, ED LACHTERMAN, VISHNU PATEL
- V. APPOINTMENT
Board of Ethics – Lynette Waterhouse
BE IT RESOLVED, that Lynette Waterhouse is hereby appointed as a member of the Board of Ethics for a three-year term expiring December 31, 2019.
- VI. PRESENTATIONS
Shrub Oak Baseball Team
Chief of Police Robert Noble
- VII. RESOLUTIONS
Authorize Comptroller to pay Happy Software, Inc. for computer software provided to the Section 8 Office
RESOLVED, that the Town Comptroller is authorized to pay Happy Software, Inc. for a one year software license and software support for computer software provided to the Section 8 Office, to cover the period from February 1, 2017 through January 31, 2018. The payment amount is \$4,900.00 as shown on the invoice dated November 15, 2016. The source of funds is Housing Assistance Payments Account maintained by the Section 8 office and funded by the U.S. Department of Housing and Urban Development.

Authorize Comptroller to refund duplicate Mechanical application fee in the amount of \$225.00 to Baldwin Electrical Corp.
Resolved, that the Town Board authorizes the Comptroller to refund \$225.00 to Baldwin Electrical, Inc. for a duplicate payment made for a Mechanical application permit.

Authorize Comptroller to refund a withdrawn Building Permit fee in the amount of \$31.00 for Building Permit #20160289
Resolved, that the Town Board authorizes the Comptroller to refund \$31.00 to Permit #20160289 for a withdrawn Building permit application.

Award Bid for Stone Gravel and Concrete Materials – Highway Department

WHEREAS, invitation to bid for the Stone Gravel Concrete Materials Bid was duly advertised, and

WHEREAS, said bids were received and opened on November 1, 2016,

RESOLVED, that upon the recommendation of the Highway Superintendent, Dave Paganelli, the bid for Stone Gravel Concrete Materials Bid for the Town of Yorktown be and is hereby awarded to the lowest bidder for each item.

BE IT FURTHER RESOLVED, the Contract is to begin on January 1st, 2017 to December 31st, 2017. The Town shall have the option to extend this Contract at the same prices for (2) additional years in one-year increments upon written notice to the vendors.

Award Bid Preventative Maintenance Generators #16-4

Whereas, the bid for Preventative Maintenance Generators #16-4 was duly advertise and opened with the following bid tabulations:

<u>NAME OF BIDDER</u>	<u>AMOUNT OF BID</u>
Gentech Ltd.	\$33,032.50
FM Generator, Inc.	\$36,162.50
Weldpower Service Company	\$36,686.00
Northeast Generator of CT., Inc.	\$39,565.00
Peak Power Systems, Inc.	\$44,394.00
Transportation Technology Inc.	\$45,284.06
Genserve, Inc.	\$50,835.00
National Standby Repair Corp.	\$55,487.50
ENER-G Rudox, Inc.	\$57,077.00
Kinsley Power Systems	\$62,424.00
Genserve, Inc.	\$71,700.00

RESOLVED, that the bid for the Preventative Maintenance & On-Call Services Of Emergency Generators, Bid #16-4 be awarded to Gentech Ltd., at a total bid price of \$33,032.50.

Approve Sewer Line Repair – Hill Blvd. Jefferson Valley

WHEREAS:

Personnel from the Sewer Department were dispatched on 11/23/16 to investigate a report of a leaking sewer main pipe on Hill Boulevard. Temporary repairs were made using in-house resources; however, a sixty (60) foot section of pipe needs to be replaced as a permanent fix.

The Sewer Department obtained quotes for the following scope of work: (1) furnish and install approximately 60 linear feet of 10-inch sewer piping; (2) New piping to be

ductile iron, class 52; (3) pipe connections to be made with 10-inch Hydromax couplings; (4) includes road excavation and restoration of asphalt paving.

All work to be done with prevailing wage rates, certified payroll required.

Quotes were received from three (3) firms:

1. \$18,800 from Pizzella Brothers Inc., Cortlandt Manor, NY
2. \$25,740 from Con-Tech Construction Technology, Inc., Yorktown Heights, NY
3. \$38,480 from ELQ Industries, Inc., New Rochelle, NY

Now, Therefore Be It Resolved, that the Town Board authorizes the Supervisor to sign an agreement in the amount of \$18,800 with Pizzella Brothers Inc., Cortlandt Manor, NY for the scope of work as outlined above.

Extend Bid for Electrical Work on Town Buildings

RESOLVED, that the Annual Maintenance for electrical work on Town Buildings for the Town of Yorktown be hereby extended for one year per the terms of the bid agreement to Michael Dubovsky (Hanover Electric) 251 G Underhill Avenue, Yorktown Heights, NY 10598. The date of the extension will be from November 19, 2016 through November 18, 2017.

Referral – Wetlands, SWPPP and Tree Permit Application received from Bruce Kelderhouse for Turus Lane

Resolved, that the Town Clerk is authorized to refer out the Wetland, SWPPP and Tree Permit application received from Bruce Kelderhouse, Dornoch Development, LLC, to construct a modular home on Turus Lane, Mohegan Lake, NY 10547 to the agencies listed below, 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 December 28, 2016.

New York State Department of Environmental Conservation, Region III
Westchester County Planning Board/Department
Conservation Board
Environmental Consultant
Highway Department
Planning Board/Department
Town Attorney
Town Engineer
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 3rd day of January, 2017 at 7:30 o'clock PM.

Waive fee for Nor-West for use of the YCCC

Resolved, that the Town Board waives the rent fee for Tuesday evenings from 4:00 – 6:00 PM for 15 weeks from January through May totaling \$1,050.00 for use of the YCCC gymnasium by Nor-West for their Winter and Spring session.

VIII. MONTHLY REPORTS

Building Department Cost of Construction Report - November 2016
Receiver of Taxes - November 2016

IX. COURTESY OF THE FLOOR

X. WORK SESSION

Rezoning Mohegan Auto and Tire Center

Mohegan Auto & Tire Center, Inc. in connection with property known on the Yorktown Tax Rolls as Section 15.12, Parcel 2, lot 8, located at 1581 East Main Street, Shrub Oak, NY 10588 seeking a zoning map amendment from R1-20 to Transitional Zone and a Wetland Permit.

Special Use Permit Application – BP/Global Station #6712, 3700 Barger Street

Replacement of underground storage tanks with associated piping and dispensers. Install new canopy over dispensers with in-canopy fire suppression system. Install new drainage structure and other site improvement work with re-branding to BP Station.

XI. ADJOURN

DIANA L. QUAST, RMC
Town Clerk
Town of Yorktown

Dated: December 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 HEARING SCHEDULED FOR DECEMBER 13, 2016

Budget for Fiscal Year 2017

NOTICE IS HEREBY GIVEN, that the preliminary budget of the Town of Yorktown, Westchester County, NY for the fiscal year beginning January 1st, 2017 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 December 6, 2016, 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 13th day of December, 2016 at 6:00 o'clock PM, or as soon thereafter as the same can be heard, and that at such hearing any person may be heard in favor of or against the preliminary budget as compiled for or against any items therein contained, and

The 2017 Preliminary Proposed General Budget totals \$55,976,315.00 representing a decrease of \$544,719.00 from the 2016 Adopted Budget with the following salaries of the elected officials:

Supervisor -	\$121,328.00
Councilman (4) -	\$ 19,575.00
Town Clerk -	\$ 96,677.00
Superintendent of Highways -	\$110,777.00
Town Justice (2) -	\$ 32,437.00

PUBLIC HEARINGS ADJOURNED

Reconvene Public Hearing - Rezoning Mohegan Auto and Tire Center

The Town Board will reconvene a public hearing to consider the application received from Petitioner: Mohegan Auto & Tire Center, Inc. in connection with property known on the Yorktown Tax Rolls as Section 15.12, Parcel 2, lot 8, located at 1581 East Main Street, Shrub Oak, NY 10588 seeking a zoning map amendment from R1-20 to Transitional Zone and a Wetland Permit.

Reconvene Public Hearing - 1875 Brookdale Street - Wetland Permit

The Town Board will reconvene a public hearing to consider the Wetland Permit Application received from Joseph Riina, Site Design Consultants on behalf of George Pavan for property located at 1875 Brookdale Street, Yorktown Heights, NY 10598, also known as Section 37.19, Block 2, Lot 22, 23, 24. The request is to perform the following activity: Construction of a single family residence, driveway and landscaped yard areas.

Public Hearing to repeal in its entirety Chapter 102 of the Code of the Town of Yorktown entitled “AFFORDABLE HOUSING” and enact a new Chapter 102

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 1st day of November, 2016 at 7:30 PM, or as soon thereafter as the same can be heard, to repeal in its entirety Chapter 102 of the Code of the Town of Yorktown entitled “AFFORDABLE HOUSING” and enact a new Chapter 102 of the Code of the Town of Yorktown entitled “BELOW MARKET HOUSING INCENTIVES.”

Public Hearing to repeal Chapter 300-39 of the Code of the Town of Yorktown entitled “AFFORDABLE HOUSING” and enact a new Chapter 300 Article XXXI

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 1st day of November, 2016 at 7:30 PM, or as soon thereafter as the same can be heard, to repeal Chapter 300-39 of the Code of the Town of Yorktown entitled “AFFORDABLE HOUSING” and enact a new Chapter 300 Article XXXI of the Code of the Town of Yorktown entitled “INCLUSION OF ADDITIONAL HOUSING UNITS.”

Public Hearing to enact a new Article X entitled “YORKTOWN COMMUNITY HOUSING BOARD” of Chapter 10 of the Code of the Town of Yorktown

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 1st day of November, 2016 at 7:30 PM, or as soon thereafter as the same can be heard, to enact a new Article X entitled “YORKTOWN COMMUNITY HOUSING BOARD” of Chapter 10 of the Code of the Town of Yorktown.

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.”