



Town of Yorktown

Office of the Town Supervisor Thomas P. Diana

TOWN BOARD WORK SESSION

MEETING AGENDA

January 24, 2023

363 Underhill Avenue, Yorktown, NY 10598

6:00 PM EXECUTIVE SESSION

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

Personnel

7:30 PM OPEN SESSION

7:30pm

Skate Park

Contact: James Martorano Jr, Parks and Recreation Superintendent

Discussion: Update on Skate Park restorations

7:45pm

Cement Pipe Relining

Contact: Kenny Rundle, Water Superintendent

Discussion: Project update

8:00pm

Sewage Spill

Contact: Dan Ciarcia, Town Engineer

Discussion: Update on sewage spill between Dunwoodie Ct and Flanders Drive

RESOLUTIONS

Engineering Department

Baptist Church Road Bridge

WHEREAS, the New York City Department of Environmental Protection (“Applicant”) applied to the Town Board of the Town of Yorktown for the permits necessary to reconstruct the Baptist Church Road Bridge (BIN 2-26243-0); and

WHEREAS, the proposed activity requires a MS4 Stormwater Management Permit pursuant to Chapter 248, a wetland permit pursuant to chapter 178, and a tree removal permit pursuant to chapter 270 of the Town Code of the Town of Yorktown; and

January 24, 2023

WHEREAS, the applicant proposes to reconstruct a bridge that carries Baptist Church Road over Hunter Brook which will require the disturbance of 0.45 acres within a wetlands and wetlands buffer, 3,600 cubic yards of unclassified excavation, 350 cubic yards of rock excavation, and removing 93 trees including 10 specimen; and

WHEREAS, the action will require greater than 5,000 square feet of land disturbance, and

WHEREAS, pursuant to Chapters 178, 248, and 270 of the Town of Yorktown Town Code the respective permits are required for the proposed action in which the Town Board of the Town of Yorktown serves as approval authority; and

WHEREAS, the applicant has submitted a Town of Yorktown MS4 Stormwater Management and Tree Removal permit application FSWPP-053-21, dated July 16, 2021; and

WHEREAS, the applicant has submitted a short-form Environmental Assessment Form (EAF), dated July 29, 2021, and

WHEREAS, the applicant submitted a design report entitled “Application for Town of Yorktown Permits” dated August 2021; and

WHEREAS, the Town Board referred the application to various boards and agencies on October 15, 2021 and received and considered the following responses:

Conservation Board - October 21, 2021

Westchester County Planning Department – email dated October 21, 2021; and

WHEREAS, the proposed action has been determined to be an Unlisted Action under the State Environmental Quality Review Act (SEQRA); and

WHEREAS, the applicant has developed a tree mitigation plan pursuant to chapter 270of the Town code; and

WHEREAS, the Town Board has considered all reasonably related long-term, short-term, direct, indirect, and cumulative environmental effects associated with the proposed action including other simultaneous or subsequent actions and determined that the action will not have a significant adverse impact on the environment, and now

THEREFORE BE IT RESOLVED THAT, that a negative declaration is pursuant to the State Environmental Quality Review Act (SEQRA) is adopted; and

BE IT FURTHER RESOLVED THAT, the following plans and documents are approved subject to the below-listed conditions;

- Stormwater Pollution Prevention Plan prepared by Entech Engineering, P.C., dated September 2021;

- A set of plans consisting of 51 sheets entitled “Capital Project WM-30 Replacement of Baptist Church Road Bridge” dated October 26, 2021, (90% Design Submittal); and

BE IT FURTHER RESOLVED THAT, this permit is granted subject to the issuance of permits by the following agencies:

- New York City Public Design Commission
- New York City Department of Environmental Protection – SWPPP
- United States Army COE – Nationwide Permit #3
- New York State Department of Environmental Conservation

Stream Disturbance

Protection of Waters Permit - fill in navigable waters

401 Water Quality Certification

Coverage for stormwater general permit GP-0-20-001 SWPPP

Beneficial Use Determination; and

BE IT FURTHER RESOLVED THAT, the Wetland and Stormwater Permit is granted subject to the signing of the plans by the Town Supervisor and shall be valid for a period of three (3) years from date of this resolution and that all work associated with the Permit shall be conducted in strict compliance with the approved plans; and

BE IT FURTHER RESOLVED THAT, the Stormwater, Wetlands, and Tree Permit shall automatically expire upon completion of work; and

BE IT FURTHER RESOLVED THAT, the below-listed conditions must be completed within six months of the date of this Resolution or shall become null and void unless an extension is requested by the applicant (in writing) within said six-month period and granted by the Town Board; and

Conditions that must be met prior to the Supervisor signing the Plans:

1. A construction monitoring fee in the amount of \$5,000 must be submitted to the Engineering Department Clerk.

Finance Department

Authorize the Comptroller to process the following budget transfer

Resolved the Comptroller is authorized to process the following budget transfer:

From:

A.1002	General Fund – Fund Balance	\$95,000.00
	(to be offset by ARPA revenue)	

To:

D5110.479	Highway – Drainage	\$95,000.00
-----------	--------------------	-------------

For the purchase of materials needed for drainage projects to be completed throughout the Town

Authorize the Comptroller to process the following budget transfer

RESOLVED, that the Town Comptroller is hereby authorized to make the following budget transfer:

From:

A.1002 General Fund – Fund Balance \$500,000.00

(to be offset by AARPA revenue)

To:

SW.8340.0201.0002 Water Equipment Vehicle \$500,000.00

For the purchase of a 2023 Vacuum Hydro-Excavator from Jack Doheny Company, lowest bidder.

Authorize the Comptroller to transfer funds for the purpose of payout at resignation for Kyra Brunner

Be It Resolved that the Town Board hereby authorizes the Town Comptroller to pay Kyra Brunner the cash value of unused time as of her date of separation

Rate of Pay: \$36.1736

Vacation	231.00 hours	x	\$36.1736	= \$8,356.66
Personal	21.00 hours	x	\$36.1736	= \$759.64
Floating Holiday	14.00 hours	x	\$36.1736	= \$ 506.43
			Total	\$9,622.74

Be It Further resolved that the Comptroller is hereby authorized to transfer funds for the purpose of this payout at resignation as follows:

From:

A.1420.101 Legal Salary \$9,622.74

To:

A.1420.108 Legal Lump Sum Payments \$9,622.74

Authorize the Comptroller to transfer funds for the purpose of payout at resignation for Paula Alicea

Be It Resolved that the Town Board hereby authorizes the Town Comptroller to pay Paula Alicea the cash value of unused time as of her date of separation

Rate of Pay: \$41.2654

Vacation	119.00 hours	x	\$41.2654	=	\$4,910.59
Personal	21.00 hours	x	\$41.2654	=	\$ 866.58
Floating Holiday	14.00 hours	x	\$41.2654	=	\$ 577.72
			Total		\$6,354.89

Be It Further resolved that the Comptroller is hereby authorized to transfer funds for the purpose of this payout at resignation as follows:

From:

A.1355.101 Assessor Salary \$6,354.89

To:

A.1355.108 Assessor Lump Sum Payments \$6,354.89

Authorize the Comptroller to transfer funds for the purpose of payout at retirement for Barry Gelbman

Be It Resolved that the Town Board hereby authorizes the Town Comptroller to pay Barry Gelbman the cash value of unused time as of his date of retirement

2023 Rate of Pay: \$46.5933

1996 Rate of Pay: \$14.05

Sick	677.625 hours @	50%	=	338.82 hours	
	338.82 hours	x		\$46.5933	= \$15,786.75

Vacation

2023	450.00 hours	x	\$46.5933	=	\$20,966.99
------	--------------	---	-----------	---	-------------

1996	48.75 hours	x	\$14.05	=	\$684.91
------	-------------	---	---------	---	----------

Personal	22.50 hours	x	\$46.5933	=	\$ 1,048.35
----------	-------------	---	-----------	---	-------------

Floating Holiday	15.00 hours	x	\$46.5933	=	\$ 698.90
------------------	-------------	---	-----------	---	-----------

Longevity

\$1,750 / 260 days = \$6.73 per day

7/3/22-1/13/-23 = 140 days

140 days x \$6.73 = \$942.20

Total \$40,128.10

Be It Further resolved that the Comptroller is hereby authorized to transfer funds for the purpose of this payout at retirement as follows:

From:		
A.1002.8	General Fund Reserve Employee Accrued Benefits	\$16,471.66
A7110.101	Parks Salary	\$22,714.24
A7110.106	Parks Longevity	\$ 942.20
To:		
A.7110.108	Parks Lump Sum Payments	\$40,128.10

Authorize the Comptroller to process the bond release to Envirogreen Associates, Inc.

WHEREAS, Envirogreen Associates Inc., as applicant, posted check #6335 in the amount of \$15,000 to serve as the trash enclosure bond which was deposited to the T33 account on June 18, 2021 for Wetland, Stormwater & Tree Permit #WP-FSWPPP-T-072-17, and

WHEREAS, the Planning Board eliminated the requirement for the trash enclosure, 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 Envirogreen Associates, Inc., P.O. Box 2088 Marco Island, Florida, 34146, Attn: Mr. Rick Cipriani.

Parks and Recreation Department

Authorize Parks and Recreation to purchase a Ford F350 Crew Cab Pickup

Whereas, Westchester County Bureau of Purchase and Supplies has published a LIGHT DUTY TRUCKS Bid for Model Year 2023; and

Whereas, the Westchester County Bureau of Purchase and Supplies has received and reviewed the bids; and

Whereas, Hempstead Ford – Lincoln of Hempstead, New York has submitted the lowest bid that meets the Town’s Specifications for a Ford F350 Crew Cab Pickup; and

Be it resolved that the Parks Department is hereby authorized to purchase (1) Ford F350 Crew Cab Pickup, meeting the Town’s specifications, be purchased from Hempstead Ford – Lincoln at a total cost of \$51,581.65 per Westchester County Bureau of Purchase and Supplies File Price No. RFB-WC-22038 LIGHT DUTY TRUCKS

Police Department

Authorize members of the Yorktown Police Department to attend an Annual Training Conference

Resolved, that two members of the Yorktown Police Department are approved for overnight lodging and training conference fees from July 16-19, 2023.

Supervisors Office

Authorize the Supervisor to sign Change Order No. 1 for additional fill required for the cement relining on Strawberry Road

WHEREAS, Ken Rundle, Water Distribution Superintendent, requests that the Town Supervisor sign the Change Order No. 1 to be attached to the cement relining bid awarded to Michel's Pipe Services for the additional purchase of NYSDOT Type 2 select fill for the cement relining on Strawberry Road; and

THEREFORE, BE IT RESOLVED, that upon the Water Distribution Superintendent's recommendation, the Town Supervisor is authorized to sign Change Order No. 1 for additional fill required for the cement relining on Strawberry Road by Michel's Pipe Services in the amount of \$880.95.

Town Board

Authorize the Town Board to waive rental fee in the amount of \$312 for use of the Albert A. Capellini Community Cultural Center Nutrition Room by the Yorktown Lions Club

Resolved, at the request of the Yorktown Lions Club, the Town Board hereby authorizes the use of the Albert A. Capellini Community & Cultural Center Nutrition Room for 8 hours of use on Saturday, March 25th, 2023. The Town Board waives the rental fee of \$312.

Reappoint Aaron Bock to the Planning Board

RESOLVED, Aaron Bock is hereby reappointed as a member of the Planning Board for a five (5) year term, from January 1, 2023 through December 31, 2027.

Reappoint Bob Waterhouse to the Planning Board

RESOLVED, Bob Waterhouse is hereby reappointed as the alternate member of the Planning Board for a five (5) year term, from January 1, 2023 through December 31, 2027.

Town Clerk

Authorize the Town Clerk to bid for Various Chemicals

Resolved, that the Town Clerk is hereby authorized to advertise a bid for Various Chemicals for the Water Pollution Control Plant, Bid #23-1.

Authorize the Town Clerk to bid for Electrical Work on Town Buildings

Resolved, NOTICE IS HEREBY GIVEN that sealed proposals will be received by the Town Clerk, Town of Yorktown, Westchester County, NY until 1:00 PM on Monday, February 24, 2023 at the Town Hall, 363 Underhill Avenue, Yorktown Heights, NY 10598 for Electrical Work on Town Buildings for Maintenance

Authorize the Town Clerk to refer out Proposed Affordable Housing Local law

RESOLVED, the Town Clerk is authorized to refer out the proposed affordable housing local law to appropriate agencies and notice and schedule a public hearing.

Renew Carlo Minuto Carting Company, Inc. Commercial Garbage License for 2023

RESOLVED, that Carlo Minuto Carting Company, Inc. be and is hereby granted renewal of their Garbage License to service commercial properties in the Town of Yorktown for the year 2023.

Renew CRP Carting, Inc. Commercial Garbage License for 2023

RESOLVED, that CRP Carting, Inc. be and is hereby granted renewal of their Garbage License to service commercial properties in the Town of Yorktown for the year 2023.

ADJOURN

*****AGENDAS ARE SUBJECT TO CHANGE*****

Americans with Disabilities Act: If you need special assistance to participate in a Town meeting or other services offered by this Town, please contact the Town Clerk's office, (914) 962-5722, x210. Assisted listening devices are available at all meetings.