



Town of Yorktown

Office of the Supervisor

TOWN BOARD WORK SESSION AGENDA

October 10, 2023

Spadaccia Meeting Room

363 Underhill Avenue, Yorktown, NY 10598

6:30PM EXECUTIVE SESSION

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

Personnel

Interview for Conservation Board

7:30PM OPEN SESSION

7:30pm: Welcome and Opening Remarks

7:45pm: Solidarity for Israel

Contact: Rabbi Robert Weiner, Temple Beth Am

8:00pm Homeland Towers

Contact: Klaus Wimmer

Discussion: Update on cell towers

RESOLUTIONS

COMPTROLLER

Authorize the Comptroller to process the following budget transfer from the fund balance to pool renovations

Resolved, the Comptroller is hereby authorized to establish the following capital project:

HR2 Pool Renovations

And be it further resolved the Comptroller is authorized to process the following budget transfers to establish the fund:

From:

A.1002 Fund Balance \$ 600,000.00

To:

HR2.5031 Pool Renovations \$ 600,000.00

ENGINEERING

Authorize \$6,750 change order to contract with Carbon Enterprise Inc

Whereas, the Town previously awarded a bid to Carbon Enterprises, Inc (Carbon) for the purchase and delivery of 216 tons of filter sand. Carbon misunderstood the bid document and was planning on delivering the sand with palletized bags of sand. They agreed to hold their bid and deliver the sand with the specialized trucks required to place the sand within the filters. The delivery process quickly degrades the hoses used to deliver the sand. Carbon agreed to provide 60 feet of hose; however, additional hose would either have to be purchased by the Town or provided at an additional charge to place the sand inside of the building. The Town attempted to purchase 80 feet of hose, but only 40 feet shipped. We were unable to locate an alternative source for the hose and ultimately decided paying Carbon additional money to supply the hose was the best value.

Carbon bid the project at \$53,185.68. The next lowest bidder was GP Jager, Inc at \$83,560. Carbon has agreed to provide the additional hose for \$6,750. I am requesting the Town Board adopt the following resolutions to facilitate the delivery of sand to the Yorktown Heights Water Pollution Control Plant:

Resolved, that Comptroller is authorized to transfer \$3,500 from YS fund balance to Maintenance and Repair (YS.8130.0460), and

Be it further resolved, that the Comptroller is authorized to transfer \$3,500 from YS fund balance to Maintenance and Repair DEP (YS.8130.0460.003), and

Be it further resolved, that Change Order #1 for the Sand Filter Media for the Yorktown Heights Water Pollution Control Facility project in the amount of \$6,750 is hereby approved.

REFUSE AND RECYCLING

Authorize the purchase of a 2020 Ford Explorer XLT 4WD for \$35,410 from Park Ford of Mahopac

Whereas, the Town of Yorktown put out a bid for the purchase of a used Ford Explorer, or equivalent for the Building Maintenance Department, and

Whereas, the Town of Yorktown received two responses to that bid from Park Ford of Mahopac, and

Whereas, the Town will accept the lowest bid from this vendor for a 2020 Ford Explorer XLT 4WD for a cost of \$35,410.00, and

Whereas, the Town Comptroller will authorize a budget transfer in the amount of \$34,410.00 from General Fund A.1002 to Building Maintenance Equipment A.1630.0201 for this purchase, and

Be It Resolved, that the Building Maintenance Department is hereby authorized to purchase one (1) 2020 Ford Explorer XLT 4WD for \$35,410.00 from Park Ford of Mahopac

SUPERVISOR

Authorize the Supervisor to sign a contract with ESI employee assistance program group for an employee assistance program

BE IT RESOLVED, that the Town Supervisor is hereby authorized to sign a contract with ESI Employee Assistance Group for an Employee Assistance Program, at a total annual cost of \$25.84 per employee. The Agreement shall be effective from October 2023 until October 2024, subject to renewal at the Town's option.

Authorize the Town Supervisor to sign an agreement between the Town of Yorktown and Empire Consulting for services

BE IT RESOLVED, that the Town Supervisor is hereby authorized to sign an Agreement, subject to prior review and approval by the Town Attorney, between the Town of Yorktown and Empire Consulting for services in compliance with the Federal Department of Transportation regulations regarding drug and alcohol testing services in accordance with the fee schedule attached to the Agreement. The Agreement shall be effective from October 2023 until October 2028, subject to renewal at the Town's option

TOWN BOARD

Town Board in conjunction with the Highway Superintendent consent to road dedication

WHEREAS, on July 17, 2023, by Resolution #23-11, the Town of Yorktown Planning Board resolved to approve an Amended Site Plan and a Stormwater Pollution Prevention Plan and a Tree Permit for the construction and operation of a Walgreens store at the property owned by J. Nazzaro Partnership L.P. located at 3320 Crompond Road, Yorktown Heights, also known as Section 26.18, Block 1, Lots 23, 25 & 26 on the Town of Yorktown Tax Map (the "Property");

WHEREAS, the approved Walgreens project includes an offer of dedication by the property owner to the Town of Yorktown of an approximately 802 square-foot strip of land on the Property along the Stony Street property boundary for the widening of Stony Street as shown on the drawing titled "Lot Line Adjustment Plat" prepared for J. Nazzaro Partnership, L.P. prepared by Badey & Watson Surveying & Engineering D.P.C. dated November 14, 2022 and detailed in the metes and bounds "Description of Property" dated February 6, 2023;

WHEREAS, the widening of Stony Street as well as improvements to Stony Street and Old Crompond Road are part of the approved Walgreens project and will serve to improve traffic and road service in the area;

WHEREAS, recognizing the benefits to the community of the Stony Street and Old Crompond Road improvements as well as the approved Walgreens project, the Town Board consents to the offer of dedication of property;

NOW THEREFORE BE IT RESOLVED, that the Town Board, in conjunction with the Highway Superintendent, consents to the offer by J. Nazzaro Partnership L.P. of dedication to the Town of Yorktown of an approximately 802 square-foot strip of land on the Property as

shown in the Lot Line Adjustment Plat and detailed in the Description of Property for the purpose of widening Stony Street.

Accept decommissioning Bond for energy storage system

WHEREAS, Yorktown Energy Storage 1, LLC, as applicant, provided the Town with Federal Insurance Company’s Bond No. K41764429 in the amount of \$252,471, to serve as the decommissioning bond for an electric energy storage system at the premises located at 3901 Gomer Court (Tax Map 6.1 7-1-24) in the Town of Yorktown, as approved by a Town Board Resolution dated October 4, 2023; and

WHEREAS, the documentation submitted by the Applicant was referred to the Town Attorney for review and acceptance as to form;

NOW, THERFORE BE IT RESOLVED, that, subject to the receipt and approval of the Town Attorney, the bond required prior to issuance of the Town permits, i.e. delivery of the required project decommissioning bond has been satisfied and that the Town Comptroller is authorized to accept the above referenced project bond.

Authorize the refund of duplicate first half of school tax collection

Resolved, that the below list of duplicate first half of school taxes be refunded:

<u>Account No:</u>	<u>Amount</u>	
4734510	\$8,101.41	Refund Duplicate 2023/24 First Half School Tax
4845000	\$8,023.51	Refund Duplicate 2023/24 First Half School Tax
1487000	\$3,924.00	Refund Duplicate 2023/24 First Half School Tax
0541618	\$1,686.38	Refund Duplicate 2023/24 First Half School Tax
2348000	\$4,154.57	Refund Duplicate 2023/24 First Half School Tax
0742000	\$ 395.25	Refund Duplicate 2023/24 First Half School Tax
2475600	\$5,998.16	Refund Duplicate 2023/24 First Half School Tax
1945500	\$5,190.89	Refund Duplicate 2023/24 First Half School Tax
1367500	\$3,557.35	Refund Duplicate 2023/24 First Half School Tax
3596550	\$4,310.37	Refund Duplicate 2023/24 First Half School Tax
2241092	\$1,502.99	Refund Duplicate 2023/24 First Half School Tax
3472500	\$6,647.31	Refund Duplicate 2023/24 First Half School Tax

Authorize the Town Clerk to go out to bid for a new heating and air conditioning system

RESOLVED, the Town Clerk is authorized to go out to bid for a new heating and air conditioning system for the Yorktown Archival and Records Center.

Authorize Maria DeRubeis to receive a stipend

BE IT RESOLVED, that Senior Account Clerk, Maria DeRubeis, receive a stipend in the amount of \$5,00.00 per annum for assisting and preparing the monthly NYC DEP reporting and annual Water Quality Report.

Renewal of the Yorktown Stage lease

WHEREAS, Yorktown Stage Inc. wishes to renew its lease from the Town of Yorktown for multiple rooms within the Albert A. Capellini Community and Cultural Center, and the Town of Yorktown wishes to lease such space to Tennant, and

WHEREAS, Town Law §64 requires that the Town's lease of real property be subject to a permissive referendum under Town Law §90 and 91;

NOW, THEREFORE, BE IT RESOLVED, that the Town has determined the action contemplated under this Resolution is a Type II action under the State Environmental Quality Review Act ("SEQR") and therefore no further review is required under SEQR; and

BE IT FURTHER RESOLVED, that the Town Board hereby directs that a copy of this resolution be filed with the Town Clerk and a copy be provided to any person who has requested a copy hereof; and

BE IT FURTHER RESOLVED, that pursuant to NY Town law §82 and 90, within ten (10) days from the date of this Resolution the Town Clerk shall post and publish a notice which shall set forth the date of the adoption of the Resolution, shall contain an abstract of such Resolution concisely setting forth the purpose and effect thereof, shall specify that this Resolution was adopted subject to a permissive referendum; and shall publish such notice in The Yorktown News, a newspaper published in the County having a general circulation in the Town of Yorktown, and in addition thereto that the Town Clerk shall post or cause to be posted on the sign-board of the Town of Yorktown, a copy of such notice within ten (10) days after the date of the adoption of this Resolution.

ADJOURN

A motion will be made to adjourn the Town Board meeting.

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.