

TOWN BOARD AGENDA
TOWN OF YORKTOWN
January 17, 2017

PLACE:
TOWN HALL

TIME:
7:30pm

1. PLEDGE OF ALLEGIANCE
2. MOMENT OF SILENCE
3. SUPERVISOR GRACE'S REPORT TO THE TOWN
4. REPORTS FROM THE TOWN COUNCIL
5. PERSONNEL

Appoint Water Maintenance Worker Grade II – Water Department
Jeff Baumeister

BE IT RESOLVED, that Jeffrey P. Baumeister of Mohegan Lake, NY, is hereby appointed promotional to the civil service title, Water Maintenance Worker Grade II, job class code 0620-01, from Eligible List No. 62-012, within the Water Department, effective January 23, 2017, to be paid at the rate set forth in Yorktown CSEA Salary Schedule A, Group 10, Step 3 which is \$54,327.00 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 January 23, 2017.

Appoint Heavy Motor Equipment Operator – Highway Department
Nicholas Bernard

BE IT RESOLVED, that Nicholas M. Bernard, is hereby appointed Heavy Motor Equipment Operator, job class code 0429-02, within the Highway Department, effective January 23, 2017 to be paid from Yorktown CSEA Salary Schedule A, Group 12, Step 1 which is \$56,469.00 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 January 23, 2017.

Approve Transfer from Building Maintenance Department to Highway Department
Kieran Carney

BE IT RESOLVED, that Kieran Carney is hereby transferred from the Building Maintenance Department to the Highway Department as a Laborer, job class code 0425-05, effective January 30, 2017, with no change in salary.

Appoint Stock Clerk – Highway Department

Angela Cavallo

BE IT RESOLVED, that Angela Cavallo is hereby appointed Provisional Stock Clerk, job class code 0198-01, in the Highway Department, effective January 23rd, 2017, to be paid at the rate set forth in Yorktown CSEA Salary Schedule A, Group 8, Step 1 which is \$44,561.00 annually,

BE IT RESOLVED, contingent upon successful completion of a drug test and reference checks.

6. PRESENTATION

Chief of Police Robert Noble - Police Department

7. PUBLIC HEARINGS

Advertise Public Hearings:

Set Public Hearing Date to consider Amending Site Plan - 714 Saw Mill River Road Ricciardella, LeGrand Group, LLC

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 7th day of February, 2017 at 7:30 PM, or as soon thereafter as the same can be heard, to consider the request from Teddy Ricciardella, LeGrand Group, LLC to amend a previously approved site plan containing one building with four two-bedroom apartments and a separate stand-alone garage and storage building. The property owner is now proposing to convert a portion of the existing garage/storage building into a one-bedroom apartment. Approval has been obtained to expand the existing septic system to accommodate the additional one bedroom.

Set Public Hearing Date to consider Adding a new Chapter entitled BUSINESS IMPROVEMENT EXEMPTION LAW

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 21st day of February, 2017 at 7:30 PM, or as soon thereafter as the same can be heard, to consider adding a new Chapter to the Code of the Town of Yorktown entitled “**BUSINESS IMPROVEMENT EXEMPTION LAW**” which would pursuant to New York State Real Property Tax Law §485-b authorize a partial exemption from certain real property taxation for commercial, business or industrial property constructed, altered, installed or improved subsequent to the effective date of this local law within the Town of Yorktown.

8. AWARD BIDS

Award Bid for Annual Maintenance and Emergency On-Call Service for Boilers, Burners and Furnaces

WHEREAS, invitation to bid for the Town of Yorktown the Annual Maintenance and Emergency On-Call Service for Boilers, Burners and Furnaces for a two (2) year agreement with the Town, with two (2) one (1) year extensions at the Town’s option, was duly advertised, and

WHEREAS, said bids were received and opened on the 13th day of January 2017, with the bid amounts for the above-referenced project summarized as follows:

<u>Bidder</u>	<u>Amount</u>
JFJ Fuel, Inc. 705-707 Nepperhan Avenue Yonkers, NY 10703	\$11,990.00 Annual Maintenance of Town Boilers, Burners, and Furnaces \$150.00 per 1 st hour of Emergency On-Call Services \$95.00 each additional hour of Emergency On-Call Services
HRR Industries, Inc. 568 North Main St. Suite 206 Brewster, NY 10509	\$7,850.00 Annual Maintenance of Town Boilers, Burners, and Furnaces \$110.00 per 1 st hour of Emergency On-Call Services \$110.00 each additional hour of Emergency On-Call Services
Peak Performance & Service Inc. 28 Roma Orchard Rd Peekskill, NY 10566	\$8,500.00 Annual Maintenance of Town Boilers, Burners and Furnaces \$110.00 per 1 st hour of Emergency On-Call Services \$110.00 each additional hour of Emergency On-Call Services
Clean Air Quality Services, Inc. 161 Brady Avenue Hawthorne, NY 10532	\$73,906.00 Annual Maintenance of Town Boilers, Burners and Furnaces \$260.00 per 1 st hour of Emergency On-Call Services \$220.00 each additional hour of Emergency On-Call Services

WHEREAS, pursuant to Town Code Chapter 78, the Town may accept a bid from other than the lowest bidder on the basis of best value;

WHEREAS, the Town determines that the bid of Peak Performance & Services, Inc. satisfies the criteria for best value in that Peak Performance & Service Inc. is in close proximity to the Town reducing the response time for the Town's needs in filling the bid requirement's, the lowest bidder is located in Brewster, NY and Peak Performance & Services Inc. is located in Peekskill, NY, and

WHEREAS, the Town deems Peak Performance & Service Inc. will provide the highest quality while being the most cost efficient due to its close proximity, maintenance staff and quality of craftsmanship, now

THEREFORE, BE IT RESOLVED, the Town awards the bid to Peak Performance & Services Inc. for the Town's Annual Maintenance and Emergency On-Call Service for Boilers, Burners, and Furnaces in the amount of \$8,500.00 and \$110.00 per 1st hour of

Emergency On-Call Services and \$110.00 each additional hour of Emergency On-Call Services.

Award Bid for Annual Maintenance and Emergency On-Call Service for Boilers, Burners and Furnaces at the YCCC

WHEREAS, invitation to bid for the Annual Maintenance and Emergency On-Call Services for Boiler, Burner and Furnace located at Yorktown Community & Cultural Center (YCCC), 1974 Commerce Street, Yorktown Heights, NY 10598 for a two (2) year agreement with the Town, with two (2) one (1) year extensions at the Town's option, was duly advertised, and

WHEREAS, said bids were received and opened on the 13th day of January 2017, with the bid amounts for the above-referenced project summarized as follows:

Peak Performance & Service Inc. 28 Roma Orchard Rd Services Peekskill, NY 10566	\$3,200.00 Annual Maintenance for YCCC Boiler, Burner and Furnace \$120.00 per 1 st hour of Emergency On-Call \$120.00 each additional hour of Emergency On- Call Services
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RESOLVED, that upon the recommendation of the Building Maintenance/Human Resource Specialist, Margaret Gspurning, the bid for the Annual Maintenance and Emergency On-Call Services for YCCC Boiler, Burner and Furnace be and is hereby awarded to Peak Performance & Service Inc., the lowest responsible bidder.

9. RESOLUTIONS

Approve Conference Attendance – 2017 New York D.A.R.E Officer Training Session

Whereas, sufficient funds exist in the Police Department Training line to cover the cost of expenses, including lodging and conference;

Now, Therefore, Be It Resolved that Police Officer Brian Mundy and Police Officer Robert Pavletich have permission to attend the 2017 New York D.A.R.E. Officer Training Session that will be held in Montour Falls, New York, from January 16-27, 2017.

Approve Conference Attendance – New York State Government Finance Officers Association Annual Conference and Training Meeting

Whereas, sufficient funds exist in the Comptroller Training line to cover the cost of expenses, including lodging and conference;

Now, Therefore, Be It Resolved that Patricia Caporale, Gennelle MacNeil and Sandra Serrano have permission to attend the 2017 New York State Government Finance Officers Association annual conference / training to be held in Albany, New York March 28, 2017 through March 31, 2017.

Approve Conference Attendance – New York State Association of Towns Annual Conference and Training Meeting

Whereas, sufficient funds exist in the Assessor's Training line to cover the cost of expenses, including lodging and conference;

Now, Therefore, Be It Resolved that Sole Assessor Kim Adams Penner has permission to attend the 2017 New York State Association of Towns Annual Conference and Training Meeting to be held in New York City February 19-22, 2017.

Approve Conference Attendance – New York State Association of Towns Annual Conference and Training Meeting

Whereas, sufficient funds exist in the Town Clerk's Training line to cover the cost of expenses, including lodging and conference;

Now, Therefore, Be It Resolved that Town Clerk Diana L. Quast has permission to attend the 2017 New York State Association of Towns Annual Conference and Training Meeting to be held in New York City February 19-22, 2017.

Approve Conference Attendance – New York State Towns Clerks Association Annual Conference and Training Meeting

WHEREAS, sufficient funds exist in the Town Clerk's Training line to cover the cost of expenses, including lodging and conferences;

Now, Therefore, Be It Resolved that Town Clerk Diana L. Quast has permission to attend the 2017 New York State Town Clerks Association Annual Conference and Training Meeting to be held in Rochester, New York April 23-26, 2017.

Approve Conference Attendance – 2017 Pool and Spa Conference – Parks and Recreation

Whereas, the Superintendent of Parks and Recreation has requested permission for two employees to attend the Pool and Spa Conference held in Atlantic City in January 2017, and

Whereas, sufficient funds exist in the Parks Training line, and

Whereas, the Department Head has deemed it beneficial to the Town to have these employees attend the training seminars;

Now, Therefore, Be It Resolved, the following employees have permission to attend the 2017 Pool and Spa Conference in Atlantic City, NJ on January 23rd through January 25th, 2017. Expenses, including lodging and food, are expected to total approximately \$500. Additionally, said employees have permission to take a town vehicle to this conference.

Employees attending:

Andrew Cerrato, Maintenance Mechanic Repair

Guido Parks, Maintenance Mechanic Repair

Todd Orlowski, Superintendent

Approve Renewal of AAA Carting and Rubbish Removal, Inc. for a Commercial Garbage License for 2017

RESOLVED, that AAA Carting and Rubbish Removal, Inc. be and is hereby granted renewal of their Garbage License to service commercial properties in the Town of Yorktown for the year 2017.

Approve Renewal of Better Carting Services, Inc. for a Commercial Garbage License for 2017

RESOLVED, that Better Carting Services, Inc. be and is hereby granted renewal of their Garbage License to service commercial properties in the Town of Yorktown for the year 2017.

Approve Renewal of Sani-Pro Disposal Services Corp. d/b/a Suburban Carting Co. for a Commercial Garbage License for 2017

RESOLVED, that Sani-Pro Disposal Corp. d/b/a Suburban Carting Co. be and is hereby granted renewal of their Garbage License to service commercial properties in the Town of Yorktown for the year 2017.

Approve Renewal of Winters Brothers Hauling of Connecticut, LLC for a Commercial Garbage License for 2017

RESOLVED, that Winter Brothers Hauling of Connecticut, LLC be and is hereby granted renewal of their Garbage License to service commercial properties in the Town of Yorktown for the year 2017.

Authorize Purchase of Tablets to Replace Computers in Police Department Vehicles

Whereas the Town of Yorktown Police Department obtained quotes for the purchase of tablets to replace computers currently used in Police vehicles as follows:

Patrol PC Rhino Tablet

New Jersey Contract #A81300 T0106	\$4,472.00
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Patrol PC	\$3,755.00
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Internal 2D Imaging Scanner

New Jersey Contract #A81300 T0106	\$ 395.00
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Patrol PC	\$ 353.00
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Rugged Backlit Keyboard

New Jersey Contract #A81300 T0106	\$ 217.00
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Patrol PC	\$ 194.00
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On Dash Mount (Universal)

New Jersey Contract #A81300 T0106	\$ 605.00
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Patrol PC	\$ 537.00
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Whereas the following compatible equipment is necessary to mount and operate the tablets in the police vehicles:

Locking Cradle	\$ 244.00
Windows 10 license	\$ 209.00
LTE Internal Cellular Wireless Modem	\$ 445.00
Right Angle Connector Kit	\$ 45.00
Shipping	\$ 80.00

Therefore, Be It Resolved that the Town Board hereby authorizes the Yorktown Police Department to purchase tablets and compatible equipment from Patrol PC as follows:

Three (3) Tablets at \$5,862.00 for a total cost of \$17,586.00

Authorize Supervisor to Sign an Agreement with AHA Consulting to Provide Web Hosting, Maintenance and Support Services

BE IT RESOLVED that the Town Supervisor is authorized to sign an agreement with AHA Consulting, Inc. to provide web hosting, maintenance and support services for the Town's website for 2017 and 2018 in the amount of \$3,000.00 per year.

Authorize Supervisor to Sign an Agreement with Shaw, Perelson, May and Lambert, LLP to Provide Legal Services for Tax Certiorari Matters

BE IT RESOLVED that the Town Supervisor is authorized to sign a retainer letter with Shaw, Perelson, May and Lambert, LLP to provide legal services for tax certiorari matters for 2017.

Authorize Supervisor to Sign a Professional Services Agreement with D&B Engineers and Architects, P.C. for MS4 General Permit Reporting and Compliance
WHEREAS,

1. The Town Engineer solicited proposals for professional services for the following scope of work: (1) prepare the MS4 annual report under the NYSDEC General Permit for Stormwater Discharges, (2) prepare an interim progress report under the town stormwater management program described above, (3) provide additional services related to stormwater best management practices, in-field training and various documentation to support the Town-wide program.
2. In accordance with the Town of Yorktown procurement procedures, proposals were solicited from three (3) firms that had the in-house expertise and expressed interest in providing professional services. The firms that provided written proposals were D&B Engineers and Architects P.C, GHD Consulting Services, Inc., and WSP Parsons Brinckerhoff.
3. In the professional opinion of Town Engineer, D&B Engineers and Architects P.C. provided the best overall proposal and the lowest cost to the Town.

4. The proposal for services to be provided by D&B Engineers and Architects P.C. as described above will be for a contract amount of \$15,500 broken down as follows: lump sum all-inclusive amount of \$5,500 for Tasks 1 & 2; a \$10,000 allowance for Task 3 to be billed at standard hourly billing rates and shall only be authorized upon written directive of the Town Engineer.

NOW, THEREFORE BE IT RESOLVED, that the Town Board authorizes the Town Supervisor to sign a Professional Services Agreement with D&B Engineers and Architects P.C. for the scope of work as described in preceding section and the not-to-exceed amount of \$15,500.

Authorize Purchase of Portable TV Sewer Camera – Yorktown Heights Water Pollution Plant

WHEREAS:

1. The Yorktown Heights Water Pollution Control Plant requests the purchase of the following pipeline camera: Cues Model MP + portable television camera system with all standard equipment plus the following accessories: (1) Pro-scount centering ball, and (2) centering ball 6-inch mini-camera. Includes shipping & handling costs.
2. The package includes 200-feet of cabling and is of the “push-camera” technology, that will particularly effective when work is being performed in residential areas and in locating buried sewer laterals that will installed decades ago.
3. The total price for the equipment system described above is \$12,464.50. Note: The Town obtained contract pricing from Atlantic Machinery Inc. via the NJPA (National Joint Powers Alliance) bid system of which the Town of Yorktown is a participating member. The corresponding award number through the New York State Office of General Services is PGB-22792.
4. The Department will use available funds for the purchase, however we need the Town Comptroller to make the following 2017 budget transfers:
 - a. \$12,464.50 from YS8130.201 Equipment to YS8130.201.1 Capital Equipment

NOW, THEREFORE BE IT RESOLVED, the Town Board authorizes the purchase of a portable television sewer camera (with associated budget transfer indicated above). The total purchase amount shall be \$12,464.50 from Atlantic Machinery Inc. in accordance with the contract bid price.

10. COURTESY OF THE FLOOR
11. MONTHLY REPORTS
Building Department - December 2016
Receiver of Taxes – December 2016
12. ADJOURN

Dated: January 17, 2017

DIANA L. QUAST, RMC
TOWN CLERK
TOWN OF YORKTOWN

*** 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 CLOSED:

Rezoning Mohegan Auto and Tire Center

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.

Wetland/SWPPP Permit Application Dornoch Development, LLC/Bruce Kelderhouse for property located on Turus Lane, Mohegan Lake, NY

To consider the Wetland/SWPPP Permit Application received from Dornoch Development, LLC/Bruce Kelderhouse for property located on Turus Lane, Mohegan Lake, NY 10547 also known as Section 16.17, Block 1, Lot 48.7. The request is to perform the following activity: construction of a modular single-family residence.

PUBLIC HEARINGS ADJOURNED:

Public Hearing - 1875 Brookdale Street - Wetland Permit

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

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

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

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”

To consider a 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.”