

FINAL TOWN BOARD AGENDA  
TOWN OF YORKTOWN  
March 21, 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. PRESENTATION  
Alliance for Save Kids  
Arbor Day Committee

6. PUBLIC HEARINGS

**Reconvene Public Hearing for Wetland Permit Application - 1875 Brookdale Street – George Pavan**

NOTICE IS HEREBY GIVEN, that a public hearing will be reconvened 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 21<sup>st</sup> day of March, 2017 at 7:30 o'clock PM, or as soon thereafter as the same can be heard 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.

**Proposed Local Law adding a new Chapter entitled Utility Poles**

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 21<sup>st</sup> day of March, 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 “**UTILITY POLES**” which would require that utilities that use Town highways, streets, roads and rights-of-way to promptly remove their plants, cables, lines, equipment, and terminals from old and damaged poles and to further require the prompt removal of double poles once all plants, cables, lines, equipment, and terminals have been removed.

**Set Public Hearing Date for Featherbed Properties – Establishment of Hunterbrook Sewer District Extension #21.**

A meeting of the Town Board of the Town of Yorktown, Westchester County, New York, shall be held at the Town Hall, 363 Underhill Avenue, in Yorktown Heights, New York, in said Town, on the 4<sup>th</sup> day of April, 2017, at 7:30 o'clock P.M., Prevailing Time, for the purpose of holding a public hearing to consider the establishment of the Sewer District Extension in said Town as described in the preambles hereof, to be known as Hunterbrook Sewer District Extension No. 21, and the improvements proposed therefor, and to consider the petition, map, plan and report filed in relation thereto, and to hear all persons interested in the subject matter thereof concerning the same, and for such other action on the part of said Town Board as may be required by law or shall be proper in the premises. The Town Clerk is hereby authorized and directed to cause a copy of this order to be published once in The Yorktown News, the official newspaper of said Town.

7. RESOLUTIONS

**Accept Audit Report for Fiscal Year 2016 - Yorktown Justice Court**

Resolved, that the audit of the Town of Yorktown Justice Court prepared by O'Connor Davies, LLP, for the fiscal year 2016, submitted to the Town on February 28, 2017, be and is hereby accepted by the Town Board. A copy of the audit is filed with the Town Clerk and is available for public inspection.

**Authorize Comptroller to set up Petty Cash Allowances for the following Departments**

Resolved, the Comptroller is hereby authorized to establish Petty Cash allowances in the following amounts for the departments listed.

Parks & Recreation \$300.00  
Building Maintenance \$ 25.00  
Building Department \$ 50.00

**Authorize the Town to extend bid for OEM Parts to John Deere Construction Equipment and Cummins Engine OEM Parts**

Whereas, invitation to bid for the John Deere Construction Equipment OEM Parts and Cummins Engine OEM Parts for the Town of Yorktown was duly advertised, and

Whereas, said bids were received and opened on June 22, 2015;

Resolved, that upon the recommendation of the Highway Superintendent, Dave Paganelli, the bid for the John Deere Construction Equipment OEM Parts and Cummins Engine OEM Parts for the Town of Yorktown be and is hereby extended for one year, per the terms of the Bid.

Be It Further Resolved, the dates of the extension will be June 22, 2017 to June 21, 2018.

**Authorizing the Town to Accept the Sparkle Lake Dam Project as Complete and Authorize Release of Final Payment to the Contractor**

WHEREAS,

1. On 8/04/15, the Town Board passed a resolution that awarded the bid in the amount of \$348,843 for Sparkle Lake Dam to Cal Mart Enterprises, Inc. The contract work was substantially completed by Cal Mart on 6/20/16 at a total cost of \$332,770.24. The remaining punch list items have been worked on by the contractor for the past several months and have been confirmed as complete.
2. Construction activities were supervised by a representative of the design engineer, Maser Consulting P.A., and they provided written certification that the work was completed according to the plans and specifications.
3. Cal Mart provided the following documents in support of their request for final acceptance: Contractor's Affidavit of Payment of Debts and Claims, Consent of Surety to Final Payment, Contractor's Affidavit of Release of Liens, and Affidavit of Payment of Material, Subcontractors, Insurance, Bonds and Labor. In addition Cal Mart provided a 1-year Maintenance Bond dated December 8, 2016 issued by AllAmerica Financial / Hanover Insurance in the amount \$16,638 that will guarantee their workmanship until 06/20/17.
4. The Town Engineer and the Parks Superintendent both concur that the work has been satisfactorily completed and recommend the project be accepted as final and complete. At this time the contract retainage being held, \$16,638.96 by the Finance Department, may be released to the contractor.

NOW, THEREFORE BE IT RESOLVED, that the Town Board accepts the Sparkle Lake Dam Project as final and complete, accepts the Maintenance Bond issued by AllAmerica Financial dated December 8, 2016 in the amount of \$16,638.96 and authorizes the release of remaining monies due to Cal Mart Enterprises, Inc., subject to the Town Attorney obtaining all necessary waiver of liens and release documents from Cal Mart Enterprises, Inc.

**Authorize Supervisor to sign a Professional Services Agreement with Evoqua Water Technologies for the Microfiltration Building at the Water Pollution Control Plant**

WHEREAS,

1. The Town has previously secured the services of Evoqua Water Technologies to perform the manufacturer's recommended service and programming of the micro-filters. This work has been done annually to keep the equipment running in its optimum state. Evoqua was the original supplier of the equipment system and is the sole provider to perform the recommended service.

2. The vendor proposal was itemized as follows: \$11,125 for up to three (3) days of service and two (2) days of travel time. Also includes estimated travel expenses of \$950.
3. The Department will use available funds for the purchase, under cost code YS8130.418.2. Please note this cost is chargeable to NYCDEP under the terms of our agreement for watershed protection.

NOW, THEREFORE BE IT RESOLVED, that the Town Board authorizes the Town Supervisor to sign a Professional Services Agreement with Evoqua Water Technologies LLC for the scope of work as described in preceding section in the not-to-exceed amount of \$12,075.

**Authorize Supervisor to sign a Stormwater Maintenance Agreement with Hill Blvd. LLC for the Valley Commons Shopping Center**

WHEREAS,

1. The Applicant, Hill Blvd, LLC, recently completed construction of the Valley Commons Shopping Center Project located at 3677 - 3693 Hill Blvd. There was a Stormwater Pollution Prevention Plan (SWPPP) in place to manage stormwater during the various construction activities. As part of the SWPPP, the Applicant was also required to implement post-construction stormwater collection and treatment devices. The Town wishes to execute a Stormwater Maintenance Agreement to memorialize the responsibilities of the Applicant for long term inspection and maintenance of these devices.
2. One of the requirements of the Stormwater Maintenance Agreement is for the Applicant to file an annual compliance report with the Engineering Department. The Town needs to track these measures as one of the conditions of our MS4 Town-wide Stormwater Management Program.
3. The agreement will be subject to the review and approval of the Town Attorney.

NOW, THEREFORE BE IT RESOLVED, that the Town Board authorizes the Town Supervisor to sign a Stormwater Maintenance Agreement with Hill Blvd, LLC for the Valley Commons Shopping Center Project located at 3677 - 3693 Hill Blvd.

8. MONTHLY REPORTS  
Building Department Construction Report February 2017
9. COURTESY OF THE FLOOR
10. ADJOURN

Dated: March 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](mailto:townclerk@yorktownny.org)) or Town Supervisor ([supervisor@yorktownny.org](mailto:supervisor@yorktownny.org)), 363 Underhill Avenue, Yorktown Heights, NY 10598.**