

FINAL TOWN BOARD AGENDA  
TOWN OF YORKTOWN  
OCTOBER 17, 2017

PLACE:  
TOWN HALL

TIME:  
7:30pm

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1. PLEDGE OF ALLEGIANCE
2. MOMENT OF SILENCE
3. SUPERVISOR GRACE'S REPORT TO THE TOWN
4. REPORTS FROM THE TOWN COUNCIL
5. PRESENTATIONS
  - Chamber of Commerce - New Town Flagpoles
  - American Legion and Veterans of Foreign Wars - Flagpoles for Ring of Honor at Patriot's Park
  - Yorktown Police Department Awards Presentation
  - Public Information Hearing – NYS DOT Grant Build Safe NY program

6. PUBLIC HEARINGS

Decisions:

**Jefferson Valley Mall Site Plan Approval – Washington Prime**

Decision to consider the Site Plan Approval Application for property located at the Jefferson Valley Mall, 650 Lee Boulevard in the Town of Yorktown. The request is to perform the following activity: construction of a right-turn in, addition of signs, creation of a new row, adjustment of parking, reduction of a berm and tree removal, and construction of a multi-tenant building with drive thru and exterior dining.

**712 Kitchawan Rezoning Request and Zoning Map Amendment**

Decision to consider the request from Steven Spiro and Michael Katz, the contract vendees for premises located at 712 Kitchawan Road, Yorktown, NY, also known as Section 70.06, Block 1, Lot 4 on the Yorktown Tax Rolls. The request is to amend the zoning of the parcel from a One-family Residential (R1-200) Zone to a Transitional Zoning District.

**Village Traditions Rezoning Request and Zoning Map Amendment**

Decision to consider the request from Village Traditions, LLC, the owners of premises located at 1821 East Main Street, Mohegan Lake, NY, also known as Section 15.16, Block 1, Lot 32 on the Yorktown Tax Rolls. The request is to amend the zoning of the parcel from a C-2/O Zone to C-2R Zone in order to change two structures: one 3,000 square foot 2-story office structure to a 3,000 square foot building with one apartment, and change to C2-R for a second building to also have an apartment.

**Proposed Local Law to add new Section 300-86G entitled "PERMITTED USES"**

**G. Health or Fitness Club**

Decision to consider a proposed Local Law to add a new Section 300-86G entitled "PERMITTED USES" to Chapter 300 of the Code of the Town of Yorktown entitled "ZONING." The new §300-86G is as follows: G. Health or Fitness Club.

Reconvene:

**Jefferson Valley Mall Interior Site Plan Approval - Seritage**

The Town Board will reconvene a public hearing to consider the Site Plan Approval Application for property located at the Jefferson Valley Mall, 650 Lee Boulevard in the Town of Yorktown. The request is to perform the following activity: interior renovations to the existing Sears lower level to develop 37,201 square feet of retail space and a 38,616 square foot fitness center, inclusive of a 5,732 square foot building expansion with parking area and associated site improvements.

Convene:

**Stormwater Management and Wetland Permit Application**

**Gretchen Morfea -1711 Mohansic Avenue East**

The Town Board will convene a public hearing to consider the Stormwater Management and Wetland Permit Application received from Gretchen Morfea for property located at 1711 Mohansic Avenue East, Yorktown Heights, NY 10598, also known as Section 37.17, Block 1, Lot 16. The request is for the installation of an in-ground pool.

**Stormwater Management and Wetland Permit Application**

**Felicity Arengo and Elaine Chapnik - 3211 Lakeshore Drive**

The Town Board will convene a public hearing to consider the Stormwater Management and Wetland Permit Application filed by Joseph Buglino, Alfandre Architecture/EcoBuilders, on behalf of the owners Felicity Arengo and Elaine Chapnik for the construction of a single family dwelling for property located at 3211 Lakeshore Drive, Mohegan Lake, NY 10547, also known as Section 25.08, Block 3, Lot 2.

7. BIDS

**Award Bid for Various Chemicals for the Water Pollution Control Plant**

WHEREAS:

1. The bid for Various Chemicals for the Water Pollution Control Plant was awarded October 18, 2016.
2. The Town rebid only four (4) of the nine (9) chemicals as the vendors agreed to hold their prices for a one (1) year period and are summarized as follows:

<b><u>CHEMICAL</u></b>	<b><u>BIDDER</u></b>	<b><u>AMOUNT OF BID</u></b>
Ferric Chloride	PVS Technologies	\$635.00/dry ton
Ferric Chloride 37% to 40%	Slack Chemical	\$98.37 / per drum
Caustic Soda 50%	JCI Jones Chemicals	\$2.04 / per gallon
Caustic Soda 25%	Surpass Chemical	\$81.90 / per drum

RESOLVED, that the bid for Ferric Chloride be awarded to PVS Technologies, the low bidder, at a cost of \$635.00 per dry ton, and be it further

RESOLVED, that the bid for Ferric Chloride 37% to 40% be awarded to Slack Chemical, the low bidder, at a cost of \$98.37 per drum, and be it further

RESOLVED, that the bid for Caustic Soda 50% be awarded to JCI Jones Chemicals, Inc., the low bidder, at a cost of \$2.04 per gallon, and be it further

RESOLVED, that the bid for Caustic Soda 25% be awarded to Surpass Chemical, the low bidder, at a cost of \$81.90 per drum.

**Extend Bid for Various Chemicals for the Water Pollution Treatment Plant**

WHEREAS:

1. The Town Board at its meeting of October 18, 2016, awarded the bid for Various Chemicals for the Water Pollution Control Plant, Bid #16-6, for nine (9) chemicals. The term of the contract was one year, expiring on 10/31/17.
2. The contract language included an option to extend the bid for up to two (2) additional 1-year terms, at the same price, contract terms and conditions, upon mutual consent of the Town and the contractor.
3. Three (3) of the vendors agreed to hold their bid price for an additional 1-year period:
  - a. Shannon Chemical Corp. for Citric Acid 50%,
  - b. Slack Chemical Co. for Sulfuric Acid not more than 51%, Sodium Bisulfite 38% and Sodium Hypochlorite 15% and
  - c. Clean Waters, Inc. for Polymer
4. The Town Engineer recommends that the Town accept the bid extension for an additional 1-year term, for the period of 11/01/17 through 10/31/18. Note: there will be one (1) remaining bid extension option upon mutual consent of the Town and the contractor.
5. There are four (4) chemicals in which the vendor did not wish to extend the current Town agreement, the Town is currently advertising for bids for these chemicals.

RESOLVED, that the Town Board extends the contract with the above referenced chemical companies, for Various Chemicals for the Water Pollution Control Plant, Bid #16-6, for a one year period, commencing on 11/01/17 and ending 10/31/18.

8. RESOLUTIONS

**Approve Release of Escrow Deposits – Highway Department**

<u>Permit Type</u>	<u>Permit #</u>	<u>Amount</u>	<u>Location</u>	<u>Refund to</u>
Street Opening	014-001	\$1000.00	Hanover St.	Panco Plumbing & Heating 953 Rt. 6, Mahopac, NY
Driveway	1186	\$500.00	Hanover St	Same as above
Driveway	1198	\$500.003084	Uncas	PanBar Realty, LLC 361 Rt. 6 Mahopac, NY 10541

**Approve Release of Bond for Permit #FSWPPP-087-16 – Kipling Drive**

WHEREAS:

1. Mindy & Jason Wissing, as applicants, posted check #685 in the amount of \$250 to serve as the Erosion Control Bond which was deposited to the T33 account on December 16, 2016 for work performed at their Kipling Drive location.
2. Mindy & Jason Wissing, as applicants have requested monies be released as the site is now complete.
3. 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, that the above referenced monies totaling \$250 be and are hereby released to Mr. & Mrs. Jason Wissing, 820 Kipling Drive, Yorktown Heights, NY 10598.

**Authorize the Supervisor to sign a Grant Application under the New York State Department of Health, Component 2 Implementation & Maintenance Projects**

Resolved, that the Supervisor is authorized to sign a grant application under the New York State Department of Health, Component 2 Implementation & Maintenance Projects for addition of fluoride to the Catskill Aqueduct water supply and is authorized the to act as the Authorized Representative for the application.

**Authorize Supervisor to sign Professional Services Agreement with Gentech LTD for extra work for Preventative Maintenance and On Call Services of the Emergency Generators**

WHEREAS:

1. On 12/06/16, the Town Board passed a resolution that authorized the Town Supervisor to sign an agreement with Gentech LTD for preventative maintenance and on-call service work of emergency generators. There are a total of twenty (20) emergency generators Town-wide that are included in this agreement and the contract duration is 2 years. The total amount of the agreement: \$33,032.50.
2. For the preventative maintenance portion of work, the Contractor was required to perform maintenance/inspection tasks at the individual unit prices bid, which totaled \$21,860. The balance of the agreement, \$11,172.50, was for on-call services and an allowance for parts/materials. Gentech furnished hourly labor rates for regular and premium hourly rates that may be utilized by the Town on as-needed basis to perform repairs and emergency service work.
3. Gentech completed its first round of preventative maintenance in April 2017 and identified additional repair work that is needed for twelve (12) generators. We attribute the large amount of extra work due to two factors: (1) many of the emergency generators are old and approaching the end of their useful life, and (2) Gentech was required to perform detailed equipment assessments and maintenance tasks that were not required in previous service contracts. Maintaining emergency generators are critical to the operation of wastewater treatment plant and pumping stations and provide needed redundancy for equipment systems to continue operations in the event of a power outage.
4. The cost to undertake all of the recommended repairs at 12 generators is estimated at \$16,415, which exceeds the \$11,172 currently available for on-call services. The Engineering Department reviewed each of the vendor price quotes with the facility manager and recommends the work be performed at this time to ensure that emergency power is available when needed.
5. The Town Engineer recommends the Town Board approve an amendment to provide an additional \$10,000 for the remainder of the 2-year contract. This will pay for all of the extra work that has been proposed to date plus leave a balance of approximately \$4,500 for future extra work that may be needed.
6. The Department will use available funds for this work.

NOW, THEREFORE BE IT RESOLVED, that the Town Board authorizes the Town Supervisor to sign Contract Amendment No. 1 in the amount of \$10,000 to the Agreement with Gentech LTD for Extra Work Related to the Preventative Maintenance and On-Call Services of Emergency Generators.

**Authorize Police Department to purchase one White Ford F250 Pick-up Truck**

WHEREAS, the Town Board of the Town of Yorktown has funded the purchase of a new pick-up truck in the Yorktown Police Department's 2017 budget; and

WHEREAS, the Yorktown Police Department requests authorization to purchase one (1) 2017 White Ford F250 Pickup Truck as specified in Westchester County Contract, and #RFB-WC-15304, 16155.

WHEREAS, the Yorktown Police Department has monies in its 2017 budget line 210 for the purchase of this vehicle, now

THEREFORE BE IT RESOLVED, that the Town Board of the Town of Yorktown hereby authorizes the Yorktown Police Department to purchase one (1) 2017 White Ford F250 Pickup Truck as specified in Westchester County Contract #RFB-WC-15304, 16155. Vance Country Ford in the amount of approximately thirty- two thousand nine hundred eight dollars and forty-seven cents (\$32,908.47).

9. COURTESY OF THE FLOOR

10. ADJOURN

Dated: October 17, 2017

DIANA L. QUAST, RMC  
TOWN CLERK  
TOWN OF YORKTOWN

\*\*\* 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 this meeting. Ask the Town Clerk if you desire to use this device. Upon request, the agenda and documents in the agenda packet can be made available in appropriate alternative formats to persons with a disability. Notification of at least 48 hours prior to the meeting or time when services are needed will assist the Town Clerk's Office in assuring that reasonable arrangements can be made to provide accessibility to the meeting or service.

### **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.**