



Town of Yorktown

Office of the Town Clerk

FINAL TOWN BOARD AGENDA

September 24, 2019

Spadaccia Meeting Room

363 Underhill Avenue, Yorktown, NY 10598

6:45 PM EXECUTIVE SESSION (Closed Session)

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

PERSONNEL

Library Director, John C. Hart Memorial Library

LITIGATION & NEGOTIATION

Rental Rates for the Albert A. Capellini Community and Cultural Center

Town Attorney

8:00 PM WORK SESSION

PERSONNEL

Accept Retirement of Patricia Hallinan, Library Director of the John C. Hart Memorial Library

Resolved, that the Town Board accepts the retirement of Patricia Hallinan with thanks for her service to the Town of Yorktown as the Library Director of the John C. Hart Memorial Library.

Appoint Library Director for the John C. Hart Memorial Library – Jennifer O’Neill

BE IT RESOLVED, that Jennifer O’Neill is hereby appointed Library Director III, job class code 0217-01, from eligible list No. 66-046 at the John C. Hart Memorial Library, effective September 30, 2019 to be paid a salary of \$105,000.00 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 September 30, 2019.

DISCUSSION ITEMS

Economic and Business Revitalization Committee

Railroad Station Renovation

Westchester County Planning (Emergency Services) – installation of antenna at Mohansic Park

Garbage Contract Renewal

Battery Storage Facilities

Quality of Life Committee

RESOLUTIONS

Authorize Town Clerk to advertise bid for the purchase of Water Maintenance Materials for the Water Department

RESOLVED, the Town Clerk is hereby authorized to advertise a bid for the purchase of Water Maintenance Materials for the Water Department.

Authorize Comptroller to transfer \$12,431.00 from Capital Contingency A1990.499.1 to the Railroad Rehabilitation Capital Project JJ7110.0200

WHEREAS, the Town Board of the Town of Yorktown on July 2, 2019 awarded Clemco Construction & Restoration, Inc. the bid for restoration of the Yorktown Heights Railroad Station Building in Railroad Park; and

WHEREAS, said contract was awarded for a maximum amount of \$476,386.00; and

WHEREAS, the amount covering the Performance Bond and Labor and Materials Payment Bond included in the bid, which was \$12,431.00, should have been included in this maximum amount; and

THEREFORE BE IT RESOLVED, the Town of Yorktown hereby authorizes a maximum amount of \$488,817.00 for this contract; and

BE IT FURTHER RESOLVED, that the Comptroller is authorized to transfer \$12,431.00 from Capital Contingency A1990.499.1 to the Railroad Rehabilitation Capital Project JJ7110.0200.

Authorize the Comptroller to process the following budget transfer to fund payment for a scheduled loss of use payment/Notice of Decision

Be It Resolved, that the Town Board authorizes the following budget transfer to fund payment for a scheduled loss of use payment / Notice of Decision.

From:		
YS.1002	Sewer Fund Balance	\$70,794.34
To:		
MC.1930.402	Worker’s Comp Indemnity Payments	\$70,794.34

Approve reduced rates for SPARC, Inc., to use various rooms at the Albert A. Capellini Community and Cultural Center

Be It Resolved, that based on a request from SPARC Inc., to use various rooms at the Albert A. Capellini Community & Cultural Center to provide social and recreational programming to teens and young adults with developmental disabilities, the Town Board hereby reduces the room rent fees from \$1,896.00 to \$440.00 for 60 hours of room use beginning on October 11, 2019 through December 20, 2019 as indicated in the schedule below. The requested reduced fee is based on a charge of \$22 per session for 20 sessions (2 sessions per date). October 11, 18, and 25, 2019, November 1, 8, 15, and 22, 2019, December 6, 13, and 20, 2019.

Authorize Supervisor to sign an Indemnification Agreement with Yorktown Chamber of Commerce for the Landmarks Preservation Commission to use display booth at street fair

RESOLVED, that the Supervisor is authorized to sign an Indemnification Agreement with the Yorktown Chamber of Commerce for a display booth to be used by the Yorktown Landmarks Preservation Commission at the 2019 Yorktown Festival and Street Fair to take place on October 13, 2019. There are no fees associated with this Agreement.

Authorize Town Supervisor to sign the Consent for the Yorktown Chamber of Commerce to apply for a Temporary Beer/Wine Permit with the New York State Liquor Authority for the 2019 Yorktown Festival and Street Fair

RESOLVED, that the Town Board authorizes the Town Supervisor to sign the Consent for the Yorktown Chamber of Commerce to apply for a Temporary Beer/Wine Permit with the New York State Liquor Authority for the 2019 Yorktown Festival and Street Fair to take place on October 13, 2019. There are no fees associated with this Consent.

Authorize Supervisor to exercise the option to extend the contract with AAA Carting, Inc., for the “Collection and Disposal of Residential Refuse & Recyclable Materials,” for a one year period from January 1 to December 31, 2020

RESOLVED, that the Town Board Authorizes the Supervisor to exercise the option to extend the contract with AAA Carting, Inc., for the “Collection and Disposal of Residential Refuse & Recyclable Materials,” for a one year period from January 1 to December 31, 2020. The one (1) year extension shall be for the same terms and conditions as are contained in the Contract at the time said option is exercised.

Authorize Supervisor to Sign a Professional Services Agreement with Stellar Services for Sanitary Sewer Mapping in the Town’s GIS

WHEREAS,

1. Under a prior professional service agreement, the Town updated all of its GIS mapping files for water, sewer and storm piping into a geodatabase. This was a necessary first step in bringing all of our old data sets into current file format and allowing staff to work with the GIS database using the current version of ESRI software.
2. Engineering and Sewer Department staff have been working with the GIS file database and identified the following issues with sanitary sewer infrastructure: (1) the sewer mapping attributes were previously maintained on paper maps only (not electronically); (2) many land development projects that included construction of Town-owned sewer infrastructure were not entered into the GIS database.
3. The Town Engineer is requesting the services of Stellar Services, Inc. to perform the following scope of work: (1) Digitize the Town’s sewer maps that are currently paper-based, approximately 110 sheets; (2) Update the Town’s enterprise geodatabase to capture all recent system changes into GIS and (3) Provide GIS training and support to Yorktown staff.
4. The professional engineering services to be provided by Stellar Services, Inc. will be in the not-to-exceed amount of \$14,450.00.
5. In the professional opinion of the Town Engineer, Stellar Services, Inc. provided a fair and reasonable proposal for professional services. We note the project executive in charge of

the prior Yorktown GIS project, James Hall, is now performing a similar role with Stellar Services.

6. This work will be done using available funds in the 2019 sewer budget, under Budget Code YS.8130.421.1 Computer Support/Software. We are requesting a budget transfer from YS.8130.101 Salaries in the amount of \$11,200.00 to help cover the cost of this agreement.

NOW, THEREFORE BE IT RESOLVED, the Town Board authorizes the Town Supervisor to sign a Professional Services Agreement with Stellar Services, Inc., for the scope of work as described in the preceding section for the not-to-exceed amount of \$14,450.00.

BE IT FURTHER RESOLVED, the Town Comptroller is authorized to make the following budget transfer: \$11,200.00 from Cost Code YS.8130.101 Salaries into YS.8130.421.1 Computer Support/Software.

Authorize Supervisor to Sign Professional Services Agreement with Tighe & Bond for Wastewater Treatment Plant - Assistance with Flow Variance

WHEREAS,

1. Over the past several months the Town has experienced much higher than normal flows within the Hallocks Mill Sewer District and Yorktown Heights Wastewater Treatment Plant. In April 2019 the Town received a communication from NYSDEC indicating that the wastewater flow into the facility was more than 95 percent of the permitted flow and the Town was directed to prepare a Flow Management Plan.
2. On 9/10/19 the Town had a follow-up phone conference with officials from the NYSDEC and NYCDEP regarding this issue. In lieu of preparing a Flow Management Plan it was agreed that the Town could request a flow variance that would allow an increase from the current SPDES permit limit of 1.5 mgd to 2.5 mgd.
3. In order to apply for a flow variance, the Town needs to develop a work plan that will identify all steps the Town is undertaking in support of our application, i.e. an infiltration inflow study. [We will also note the numerous tasks undertaken over the past two years to improve operations and maintenance of the collection system, including video inspection, heavy cleaning, more frequent flushing and smoke testing of the pipelines where problems have occurred.]
4. The Town also has to develop a compliance plan that will address how we will meet the new discharge limit for Phosphorus (which will decrease from the current limit of 0.2 mg/L down to 0.1 mg/L) and how we can handle the temperature action limit of 70 degrees (which the Town exceeds in the summer months).
5. The Town Engineer is requesting the services of an engineering consultant to assist in developing the work plan and compliance plan.
6. The scope of work will be as follows: (1) review performance data from the treatment plant to assist the Town in developing a compliance plan; (2) assist the Town with a plan to meet the phosphorus and temperature limits in the new SPDES permit; and (3) attend meetings with representatives of NYSDEC; and (4) prepare a technical memorandum summarizing how the Town can achieve SPDES permit compliance once a flow variance is issued.
7. The professional engineering services to be provided by Tighe & Bond will be in the not-to-exceed amount of \$14,300.00.

8. In the professional opinion of the Town Engineer, Tighe & Bond provided a fair and reasonable proposal for professional services. We note the firm has previously performed work for the Town and have professionals with extensive experience working on smaller treatment plants like the Town-owned facility.
9. This work will be assigned to Budget Code YS.1440.490 Professional Services and will require a transfer from the Sewer Fund- Fund Balance in the amount of \$14,300.00.

NOW, THEREFORE BE IT RESOLVED, the Town Board authorizes the Town Supervisor to sign a Professional Services Agreement with Tighe & Bond for the scope of work as described in the preceding section for the Not-to-Exceed Amount of \$14,300.00 and the Town Comptroller is authorized to transfer \$14,300.00 from Sewer Fund- Fund Balance into Cost Code YS.1440.490 Professional Services.

Authorize Sewer Petition for a County-owned Parcel to be added to the Peekskill Sanitary Sewer District - Location: 3840 Crompond Road

WHEREAS:

1. The Town received a request from the Westchester County Department of Environmental Facilities to connect a County-owned parcel located at 3840 Crompond Road to Town sewer. The County operates a maintenance garage at the subject site. The only wastewater generated is from floor drains and a bathroom in the building, which is currently served by a subsurface sewage disposal system, i.e. septic system. The current system is very old and in failing condition.
2. According to the Engineering report prepared for the County, there will be a maximum sewer use of 400 gallons per day from this site. Although the Hunterbrook PS is currently operating close to full capacity, this amount of wastewater flow is minimal and will not have any impact on current pump station operation.
3. The Town sewer in this area runs along the south side of Route 202/Crompond Road and is a low-pressure sewer pipe, meaning all connections to the sewer main line must be via pumped systems. Wastewater flow from the Route 202/Crompond Road area is conveyed to the Hunterbrook Pump Station, where it is then pumped via a force main to County trunk lines and treated at the County-owned Peekskill Wastewater Treatment Plant.
4. All costs and expenses associated with the construction of the new low-pressure sewer line shall be at the sole responsibility of the County. This includes the need for micro-tunneling to bring the sewer line under Route 202/Crompond Road as will be required for a NYSDOT road crossing.
5. In support of their application to the Town, the County submitted the following documents:
 - A sewer map showing the proposed parcel being added to the Town sewer district. See Attachment #1.
 - A petition for the proposed addition of the subject parcel to the Peekskill Sanitary Sewer District and to the Hunterbrook Sewer District. See Attachment #2.
 - A draft Intermunicipal Agreement (IMA) to allow for the Town to collect the equivalent amount of sewer taxes as the County would be tax-exempt otherwise. See Attachment #3.
6. The Town Engineer has reviewed the submitted documentation and discussed with the Town Attorney and Assessor. We recommend the Board allow inclusion of this parcel into the Peekskill Sanitary Sewer District, subject to the terms and conditions as stated in the IMA.

NOW, THEREFORE BE IT RESOLVED, that the Town Board does hereby request that the County of Westchester incorporate the land listed below into the Peekskill Sanitary Sewer District.

County of Westchester 3840 Crompond Road 25.20-1-11

Authorize Supervisor to sign an Agreement with H2M Architects and Engineers to conduct the annual inspection of the French Hill 3.0MG ground stage tank

IT IS HEREBY RESOLVED that the Town Board authorizes the Supervisor to sign an Agreement with H2M Architects and Engineers to conduct the annual inspection of the French Hill 3.0MG ground stage tank. The inspection is to be completed within three weeks after receipt of the signed agreement and the cost for the services is \$2,500.00.

ADJOURN MEETING

Dated: September 24, 2019

DIANA L. QUAST, TOWN CLERK
TOWN OF YORKTOWN
CERTIFIED MUNICIPAL CLERK

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.