

TOWN BOARD AGENDA  
TOWN OF YORKTOWN  
October 18, 2016

PLACE:  
TOWN HALL

TIME:  
7:30pm

- I. PLEDGE OF ALLEGIANCE
- II. MOMENT OF SILENCE
- III. REPORT FROM TOWN SUPERVISOR MICHAEL GRACE
- IV. REPORTS FROM TOWN COUNCILMEN: GREG BERNARD, TOM DIANA,  
ED LACHTERMAN, VISHNU PATEL
- V. PRESENTATION
  - Robert Noble – Chief of Police

VI. PUBLIC HEARINGS

**Public Hearing for Wetlands/Stormwater Pollution Prevention Permit – 2200  
Saw Mill River Road**

NOTICE IS HEREBY GIVEN, that a public hearing will be convened 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 18<sup>th</sup> day of October, 2016 at 7:30 o'clock PM, or as soon thereafter as the same can be heard to consider the Wetland/Stormwater Pollution Prevention Permit Application for the dredging of a pond located at 2200 Saw Mill River Road in the Town of Yorktown, also known as Section 37.10, Block 2, Lot 65. The request is to perform the following activity: suctioning harvest of 15,000 c.y. of bottom material from existing pond within C (T) stream. Material removed pumped into Geotubes for dewatering. Once dry (2 months), material is spread in 8" lifts across existing site material disposal area, then seeded.

**Public Hearing for Wetlands/Stormwater Pollution Prevention Permit - 2464  
Hunterbrook Road**

NOTICE IS HEREBY GIVEN, that a public hearing will be convened 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 18<sup>th</sup> day of October, 2016 at 7:30 o'clock PM, or as soon thereafter as the same can be heard to consider the Wetland/Stormwater Pollution Prevention Permit Application for property located at 2464 Hunterbrook Road in the Town of Yorktown, also known as Section 36.05, Block 2, Lot 45. The request is to perform the following activity: construction of an attached 1 car garage, adding of second floor over existing residence, removal of existing covered deck, construction of a new smaller uncovered deck, removal of existing 1 story addition at rear of house, widening of existing

driveway, as well as construction of Cultec 280 infiltrators to mitigate increase in runoff.

## VII. RESOLUTIONS

### **Authorize Budget Transfer for the Highway Department**

Resolved, as per request of David Paganelli, Highway Superintendent, the Comptroller is hereby authorized to transfer the following:

\$20,000.00 from D5110.810 Highway Medical to D5110.403 Highway Supplies & Materials for additional paving work to be performed.

### **Award Bid for Dewatered Sludge Removal & Disposal #16-5**

WHEREAS:

The Town performs on site dewatering of digested sludge at the Yorktown Wastewater Treatment Plant and needs a means to remove and dispose of dewatered sludge.

The Town had a previous contract in place for dewatered sludge removal and disposal, that contract expires on 10/31/16.

The Town publically advertised this project for bids following all Town procurement policies and procedures.

Bids were received from four (4) firms. Note: A fifth firm submitted a bid package, however they declined to provide a bid price.

The low bidder, Residuals Management Services, LLC (dba EarthCare) offered a bid price of \$99.50 per ton. This price is consistent with previous pricing that was in place and represents an approximate 5 percent reduction from the previous contract.

The Department reviewed the bid packages and confirmed that all requirements have been met and no exceptions to the terms and conditions were taken. We concur that Residuals Management Services, LLC (dba EarthCare) submitted the lowest bid and recommend award to them.

In accordance with the bid requirements, the contract duration will be for two (2) years. Upon mutual consent of the Contractor and the Town, the agreement may be extended for an additional two (2) year term.

RESOLVED, that the bid for Dewatered Sludge Removal & Disposal at the Yorktown Heights Water Pollution Control Plant, Bid #16-5 be awarded to Residuals Management Services, LLC (dba EarthCare) in the amount of \$99.50 per ton. The contract shall commence on 11/1/16 and be in effect for two (2) years, until 10/31/18.

**Award Bid for Various Chemicals for the Yorktown Heights Water Pollution Control Plant #16-6**

**WHEREAS:**

The Town requires the use of various chemicals for on-site operations at the Yorktown Heights Water Pollution Control Plant.

The Town has a current contract in place for the furnishing of chemicals. The contract expires on 10/31/16 at which time the Town will need to put a new contract in place.

The bid documents require the chemical prices be valid for a 1-year term. Upon mutual consent of the Contractor and the Town, the agreement may be extended for an additional one (1) year term.

The Department reviewed the bid prices and confirmed that all requirements have been met and no exceptions to the terms and conditions were taken. The prices were consistent with previous pricing that was in place.

The bid results are summarized in the Table below:

CHEMICAL	BIDDER	AMOUNT
Ferric Chloride	Slack Chemical Co., Inc. PVS Technologies, Inc.	\$499.00 per dry ton \$502.00 per dry ton
Ferric Chloride 37% to 40%	Slack Chemical Co., Inc. Main Pool & Chemical Co. Surpass Chemical Co., Inc. Coyne Chemical Co., Inc.	\$84.32 per drum \$128.70 per drum \$130.20 per drum \$154.42 per drum
Caustic Soda 50%	New Haven Chlor-Alkali Surpass Chemical Co., Inc. Triathlon Industries, Inc. Kuehne Chemical Co., Inc. Main Pool & Chemical Co. Slack Chemical Co., Inc.	\$1.926 per gallon \$1.958 per gallon \$2.14 per gallon \$2.2204 per gallon \$2.24 per gallon \$2.379 per gallon
Caustic Soda 25%	New Haven Chlor- Alkali Main Pool & Chemical Co. Slack Chemical Co., Inc. Surpass Chemical Co., Inc.	\$78.80 per drum \$82.50 per drum \$84.31 per drum \$87.78 per drum
Citric Acid 50%	Shannon Chemical Corp. Coyne Chemical Company Slack Chemical Co., Inc. Surpass Chemical Co, Inc. Main Pool & Chemical Co.	\$287.87 per drum \$294.92 per drum \$298.42 per drum \$306.15 per drum \$349.00 per drum

Sulfuric Acid (not more than 51%)	Slack Chemical Co., Inc. Main Pool & Chemical Co. New Haven Chlor-Alkali Coyne Chemical Co., Inc.	\$136.44 per drum \$151.25 per drum \$158.00 per drum \$363.33 per drum
Sodium Bisulfite 38%	Slack Chemical Co., Inc. Main Pool & Chemical Co. Surpass Chemical Co., Inc. Coyne Chemical Co., Inc.	\$98.94 per drum \$114.95 per drum \$116.10 per drum \$146.45 per drum
Sodium Hypochlorite 15%	Slack Chemical Co., Inc. New Haven Chlor-Alkali Main Pool & Chemical Co. Surpass Chemical Co., Inc. Coyne Chemical Co., Inc.	\$81.95 per drum \$84.00 per drum \$84.70 per drum \$87.45 per drum \$125.63 per drum
Polymer (Calgon Poly-E-Z 6500 or equal)	Clean Waters, Inc. Slack Chemical Co., Inc. Coyne Chemical Co., Inc. Neo Solutions, Inc.	\$9.68 per dry ton \$9.92 per dry ton \$11.36 per dry ton \$11.77 per dry ton

RESOLVED, that the bid to supply Various Chemicals for the Yorktown Heights Water Pollution Control Plant is hereby awarded as follows.

The bid for Ferric Chloride be awarded to Slack Chemical Company, the low bidder, at a cost of \$499.00 per dry ton.

The bid for Ferric Chloride 37% to 40% be awarded to Slack Chemical Co., the low bidder, at a cost of \$84.32 per drum.

The bid for Caustic Soda 50% be awarded to New Haven Chlor-Alkali the low bidder, at a cost of \$1.926 per gallon, and be it further

The bid for Caustic Soda 25% be awarded to New Haven Chlor-Alkali, the low bidder, at a cost of \$78.80 per drum, and be it further

The bid for Citric Acid 50% be awarded to Shannon Chemical Corp., the low bidder, at a cost of \$287.87 per drum, and be it further

The bid for Sulfuric Acid (not more than 51%) be awarded to Slack Chemical Co., Inc., the low bidder, at a cost of \$136.44 per drum, and be it further

The bid for Sodium Bisulfite 38% be awarded to Slack Chemical Company, Inc., the low bidder, at a cost of \$98.94 per drum, and be it further

The bid for Sodium Hypochlorite 15% be awarded to Slack Chemical Co., Inc., the low bidder, at a cost of \$81.95 per drum, and be it further

The bid for Polymer be awarded to Clean Waters, Inc., the low bidder, at a cost of \$9.68 per dry ton.

The contract shall commence on 11/1/16 and be in effect for one (1) year, until 10/31/17.

**Award Bid for One (1) Unmarked Vehicle Purchase for the Police Department**

WHEREAS, invitation to bid for one (1) Police Department Unmarked Vehicle Purchase (or equivalent) for the Yorktown Police Department was duly advertised, and

WHEREAS, said bid was received and opened at 11:00A.M. on the 4<sup>th</sup> day of October 2016, and now therefore be it

RESOLVED, that upon the recommendation of the Chief of Police, the bid be and is hereby awarded to Park Ford of Mahopac Inc, located at 276 Rt. Six, Mahopac, NY 10541, the sole bidder of an equivalent vehicle.

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Yorktown hereby authorizes the Yorktown Police Department to purchase (1) vehicle from Park Ford of Mahopac Inc., at a total cost not to exceed sixteen thousand nine hundred eighty nine dollars and no cents (\$16,989.00)

**Release Bond #FSWPPP-008-12 NYC DEP / URS CORP.**

WHEREAS:

URS Corporation, as applicant for the NYC DEP, posted check #00294979 in the amount of \$1,500.00 which was deposited into the T33 account on December 5, 2012, to serve as the Erosion Control Bond for permit #FSWPPP-008-12 for the following work activity: reconstruction of an existing access road.

URS Corporation, as applicant for the NYC DEP, posted check #00294980 in the amount of \$750.00 which was deposited into the T76 account on December 5, 2012, to serve as the Construction Monitoring Escrow fee for permit #FSWPPP-008-12 and a balance of \$75 from remains in the escrow account (total \$825),

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, the above referenced monies totaling \$2,325.00 be released to URS Corporation, One Penn Plaza, Suite 600, New York, NY 10119, Attn: Mr. Ed O'Connor.

**Authorize Comptroller to payout Cash Value of unused time – John LaPlaca**

Be It Resolved that the Town Board hereby authorizes the Town Comptroller to pay John LaPlaca the cash value of unused time and pro-rated longevity as of his date of retirement:

Rate of Pay:   \$ 62.3970 hourly  
                      \$499.18 daily

Compensatory	52.00 hours	x	\$ 62.3970	=	\$3,244.65
Holiday Pay	9.75 days	x	\$499.18	=	\$4,867.01
Longevity					
\$6,075 / 248 days = \$24.50 per day					
09/05/16 to 09/28/16 = 18 days				=	\$ 441.00
Total					\$8,552.66

Be it further resolved that the Comptroller is hereby authorized to transfer funds for the purpose of this payout at retirement as follows:

From:

A3120.102	Police Salary	\$3,244.65
A3120.107	Police Holiday	\$4,867.01
A3120.106	Police Longevity	\$ 441.00

To:

A3120.108 Police Lump Sum Payments

Amount: \$8,552.66

**Authorize Comptroller to Refund the following Duplicate Taxes**

BE IT RESOLVED, that the Town Comptroller is hereby authorized to refund the following Duplicate Tax Payments to Wells Fargo Real Estate Tax Services, LLC:

Account #2683375 in the amount of \$5,918.42  
Account #2188000 in the amount of \$3,206.52

BE IT FURTHER RESOLVED, that the Town Comptroller is hereby authorized to refund the following Duplicate Tax Payments to Corelogic Real Estate Tax Services:

Account #1923000 in the amount of \$2,694.84  
Account #1813500 in the amount of \$4,127.54  
Account #3983000 in the amount of \$ 10.30  
Account #2998001 in the amount of \$4,946.23  
Account #4002500 in the amount of \$5,596.91  
Account #0268500 in the amount of \$4,860.95  
Account #0950500 in the amount of \$2,822.76  
Account #0958500 in the amount of \$ 51.17  
Account #0958000 in the amount of \$ 76.75  
Account #4475500 in the amount of \$2,210.85  
Account #2973500 in the amount of \$2,314.61  
Account #1545000 in the amount of \$2,799.73

Account #1572500 in the amount of \$3,732.12  
Account #3442000 in the amount of \$5,079.10  
Account #3082500 in the amount of \$2,505.29  
Account #0279617 in the amount of \$ 711.24  
Account #1812500 in the amount of \$3,027.43  
Account #1421009 in the amount of \$1,253.91  
Account #2294500 in the amount of \$3,367.03  
Account #2407500 in the amount of \$2,824.25  
Account #3532500 in the amount of \$4,517.30

**Authorize Refund for Duplicate Water Bill Payment**

Authorize Refund for Account#42-07152248 in the amount of \$67.86 for a duplicate Water Bill Payment.

VIII. COURTESY OF THE FLOOR

IX. ADJOURN

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Diana L. Quast, Town Clerk  
Town of Yorktown

Dated: October 18, 2016

\*\*\* 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.**

**PUBLIC HEARINGS SCHEDULED FOR NOVEMBER 1, 2016**

**Reconvene Public Hearing to Repeal Chapter 102 entitled Affordable Housing**

For the purpose of repealing Chapter 102 of the Code of the Town of Yorktown entitled "AFFORDABLE HOUSING."

**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 XXX1**

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 1<sup>st</sup> day of November, 2016 at 7:30 PM, or as soon thereafter as the same can be heard, to repeal Chapter 300-39 of the Code of the Town of Yorktown entitled "AFFORDABLE HOUSING" and enact a new Chapter 300 Article XXX1 of the Code of the Town of Yorktown entitled "INCLUSION OF ADDITIONAL HOUSING UNITS."

**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**

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 1<sup>st</sup> day of November, 2016 at 7:30 PM, or as soon thereafter as the same can be heard, 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 enact a new Article X entitled "YORKTOWN COMMUNITY HOUSING BOARD" of Chapter 10 of the Code of the Town of Yorktown**

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 1<sup>st</sup> day of November, 2016 at 7:30 PM, or as soon thereafter as the same can be heard, to enact a new Article X entitled "YORKTOWN COMMUNITY HOUSING BOARD" of Chapter 10 of the Code of the Town of Yorktown.

**PUBLIC HEARINGS ADJOURNED**

**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."**

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."