

Organizational Meeting held by the Town Board, Town of Yorktown on January 6, 2015 held at 363 Underhill Avenue, Yorktown Heights, NY.

Present: Michael J. Grace, Supervisor
Vishnu V. Patel, Councilman
Susan Siegel, Councilwoman

Also Present: Alice E. Roker, Town Clerk
Jeannette Koster, Town Attorney

TOWN BOARD MEETING

Supervisor Michael Grace called the meeting to order

EXECUTIVE SESSION

Upon motion made by Supervisor Grace, seconded by Councilwoman Siegel,

the Town Board moved into Executive Session to discuss litigation and an interview with a candidate to act as Certiorari Counsel for the Town of Yorktown.

Upon motion made by Supervisor Grace, seconded by Councilwoman Siegel, the Town Board moved out of Executive Session.

PLEDGE OF ALLEGIANCE

Supervisor Grace led the salute to the flag.

MOMENT OF SILENCE

A moment of silence was observed in honor of our men and women serving in the Armed Forces.

DURING REPORTS FROM TOWN COUNCIL, Councilwoman Siegel stated that she was surprised that a resolution requesting a Special Election was not on the agenda.

There was a discussion between Town Board members concerning whether to call for a Special Election for the two vacant seats on the Town Board.

Town Attorney Koster was asked to draft a resolution for a possible vote later tonight.

APPROVE SPECIAL ELECTION TO FILL TWO VACANT SEATS ON THE TOWN BOARD

RESOLUTION #1

Upon motion made by Supervisor Grace, seconded by Councilman Siegel,

WHEREAS, the Town Board has authority under Local Law # 7 of 2014, which amended Chapter 65 of the Town Code to provide for a special election, which local law was approved by the voters in a mandatory referendum at the last general election;

NOW THEREFORE, BE IT RESOLVED, that the Town Board hereby calls for a special election to fill the two vacancies on the Town Board in the offices most recently held by former councilmen Nicholas Bianco and Terrence Murphy, to be held on March 10, 2015.

Grace, Patel, Siegel Voting Aye
Resolution adopted.

PRESENTATION

Interns with the Alliance for Safe Kids, a community based program aimed at mentoring and providing young people with the skills needed to make healthy decisions provided the Board with an update of their work. More than two hundred teenagers

attended Teen Night at Club Fit. Their Save A Life Workshops will be held on February 8, 2015 at the Yorktown Community and Cultural Center.

DURING COURTESY OF THE FLOOR, the following people addressed the Town Board:

Mr. Nicholas Witkovich
Mr. Gil Kaufman
Mrs. Roseann Brackett
Mr. Edward Ciffone
Mr. Daniel Lefkowitz
Mr. Michael Salazzo

COURTESY OF THE FLOOR IS CLOSED

DECISION - To consider the application received from Tom McCrossan and Mark McGoldrick for a Special Use Permit to operate a Convalescent Home at 482 Underhill Avenue, Yorktown Heights, NY 10598.

Supervisor Grace read a copy of a proposed resolution permitting the residence to be operated as a convalescent home.

Councilwoman Siegel along with Councilman Patel stated that because this resolution was sent to them so late in the day, they would not be voting on it tonight.

PUBLIC HEARING - WETLANDS PERMIT APPLICATION - WOLSKI – 3211 LAKESHORE DRIVE

Supervisor Grace asked if the applicant was here to open the Public Hearing to consider the application filed by Robert Panny, on behalf of the owners Linda and Michael Wolski for a wetlands permit for the construction of a new home at 3211 Lakeshore Drive, Yorktown Heights, NY. Affidavits of Posting and Publication were presented by the Town Clerk.

The applicant failed to appear at the hearing.

Environmental Consultant Bruce Barber explained that even if the applicant showed up, the application is still incomplete. He told the Board that they are still missing some vital information.

The Town Clerk stated that she will call the applicant and asked that he supply the Town Board with the necessary information to make an informed decision.

ADVERTISE PUBLIC HEARING – MANDALAY BUILDERS, LLC IN CONNECTION WITH PROPERTY KNOWN ON THE TAX ROLLS AS SECTION, PARCEL AND LOT: 26.18-1-9, 26.18-1-10, 26.18-1-11, 26.18-1-12, 26.18-1-13, 26.18-1-14, 26.18-1-15, 26.18-1-16 FOR A CHANGE OF ZONE FROM R1-20 TO C2 AND R-3
RESOLUTION #2

Upon motion made by Councilman Patel, seconded by Councilwoman Siegel,

RESOLVED, that 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, 363 Underhill Avenue, Yorktown Heights, New York on the 20th day of January, 2015 at 7:30 o'clock PM to consider the application made by Mandalay Builders, LLC in connection with property known on the Yorktown Tax Rolls as Section, Parcel and lots 26.18-1-9, 26.18-1-10, 26.18-1-11, 26.18-1-12, 26.18-1-13, 26.18-1-14, 26.18-1-15, 26.18-1-16 for a Change of Zone from R1-20 to C2 and R-3.

A copy of said proposal is on file in the office of the Town Clerk, at the said Town Hall, where the same may be inspected during regular office hours.

All persons in interest and citizens may be heard at the public hearing to be held as aforesaid.

Grace, Patel Siegel Voting Aye
Resolution adopted.

ADVERTISE RFP FOR PROVIDING FOOD AND REFRESHMENT SERVICE
YORKTOWN POOL CONCESSION FACILITIES
RESOLUTION #3

Upon motion made by Councilwoman Siegel, seconded by Councilman Patel,

RESOLVED, the Town Clerk is authorized to advertise a Request for Proposal to qualified individuals and firms for providing food and refreshment service at the Yorktown Town Pools concession facilities.

Grace, Patel Siegel Voting Aye
Resolution adopted.

ACCEPT RETIREMENTS
RESOLUTION #4

Upon motion made by Supervisor Grace, seconded by Councilman Patel,

The Town Board accepted with regret the retirements of the following employees

Fred Gauthier – Highway Department
Raymond Granata – Highway Department
Glen Gary Sneyd – Building Department
Patsy Perrotto – Police Department
Kevin Soravilla – Police Department
Christopher O'Rourke – Police Department
Police Canine Moose

Grace, Patel, Siegel Voting Aye
Resolution adopted.

AUTHORIZE THE CONVEYANCE OF THE POLICE DOG, MOOSE TO ITS
HANDLER JUSTIN FOLEY
RESOLUTION #5

Upon motion made by Councilwoman Siegel, seconded by Councilman Patel,

BE IT RESOLVED, that the Yorktown Police Department has officially retired K-9 Moose, and the Town Board hereby authorizes the conveyance of Moose to his K-9 handler, Police Officer Justin Foley, for a cost of \$1.00.

Grace, Patel, Siegel Voting Aye
Resolution adopted.

APPROVE A CHANGE ORDER FOR WORK BEING DONE ON THE GENERATOR
AT THE YCCC
RESOLUTION #6

Upon motion made by Councilwoman Siegel, seconded by Councilman Patel,

RESOLVED, that Change Order No. 2 for Capital Improvement Project #14-01 in the amount of \$2,900.00 for additional work to be performed by A-Amp Inc. as required by Electrical Inspector for ground wire from water main to electrical cabinet to be in compliance with current code is hereby approved.

Grace, Patel, Siegel Voting Aye
Resolution adopted.

APPROVE BID EXTENSION STONE, GRAVEL CONCRETE MATERIALS
RESOLUTION #7

Upon motion made by Councilman Patel, seconded by Councilwoman Siegel,

WHEREAS, invitation to bid for the Stone Gravel Concrete Materials Bid was duly advertised, and

WHEREAS, said bids were received and opened on December 4th, 2013,

RESOLVED, that upon the recommendation of the Highway Superintendent, Dave Paganelli, the bid for Stone Gravel Concrete Materials Bid, (see attachment) is hereby extended for one year, per the terms of the Bid.

BE IT FURTHER RESOLVED, the dates of the extension will be January 1, 2015 through December 31, 2015.

Grace, Patel, Siegel Voting Aye
Resolution adopted.

APPROVE CONFERENCE ATTENDANCE
PARKS AND RECREATION DEPARTMENT
RESOLUTION #8

Upon motion made by Supervisor Grace, seconded by Councilman Patel,

Whereas, the Superintendent of Parks and Recreation has requested permission for four employees to attend the Pool and Spa Conference held in Atlantic City in January 2015, 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 2015 Pool and Spa Show held in Atlantic City, NJ on January 26th through January 28th, 2015. Expenses, including lodging and food, are expected to total approximately \$500. Additionally, said employees have permission to take a town vehicle for this conference.

Employees attending:
Todd Orłowski, Assistant Superintendent
Brian Gray, Superintendent
Guido Parks, Maintenance Mechanic Repair

Grace, Patel, Siegel Voting Aye
Resolution adopted.

APPROVE RENEWAL LICENSE AGREEMENT
YORKTOWN VOLUNTEER AMBULANCE CORPS – FLYCAR STORAGE
RESOLUTION #9

Upon motion made by Supervisor Grace, seconded by Councilman Patel,

RESOLVED, the Supervisor is authorized to sign a renewal of the Town's license agreement with the Yorktown Volunteer Ambulance Corp. (YVAC) for the storage of a flycar for advanced life support services, through December 31, 2015.

Grace, Patel, Siegel Voting Aye
Resolution adopted.

APPROVE COMMERCIAL GARBAGE LICENSE FOR 2015
BETTER CARTING SERVICES, INC
RESOLUTION #10

Upon motion made by Supervisor Grace, seconded by Councilman Patel,

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 2015.

Grace, Patel, Siegel Voting Aye
Resolution adopted.

APPROVE COMMERCIAL GARBAGE LICENSE FOR 2015
AAA CARTING & RUBBISH REMOVAL
RESOLUTION #11

Upon motion made by Supervisor Grace, seconded by Councilman Patel,

RESOLVED, that AAA Carting and Rubbish Removal be and is hereby granted renewal of their Garbage License to service commercial properties in the Town of Yorktown for the year 2015.

Grace, Patel, Siegel Voting Aye
Resolution adopted.

APPROVE COMMERCIAL GARBAGE LICENSE FOR 2015
SANI-PRO DISPOSAL SERVICES CORP D/B/A SUBURBAN CARTING
RESOLUTION #12

Upon motion made by Supervisor Grace, seconded by Councilman Patel,

RESOLVED, that Sani-Pro Disposal Services Corp. d/b/a Suburban Carting be and is hereby granted renewal of their Garbage License to service commercial properties in the Town of Yorktown for the year 2015.

Grace, Patel, Siegel Voting Aye
Resolution adopted.

APPROVE COMMERCIAL GARBAGE LICENSE FOR 2015
WINTERS BROTHERS
RESOLUTION #13

Upon motion made by Supervisor Grace, seconded by Councilman Patel,

RESOLVED, that Winters Bros.be and is hereby granted renewal of their Garbage License to service commercial properties in the Town of Yorktown for the year 2015.

Grace, Patel, Siegel Voting Aye
Resolution adopted.

APPROVE COMMERCIAL GARBAGE LICENSE FOR 2015
ATNM CORP
RESOLUTION #14

Upon motion made by Supervisor Grace, seconded by Councilman Patel,

RESOLVED, that ATNM Corp.be and is hereby granted renewal of their Garbage License to service commercial properties in the Town of Yorktown for the year 2015.

Grace, Patel, Siegel Voting Aye
Resolution adopted.

ORGANIZATIONAL RESOLUTIONS

SALARIES

RESOLUTION #15

Upon motion made by Councilman Patel, seconded by Councilwoman Siegel,

RESOLVED, that the Supervisor be hereby authorized and directed to pay regular bi-weekly salaries of all elected and appointed Town officials and employees without prior audit: this shall not apply to lump sum payments.

Grace, Patel, Siegel Voting Aye
Resolution adopted.

MILEAGE

RESOLUTION #16

Upon motion made by Councilman Patel, seconded by Councilwoman Siegel,

RESOLVED, that the rate of 57.5cents per mile be allowed those Town officials and employees who use their own automobiles in the performance of their official duties in accordance with the budgetary appropriations, provided however, the expense incurred is presented to the Town Board in the proper manner and on the proper claim form.

Grace, Patel, Siegel Voting Aye
Resolution adopted.

FISCAL REPORT FILING TO STATE COMPTROLLER

RESOLUTION #17

Upon motion made by Councilman Patel, seconded by Councilwoman Siegel,

RESOLVED, that by the authority vested pursuant to Paragraph 10-a of Section 29 of the Town Law, the Supervisor shall submit to the Town Clerk within one hundred twenty days after the close of the fiscal year, a copy of the report to the State Comptroller required by Section 30 of the General Municipal Law and the Town Clerk shall cause a summary of such report or a notice that a copy of such report is on file in the Town Clerk's Office.

Grace, Patel, Siegel Voting Aye
Resolution adopted.

COMPTROLLER TO REFUND CERTAIN CORRECTIONS OF ERROR

RESOLUTION #18

Upon motion made by Councilman Patel, seconded by Councilwoman Siegel,

RESOLVED, that the Comptroller is appointed, as per Section 554 of the Real Property Tax Law to make refunds for correction of error up to a maximum of \$2,500.00.

Grace, Patel, Siegel Voting Aye
Resolution adopted.

NEW YORK STATE DIVISION OF YOUTH STATE AID RECREATION/YOUTH SERVICES PROJECT

RESOLUTION #19

Upon motion made by Councilman Patel, seconded by Councilwoman Siegel,

RESOLVED, that the Supervisor be directed to make application to the New York State Division of Youth for State Aid for a Recreation and Youth Service Project Grant for 2013. The Parks and Recreation Department receives \$10,000 of this application for recreation youth, and the Police Department receives another \$10,000 via the Youth Officer.

Grace, Patel, Siegel Voting Aye
Resolution adopted.

AUTHORIZE SUPERVISOR TO SIGN NORWEST AGREEMENT
RESOLUTION #20

Upon motion made by Supervisor Grace, seconded by Councilwoman Siegel,

Authorize the Supervisor to sign an agreement with Norwest for therapeutic recreational programs.

Grace, Patel, Siegel Voting Aye
Resolution adopted.

AUTHORIZE SUPERVISOR TO SIGN AGREEMENTS WITH SPORTS CLUBS
RESOLUTION #21

Upon motion made by Supervisor Grace, seconded by Councilwoman Siegel,

Authorize the Supervisor to sign an agreement with the following Sports Clubs:

Shrub Oak Athletic Club
Yorktown Athletic Club
Mohansic Girls Basketball

Grace, Patel, Siegel Voting Aye
Resolution adopted.

DELEGATES/ASSOCIATION OF TOWNS MEETING
RESOLUTION #22

Upon motion of Councilman Patel, seconded Supervisor Grace,

RESOLVED, that Vishnu Patel be and is hereby designated as the voting delegate to represent the Town of Yorktown at the Association of Towns Meeting to be held in February 2015, and be it

FURTHER RESOLVED, that Susan Siegel be and is hereby designated the alternate delegate to the aforementioned meeting.

Grace, Patel, Siegel Voting Aye
Resolution adopted.

DESIGNATED DEPOSITORIES
RESOLUTION #23

Upon motion made by Supervisor Grace, seconded by Councilman Patel,

RESOLVED, that the following banks located in the Town of Yorktown are hereby designated as depositories for the Town of Yorktown:

JP Morgan Chase
2002 Commerce Street
Yorktown Heights, New York 10598

Bank of America
2 Triangle Center
Yorktown Heights, New York 10598

Putnam County Savings Bank
331 Downing Drive
Yorktown Heights, NY 10598

Signature Bank
1C Quaker Ridge Road
New Rochelle, NY 10804

and be it

FURTHER RESOLVED, that Michael Grace, Supervisor of the Town of Yorktown, is hereby authorized, pursuant to Town Law Section 29(2), to act on behalf of the Town of Yorktown with said banks, and be it

FURTHER RESOLVED, that the above named banks are hereby required to provide a surety bond or pledge securities when applicable as required by Town Law Section 64(1) and General Municipal Law Section 10, and be it

FURTHER RESOLVED, that the following banks are designated depositories for the following officers of the Town of Yorktown:

JP Morgan Chase, Yorktown Heights, New York:
Justice Raniolo Account
Justice Lagonia Account
Joint Bail Account - Justice Lagonia & Justice Raniolo

Grace, Patel, Siegel Voting Aye
Resolution adopted.

BLANKET AUTHORITY/SIGN CONTRACTS
RESOLUTION #24

Upon motion made by Councilwoman Siegel, seconded by Councilman Patel,

RESOLVED, that the Town Board hereby grants blanket authority to sign contracts for the Town, without the necessity of express advance approval by the Town Board to the Supervisor in the event the contract involves any expenditure of not more than \$12,500, not to exceed \$50,000 in any calendar year and is limited to one year in duration and be it

FURTHER RESOLVED, that this blanket authorization shall remain in effect until amended.

Grace, Patel, Siegel Voting Aye
Resolution adopted.

AUTHORIZATION TO PURCHASE EQUIPMENT
HIGHWAY SUPERINTENDENT
RESOLUTION #25

Upon motion made by Supervisor Grace, seconded by Councilman Patel,

RESOLVED, that pursuant to Paragraph A of Subdivision 1, of Section 142 of the Highway Law, as last amended, the Town Superintendent of Highways is hereby authorized to purchase equipment, tools and implements without prior approval of the Town Board in an amount not to exceed \$7,000.00.

Grace, Patel, Siegel Voting Aye
Resolution adopted.

OFFICIAL NEWSPAPERS
RESOLUTION #26

Upon motion made by Supervisor Grace, seconded by Councilman Patel,

RESOLVED, that the official newspapers for the Town of Yorktown are hereby designated to be the Yorktown News and Journal News.

Grace, Patel, Siegel Voting Aye
Resolution adopted.

2015 MEETING DATES
RESOLUTION #27

Upon motion made by Supervisor Grace, seconded by Councilwoman Siegel,

RESOLVED, that the meeting dates of this Town Board will start their meeting at 6:45 PM and that the taping of televised Town Board Meeting begins at 7:30PM unless otherwise noted and shall be as follows:

January 6	televised meeting
January 13	work session
January 20	televised meeting
January 27	work session
February 3	televised meeting
February 10	work session
February 17	televised meeting
February 24	work session
March 5	televised meeting
March 17	televised meeting
March 24	work session
April 7	televised meeting - John C. Hart Library
April 14	work session
April 21	televised meeting
April 28	work session
May 5	televised meeting
May 12	work session
May 19	televised meeting
May 26	work session
June 2	televised meeting
June 9	work session
June 16	televised meeting
June 23	work session
July 7	televised meeting - outdoor site, 6:00 p.m.
July 14	work session
July 21	televised meeting - outdoor site, 6:00 p.m.
July 28	work session
August 4	televised meeting - outdoor site, 6:00 p.m.
August 11	work session
September 1	televised meeting
September 15	televised meeting
October 6	televised meeting
October 13	work session
October 20	televised meeting
October 27	work session
November 10	work session
November 17	televised meeting
November 24	work session
December 1	televised meeting
December 8	televised meeting (Budget Hearing)
December 15	televised meeting
December 22	work session
December 31	work session

FURTHER RESOLVED, that the Town Board will meet with its Department heads to review their budgets on November 12 and November 13 and be it

FURTHER RESOLVED, that the Town Board will hold its regular Budget Hearing at 7:00 PM on December 8, 2015.
and be it,

FURTHER RESOLVED, the Town of Yorktown will hold its annual Record Management Inventory on February 12 and February 13 and be it,

FURTHER RESOLVED, that Special Meetings shall be called and held in conformance with Section 62 of the Town Law and Article 7 of the Public Officers Law.

Grace, Patel, Siegel Voting Aye
Resolution adopted.

Supervisor grace made the following appointments:

Mary Capoccia as the Executive Assistant to the Supervisor.

Town Clerk Alice E. Roker as Deputy Supervisor to serve during the absence or inability of the Supervisor to act, or while the office of Supervisor is vacant, pursuant to Section 42 of the Town Law.

Supervisor Grace also appointed the following:

Liaison to ABACA:	Supervisor Grace
Liaison to the ALS Commission:	
Liaison to the Cable Committee:	
Liaison to Chamber of Commerce	Supervisor Grace
Liaison to the Community Housing Board:	Town Clerk Roker
Liaison to the Conservation Board:	Councilman Patel
Liaison to the Fire Prevention Board:	Councilwoman Siegel
Liaison to Library Board of Trustees:	Councilman Patel
Liaison to the Open Space Committee:	Councilman Patel
Liaison to the Open Space Committee:	Councilwoman Siegel
Liaison to Planning Board:	Supervisor Grace
Liaison to the Police Advisory Board:	Town Clerk Roker
Liaison to Recreation Commission:	Highway Supt. Paganelli
Liaison to the Senior Advisory Committee:	Town Clerk Roker
Liaison to the Teen Advisory Committee:	Supervisor Grace
Liaison to the Tree Conservation Advisory Commission:	Councilman Patel
Liaison to the Zoning Board of Appeals:	Supervisor Grace
Liaison to Landmarks:	Supervisor Grace
Liaison to School Districts:	
Croton School District:	Councilman Patel
Lakeland School District:	Mary Capoccia
Ossining School District:	Deputy Town Clerk Quast
Yorktown Central School District:	Mary Capoccia

AUTHORIZE SUPERVISOR TO SIGN A RETAINER AGREEMENT WITH THE
LAW FIRM OF SHAW, PERELSON, MAY & LAMBERT, LLP – TAX CERTIORARI
RESOLUTION #28

Upon motion made by Councilman Patel, seconded by Councilwoman Siegel,

RESOLVED, be it resolved that the Supervisor is authorized to sign a retainer agreement with the law firm Shaw, Perelson, May & Lambert, LLP, for the provision of legal services and related disbursements, to handle the Town's tax certiorari litigation, in accordance with the firm's proposal dated December 10, 2014; and

BE IT FURTHER RESOLVED, that the Town Attorney is authorized to sign substitutions of counsel to be filed with the State Supreme Court for pending tax certiorari cases.

Grace, Patel, Siegel Voting Aye
Resolution adopted.

AUTHORIZE EVICTION ON TOWN-OWNED IN REM PROPERTY LOCATED AT
1829 FRENCH HILL STREET
RESOLUTION #29

Upon motion made by Councilman Patel, seconded by Councilwoman Siegel,

WHEREAS, the Town obtained a judgment and a warrant of eviction from the Yorktown Justice Court authorizing and ordering the eviction of the occupant of the Town-owned in rem property located at 1829 French Hill Road; and

WHEREAS, the occupant's motion for a stay of the execution of the warrant of eviction was denied by the Appellate Term on December 24, 2014; and

WHEREAS, the Town has hired the Westchester County Department of Public Safety (County Sheriff) to execute the warrant of eviction, and the Sheriff has served the occupant with a legal notice that expires on January 9, 2015, and if the occupant fails to voluntarily move out by that date, the Sheriff is legally authorized to and shall execute the warrant promptly thereafter; and

WHEREAS, in advance of the eviction, the Sheriff requires the property owner to hire a moving company to remove the occupant's personal possessions from the premises and store said possessions until redeemed by the occupant or 30 days, whichever comes first; and

WHEREAS, the Sheriff also requires the Town to provide a locksmith to obtain access to and secure the premises on the scheduled day of the eviction; be it

RESOLVED, that the Finance Department is authorized to pay MoveOurStuff.com \$19.95 to reserve trucks for the eviction of the occupant at 1829 French Hill Road; and be it

FURTHER RESOLVED Supervisor is authorized to sign a contract with MoveOurStuff.com, 8 Carol Avenue, West Haverstraw, NY, at the hourly rate of \$600 for up to 12 hours, for the removal of the occupant's possessions and one month of storage of said possessions at up to \$900, plus a flat driving charge of \$600.00, plus a nonrefundable fee of \$19.95 for reservation of the trucks for the move; and be it

FURTHER RESOLVED, that if the Town cancels the moving company less than four (4) business days prior to the scheduled eviction, the Town will agree to pay a cancellation fee to MoveOurStuff.com of \$250.00; and be it

FURTHER RESOLVED, that the Supervisor is authorized to sign a contract with a locksmith in an amount up to \$100.00, for locksmith services the day of the eviction.

Grace, Patel, Siegel Voting Aye
Resolution adopted.

ADJOURN

Upon motion made by Supervisor Grace, seconded by Councilman Patel,

The Town Board meeting was adjourned.

Alice E. Roker, Town Clerk
Town of Yorktown