

Meeting of the Town Board, Town of Yorktown held on February 24, 2015
at the Town Hall, 363 Underhill Avenue, Yorktown Heights, New York 10598.

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

Also present: Diana L. Quast, Deputy 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 a personnel matter related to particular people and contract negotiations.

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

ARBOR DAY

Mr. William Kellner, Chair, Tree Conservation Advisory Commission, and Ann Kutter, Representative, Arbor Day Committee were present to discuss with the Town Board the upcoming Arbor Day which is scheduled for May 1, 2015. Mrs. Kutter stated that the Town Hall will be used in case of rain and a tree will be planted in Patriot Park in memory of Assistant Planner Lorraine DeSisto. Mr. Kellner stated that the Tree Conservation Advisory Commission would like to apply for a grant to plant approximately sixty (60) trees and shrubs at Sylvan Glen Park.

GROUP HOME 1480 FLORIDA ROAD

Mr. Daniel Lockett, Chair, Group Home Selection Committee discussed with the Town Board a proposed Group Home to be located at 1480 Florida Road. The Town Board agreed to pass a resolution approving the site location for Opengate, Inc.

INTERMUNICIPAL AGREEMENT WITH CITY OF PEEKSKILL RESOLUTION #78

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

WHEREAS, occasionally an applicant for a tax assessment review has a close relationship with the Town (for example, when an applicant is an elected or appointed official of the Town, an employee of the Town, or a family member of such official or employee), and, additionally, the Town, as an owner of certain parcels of real property, occasionally applies for tax assessment review as to its own parcels; and

WHEREAS, the Town Board, the Assessor and the Board of Assessment Review wish to avoid conflicts of interest or the appearance of conflicts of interest in the Town's handling and determining of tax assessment reviews; and

WHEREAS, in some cases, recusal of one or more members of the Board of Assessment Review would be insufficient to resolve the conflict or appearance of conflict; and

WHEREAS, in order to create a procedure for handling such cases, it is in the interest of the Town to enter into an intermunicipal agreement with another town to provide for the mutual transfer of cases filed with the Town to the other's Board of Assessment Review for determination; and

WHEREAS, the City of Peekskill has indicated its willingness to enter into such an agreement for shared services; and

WHEREAS, pursuant to General Municipal Law section 119-o, municipal corporations have “the power to enter into, amend, cancel and terminate agreements for the performance among themselves or one for the other of their respective functions, powers and duties on a cooperative or contract basis,”

NOW, THEREFORE, BE IT RESOLVED, that the Town Board authorizes the Supervisor to execute an intermunicipal agreement with the City of Peekskill for the mutual performance of tax assessment review services on an as-needed basis, at no cost to either municipality.

Grace, Patel, Siegel Voting Aye
Resolution adopted.

UNPAID TAXES AND FORECLOSURES EFFORTS

Barbara Korsak, Receiver of Taxes gave the Town Board an update on unpaid taxes and foreclosures.

HALLOCKS MILL SEWER DISTRICT PROJECT REQUEST FOR PROPOSALS (RFP)

Sharon Robinson, Acting Town Engineer stated that four proposals were received from professional engineering firms. She suggested going with GHD, Inc. because they have done work for the Town before and have knowledge of the pump stations. The Town Board agreed to place this on the next agenda.

BAPTIST CHURCH ROAD

Sharon Robinson, Acting town Engineer stated that she would like to move forward with the Baptist Church Road project and would like to have the Town sign an agreement with WSP Sells Group, Inc. for full-time construction inspection services. The Town Board agreed to place this on the next agenda.

HALLOCKS MILL SEWER TREATMENT PLANT– SPEDES PERMIT

Supervisor Grace stated that when the pump station upgrades are done it will help the Town when it requests the NYC DEP upgrade the Town’s SPEDES permit. He stated that the Town could potentially be able to have sewer hook ups after many years. Supervisor Grace stated that the ten million dollars of the East of Hudson funds can be used for the pump station upgrades and is still being held for the Town of Yorktown.

AIM PROJECT - ALGONQUIN GAS TRANSMISSION

The Town Board reviewed comments with Bruce Barber, Environmental Consultant for the Town to be sent to FERC regarding the Spectra/Algonquin Gas Transmission Project regarding the air and water quality issues. The Town Board agreed to send the comments before the comment period deadline ends.

REFUND WETLAND PERMIT IN THE AMOUNT OF \$1,800 – ABBATE

The town Board tabled this discussion.

APPROVE BEN FRANKLIN MIDDLE SCHOOL SIGN ON KAHMI DRIVE RESOLUTION #79

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

Resolved, that the Town Board approves Ben Franklin Elementary School to post a sign on Kahmi Drive.

Grace, Patel, Siegel Voting Aye
Resolution adopted.

APPROVE BUDGET TRANSFER HIGHWAY DEPARTMENT RESOLUTION #80

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

Be It Resolved, that the Comptroller is hereby authorized to transfer \$15,000.00 from the Highway Department Salary Line D5110.101 to Highway Department Snow – Material & Supplies D5142.403.

Grace, Patel, Siegel Voting Aye
Resolution adopted.

APPROVE GROUP HOME 1480 FLORIDA ROAD
RESOLUTION #81

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

WHEREAS, Opengate, Inc., located at 347 Main Street, Armonk, NY, issued a formal notification on January 26, 2015, to the Town pursuant to Section 41.34 of the Mental Hygiene Law of its intent to develop a community residence for persons with intellectual and developmental disabilities at a house located at 1480 Florida Road, and

WHEREAS, the Town Board referred the notification to the Group Home Committee, which considered the proposal, visited the site, and held an informational meeting, and recommends the Town Board approve the site; and

WHEREAS, the Town of Yorktown has determined that the addition of the proposed community residence will not result in such a concentration of these facilities in the Town such as would substantially alter the nature and character of the Town,

NOW THEREFORE, BE IT RESOLVED, that the Town Board hereby approves the site, 1480 Florida Road, for the proposed group home.

Grace, Patel, Siegel Voting Aye
Resolution adopted.

RESOLUTIONS FOR MARCH 3, 2015 AGENDA

Extend Uniform Dry Cleaning Services – Police Department
Purchase Police Vehicles – Police Department

ADJOURN

Upon motion made by Supervisor Grace, seconded by Councilwoman Siegel,
The Town Board Meeting was adjourned.

Diana L. Quast, Deputy Town Clerk
Town of Yorktown