

Meeting of the Town Board, Town of Yorktown held on April 28, 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
Gregory M. Bernard, Councilman
Thomas P. Diana, Councilman

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 the employment of a particular person. Upon motion made by Supervisor Grace, seconded by Councilwoman Siegel, to move out of Executive Session and proceeded with the Town Board meeting.

GULF GASOLINE STATION SPECIAL USE PERMIT

Following a discussion with the property owner, Mr. Henry Steeneck and his associate Brian Orser, the Town Board asked that they come back to another work session once all of the changes that they spoke about were made.

WINERY AT ST. GEORGE WETLANDS PERMIT REFERRAL RESOLUTION #166

Supervisor Grace explained that this is a plan that had been before a previous Town Board but, they failed to get a majority to vote on sending proposal to public hearing. The Town Attorney was asked to give the Town Board guidance with regard to the land swap.

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

RESOLVED, that on April 24, 2015 the Town Clerk received a Wetland Application from The Winery at St. George/Thomas DeChiaro to clean a wetland buffer area and create a parking area of 12 spaces. The proposed parking area will be used by both the Town of Yorktown to access the Town's "open space" area and as overflow parking for the winery, and

BE IT FURTHER RESOLVED that the Town Board declares its intent to act as Lead Agency and hereby authorizes The Town Clerk to refer the application to the following agencies for comments and/or recommendations by May 25, 2015:

Town Engineer
Conservation Board
Planning Board
Planning Department
Recreation Commission
Wetlands Consultant
Town Attorney
NYS Department of Transportation
NYS Department of Environmental Conservation

and be it further

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 2nd day of June, 2015 at 7:30 o'clock PM.

Grace, Patel, Siegel, Bernard, Diana Voting Aye
Resolution adopted.

SENIOR ISSUES

Members of the Senior Advisory Committee including Gil Kaufmann, Rosemarie Panio and Jennie Menton spoke about changes that are being made to the YCCC as a result of a Building Safety Assessment that was done in June 2014.

BROAD STREET

Discussion between Town Board members, Mr. Gregory Kravstov, Jeannette Koster, and David Paganelli. Mr. Kravstov would like the Town to help alleviate flooding on his property. Mr. Kravstov also wants to place a banner or poster at the YCCC. The Town Attorney asked him to send her a letter.

SOLARIS PARKING ISSUE

Discussion between the Town Board, Highway Superintendent David Paganelli and the representatives of Solaris on how to get additional parking in front of the building for Solaris. In the meantime, the Town Board will amend the law prohibiting parking in front of their building.

CROTON HEIGHTS ROAD EMERGENCY REPAIR
RESOLUTION #167

Upon motion made by Councilman Bernard, seconded by Councilman Patel,

WHEREAS, a culvert on Croton Heights Road near the intersection of Route 118 suddenly and without warning collapsed on March 25, 2015; and

WHEREAS, as a result of the collapse, the Highway Superintendent closed the road, deeming it to be in danger of further deterioration, and likely to pose an immediate threat to vehicular traffic; and

WHEREAS the Highway Superintendent has informed the Town Board that the condition is an emergency requiring immediate repair; and

WHEREAS, the Acting Town Engineer has obtained a cost estimate from WSP Sells, the engineering firm the Town has engaged to oversee the design work on rehabilitating the Croton Heights Road culverts at that location, for emergency repair work to be performed on an emergency basis of approximately \$300,000;

NOW THEREFORE, be it resolved, the Town Board hereby declares Town Board authorizes expenditure of up to \$300,000 for the emergency repair work, and authorizes the Acting Town Engineer to work with the Highway Superintendent to procure a contract without competitive bidding under the emergency provisions of General Municipal Law § 103 and the Town's procurement policy for the performance of the emergency repair work, and further authorizes the Town Supervisor to sign an agreement with the contractor so procured.

Grace, Patel, Siegel, Bernard, Diana Voting Aye
Resolution adopted.

BAPTIST CHURCH ROAD EMERGENCY REPAIR
RESOLUTION #168

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

WHEREAS, a culvert under Baptist Church Road west of the intersection with Baldwin Road suddenly and without warning collapsed on or about April 26, 2015; and

WHEREAS, as a result of the collapse, the Highway Superintendent closed the road, deeming it to be in danger of further deterioration, and likely to pose an immediate threat to vehicular traffic; and

WHEREAS the Highway Superintendent has informed the Town Board that the condition is an emergency requiring immediate repair; and

WHEREAS, the Town Acting Engineer wishes to request a cost estimate from WSP Sells, the engineering firm the Town has engaged to oversee the design work on rehabilitating the Baptist Church Road culverts at that location, on the cost of the emergency repair work to be

performed on an emergency basis, and has requested additional funds to pay WSP Sells for the cost estimate and additional design work necessitated by the changed condition of the road;

NOW THEREFORE, BE IT RESOLVED, the Town Board hereby declares an emergency and authorizes expenditure of up to \$20,000 for additional professional engineering services to be performed by WSP Sells in connection with the redesign of the rehabilitation of Baptist Church Road; and be it further

RESOLVED, the Town Board authorizes the Acting Town Engineer to work with the Highway Superintendent to procure a contract without competitive bidding under the emergency provisions of General Municipal Law § 103 and the Town's procurement policy for the performance of the emergency repair work, and further authorizes the Town Supervisor to sign an agreement with the contractor so procured.

Grace, Patel, Siegel, Bernard, Diana Voting Aye
Resolution adopted.

PUBLIC SAFETY ASSESSMENT

Councilman Bernard asked the Town Board if there were questions about the Public Safety Report that he read and was accepted at the April 21st, 2015 meeting. Mr. Bernard explained why the Public Safety Committee is requesting an additional speed hump in the area near Hallocks Mill Road. The Board will schedule a public hearing for a local law amending Chapter 275 of the Town Code of Yorktown requesting a stop sign be placed at the intersection of McKeel Street and Rutledge Drive.

YORKTOWN SMALL BUSINESS ASSOCIATION

Mr. Robert Giordano, representing the Yorktown Small Business Association gave the Town Board an update on parking issues in the Heights area. There was also discussion with the Highway Superintendent about either restriping the public parking lot near his building or providing additional parking spaces behind his building.

C-3 PARKING REGULATIONS – COSTCO PARCEL

The Town Board will hold a Public Hearing on this issue on May 19, 2015.

ATLANTIC BRIDGE SCOPING SESSION

Councilwoman Siegel provided the Town Board with a list of questions and/or concerns that she believes should be sent to the Federal Energy Regulatory Commission concerning Spectra Energy's Atlantic Bridge Project, a copy of which is on file in the Town Clerk's Office.

AUTHORIZE SUPERVISOR TO SIGN AN AGREEMENT WITH MOVEOURSTUFF.COM INC. FOR MOVING SERVICES RELATED TO 1829 FRENCH HILL ROAD RESOLUTION #169

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

RESOLVED, the Supervisor is authorized to sign an agreement with MOVEOURSTUFF.COM INC. for moving and 30 days' storage services, as required by the County Sheriff, in connection with the execution of a warrant for the removal of one or more unauthorized occupants from the in rem premises located at 1829 French Hill Road, Yorktown Heights, NY, in the net lump sum of \$8,960.00, which includes provision for partial payment to the contractor in the event the Town cancels or postpones within four days prior to the scheduled move.

Grace, Patel, Siegel, Bernard, Diana Voting Aye
Resolution adopted.

ADJOURN

Upon motion made by Supervisor Grace, seconded by Councilman Diana, The Town Board Meeting was adjourned.

Alice E. Roker, Town Clerk
Town of Yorktown