

Meeting of the Town Board, Town of Yorktown held on June 23, 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: Diana L. Quast, Deputy Town Clerk
Jeannette Koster, Town Attorney
John Tegeder, Planning Director

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 a particular personnel matter. Upon motion made by Supervisor Grace, seconded by Councilwoman Siegel, the Town Board moved out of Executive Session and proceeded with the meeting.

HIGHWAY UPDATE

Highway Superintendent Dave Paganelli was present to give the Town Board an update on several projects. Superintendent Paganelli stated that he would like to go out to bid for street sweeping services. Town Attorney Jeannette Koster stated that there are some issues with the Baptist Church Road emergency repairs. The Town Board agreed to have the Supervisor make an offer to the two homeowners who are objecting to the repairs with regards to permanent easements. Highway Superintendent Paganelli also stated that the pipe for the Croton Heights Bridge emergency repair has come in and there will be some easements that will be needed with the contiguous homeowners.

FAMILY SELF SUFFICIENCY PROGRAM

Karren Perez, Section 8 Housing Director was present to update the Town Board on the Family Self Sufficiency Program. She explained that the Self Sufficiency Program is no longer relevant because there is no one left in the program. She asked that the Town Board discontinue that portion of the program.

APPROVE DISCONTINUANCE OF SELF SUFFICIENCY PROGRAM RESOLUTION #252

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

WHEREAS, the Section 8 Housing Choice Voucher Program (HCVP) has administered a Family Self -Sufficiency (FSS) Program since the 1990's. At this time, The Town of Yorktown has achieved its requirement to enroll and "graduate" participants from the program in a manner that has decreased the minimum program size to zero.

WHEREAS, there are currently no participants enrolled and all escrow accounts have been disbursed in full and the Town is no longer required to administer this program and the future administration of the FSS is voluntary, the Program Director seeks to terminate the FSS program.

WHEREAS, the Section 8 Housing Choice Voucher Program is fully federally funded, there is no financial consequence to the Town or any current or future HCVP participants.

NOW THEREFORE, BE IT RESOLVED, that the Town Board hereby directs the Program Director to terminate operation of the FSS program.

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

3574 LEXINGTON AVENUE

Mr. Phil Sanders was present to discuss with the Town Board rezoning request for 3574 Lexington Avenue. The Town Board asked Mr. Sanders to file an application for rezoning with the Town Clerk.

COMMERCE STREET FOODSMART, INC.

Mr. Steeneck has a pending application before the Town Board for an amended Special Use Permit for the Commerce Heights Foodsmart, Inc. Gasoline Station located at 2001 Commerce Street. He provided the Town Board with an updated sign request which has one free standing sign and no signs on canopy. The Town Board agreed to hold a public hearing on July 21, 2015.

KABULI – REFUND DOWN PAYMENT ON PROPERTY AUCTIONED

Mr. Al Capellini, Esq. was present to discuss a request from his client Mr. Kabuli to be refunded \$10,000 which was his down payment on property auctioned to him by the Town. Supervisor Grace explained that in rem property is sold as is and it is the responsibility of the bidder to find out if there are any liens or mortgages on the property. The Town Board offered Mr. Kabuli half of his down payment back which is \$5,000. Mr. Kabuli said he would think about it and get back to the Town Board.

OSCEOLA ENTERTAINMENT – LAKE OSCEOLA

Mr. George Roberta and Mr. Chris Sciarra discussed plans with the Town Board for the Osceola Beach area. The plan was for a restaurant and possibly apartments on the site. The Town Board would like to see this site revitalized and asked Mr. Roberta to take a good look at the site and come up with a plan that would be business friendly and revitalize the area.

LANDMARK PRESERVATION COMMISSION

Members of the Landmark Preservation Commission were present to discuss their idea to create a new program which would highlight a new program called the Historic Distinction Plaque Program. The Town Board agreed to have the Landmark Preservation Commission look into ways that this program and brochure can be funded.

ENGINEERING

Sharon Robinson, Acting Town Engineer advised the Town Board that she has received the appropriate permits to begin work on the Sparkle lake Dam. The bid documents for the project are also ready to be advertised.

EXECUTIVE SESSION

Upon motion made by Supervisor Grace, seconded by Councilman Diana, the Town Board moved into Executive Session for advice from Town Counsel. Upon motion made by Supervisor Grace, seconded by Councilman Bernard, the Town Board moved out of Executive Session and proceeded with the meeting.

APPROVE PARTIAL RETURN OF DOWNPAYMENT ON AUCTIONED PROPERTY

KABULI

RESOLUTION #253

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

RESOLVED, that the Town Comptroller is authorized to reimburse \$5,000 to Noorudien Kabuli, the high bidder on an in rem parcel auctioned by the Town on November 8, 2014, upon the Town’s receipt of a general release satisfactory in form to the Town Attorney, executed by Mr. Kabuli, holding the Town harmless and indemnifying the Town from any and all claims related to the auction transaction from the beginning of time to the date of the release.

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

TAX LIEN ENFORCEMENT

Town Attorney Jeannette Koster explained to the Town Board that an administrative fee can be charged by the Town for costs associated with delinquent taxes. The Town Board asked the Town Attorney to draft a local law for the Town Board to review.

PUBLIC SAFETY COMMITTEE

Councilman Bernard read the Public Safety Report from the June 16, 2015 Town Board meeting and asked the Town Attorney to prepare the appropriate local laws to address all safety concerns.

LICENSE AGREEMENT WITH YORKTOWN COMMUNITY NURSERY SCHOOL FOR PRE-SCHOOL SUMMER CAMP PROGRAM RESOLUTION #254

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

WHEREAS, the Town wishes to obtain space for a period of five weeks in which to operate a pre-school summer camp program under the Department of Parks and Recreation,

NOW THEREFORE, BE IT RESOLVED, that the Town has determined the action contemplated under this Resolution is a Type II action under the State Environmental Quality Review Act ("SEQR") and therefore no further review is required under SEQR; and be it

FURTHER RESOLVED, that the Supervisor is authorized to execute a lease agreement on behalf of the Town, as tenant, with Yorktown Community Nursery School, landlord, at 247 Veterans Road, Yorktown Heights, from July 6, 2015 through August 7, 2015, at a rent of \$3,525.00, to be paid out of surplus funds, to provide facilities for the Parks and Recreation Department's pre-school summer camp program.

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

APPROVE AND ENDORSE TEATOWN LAKE FOR AN ENVIRONMENTAL PROTECTION FUND GRANT RESOLUTION #255

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

WHEREAS, Teatown Lake Reservation, an environmental education center in Westchester County, is proposing to repair the Teatown Lake dam, and is applying to the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) for a grant under the Environmental Protection Fund to be located at the northern border of Teatown Lake, a site located within the territorial jurisdiction of this Town Board; and

WHEREAS, as a requirement under the rules of these programs, said not-for-profit corporation must obtain the "approval/endorsement of the governing body of the municipality in which the project will be located";

NOW, THEREFORE, be it resolved that the Town Board of the Town of Yorktown hereby does approve and endorse the application of Teatown Lake Reservation for a grant under the Environmental Protection Fund to help repair the Teatown Lake dam located within this community.

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

ADJOURN

Upon motion made by Supervisor Grace, seconded by Councilman Patel, The Town Board meeting was adjourned.

Diana L. Quast, Deputy Town Clerk
Town of Yorktown