

Meeting of the Town Board, Town of Yorktown held on October 20, 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

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 Councilman Bernard, the Town Board moved into Executive Session to discuss employment of particular persons and litigation.

Upon motion made by Supervisor Grace, seconded by Councilman Bernard, the Town Board moved out of Executive Session and proceeded with the meeting.

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 TO THE TOWN, Supervisor Grace stated that he has asked Planning Director John Tegeder to come this evening and do a presentation on the Downtown Revitalization Plan.

Planning Director John Tegeder gave a presentation on the Downtown Revitalization plan and the relocation plan for the Highway and Parks Department to the Greenwood Street site.

Supervisor Grace explained about the New York State Upstate Revitalization Grant Program and how the New York State Consolidated Funding Application works.

Councilwoman Siegel thanked Supervisor Grace for the presentation and asked if it can be done again during a meeting that is noticed for the Downtown Revitalization Plan and give others a chance to comment on the plan.

Councilman Patel asked to have the issue about the Downtown Revitalization Plan on the ballot for the people to decide.

Councilman Bernard stated that he did not feel this should be a contentious issue because the Town has not allotted any funds to the project except to use Town staff to do concept drawings on what this area could look like.

Councilman Diana stated that there have been presentations on this issue and the buildings can be made bigger or smaller depending on the costs.

Highway Superintendent Dave Paganelli stated that he is hiring two employees tonight and they are both former interns. Nicholas Burns comes from the BOCES Urban Forestry Program and Peter Goldberg is transferring from the Parks Department. Both are Yorktown residents and he is proud to have them onboard.

APPOINTMENT – HIGHWAY DEPARTMENT
NICHOLAS A. BURNS
RESOLUTION #392

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

BE IT RESOLVED, that Nicholas A. Burns of Yorktown Heights, NY, is hereby appointed Laborer, job class code 0425-05, within the Highway Department, effective November 9th, 2015 to be paid from Yorktown CSEA Salary Schedule A, Group 5, Step 1 which is \$40,841.00 annually;

BE IT RESOLVED, contingent upon successful completion of a drug test and reference checks,

BE IT RESOLVED, that Nicholas A. Burns will report to work at the Highway Department on November 9th, 2015, and this date will be used as the first date of appointment,

BE IT FURTHER RESOLVED, that this appointment is subject to a probationary period of not less than 12 nor more than 52 weeks, commencing on the first date of appointment on November 9th, 2015.

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

APPOINTMENT – HIGHWAY DEPARTMENT
PETER GOLDBERG
RESOLUTION #393

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

BE IT RESOLVED, that Peter Goldberg is hereby transferred from the Department of Parks & Recreation to the Highway Department as a Laborer, job class code 0425-05, effective October 26, 2015, with no change in salary.

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

APPOINTMENT LANDMARKS PRESERVATION COMMISSION
MARIE T. KELLER NAUMANN
RESOLUTION #394

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

BE IT RESOLVED, that Marie T. Keller Naumann is hereby appointed as a member of the Landmarks Preservation Commission for a three year term expiring October 31, 2018.

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

Councilwoman Siegel stated that there are many openings on volunteer boards and committees and urge people to apply.

AUTHORIZE TOWN CLERK TO REFER OUT REQUEST TO USE FLEXIBILITY
STANDARDS ON ROUTE 118 AND BAPTIST CHURCH ROAD
RESOLUTION #395

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

RESOLVED, that the Town Clerk is hereby authorized to refer the application to use the “Flexibility Standards” pursuant to Section 300-22 of the Code of the Town of Yorktown to process the application of Stephen and Betty Ianuzzi for a four lot minor subdivision at Baptist Church Road and Route 118, and

BE IT FURTHER RESOLVED, the Town Board declares its intent to act as Lead Agency, and

BE IT FURTHER RESOLVED, that the Town Board would like your comments and or recommendation by November 17, 2015

Westchester County Planning Department, Ed Burroughs
New York City Department of Environmental Protection, Cynthia Garcia
Town of Yorktown Agencies:
Acting Town Engineer, Sharon Robinson
Conservation Board, Phyllis Bock, Diane Dreier, Co-Chairs
Environmental Consultant, Bruce Barber
Planning Department, John Tegeder, Planning Director
Yorktown Planning Board, Richard Fon, Chairman
Town Attorney, Jeannette Koster

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

AWARD BID FOR VARIOUS CHEMICALS – WATER POLLUTION TREATMENT PLANT
RESOLUTION #396

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

RESOLVED, that the bid for Ferric Chloride be awarded to PVS Technologies, Inc., the low bidder, at a cost of \$507.00 per dry ton, and be it further

RESOLVED, that the bid for Ferric Chloride 37% to 40% be awarded to Slack Chemical Co., the low bidder, at a cost of \$140.20 per drum, and be it further

RESOLVED, that the bid for Caustic Soda 50% be awarded to Surpass Chemical, the low bidder, at a cost of \$1.8679 per gallon, and be it further

RESOLVED, that the bid for Caustic Soda 25% be awarded to Surpass Chemical Co., Inc., the low bidder, at a cost of \$84.85 per drum, and be it further

RESOLVED, that the bid for Citric Acid 50% be awarded to Coyne Chemical Co., Inc., the low bidder, at a cost of \$312.55 per drum, and be it further

RESOLVED, that the bid for Sulfuric Acid (not more than 51%) be awarded to Slack Chemical Co., Inc., the low bidder, at a cost of \$162.44 per drum, and be it further

RESOLVED, that the bid for Sodium Bisulfite 38% be awarded to Coyne Chemical Company, Inc., the low bidder, at a cost of \$119.53 per drum, and be it further

RESOLVED, that the bid for Sodium Hypochlorite 15% be awarded to Surpass Chemical Co., Inc., the low bidder, at a cost of \$90.20 per drum, and be it further

RESOLVED, that the bid for Calgon Poly-E-Z 6500 be awarded to Slack Chemical Co., Inc., the low bidder, at a cost of \$10.62 per dry ton.

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

ADVERTISE BID – DISINFECTION SYSTEM ULTRAVIOLET LAMP REPLACEMENT
WATER TREATMENT POLLUTION CONTROL PLANT
RESOLUTION #397

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

Sealed proposals will be received by the Town Clerk of the Town of Yorktown, Westchester County, New York, at the Town Hall, 363 Underhill Avenue, Yorktown Heights, New York, until 10:00 A.M., on Friday, November 13, 2015, for the Disinfection System Ultraviolet Lamp Replacement for the Water Pollution Control Plant, Bid #15-4.

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

AUTHORIZE THE SUPERVISOR TO SIGN AN AGREEMENT WITH BOND, SCHOENECK & KING
RESOLUTION #398

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

RESOLVED, the Supervisor is authorized to sign an agreement with the firm of Bond, Schoeneck & King for professional services for a period from November 1, 2015 through October 31, 2018.

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

WAIVE FEE FOR THE USE OF THE YCCC FOR NOR-WEST IN THE OF AMOUNT \$806.00
RESOLUTION #399

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

Resolved, that the Town Board waives the rent fee for 26 hours totaling \$806 for use of the YCCC gymnasium by Nor-West for their fall and winter session.

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

ADVERTISE BID FOR SHIRTS AND UNIFORMS – PARKS AND RECREATION DEPARTMENT
RESOLUTION #400

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

WHEREAS, the Town wishes to purchase screen printed and embroidered shirts and uniforms,

WHEREAS, all services, material and supplies bid upon must conform to the description and specifications stated in the bid document,

NOW THEREFORE, BE IT RESOLVED, the Parks and Recreation Superintendent is authorized to go to bid for shirt and uniform screen printing and embroidery

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

ADVERTISE BID FOR BI-ANNUAL BROCHURE – PARKS AND RECREATION DEPARTMENT
RESOLUTION #401

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

WHEREAS, the Town wishes to purchase typesetting, printing and delivery of the Town of Yorktown Parks and Recreation Department Bi-Annual Program Brochure,

WHEREAS, all services bid upon must conform to the description and specifications stated in the bid document,

NOW THEREFORE, BE IT RESOLVED, the Parks and Recreation Superintendent is authorized to go to bid for typesetting, printing and delivery of the Town of Yorktown Parks and Recreation Department Bi-Annual Program Brochure.

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

ADVERTISE BID FOR CHIPPER WITH WINCH – PARKS AND RECREATION DEPARTMENT
RESOLUTION #402

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

WHEREAS, the Town wishes to purchase a Vermeer BC1500 Tier41 (stage IIIB) Brush Chipper with a winch for the Department of Parks and Recreation, or its equivalent,

NOW THEREFORE, BE IT RESOLVED, the Parks and Recreation Superintendent is authorized to go to bid for a Vermeer BC1500 Tier41 (stage IIIB) Brush Chipper with a winch.

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

AUTHORIZE SUPERVISOR TO SIGN NEW YORK STATE DIVISION OF CRIMINAL JUSTICE GRANT RESOLUTION #403

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

WHEREAS, the Yorktown Police Department, with the assistance of Senator Terrence Murphy has applied for a New York State Division of Criminal Justice Service grant for the purchase of Tasers, and

WHEREAS, the New York State Division of Criminal Justice Service has approved a ten thousand five hundred (\$10,500.00) grant for the purchase of five Tasers for the Yorktown Police Department.

NOW THEREFORE BE IT RESOLVED, that the Town of Yorktown Town Board authorizes the Town Supervisor to sign the New York State Division of Criminal Justice grant for the purchase of Tasers for the Yorktown Police Department.

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

AUTHORIZE SUPERVISOR TO SIGN AN AGREEMENT WITH WESTLAW, A THOMPSON REUTERS BUSINESS – TOWN ATTORNEY RESOLUTION #404

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

RESOLVED, that the Town Supervisor is hereby authorized to sign an agreement with Westlaw, a Thomson Reuters business, c/o Bud Palumbo, 26 Webster Court, Monroe, NY 10950 for a 2-year license/subscription agreement for legal research database access, commencing on June 1, 2016, at a cost of \$1,100.42 per month for the first year (6/1/16-5/31/17) and \$ 1,133.43 per month for the second year (6/1/17-5/31/18). In addition, the Town Board authorizes the Comptroller to pay Westlaw invoices for additional search fees charged, if any, for research performed by the Town Attorney in databases not included in the subscription plan, up to \$500 per year, from June 1, 2016 to May 31, 2018.

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

AUTHORIZE SUPERVISOR TO SIGN AN AGREEMENT WITH INGRID O’SULLIVAN – TOWN PROSECUTOR – TOWN ATTORNEY RESOLUTION #405

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

RESOLVED, that the Town Supervisor is hereby authorized to sign a Third Agreement to the Agreement dated March 16, 2012, between the Town and Ingrid O’Sullivan, Esq., to serve as Town Prosecutor from January 1, 2016 through December 31, 2017.

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

AUTHORIZE COMPTROLLER TO DO BUDGET TRANSFER – WATER DEPARTMENT RESOLUTION #406

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

RESOLVED, the Town Comptroller is authorized to transfer \$17,000 from the Water Department Cement Lining Line (SW.8340.0483.0001) to the Water Department Professional Services Line (SW.8340.0490) for routine leak detection survey throughout the distribution system to be performed by New York Leak Detection Inc.

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

AUTHORIZE SUPERVISOR TO SIGN AN AGREEMENT WITH WOODARD AND CURRAN FOR PROFESSIONAL SERVICES AND AUTHORIZE COMPTROLLER TO DO BUDGET TRANSFER – WATER DEPARTMENT RESOLUTION #407

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

WHEREAS, in the 2015 Water District budget \$36,000 was allocated to line SW.8340.0483.0003 (Telemetry) for upgrading our software program which provides us with real-time storage tank levels and system pressure readings throughout the distribution system; and

WHEREAS, this telemetry system was originally installed and maintained by Wayne Martin Enterprises which has been recently purchased by Woodard and Curran Engineering P.A. P.C. who is now the current systems integrator; and

WHEREAS, it is in the best interest of the Town to retain Woodard and Curran Engineering P.A.P.C. due to their familiarity with the installation and operation of our current system and the cost effectiveness in doing so; and

BE IT RESOLVED, the Town Board authorizes the Supervisor to sign a professional service agreement with Woodard and Curran Engineering P.A.P.C., 709 Westchester Avenue, Suite L2, White Plains, NY 10604 to perform programming to the storage tank supervisory control and data acquisition equipment for a cost amount of \$58,470.00; and

BE IT FURTHER RESOLVED, the Town Board authorizes the Comptroller to transfer \$28,470.00 from line SW.8340.0483.0001 (Cement Lining) to line SW.8340.0483.0003 (Telemetry) to cover the cost of this upgrade.

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

REFUND DUPLICATE TAX PAYMENTS RESOLUTION #408

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

BE IT RESOLVED, that the Town Comptroller is hereby authorized to refund \$52,272.66 in duplicate tax payments to Corelogic for payments to the following accounts: 4801500, 4177020, 3334500, 4017500, 652500, 3683000, 2802000, 398500, 1500521, 1650000, 1123100, 1123230, 3602500

BE IT RESOLVED, that the Town Comptroller is hereby authorized to refund \$4,359.15 in duplicate tax payments to account #1052000.

BE IT RESOLVED, that the Town Comptroller is hereby authorized to refund \$2,594.89 in duplicate tax payments to account #1010060.

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

MONTHLY REPORTS

The Town Board accepted the Receiver of Taxes Monthly Report.

DURING COURTESY OF THE FLOOR, the following people spoke:

Mr. Howard Frank

Mr. Nick Witkovich
Mr. Ed Ciffone
Mr. Anthony Grasso
Mr. Brian Amico

Upon motion made by Supervisor Grace, seconded by Councilwoman Siegel, Courtesy of the Floor was closed.

DURING REPORTS FROM THE TOWN COUNCIL, Councilman Patel stated that he attended an Eagle Scout Ceremony over the weekend.

Councilwoman Siegel stated that Absentee Ballot Applications need to be postmarked by October 27, 2015.

ADJOURN

Upon motion made by Supervisor Grace, seconded by Councilman Bernard, the Town Board meeting was adjourned. Councilman Patel Voted Nay.

Diana L. Quast, Deputy Town Clerk
Town of Yorktown