

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

Present: Michael J. Grace, Supervisor
Vishnu V. Patel, Councilman
Gregory Bernard, Councilman
Susan Siegel, Councilwoman
Tom Diana, Councilman

Alice E. Roker, 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 conduct negotiations with a cell phone provider and to discuss the employment of a particular person.

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

ETHICS CODE - Mr. Steven Leventhal

Mr. Leventhal explained while he believes the Ethics Code is well intended, he also believes that there are some areas in the law that are confusing and inconsistent.

Following a discussion with the Town Board, Mr. Leventhal was asked to work on a proposal that will be circulated to the Town Board members for their comment.

322 KEAR STREET LLC – Mr. Albert Capellini, the attorney for the applicant

The Principals of this company, Mark Beida and Mark Soja and their engineer Joseph Riina discussed this proposed mixed use development that includes retail space and six apartments.

The Town Board agreed that Supervisor Grace will send a letter of Support for this development to New York State

ADVERTISE PUBLIC HEARING TO PROCESS IANUZZI SUBDIVISION
USING FLEXIBILITY STANDARDS
RESOLUTION #449

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

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Town Board, Town of Yorktown, Westchester County, New York on December 15, 2015 at the Town Hall, 363 Underhill Avenue, Yorktown Heights, NY at 7:30 pm o'clock or as soon thereafter can be heard to consider the application received from Stephen and Betty Ianuzzi, requesting permission for the Planning Board to process their subdivision application for a 19.56 acre site, known on the Yorktown Tax Map as Section 47.15 Block 1 Lots 14, 15, 16 utilizing the flexibility standards as described in Section 300-22 of the Zoning Code of the Town of Yorktown.

A copy of said application is on file in the Office of the Town Clerk, at the said Town Hall, 363 Underhill Avenue, Yorktown Heights, NY 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, Bernard, Diana, Voting Aye
Resolution adopted.

CODE REVIEW PROPOSAL – Mr. Raymond Arnold

Mr. Arnold went over the proposal he sent to the Town Board to update the Town Code. No decision was made.

JACK DEVITO VETERANS MEMORIAL FIELD – Ms. Patricia McKehnie

Supervisor Grace explained that new signs will be placed in the Town's Parks that will give the Animal Control Officer authority to issue violations to dog owners.

FORMER HILLTOP GAS STATION (EAST MAIN STREET

Diah Hamed, the new owner of the property explained that he was not aware that he was violating the site plan for the property. He thought he was making the property visually appealing.

The Supervisor as well as Councilman Bernard explained that in order to fend off legal action by the Town, a new proposal for the site must be handed in.

APPOINT TARA GUERRERO – ASSISTANT COURT CLERK
RESOLUTION #450

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

BE IT RESOLVED, that Tara Guerrero of Peekskill, NY, is hereby appointed to the civil service title, Assistant Court Clerk, job class code 0050-01, from Eligible list No. 68-284, effective November 24, 2015, to be paid at the rate set forth in Yorktown CSEA Salary Schedule A1, Group 8, Step 1, which is \$48,173.00 annually, with benefits, such as, sick days, personal days, and floating holidays to follow the CSEA agreement,

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

BE IT RESOLVED, that Tara Guerrero will report to work at the Yorktown Town Court on November 30th, 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 30th, 2015.

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

ADVERTISE BID ELECTRICAL WORK FOR TOWN BUILDINGS
RESOLUTION #451

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

NOTICE IS HEREBY GIVEN that sealed proposals will be received by the Town Clerk, Town of Yorktown, Westchester County, NY until 10:00 AM on December 14, 2015 at the Town Hall, 363 Underhill Avenue, Yorktown Heights, NY 10598, for Electrical work on Town Buildings for Maintenance. Specifications may be obtained at the office of the Town Clerk in said Town Hall.

The Bidder assumes the risk of any delay in the mail or in the handling of the mail by the employees of the Town of Yorktown. Whether sent by mail or means of personal delivery, the Bidder assumes the responsibility for having the bids in at the time and the place specified above. All bids are to be returned to the Town Clerk, 363 Underhill Avenue, Yorktown Heights, NY 10598, marked: "Bid: ELECTRICAL WORK ON TOWN BUILDINGS FOR MAINTENANCE".

The Town Board reserves the right to reject any and all bids and to accept that bid which is deemed most favorable to the interests of the Town of Yorktown.

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

WAIVE FEES AT YCCC FOR AARP
RESOLUTION #452

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

RESOLVED, the Yorktown Town Board hereby waives the cost of the rental of rooms at the Yorktown Community and Cultural Center to AARP who will provide free tax preparation services to seniors. The total cost of \$2,356.20 provides for 20 six hour sessions.

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

AUCTION OBSOLETE POLICE VEHICLES
RESOLUTION #453

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

WHEREAS, the Chief of Police has designated the following vehicles as obsolete or out-of-service:

1998 Ford Windstar
2000 Ford Expedition

WHEREAS on August 11, 2015, the Yorktown Town Board authorized the Town Supervisor to sign an agreement with Absolute Auctions and Realty Inc. of Pleasant Valley, NY to sell surplus Town vehicles and equipment at an online auction which includes taking photographs of vehicles and equipment and preparing condition reports of the Town's items to be auctioned, all at no cost to the Town

THEREFORE BE IT RESOLVED, that the Town Board designates the aforementioned items as surplus vehicles and equipment and authorizes such material to be placed on public online auction with Absolute Auctions and Realty Inc.

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

APPROVE PURCHASE OF PLOW FOR HIGHWAY DEPARTMENT TRUCK
RESOLUTION #454

Upon Motion by Councilman Bernard, seconded by Councilman Diana,

Quotes were received for the purchase of a Reversible Moldboard plow and are summarized as follows:

Viking Clives	\$5,799.00
T&T Body King Inc	\$7,058.00
Fleet & Municipal Sales	no response

Whereas, this purchase is necessary to prepare all trucks for the upcoming plowing season

And whereas, this purchase will exceed the Town of Yorktown's procurement policy for 2015

Resolved that the Town Board authorizes the Highway Department to purchase a Reversible Moldboard plow from Viking Clives

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

AWARD STREET SWEEPING BID
RESOLUTION #455

Upon Motion by Councilwoman Siegel, seconded by Councilman Bernard,

WHEREAS invitation to bid for Street Sweeping for use by the Highway Department was duly advertised, and bids were received and opened on the 19th day of November, 2015 with the bid amounts as follows:

THREE D INDUSTRIAL MAINTENANCE CORP.

	<u>Hourly Rate</u>
Basic Rate.	\$ 106.00
Call Out – Saturday, Sunday, Holidays	\$ 125.00
Call Out – Weekdays before 7:30AM or After 3:30PM	\$ 125.00

CSS INDUSTRIES, INC.

	<u>Hourly Rate</u>
Basic Rate.	\$ 114.00
Call Out – Saturday, Sunday, Holidays	\$ 129.00
Call Out – Weekdays before 7:30AM or After 3:30PM	\$ 132.00

KEVIN'S MAINTENANCE CORP.

	<u>Hourly Rate</u>
Basic Rate.	\$ 121.00
Call Out – Saturday, Sunday, Holidays	\$ 135.00
Call Out – Weekdays before 7:30AM or After 3:30PM	\$ 135.00

RESOLVED that upon the recommendation of the Superintendent of Highways, the bid is hereby awarded to Three D Industrial Maintenance Corp.

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

ADJOURN

Upon motion made by Councilman Bernard, seconded by Councilman Diana, the Town Board meeting was adjourned.

Alice E. Roker, Town Clerk
Town of Yorktown