

Meeting of the Town Board, Town of Yorktown held on January 12, 2016 at the Town Hall, 363 Underhill Avenue, Yorktown Heights, New York 10598.

Present: Michael J. Grace, Supervisor  
Vishnu V. Patel, Councilman  
Greg Bernard, Councilman  
Thomas Diana, Councilman  
Edward Lachterman, Councilman

Also Present: Diana L. Quast, Town Clerk  
Michael McDermott, Town Attorney

#### TOWN BOARD MEETING

Supervisor Michael J. Grace called the meeting to order.

#### EXECUTIVE SESSION

Upon motion made by Councilman Bernard, seconded by Councilman Diana, the Town Board moved into Executive Session to discuss negotiations, litigation and the employment of a particular person. Upon motion made by Supervisor Grace, seconded by Councilman Patel, the Town Board moved out of Executive Session and proceeded with the meeting.

#### FIELDSTONE MANOR

Al Capellini, Esq. for applicant, requested that Flexibility Standards be used for the Fieldstone Manor subdivision. Mr. Capellini requested a change to the original resolution allowing the use of Flexibility Standards for the Fieldstone Manor Subdivision.

Supervisor Grace requested that the Recreation part be relooked at in order to possibly have offsite infrastructure needs done. The Town has tennis courts that have not been utilized in many years because of lack of funds to fix them.

#### MOTION LABORATORIES, INC. – VERIZON BUILDING

Mr. Al Capellini and representatives of Motion Laboratories was present to request that the Town Board consider a textural change to the Zoning Code. The request, if granted would allow the company to lease the Verizon Building on Route 202. Motion Laboratories, Inc. is a power distribution and hoist control systems company which will distribute portable power equipment for the entertainment industry and this is not an as of use in the C-4 Zoning Code at this time. The Town Board agreed to hold a public hearing on this textural change at the February 16, 2016 Town Board meeting.

#### JEFFERSON VALLEY MALL

Mr. Brandon Boyster, representing the Jefferson Valley Mall stated that he would like the Town Board to consider a reduced rate for the Mall's water bill from 2013 to 2015 which was extremely high due to an undetected water leak in its cooling tower. Mr. Boyton stated that this fee will have to be passed down to the tenants and will be over burdensome for them.

The Town Board stated that it cannot lower the water rate for the Jefferson Valley Mall as it is already discounted.

#### COMPETITION CARTING

Mr. Brian Amico, representative of Competition Carting stated that there will be some changes to the Garbage and Recycling pick up schedule throughout the Town. Since Competition Carting has replaced its trucks with natural gas and there are only two places to fill up it makes more sense to change the collection days for some in order to have better efficiencies. He stated that they would send out mailers to residents to advise them of the upcoming changes.

The Town Board asked Mr. Amico to give a presentation on this change at the January 19, 2016 Town Board meeting.

#### DOCTOR'S EXPRESS (AFC Urgent Care)

Building Inspector John Winter requested that the Town Board authorize him to issue a Temporary Certificate of Occupancy for the Doctor's Express, AFC Urgent Care that is being built in the Triangle Shopping Center.

AUTHORIZE BUILDING INSPECTOR TO ISSUE TEMPORARY CERTIFICATE OF OCCUPANCY FOR DOCTOR'S EXPRESS  
RESOLUTION #36

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

The Building Inspector is authorized to issue a temporary CO to UB Yorktown LLC (36.6-2-76) in the event that all site plan improvements have not been made before Doctors Express (Building Permit #'s 20150154 & 20150158) is ready to open for business.

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

SET ADDITIONAL WORK SESSIONS

Supervisor Grace stated that the Town Board would be holding additional Town Board meetings on January 28, February 3, 11, 17, 2016, to review department staffing and will begin at 6:00 PM. He explained that part of the meetings could be in executive session as personnel would be discussed and part in open session.

GENERATOR REPLACEMENT – YORKTOWN POLICE DEPARTMENT

Daniel McMahon, Chief of Police advised that Town Board that with the impending storm the portable generator at police headquarters needs to be replaced as soon as possible. He also spoke about the cell tower replacement located at the Police Department and the purchase of new and used vehicles.

REQUEST FROM NEW YORK PRESBYTERIAN/HUDSON VALLEY HOSPITAL TO HANG BANNERS ON LIGHT POLES IN TOWN

The Town Board discussed a request from Hudson Valley Hospital to hang banners from the light poles in Town.

MISCELLANEOUS RESOLUTIONS TO BE PLACED ON THE TOWN BOARD AGENDA FOR JANUARY 19, 2016

Authorization for the Wastewater Treatment Facility to contract with Evoqua.  
Extend bids for Bodywork on Town Cars and Trucks  
Extend broadcasting services of Cary Vigilante from January 2 to December 31, 2016 at a rate of \$550 .00/month.

ACCEPT RESIGNATION OF JEANNETTE KOSTER- TOWN ATTORNEY

The Town Board accepted the resignation of Town Attorney Jeannette Koster.

APPOINTMENT MICHAEL MCDERMOTT – TOWN ATTORNEY  
RESOLUTION #37

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

RESOLVED, that Michael McDermott is hereby appointed Town Attorney at the pleasure of the Town Board or until the first day of January next succeeding the first biennial Town Election at an annual salary of \$113,000.00;

FURTHER RESOLVED, it shall not be a requirement of this appointment that the Town Attorney reside in the Town of Yorktown.

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

ADJOURN

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

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Diana L. Quast, Town Clerk  
Town of Yorktown