

Meeting of the Town Board, Town of Yorktown held on March 8, 2016 at the Town Hall, 363 Underhill Avenue, Yorktown Heights, New York 10598.

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

Also Present: Maura Weissleder, Deputy Town Clerk
Michael McDermott, Town Attorney
Margaret Gspurning, Human Resources

TOWN BOARD MEETING

Supervisor Michael J. Grace called the meeting to order.

EXECUTIVE SESSION

Upon motion made by Supervisor Grace, seconded by Councilman Lachterman, the Town Board moved into Executive Session to discuss contract negotiations and conduct interviews for volunteer boards.

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

ARBOR DAY

Ann Kutter, Bill Kellner, and Dale Saltzman from the Arbor Day Committee were present to discuss issues including, but not limited to, tree ordinances, tree permits, the presentation of their plans for this year's Arbor Day Celebration to be held on May 6th, and the updating and making improvements to the Patriot Park area. The committee presented the following Proclamation:

WHEREAS, Arbor Day, which began in Nebraska in 1872, is now observed throughout the nation and world, and

WHEREAS, celebrating Arbor Day has been a tradition in Yorktown for more than 100 years, and

WHEREAS, Arbor Day in Yorktown is designed to recognize the benefits trees provide, and facilitate tree planting in Town Parks and open spaces, in or around wetlands, and along Town streets, and

WHEREAS, street trees contribute shade, cooling, soil and water retention, nutrient filtering, provide an appealing habitat for birds, insects and small mammals, and add an aesthetically pleasing green zone along our streets and in our neighborhoods, and

WHEREAS, this year Yorktown will continue a riparian buffer restoration project at Sylvan Glen Park, and

WHEREAS, stream buffers, also known as riparian buffers, conserve the areas adjacent to streams, and a healthy vegetated buffer helps improve stream health and water quality by filtering and slowing pollution runoff; preventing soil erosion; providing wildlife habitat; contributing essential nutrients to the food chain. Buffers also help absorb flood waters to protect human life and property, and

RESOLVED, that the Town Board hereby proclaims Friday, May 6, 2016 as Arbor Day in the Town of Yorktown, and urges all citizens to celebrate Arbor Day and to support our trees and woodlands, and

FURTHER, to attend our Arbor Day ceremony at the Flag Pole Plaza at the Yorktown Community & Cultural Center at 4:00 p.m.

ADMINISTRATIVE PLAN (SECTION 8 PROGRAM)
NOTICE OF PUBLIC HEARING
RESOLUTION #124

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

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Town Board, Town of Yorktown, Westchester County, New York at the Town Hall, 363 Underhill Avenue, Yorktown Heights, NY 10598 on April 5, 2016 at 7:30 o'clock PM or as soon thereafter, as the same can be heard, regarding revisions to the Yorktown's Housing Choice Voucher Program.

A copy of the proposal is on file in the Office of the Town Clerk as well as the Yorktown Section 8 Office where it may be inspected during regular hours.

Any questions pertaining to this proposal, please contact the Yorktown Section 8 office at (914)962-5757.

All persons in interest and citizens may be heard at the public hearing as aforesaid.

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

PUBLIC NOTICE – YORKTOWN HOUSING CHOICE VOUCHER PROGRAM
RESOLUTION #125

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

NOTICE IS HEREBY GIVEN that The Town of Yorktown Housing Choice Voucher (HCV) Program announces the acceptance of pre-applications for housing assistance during the dates of May 5th, 2016 at 9:00 am through May 11th, 2016 at 11:59 pm. ET.

Applicants can apply at <https://www.waitlistcheck.com/NY1819> (link is external).

Pre-applications will only be accepted online. The Town of Yorktown has no preferences, nor does it have a residency preference. Six hundred qualified applicants will be placed on the list by random lottery.

The Housing Choice Voucher Program assistance covers the rent portion that exceeds approximately 30% of an eligible family's monthly income. Any and all income-eligible households may submit a pre-application. Acceptance and/or assistance are based on income verification, eligibility requirements and preference factors. Maximum income levels, based on family size are as follows:

<u>Family Size</u>	<u>Income Limits:</u>
1-	\$37,000
2-	\$42,300
3-	\$47,600
4-	\$52,850
5-	\$57,100
6-	\$61,350
7-	\$65,550
8-	\$69,800

Reasonable Accommodation:

If you are a person with a disability and require a reasonable accommodation in order to submit an application, please contact the Section 8 office in writing (must include a phone contact number), postmarked no later than May 4, 2016.

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

OPENING OF SECTION 8 HOUSING CHOICE VOUCHER PROGRAM WAITING LIST ELECTRONICALLY
RESOLUTION #126

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

WHEREAS, the Section 8 Housing Choice Voucher Program (HCVP) waiting list has been closed and unable to accept pre-applications to its list since March 14, 2012. At this time, the Town of Yorktown (PHA) has exhausted its list to 35 or fewer applicants.

WHEREAS, if a waiting list has been closed, it cannot be reopened until the PHA publishes a notice in local newspapers of general circulation, minority media and other suitable outlets. A list is included in but not limited to the PHA administrative plan.

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 proceed to open its waiting list electronically, utilizing <https://www.waitlistcheck.com/NY132> (link is external) commencing May 5, 2016 at 9:00 a.m. through May 11, 2016 at 11:59 p.m. Further, public notices in media outlets, written and e-mail notification to other local Westchester and Putnam PHAs and written notification to community-based organization will be placed/dispensed no later than March 31, 2016.

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

RPG PROPERTIES

Residents of the Lexington area neighborhood where RPG is seeking to build approximately 12 two story, 2-3 bedroom rental units met with the developer to express their concerns with the project. RPG assured residents that they have done many similar projects before and are qualified to do the proposed units. RPG made a presentation of what the units would look like, as well as the location and dimension of the project in relation to the property. The board requested that RPG come back to the board to present a plan that would be less units, 8-10, and the layout of the reduced units in relation to the property, as well as buffer and berm changes.

NAVAJO FIELDS (YORKTOWN SPORTS COMPLEX)

CJ Diven, owner, requested the board clarify the town's position on the use of a portion of his property for recreational use. Mr. Diven says he is not in violation of any local or state law and would like to be able to continue to use his property for such purposes as soccer, lacrosse, paint ball, etc. Bruce Barber, Environmental Consultant, and John Tegeder, Director of Planning were present to present their views on the use of this property for such purposes, as it is part of the wetland and wetland buffer. A resolution will be done in order to clarify this situation.

ORCHARD VIEW SUBDIVISION

Orchard View Subdivision made a request to be included in the Hunterbrook Sanitary Sewer District.

JCPC HOLDINGS, LLC

Dan Ciarcia, engineer, presented JCPC Holdings, LLC plans for property located at 1550 Front Street. The Town Board, as well as the Conservation Board, are in agreement with the plans for offsite mitigation for the project and agree that it should proceed.

FORMER DON TOMASSO'S (FURCI'S RESTAURANT)

Carmine Furci, new owner of Furci's Restaurant (formerly Don Tomasso's), requested permission to replace the free standing sign that is located in town right-of-way. Permission was granted, pending a license agreement.

FRONT STREET (SECTION 48.07, BLOCK 2, LOT 11)

Chris Sciarra and George Roberta came before the board to discuss commercial rezoning for Mr. Roberta's property located on Front Street in order to mitigate for his project that is before the board for property located at Lake Osceola.

The board would like to reach out to the neighbors on Front Street to come in to talk about rezoning and what the plans for the area would be. Mr. Roberta was asked to work with the Planning Department to come up with some ideas for the property.

PROPOSED LOCAL LAW (WATER METER REPLACEMENT FEE)

A discussion took place on the draft legislation to charge a \$275 fee to replace water meters if, during the final water meter reading due to a change of ownership, a replacement is deemed necessary by the Water Department.

REQUEST FROM ENRICHMENT CENTER TO A DISCOUNT OF NON-PROFIT RATE FOR 2016

This request has been moved to the March 15th Town Board meeting.

APPOINTMENT – HIGHWAY DEPARTMENT LABORER – KAREEM HOLEBROOK RESOLUTION #127

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

BE IT RESOLVED, that Kareem Holebrook of Yorktown Heights, NY, is hereby appointed Laborer, job class code 0425-05, within the Highway Department, 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 Kareem will report to work at the Highway Department on March 14th, 2016 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 March 14th, 2016.

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

APPOINTMENT – HIGHWAY DEPARTMENT LABORER – NICHOLAS M. BERNARD RESOLUTION #128

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

BE IT RESOLVED, that Nicholas M. Bernard of Yorktown Heights, NY, is hereby appointed Laborer, job class code 0425-05, within the Highway Department, 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 will report to work at the Highway Department on March 14th, 2016 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 March 14th, 2016.

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

APPOINTMENT – HIGHWAY DEPARTMENT LABORER – PATRICIA DICKAN
RESOLUTION #129

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

BE IT RESOLVED, that Patricia Dickan of Mohegan Lake, NY, is hereby appointed Laborer, job class code 0425-05, within the Highway Department, 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 Patricia will report to work at the Highway Department on March 14th, 2016 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 March 14th, 2016.

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

AUTHORIZE PAYMENT TO BRUCE BARBER, ENVIRONMENTAL CONSULTANT TO
PREPARE COMMENTS FOR ALGONQUIN PIPELINE PROJECT
RESOLUTION #130

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

RESOLVED, that the Town Board authorizes the Town Comptroller to pay Bruce Barber, Environmental Consultant for fees and expenses in reviewing the Amendments to the Algonquin Incremental Market Project Stormwater Pollution Prevention Plan (“SWPPP”) for Valve Sites 15 and 15B in the amount of \$5,000.00

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

ADJOURN

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

Maura Weissleder, Deputy Town Clerk
Town of Yorktown