

Meeting of the Town Board, Town of Yorktown held on March 22, 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: Diana L. Quast, Town Clerk  
Michael McDermott, Town Attorney  
Margaret Gspurning, Human Resources

TOWN BOARD MEETING

Supervisor Michael J. Grace called the meeting to order.

REQUEST FOR REZONING - YORKTOWN SENIOR LIVING

Ann Cutignola, Planner, Tim Miller Associates, Inc. discussed a revised plan for the proposed Yorktown Senior Living development to be located off Route 6 and Strawberry Road. The Town Board reviewed the new plan. Supervisor Grace would like better ingress and egress access that does not go onto Strawberry Road.

Mrs. Cutignola gave an overview of the project.

HILLTOP HANOVER FARM SUBDIVISION

Mr. Cyril Cabral and Mr. Andrew Sammel asked the Town Board to consider adding their residences into the Yorktown Consolidated Water District. They are currently not in the district and pay the out-of-district rate.

Supervisor Grace explained that the Hilltop Hanover Farms Subdivision on White Horse Lane does not currently pay into the Yorktown Consolidated Water District. To be added into the water district would be extremely expensive.

Councilman Bernard explained that when you are in the district you pay a usage fee and an operating and maintenance fee as well. Everyone in the district has paid these fees for many years.

Supervisor Grace said he would look into the cost of creating an improvement district.

TRIGLIA PROPERTY (BAKER STREET)  
RESOLUTION #148

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

WHEREAS, the Yorktown Planning Board is currently reviewing the application of Rocco Triglia, (hereinafter the "Applicant") for approval of a two lot residential subdivision, known on the Town of Yorktown tax map as Section 16.17 Block 1 lot 51, consisting of approximately 1 acre; and

WHEREAS, the Town code requires that the development of single family residences have frontage on improved public streets; and

WHEREAS, this property fronts on an unimproved network of streets serving existing residences and is adjacent to the improved section of Baker Street, also known as Baker Highway; and

WHEREAS, although Baker Street and other streets in the vicinity are publicly owned and improved, they are generally substandard to current Town Code street specifications; and

WHEREAS, the Planning Board is considering the required street improvements necessary for this proposed subdivision as set forth in the Town Code and with consideration to

the existing standards and configuration of the improved street network in the immediate vicinity; and

WHEREAS, in order for the Planning Board to consider requiring road specifications that reflect the existing public street network and that may more closely comport with the existing community character, the Town Board must grant authority to the Planning Board to apply flexibility standards as set forth in Chapter 300, Article V, Section §300-22 of the Code of the Town of Yorktown; and

WHEREAS, after review and evaluation, the Yorktown Town Board has determined that it would be beneficial to apply flexibility standards given the existing standards to which the public streets have been constructed in the immediate environs and the overall character of the existing community in which this proposed subdivision lies, and now therefore

BE IT HEREBY RESOLVED, permission to use flexibility standards pursuant to Chapter 300, Article V, Section §300-22, is granted in order to promote development that is sensitive to the existing surrounding community by means of modifying the application of the Yorktown Town Code to modify or eliminate requirements with respect to street and road specifications.

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

#### PARKING ISSUES

Mr. Bob Giordano requested that signs be put up at the five (5) dedicated parking spaces at the Yorktown Glass parking lot area. He also requested signs be placed that say municipal parking lot in the parking lot across from Trailside Café and mark parking space lines down Kear Street.

#### NAVAJO FIELDS

Mr. C.J. Diven was present to request that the Town Board allow him to hold an event called a Warrior Run at his property call Navajo Fields. He feels it will generate hundreds of people to come to the area.

Mr. John Tegeder, Planning Director stated that all the Planning Board would need is a plan from Mr. Diven on where the placement of the temporary structures for the event would be.

Supervisor Grace asked the Town Attorney to draft Event Permit Legislation.

Supervisor Grace also asked the Town Attorney to draft a franchise Request for Proposals to regulate garbage receptacles throughout the Town.

#### PROPOSED LOCAL LAW AMENDING CHAPTER 15 - BUILDING CONSTRUCTION ADMINISTRATION RESOLUTION #149

Upon motion made by Councilman Lachterman, 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, New York on the 3<sup>rd</sup> day of May, 2016 at 7:30 o'clock PM, or as soon thereafter as the same can be heard to consider a proposed local law amending Chapter 15 of the Code of the Town of Yorktown entitled "BUILDING CONSTRUCTION ADMINISTRATION" by amending Section 15-4 (A) to modify the circumstances when a building permit is required.

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

#### ADVERTISE TO BID - PARKS & RECREATION PRE-OWNED BUCKET TRUCK RESOLUTION #150

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

NOTICE IS HEREBY GIVEN that sealed bids will be received by the Town Clerk, town of Yorktown, Westchester County, NY until 11:00 A.M. on Friday, April 15, 2016 at the Town Hall, 363 Underhill Avenue, Yorktown Heights, N.Y. 10598 for Parks and Recreation Department a Pre-Owned 2009 or new 4x4 Utility Body Bucket Truck with a telescoping, articulating, electrically insulated 42' maximum working height and 37' minimum bottom of platform height boom. 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: Pre-Owned 2009 or new 4x4 Utility Body Bucket Truck with a telescoping, articulating, electrically insulated 42' maximum working height and 37' minimum bottom of platform height boom."

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, Bernard, Diana, Lachterman Voting Aye  
Resolution adopted.

APPOINTMENT – WILLIAM GREGORY TO ZONING BOARD OF APPEALS  
RESOLUTION #151

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

BE IT RESOLVED, that William Gregory is hereby appointed to the Zoning Board of Appeals replacing Anthony Tripodi. Mr. Gregory's appointment will expire on December 31, 2016.

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

APPOINTMENT – HOWARD ORNECK TO ZONING BOARD OF APPEALS  
RESOLUTION #152

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

BE IT RESOLVED, that Howard Orneck is hereby appointed as an alternate member of the Zoning Board of Appeals, replacing William Gregory, and will serve at the pleasure of the Town Board.

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

BUDGET TRANSFER - HIGHWAY DEPARTMENT FOR PURCHASE OF SNOW PLOWS  
RESOLUTION #153

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

BE IT RESOLVED that the Comptroller is hereby authorized to transfer \$8,710.00 from the Highway Department Supplies and Materials Line (D5130.403) to the highway Department Snow Equipment Line (D5142.200) for the purchase of Two (2) Fischer 9 foot snow plows.

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

AUTHORIZATION FOR HIGHWAY DEPARTMENT TO REPAIR KAWASAKI FRONT  
END LOADER AT AUTHORIZED KAWASAKI DEALER  
RESOLUTION #154

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

BE IT RESOLVED that the Highway Superintendent contacted HO Penn, Westchester

Tractor, Jesco, and Contractor Sales to obtain price quotes for the brake repair to Kawasaki 70Z front end loader, and

WHEREAS, only Contractor Sales, located at 121 Old Karner Road, Albany, NY 12212, has facilities to complete this repair, and

WHEREAS, sufficient funds exist in the Highway Department Supply and Material line (D5130.403) to cover this expenditure,

NOW THEREFORE BE IT RESOLVED that the Highway Superintendent is authorized to transport the Kawasaki 70Z (Truck #99) front end loader to authorized Kawasaki dealer, Contractor Sales 121 Old Karner Road, Albany, NY 12212 for the repair of brakes, the total dollar amount not to exceed \$15,000.

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

ADVERTISE TO BID – POLICE DEPARTMENT DRY CLEANING  
RESOLUTION #155

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

NOTICE IS HEREBY GIVEN that 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 11:00 o'clock AM on the 15th day of April, 2016 for Dry Cleaning Services for the Police Department of the Town of Yorktown.

Specifications may be obtained at the office of the Town Clerk in the 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 place specified above.

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

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

TERMINATION OF EMPLOYMENT – J.JOHN MICHAUD, JR.  
RESOLUTION #156

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

BE IT RESOLVED, that the Town Board of the Town of Yorktown hereby terminates the employment of J. John Michaud, Jr. pursuant to Section 71 of the Civil Service Law, effective March 23, 2016.

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

ACCEPTANCE OF DONATION OF LAWN MOWER – SHRUB OAK LAKE ESTATES  
RESOLUTION #157

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

RESOLVED, the Yorktown Town Board accepts the donation of a Sears Craftsman Push Lawn Mower from Laura Anderson which is to be used by the Shrub Oak Lake Estates.

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

WAIVE FEE FOR USE OF YCCC FOR HEALTH FAIR  
RESOLUTION #158

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

Resolved, that the Town Board waives the fee for use of the Yorktown Community and Cultural Center for a Health Fair in the amount of \$160.00.

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

ADJOURN

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

---

Diana L. Quast, Town Clerk  
Town of Yorktown