

Meeting of the Town Board, Town of Yorktown held on April 5, 2016 at the Town Hall, 363 Underhill Avenue, Yorktown Heights, New York 10598.

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

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

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 interviews for volunteer boards.

Upon motion made by Councilman Diana, seconded by Councilman Lachterman, 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 announced that the Annual Battle of Yorktown will be held on Saturday, April 18, 2016. Everyone can help to clean up litter around Town. For information call the Refuse and Recycling Department at 245-4438. Supervisor Grace stated that he attended the Alliance for Safe Kids Sav A Life Forum over the weekend which was a great event.

DURING REPORTS FROM THE TOWN COUNCIL, the following Councilmen spoke:

Councilman Diana thanked the Alliance for Safe Kids for teaming up with the Yorktown against Heroin Task Force to participate in the Sav A Life Forum. He also announced that this Saturday, there will be a Classic Car Event on Veterans Road. Councilman Diana stated that the Yorktown against heroin Task Force working on a drug court coming to the Town.

Councilman Lachterman spoke about the Sav A Life Forum on May 15, My Brother Vinny will be holding a Walkathon and the Lions Golf Outing will be on May 18.

Supervisor Grace spoke about having a Mental Health First Aid and Awareness Forum done at Town Hall in conjunction with the Alliance for Safe Kids.

Town Clerk Diana L. Quast stated that there will be a Presidential Primary on April 19, 2016. All Polling Places will be open from 6 AM to 9 PM. The Westchester County Board of Elections has permanently moved the following Election Districts: Election Districts: 1, 28 will go back to St. Mary's Episcopal Church, Election District: 2 has been moved to the BPOE Elks Lodge, Election Districts: 4, 11, 12, and 37 have been moved to the First Presbyterian Church, Election Districts: 26, and 31 have been moved to the Yorktown Community and Cultural Center. All information regarding Polling Places will be on the Town's website, the Town's Government Channel and posted on the Town Clerk's Official Bulletin Board at Town Hall. You can also call the Town Clerk's Office at 914-962-5722 x209 for more information on where to vote.

Councilman Bernard stated that if anyone has Traffic Safety concerns they should contact him at gbernard@yorktownny.org. He also announced that there is a new Traffic Safety Officer.

PRESENTATIONS

Police Chief Daniel McMahon introduced Police Officer Justin Foley as the new Traffic Safety Officer. Anyone wishing to contact the Traffic Safety Office can email traffic@yorktownpd.org or call 914-962-4141 x170.

Police Officer Foley thanked Police Chief Daniel McMahon for all his support.

Police Chief Daniel McMahon also announced that the new Emergency Management Coordinator is Sergeant Craig Scatola, he also will be handling the CERT Team. All of these duties are in addition to their regular duties.

Mrs. Kim Angliss Gage, Coordinator Refuse & Recycling spoke about the 28th Annual “Battle of Yorktown” which will be held on Saturday, April 16, 2016. Everyone can help clean up our community by picking up litter for an hour or two. She also spoke about the Textile Recovery Program. For more information about these programs contact the Refuse and Recycling Department at 914-245-4438.

Ms. Heather O’Donnell, President, John C. Hart Memorial Library Board of Trustees read a prepared statement to the Town Board to express their concerns regarding the issue of what they feel is the inappropriate Civil Service Employees Association Classification of fourteen of the library’s employees. A copy of Ms. O’Donnell’s remarks are on file in the Town Clerk’s office.

ACCEPT RESIGNATION OF BRIAN GRAY, SUPERINTENDENT OF PARKS AND RECREATION DEPARTMENT RESOLUTION #159

Supervisor Grace, seconded by Councilman Bernard,

Accept the resignation of Brian Gray, Superintendent of Parks and Recreation effective April 15, 2016.

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

PUBLIC HEARING TO CONSIDER REVISIONS TO THE SECTION 8 ADMINISTRATIVE PLAN AND THE HOUSING CHOICE VOUCHER PROGRAM

Supervisor Michael Grace convened a public hearing to consider revisions to the Section 8 Administrative Plan and the Housing Choice Voucher Program. Affidavits of Posting and Publication were presented by the Town Clerk.

Karren Perez, Director, Yorktown Section 8 Housing gave an overview of the revisions to the Section 8 Administrative Plan and to the Housing Choice Voucher Program.

No public comment was received.

All those present having been given the opportunity to be heard and there being no further discussion, the hearing was closed. Upon motion by Supervisor Grace, seconded by Councilman Bernard and carried.

ADOPT REVISIONS TO THE SECTION 8 ADMINISTRATIVE PLAN DATED MARCH 7, 2016 RESOLUTION #160

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

RESOLVED, that following a duly noticed hearing that was held on April 5, 2016 and closed on April 5, 2016, the Town Board hereby adopts the revisions of the Section 8 Administrative Plan dated March 7, 2016, a copy which is on file with the Town Clerk

Office, the Yorktown Section 8 Office, as well as posted on the Town Of Yorktown's website www.yorktownny.org. Such revisions are subject to approval by the U.S. Department of Housing and Urban Renewal.

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

ADOPT REVISIONS TO THE HOUSING CHOICE VOUCHER PROGRAM
RESOLUTION #161

Upon motion made by Councilman Bernard, 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 less than fifty 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 9:00am through May 11, 2016 at 11:59pm. Further, public notices in media outlets, written and e-mail notification to other local Westchester and Putnam PHAs and written notification to community based organizations will be placed/disbursed no later than March 31, 2016.

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

PUBLIC HEARING TO CONSIDER A PROPOSED LOCAL LAW ADDING A NEW
ARTICLE IX TO CHAPTER 10 ENTITLED INDUSTRIAL AND COMMERCIAL
INCENTIVE BOARD

Supervisor Michael Grace convened a public hearing to consider adding a new Article IX to Chapter 10 of the Code of the Town of Yorktown entitled "INDUSTRIAL AND COMMERCIAL INCENTIVE BOARD." Affidavits of Posting and Publication were presented by the Town Clerk.

Supervisor Grace gave an overview of the proposed Local Law to create an Industrial and Commercial Incentive Board that would make recommendations to the Town Board.

Mr. Jay Kopstein stated that he supports the incentive program and would like to know, that if a property in the program is being taking care of will the incentive be taken away. He also asked if there would be other public hearings regarding the enactment of this incentive program.

Town Attorney Michael McDermott stated that there will be more legislation enacted and more public hearings with regards to this incentive program.

Supervisor Grace stated that the additional taxes are generated by the renovation not on the property now.

Town Attorney McDermott stated that the creation of the board is the first step, another step is enacting legislation.

Mr. Aaron Bock and Mr. Anthony Grasso stated that the Chamber of Commerce supports this legislation. They feel a plan for expanding the commercial base is needed.

Mrs. Susan Siegel stated that she supports things that develop the commercial base and benefit the community. She noted that this proposed local law is the bare bones with very little information about this board and its responsibilities. She suggested changes to the law.

Supervisor Grace explained that most commercial leases are triple net and passed on to the tenant. He does not feel there is any error in pushing it along or establishing this board.

All those present having been given the opportunity to be heard and there being no further discussion, the hearing was closed. Upon motion by Councilman Bernard, seconded by Councilman Diana and carried.

LOCAL LAW #7 OF 2016 ADDING A NEW ARTICLE IX TO CHAPTER 10
ENTITLED INDUSTRIAL AND COMMERCIAL INCENTIVE BOARD
RESOLUTION #162

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

WHEREAS, a public hearing was held on the 5th day of April, 2016 pursuant to notice duly published as required by law to add a new Article IX to Chapter 10 entitled Industrial and Commercial Incentive Board.

The question of the adoption of the foregoing Local Law was duly put to a vote on rollcall, which resulted as follows:

Supervisor Michael Grace	Voting	Aye
Councilman Vishnu Patel	Voting	Aye
Councilman Gregory Bernard	Voting	Aye
Councilman Thomas Diana	Voting	Aye
Councilman Edward Lachterman	Voting	Aye

Local Law #7 of 2016 is hereby duly adopted.

PUBLIC HEARING TO CONSIDER A PROPOSED LOCAL LAW AMENDING
CHAPTER 280 ENTITLED "WATER" BY AMENDING SECTION 280-19 (E) (1)

Supervisor Michael Grace convened a public hearing to consider a proposed local law amending Chapter 280 of the Code of the Town of Yorktown entitled "WATER" by amending Section 280-19 (E)(1) to include a \$275.00 fee payable to the Water Department for replacement of old or worn out water meters upon a change of ownership of property. Affidavits of Posting and Publication were presented by the Town Clerk.

David Rambo, Water Distribution Superintendent gave an overview of the proposed local law.

Councilman Patel asked if a meter fails will it be replaced.

Superintendent David Rambo stated that the Water Department would replace it.

Mr. Jay Kopstein asked if the new meters were digital read.

Superintendent David Rambo stated they were.

All those present having been given the opportunity to be heard and there being no further discussion, the hearing was closed. Upon motion by Councilman Bernard, seconded by Councilman Diana and carried.

LOCAL LAW #8 OF 2016 AMENDING CHAPTER 280 ENTITLED WATER BY
AMENDING SECTION 280-19 (E) (1)
RESOLUTION #163

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

WHEREAS, a public hearing was held on the 5th day of April, 2016 pursuant to notice duly published as required by law to consider a proposed local law amending Chapter 280 of the Code of the Town of Yorktown entitled “WATER” by amending Section 280-19 (E)(1) to include a \$275.00 fee payable to the Water Department for replacement of old or worn out water meters upon a change of ownership of property.

The question of the adoption of the foregoing Local Law was duly put to a vote on roll call, which resulted as follows:

Supervisor Michael Grace	Voting	Aye
Councilman Vishnu Patel	Voting	Aye
Councilman Gregory Bernard	Voting	Aye
Councilman Thomas Diana	Voting	Aye
Councilman Edward Lachterman	Voting	Aye

Local Law #8 of 2016 is hereby duly adopted.

ADVERTISE BID FOR LABORATORY SERVICES FOR THE WATER POLLUTION CONTROL PLANT
RESOLUTION #164

Upon motion made by Supervisor Lachterman, 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 Thursday, April 28, 2016, for Laboratory Services for the Yorktown Heights Sewage Treatment Plant, Bid #16-1.**

Specifications and standard proposals for the bid may be obtained at the office of the Town Clerk at said Town Hall.

The bidder assumes the risk of any delay in the mail or in the handling of 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 bids in on the time and the place specified above.

The Town of Yorktown reserves the right to waive any informalities in the bids, to reject any or all bids and reserves the right to accept that bid which it deems most favorable to the interests of the Town of Yorktown. No bidder may withdraw his bid within thirty (30) days after the actual date of the opening thereof.

If mailed, sealed proposals must be addressed in care of the Town Clerk at the above address.

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

ADVERTISE PUBLIC HEARING FOR INCREASE AND IMPROVEMENT OF FACILITIES OF THE CONSOLIDATED WATER DISTRICT
RESOLUTION #165

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

WHEREAS, the Town Board of the Town of Yorktown, Westchester County, New York, has received a plan and report, including an estimate of cost, pursuant to Section 202-b of the Town Law, relating to the increase and improvement of the facilities of the Consolidated Water District, in the Town of Yorktown, Westchester County, New York, consisting of the replacement and enlargement of the Catskill water tank at the Northern Westchester Joint Water Works, at a maximum estimated cost to the District of \$3,000,000; and

WHEREAS, it is now desired to call a public hearing on the question of the

increase and improvement of the facilities of said Water District, in the matter described above, and to hear all persons interested in the subject thereof, concerning the same, in accordance with the provisions of Section 202-b of the Town Law; NOW, THEREFORE, IT IS HEREBY ORDERED, by the Town Board of the Town of Yorktown, Westchester County, New York, as follows:

Section 1. A public hearing will be held at the Town Hall, in Yorktown Heights, New York, in said Town, on May 3, 2016, at 7:30 o'clock P.M., Prevailing Time, on the question of the increase and improvement of the facilities of the Consolidated Water District, in the Town of Yorktown, Westchester County, New York, in the manner described in the preambles hereof, and to hear all persons interested in the subject thereof, concerning the same, and to take such action thereon as is required or authorized by law.

Section 2. The Town Clerk is hereby authorized and directed to cause a copy of the Notice of Public Hearing hereinafter provided to be published once in the official newspaper, and also to cause a copy thereof to be posted on the sign board of the Town, such publication and posting to be made not less than ten, nor more than twenty, days before the date designated for the hearing.

Section 3. The notice of public hearing shall be in substantially the following form:

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Yorktown, Westchester County, New York, will meet at the Town Hall, in Yorktown Heights, New York, on May 3, 2016, at 7:30 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing in relation to the proposed increase and improvement of the facilities of the Consolidated Water District, in said Town, consisting of the replacement and enlargement of the Catskill water tank at the Northern Westchester Joint Water Works, at a maximum estimated cost to the District of \$3,000,000.

At said public hearing said Town Board will hear all persons interested in the subject matter thereof.

Supervisor Michael Grace	Voting	Aye
Councilman Vishnu Patel	Voting	Aye
Councilman Gregory Bernard	Voting	Aye
Councilman Thomas Diana	Voting	Aye
Councilman Edward Lachterman	Voting	Aye

ADVERTISE A PUBLIC HEARING TO CONSIDER A PROPOSED LOCAL LAW TO AMEND CHAPTER 15, BUILDING CONSTRUCTION ADMINISTRATION RESOLUTION #166

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

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 3rd 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.

A copy of said proposed local law is on file in the office of the Town Clerk, at the said Town Hall, where the same may be inspected during regular office hours.

All persons in interest and citizens will be heard at the public hearing to be held as aforesaid.

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

ACCEPT RESIGNATION OF BRIAN GRAY, SUPERINTENDENT OF PARKS AND RECREATION
RESOLUTION #167

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

RESOLVED, the Town Board accepts the resignation of Brian Gray, Superintendent of Parks and Recreation effective April 15, 2016.

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

ACCEPT CONVEYANCE OF REAL PROPERTY CONSISTING OF 10.417 ACRES – DEDICATING PROPERTY AS PARKLAND AND IN MEMORY OF THE O’KEEFE FAMILY
RESOLUTION #168

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

WHEREAS, the Town of Yorktown promotes the preservation of existing open and/or natural conditions as undeveloped wooded land without improvements as dedicated public parkland; and

WHEREAS, on March 29, 2016, 708 Underhill Avenue Corp. donated to the Town a parcel of property shown and described on Filed Map #28948 filed 3/29/2016 known as Lot 6.5 (Tax map ID number of 48.13-1-11.4) consisting of 10.417 acres for the purpose of dedicating the property as public parkland in the memory of the O’Keefe Family.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Yorktown accepts the conveyance of the property for the purpose of dedicating the property as public parkland in the memory of the O’Keefe Family.

RESOLVED, the Town Supervisor is hereby authorized to sign any required documents or forms and to take such further acts as may be necessary to finalize the conveyance of the donated property.

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

ACCEPT CONVEYANCE OF REAL PROPERTY CONSISTING OF 5 ACRES – DEDICATING PROPERTY AS PARKLAND
RESOLUTION #169

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

WHEREAS, the Town of Yorktown promotes the preservation of existing open and/or natural conditions as undeveloped wooded land without improvements as dedicated public parkland; and

WHEREAS, on March 29, 2016, 708 Underhill Avenue Corp. donated to the Town a parcel of property shown and described on Filed Map #28948 filed 3/29/2016 known as Lot 6.6 (Tax map ID number 48.13-1-11.5) consisting of 5 acres for the purpose of dedicating the property as public parkland.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Yorktown accepts the conveyance of the property for the purpose of dedicating the property as public parkland.

RESOLVED, the Town Supervisor is hereby authorized to sign any required documents or forms and to take such further acts as may be necessary to finalize the conveyance of the donated property.

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

GRANT A CONSERVATION EASEMENT AND DECLARATION OF RESTRICTIVE COVENANTS

RESOLUTION #170

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

WHEREAS, the Town of Yorktown promotes the preservation of existing open and/or natural conditions as undeveloped wooded land without improvements; and

WHEREAS, on March 29, 2016, 708 Underhill Avenue Corp., which owns a parcel of property shown and described on Filed Map #28948 filed 3/29/2016 (tax map ID number part of 48.13-1-6), granted to the Town a conservation easement and a declaration of restrictive covenants for the purpose of maintaining and preserving the existing open and/or natural conditions as undeveloped wooded land without improvements as more fully stated in the Grant of Conservation Easement and Declaration of Restrictive Covenants.

NOW, THEREFORE, BE IT RESOLVED the Town Board of the Town of Yorktown accepts the Grant of Conservation Easement and Declaration of Restrictive Covenants over a parcel of property shown and described on Filed Map #29848 filed 3/29/2016 (tax map ID number part of 48.13-1-6) for the purpose of open space conservation; and be it further

RESOLVED, the Town Supervisor is hereby authorized to sign the Grant of Conservation Easement and Declaration of Restrictive Covenants together with any required documents or forms and to take such further acts as may be necessary to accept the Conservation Easement and Declaration of Restrictive Covenants.

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

AMEND CONTRACT EXPIRATION DATE FOR AUTOMATED CONTROL LOGIC, INC.

RESOLUTION #171

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

WHEREAS, Resolution #127 of 2015 authorizing the Supervisor to sign a contract with Automated Control Logic, Inc. for alarm monitoring of the HVAC Systems in the John C. Hart Memorial Library originally stated the contract date to be for one year from April 8, 2015 to April 7, 2016, and

WHEREAS, the contract was a two year contract that should expire on April 13, 2017, now therefore,

BE IT RESOLVED, that Resolution #127 of 2015 is hereby amended to correct the expiration date of the contract to be April 13, 2017.

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

AMEND RESOLUTION GRANTING FLEXIBILITY STANDARDS FOR FIELDSTONE MANOR SUBDIVISION

RESOLUTION #172

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

WHEREAS, the Yorktown Planning Board is currently reviewing the application of Lake Mohegan Mansion, L.L.C., (hereinafter the "Applicant") for approval of the proposed Fieldstone Manor subdivision, known on the Town of Yorktown tax map as Section 15.11 Block 1 lot 17; and

WHEREAS, on September 18, 2012, by resolution number 412, the Yorktown Town Board granted the request of the Planning Board for permission to use Flexibility

Standards pursuant to Chapter 300, Article V, Section §300-22, and said resolution allowed the Applicant to partition the Field Mansion into two units, each having about 5,000 square feet, thereby preserving the building, which is cited in the 2010 Yorktown Comprehensive Plan as a historic resource; and

WHEREAS, on August 6, 2013, by resolution number 341, the Yorktown Town Board granted the applicant's request to amend the allowable number of units in the Field Mansion from two units to a maximum of seven units for a total maximum of twenty-one units allowable on the property; and

WHEREAS, the Planning Board is the lead agency with respect to SEQRA; and

WHEREAS, the Applicant now seeks to clarify the housing types allowable within the Field Mansion to include rental units; and

WHEREAS, after review and evaluation of this request, the Planning Board has determined that there are no significant impacts associated with allowing rental units as compared with ownership units in the Field Mansion and therefore has no objection to The Town Board affirming that the allowable housing types in the Field Mansion include rental units; and now therefore,

BE IT HEREBY RESOLVED, Resolution 412 and 341 of September 18, 2012 and August 6, 2013, respectively, are deemed to include rental units as an allowable housing type in the Field Mansion; and

WHEREAS, this resolution shall not be considered to alter or affect the remaining proposed 14 single family units.

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

APPROVE MEMORANDUM OF AGREEMENT BETWEEN TOWN AND PBA
RESOLUTION #173

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

BE IT RESOLVED, that upon the recommendation of the Town Supervisor, the Town Board hereby approves the Memorandum of Agreement between the Town of Yorktown and the Yorktown Police Benevolent Association covering the period January 1, 2015 through December 31, 2017 and authorizes the expenditure of funds consistent therewith; and

BE IT FURTHER RESOLVED, that the Town Supervisor is hereby authorized to execute a collective bargaining agreement that is consistent with the terms of the Memorandum of Agreement.

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

APPROVE PARTIAL REFUND FOR AN OVERPAYMENT OF A SIGN PERMIT
RESOLUTION #174

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

RESOLVED, that upon recommendation of the Building Inspector, a partial refund be given to Lite Brite Signs, Inc., 51 Montgomery Street, Middletown, NY 10940 in the amount of \$112.00 for an overpayment of a sign permit.

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

AUTHORIZE EXTENSION OF TEMPORARY SALES BUILDING PERMIT – FIELD
HOME
RESOLUTION #175

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

WHEREAS, pursuant to Section 300-19 of the Code of the Town of Yorktown, good cause having been shown by the applicant, Field Home-Holy Comforter, the Town Board hereby approves an extension of its July 17, 2012 approval to construct and maintain a temporary sales building in connection with construction for a senior living residence located at 2300 Catherine Street, and

WHEREAS, the original extension approval was retroactive from July 17, 2013, and expires on July 16, 2016, and

WHEREAS, the applicant is requesting another extension approval from July 17, 2016, to expire on July 16, 2018, and

WHEREAS, this approval is subject to the \$1,000 cash bond posted to the Town Clerk in 2012 and continuing to be held by the Town, and to the applicant's compliance with all applicable laws and rules, now therefore

BE IT RESOLVED, that this extension is approved by the Town Board and may be renewed by the applicant by application to the Town Board within forty-five days before its expiration date.

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

AUTHORIZE POLICE VEHICLE PURCHASE OFF STATE OF NEW YORK OFFICE
OF GENERAL SERVICES CONTRACT
RESOLUTION #176

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

WHEREAS, the Town Board of the Town of Yorktown has funded the purchase of four police vehicles in the Police Department's 2016 budget; and

WHEREAS, the State of New York Office of General Services has published specification and requested bids for the purchase of Ford Taurus Police Interceptors; and

WHEREAS, the State of New York Office of General Services has received, reviewed and awarded the bids for Ford Taurus Police Interceptors; and

WHEREAS, Van Bortel Ford, Inc of East Rochester, New York has submitted the lowest bid for Ford Taurus Police Interceptors; and

WHEREAS, the State of New York Office of General Services has awarded contract # PC66688 to the lowest bidder, Van Bortel Ford; and

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Yorktown hereby authorizes the Yorktown Police Department to purchase four (4) Ford Taurus Police Interceptors from the State of New York Office of General Services contract #PC66688 from Van Bortel Ford in the amount of approximately one hundred one thousand dollars and no cents (\$101,000.00).

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

AUTHORIZE JCPC HOLDINGS, LLC TO SUBMIT A WETLAND, TREE,
STORMWATER PERMIT APPLICATION TO THE PLANNING BOARD AND OFF-
SITE MITIGATION ON TOWN PROPERTY
RESOLUTION #177

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

WHEREAS, JCPC Holdings LLC (“the applicant”) has applied to construct a building and associated improvements and fill approximately 12,000 +/- square feet of on-site wetlands on 1550 Front Street in the Town of Yorktown (“the action”); and

WHEREAS, the applicant cannot practically mitigate for the loss of wetlands on the subject property and seeks to construct wetlands off-site, and

WHEREAS, the Town of Yorktown owns a parcel of land located on Front Street known in the Town Assessor’s tax rolls as Section 48.06 Block 1 Lot 36 which has been identified as a potential location for off-site wetland mitigation;

NOW THEREFORE BE IT RESOLVED THAT, the Town Board of the Town of Yorktown authorizes JCPC Holdings. LLC to submit a wetland, tree and stormwater permit application to the Planning Board with the following condition:

Any permit that is granted to conduct work on this site is subject to final review and approval by the Town Board.

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

AWARD BID FOR LEAK NOISE CORRELATOR – WATER DEPARTMENT
RESOLUTION #178

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

WHEREAS, on or about February 24, 2016, a Notice to Bidders was sent to nine (9) water equipment supply companies for the purchase of a new LC-2500 leak noise correlator; and

WHEREAS, on the March 14, 2016 bid opening date three proposals were received from the following companies:

1. Matchpoint Water Asset Management, Inc. - \$18,995.00
2. Pollardwater - \$22,850.00
3. HD Supply Facilities Maintenance - \$25,850.00

WHEREAS, bidder #1 did not meet the specifications as outlined with the bidding document; and therefore

BE IT RESOLVED, that the Town Board authorizes the Water Distribution Superintendent to purchase one (1) LC-2500 Leak Noise Correlator from bidder #2 Pollardwater, the next lowest bidder, for \$22,850.00 from 2016 Water Department Equipment line SW.8340.0201.

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

AWARD BID FOR TOWING SERVICES LICENSE AGREEMENT – HIGHWAY
DEPARTMENT
RESOLUTION #179

Upon motion made Councilman Patel, seconded by Councilman Diana,

RESOLVED, that upon recommendation of Dave Paganelli, Highway Superintendent the bid for the Towing Services License Agreement in the amount of \$95,000.00 is hereby awarded to Yorktown Auto Body Works, Inc., the sole bidder located at 1798 Front Street, Yorktown Heights, New York.

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

RELEASE ESCROW PERMIT #DR1185 – PARMLY ROAD
RESOLUTION #180

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

RESOLVED, that the Town Board authorizes the release of an escrow deposit in the amount of \$500.00 to 16 Lake Road, Inc. POB 508, Bedford, NY 10506. Driveway Permit No. DR1185.

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

RELEASE ESCROW PERMIT #014-008 – 1719 PARMLY ROAD
RESOLUTION #181

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

RESOLVED, that the Town Board authorizes the release of an escrow deposit in the amount of \$2,000.00 to 16 Lake Road, Inc. POB 508, Bedford, NY 10506. Street Opening Permit No. 014-008.

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

ACCEPT MONTHLY REPORTS

Building Permit Construction Report – February 2016, March 2016

DURING COURTESY OF THE FLOOR, the following people addressed the Town Board:

Mr. Aaron Bock spoke about the O’Keefe property which the Town Board dedicated as parkland, he is a member of the Yorktown Land Trust and he has become a trail steward.

Mr. Ken Belfer, Mohegan Lake Improvement District urged people to participate in the litter clean-up day. He also stated that a free movie would be shown by the Community Housing Board and will address 13 issues and then a panel discussion will be held.

Mr. Jay Kopstein spoke about the Hilltop Gas Station in Shrub Oak. He also spoke about the replacement water tank project, and the Lexington and Kear Street rezonings.

Mr. Bruce Barber, Environmental Consultant spoke about septic systems being cleaned out every five years. He suggested contacting the Town Engineer for more information.

Mr. Daniel Strauss spoke about quality of life issues and feels more enforcement is needed.

Dr. Carl Tegtmeier spoke about fluoridation and would like to work with water Superintendent David Rambo on getting grant funding for projects that are needed.

Mrs. Susan Siegel asked the Supervisor to elaborate on contract for PBA.

Supervisor Grace stated that it was a roll over contract at new rates.

Ms. Mariam Curtain spoke about the library staff and asked the Town Board to consider its request. She also spoke about taxes collecting policies.

Supervisor Grace stated that Wood Street will be landscaped to help with the ongoing litter problem. He also stated that Kear Street is under the Westchester County affordable housing program and is the jurisdiction of the Planning Board. Currently the tax law deals with many of the issues that were mention by MS. Curtain.

Councilman Bernard stated that speed enforcement is difficult because one officer is not enough. Seems like we have a lot of officers but we actually have less than 20 years ago. He would like to see more enforcement.

Mr. Daniel Strauss would like the Town speed limit to be raised to 40 MPH and have Police Officers sitting right by the entrance to the Town. Everyone should be ticketed for speeding and there should be no tolerance.

Mr. Ed Ciffone asked why the affordable housing law was being changed, and if the Town had heard from Mr. Johnson from HUD regarding this.

Supervisor Grace stated that he received a letter from Mr. Johnson. He noted that HUD can tell Westchester County what to do because of the settlement but cannot tell the Town what to do, he does not feel that the affordable housing law is legal.

ADJOURN

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

Diana L. Quast, Town Clerk
Town of Yorktown