

Meeting of the Town Board, Town of Yorktown held on September 6, 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 Councilman Bernard, seconded by Councilman Diana, the Town Board moved into Executive Session to discuss the personnel issues. Upon motion made by Councilman Bernard, seconded by Councilman Diana, the Town Board moved out of Executive Session and proceeded with the meeting.

PLEDGE OF ALLEGIANCE

Supervisor Grace led the salute to the American Flag.

MOMENT OF SILENCE

A moment of silence was observed in honor of our men and women serving in the Armed Forces.

POLICE OFFICER ANGEL GARCIA SANG THE NATIONAL ANTHEM

REPORT FROM TOWN SUPERVISOR

Supervisor Grace reminded everyone about the Yorktown Grange Fair taking place this upcoming weekend, as well as a farm and garden tractor parade on Saturday. He also reminded the public that this Sunday is the fifteenth anniversary of the September 11th tragedy. The town will have its annual memorial service at 3:30 pm at the 9/11 Memorial in Shrub Oak. The following weekend Yorktown will host the San Gennaro Feast, September 15 through September 18. Supervisor Grace announced the Primary being held on Tuesday, September 13 and, therefore, no board meeting will be held.

Chief of Police Robert Noble spoke about new appointments within the Yorktown Police Department:

Sergeant Julianne Vicinanza has been with the Yorktown Police Department for twenty years. She graduated from Mercy College in 1996, magna cum laude with a Bachelor of Science Degree in Criminal Justice. Chief Noble cited notable arrests and accomplishments of Sergeant

Vicinanza's career. She is currently the sexual abuse, child abuse and domestic violence investigator for the Town. She is also the first sergeant of the detective division in the Yorktown Police Department.

Sergeant Vicinanza thanked her fellow officers, Chief Noble and former Chief McMahon and is thankful for the opportunity to serve Yorktown.

Operations Lieutenant James Graham was born and raised in Yorktown. He began his police career in 1991 on the White Plains police force. In 1992 he was hired by the Yorktown PD, 1997 he became a Smith and Wesson Pistol Armorer, in 1999 he attended the FBI firearms instructor school, and in 2000 became a field training officer and general topics instructor. Post 9/11, Lieutenant Graham was assigned to identify critical infrastructure sites in and around Yorktown and was a first responder at 9/11. He also served in various functions within the PBA. He was instrumental in obtaining more than \$25,000 in funding for protective ballistic equipment, such as the vests the officer wear every day. In 2014 Lieutenant Graham was presented with the Harrison Apar Field of Dreams Foundation Yorktown Athletic Club Community Service Award for his efforts as a coach for the YAC.

Lieutenant Graham thanked the Town Board for their support and looks forward to his continued working relationship with his fellow officers and the people of Yorktown. He thanked his family for their support and former colleagues who have shown their support and friendship.

Retired Chief of Police Daniel McMahon spoke about Robert Noble.

Robert Noble graduated from Mercy College in 1991 with a Bachelor's of Science in Public Safety. He began his law enforcement career in White Plains as a police officer and joined the Yorktown Police Department in 1994. He attended New York City's Auto Crime School; and working as a police officer in the patrol division, he received numerous commendations for his work. A specific case of an arrest was cited for which he received the Meritorious Police Duty Award. In 2001 Officer Noble was promoted to Sergeant in the Patrol Division. In 2004 Sergeant Noble was assigned to the Patrol Division Commander as Assistant. As Sergeant he also received numerous commendations from his supervisors and the public. In 2005 Sergeant Noble was promoted to Lieutenant and was assigned as the Patrol Division Commander. He was assigned as the Yorktown Police Department's Program Manager for the New York State Criminal Justice Law Enforcement Accreditation Program. As a result of his efforts, the Yorktown Police Department successfully coordinated the achievement of accreditation in 2006, 2011, and 2016 which is something not all police departments in the state can claim. In 2015 he attended and successfully completed the FBI's Law Enforcement Executive Develop Seminar.

An area that should be of particular pride for Chief Noble is his service to the community through the PBA. He volunteers his time to the Shrub Oak Athletic Club and has sat on their board. He has also been a softball, basketball, and lacrosse coach for the club. Chief Noble is a member of the Westchester Emerald Society and the FBI Executive Development Association. His wife, a lifelong resident, and children reside in Yorktown and his children attend Lakeland Schools

Retired Police Chief McMahon spoke personally of his 22 year relationship with Chief Noble and mentioned all of the positive qualities that led him to choose Chief Noble as his successor.

ACCEPT RETIREMENT OF DANIEL MCMAHON – CHIEF OF POLICE
RESOLUTION #383

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

Resolved, the Town Board accepts the retirement of Daniel McMahon, Chief of Police effective August 29, 2016.

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

APPOINT ROBERT NOBLE CHIEF OF POLICE
RESOLUTION #384

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

Be It Resolved that Robert M. Noble is hereby appointed Chief of Police in the Town of Yorktown Police Department from Eligible List No. 75-824 effective September 6th, 2016 to be paid the salary of \$165,454.00 annually through December 31, 2017, and

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 September 6th, 2016.

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

Robert Noble was sworn in as the Chief of Police.

Chief of Police Robert Noble first thanked the Town Board for their faith and confidence. He spoke about police work, as it is today, and the misinformation that surrounds the profession. He spoke of the mental and physical challenges that face police officers. The job is a calling and cannot be done by just anyone. Chief Noble spoke of the trust and teamwork that must exist among the officers. He spoke of the positive attributes that the Yorktown Police Department officers share and their devotion to the residents of the town. Chief Noble requested a round of applause for the police officers of the Yorktown Police Department. He thanked Yorktown's past and present police officers, detectives, sergeants, and lieutenants. He also thanked former chiefs, particularly Chief McMahon. Chief Noble also thanked the support staff at the YPD for their work. He thanked his friends, both professionally and personally, and Yorktown employees. Chief Noble thanked his father, mother, sister, brother, in-laws, and other family members. He also thanked his children, Amanda, Bobby, and Meagan. Chief Noble thanked his wife, Elena.

Chief Noble expressed his desire to keep Yorktown safe both today and in the future. He feels Yorktown is a special place to raise a family that offers outstanding organizations for support, as

well as excellent volunteer departments. The Yorktown Police Department will continue to be the backbone of the Yorktown community. He spoke of the two populations that the police look out for in particular: its youth and its elderly. The current threat to our youth is heroin and the defense of this starts at home and recommends talking to their children to keep communication open. The Yorktown Police Department will continue to work collaboratively with state and local law enforcement, the schools and local organizations to fight the epidemic of drug use.

Chief Noble stated that the current threat to the elderly is scams that rob them of their savings. He looks forward to increasing awareness of these scams among this population so they have an increased opportunity to not fall victim to these crimes.

ACCEPT RETIREMENT OF JOHN LAPLACA – POLICE LIEUTENANT
RESOLUTION #385

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

Resolved, the Town Board accepts the retirement of John LaPlaca, Police Lieutenant effective September 28, 2016.

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

APPOINT KENNETH RUNDLE DISTRIBUTION SUPERINTENDENT – WATER
DEPARTMENT
RESOLUTION #386

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

Be It Resolved, that Kenneth P. Rundle is hereby appointed Provisional Distribution Superintendent, job class code 0617-01, in the Water Department, effective September 7, 2016 to be paid \$105,000.00 annually.

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

Kenneth Rundle was sworn in as Provisional Distribution Superintendent of the Water Department. He thanked the board for their support, as well as the workers of the Water Department. Supervisor Grace also thanked the department for their service and work.

APPOINT ADAM CERRATO HEAVY MOTOR EQUIPMENT OPERATOR
RESOLUTION #387

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

Be It Resolved that Adam Cerrato is hereby appointed to Heavy Motor Equipment Operator, job class code 0429-02 within the Water Department, effective September 12, 2016, to be paid at the rate set forth in Yorktown CSEA Salary Schedule A, Group 12, Step 5, which is \$67,364.00 annually, and

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 September 12, 2016.

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

APPOINT JAMES P. COTTRELL TREE TRIMMER – HIGHWAY DEPARTMENT
RESOLUTION #388

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

Be It Resolved that James P. Cottrell of Putnam Valley, NY, is hereby appointed Tree Trimmer, job class code 0486-02 and Motor Equipment Operator, job class code 0427-02 within the Highway Department, effective September 12, 2016 to be paid from Yorktown CSEA Salary Schedule A, Group 11, Step 1 which is \$53,364.00 annually;

Be It Resolved, contingent upon successful completion of a drug test and reference checks,

Be It Resolved, James P. Cottrell will report to work at the Yorktown Highway Department on September 12, 2016, and this date will be used as the first date of appointment, and

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 September 12, 2016.

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

APPOINT BRYAN O’KEEFE PARK GROUNDSKEEPER
RESOLUTION #389

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

Be It Resolved, that Bryan G. O’Keefe is hereby appointed Park Groundskeeper, job class code 0288-05, within the Parks & Recreation Department, effective September 7th, 2016 to be paid from Yorktown CSEA Salary Schedule A, Group 10, Step 1 which is \$49,217.00 annually;

Be It 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 September 7th, 2016.

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

APPOINT MICHAEL QUINN TOWN ENGINEER
RESOLUTION #390

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

Be It Resolved, that Michael Quinn is hereby appointed Town Engineer, job class code 0370-01, in the Engineering Department, effective September 7th, 2016 to be paid \$145,000.00 annually,

Be It 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 September 7th, 2016.

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

ACCEPT RESIGNATION OF JOHN WINTER – BUILDING INSPECTOR
RESOLUTION #391

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

Resolved, the Town Board accepts the resignation of John Winter, Building Inspector effective September 11, 2016.

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

ACCEPT RESIGNATION OF NANCY CALICCHIA – SENIOR CLERK TAX
DEPARTMENT
RESOLUTION #392

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

Resolved, the Town Board accepts the resignation of Nancy Calicchia, Senior Clerk effective August 17, 2016.

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

ACCEPT RETIREMENT OF MAUREEN DAVIS – REFERENCE LIBRARIAN – JOHN C.
HART MEMORIAL LIBRARY
RESOLUTION #393

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

Resolved, the Town Board accepts the retirement of Maureen Davis, Reference Librarian effective September 19, 2016.

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

Supervisor Grace explained the need for and the description of the newly formed Industrial and Commercial Incentive Board. Each member sworn in gave a brief biography and was sworn in. (with the exception of Michael Bloom who was absent)

APPOINT MICHAEL CINISCOLO AS A MEMBER OF THE INDUSTRIAL AND COMMERCIAL INCENTIVE BOARD
RESOLUTION #394

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

Be It Resolved, that Michael Ciniscolo is hereby appointed as a member of the Industrial and Commercial Incentive Board for a five-year term expiring on September 30, 2021.

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

APPOINT CLIFFORD WEBER AS A MEMBER OF THE INDUSTRIAL AND COMMERCIAL INCENTIVE BOARD
RESOLUTION #395

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

Be It Resolved, that Clifford Weber is hereby appointed as a member of the Industrial and Commercial Incentive Board for a five-year term expiring on September 30, 2021.

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

APPOINT JOSEPH VISCONTI AS A MEMBER OF THE INDUSTRIAL AND COMMERCIAL INCENTIVE BOARD
RESOLUTION #396

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

Be It Resolved, that Joseph Visconti is hereby appointed as a member of the Industrial and Commercial Incentive Board for a five-year term expiring on September 30, 2021.

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

APPOINT MATTHEW BLOOM AS A MEMBER OF THE INDUSTRIAL AND COMMERCIAL INCENTIVE BOARD
RESOLUTION #397

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

Be It Resolved, that Matthew Bloom is hereby appointed as a member of the Industrial and Commercial Incentive Board for a five-year term expiring on September 30, 2021.

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

APPOINT JEFFREY JANKOWSKI AS A MEMBER OF THE INDUSTRIAL AND
COMMERCIAL INCENTIVE BOARD
RESOLUTION #398

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

Be It Resolved, that Jeffrey Jankowski is hereby appointed as a member of the Industrial and Commercial Incentive Board for a five-year term expiring on September 30, 2021.

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

APPOINT ROBERT GIORDANO AS AN ALTERNATE MEMBER OF THE INDUSTRIAL
AND COMMERCIAL INCENTIVE BOARD
RESOLUTION #399

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

Be It Resolved, that Robert Giordano is hereby appointed as an alternate member of the Industrial and Commercial Incentive Board for a five-year term expiring on September 30, 2021.

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

SUPPORT CONNECTION

Katherine Quinn, Executive Director of Support Connection, talked about their 20 years of free and confidential support services for those with breast and ovarian cancer. She wanted to invite everyone to Support Connection's Support-A-Walk on Sunday, October 2nd. All of Yorktown is invited. Ms. Quinn mentioned that people from all over attend the event. All donations go to fund their services directly. She thanked the town for their support, noting that although they serve people referred to them by national organizations, they receive no federal funding. This is why local donations go so far in helping them provide services.

REFUSE AND RECYCLING

Kim Angliss-Gage, Coordinator of the Refuse & Recycling Department, talked about upcoming events: October 9, the county's mobile shredder unit will be in the commuter parking lot from 10:00 am to 1:00 pm; also, the same day is an e-Waste Day at the Refuse and Recycling Department to bring obsolete computers, keyboards, television sets, VCRs. Textile Recovery Day which gives residents the opportunity to dispose of old sheets, blankets, rags, etc., which has already garnered \$4600 for the town, will be held again this coming Friday. She also announced that Westchester County Recycling has added a new category of material to recycle – wax cardboard containers, i.e., juice boxes, dairy containers, etc.

FINANCIAL AUDIT REPORT

Auditors from the accounting firm of O’Connor Davies discussed the Town’s audit ending December 31, 2015. Independent audit report was presented as a “clean” opinion. General Fund and Expenditure categories show positive budgetary variances. The Town’s financial condition is good; it has managed its resources very well, and budgeting has produced an equal amount of budget surplus from both the revenue side and the appropriation side.

PUBLIC HEARING

PROPOSED LOCAL LAW TO AMEND CHAPTER 260-33 ENTITLED DEADLINE FOR FILING APPLICATIONS

Supervisor Grace called to order a public hearing to consider amending Chapter 260-33 of the Code of the Town of Yorktown entitled Deadline for Filing Applications. The Town Clerk presented affidavits of printing and publication.

Kim Penner, Assessor said that changing the date as set out in the proposed local law will be more efficient for her office.

All those present having been given the opportunity to be heard and there being no further discussion, upon motion made by Councilman Diana, seconded by Councilman Lachterman, the Public Hearing was closed.

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

LOCAL LAW #19 OF 2016 AMENDING CHAPTER 260-33 ENTITLED DEADLINE FOR FILING APPLICATIONS

RESOLUTION #400

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

WHEREAS, a public hearing was held on the 6th day of September, 2016 pursuant to notice duly published as required by law to amend Chapter 260-33 of the Code of the Town of Yorktown entitled Deadline for Filing Applications.

RESOLVED, that Local Law #19/2016 as annexed hereto, be and is hereby adopted.

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

Supervisor Grace	Voting	Aye
Councilman Patel	Voting	Aye
Councilman Lachterman	Voting	Aye
Councilman Bernard	Voting	Aye
Councilman Diana	Voting	Aye

Local Law #19 of 2016 is hereby duly adopted.

PUBLIC HEARING

PROPOSED LOCAL LAW TO AMEND CHAPTER 260 BY ADDING A NEW ARTICLE XI ENTITLED TAXABLE STATUS DATE

Supervisor Grace called to order a public hearing to Chapter 260 of the Code of the Town of Yorktown entitled Taxation by adding a new Article XI, Taxable Status Date. The Town Clerk presented affidavits of printing and publication.

No Public Comment was received.

All those present having been given the opportunity to be heard and there being no further discussion, upon motioned made by Councilman Bernard, seconded by Councilman Diana, the Public Hearing was closed.

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

LOCAL LAW #20 OF 2016 AMENDING CHAPTER 260 BY ADDING A NEW ARTICLE XI ENTITLED TAXABLE STATUS DATE

RESOLUTION #401

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

WHEREAS, a public hearing was held on the 6th day of September, 2016 pursuant to notice duly published as required by law to amend Chapter 260 of the Code of the Town of Yorktown entitled Taxation by adding a new Article XI, Taxable Status Date.

RESOLVED, that Local Law #20/2016 as annexed hereto, be and is hereby adopted.

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

Supervisor Grace	Voting	Aye
Councilman Patel	Voting	Aye
Councilman Lachterman	Voting	Aye
Councilman Bernard	Voting	Aye
Councilman Diana	Voting	Aye

Local Law #20 of 2016 is hereby duly adopted.

ADVERTISE REQUEST FOR PROPOSALS SEEKING A HIGHLY QUALIFIED ATTORNEY OR LAW FIRM TO SERVE AS THE TOWN’S LAND USE COUNSEL

RESOLUTION #402

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

Notice is Hereby Given, that the Town of Yorktown is seeking Request for Proposals (RFP’s) for a highly qualified attorney(s) or law firm(s) with extensive experience in land use

and development matters including compliance with New York State and Federal Environmental Laws to serve as the Town's Land Use Counsel.

Proposals may be obtained at the Office of the Town Clerk, 363 Underhill Avenue, Yorktown Heights, NY 10598 during normal business hours.

All completed proposals must be received in the Office of the Town Clerk, 363 Underhill Avenue, Yorktown Heights, NY, no later than 5:00 pm on October 12, 2016.

The Town Board reserves the right to reject any or all proposals and to accept that proposal which it deems most favorable to the interests of the Town of Yorktown.

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

ADVERTISE BID FOR PREVENTATIVE MAINTENANCE AND ON-CALL SERVICES OF EMERGENCY GENERATORS #16-4
RESOLUTION #403

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

Whereas, the Town has fifteen (15) locations with emergency generators in place to provide back-up power in the event of an electrical service outage. The generators need regular preventative maintenance services to ensure they are ready for operation at any time.

The Town had a previous contract in place for the furnishing of preventative maintenance services. The previous contract expired on 6/30/16 (although there is an option to extend this Agreement for an additional 1-year term we do not wish to exercise this option).

Under the new contract we will be seeking a Contractor with the in-house resources to perform preventative maintenance, repair work and on-call services. The bid documents will be for a 2-year contract duration. Upon mutual consent of the contractor and the Town, the Agreement may be extended for one (1) additional 2-year term. We will include a bid item for labor rates (regular working hours and overtime hours) and an additional work allowance that can be used for on-call services that will ensure the Town can receive emergency repairs or additional parts, if needed, on a timely basis.

Resolved, the Town Board authorizes the Town Clerk to advertise for bids the Preventative Maintenance & On-Call Services of Emergency Generators.

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

ADVERTISE BID FOR DEWATERED SLUDGE – WATER POLLUTION CONTROL
PLANT #16-5
RESOLUTION #404

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

Whereas, the Town performs on site dewatering of digested sludge at the Yorktown Wastewater Treatment Plant and needs a means to remove and dispose of dewatered sludge.

The Town had a previous contract in place for dewatered sludge removal and disposal, that contract expired on 8/31/16. In a separate resolution the department is requesting the Board's approval to extend this contract agreement for an additional 60-day period, until 10/31/16.

Under a new contract we will be seeking a hauling contractor with the ability to transport and legally dispose of municipal sludge. The anticipated start date for this contract will be 11/1/16.

The bid documents will be for a 2-year contract duration. Upon mutual consent of the contractor and the Town, the Agreement may be extended for one (1) additional 2-year term.

Resolved, the Town Board authorizes the Town Clerk to advertise for bids for the Dewatered Sludge Removal & Disposal from the Yorktown Wastewater Treatment Plant.

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

ADVERTISE BID FOR VARIOUS CHEMICALS – WATER POLLUTION CONTROL
PLANT #16-6
RESOLUTION #405

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

Whereas, the Town requires the use of various chemicals for on-site operations at the Yorktown Wastewater Treatment Plant, and

The chemicals that will be included in this contract: Ferric Chloride (per dry ton), 40% Ferric Chloride (per 55-gallon drum), 50% Caustic Soda (per gallon), 25% Caustic Soda (per 55-gallon drum), 50% Citric Acid (per 55-gallon drum), Sulfuric Acid (per 55-gallon drum), 38% Sodium Bisulfite (per 55 gallon drum), 15% Sodium Hypochlorite (per 55-gallon drum), Calgon Poly E-Z or equivalent polymer (per 55-gallon drum).

The Town has a current contract in place for furnishing of the chemicals indicated above. The contract expires on 10/20/16 at which time the Town will need to put a new contract in place.

The bid documents will be for a 1-year contract duration. Due to the variability of commodity prices, most chemical suppliers will not guarantee their pricing for longer than the 1-year duration that is specified in this Contract.

Resolved, the Town Board authorizes the Town Clerk to advertise for bids for the Furnishing of Various Chemicals for the Yorktown Wastewater Treatment Plant.

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

ADVERTISE BID FOR THE PURCHASE OF UNMARKED VEHICLES IN THE POLICE DEPARTMENT
RESOLUTION #406

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

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 October 4, 2016 at the Town Hall, 363 Underhill Avenue, Yorktown Heights, N.Y. 10598 for *Police Department Unmarked Vehicle Purchase*.

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: Police Department Unmarked Vehicle Purchase.”**

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.

EXTEND BID FOR DEWATERED SLUDGE REMOVAL AND DISPOSAL FOR A PERIOD OF SIXTY DAYS WITH NEW ENGLAND WATER SERVICES OF ME
RESOLUTION #407

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

Whereas, the Town Board at its meeting of August 13, 2013, awarded the bid for Dewatered Sludge Removal & Disposal, Bid #13-04, for the Water Pollution Control Plant to New England Waste Services of ME, and

The Town previously exercised its contractual option to extend the bid in one-year increments for the periods 9/1/14- 8/31/15 and 9/1/15- 8/31/16. The maximum contract term of three (3) years has been reached.

The Town is finalizing documents for a re-bid of this contract. The Contractor providing services under the current agreement is willing to hold their contract price for an additional period of sixty (60) days. The Town has received satisfactory service from the Contractor and would like to continue to utilize their services until 10/31/16, at which time a new bid will be ready to be put in place.

Resolved, the Town Board extends the contract with New England Waste Services of ME for Dewatered Sludge Removal & Disposal, Bid #13-4 for a period of sixty (60) days with the same terms and conditions. Contract Price: unit price of \$105/ton, Contract term: 9/1/16-10/31/16.

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

ACCEPT A CONVEYANCE OF REAL PROPERTY AND DEDICATE AS PUBLIC
PARKLAND
RESOLUTION #408

Upon motion made by Councilman Bernard, 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 July 15, 2016, Dornoch Development, LLC conveyed to the Town certain parcels of property shown and described as Section 16.17, Block 1, Lots 48.3, 48.4, 48.12, 48.13, and 48.14 and part of Stone Drive, part of Alice Lane, and Rose Lane Lot 48.69 on Filed Map #6438 filed on October 3, 1947 consisting of approximately 3.507 acres as set forth in the deed for the purpose of conveying and 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.

APPROVE BOND RELEASE #BSWPPP-012-16
RESOLUTION #409

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

Whereas, L & M Attard, as applicants, posted check #1544 in the amount of \$300 which was deposited into the T33 account on April 15, 2016, to serve as the Erosion Control Bond for Stormwater Permit #BSWPPP-012-16, for work performed at their Wharton Drive residence.

The Town Engineer has informed this Board that a representative of his department has inspected the property and determined that the work has been satisfactorily completed, and that the above-referenced monies may be released,

Now, Therefore Be It Resolved, the above referenced Erosion Control Bond be released to Mr. & Mrs. M. Attard, 3108 Wharton Drive, Yorktown Heights, NY 10598.

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

APPROVE BID RELEASE #WP-BSWPPP-059-13
RESOLUTION #410

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

Whereas, Thomas Bodkin, as applicant, posted check #252 in the amount of \$300 which was deposited into the T33 account on September 13, 2013, to serve as the Erosion Control Bond for Wetland & Stormwater Permit #WP-059-13, for work performed at his Croton Lake Road residence.

The Town Engineer has informed this Board that a representative of his department has inspected the property and determined that the work has been satisfactorily completed, and that the above referenced monies may be released,

Now, Therefore Be It Resolved, the above referenced Erosion Control Bond be released to Mr. Thomas Bodkin, 1535 Croton Lake Road, Yorktown Heights, NY 10598.

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

APPROVE BUDGET TRANSFER FOR THE HIGHWAY DEPARTMENT
RESOLUTION #411

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

Resolved, as per request of David Paganelli, Highway Superintendent, the Comptroller is hereby authorized to transfer the following:

\$16,060.44 from D5110.810 Medical Insurance to D5130.425 Outside Services to process payment to Altec for repairs to tree truck #22.

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

APPROVE BUDGET TRANSFER FOR THE WATER DEPARTMENT
RESOLUTION #412

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

Be It Resolved, that the Town Comptroller is hereby authorized to make the following budget transfers:

Transfer \$30,000 from the Water Department Cement Lining line (SW8340.483.0001) to the Water Department Materials and Supplies Line (SW.8340.0403) for the purchase of water valves and miscellaneous materials and supplies for the distribution system.

Transfer \$15,000 from the Water Department Cement Lining Line (SW.8340.0483.0001) to the Water Department Vehicle Maintenance line (SW.8340.0420) for repairs of vehicles for the remainder of 2016.

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

APPROVE REFUND FOR OVERPAYMENT OF DUPLICATE ALARM PERMIT
RESOLUTION #413

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

Resolved, that upon the recommendation of the Building Inspector John Winter, a duplicate alarm payment is hereby refunded to 2413 Ridge Street in the amount of \$30.00.

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

AUTHORIZE BUILDING INSPECTOR TO ISSUE TEMPORARY CERTIFICATE OF
OCCUPANCY TO DICKS SPORTING GOODS
RESOLUTION #414

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

Resolved, the Building Inspector is authorized to issue a temporary CO to The Mall at Jefferson Valley (16.12-1-24) in the event that all site plan improvements have not been made before Dicks Sporting Goods (Building Permit # 20160116) is ready to open for business.

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

APPROVE CONTRACT EXTENSION FOR MARSHALL ALARM SYSTEMS FOR
ANNUAL SERVICES AND MONITORING
RESOLUTION #415

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

Resolved, the annual alarm services for upgrading and monitoring the network for the Town of Yorktown be hereby extended for one year per the terms of the bid agreement to Marshall Alarm Systems, 2024 Saw Mill River Road, Yorktown Heights, NY 10598. The date of the extension will be from June 3, 2016 through June 4, 2017.

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

AUTHORIZE SUPERVISOR TO SIGN AN AGREEMENT WITH BIDNET
RESOLUTION #416

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

Be It Resolved, the Town Supervisor is hereby authorized to execute an agreement between Town of Yorktown and International Data Base Corp., doing business under the trade name BidNet.

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

AUTHORIZE SUPERVISOR TO SIGN THE FEDERAL TRANSIT ASSISTANCE
AGREEMENT
RESOLUTION #417

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

Whereas, the New York State Department of Transportation recommended approval of a grant application by the Town of Yorktown for purchase of one transport vehicle with a share from a grant under the Federal Transit Administration (FTA) Enhanced Mobility of Seniors and Individuals with Disabilities Program;

Be It Resolved, the Town Board adopts the Title VII Plan for submission in connection with the FTA grant and authorizes the Town Supervisor to execute the Federal Transit Assistance Agreement;

Be It Further Resolved, the Town Comptroller is hereby authorized to issue a check in the amount of \$11,672.27 to the U.S. Bank National Association for the benefit of the Town's share of the transport vehicle.

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

AUTHORIZE SUPERVISOR TO SIGN AN AGREEMENT WITH LAND
COMMUNICATIONS, INC.
RESOLUTION #418

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

Now, Therefore Be It Resolved, the Town Board authorizes the Supervisor to execute the Maintenance of Police Department Telephone System Agreement between the Town of Yorktown and Land Communications, Inc.

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

AUTHORIZE SUPERVISOR TO SIGN A CONSULTANT AGREEMENT WITH PRO-SAFETY SERVICES, LOLC
RESOLUTION #419

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

Now, Therefore Be It Resolved, that the Town Board authorizes the Supervisor to execute the Consultant Agreement between the Town of Yorktown and Pro-Safety Services, LLC.

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

AUTHORIZE STIPEND FOR JULIANNE VICINANZA TO PERFORM THE DUTIES OF ADMINISTRATIVE SERGEANT OF THE DETECTIVE BUREAU
RESOLUTION #420

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

Resolved, the Town Board of the Town of Yorktown authorizes Julianne Vicinanza to be paid a stipend of \$280.76 per pay period for the performance of the duties of Administrative Sergeant of the Detective Bureau retroactive from June 25, 2016.

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

AUTHORIZE TOWN CLERK TO REFER OUT WETLAND/STORMWATER POLLUTION PREVENTION PLAN APPLICATION FOR – 2200 SAW MILL RIVER ROAD
RESOLUTION #421

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

Resolved, the Town Clerk is authorized to refer out the Wetland/Stormwater Pollution Prevention Plan application received from Peder Scott Engineering, P.E. on behalf of Murray Brennan, 2200 Saw Mill River Road, Yorktown Heights, NY 10598 to the agencies listed below. The request is to perform the following activity: Suctioning harvest of 15,000 cy of bottom material from existing pond within C (T) stream. Material removed pumped into Geotubes for dewatering. Once material dry (2 months) spread in 8” lifts across existing site material disposal area,” then seeded.

Now, Therefore Be It Further Resolved, the Town Board declares its intent to act as Lead Agency and would like your comments and/or recommendations back by October 12, 2016.

U.S. Army Corps of Engineers
New York City Department of Environment Protection
New York State Department of Environmental Conservation, Region III
New York State Department of Transportation
Town of Somers
Westchester County Planning Board/Department
Conservation Board
Environmental Consultant
Highway Department
Planning Board/Department
Town Attorney
Town Engineer
Tree Commission
Wetlands Inspector

Be It Further Resolved, that notice is hereby given that a Public Hearing will be convened by the Town Board, Town of Yorktown, Westchester County, New York at the Town Hall, 363 Underhill Avenue, Yorktown Heights, New York on the 18th day of October, 2016 at 7:30 o'clock PM.

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

The Town Board accepted the Monthly Report from the Building Department for the Cost of Construction - July 2016.

DURING COURTESY OF THE FLOOR, the following people spoke:

Mr. Gil Kaufmann, speaking on behalf of Yorktown seniors, stated that frustration is running high among them. He questioned the Town Engineer, Michael Quinn, as to his knowledge of an application made to Albany for \$100,000 that could be used for bathroom renovations at the YCCC. Supervisor Grace reminded Mr. Kaufman that Courtesy of the Floor was not to be used to question town employees. Mr. Kaufman said that he is hearing from all of the senior clubs and feels that conditions are getting out of hand and asked to please get something done.

Ms. Maria Flota stated that during the past 3 years she has not been happy because of the unsightly holes in front of the Roma Building and stated that the holes became a breeding ground for mosquitoes and the diseases they carry. She has since seen the progress and wished to thank Supervisor Grace and Councilman Diana for their due diligence in resolving this matter. Mrs. Flota also thanked Town Attorney Michael McDermott for his immediate response to the problem, as well.

Mrs. Susan Siegel approached the Board with questions regarding the recent audit. She stated that a reference to the Spectra money (\$1.6 million payment made in 2015) as one of the reasons the fund balance went up. But she would like to know why only \$954,456 was allocated for the year 2015 with the balance reserved to the 2016 budget. She stated that she reviewed the

license agreement and didn't see where it said that the money would be paid out over time or split between years. Mrs. Siegel also had questions regarding the Water District expenses for the years 2014 and 2015. She stated that expenditures were considerably less than what was budgeted and since the special district administrative fee is calculated on 6% of the budgeted expenses not on the actual, this fee would be significantly less. Mrs. Siegel asked if the auditors thought it appropriate that the General Fund give a refund to the Water District for overpayment for services that were not delivered. Mrs. Siegel also asked questions regarding the appointment of Town Engineer, Michael Quinn, from his provisional appointment six months ago. She asked if there were some exam and subsequent list that enabled him to receive his recent appointment. Mrs. Siegel questioned why his probation began again at one year if he has already served six months.

Mr. Anthony Grasso, member of the Chamber of Commerce, thanked the board for their speed in appointing the Industrial and Commercial Incentive Board and commended them on their member selection.

The Town Board Closed Courtesy of the Floor.

Supervisor Grace stated that he felt the new members of the Industrial and Commercial Incentive Board will be wonderful additions to the town advisory committee and will bring their expertise to the efforts of the board. He responded to Mrs. Flota and said that the progress on the Roma Building has been a joint effort of town departments and the businesses affected. The prosecution of the violations at the site has resulted in a \$25,000 fine to be paid to the town and the town is also going to hopefully see an additional \$15,000 of some kind of capital contribution towards a public amenity in the town. It has become a much bigger job than they anticipated.

Councilman Diana gave an update on the Roma Building and stated that the cleanup has not cost the town, county, or state any money. The managing group for the property, Metro Holdings, is responsible for payment. They have removed approximately 2000 tons of contaminated soil; it is nearly halfway done and this is just an estimate. Councilman Diana cautioned there is still much to be done and reminded everyone that it is an active remediation and construction site and people need to be careful.

Supervisor Grace stated that Spectra money was allocated over two town fiscal years because the lease of the land ran over two fiscal years and was prorated accordingly; the auditors would not have it any other way. The Water District wasn't charged the administrative fee the second time around because they didn't expend the money in one fiscal year.

ADJOURN

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

Diana L. Quast, Town Clerk
Town of Yorktown