

Meeting of the Town Board, Town of Yorktown held on December 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 Lachterman, seconded by Councilman Patel, the Town Board moved into Executive Session to discuss personnel. Upon motion made by Supervisor Grace, seconded by Councilman Bernard, 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.

DURING REPORTS FROM THE TOWN SUPERVISOR, Supervisor Grace reminded everyone that next week is the budget meeting. He spoke about the success of the Yorktown Electric Lights Parade. He read a letter from Refuse & Recycling about volunteering to help pick up litter in the town. Supervisor Grace also mentioned that the Police Department issued its first violation under our new littering law, assisted by the camera system.

DURING REPORTS FROM TOWN COUNCIL, Councilman Diana reminded everyone of the 2nd Annual Yorktown Ball Drop on New Year's Eve and thanked all those involved and those who sponsored the event.

Councilman Patel asked that students and parents be mindful of traffic buildup while boarding school buses and to please be on time for pickup. He also cautioned everyone to be careful with reduced daylight during these short winter days.

Councilman Lachterman announced that the Lions, in partnership with the American Legion, will be having a New Year's Eve party. On December 11, the Lyons will sponsor a Candy Run with Santa and Enginge Co. 1. Jessica Lynn will be having a holiday concert on Friday, December 16th at the Paramount Theater in Peekskill.

APPOINTMENT TO THE BOARD OF ETHICS – LYNETTE WATERHOUSE RESOLUTION #530

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

BE IT RESOLVED that Lynette Waterhouse is hereby appointed as a member of the Board of Ethics for a three-year term expiring December 31, 2019.

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

PRESENTATION

Supervisor Grace presented certificates of achievement to the Shrub Oak 9UB Storm Baseball Team for an undefeated season and winning the Greater Hudson Valley Baseball League Fall Championship.

Chief of Police Robert Noble introduced Police Officer Jason Swart as the new Traffic Safety Officer.

Chief Noble presented the following:

Excellent Police Duty Certificates – issued to four individuals who, due to the nature of their positions and work within the police department, remain anonymous.

Life Saving Awards – issued to Robert Paveltich, Larry Eidelman, and Paul Dillon.

Meritorious Police Duty Award – issued to an individual who, due to the nature of his position and work within the police department, remains anonymous.

AUTHORIZE COMPTROLLER TO PAY HAPPY SOFTWARE, INC. FOR COMPUTER SOFTWARE PROVIDED TO THE SECTION 8 OFFICE

RESOLUTION #531

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

RESOLVED, that the Town Comptroller is authorized to pay Happy Software, Inc. for a one year software license and software support for computer software provided to the Section 8 Office, to cover the period from February 1, 2017 through January 31, 2018. The payment amount is \$4,900.00 as shown on the invoice dated November 15, 2016. The source of funds is Housing Assistance Payments Account maintained by the Section 8 office and funded by the U.S. Department of Housing and Urban Development.

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

AUTHORIZE COMPTROLLER TO REFUND DUPLICATE MECHANICAL APPLICATION FEE IN THE AMOUNT OF \$225.00 TO BALDWIN ELECTRICAL CORP.

RESOLUTION #532

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

RESOLVED, that the Town Board authorizes the Comptroller to refund \$225.00 to Baldwin Electrical, Inc. for a duplicate payment made for a Mechanical application permit.

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

AUTHORIZE COMPTROLLER TO REFUND A WITHDRAWN BUILDING PERMIT FEE IN THE AMOUNT OF \$31.00 FOR BUILDING PERMIT #20160289

RESOLUTION #533

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

RESOLVED, that the Town Board authorizes the Comptroller to refund \$31.00 to Permit #20160289 for a withdrawn Building permit application.

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

AWARD BID FOR STONE GRAVEL AND CONCRETE MATERIALS – HIGHWAY DEPARTMENT

RESOLUTION #534

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

WHEREAS, invitation to bid for the Stone Gravel Concrete Materials Bid was duly advertised, and

WHEREAS, said bids were received and opened on November 1, 2016,

RESOLVED, that upon the recommendation of the Highway Superintendent, Dave Paganelli, the bid for Stone Gravel Concrete Materials Bid for the Town of Yorktown be and is hereby awarded to the lowest bidder for each item.

BE IT FURTHER RESOLVED, the Contract is to begin on January 1st, 2017 to December 31st, 2017. The Town shall have the option to extend this Contract at the same prices for (2) additional years in one-year increments upon written notice to the vendors.

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

AWARD BID PREVENTATIVE MAINTENANCE GENERATORS #16-4
RESOLUTION #535

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

WHEREAS, the bid for Preventative Maintenance Generators #16-4 was duly advertise and opened with the following bid tabulations:

<u>NAME OF BIDDER</u>	<u>AMOUNT OF BID</u>
Gentech Ltd.	\$33,032.50
FM Generator, Inc.	\$36,162.50
Weldpower Service Company	\$36,686.00
Northeast Generator of CT., Inc.	\$39,565.00
Peak Power Systems, Inc.	\$44,394.00
Transportation Technology Inc.	\$45,284.06
Genserve, Inc.	\$50,835.00
National Standby Repair Corp.	\$55,487.50
ENER-G Rudox, Inc.	\$57,077.00
Kinsley Power Systems	\$62,424.00
Genserve, Inc.	\$71,700.00

RESOLVED, that the bid for the Preventative Maintenance & On-Call Services Of Emergency Generators, Bid #16-4 be awarded to Gentech Ltd., at a total bid price of \$33,032.50.

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

APPROVE SEWER LINE REPAIR – HILL BLVD. JEFFERSON VALLEY
RESOLUTION #536

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

WHEREAS personnel from the Sewer Department were dispatched on 11/23/16 to investigate a report of a leaking sewer main pipe on Hill Boulevard. Temporary repairs were made using in-house resources; however, a sixty (60) foot section of pipe needs to be replaced as a permanent fix.

The Sewer Department obtained quotes for the following scope of work: (1) furnish and install approximately 60 linear feet of 10-inch sewer piping; (2) New piping to be ductile iron, class 52; (3) pipe connections to be made with 10-inch Hydromax couplings; (4) includes road excavation and restoration of asphalt paving.

All work to be done with prevailing wage rates, certified payroll required.

Quotes were received from three (3) firms:

1. \$18,800 from Pizzella Brothers Inc., Cortlandt Manor, NY
2. \$25,740 from Con-Tech Construction Technology, Inc., Yorktown Heights, NY
3. \$38,480 from ELQ Industries, Inc., New Rochelle, NY

NOW, THEREFORE BE IT RESOLVED, that the Town Board authorizes the Supervisor to sign an agreement in the amount of \$18,800 with Pizzella Brothers Inc., Cortlandt Manor, NY for the scope of work as outlined above.

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

EXTEND BID FOR ELECTRICAL WORK ON TOWN BUILDINGS
RESOLUTION #537

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

RESOLVED, that the Annual Maintenance for electrical work on Town Buildings for the Town of Yorktown be hereby extended for one year per the terms of the bid agreement to Michael Dubovsky (Hanover Electric) 251 G Underhill Avenue, Yorktown Heights, NY 10598. The date of the extension will be from November 19, 2016 through November 18, 2017.

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

REFERRAL – WETLANDS, SWPPP AND TREE PERMIT APPLICATION RECEIVED
FROM BRUCE KELDERHOUSE FOR TURUS LANE
RESOLUTION #538

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

RESOLVED, that the Town Clerk is authorized to refer out the Wetland, SWPPP and Tree Permit application received from Bruce Kelderhouse, Dornoch Development, LLC, to construct a modular home on Turus Lane, Mohegan Lake, NY 10547 to the agencies listed below, 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 December 28, 2016.

New York State Department of Environmental Conservation, Region III
Westchester County Planning Board/Department
Conservation Board
Environmental Consultant
Highway Department
Planning Board/Department
Town Attorney
Town Engineer
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 3rd day of January, 2017 at 7:30 o'clock PM.

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

WAIVE FEE FOR NOR-WEST FOR USE OF THE YCCC
RESOLUTION #539

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

RESOLVED, that the Town Board waives the rent fee for Tuesday evenings from 4:00 – 6:00 PM for 15 weeks from January through May totaling \$1,050.00 for use of the YCCC gymnasium by Nor-West for their Winter and Spring session.

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

MONTHLY REPORTS

The Town Board accepted the Monthly reports from the Building Department-Cost of Construction Report for November 2016 and from the Receiver of Taxes for November 2016

DURING COURTESY OF THE FLOOR, the following people spoke:

Mr. Jay Kopstein stated he was in favor of relocating the highway garage and feels that if there is a petition against this it should be made public,

Mr. Dan Strauss thanked the Town Board and Town Attorney for creating the littering law, he also spoke about the proposed dumpster law and an abandoned vehicle in a parking lot off of Maple Hill Street.

WORK SESSION

REZONING MOHEGAN AUTO AND TIRE CENTER

The Town Board reviewed plans for Mohegan Auto & Tire Center, Inc. in connection with property known on the Yorktown Tax Rolls as Section 15.12, Parcel 2, lot 8, located at 1581 East Main Street, Shrub Oak, NY 10588 seeking a zoning map amendment from R1-20 to Transitional Zone and a Wetland Permit.

SPECIAL USE PERMIT APPLICATION – BP/GLOBAL STATION #6712

3700 BARGER STREET

The Town Board reviewed plans for the replacement of underground storage tanks with associated piping and dispensers. The installation of a new canopy over dispensers with in-canopy fire suppression system and the installation of new drainage structure and other site improvement work with re-branding to BP Station located at 3700 Barger Street. The Town Board agreed to place this on the December 20, 2016 agenda.

ADVERTISE PUBLIC HEARING FOR A SPECIAL USE PERMIT – BP/GLOBAL GAS STATION 3700 BARGER STREET

RESOLUTION #540

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

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, NY 10598 on the 20th day of December, 2016 at 7:30 PM or as soon thereafter as the same can be heard, to consider the application received from Global Mintello Group Corp. for a Special Use Permit. The request is to approve replacement of storage tanks with associated piping dispensers, install new canopy over dispensers with an in-canopy fire suppression system, install new drainage and other site improvement work with re-branding to BP station located at 3700 Barger Street, also known as Section 507, Parcel 1, Lot 2 on the Tax Map of the Town of Yorktown.

A copy of said application 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 may be heard at the public hearing to be held as aforesaid.

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

ADJOURN

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

DIANA L. QUAST, RMC
Town Clerk
Town of Yorktown