

Meeting of the Town Board, Town of Yorktown held on June 28, 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: Maura Weissleder, Deputy 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 Lachterman, the Town Board moved into Executive Session to discuss negotiations.

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

WATER MAINTENANCE MATERIALS

Town Engineer Michael Quinn met with the Board to discuss a recent Water Maintenance Materials bid of 17 items which included water meters, both indoor and outdoor. There were a variety of bidders that were higher on some items but lower on others. EJ Prescott wanted to supply Mueller Water Meters which were not compatible with the remote readers the Town uses. Town Engineer Michael Quinn stated that he met with all parties – the Water Department and EJ Prescott – to discuss the issue. He stated that EJ Prescott agreed they don't meet the Town specification but believed they could do better than the specification. Michael Quinn stated that he told them that the Town could throw out the bid or the company could choose to withdraw their bid. The question remained whether to throw out the bid and rebid in its entirety or award to the second bidder. In the interest of moving the agenda along, Supervisor Grace stated that the Town Board would revisit the question when Michael Quinn came back to discuss the repairs to the Library.

The decision was made by the Town Board to award the bid to the second bidder for that item, as well as awarding the other items on the bid as listed in the resolution.

GRIGORY KRAVTSOV – VARIOUS ITEMS

Mr. Kravtsov first addressed the Town Board to ask for consideration to place event signs for which he was running a specific event. He also requested that he be permitted to construct a washing facility/room on the first floor of his house. Supervisor Grace asked Mr. Kravtsov if he had plans/specifications for this room and instructed him to obtain a building permit by filing an application and following the procedure to do so.

Mr. Kravtsov stated that the Board treats different non-profit organizations unequally. He stated that his organization does qualify as non-profit and should be allowed his signs.

Supervisor Grace stated that if an individual wants an event, they need to submit a request for such event and apply for the proper permit. Continuously advertising a non-profit organization is not permitted; only a single event.

Mr. Kravtsov stated that he would like the Town Board to recognize that the Town adversely condemned his property based on its location. Wetlands protection that was given became detrimental to his property, resulting in his home developing sink holes. According to Mr. Kravtsov the wetlands protection inadvertently made his property unhealthy, unsafe, and uninsurable. He stated that the condemnation was due, in part, to the fact that the repair of Sparkle Lake Dam should have been done in a timely manner. Mr. Kravtsov wants the Town Board to recognize that a mistake was made and they should adhere to their responsibility of the protection and welfare of residents. Mr. Kravtsov continued to state that various actions by the Town Attorney (at that time) and Town Prosecutor (at that time) caused him and his family undue stress and pressure by their actions which, in turn, caused him to make emergency repairs to the drainage and structure of his home, including earth-moving work. He has now been penalized for by the Town's Code Enforcement Officer for not obtaining the proper permits. Supervisor Grace asked Mr. Kravtsov how long it took to perform the emergency repairs and if, in that time, he went to the proper Town departments to obtain the required permits. Mr. Kravtsov replied that he had not. Supervisor Grace stated that if these illegal repairs were done over the course of even a couple of days, there was no reason why Mr. Kravtsov could not have come in to obtain permits and could have avoided being fined. Mr. Kravtsov says that the situation in his home is unfixable and wants the Town to recognize that the actions of past employees were illegal and subsequently caused his illegal actions. The Town Board did not wish to make a motion to consider the adverse condemnation of Mr. Kravtsov's property. The Town Board also did not wish to make a motion to consider recognizing any wrongdoing on the part of past employees.

Mr. Kravtsov reintroduced the issue of wanting his non-profit organization recognized. Supervisor Grace asked to see a list of board members, board minutes, and a resolution by Mr. Kravtsov's board that he can act on the non-profit's behalf before any consideration of his organization takes place.

Mr. Kravtsov asked if the Town Board recognizes New York State's protection of newly expanded wetlands or does it fall under the Town's protection? Supervisor Grace said that when it comes to wetlands law, local law preempts State legislation as long as the local legislation is stricter than state legislation.

LIBRARY REPAIR PROJECT

Ms. Patricia Hallinan, John C. Hart Library Director, and Town Engineer Michael Quinn spoke to the Board regarding repairs to the library which would include window trim replacement, and some siding which has wood rot needs to be replaced and painted. She obtained three prices when the scope of work was identified. Michael Quinn stated that he felt the estimate cost of \$19,800 is appropriate for the work to be done. This repair was identified as a capital project in the 2016 budget. This is only exterior work and the front railing will be looked at for next year. A resolution will be brought before the Town Board at the July 5th meeting.

Ms. Patricia Hallinan also mentioned that the library will be receiving \$5,000 in bullet aid (funds from NYS budget that came to the Library through Senator Murphy) which, when received, will be used to repair the handicapped doors. She also mentioned that on Friday, June 24th, the Library had approximately 450 people attending an outdoor carnival sponsoring the kick-off of the Library's summer reading game program.

AWARD BID FOR WATER MAINTENANCE MATERIALS – WATER DEPARTMENT RESOLUTION #298

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

WHEREAS, invitation to bid for the Water Maintenance Materials was duly advertised, and

WHEREAS, said bids were received and opened on May 26, 2016, and

RESOLVED, that upon the recommendation of the Assistant Water Distribution Superintendent, Ken Rundle, the bid for the Water Maintenance Materials be hereby awarded to:

Item 1: Kennedy K81 AW Screw-in Hydrants - Expanded Supply Products:

<u>4 1/2" 5 ft.</u>	<u>4 1/2" 6 ft.</u>	<u>5 1/4" 5 ft.</u>	<u>5 1/4" 6 ft.</u>
\$2,520.00	\$2,660.00	\$2,600.00	\$2,740.00

Item 1A: Mueller A421 & A423 Hydrants Ductile Iron - HD Supply:

<u>4 1/2" 5 ft.</u>	<u>4 1/2" 6 ft.</u>	<u>5 1/4" 5 ft.</u>	<u>5 1/4" 6 ft.</u>
\$2,100.51	\$2,176.45	\$2,213.51	\$2,311.61

Item 2: Mueller/Kennedy Resilient Wedge MJ DI Gate Valve - HD Supply:

<u>6"</u>	<u>8"</u>	<u>10"</u>	<u>12"</u>	<u>16"</u>	<u>24"</u>
\$612.05	\$959.89	\$1,484.56	\$1,888.38	\$6,055.87	\$16,764.01

Item 2B: Powerseal Cut-In Sleeve Model #3520 w/kit - Schmidts Wholesale:

<u>4"</u>	<u>6"</u>	<u>8"</u>	<u>10"</u>	<u>12"</u>
\$165.00	\$189.95	\$312.25	\$460.00	\$461.25

Item 3: Smith Blair Style 441 Malleable Iron Couplings -

	<u>6"</u>	<u>8"</u>	<u>10"</u>	<u>16"</u>	<u>24"</u>
Schmidts Wholesale:	\$62.50	\$85.55	\$116.95	\$256.35	\$287.35

HD Supply:	<u>12"</u>
	\$164.50

Item 4: Repair Couplings (3121AS) - Schmidts Wholesale:

<u>2"x8"</u>	<u>2"x10"</u>	<u>2"x12"</u>	<u>6"x8"</u>	<u>6"x10"</u>	<u>6"x12"</u>
\$34.25	\$46.12	\$48.30	\$42.75	\$56.77	\$59.20

<u>8"x8"</u>	<u>8"x12"</u>	<u>10"x12"</u>	<u>12"x12"</u>	<u>16"x16"</u>	<u>24"x16"</u>
\$52.30	\$69.68	\$80.40	\$84.75	\$228.60	\$856.50

Item 4A: Repair Couplings (3131AS w/1"cc) - Schmidts Wholesale:

<u>2"x8"</u>	<u>2"x10"</u>	<u>2"x12"</u>	<u>6"x8"</u>	<u>6"x10"</u>	<u>6"x12"</u>
\$46.25	\$58.12	\$60.30	\$54.75	\$68.77	\$71.20

<u>8"x8"</u>	<u>8"x12"</u>	<u>10"x12"</u>	<u>12"x12"</u>	<u>16"x16"</u>	<u>24"x16"</u>
\$64.30	\$81.68	\$92.40	\$96.75	\$240.60	\$868.50

Item 5: Cement Lined Ductile Pipe Push-on Joint (price per foot) - HD Supply:

<u>6"</u>	<u>8"</u>	<u>10"</u>	<u>12"</u>	<u>16"</u>	<u>24"</u>
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\$14.48 \$20.47 \$26.77 \$33.75 \$48.86 \$79.99

Item 6: Type K Copper Water Tube (price per foot) -

Schmidts Wholesale: 3/4"
\$2.67

Ferguson Waterworks: 1" 1 1/4" 1 1/2" 2"
\$3.55 \$4.35 \$5.70 \$9.17

Item 7: Mueller Curb Stops (H15214N) - **Schmidts Wholesale:**

3/4" 1" 1 1/4" 1 1/2" 2"
\$51.90 \$85.72 \$132.33 \$187.69 \$305.39

Item 7A: Corporations Mueller (H15000N) - **Schmidts Wholesale:**

3/4" 1" 1 1/4" 1 1/2" 2"
\$24.60 \$37.55 \$113.04 \$107.77 \$197.76

Item 7B: Curb Stop Mueller (H15219N) - **Schmidts Wholesale:**

3/4" 1" 1 1/2" 2"
\$56.60 \$91.85 \$187.69 \$277.84

Item 7C: Corporations Mueller (H15008N) - **Schmidts Wholesale:**

3/4" 1"
\$26.38 \$39.95

Item 7D: Corporations Mueller (H15013N) - **Schmidts Wholesale:**

1 1/2" 2"
\$117.03 \$193.59

Item 7E: Mueller 3 Pt Flare/Flare (H15400N) - **Schmidts Wholesale:**

3/4" 1" 1 1/4" 1 1/2" 2"
\$13.57 \$23.75 \$49.11 \$71.84 \$78.89

Item 7F: Mueller Comp Union (H15403N) - **Schmidts Wholesale:**

3/4" 1" 1 1/4" 1 1/2" 2"
\$14.75 \$16.08 \$46.05 \$56.70 \$76.57

Item 8: Mueller Curb/bx Ext. Type w/Rods - **Carmel Winwater:**

H10386 H10314
\$35.00 \$23.00

Item 9: 5' Main Valve/Bx Slide/Lid Mark/Water - **Carmel Winwater:** \$56.00

Item 9A: Main Valve Box Tops 2' - **HD Supply:** \$26.50

Item 9B: Main Valve Box Lids/Marked Water 5 ¼” - **Schmidts Wholesale:** \$7.59

Item 10: Fixed Valve Box Riser or Rite Heights - **Carmel Winwater:**

<u>1”</u>	<u>1 ½”</u>	<u>2”</u>	<u>3”</u>
\$4.40	\$5.80	\$7.25	\$10.93

Item 11: Hymax Couplings (Series 2000) -

HD Supply:	<u>2”</u>	<u>4”</u>	<u>6”</u>	<u>8”</u>	<u>16”</u>	<u>24”</u>
	\$80.11	\$135.40	\$179.32	\$202.46	\$825.79	\$1,117.18

Carmel Winwater:	<u>10”</u>	<u>12”</u>
	\$266.00	\$314.00

Item 12: Safety Flange Repair Kit Mueller - **Expanded Supply Products:**

<u>A300 4 ½ MVO</u>	<u>A301 5 ¼ MVO</u>
\$136.00	\$136.00

Item 13: Kennedy Collision Repair Kit (#K8149) - **Expanded Supply Products:**

<u>4 ½ MVO</u>	<u>5 ¼ MVO</u>
\$154.00	\$154.00

Item 13A: Mueller Super Centurion Fire Hydrant Extension Kit - **Expanded Supply Products:**

<u>A319 4 ½ MVO</u>		
<u>6”</u>	<u>12”</u>	<u>18”</u>
\$312.00	\$362.00	\$393.00

<u>A320 5 1/4 MVO</u>		
<u>6”</u>	<u>12”</u>	<u>18”</u>
\$342.00	\$403.00	\$457.00

Item 13B: Heavy Duty Fiberglass Hydrant Markers 5 ft. Standard Marker Flat Bracket w/spring - **Ferguson Waterworks:** \$16.95

Item 14: Curb Box Extension w/Set Screw 1” Box -

Carmel Winwater:	<u>3”</u>	<u>9”</u>	<u>12”</u>
	\$5.50	\$7.00	\$7.55

EJ Prescott:	<u>6”</u>
	\$6.13

Item 14A: Mueller Curb Box Lids Two-hole H10310-89982 - **Schmidts Wholesale:** \$5.25

Item 15: Foster Adaptor (Mechanical Joint Adaptors) - **Schmidts Wholesale:**

<u>4”</u>	<u>6”</u>	<u>8”</u>	<u>10”</u>	<u>12”</u>
\$61.55	\$79.15	\$118.75	\$167.15	\$183.65

Item 16: Positive Displacement Meters (LESS COUPLINGS) - **HD Supply:**

<u>5/8"x3/4"</u>		<u>1"</u>	
<u>Indoor Set</u>	<u>Outdoor Set</u>	<u>Indoor Set</u>	<u>Outdoor Set</u>
\$123.40	\$138.35	\$205.52	\$221.50

NOTE: EJ Prescott withdrew bid for Item #16. Their Mueller meter did not meet Town specifications.

Item 17: Radio Automated Metering Infrastructure System - HD Supply:

<u>MXU M2 sp/3w hr/leak det. 510</u>	<u>MXU M2 sp/tc hr/leak det. 510</u>
\$128.57	\$131.17
<u>MXU M2 pit sp/3w hr/leak det. 520</u>	<u>MXU M2 pit sp/tc hr/leak det. 520</u>
\$146.71	\$137.66

Item 18: 20" Round Meter Pit Covers with Remote Hole: - HD Supply: \$128.68

Item 19: 2" Extension Ring - HD Supply: \$85.95

Item 20: Stargrip Series 3000 Mechanical Joint Wedge Action Restraining Glands with Accessory Pack-

	<u>6"</u>	<u>8"</u>
Carmel Winwater:	\$23.50	\$39.45
	<u>10"</u>	<u>12"</u>
Schmidt Wholesale:	\$56.90	\$76.50

Item 21: 3/4" x 4" Anti Rotation T-Bolts - Expanded Supply Products: \$2.80

FURTHER RESOLVED, said bid shall remain in effect with a fixed price for a binding period of one (1) year after June 28, 2016.

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

GENERAL CODE

Town Attorney Michael McDermott presented General Code contract for the digitizing of town records, along with Glen Sullivan from Sullivan Data, and Town Clerk Diana Quast. One key point is that Image Data is to be the subcontractor to General Code. Another is that the Town insists on a statute of limitations of a full four years, not the one year statute of limitations that General Code wanted. The updated budget - including Sullivan Data's work and hardware purchases comes to approximately \$509,000 plus a contingency budget of approximately \$51,000 for a total of approximately \$560,000. Michael McDermott stated that the contingency budget leans more towards the scanning portion than anything else because it is the variable in the project. The timetable for the work is approximately one and a half years and the initial payment would be for the delivery of the software which will be installed over a certain period of time. Supervisor Grace discussed how this project will span at least 2 fiscal years, possibly 3. Glen Sullivan stated that his will be 6 months to implement software and that 60 to 70% of scanning will be done over the first year.

Glen Sullivan stated that Laserfiche Software is the premier software and General Code is the better of the two options of who we have had business with in the past. They are a much larger operation that can handle a project of this size. Councilman Patel asked who is

responsible for mistakes and Glen Sullivan replied that it is a two-part responsibility: the department head has to check the finished product and any flaws will be rescanned through General Code.

The contract will be placed on the agenda for the July 5th meeting to authorize signing the agreement.

PROPOSED LOCAL LAW - SPEED OF MOTOR VEHICLES: SCHOOL ZONES AND PARK ZONES

Town Attorney Michael McDermott has proposed changes to a section of the code that certain areas of town should be set up as speed zones. Councilman Greg Bernard assisted in identifying three additional school zones: Lakeland, Saint Elizabeth Seton, and George Washington. School zones are consistent with the legislation for park zones. Supervisor Grace questioned the 15 mph as possibly too low but recognized that this is consistent with speed zones in other parts of town. Each of the board members weighed in on the 15 mph speed and agreed it should be kept at 15 mph.

ADVERTISE PROPOSED LOCAL LAW AMENDING CHAPTER 275-17 ENTITLED SPEED OF MOTOR VEHICLES IN SCHOOL AND PARK ZONES
RESOLUTION #299

Upon motion made by Councilman Bernard, 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 19th day of July, 2016 at 7:30 o'clock PM to consider a proposed local law to amend Chapter 275-17 of the Code of the Town of Yorktown entitled "SPEED OF MOTOR VEHICLES."

Section I. Chapter 275-17 (D)(1) through (6) of the Code of the Town of Yorktown entitled "SCHOOL ZONES" are amended to read as follows:

- (D) School Zones.
 - (1) Intent. It is the intent of this subsection to provide improved compliance with the speeding limitations at or near entrances to schools within the Town.
 - (2) The Town hereby designates school zones at the schools listed in Section D(3) below. The school zones shall be in effect on school days between 7:00 a.m. and 6:00 p.m, unless otherwise stated. Unless otherwise posted, the speed limit in such school zones is established at 15 miles per hour for a distance of 300 feet in either direction from the building line of the schools. Any violation of the posted speed limit within the times indicated will result in a doubling of the otherwise applicable fine.
 - (3) The following areas are designated as school zones:
 - (a) Brookside Elementary School on Broad Street;
 - (b) Mohansic Elementary School on Locksley Road;
 - (c) Crompond Elementary School on Manor Street and on Saddle Ridge Road;
 - (d) French Hill on Baldwin Road;
 - (e) Veterans Road from the intersection of Maple Hill Street to 250 feet west of the Yorktown Community Nursery School. The zone should be in effect school days between 7:00 am to 5:00 pm.
 - (f) Thomas Jefferson School on Gomer Street;
 - (g) Lakeland High School on East Main Street;
 - (h) St. Elizabeth Ann Seton Elementary School on East Main Street;
 - (i) George Washington Elementary School on Lexington Avenue.

Section II. Chapter 275-17 (E) (3) (a) through (h) of the Code of the Town of Yorktown entitled "SPEED OF MOTOR VEHICLES: PARK ZONES" is amended to add new subsections 275-17 (E) (3) (i) through (m) to read as follows:

Sparkle Lake Park
Fox Den Park
Chelsea Park
Hunterbrook Park
Catherine Street Field

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.

A copy can also be viewed on the Town Website at www.yorktownny.org.

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

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

AUTHORIZATION TO SIGN – NUTRITION & SENIOR SERVICES
RESOLUTION #300

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

Be It Resolved that the Town Supervisor is hereby authorized to sign an account request for the Health Commerce System, as well as a Participant Organization Agreement.

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

AUTHORIZE HANOVER ELECTRIC TO PLACE THREE (3) GOOSE-NECK LAMPS AT
RAILROAD PARK
RESOLUTION #301

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

Be It Hereby Resolved that the Town Board authorizes Hanover Electric to supply and install three 150 watt sidewalk lights at Railroad Park for a total of 16,940.00.

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

MISCELLANEOUS RESOLUTIONS to be placed on the July 5, 2016 Town Board agenda

Engineering - Landscape Bond Release: Yorktown Farms Subdivision - Gay Ridge Road
Maintenance Bond Acceptance & PB/Erosion Control/Wetland Bond Release:
Yorktown Farms Subdivision - Gay Ridge Road

Legal - Request from Town Attorney for authorization for Town Supervisor to sign an inter-municipal agreement with Westchester County to participate in the NY State funded STOP-DWI Patrol/Datamaster Program for the period January 1, 2016 - December 31, 2020, not to exceed \$8,400.00 per year.

Supervisor: Request for authorization from Town Board for Comptroller to pay Bruce Barber,

Environmental Consultant, for The Algonquin Pipeline Project - Atlantic Bridge
SWPPP Review in the amount of \$5,000.00.

ADJOURN

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

Maura Weissleder, Deputy Town Clerk
Town of Yorktown