

Work Session held by the Town Board, Town of Yorktown on March 8, 2011. Yorktown Town Hall, 363 Underhill Avenue, Yorktown Heights, New York 10598.

Present: Susan Siegel, Supervisor  
Nicholas J. Bianco, Councilman  
James J. Martorano, Councilman  
Terrence P. Murphy, Councilman  
Vishnu V. Patel, Councilman  
Alice E. Roker, Town Clerk

#### EXECUTIVE SESSION

Supervisor Siegel motioned, seconded by Councilman Martorano, to move into Executive Session for discussions regarding a personnel grievance and constitutional issues with the Town Attorney. Upon motion made by Councilman Martorano, seconded by Councilman Murphy, Town Board moved into the work session.

#### WORK SESSION

Supervisor Susan Siegel called the meeting to order. Town Attorney Jeannette Koster was also present.

PINES BRIDGE MONUMENT - Members of the Pines Bridge Monument Committee including Mr. Michael Kahn, former Supervisor Linda Cooper and the President of the Yorktown Historical Society, Paul Martin provided the Town Board with an update to their project.

The Committee has narrowed its search for the artist who will create this monument to four applications, Jay Warren, has received 30 public commissions including one for his "New Jersey Korean War Memorial." Susan Leury, who in addition to receiving a number of commissions, grants and appointments created the George Washington-Visionary Monument erected in Cumberland, Maryland in 2008. Robert Shure, the sculptor of the Massachusetts Korean War Memorial. The firm of Daub and Firman; Mr. Firman is a sculptor and historian, Mr. Daub is a Master Sculptor who has work in the permanent collections of the Smithsonian Institute.

The Committee will be showing the sight of the actual battle as well as the proposed location of the monument this coming weekend.

ETHICS LAW – Members of the Ethics Committee, including Chairman Richard Rubenstein and members Joan Landsberg and Robert Garofolo joined this discussion.

The Town Board listened as Mr. Rubenstein went over the latest draft of this proposed local law.

Councilman Murphy asked questions as to how some of the questions will affect him due to his work as a doctor, part owner of a restaurant and member of a large family.

Councilman Martorano expressed his concern with questions regarding the form's inquiry into volunteer work.

Councilman Bianco questioned whether this law presented a level field for all elected officials.

There were questions concerning who would be the gatekeeper to the process.

Supervisor Siegel suggested that those questions can be resolved in a public hearing. She suggested that the Board advertise a public hearing at its next meeting.

Several members of the Town Board stated that they needed more time to look at the changes in the proposal.

Town Attorney Koster suggested that because the current law states that the forms must be filed by May 15, a proposed local law can be advertised at the next meeting to change the date to June 15<sup>th</sup>.

EXTEND FILING DATE OF ANNUAL ETHICS DISCLOSURE FORMS  
RESOLUTION #115

Upon motion by Councilman Patel, seconded by Councilman Bianco,

At the next meeting, advertise a local law to extend the filing date for the Ethics Disclosure Form.

Siegel, Patel Voting Aye  
Bianco, Martorano, Murphy Voting Nay  
Resolution Denied

SIDEWALK SNOW SHOVELING LAW

Supervisor Siegel stated that this discussion was a follow-up to our February 8<sup>th</sup> meeting where the Town Board voted to have a moratorium on the enforcement of the local law relating to snow shoveling.

Town Attorney Koster stated that she has pulled a local law from another town which breaks the Town down into districts and spells out when the snow clearing must take place.

John Tegeder, the Yorktown Planner stated that he would like to have more time on this project. He would like to create an overlay to our GIS System looking at the areas of town where the sidewalks are and what the condition of the sidewalk is.

The moratorium will remain in effect. The Town Board will take up this subject at a later date.

REPLACING BOARD ROOM VIDEO EQUIPMENT

Mr. Geoff Wheeler, Chairman of the Yorktown Cable Committee and Dennis Tate, a member of the Committee provided the Town Board will a breakdown of the equipment necessary to replace the existing system. Mr. Wheeler stated that what was not included in the plan were equipment for web casting, an audio system for the Board Room or new lights.

WATER METER REPLACEMENT PROJECT COMPREHENSIVE PLAN

Mr. David Rambo, Distribution Superintendent for the Water Department explained that his department began replacing meters in 1986. The number of meters we can replace is limited due to the size of the staff. If we bid the work out, an outside firm could replace 2,200 meters in one year.

These new meters will result in more efficient readings and give us an ability to detect water anomalies, such as a water leak, when they happen.

Mr. Rambo told the Town Board that problems experienced by homeowners in Atlanta will not be a problem in Yorktown because we will have a completely different system.

There will be two bids, one for the meter itself and the other for the installation of the meters.

Mrs. Goldberg explained that the Water Department's fund balance will cover the cost of this project.

#### COMPREHENSIVE PLAN UPDATE

Yorktown Planner, John Tegeder explained that the Town Board had to decide what they wanted to do with the parcels that were removed from the Comprehensive Plan.

The Town Board agreed that the parcels along Strawberry Road and Route 6 will not be subjected to any zoning change.

A parcel on Lakeland Street will have to come back to the Town Board at a later date because the property owner wants to develop the area.

The Board agreed to leave the parcels on Maple Hill Street alone.

The Board agreed to leave the parcels in Dorchester Heights alone.

#### JEFFERSON VALLEY SIDEWALK PROJECT

Mr. John Tegeder explained that the company that completed the project should have their bonds refunded.

This will be placed on the next Town Board Agenda.

#### REPLACING COOLING TOWER IN THE COURT

Mr. Patrick Lofaro, Superintendent of the Department of Environmental Conservation and the Acting Town Engineer Sharon Robinson gave their professional opinion to the Town Board on how this project should be handled.

A bid for the purchase of a cooling tower will be placed on the next agenda.

The company that was awarded the contract for the maintenance and repair of HVAC systems will do the installation.

#### SIGN LAW

A lawsuit filed against the Town of Yorktown last year states that the Town's sign law violates free speech.

The Town Attorney will work on this issue and present her findings at a later date.

#### YORKTOWN EVENTS SIGN

Supervisor Siegel presented the Town Board with an updated version of the policy that was first discussed at an earlier Town Board meeting.

The policy will be placed on the next agenda for adoption.

CREATIVE LIVING – WETLANDS AND EXCAVATION PERMITS

The applicant explained that they have been in discussions with the New York State Department of Environmental Conservation since August. The agency has finally agreed that the changes are sufficient for them to proceed with the issuance of a state wetlands permit.

The Town Board must first issue a negative declaration on this project before the State goes forward.

An updated plan has been given to the Town Planner, Planning Board, Conservation Board, Wetlands Consultant, US Army Corp of Engineers as well as the Town Board. The applicant has also scheduled a meeting with various town departments next Tuesday. They would also like the public hearing on this application to be reconvened next week.

There was discussion between the Board members as to whether or not the information that the applicant has provided is sufficient to reconvene the public hearing.

RECONVENE PUBLIC HEARING - CREATIVE LIVING INC.  
REQUEST FOR A WETLANDS AND EXCAVATION PERMIT  
RESOLUTION #116

Upon motion made by Councilman Murphy, seconded by Councilman Martorano,

RESOLVED, the Town Board will reconvene the public hearing on Creative Living Inc.'s request for a wetland and excavation permit at the next meeting.

Murphy, Martorano, Patel Voting Aye  
Siegel, Bianco Voting Nay  
Resolution adopted.

EXECUTIVE SESSION

Councilman Martorano motioned, seconded by Councilman Bianco, to move into Executive Session to discuss a grievance.

ADJOURN

Councilman Martorano moved, seconded by Councilman Bianco, to adjourn the Town Board meeting.

Alice E. Roker  
Town Clerk  
Town of Yorktown