

Work Session held by the Town Board, Town of Yorktown on October 11, 2011, held the Yorktown Community Cultural Center, Room 16, 1974 Commerce Street, 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
Diana L. Quast, Deputy Town Clerk

EXECUTIVE SESSION

Councilman Bianco motioned, seconded by Councilman Martorano, to move into Executive Session to conduct Volunteer Board Appointments, 2012 YCCC Rents, 2012 Insurance Quotes. Upon motion made by Councilman Martorano, seconded by Councilman Bianco, the Town Board moved into the work session.

WORK SESSION

Supervisor Susan Siegel called the meeting to order. Town Attorney Jeannette Koster, Director of Planning John Tegeder and Building Inspector John Winter were also present.

APPROVE RELOCATION OF TOWN BOARD WORK SESSION MEETING TO ROOM 16 OF THE YORKTOWN COMMUNITY CULTURAL CENTER (YCCC) RESOLUTION #489

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

Resolved, that the Town Board approves the relocation of the October 11, 2011 work session to Room 16 of the Yorktown Community Cultural Center due to construction in the board meeting room in Town Hall.

Siegel, Bianco, Martorano, Patel Voting AYE
Resolution adopted.

Councilman Murphy was out of the room when this vote was taken.

REPLACE LAWN MOWER – PARKS DEPARTMENT

Town Comptroller Joan Goldberg stated that the Parks Department needs to replace a lawnmower that is over 20 years old, the cost to purchase a new one is \$85,000 off State bid and will come out of the Parks budget. The Town Board decided to replace the lawnmower.

TAX CERTIORARIS

Town Comptroller Joan Goldberg was present to discuss with the Town Board her request for a budget transfer to cover the cost of tax certioraris settlements approved by the Town Board. The Town agreed to place this issue on the October 18, 2011 Town Board agenda.

PROPOSED LOCAL LAW ON ACCESSORY STRUCTURES

Building Inspector John Winter and Planning Director John Tegeder were present to discuss the proposed local law regarding accessory structures. Building Inspector John Winter discussed changes to the proposed local law.

The Town Board agreed to hold a public hearing on November 1, 2011.

ACCESSORY STRUCTURE RESOLUTION #490

Upon motion made by councilman Bianco, seconded by Councilman Martorano,

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, NY 10598 on the 1st day of November, 2011 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"

with respect to exemptions from the building permit requirements for certain accessory buildings, fences and retaining walls; and Chapter 300 of the Code of the Town of Yorktown entitled "ZONING," with respect to clearance requirements for accessory buildings and maximum size standards for accessory buildings in residential zones.

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.

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

HEIGHTS OF FENCES ATOP RETAINING WALLS

Supervisor Siegel discussed with the Town Board a Proposed Local Law with regards to the Zoning Code dealing with heights of fences atop retaining walls. The Town Board decided to discuss this issue further at a future Town Board meeting.

PROPOSED PRIVATE RECYCLING FACILITY

DEC Superintendent Patrick Lofaro was present for this discussion.

Mr. Brian Amico stated that he wanted to open a private recycling facility in the Town of Yorktown. He provided the Town Board with three potential locations: Greenwood Street Plant, Richard Place and Navajo Road.

Supervisor Siegel explained that two of the three locations: The Greenwood Street Plant and Richard Place cannot be used.

Councilman Bianco asked Superintendent Lofaro, if the Town already does this.

Mr. Lofaro explained that the Town recycles through the Westchester County Program. The Town has an IMA with Westchester County and 36 other communities. The money goes back into the Westchester County Garbage District so if they can make improvements on their facilities you see it in your County Tax.

Councilman Murphy stated that the town does not get any money for this.

Superintendent Lofaro stated that because the County has great volume and clean product, they can market it better than anyone else, they have a State of the Art Facility and they get top dollar for the product that they produce. This affects all of us in Westchester County and helps reduce and keep our taxes down because the money goes back into the County Garbage District and pays for upgrades, etc.

Mr. Amico stated that he wants to recycle everything. He would pick it up and take it to his own private recycling facility. He will also pay resident's to drop off their recycling to him.

DEC Superintendent Lofaro stated that we have to take used computers to Westchester County, I have to advise you that we have a contract with the County until 2019.

Councilman Murphy asked how we can work together on this and possibly save money.

Mr. Amico stated that he is licensed everywhere he needs to be licensed. He said there are ways we can work together. He would not interfere with the town's contract with the County. He is more interested in getting Putnam County residents to come to his facility which would be located in Yorktown.

Councilman Bianco asked if he has a business now.

Mr. Amico stated that he just sold his garbage company in Dutchess County.

Councilman Murphy said he would be curious if this could possibly work together.

Mr. Amico stated that he is asking permission from the town to put in a recycling facility, if the town agrees. He then has to ask the County and then the State DEC and get approval from all of them.

Councilman Martorano stated that he would have to review the IMA with the County, this could violate that contract and we can't do that.

Councilman Bianco stated that these facilities become dumps.

Supervisor Siegel asked when does the town have to say they are interested and what is the process.

Mr. Amico explained that he has to get town approval first.

Town Attorney Koster stated that she would have to review the IMA with Westchester County and Town Code regarding this issue.

Mr. Amico stated that he would be interested in the commercial aspect of it. He would be willing to pick up local business owners for free or for a small fee. This will keep all the other haulers out of the town and clean up the dumpster areas.

Supervisor Siegel asked what Mr. Amico needs from the town.

Mr. Amico stated that he needs permission from the town saying he can put it in.

Councilman Bianco stated that he will not agree to authorize now. He wants the Town Attorney to research it first.

The Town Board agreed for Mr. Amico to meet with the Town Attorney and find out exactly what he needs.

GUNDMAR LAND DONATION

RESOLUTION #491

Upon motion made by councilman Bianco, seconded by Councilman Martorano,

Resolved, that the Town accepts the Gundmar Land Donation as Open Space.

Bianco, Martorano	Voting	AYE
Siegel, Murphy, Patel	Voting	NAY

Resolution denied.

2008 FORECLOSURE PETITION

RESOLUTION #492

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

RESOLVED, that the Town Clerk is authorized to refer the attached 2008 Foreclosure Petition to the Open Space Committee and the Conservation Board.

Siegel, Bianco, Martorano, Murphy, Patel Voting AYE
Resolution adopted.

BARKING DOGS

The Town Board reviewed a Proposed Local Law amending Chapter 114 with regards to Dog Barking. The Town Board made changes to the proposed Local Law and will advertise for a public hearing to be held on November 15, 2011.

ABACA CHANGES

Supervisor Siegel stated that changes to Chapter 10 dealing with ABACA is not ready for review yet.

URBAN RENEWAL

AUTHORIZE SUPERVISOR TO SIGN EXTENSION AGREEMENT WITH MICHAEL DUBOVSKY FOR ENVIRONMENTAL CODE INSPECTION SERVICES
RESOLUTION #496

Upon motion made by councilman Bianco, seconded by Councilman Martorano,

RESOLVED, that the Town Board authorizes the Town Supervisor to enter into a renewal contract with Michael Dubovsky for Environmental Code Inspector services. The term of the renewal agreement shall begin on October 16, 2011 and end on December 31, 2011, and compensation for said services shall be payable in bi-weekly installments of Seven Hundred Ninety-Seven Dollars and Fifteen Cents (\$797.15).

Siegel, Bianco, Martorano, Murphy, Patel Voting AYE
Resolution adopted.

TOWN BOARD AGENDA
OCTOBER 18, 2011

The Town Board discussed the October 18, 2011 Town Board meeting agenda which will be held at the Town Hall, 363 Underhill Avenue, Yorktown Heights, NY 10598. The televised meeting will begin at 7:30 P.M.

CALLS FROM RESIDENTS REGARDING DEAD TREES

Councilman Bianco stated that he has gotten calls from residents regarding dangerous trees on Town property. The Town Board decided to put together a Request for Proposals (RFP'S) for Tree Cutting Services throughout the Town.

ADJOURN

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

Diana L. Quast
Deputy Town Clerk
Town of Yorktown