

Work Session held by the Town Board, Town of Yorktown on
January 24, 2012, held 363 Underhill Avenue, Yorktown Heights, New York 10598.

Present: Michael J. Grace, Supervisor
Nicholas J. Bianco, Councilman
Terrence P. Murphy, Councilman
David D. Paganelli, Councilman
Vishnu V. Patel, Councilman
Diana L. Quast, Deputy Town Clerk

EXECUTIVE SESSION

Councilman Bianco motioned, seconded by Councilman Paganelli, to move into Executive Session to discuss litigation and Personnel. Upon motion made by Councilman Bianco, seconded by Councilman Murphy, the Town Board moved into the work session.

WORK SESSION

Supervisor Michael Grace called the meeting to order. Town Attorney Jeannette Koster was also present.

POLICE DEPARTMENT COMPUTER SYSTEM

Chief of Police Daniel McMahon was present to discuss with the Town Board the length of contracts for the police software maintenance programs. Currently, the contracts must be renewed every six months which is cumbersome.

Town Comptroller Joan Goldberg stated that we have been looking into replacing the computer software program at the Police Department and did not want to get locked into a year contract if we decided to upgrade the system earlier.

Chief of Police Daniel McMahon stated that the system currently meets the department's needs, if the Town Board wants to interface it with the Building Department and the Justice Court, modules can be purchased to allow this to happen.

Councilman Patel stated that the current system is outdated and he feels it would be better to upgrade the system and move forward.

Councilman Paganelli stated that he would like to get some cost estimates on what the cost is to upgrade the system.

The Town Board agreed to continue with the six month renewal of the contracts.

GASBOY SYSTEM

Acting Recycling Coordinator Kim Angliss-Gage was present to discuss with the Town Board the Gasboy system which provides fuel to the Town's vehicles. Mrs. Angliss-Gage stated that the current system is several years old. The part that keeps track of the fuel usage for town vehicles is broken and needs to be fixed. The cost to fix this part is \$3,500.

The Town Board discussed different options to update the current system.

Highway Superintendent Eric DiBartolo suggested contracting with a local gas station and getting rid of the tanks altogether. He stated that this would eliminate underground tanks which cause regulatory problems. Mr. DiBartolo also stated that there is a program which places microchips in all of the town's vehicles and would automatically read and document the vehicle that was getting gas.

Supervisor Grace stated that there should be a preventive maintenance program established so that we can get longer life out of our fleet vehicles. He also feels that the Fleet Committee should meet and discuss vehicle maintenance issues.

NAVAJO FIELDS – STOP WORK ORDER

Al Capellini, Attorney for applicant, Joseph Riina, Engineer for applicant and CJ Diven, applicant was present to discuss with the Town Board a Stop Work Order that he received from the Wetlands Code Enforcer. Mr. Capellini explained that changes were made to the plan and

we are here to amend the original plan. Mr. Riina explained that the applicant started construction on the second diamond and the dugouts location was changed.

Councilman Bianco stated that an amendment to the original wetlands permit would need to be done and do we need another public hearing. Supervisor Grace asked Town Attorney Koster to look into that issue.

Mr. CJ Diven would also like to place a movable greenhouse up on the property to enhance grass growth and provide a shelter for batting practices. Building Inspector John Winter stated that a tent permit would be needed for this temporary fixture and it can only be used for six months. He also noted that a flood plain permit would be needed for both proposed changes.

Councilman Paganelli stated that the applicant was issued a Stop Work Order because he was in violation of his wetlands permit. He asked the applicant to advise the Town Board of all changes so that he would be in compliance in the future.

Mr. CJ Diven stated that these are all the proposed changes and he gave an update on future sports events that he has planned for Navajo Fields.

The Town Board agreed to refer out an updated wetlands permit plan.

SULTANA RIDGE ASSOCIATION

Gordon Fine was present along with two other representatives from Sultana Ridge Associates to discuss with the Town Board the possibility of a property's tax assessment change to a restrictive deed.

Supervisor Grace stated that this property is a Toxic Liability and if the town takes this property over in foreclosure proceedings it would cost the town more to remediate than what is owed in back taxes. Supervisor Grace stated that he feels this property should be taken out of the foreclosure proceedings.

Mr. Gordon Fine explained that the property has many environmental constraints and the membership to this neighborhood pool is restricted to 70 families. The association has filed for tax certiorari relief to reduce the assessment but has not gotten any reduction at this time.

Councilman Bianco feels that this property has some value because it has a pool and some out buildings.

Town Attorney Koster stated that it is her understanding that the association cannot meet the tax burden and there is a legal time limit on the installment payment plan that they can enter into with the town.

Supervisor Grace asked the Town Attorney to draft a resolution removing the Sultana Ridge property from the In-Rem Proceedings. Town Attorney Koster stated that if they enter into an installment agreement it automatically takes them out of the proceedings.

Supervisor Grace noted that the pending certiorari case may rectify part of this situation.

MODIFICATION TO JACOBS, EDWARDS AND KELSEY

Director of Planning John Tegeder was present to discuss the Traffic Consultant Contract modification and authorization to engage Jacobs, Edwards and Kelsey for Costco Review. He stated that as part of the sustainable development study an outside traffic consultant was hired to review traffic data that was submitted by applicants who wanted to develop property along the Route 202 & Route 6 corridors. The cost of the traffic consultants is paid by the applicant.

Director of Planning John Tegeder stated that the services of the traffic consultants are needed to review the Costco Draft Environmental Impact Statement and for the Faith Bible Church application because there may be impacts to the Route 6 corridor.

Supervisor Grace stated that these are additional expenses for a developer. Why should the town doubt what the applicant is saying?

Councilman Bianco stated that this is a double check and it is important that the public feel the town is provided accurate information. In most cases, the information has been the same. Councilman Bianco noted that not all board members have expertise in this field.

Councilman Murphy asked what happens if the developer does not agree to the consultants report.

Planning Director John Tegeder stated that it is unlikely that would happen since the consultants report is needed to finish the project review.

The Town Board decided to accept the use of an outside traffic consultant if a proposal is provided with regards to the scope of work.

APPOINT RAYMOND ARNOLD TO CABLE COMMITTEE

The Town Board agreed to appoint Ray Arnold to the Cable Committee at the February 7, 2012 Town Board meeting.

REAPPOINT GORDON FINE TO ZONING BOARD
AND AS CHAIRMAN OF ZONING BOARD
RESOLUTION #42

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

BE IT RESOLVED, that Gordon B. Fine is re-appointed as a member of the Zoning Board of Appeals for a five year term expiring on 12/31/16.

BE IT FURTHER REVOLVED, that Gordon B. Fine is hereby appointed as Chairman of the Zoning Board of Appeals.

Grace, Bianco, Paganelli, Murphy, Patel Voting AYE
Resolution adopted.

AWARD ASBESTOS REMOVAL BID
HOLLAND SPORTING CLUB
RESOLUTION #43

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

WHEREAS, invitation to bid for the asbestos abatement of the Holland Sporting Club in the Town of Yorktown was duly advertised, and

WHEREAS, said bid was received and opened on December 16, 2011, with the bid amounts for the above-referenced project summarized as follows:

<u>Bidder</u>	<u>Total Bid Price</u>
Excel Insulation Co, Inc. 2282 Hamburg Turnpike, Wayne, N.J.	\$68,273.00
Emlo Corp. 50 Barnes Street, Paterson, N.J.	\$78,500.00
DIA General Contracting 1360 Clifton Ave., PMB Suite, Clifton N.J.	\$93,700.00
AAA Carting 480 Furnace Dock Road, Cortlandt, N.Y.	\$94,999.00
Environmental Contracting Corp.Inc. 5 Andersen Lane, Golden's Bridge, N.Y.	\$98,857.0
Suburban Restoration PO BOX 28, Hawthorne, N.J.	\$105,688.00
Frank Micelli Jr. Contracting 19 Cliff Street, New Rochelle, N.Y.	\$110,000.00

Greenland Enterprises Inc. LLC PO BOX 160, 400 21 st Ave, Paterson, N.J.	\$128,736.00
Asbestos Corp. of America 91 Nepperhan Ave., Yonkers, N.Y.	\$149,900.00
D&S Abatement Inc. 11 Rosengren Ave., Totowana, N.J.	\$174,000.00

RESOLVED, that upon the recommendation of the Building Inspector John Winter, the bid for the Holland Sporting Club asbestos abatement is hereby awarded to Excel Insulation Corp. Inc., the lowest responsible bidder, in the amount of \$68,273.00

Grace, Bianco, Paganelli, Murphy, Patel Voting AYE
Resolution adopted.

Councilman Bianco motioned, seconded by Councilman Patel,

Resolved, that the bid for the demolition removal at the Holland Sporting Club be awarded to the lowest bidder.

Bianco, Patel Voting AYE
Grace, Murphy, Paganelli Voting NAY

Resolution denied.

Supervisor Grace stated that he is not in favor of awarding the bid at this time

ADVERTISE TO BID FOR VARIOUS MAINTENANCE MATERIALS FOR THE WATER DEPARTMENT

The Town Board agreed to place this on the February 7, 2012 Town Board agenda.

GREG BALL'S WOMAN OF DISTINCTION AWARD

The town Board agreed to nominate Katherine Quinn who is the Executive Director of Support Connection, Inc.

CONFERENCE ATTENDANCE POLICY

The Town Board discussed a request from Library Director Patricia Barresi to attend a conference. The Town Board took no action on this issue.

REINSTATE THE LANDMARKS COMMISSION

Several residents spoke with the Town Board about reviving the Landmarks Commission. Mr. Primavera spoke on behalf of the residents present and outlined the reasons for having a Landmarks Commission. This will also allow the Town to apply for State funding under the Certified Local Government Grant.

Supervisor Grace stated that he supports reviving the Landmarks Commission and believes that the Town should preserve historic houses but against the homeowners will.

The Town Board agreed to reinstate the Landmarks Commission and will begin the interview process.

TRAINING CONFERENCE – TURF PRODUCTS
STEVE MELILLO – PARKS & RECREATION DEPARTMENT
RESOLUTION #44

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

Whereas, Parks and Recreation Superintendent Jen Fava has requested permission to send the Parks Maintenance Mechanic, Stephen Melillo, to a class sponsored by Turf Products Corporation, and

Whereas, this training session will better enable the Mechanic to repair the parks departments Toro Groundmasters, and

Whereas, TPC (Turf Products Corporation) offers these classes free of charge, and

Whereas, the total cost to the Town of Yorktown would consist of two nights lodging and incidental meals, estimated not to exceed \$300, and,

Whereas, sufficient funds are available in the parks training line, now,

Therefore, Be It Resolved, Stephen Melillo, Parks Maintenance Mechanic, has permission to attend said two day training class, starting at 7am on January 30th, on town time and may use a town vehicle for transportation to Enfield, CT.

Grace, Bianco, Paganelli, Murphy, Patel Voting AYE
Resolution adopted.

TOWN BOARD AGENDA

FEBRUARY 7, 2012

The Town Board discussed the January 17, 2012 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.

NOISE ORDINANCE

Councilman Bianco stated that he had a resident who lives on Indian Hill Road contact him with regards to noise being generated from construction equipment, especially a jackhammer which is being used on the weekends, holidays and into the evening. The owner is building a house and this has been going on for years. Councilman Bianco suggested amending the current noise ordinance that would include limiting the use of different types of tools used in construction.

The Town Board decided not to amend the Noise Ordinance at this time.

Supervisor Grace asked the Building Inspector to go to the site and speak with the owners with regards to this.

EXECUTIVE SESSION

Upon motion made by Councilman Bianco, seconded by Councilman Murphy, to move into an Executive Session to discuss personnel. Upon motion made by Councilman Bianco, seconded by Councilman Murphy, the Town Board moved back into the regular meeting.

ADJOURN

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

Diana L. Quast
Deputy Town Clerk
Town of Yorktown