

Regular meeting held by the Town Board,
Town of Yorktown on April 17, 2012 held at
363 Underhill Avenue, Yorktown Heights, NY 10598

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

Absent:

EXECUTIVE SESSION

Upon motion made by Councilman Murphy seconded by Councilman Bianco, the Town Board moved into Executive Session to discuss personnel matters at the Water and Sewer Departments as well as a personnel issue with the Highway Superintendent.

TOWN BOARD MEETING

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

PLEDGE OF ALLEGIANCE

Supervisor Michael Grace led the salute to the flag.

MOMENT OF SILENCE

A moment of silence was observed in honor of our men and women serving in the Armed Forces.

DURING THE SUPERVISOR'S REPORT TO THE TOWN

Supervisor Michael Grace announced that a meeting will take place on April 25, 2012 at 4:30 PM with the Town Board, Recreation Commission, representatives from the Yorktown School District and members of the local athletic clubs to discuss town field usage. Supervisor Grace stated that the discussion about moving the Highway Garage is in a very early stage to see if it is even feasible.

DURING REPORTS FROM TOWN COUNCIL

Councilman Bianco stated that there is a change in the meeting agenda, the Town Board will adjourn and then go into a work session. He also announced that due to the Presidential Primary next Tuesday, there will be no Town Board meeting.

Councilman Murphy announced that the pedestrian bridge over the reservoir will be closed this week for maintenance between the hours of 9 AM and 3 PM.

Councilman Paganelli spoke about the Shrub Oak Pool and the tile that is coming up around the perimeter. The Town is working on getting this issue addressed so that the pool can open.

Councilman Patel stated that Saturday is the Town clean up day and he urged everyone to participate. He noted that it has been very dry and people should be careful with fire. He stated that he went to the Opening Day Ceremony for the Yorktown Athletic Club which was held at Navajo Fields, it was wonderful day.

Councilman Paganelli spoke about a meeting he attended with the Northern Westchester Joint Water Works, the estimated cost to continue putting fluoride in the water is \$100,000 to \$150,000 and the Town will have to decide if it wants to continue. Currently Yorktown is the only Town in the Northern Westchester Joint Water Works that puts fluoride in its water.

Councilman Patel spoke about fluorination of water.

Supervisor Grace announced that the Yorktown Stage will be putting on a show this weekend called "A Funny Thing Happen on My Way to the Forum."

PRESENTATION

BATTLE OF YORKTOWN – TOWN CLEAN UP DAY

Kim Angles Gage, Coordinator, Department of Environmental Conservation spoke about the Battle of Yorktown, Yorktown’s annual campaign to get rid of roadside litter. Last year 14.45 tons of litter was picked up along the Town’s roadsides. She stated that volunteers are needed and you can contact the DEC for more information at 914-245-4438.

APPROVE RESOLUTIONS FROM THE APRIL 3, 2012 TOWN BOARD MEETING

RESOLUTION #142

Upon motion of Supervisor Grace, seconded by Councilman Murphy,

Resolved, that the Town Board Meeting Resolutions for April 3, 2012 are approved by the Town Board.

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

COURTESY OF THE FLOOR

During Courtesy of the Floor, the following people addressed the members of the Town Board:

Mr. William Kellner spoke about the Town of Yorktown being inducted into Tree City USA.

Mr. Bill Kellner and Mr. Ron Buehl presented the Town with a plaque designating the Town as a Tree City USA. They stated that Arbor Day will be celebrated on May 4, 2012 at 3:30 PM and will be held at Patriot Garden located behind the Skate Park by Town Hall.

Mr. Dale Saltzman stated that in order to become a Tree City USA, there are certain criteria that needs to be meet by the municipality. The first is that the town has to spend \$2 per capita for tree maintenance. There needs to be a Tree Advisory Committee, you need to celebrate an Arbor Day and you need to have a Tree Ordinance.

Mr. David Goldberg from Dave Goldberg Plumbing spoke about an issue he has with the Town doing backflow testing.

Mr. Joseph Bonanno from J & J Backflow spoke about an issue he has with the Town doing backflow testing and the fees that are being charged by the Town. He also stated that he has put in a FOIL request for the names and addresses of people that the Town currently does backflow testing on.

Mrs. Jayne Daniels stated that the town has an extensive Parks System and has many volunteers to help with creating and maintaining a trail system through our parks. There will be an “I Love My Park Day” on May 5, 2012 and she would like to invite everyone to attend. The ceremony will begin at 10 AM with the dedication of the pedestrian bridge over the Taconic State Parkway.

Mr. John Schroeder spoke about the Yorktown Land Trust and Open Space. He gave out the 3rd Edition of the Yorktown Walk Book that outlines trails that you can travel throughout the Town of Yorktown. He explained that this book helps to inform and educate the public on protecting what we have.

Ms. Patricia Peckham thanked Kim Angliss Gage, Coordinator of the Department of the Environmental Conservation for all her hard work. She invited everyone to help out on Earth Day. She congratulated the Town on becoming a Tree City USA. This is an important designation and thanked the Town Board for assisting in becoming a member. She stated that the loss of forests is unhealthy and it is important to have a forest and tree management program.

Westchester County Legislator Michael Kaplowitz stated that Richard Campanaro contacted the County with regards to whether the Yorktown School District can use Legacy Fields. He stated that tax bills are due at the end of the month and explained the County portion of the bill. Mr. Kaplowitz also mentioned that a Household Collection System has been created at the Grasslands site in Valhalla. The Reservation System is by appointment only. The Mobile Shredder is also available there too. Last year, the recycling that the Town provided to the County has brought back seven (7) million dollars to the town and is used to offset the district.

Mr. Michael Byrnes spoke against allowing helistops at IBM, he feels they are dangerous and he has a serious issue with regards to safety.

Supervisor Grace stated that this proposed local law is to change the text of the law and suggested Mr. Byrnes come to the Public Hearing to speak on this issue.

Mr. Michael Byrne asked if any member of the Town Board would have to recuse themselves on this issue because they work or have worked for IBM.

Supervisor Grace suggested Mr. Byrne come to the public hearing on May 1, 2012 and speak about this issue.

Mr. Mark Michaels spoke about the appointments on the agenda tonight for the Landmarks Preservation Commission. He stated that he did not receive the Final Town Board agenda to late this afternoon and objected to some of the proposed appointments to the Landmarks Preservation Commission. He explained that had he known earlier more members of the former Landmarks Preservation Commission may have been present this evening to comment on this as well.

Councilman Bianco stated that he agreed with Mr. Michael's that things should not be added to the agenda at the last minute.

Supervisor Grace explained that sometimes he gets things in late and wants the Town Board to be aware of everything that comes through his office.

Mr. Michaels stated that he was one of the former Landmarks Preservation Commission members who resigned over the proposed Historical landmarking issue regarding the Old Stone Church. Mr. Michaels said he thought it inappropriate for Mr. Thomas DeChiaro to be appointed to the Landmarks Preservation Commission.

Supervisor Grace stated that he believes we should preserve our history but feels that personal freedom should also be preserved. The Town should not be land marking homes without the consent of the owner.

Councilman Bianco stated that the law is the law and we should either support it or change it.

Councilman Murphy stated he was not in favor of taking people's rights away, he supports personnel freedom.

Councilman Paganelli stated that he believes in personal freedom and the law should be reviewed.

Councilman Bianco stated that this should be discussed at a work session before we proceed with any appointments.

Mr. Walter Daniels spoke about open space and parkland and the benefits of keeping them.

Supervisor Grace spoke about being fiscally and environmentally responsible when making decisions about Town property.

Mr. Don Roberts spoke about traffic on Route 202 by Granite Springs Road. He stated there is a no right turn on red by the school and this causes the traffic to back up. He suggested opening Old Granite Springs Road back up to allow traffic to go through to Granite Springs Road. He also stated that a good portion of Yorktown does not have the ability to hook up to natural gas.

Mr. Ray Arnold suggested that the Town Board stop interacting with people during courtesy of the floor. He stated that it would move the meeting along faster. He noted that in 1975 there were extensive plans done to place the Highway garage behind the Department of Environmental Conservation.

Mr. William Primavera spoke about why the Landmarks Preservation Commission should be reinstated.

Mr. Thomas DeChiaro stated that he has with the New York State Historical preservation and has had the Old Stone Church landmarked as historical. He feels he has qualifications that will assist the Landmarks Preservation Commission and would like the current legislation to be changed so that it is more sensitive to property owners.

Supervisor Grace stated that government should not tell property owners what to do with their property.

Mrs. Ann Kutter stated that the Forest Management Plan that was completed for Turkey Mountain complies with the Tree Ordinance and was no cost to the town.

Mr. Gil Kaufman asked what the plan is for busing seniors. He also asked when the CO will be issued for the Nutrition Center.

Supervisor Grace stated that there are a couple of ADA Compliance issues that need to be addressed and then the Nutrition Center can open. He explained that for this year only each senior group will receive one bus each and the Town Board will review this issue and establish a policy.

Ms. Jennie Menton stated that she has been asked by seniors what the bus issue is. She spoke about the history of the buses and how the Town Board agreed to allow clubs to use them this year for trips outside of Yorktown even though the Senior Advisory Committee was advised last year that there would be no out of town trips this year by the department head.

Supervisor Grace explained that the decision was not to undermine the department head but the Town Board's desire to maintain services for the seniors. The policy will be reviewed for next year.

Ms. Jennie Menton stated that she disagrees with the Town Board and wants to know we do not follow the policies that are in place.

Supervisor Grace stated that we tried to be open and accommodating. We will review the policy and work together to come to a resolve on this issue for next year.

Ms. Jennie Menton stated that the seniors also need help with maintaining the computers, printers and getting paper, etc.

Ms. Rhoda Sussman stated that the senior vans are still needed for the senior clubs.

Mrs. Susan Siegel stated that the fluoride issue was done by a referendum many years ago and would there have to be another referendum to remove it.

COURTESY OF THE FLOOR IS CLOSED

RETIREMENT

CHRISTINE PIATELLI – JOHN C. HART MEMORIAL LIBRARY

The Town Board accepted the retirement of Christine Piatelli from the John C. Hart Memorial Library.

RESIGNATION

ANTHONY ROMANO – ADVISORY BOARD ON ARCHITECTURAL & COMMUNITY APPEARANCE (ABACA)

The Town Board accepted with regret the resignation from Anthony Romano from the Advisory Board on Architectural & Community Appearance.

LANDMARKS PRESERVATION COMMISSION

RESOLUTION #143

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

To table appointments to the Landmarks Preservation Commission until a review of the current Landmarks Preservation Law.

Grace, Bianco, Murphy, Patel, Paganelli Voting Aye
Resolution defeated.

ADVERTISE PUBLIC HEARING
PROPOSED LOCAL LAW AMENDING CHAPTER 300 – ADDING HELISTOPS AS AN
ACCESSORY USE IN AN OB DISTRICT AND GRANTING TO THE TOWN BOARD
APPROVAL OVER DEVELOPMENT IN OB DISTRICTS
RESOLUTION #144

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

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Town Board, Town of Yorktown, Westchester County, New York at the John C. Hart Memorial Library, 1130 East Main Street, Shrub Oak, NY 10588 on the 1st day of May, 2012 at 7:30 o'clock PM, or as soon thereafter as the same can be heard, to consider a proposed local law to amend Chapter 300 of the Code of the Town of Yorktown entitled "ZONING," to add helistops as an accessory use in OB districts subject to certain standards; and granting to the Town Board approval authority over development in OB districts.

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.

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

ADVERTISE REQUEST FOR PROPOSALS (RFP)
MARKETING THE SALE OF THE BERNSTEIN HOUSE
RESOLUTION #145

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

Sealed Request for Proposals will be received by the Town Clerk of the Town of Yorktown, Westchester County, New York, at the Town Hall, 363 Underhill Avenue, Yorktown Heights, New York, until 11:00 A.M., on Monday, May 14, 2012, for a Request for Proposal for Marketing the Sale of the Bernstein Property located at 3147 Old Yorktown Road, Yorktown Heights, New York.

Specifications and standard proposals may be obtained at the office of the Town Clerk at said Town Hall.

The company furnishing the Request for Proposal assumes the risk of any delay in the mail or in the handling of mail by the employees of the Town of Yorktown. Whether sent by mail or means of personal delivery, the bidder assumes the responsibility for having bids in on the time and the place specified above.

The Town of Yorktown reserves the right to waive any informalities in the requests for proposals, to reject any or all, and reserves the right to accept the proposal bid which it deems most favorable to the interests of the Town of Yorktown. No company may withdraw their proposal within thirty (30) days after the actual date of the opening thereof. If mailed, sealed proposals must be addressed in care of the Town Clerk at the above address.

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

ADVERTISE BID
BAPTIST CHURCH ROAD PIPE RELINING CAPITAL IMPROVEMENT PROJECT #12-1
RESOLUTION #146

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

Sealed proposals will be received by the **Town Clerk** of the Town of Yorktown, Westchester County, New York, at the Town Hall, 363 Underhill Avenue, Yorktown Heights, New York, until **11:00 A.M.**, on **June 11, 2012**, for the Baptist Church Road Bridge Replacement, **Capital Improvement Project #12-01**.

Plans, Specifications and standard proposals for the work proposed may be obtained at the office of the Town Clerk at said Town Hall upon cash or certified check in the amount of **FIFTY DOLLARS**

(\$50.00). Said fee will **not** be refunded and will be used to defray costs of printing plans and specifications.

All bids must be accompanied by a Certified check payable to the Town of Yorktown in an amount not less than ten percent (10%) of the total bid, or an executed Consent of Surety.

The bidder assumes the risk of any delay in the mail or in the handling of mail by the employees of the Town of Yorktown. Whether sent by mail or means of personal delivery, the bidder assumes the responsibility for having bids in on the time and the place specified above.

The Town of Yorktown reserves the right to waive any informalities in the bids, to reject any or all bids and reserves the right to accept that bid which it deems most favorable to the interests of the Town of Yorktown. No bidder may withdraw his bid within thirty (30) days after the actual date of the opening thereof.

If mailed, sealed proposals must be addressed in care of the Town Clerk at the above address.

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

AWARD BID
T-SHIRTS FOR SUMMER CAMPS (PARKS DEPARTMENT)
RESOLUTION #147

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

WHEREAS, invitation to bid for T-SHIRT AND UNIFORMS for use town-wide, was duly advertised, and

WHEREAS said bids were received and opened at 11:00am on the 4th day of April 2012, now therefore be it,

RESOLVED, that upon the recommendation of the Superintendent of Parks & Recreation, the bid be and is hereby awarded to the lowest bidder, Sonic Sports, for items 1b, 3a, 3b, 4, 5, 6, 7, 8, 9, 10, 11 & 12 and to the lowest bidder, Vision Designs, for items 1a, 1c, 2, 13 & 14 as outlined in the attached summary of bids.

BE IT FURTHER RESOLVED, these items will be ordered on a per item basis.

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

AWARD BID
LABORATORY SERVICES FOR WATER POLLUTION CONTROL PLANT #12-02
RESOLUTION #148

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

Bids were received today for Laboratory Services for the Water Pollution Control Plant, Bid #12-02, and are summarized as follows:

<u>NAME OF BIDDER</u>	<u>AMOUNT OF BID</u>
Yorktown Medical Lab	\$24,476.00
EnviroTest Laboratories, Inc.	\$17,880.00

In order to award this bid I am requesting the Town Board adopt the following resolution:

RESOLVED, that the bid for Laboratory Services for the Water Pollution Control Plant, Bid #12-02, is awarded to EnviroTest Laboratories, Inc., the low bidder, at a cost of \$17,880.00.

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

CREATE AN EMPLOYEE BENEFIT ACCRUED LIABILITY RESERVE FUND
RESOLUTION #149

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

Whereas, pursuant to General Municipal Law Section 6-p, a municipal corporation may create a liability reserve fund for accrued employee benefits, and

Whereas, the Town of Yorktown recognizes the financial liability of these benefits, now,

Therefore, Be It Resolved, the Employee Benefit Accrued Liability Reserve Fund shall be created beginning with the year ended December 31, 2011.

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

AUTHORIZE SUPERVISOR TO SIGN A THREE YEAR AGREEMENT WITH USA-TPA FOR
THIRD PARTY ADMINISTRATIVE SERVICES
RESOLUTION #150

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

Whereas, USA-TPA has provided the Town with third party administrative services since April 1, 2006, and

Whereas, the contract is up for renewal, and

Whereas, the Town secured two quotes for this service, and

Whereas, USA-TPA has provided excellent service to the town and was also the lowest submitted cost, now,

Therefore, Be It Resolved, the Supervisor is authorized to sign a three year agreement with USA-TPA for third party administrative services.

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

APPROVE 2011 BUDGET TRANSFERS
RESOLUTION #151

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

Be It Resolved, the following 2011 Budget Transfers are hereby approved.

Budget Code	Code Description	
Purpose: To fund 2011 Workers Compensation Expenses		
A 9901.900	Increase Transfer Out	33,676.66
A 1002	Increase Appropriated Fund Bal	33,676.66
D 9901.900	Increase Transfer Out	47,151.80
D 1002	Increase Appropriated Fund Bal	47,151.80
SR 9901.900	Increase Transfer Out	110,464.40
SR 1002	Increase Appropriated Fund Bal	110,464.40
L 9901.900	Increase Transfer Out	890.48
L 9700.710	Decrease Interest Expense	(890.48)
YS 9901.900	Increase Transfer Out	1,757.86
YS 9730.710	Decrease Interest Expense	(1,757.86)
SW 9901.900	Increase Transfer Out	76,590.32
SW 8340.490.1	Decrease Bond Payment Excess	(45,000.00)
SW 9710.710.9802	Decrease Interest Expense	(31,590.32)
Purpose: To fund 2011 Liability Expenses		
A 9901.901	Increase Transfer Out	794.40
A 9700.710.1	Decrease Interest Expense	(794.40)

D 9901.901	Increase Transfer Out	444.92
D 9700.710	Decrease Interest Expense	(444.92)
SM 9901.901	Increase Transfer Out	146.72
SM 4545.404	Decrease Workers Comp	(146.72)

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

PART-TIME PAY INCREASES
RESOLUTION #152

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

Whereas, the following part time personnel shall be afforded a 1.5% pay rate increase, effective April 23, 2012:

Employee Name	Current Rate	New Rate
Nancy Augustowski	\$13.3362	\$13.5362
Lesley Benedusi	\$17.0000	\$17.2550
Marianne Bischoff	\$25.0000	\$25.3750
Edward Ciffone	\$24.4010	\$24.7670
Maureen Daniels	\$19.2820	\$19.5712
Patricia DeMarsh	\$18.0000	\$18.2700
Monica Doherty	\$23.8050	\$24.1620
Howard Moskalik	\$17.7027	\$17.9682
Mark Silverman	\$14.0968	\$14.3082
Joseph Sorrentino	\$12.1781	\$12.3607
Craig Stevens	\$32.1510	\$32.6332
Cynthia Strang	\$11.0710	\$11.2730
Robert Sweet	\$11.0000	\$11.1650
Grace Tausz	\$15.0000	\$15.2250

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

APPOINTED PERSONNEL PAY INCREASES
RESOLUTION #153

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

Be It Resolved, the following appointed personnel shall receive the same salary increases as provided in the 2009 through 2011 CSEA contract:

Anne Anderson	Secretary to the Highway Superintendent
Diana Quast	Deputy Town Clerk

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

APPROVE AN ADDITIONAL \$1,000 TO BE PAID TO ASPAUGH & SCULCO, CPAS FOR AUDIT OF CABLEVISION FRANCHISE FEES
RESOLUTION #154

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

RESOLVED, that the Town Board authorizes the payment of \$1,000.00 to be paid to Ashpaugh & Sculco, CPAs for the audit of Cablevision Franchise fees due to the town. This fee is based upon the participation of seven other Westchester County municipalities (Lewisboro, Bedford, Pound Ridge, North Castle, Mount Kisco, Harrison and Somers)

AUTHORIZE THE SUPERVISOR TO SIGN A CONTRACT WITH GEO ENVIRONMENTAL CO INC. FOR AIR SAMPLING, PCM ANALYSIS AND PROJECT MONITOR FINAL INSPECTIONS FOR THE HOLLAND SPORTING CLUB FOR A TOTAL OF \$10,000
RESOLUTION #

RESOLVED, that the Town Board authorizes the Supervisor to sign a contract with Geo Environmental Co., Inc. for Air Sampling, PCM Analysis and Project Monitor Final Inspections for the Holland Sporting Club for a total of \$10,000.00.

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

APPOINTMENT – PARKS & RECREATION DEPARTMENT

ERIN REIDEL- RECREATION SUPERVISOR

RESOLUTION #155

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

BE IT RESOLVED, that Erin Riedel of Tarrytown, NY is hereby appointed Provisional Recreation Supervisor, job class code 0265-01 in the Parks and Recreation Department effective May 7, 2012 to be paid from Yorktown CSEA Salary Schedule A1, Group 16, Step 1 which is \$69,729.00 annually.

BE IT FURTHER RESOLVED, contingent upon successful completion of a drug test and reference checks.

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

APPOINTMENT – PARKS DEPARTMENT

ANDREW CERRATO – MAINTENANCE MECHANIC (POOL)

RESOLUTION #156

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

BE IT RESOLVED, that Andrew Cerrato is hereby appointed Maintenance Mechanic (pool), job class code 0595-02 in the Parks and Recreation Department effective April 18, 2012 to be paid from Yorktown CSEA Salary Schedule A, Group 12, Step 1 which is \$53,942.00 annually.

BE IT FURTHER RESOLVED, that this appointment is subject to a probationary period of not less than 12 nor more than 52 weeks, commencing on the first date of appointment on April 18, 2012.

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

APPOINTMENT – PARKS DEPARTMENT

ALFRED PISANO – MAINTENANCE MECHANIC (POOL)

RESOLUTION #157

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

BE IT RESOLVED, that Alfred Pisano, is hereby appointed Maintenance Mechanic (pool), job class code 0595-02 in the Parks and Recreation Department effective April 18, 2012 to be paid from Yorktown CSEA Salary Schedule A, Group 12, Step 4 which is \$61,556.00 annually.

BE IT FURTHER RESOLVED, that this appointment is subject to a probationary period of not less than 12 nor more than 52 weeks, commencing on the first date of appointment on April 18, 2012.

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

APPOINTMENT – SEWER DEPARTMENT

ANTHONY CUCCOVIA – HEAVY MOTOR EQUIPMENT OPERATOR

RESOLUTION #158

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

BE IT RESOLVED, that Anthony Cuccovia is hereby appointed Heavy Motor Equipment Operator, job class code 0429-02 in the Sewer Department, effective April 18, 2012 to be paid from Yorktown CSEA Salary Schedule A, Group 12, Step 5 which is \$64,105.00 annually.

BE IT FURTHER RESOLVED, that this appointment is subject to a probationary period of not less than 12 nor more than 52 weeks, commencing on the first date of appointment on April 23, 2012.

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

APPOINTMENT – WATER DEPARTMENT
CHARLES R. HALL - LABORER
RESOLUTION #159

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

BE IT RESOLVED, that Charles R. Hall of Yorktown, NY, is hereby appointed Laborer, job class code 0425-05 in the Water Department, effective May 7, 2012 to be paid from Yorktown CSEA Salary Schedule A, Group 5, Step 1 which is \$38,866.00 annually.

BE IT FURTHER RESOLVED, that this appointment is subject to a probationary period of not less than 12 nor more than 52 weeks, commencing on the first date of appointment on May 7, 2012.

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

APPOINTMENT – JUSTICE COURT
JANE PRESTON – COURT CLERK
RESOLUTION #160

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

BE IT RESOLVED, that Jane A. Preston residing in Yorktown Heights, NY is hereby appointed to the full time position of Deputy Court Clerk, civil service job class code 0046-03 to serve at the pleasure of the Town Justices effective April 17, 2012 to be paid annually in the amount of \$68,000.00 with annual vacation, health benefits sick days, personal days and floating holidays to follow the CSEA agreement and be it

BE IT FURTHER RESOLVED, that this appointment is subject to a probationary period of not less than 12 nor more than 52 weeks, commencing on the first date of appointment on April 17, 2012.

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

AUTHORIZE THE SUPERVISOR TO SIGN CONTRACT WITH GEO ENVIRONMENTAL CO. INC. FOR AIR SAMPLING, PCM ANALYSIS AND PROJECT MONITOR FINAL INSPECTIONS FOR THE HOLLAND SPORTING CLUB - \$10,000.
RESOLUTION #161

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

RESOLVED, that the Town Board authorizes the Supervisor to sign a contract with Geo Environmental Co., Inc. for Air Sampling, PCM Analysis and Project Monitor Final Inspections for the Holland Sporting Club for a total of \$10,000.00.

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

REFUND DUPLICATE TAXES
RESOLUTION #162

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

WHEREAS, records of the Receiver of Taxes indicate that the following duplicate tax payment was made:

Year and Tax	S-P-L	Account #	Refund
2011 Town/Cty	16.08-1-56	0295090	\$3,314.94
2011 Sch 21	15.20-1-26.52-1	0541653	\$966.45

BE IT RESOLVED, that the Supervisor is hereby authorized to refund the above noted amount.

Murphy, Bianco, Patel, Paganelli Voting Aye
Resolution adopted.

ADJOURN

Upon motion made by Councilman Bianco moved, seconded by Councilman Patel, the Town Board meeting was adjourned.

EXECUTIVE SESSION

Upon motion made by Councilman Bianco, seconded by Councilman Paganaelli, the Town Board moved into Executive Session to discuss the employment of particular individuals.

ADJOURN

Upon motion made by Councilman Bianco moved, seconded by Councilman Murphy, the Town Board meeting was adjourned.

WORK SESSION

Supervisor Michael Grace called the meeting to order. Town Attorney Jeannette Koster was also present at the meeting. Councilman Bianco and Councilman Patel left the meeting.

Supervisor Grace stated that in order to move the St. George's Winery rezone application forward we need to decide if it should be a C-2 Zone or Transitional Zone.

Mr. Thomas DeChiaro stated that he is not opposed to having the church rezone to Transitional.

Mr. Jeff Econom, Engineer for the project, provided a plan to the Town Board to review regarding the parking issue and utilizing the Artizzone property which adjoins the winery property.

Mr. Anthony Grasso objected to the plan to use Town property. He stated that the Ardizzone property was always intended to be parkland and does not think there should be intrusion into wetland buffer. He stated that there should be a concern with runoff from vehicles leaking gasoline, oil or other fluids and draining into the Peekskill drinking water.

Councilman Paganelli stated that there has not been a determination on whether this is parkland or not. Deputy Town Clerk Diana L. Quast stated that Town Clerk Alice E. Roker has stated that it is not dedicated parkland.

Supervisor Grace stated that designated parkland is registered with the State and it is possible that the resolutions dedicating parkland were not sufficient.

Town Attorney Koster stated that she would research the issue.

Supervisor Grace stated that a municipal parking lot can be placed there. Supervisor Grace stated that the intrusion into the wetlands buffer area is nominal, by including the parking it would make the site viable. He also noted that Mr. Tom DeChiaro will be cleaning up a wetlands area.

Councilman Paganelli stated that the wetlands can be clean up by town staff at anytime making the site usable is a more important issue.

Ms. Ann Kutter stated that both issues can be handled and environmental precautions can be done to protect the water supply.

Supervisor Grace asked Mr. Tom DeChiaro to attend the Planning Board meeting as well as the Conservation Board meeting and review the updated plan with them for their comments.

Councilman Paganelli updated the Town Board on the tile replacement issue at the Brian J. Slavin Aquatic Facility. Deputy Town Clerk Diana L. Quast stated that the preliminary cost projections for replacing the pool tiles at the Brian J. Slavin Aquatic Facility have come in between \$17,000 and \$19,000. The funds can come out of the pool maintenance budget line of the Parks & Recreation Department.

Supervisor Grace discussed the issue of having a lifeguard at Sparkle Lake. He stated that he would like the Recreation Commission to make a recommendation to the Town Board regarding this issue.

ADJOURN

Upon motion made by Councilman Murphy moved, seconded by Councilman Patel, the Town Board meeting was adjourned.

Diana L. Quast
Deputy Town Clerk
Town of Yorktown