

Organizational Meeting held by the Town Board, Town of Yorktown on January 8, 2013 held at 363 Underhill Avenue, Yorktown Heights, NY.

Present: Michael J. Grace, Supervisor  
Nicholas J. Bianco, Councilman  
Terrence P. Murphy, Councilman  
Vishnu V. Patel, Councilman  
David D. Paganelli, Councilman

Alice E. Roker, Town Clerk  
Jeannette Koster, Town Attorney  
Patricia Caporale, Comptroller  
John Tegeder, Planning Director

TOWN BOARD MEETING

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

PLEDGE OF ALLEGIANCE

Kevin Costello, Eric Keitz and Michael Volpe, Eagle Scouts from Troop 165 and Laura Anderson, a Girl Scout Gold Award winner 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 Grace spoke about the performance of the new garbage company. Everything appears to be working out. There have been a few glitches which are being worked out.

DURING REPORTS FROM TOWN COUNCIL,

Councilman Patel asked the scouts to speak about the Eagle Scout or Gold Award Project.

Michael Volpe worked on several projects at the Briarcliff SPCA.

In addition to conducting a blood drive, Eric Keitz went around the town mapping all of the non-hydrant water sources for the Yorktown Fire District.

Kevin Costello removed vegetation from around the flag pole in front of the George Washington Elementary School and then held a fund raiser. The Eagle Scout sold customized bricks to place in the path surrounding the flagpole.

For the Gold Award, the highest rank in Girl Scouting, Laura Anderson participated in the installation of a wrought iron fence around the vegetable garden at the Rosary Hill Home.

Councilman Bianco spoke about the re-opening of Sheer Design in Mohegan Lake. The proceeds of the grand opening were donated to the American Red Cross. He also spoke about the decrease in Westchester County taxes.

Councilman Murphy spoke about the Grand Opening of Dynamic Fitness, a new fitness studio with personal trainers at Crompond Corners.

Councilman Patel congratulated students from Yorktown Middle School and Yorktown High School for their research work into on how a robotic device can improve the quality of life for some seniors.

Councilman Paganelli wished members of the community a Healthy and Happy New Year.

DURING HIS REPORT FROM WHITE PLAINS, Westchester County Legislator Michael Kaplowitz spoke about the 2013 budget. This was a budget with no increase in taxes. Yorktown residents will actually see their tax bill drop by 2.2%.

RESOLUTIONS FROM THE MEETING OF 12/18/2012

RESOLUTION #1

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

Resolved, that the Town Board Meeting Resolutions for December 18, 2012 are approved by the Town Board.

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

APPOINTMENT TOWN COMPTROLLER

PATRICIA CAPORALE

RESOLUTION #2

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

RESOLVED, that Patricia Caporale be and is hereby appointed to the position of Town Comptroller at an annual salary of \$92,750.00 and shall have all the powers and perform all the duties of the Town Comptroller not inconsistent with law and shall serve at the pleasure of the Town Board or until the first day of January next succeeding the first biennial Town Election.

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. Gordon Fine, representing the Sultana Ridge Homeowners along with two other members of the group presented a \$2,000 check to the Town of Yorktown. This money represents an agreement that comports with an agreement reached by the Town Board and members of the homeowners group to stay a tax seizure proceeding.

Mr. Jay Kopstein thanked the Town Board for their pro-active approach to Hurricane Sandy. He also believes that all town employees and government officials who work in the field during these events should have high visibility outerwear.

Mr. Gil Kaufman, President of the local AARP group reserved his comments after being told that the resolution approving contracts with several senior clubs had been removed from the agenda.

Mr. & Mrs. James Kutter thanked the Mohegan Fire Department for their professionalism and their courtesy while handling an emergency at their home on New Year's Eve.

Mr. & Mrs. Michael Pendergast, residents of Old Kitchawan Road complained that the new garbage company failed to pick up their recyclables last Thursday. The company did come the following day but by then the animals had gotten into the recycling bins.

Supervisor Grace asked the couple to leave their name with the Clerk.

Mr. Joseph Visconti, President of the Yorktown Chamber of Commerce stated that he was in favor of reducing parking requirements in commercial areas. He complimented the Town Board for working to resolve contract issues with the PBA and CSEA. He also thanked the Town Board for their work on the new garbage contract that saves the residents of this community nearly one million dollars.

Mrs. Susan Siegel expressed her discontentment with remarks made by Supervisor Grace and Councilman Murphy on a recent broadcast of Supervisor Grace's program Grace Notes.

## COURTESY OF THE FLOOR IS CLOSED

Councilman Murphy spoke about his remarks on Grace Notes and says he stands by them.

### CONVENE PUBLIC HEARING PROPOSED LOCAL LAW AMENDING VARIOUS SECTIONS OF CHAPTER 300 CONCERNING PARKING AND OFF-STREET LOADING ZONE REQUIREMENTS IN COMMERCIAL DISTRICTS

Supervisor Grace convened the public hearing with regards to amending various sections of Chapter 300 concerning parking and off-street loading zone requirements in Commercial Districts. Affidavits of Publication and Posting were presented by the Town Clerk.

Supervisor Grace explained that this proposal came about as a result of a local law discussed at a Public Hearing on December 18, 2012. This current law pertains to all commercial districts and will reduce the current requirement of 5 spaces per 1,000 square feet of gross floor area to 4 spaces per 1,000 square feet of gross floor area. Supervisor Grace explained that in many areas, our law would be considered excessive. He believes this proposal will provide an incentive that will lead to the re-development of the hamlet areas as well as shared parking in our commercial areas.

Mr. Ray Arnold provided the Town Board with the Town of Yorktown's Zoning Ordinance, as amended to the 31<sup>st</sup> day of August, 1965. It appears that the current law is the same as what was on the books in 1965. Mr. Arnold asked the members of the Town Board to be careful before plunging into new regulations which may not work in all commercial areas. He further stated that the Zoning Code already permits the Planning Board to modify parking requirements in some instances.

Mrs. Ann Kutter once again asked the Board to not reduce the width of the parking spaces. She also reminded the Town Board of a request she made that would require more pedestrian amenities and connections with external neighboring networks and neighborhoods. She handed the Town Board a proposal which she says could be added to the local law before you.

Supervisor Grace stated that the Town Board doesn't have to do what you asked for by adopting a local law, we can pass a resolution that would make this a requirement. There was discussion. The proposal will be considered for adopting a local law.

Mr. Paul Moskowitz stated that permitting any parking space to be less than 8 feet creates a problem. He also spoke about the effect this regulation would have on the Costco project which is in the midst of the SEQRA process. Under the current regulations, Costco would be required to have 755 parking spaces. Their proposal is for approximately 650. Mr. Moskowitz said that he finds it hard to believe that this is a coincidence. What this proposal does is legalize the number of parking spaces that Costco wanted.

Supervisor Grace stated that he had no problem with eliminating Costco from the proposal.

Mr. Jonathan Nettelfield applauded the Town Board's work for addressing this issue. He also supports reducing the required number of parking spaces; in principle. But, he said there are many more changes that must be made to the Town Code. Mr. Nettelfield suggested that this proposal be placed in abeyance until the other changes are worked out.

Ms. Babbette Salinger supports the principles of the proposal and anything that would help with the re-development of our Town. But since a number of issues have been brought to light tonight, she suggested cancelling the vote on this proposal.

Everyone present was given the opportunity to be heard and there being no further discussion the hearing was Closed, Councilman Bianco motioned, seconded by Councilman Murphy

PROPOSED LOCAL LAW AMENDING VARIOUS SECTIONS OF CHAPTER 300 CONCERNING PARKING AND OFF-STREET LOADING ZONE REQUIREMENTS IN COMMERCIAL DISTRICTS  
DECLARE LEAD AGENCY – EAF - NEGATIVE DECLARATION  
RESOLUTION #3

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

RESOLVED, the Town Board does hereby declare itself lead agency for the purpose of reviewing the environmental impact of the proposed local law pursuant to the State Environmental Quality Review Act.

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

PROPOSED LOCAL LAW AMENDING VARIOUS SECTIONS OF CHAPTER 300 CONCERNING PARKING AND OFF-STREET LOADING ZONE REQUIREMENTS IN COMMERCIAL DISTRICTS  
ACCEPT SHORT FORM EAF, AND ADOPT A NEGATIVE DECLARATION  
RESOLUTION #4

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

Whereas the local law amending various Sections of Chapter 300 as it relates to required parking in commercial districts proposes to amend the current law lowering the required parking from five spaces per thousand square feet of gross building area to four spaces per thousand feet of gross building area; and

Whereas, the lowering of the required parking in said commercial zones will:

- Allow for greater flexibility in site design;
- Potentially reduce the overall site disturbance of a given site as well as reduce the impervious surfaces; reduce non- point source run off;
- Allow for a larger building area in proportion to the total area of disturbance thereby allowing for greater revenue over the same area of unavoidable disturbance on a development site.

Encourage redevelopment and revitalization of the existing commercial districts;

Allow site design consistent with the principles of smart growth;

Incentivize rehabilitation of dilapidated commercial sites;

Provide site design with pedestrian amenities and otherwise be consistent with the current trends in planning be it hereby resolved.

That the Town Board finds that the action has no identifiable adverse impacts and the Town board hereby adopts a negative declaration pursuant to the State Environmental Quality Review Act, 6NYCRR, part 617, et. seq.

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

PROPOSED LOCAL LAW AMENDING VARIOUS SECTIONS OF CHAPTER 300 CONCERNING PARKING AND OFF-STREET LOADING ZONE REQUIREMENTS IN COMMERCIAL DISTRICTS AMEND PROPOSAL TO EXCLUDE COSTO  
RESOLUTION #5

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

RESOLVED, the local law shall not apply to the application filed with the Planning Board on June 30, 2010 by Retail Store Construction Company. c/o Breslin Realty Development for site approval of proposed development of a parcel located at Section /Block/Lot 26.18-1-17, 18& 19 and SBL 26.19-1-1.

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

LOCAL LAW #1 OF 2013  
AMENDING VARIOUS SECTIONS OF CHAPTER 300  
CONCERNING PARKING AND OFF-STREET LOADING ZONE REQUIREMENTS  
IN COMMERCIAL DISTRICTS  
RESOLUTION #6

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

WHEREAS, a public hearing was held on the 8th day of January, 2013 pursuant to notice duly published as required by law to consider the adoption of a proposed Local Law amending various sections of Chapter 300 of the Code of the Town of Yorktown concerning parking and off-street loading zone requirements in Commercial Districts, now therefore be it

RESOLVED that Local Law #1/2013 as annexed hereto, be and is hereby adopted.

The question of the adoption of the foregoing Local Law was duly put to a vote on roll-call, which resulted as follows:

Supervisor Grace	Voting	Aye
Councilman Bianco	Voting	Aye
Councilman Murphy	Voting	Aye
Councilman Patel	Voting	Aye
Councilman Paganelli	Voting	Aye

Local Law #1/2013 was thereupon declared adopted.

CONVENE PUBLIC HEARING  
PROPOSED LOCAL LAW AMENDING VARIOUS SECTIONS OF CHAPTER 300  
CONCERNING PARKING AND OFF-STREET LOADING ZONE REQUIREMENTS  
IN COMMERCIAL REGIONAL CENTER DISTRICTS

Supervisor Grace reconvened the public hearing with regards to amending various sections of Chapter 300 concerning parking and off-street loading zone requirements in Commercial Regional Center Districts. Affidavits of Posting and Publication were presented by the Town Clerk.

Supervisor Grace explained that this proposal also came about as a result of a local law that the Town Board held a Public Hearing on December 18, 2012. This proposal will establish a requirement of four and a quarter (4.25) parking spaces for each 1,000 square feet of Gross Leasable Area.

Mr. Ray Arnold said that he cannot understand why the Mall wants to place this requirement in the Code. Right now, there are no requirements for parking spaces in this district.

Mr. Al Capellini, an attorney for the Jefferson Valley Mall stated that he supports this proposal. This proposal gives a prospective tenant the ability to see what the parking requirements are for themselves.

Mr. Paul Moskowitz said there was a mistake in the Section 4 4 ( c ) 90 degree parking.

Mr. Bob Roth, a representative of John Meyer Engineering stated that the figures are correct and explained why.

Everyone present was given the opportunity to be heard and there being no further discussion the hearing was closed, Councilman Bianco motioned, seconded by Councilman Murphy

DECLARE LEAD AGENCY – EAF - NEGATIVE DECLARATION  
RESOLUTION #7

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

RESOLVED, the Town Board does hereby declare itself lead agency for the purpose of reviewing the environmental impact of the proposed local law pursuant to the State Environmental Quality Review Act.

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

PROPOSED LOCAL LAW AMENDING VARIOUS SECTIONS OF CHAPTER 300  
CONCERNING PARKING AND OFF-STREET LOADING ZONE REQUIREMENTS  
IN COMMERCIAL REGIONAL DISTRICTS  
ACCEPT SHORT FORM EAF, AND ADOPT A NEGATIVE DECLARATION  
RESOLUTION #8

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

Whereas the local law amending various Sections of Chapter 300 as it relates to required parking in commercial regional districts amends the current law by setting forth standards that requires four and a quarter (4.25) per thousand square feet of gross leasable space; and;

Allow site design consistent with the principles of smart growth;

Provide site design with pedestrian amenities and otherwise be consistent with the current trends in planning be it hereby resolved.

That the Town Board finds that the action has no identifiable adverse impacts and the Town board hereby adopts a negative declaration pursuant to the State Environmental Quality Review Act, 6NYCRR, part 617, et. seq.

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

LOCAL LAW #2 OF 2013  
AMENDING VARIOUS SECTIONS OF CHAPTER 300  
CONCERNING PARKING AND OFF-STREET LOADING ZONE REQUIREMENTS  
IN COMMERCIAL REGIONAL CENTER DISTRICTS  
RESOLUTION #9

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

WHEREAS, a public hearing was held on the 8th day of January, 2013 pursuant to notice duly published as required by law to consider the adoption of a proposed Local Law amending various sections of Chapter 300 of the Code of the Town of Yorktown concerning parking and off-street loading zone requirements in Commercial Regional Center Districts, now therefore be it

RESOLVED that Local Law #2/2013 as annexed hereto, be and is hereby adopted.

The question of the adoption of the foregoing Local Law was duly put to a vote on roll-call, which resulted as follows:

Supervisor Grace	Voting	Aye
Councilman Bianco	Voting	Aye
Councilman Murphy	Voting	Aye
Councilman Patel	Voting	Aye
Councilman Paganelli	Voting	Aye

Local Law #2/2013 was thereupon declared adopted.

PUBLIC HEARING

RECONVENE PROPOSED LOCAL LAW AMENDING VARIOUS SECTIONS OF CHAPTER 300 CONCERNING PARKING AND OFF-STREET LOADING ZONE REQUIREMENTS IN COMMERCIAL DISTRICTS AND COMMERCIAL REGIONAL CENTER DISTRICTS

Supervisor Grace reconvened the public hearing with regards to amending various sections of Chapter 300 concerning parking and off-street loading zone requirements in Commercial Districts and Commercial Regional Center Districts.

Everyone present was given the opportunity to be heard and there being no further discussion the hearing was closed, Councilman Bianco motioned, seconded by Councilman Murphy

PUBLIC HEARING

RECONVENE PROPOSED LOCAL LAW AMENDING VARIOUS SECTIONS OF CHAPTER 300 CONCERNING PARKING AND OFF-STREET LOADING ZONE REQUIREMENTS IN COMMERCIAL DISTRICTS AND COMMERCIAL REGIONAL CENTER DISTRICTS

RESOLUTION #10

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

WHEREAS, a public hearing was held on the 18th day of December, 2012 and reconvened on January 8, 2013 pursuant to notice duly published as required by law to consider the adoption of a proposed Local Law amending various sections of Chapter 300 of the Code of the Town of Yorktown concerning parking and off-street loading zone requirements in Commercial Districts and Commercial Regional Center Districts, now therefore be it

The question of the adoption of the foregoing Local Law was duly put to a vote on roll-call, which resulted as follows:

Supervisor Grace	Voting	Nay
Councilman Bianco	Voting	Nay
Councilman Murphy	Voting	Nay
Councilman Patel	Voting	Nay
Councilman Paganelli	Voting	Nay

Proposal Rejected

JOAN GOLDBERG

RESOLUTION #11

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

WHEREAS, the Town Board has received a request dated January 4, 2013 pursuant to Town Code § 30-4 from former town comptroller Joan Goldberg, in which she asks the Town to provide her with a defense against the Town's counterclaims

interposed in a civil action commenced by Ms. Goldberg against the Town entitled Goldberg v. Town Board of the Town of Yorktown, (index number 4611-2012); and

WHEREAS, § 30-4 provides that there is an obligation and duty on the part of the Town to defend and indemnify an employee or officer in a civil action brought against the employee or officer arising out of an alleged act or omission which occurred or is alleged to have occurred while the employee was acting or in good faith purporting to act within the scope of his public employment; and

WHEREAS, subdivision B of § 30-4 states that “This duty to provide for a defense shall not arise where such civil action or proceeding is brought by or on behalf of the Town of Yorktown”; and

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby denies Ms. Goldberg’s request on the grounds that a duty to provide her with a defense under § 30-4 has not arisen with respect to the Town’s counterclaims against her by virtue of the exception contained in § 30-4B.

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

APPROVE RESOLUTIONS FROM THE MEETING OF 12/18/2012  
RESOLUTION #12

Upon motion made by Councilman Bianco, seconded by Councilman Murphy

Resolved, that the Town Board Meeting Resolutions for December 18, 2012 are approved by the Town Board.

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

ADVERTISE PUBLIC INFORMATIONAL HEARING  
FLUORIDATION  
RESOLUTION #13

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

Resolved that Notice be given that an Informational 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 on the 22<sup>nd</sup> day of January, 2013 to consider whether the Town of Yorktown’s practice of adding fluoride to the drinking water supply should be discontinued.

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

APPROVE BUDGET TRANSFER  
HIGHWAY DEPARTMENT TO REFUSE & RECYCLING  
RESOLUTION #14

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

Resolved, that the Town Board authorizes a Budget Transfer from D5110.0810 to SR7210.0200 in the amount of \$6,201.00.

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

APPROVE BUDGET TRANSFER  
HIGHWAY DEPARTMENT  
RESOLUTION #15

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

Resolved, that the Town Board authorizes a Budget Transfer from A3310.429 to A3310.431 in the amount of \$6,218.94.

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

AUTHORIZE SUPERVISOR TO SIGN SPCA CONTRACT IN THE AMOUNT OF  
\$21,633.96 FOR THE PERIOD OF JANUARY 1, 2013 - DECEMBER 31, 2013  
RESOLUTION #16

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

Resolved, that the supervisor is authorized to sign a one year contract with the SPCA in the amount of \$21,633.96 for the period January 1, 2013 through December 31, 2013.

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

APPROVE COMMERCIAL GARBAGE LICENSE RENEWAL  
BETTER CARTING SERVICES, INC.  
RESOLUTION #17

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

RESOLVED, that Better Carting Services, Inc. be and is hereby granted Renewal of their garbage license for commercial properties only, for the year 2013.

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

APPROVE COMMERCIAL GARBAGE LICENSE RENEWAL  
AAA CARTING RUBBISH REMOVAL  
RESOLUTION #18

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

RESOLVED, that AAA Carting Rubbish Removal be and is hereby granted renewal of their garbage license for commercial properties only, for the year 2013.

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

APPROVE COMMERCIAL GARBAGE LICENSE RENEWAL  
R & S WASTE SERVICES  
RESOLUTION #19

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

RESOLVED, that R & S Waste Services be and is hereby granted renewal of their garbage license for commercial properties only, for the year 2013.

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

APPROVE COMMERCIAL GARBAGE LICENSE RENEWAL  
FRONTLINE WASTE MANAGEMENT CORP.  
RESOLUTION #20

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

RESOLVED, that Frontline Waste Management Corp. be and is hereby granted renewal of their garbage license for commercial properties only, for the year 2013.

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

ACCEPT MONTHLY REPORTS

Receiver of Taxes  
Building Department

ORGANIZATIONAL RESOLUTIONS

SALARIES

RESOLUTION #21

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

RESOLVED, that the Supervisor be hereby authorized and directed to pay regular bi-weekly salaries of all elected and appointed Town officials and employees without prior audit: this shall not apply to lump sum payments.

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

MILEAGE

RESOLUTION #22

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

RESOLVED, that the rate of 56.5 cents per mile be allowed those Town officials and employees who use their own automobiles in the performance of their official duties in accordance with the budgetary appropriations, provided however, the expense incurred is presented to the Town Board in the proper manner and on the proper claim form.

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

FISCAL REPORT FILING TO STATE COMPTROLLER

RESOLUTION #23

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

RESOLVED, that by the authority vested pursuant to Paragraph 10-a of Section 29 of the Town Law, the Supervisor shall submit to the Town Clerk within one hundred twenty days after the close of the fiscal year, a copy of the report to the State Comptroller required by Section 30 of the General Municipal Law and the Town Clerk shall cause a summary of such report or a notice that a copy of such report is on file in the Town Clerk's Office.

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

COMPTROLLER TO REFUND

CERTAIN CORRECTIONS OF ERROR

RESOLUTION #24

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

RESOLVED, that the Comptroller is appointed, as per Section 554 of the Real Property Tax Law to make refunds for correction of error up to a maximum of \$2,500.00.

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

NEW YORK STATE DIVISION OF YOUTH STATE AID  
RECREATION/YOUTH SERVICES PROJECT  
RESOLUTION #25

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

RESOLVED, that the Supervisor be directed to make application to the New York State Division of Youth for State Aid for a Recreation and Youth Service Project Grant for 2013. The Parks and Recreation Department receives \$10,000 of this application for recreation youth, and the Police Department receives another \$10,000 via the Youth Officer.

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

DELEGATES/ASSOCIATION OF TOWNS MEETING  
RESOLUTION #26

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

RESOLVED, that Supervisor Michael Grace be and is hereby designated as the voting delegate to represent the Town of Yorktown at the Association of Towns Meeting to be held in February 2013, and be it

FURTHER RESOLVED, that Deputy Supervisor Terrence Murphy be and is hereby designated the alternate delegate to the aforementioned meeting.

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

DESIGNATED DEPOSITORIES  
RESOLUTION #27

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

RESOLVED, that the following banks located in the Town of Yorktown are hereby designated as depositories for the Town of Yorktown:

JP Morgan Chase  
2002 Commerce Street  
Yorktown Heights, New York 10598

Bank of America  
2 Triangle Center  
Yorktown Heights, New York 10598

Putnam County Savings Bank  
331 Downing Drive  
Yorktown Heights, NY 10598

Signature Bank  
1C Quaker Ridge Road  
New Rochelle, NY 10804

and be it

FURTHER RESOLVED, that Michael Grace, Supervisor of the Town of Yorktown, is hereby authorized, pursuant to Town Law Section 29(2), to act on behalf of the Town of Yorktown with said banks, and be it

FURTHER RESOLVED, that the above named banks are hereby required to provide a surety bond or pledge securities when applicable as required by Town Law Section 64(1) and General Municipal Law Section 10, and be it

FURTHER RESOLVED, that the following banks are designated depositories for the following officers of the Town of Yorktown:

JP Morgan Chase, Yorktown Heights, New York:  
Justice Raniolo Account  
Justice Lagonia Account  
Joint Bail Account - Justice Lagonia & Justice Raniolo

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

BLANKET AUTHORITY/SIGN CONTRACTS

RESOLUTION #28

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

RESOLVED, that the Town Board hereby grants blanket authority to sign contracts for the Town, without the necessity of express advance approval by the Town Board to the Supervisor in the event the contract involves any expenditure of not more than \$12,500, not to exceed \$50,000 in any calendar year and is limited to one year in duration and be it

FURTHER RESOLVED, that this blanket authorization shall remain in effect until amended.

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

AUTHORIZATION TO PURCHASE EQUIPMENT

HIGHWAY SUPERINTENDENT

RESOLUTION #29

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

RESOLVED, that pursuant to Paragraph A of Subdivision 1, of Section 142 of the Highway Law, as last amended, the Town Superintendent of Highways is hereby authorized to purchase equipment, tools and implements without prior approval of the Town Board in an amount not to exceed \$5,000.00.

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

OFFICIAL NEWSPAPERS

RESOLUTION #30

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

RESOLVED, that the official newspaper for the Town of Yorktown is hereby designated to be the Journal News.

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

2013 MEETING DATES

RESOLUTION #31

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

RESOLVED, that the meeting dates of this Town Board will start their meeting at 6:45 PM and that the taping of televised Town Board Meeting begins at 7:30PM unless otherwise noted and shall be as follows:

January 8  
January 15 work session  
January 22 televised meeting  
January 29 work session

February 5  
February 12  
February 19  
February 26  
March 5  
March 12  
March 19  
April 2  
April 9  
April 16  
April 23  
May 7 - John C. Hart Memorial Library  
May 14  
May 21  
May 28  
June 4  
June 11  
June 18  
June 25  
July 2 - outdoor site, 6:00 p.m.  
July 16 - outdoor site, 6:00 p.m.  
July 23  
August 6 - outdoor site, 6:00 p.m.  
August 13  
September 3  
September 17  
September 24  
October 1  
October 8  
October 15 - John C. Hart Memorial Library  
October 22  
November 12  
November 19  
November 26  
December 3  
December 10  
December 11, (Budget Hearing)  
December 17

FURTHER RESOLVED, that the Town Board will meet with its Department heads to review their budgets on November 14 and November 15 and be it

FURTHER RESOLVED, that the Town Board will hold its regular Budget Hearing at 7:00 PM on December 11, 2013 (Wednesday) and be it,

FURTHER RESOLVED, the Town of Yorktown will hold its annual Record Management Inventory on February 7 and February 8, 2013 and be it,

FURTHER RESOLVED, that Special Meetings shall be called and held in conformance with Section 62 of the Town Law and Article 7 of the Public Officers Law.

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:

Mrs. Susan Siegel asked why the resolution granting the Highway Superintendent authority to purchase up to \$5,000 without the Town Board's authorization is necessary. He still would be required to follow the procurement policy. Mrs. Siegel also asked the

members of the Town Board to tell the Town Clerk's Office to put minutes on the Town's website. The last minutes on the website were from 2009.

The Town Clerk explained that the Town Board cannot order her to do what she wanted her to do. Mrs. Roker explained that part of the problem is that you (the Siegel Administration) took away a member of my staff. The work had to be re-assigned to others and low priority measures including placing minutes on the web were placed on the back burner. Mrs. Roker further stated that her staff will make a greater effort to get the minutes on the website.

Mr. Carl Tegtmeier, a resident of Farmwalk Road spoke on the subject of fluoridation, telling the Town Board that opening a discussion on this subject will be opening a subject up to opinion

COURTESY OF THE FLOOR IS CLOSED

ADJOURN

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

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Alice E. Roker, Town Clerk  
Town of Yorktown