

Town Board Meeting held by the Town Board, Town of Yorktown on March 19, 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

TOWN BOARD MEETING

Supervisor Michael Grace called the meeting to order.

PLEDGE OF ALLEGIANCE

Supervisor 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 Grace thanked the members of the Parks and Recreation Commission and the residents of Mohegan Lake who came out to the Commission's meeting where the Town Board's referral to create ball fields at the Holland Sporting Club was discussed. The Commission has chosen to move ahead with plans for passive recreation. Supervisor Grace spoke about the demand by the sports clubs in Yorktown for additional ball fields as well as the need to rehabilitate some of the Town's existing fields. The Recreation Commission will make a presentation to the Town Board at its April 9th work session.

DURING REPORTS FROM TOWN COUNCIL

Councilman Bianco wished the community a belated Happy St. Patrick's Day. He also spoke about today being St. Joseph Day as well as the coronation of the new Pope Francis.

Councilman Murphy stated that Pope Francis was a Jesuit Priest. The building which houses Phoenix House was the Loyola Jesuit Seminary run by Jesuit Fathers from 1955-1973. The Councilman also spoke about the dinner dance he attended with Supervisor Grace for the Lakeland Foundation for Excellence. Councilman Murphy read a letter sent to the Town Board by John Murray congratulating Jason Zeif on the excellent work he is doing as the Town's Code Enforcement Officer.

Councilman Bianco also announced that the organizers of Relay for Life will be sponsoring a Tour of Historic Homes as a fundraising event in May.

Councilman Patel announced several events that he attended including a Westchester Municipal Official's dinner where the topic for the evening was Worker's Compensation. He also attended the Lakeland Foundation for Excellence's Dinner Dance. Councilman Patel congratulated the Yorktown Volunteer Ambulance Corps on their 50th Anniversary.

Councilman Paganelli thanked the residents of Mohegan Lake for coming out to last week's Recreation Commission meeting. He also spoke about the work that is being done on a new water billing system. The Councilman also congratulated the Yorktown Volunteer Ambulance Corps on their 50th Anniversary.

RESOLUTIONS FROM THE MEETING OF 3/5/2013

RESOLUTION #124

Upon motion made by Councilman Murphy, seconded by Councilman Bianco

Resolved, that the Town Board Meeting Resolutions for March 5, 2013 are approved by the Town Board.

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

APPOINTMENT

FRANK J. LANZETTA – HIGHWAY DEPARTMENT
RESOLUTION #125

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

BE IT RESOLVED, that Frank J. Lanzetta of Somers, NY is hereby appointed Temporary Laborer within the Highway Department, job class code 0425-05, effective April 1, 2013 through November 16, 2013, to be paid an hourly rate of \$12.50

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

APPOINTMENT

BRIDGET KROWE – LANDMARK PRESERVATION COMMISSION
RESOLUTION #126

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

BE IT RESOLVED, that Bridget Krowe is hereby appointed as an alternate member of the Landmarks Preservation Commission (replacing John Eagleson) for a one year term expiring October 16, 2013.

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

APPOINTMENT

GEOFF WHEELER – CABLE COMMITTEE
RESOLUTION #127

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

BE IT RESOLVED, that Geoff Wheeler is hereby reappointed as Chairperson of the Cable TV Committee for a three year term expiring on December 31, 2015.

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

APPOINTMENT

DAVID M. MCCONNELL – ABACA
RESOLUTION #128

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

BE IT RESOLVED, that David M. McConnell is hereby reappointed as a member of the Advisory Board of Architectural and Community Appearance for a three year term expiring December 31, 2015.

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

APPOINTMENT

KENNETH BELFER – COMMUNITY HOUSING BOARD
RESOLUTION #129

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

BE IT RESOLVED, that Ken Belfer, Chair, is hereby reappointed as a member of the Community Housing Board for a six year term expiring December 31, 2018.

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

APPOINTMENT
MAURA GREGORY – COMMUNITY HOUSING BOARD
RESOLUTION #130

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

BE IT RESOLVED, that Maura Gregory, is hereby reappointed as a member of the Community Housing Board for a six year term expiring December 31, 2018

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

ADVERTISE BID
MICROFILM/MICROFICHE READER/PRINTER MAINTENANCE
RESOLUTION #131

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

NOTICE IS HEREBY GIVEN that sealed proposals will be received by the Town Clerk of the Town of Yorktown, Westchester County, NY until 11:00 AM on 8th day of April, 2013 at the Town Hall, 363 Underhill Avenue, Yorktown Heights, NY 10598 from qualified parties for **Microfilm and Microfiche Reader/Printer Maintenance, Repair and Parts Contract.**

All bids must be accompanied by an executed non-collusion bidding certificate.

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 at the time and the place specified above.

The Town Board reserves the right to reject any or all bids and to accept that bid which it deems most favorable to the interests of the Town of Yorktown.

Bid Specifications are available in the Office of the Town Clerk at the said Town Hall, where the same may be inspected during regular office hours. Can also be viewed at www.yorktownny.org

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

ADVERTISE BID
UNIFORM CLEANING – YORKTOWN POLICE DEPARTMENT
RESOLUTION #132

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

NOTICE IS HEREBY GIVEN that sealed proposals will be received by the Town Clerk of the Town of Yorktown, Westchester County, NY until 11:00 AM on 8th day of April, 2013 at the Town Hall, 363 Underhill Avenue, Yorktown Heights, NY 10598 from qualified parties for **Dry Cleaning Services for the Police Department of the Town of Yorktown.**

Specifications may be obtained at the office of the Town Clerk in the said Town Hall.

The Bidder assumes the risk of any delay in the mail or in the handling of the 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 the bids in at the time and place specified above.

The Town Board of the Town of Yorktown along with the other communities reserves the right to reject any and all bids and to accept that bid which is deemed most favorable to the interests of the said Towns.

Grace, Bianco, Murphy, Patel, Paganelli Voting Aye

Resolution adopted.

ADVERTISE BID
MAINTENANCE MATERIALS – WATER DEPARTMENT
RESOLUTION #133

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

NOTICE IS HERE GIVEN that sealed bids will be received by the Town Clerk, Town of Yorktown, Westchester County, NY until 11:00 A.M. on April 2, 2013 at the Town Hall, 363 Underhill Avenue, Yorktown Heights, N.Y. 10598 for Water Maintenance Materials. Can also be viewed at www.yorktownny.org

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

ADVERTISE BID
LABORATORY SERVICES FOR THE YORKTOWN HEIGHTS SEWAGE
TREATMENT PLANT BID #13-01
RESOLUTION #134

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

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 10:00 A.M., on April 15, 2013, for Laboratory Services for the Yorktown Heights Sewage Treatment Plant, Bid #13-01.**

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

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.

ADVERTISE BID
ASPHALTIC CONCRETE & LIQUID BITUMINOUS MATERIALS
RESOLUTION #135

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

NOTICE IS HERE GIVEN that sealed proposals will be received by the Town Clerk, Town of Yorktown, Westchester County, NY until 11:00 A.M. on April 8, 2013 at the Town Hall, 363 Underhill Avenue, Yorktown Heights, N.Y. 10598 for Asphalt Concrete & Liquid Bituminous Material - Highway Dept. Bid. Specifications may be obtained at the office of the Town Clerk in said Town Hall.

The Bidder assumes the risk of any delay in the mail or in the handling of the 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 the bids in at the time and the place specified above. All bids are to be returned to the Town Clerk, 363 Underhill Avenue, Yorktown Heights, NY 10598, marked: **“Bid: Asphalt Concrete & Liquid Bituminous Material-Highway Dept. Bid.** The Superintendent of Highways reserves

the right to reject any and all bids and to accept that bid which is deemed most favorable to the interests of the Town of Yorktown.

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

ADVERTISE BID

TOWN BID

RESOLUTION #136

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

NOTICE IS HEREBY GIVEN that sealed proposals will be received by the Town Clerk of the Town of Yorktown, Westchester County, NY until 11:00 AM on 8th day of April, 2013 at the Town Hall, 363 Underhill Avenue, Yorktown Heights, NY 10598 for the Towing Services License Agreement.

Specifications may be obtained at the office of the Town Clerk in the said Town Hall.

The Bidder assumes the risk of any delay in the mail or in the handling of the 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 the bids in at the time and place specified above.

The Town Board of the Town of Yorktown along with the other communities reserves the right to reject any and all bids and to accept that bid which is deemed most favorable to the interests of the said Towns.

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

ADVERTISE BID

T-SHIRTS – PARKS & RECREATION DEPARTMENT

RESOLUTION #137

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

WHEREAS, the Town wishes to purchase screen printed and embroidered shirts and uniforms,

WHEREAS, all services, material and supplies bid upon must conform to the description and specifications stated in the bid document,

NOW THEREFORE, BE IT RESOLVED, the Parks and Recreation Superintendent is authorized to go to bid for shirt and uniform screen printing and embroidery.

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

ADVERTISE BID

CAMP BUSES – PARKS & RECREATION DEPARTMENT

RESOLUTION #138

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

WHEREAS, the Town wishes to purchase transportation services for camp programs,

WHEREAS, all services, bid upon must conform to the description and specifications stated in the bid document,

NOW THEREFORE, BE IT RESOLVED, the Parks and Recreation Superintendent is authorized to go to bid for transportation services for camp programs.

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

APPROVE CERTIORARI SETTLEMENT – CEDAR POND OWNERS, INC
RESOLUTION #139

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

WHEREAS, tax certiorari proceedings were instituted challenging the assessment for parcel known as Section 35.08, Block 1, Lot 3, located at 3896 Old Crompond Rd, on the Tax Map of the Town of Yorktown, now therefore be it

RESOLVED, that the tax certiorari proceedings affecting tax parcel 35.08, Block 1, Lot 3 owned by Cedar Pond Owners Inc., Account Number 0376500 for assessment roll years 2000, 2001, 2002, 2003 and 2004 be settled as set forth in the proposed stipulation as follows:

<u>Roll</u>	<u>AV</u>	<u>AV</u>	<u>AV</u>
<u>Year</u>	<u>From</u>	<u>To</u>	<u>Reduction</u>
2000	\$146,700	\$140,967	\$ 5,733
2001	\$146,700	\$145,818	\$ 882
2002	\$146,700	\$125,000	\$21,700
2003	\$146,700	\$118,013	\$28,687
2004	\$115,000	\$115,000	\$0

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

EXTEND THE SPRINKLER INSPECTION/TESTING BID
RESOLUTION #140

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

WHEREAS, the Town Board at its meeting of March 14, 2012, extended the annual Sprinkler Inspection/Testing Bid (original bid - no bid #), for various Town facilities, and

WHEREAS, the Town has the contractual option to extend the bid in one-year increments, up to a maximum contract term of three (3) years, and

WHEREAS, the Town intends to extend this bid for the second renewal, NOW, THEREFORE, BE IT,

RESOLVED, Simplex Grinnell will be paid an annual rate of \$1,296 in accordance with its 2011 bid, for the one-year extension period.

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

EXTEND THE WETLAND TREE AND STORM WATER PERMIT FOR LYHUS
RESOLUTION #141

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

WHEREAS, the Town Board at their meeting of September 18, 2012 approved a conditional Wetland, Tree and Stormwater permit for applicants Lyhus and Caswell for a project on Hanover Street, and

WHEREAS, an additional sixty days is being requested to complete the conditions contained in the permit, and

WHEREAS, monies have not yet been posted for the permit, and

WHEREAS, work has not yet commenced on the site, and

WHEREAS, the applicant is aware that if work does not commence after the 60-day period is over, they will have to seek reapproval from the Town Board, NOW, THEREFORE BE IT

RESOLVED, that permit #WP-T-BSWPPP-026-11 is hereby extended from **3/17/13 to 5/17/13.**

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

AUTHORIZE SUPERVISOR TO SIGN LEASE AGREEMENT WITH WESTCHESTER COMMUNITY OPPORTUNITY PROGRAM, INC. FOR USE OF YCCC FOR 2013 RESOLUTION #142

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

WHEREAS, Westchester Community Opportunity Program, Inc. (Yorktown Head Start), wishes to lease from the Town of Yorktown certain room(s) within the Yorktown Community & Cultural Center as set forth in Schedule A of a proposed lease, which Schedule A is annexed hereto, and

WHEREAS, [Town Law § 64](#) requires that the Town's lease of real property be subject to a permissive referendum under [Town Law §§ 90](#) and [91](#); and

NOW THEREFORE, BE IT RESOLVED, that the Town has determined the action contemplated under this Resolution is a Type II action under the State Environmental Quality Review Act ("SEQRA") and therefore no further review is required under SEQRA; and be it

FURTHER RESOLVED, the Town Board hereby directs that a copy of this resolution be filed with the Town Clerk and a copy be provided to any person who has requested a copy hereof; and be it

FURTHER RESOLVED, that pursuant to NY Town Law §§ 82 and 90, within ten (10) days from the date of this Resolution the Town Clerk shall post and publish a notice which shall set forth the date of the adoption of the Resolution, shall contain an abstract of such Resolution concisely setting forth the purpose and effect thereof, shall specify that this Resolution was adopted subject to a permissive referendum; and shall publish such notice in The Journal News, a newspaper published in the County having a general circulation in the Town of Yorktown, and in addition thereto that the Town Clerk shall post or cause to be posted on the sign-board of the Town of Yorktown, a copy of such notice within ten (10) days after the date of the adoption of this Resolution

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

AUTHORIZE SUPERVISOR TO SIGN THE ALARM MONITORING CONTRACT RESOLUTION #143

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

RESOLVED, the Town Board authorizes the Supervisor to sign an agreement with Automated Control Logic, Inc. for monitoring of seven alarms at the John C. Hart Memorial Library for the period 4/1/2013 to 3/31/2014, in the amount of \$25/alarm per month, for a total of \$175 per month.

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

MONTHLY REPORTS

The Town Board accepted the monthly Cost of Construction Report from the Building Department.

DURING COURTESY OF THE FLOOR, the following people addressed the members of the Town Board:

Mr. Paul Moskowitz announced that Yorktown Smart Growth will hold its Second Annual Party and Silent Auction on Saturday, April 13th at Traveler's Rest on Route 100. You can purchase the \$30.00 ticket in advance by going to yorktownsmartgrowth.myevent.com

ADJOURN

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

Alice E. Roker, Town Clerk
Town of Yorktown