

Work Session held by the Town Board, Town of Yorktown on April 23, 2013, held at, the Yorktown Town Hall, 363 Underhill Avenue, Yorktown Heights, New York 10598.

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

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

#### WORK SESSION

Supervisor Michael Grace called the meeting to order.

#### EXECUTIVE SESSION

Upon motion made by Councilman Bianco, seconded by Councilman Murphy, to move into Executive Session to discuss pending litigation and a matter on Advice of Counsel.

Upon motion made by Councilman Bianco, seconded by Councilman Paganelli, the Town Board came out of Executive Session and resumed the work session

#### TEA TEMPTATIONS

Mr. Michael Adamovich, the owner of Tea Temptations on Route 6 asked the Town Board for permission to place an additional sign (sandwich board) outside his business.

Supervisor Grace said the Town will be organizing a committee to look at signs throughout the community in an effort to help business owners as well as improve the overall look of the community.

The Town Board agreed that Tea Temptations is permitted to have an additional sign for a period of ninety days.

#### SCORE

The Board met with Vincent Favale, Chairman of the Putnam County Chapter of SCORE. He explained that SCORE's mission is to offer free and confidential small business advice for entrepreneurs and small businesses. SCORE is a nonprofit organization with nearly 14,000 volunteers. They service nearly a half million people a year.

SCORE is seeking to develop a working relationship with the Town Board and the Yorktown Business community. They are interested in opening a branch office in Yorktown. Many of the people they see in Putnam County are either owners of businesses in Yorktown or live in Yorktown.

The Board agreed to provide a room once a week in one of the Town's facilities.

#### UNDERHILL PLAZA DIRECTORY SIGNS

Steve Chester, owner of Signs Inc. provided the Board with a sketch of a new building directory sign for Underhill Plaza. He explained that a portion of the sign would be located on town property.

Supervisor Grace and other members of the Board suggested a more horizontal type of sign and that the sign might be better placed on the corner.

Mr. Chester will come back to the Town Board when they have a new sign.

#### PROPOSED LOCAL LAW ON STREET OPENING PERMIT FEES

Jeannette Koster, the Town Attorney presented a new draft of the proposal.

The Town Clerk will place the proposal on the next meeting agenda advertising a May 21, 2013 public hearing.

MANDALAY

Mr. Ray Baiata and Mr. Dan Ciarcia, Engineer for the applicant took part in this discussion.

Mr. Ciarcia explained that his client has amassed a total of 20 acres of property within the area known as the Bear Mountain Triangle on Old Crompond Road. He presented drawings depicting a mixed use development. The proposal calls for approximately 132 housing units, a 104 bed nursing home and an office building.

The applicant would be seeking a rezone. The property is currently zoned R120.

Councilman Bianco stated that he doesn't want to down zone this property. He spoke about the school enrollment that could be generated by this complex.

A majority of the Town Board stated that they would accept a rezoning application from this applicant.

Mr. Ciarcia stated that his client will file a formal application with the Town Board.

ACCEPT CATHERINE FIELD HOME/FIELD HOME-HOLY COMFORTER  
IN SATISFACTION OF ARREARAGES  
RESOLUTION #187

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

Resolved, that the Town Board has determined that it is in the Town's best interest to receive and accept, and that the Town hereby accepts, \$191,305 from Catherine Field Home as payment in full satisfaction of arrearages associated with the properties owned by Catherine Field Home or Field Home-Holy Comforter under the Agreement dated October 31, 2000 as amended on May 15, 2006 (the "PILOT") from 2003 through the date hereof, provided that the Town receives such payment within 30 days, or no later than May 23, 2013.

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

REAPPOINT INGRID O'SULLIVAN, ESQ., FOR LEGAL SERVICES TO SERVE AS TOWN  
PROSECUTOR  
RESOLUTION #188

Upon motion by Councilman Patel, seconded by Councilman Murphy,

RESOLVED, that the Town Board authorizes the Town Supervisor to sign an amendment to the professional services agreement that expired on December 31, 2012 with Ingrid O'Sullivan for town prosecutor services, to extend the contract from January 1, 2013 to December 31, 2013 and to modify the hourly compensation rate for state VTL conferences and special projects to \$110/hour.

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

ADVERTISE RFP FOR TAX CERTIORARI COUNSEL  
RESOLUTION #189

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

NOTICE IS HEREBY GIVEN, that the Town of Yorktown is seeking Request for Proposals (RFPs) for an experienced attorney to handle Tax Certiorari Cases.

Proposals may be obtained at the Office of the Town Clerk, 363 Underhill Avenue, Yorktown Heights, NY 10598 during normal business hours.

All completed proposals must be received in the Office of the Town Clerk, 363 Underhill Avenue, Yorktown Heights, NY, no later than 3:00 pm on May 13, 2013.

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

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

AUTHORIZE COMPTROLLER TO PAY TIME BENEFITS ACCRUED AS OF  
EMPLOYEE'S DATE OF RESIGNATION – PAULA GIGLIO  
RESOLUTION #190

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

Be it resolved that the Town Board hereby authorizes the Town Comptroller to pay the following time benefits accrued as of employee's date of resignation:

Employee:	Paula Giglio			
Rate of Pay:	\$26.5380 hourly			
Vacation Time remaining:	35 hours	x \$26.5380	=	\$ 928.83
Personal Time remaining:	8.5 hours	x \$26.5380	=	\$ 225.58
Floating Holidays remaining:	14 hours	x \$26.5380	=	<u>\$ 371.54</u>
		Total		\$1,525.95

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

AUTHORIZE TRANSFER TO FUND 2012 WORKER'S COMPENSATION RESERVES  
RESOLUTION #191

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

BE IT RESOLVED, as per request of the Town Comptroller, the Town Board authorizes the following transfers to fund 2012 Worker's Compensation reserves:

From:	
D9000.0800	FICA/Medicare
To:	
D9901.0900	Worker's Compensation
Amount:	\$17,712.81
From:	
SR.1002	Appropriated Fund Balance
To:	
SR9901.0900	Worker's Compensation
Amount:	\$122,163.33
From:	
SW8320.0450	Water Purchase
To:	
SW9901.0900	Worker's Compensation
Amount:	\$54,003.35

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

RELEASE EROSION CONTROL BOND - #WP-T-BSWPP-044-11 – ORIOLE COURT  
RESOLUTION #192

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

WHEREAS, Kevin Cox, as applicant, heretofore posted Check No. 2265 in the amount of \$300.00, which was deposited into the T33 Account on September 16, 2011, covering permit #044-11, for work performed at his Oriole Court residence, and

WHEREAS, the Town Engineer has informed this Board that a representative of her Department has inspected the property and determined that the work has been satisfactorily completed, and that the \$300.00 for erosion may be released, NOW THEREFORE BE IT

RESOLVED, that the above-described Erosion Bond in the amount of \$300.00, be and is hereby released to Mr. Kevin Cox, 3741 Oriole Court, Shrub Oak, NY 10588.

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

EXECUTIVE SESSION

Upon motion made by Councilman Bianco, seconded by Councilman Murphy, to move into Executive Session to interview applicants for positions on various voluntary boards.

Upon motion made by Councilman Bianco, seconded by Councilman Paganelli, the Town Board came out of Executive Session and resumed the work session

ADJOURN

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

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Alice E. Roker, Town Clerk  
Town of Yorktown