

Work Session held by the Town Board, Town of Yorktown on June 11, 2013, held at 363 Underhill Avenue, Yorktown Heights, New York 10598.

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

Diana L. Quast, Deputy Town Clerk  
Patricia Caporale, Town Comptroller  
Jeannette Koster, Town Attorney  
John Winter, Building Inspector  
Elfriede Schmid, Receiver of Taxes

Absent: David D. Paganelli, Councilman

#### EXECUTIVE SESSION

Upon motion made by Councilman Bianco, seconded by Councilman Murphy, to move into Executive Session to discuss personnel and advice of counsel.

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

#### WORK SESSION

Supervisor Michael Grace called the meeting to order.

#### PROPOSAL ON LAW SIGNS

Mr. Al Morales was present to request that the Town Board amend the current sign law with regards to temporary lawn signs. He suggested having people that want to put up signs register with the town and pay a fee. There should also be a date that all signs must be taken down or they will be fined. This will help keep the town clean from temporary signs being left up after events take place.

Supervisor Grace stated that the town is looking into revamping the sign law.

#### EQUIPMENT PURCHASE FOR CABLE COMMITTEE

Mr. Geoffrey Wheeler, Cable Committee Chair, was present to discuss with the Town Board proposals he received to update the existing video camera equipment used to tape outdoor events. The funds to purchase this new camera will come from the PEG money.

Councilman Murphy asked when the monitors would be installed in the Town Hall Board Room.

Supervisor Grace stated that Councilman Paganelli is working on obtaining the monitors.

Councilman Patel asked if Wi-Fi could be installed in the boardroom. It was noted that there are security issues with allowing wireless capabilities.

Town Comptroller Caporale will check to verify the funds are available for the purchase of the video camera and equipment.

Mr. Geoffrey Wheeler noted that they track the website usage and between 200 and 300 hundred people a week view Town Board meeting videos. He also stated that there is an application available to watch them on Ipads, Ipods and iPhones as well.

#### CATUCCI A/K/A FIELDSTONE MANOR

#### RESOLUTION #243

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

RESOLVED, that the Town Clerk is hereby authorized to refer the request for amendment to the flexibility authorization dated September 18, 2012 received from Petitioner: Catucci – Section 15.11, Block 1, Lot 17 to authorize the Planning Board to process subdivision utilizing flexibility standards as amended to the agencies listed below for their review and/or recommendation, and

BE IT FURTHER RESOLVED, the Town Board declares its intent to act as Lead Agency, and

BE IT FURTHER RESOLVED, that the Town Board would like your comments and or recommendation by July 9, 2013, and

BE IT FURTHER RESOLVED, that a Public Hearing is scheduled to take place on Tuesday, July 16, 2013 at Hilltop Hanover Farm, 1271 Hanover Street, Yorktown Heights, NY at 6:30 pm o'clock or as soon thereafter can be heard.

To: Westchester County Planning Board/Planning Department  
Town of Cortlandt

Town of Yorktown Agencies:  
Building Inspector  
Planning Board/Planning Department  
Recreation Commission  
Town Attorney  
File

Grace, Bianco, Murphy, Patel Aye  
Resolution adopted

#### YORKTOWN YOUTH SOCCER CLUB

Mr. Rich Romanski and Al French representing the Yorktown Youth Soccer Club were present to discuss their Labor Day Soccer Tournament and asked the Town Board to pick up the cost for police presence at the event. The Town Board agreed to provide the police for the event.

Mr. Romanski asked if the Town Board would also pick up the cost of the custodial fees.

Supervisor Grace stated that would be a cost that the soccer club will need to pay for.

Mr. Romanski asked about the Granite Knolls and Hunterbrook fields.

Supervisor Grace stated that a concept plan for Granite Knolls and Hunterbrook Fields is in the works and should be done soon.

Mr. Romanski stated that the Yorktown Youth Soccer Club is willing to put up \$50,000 to re-crown the Yorktown Community and Cultural Field and has asked Mr. French to get quotes on the cost.

#### BUILDING PERMITS AND COMP TIME

Building Inspector John Winter was present to discuss with the Town Board the need for using comp time to keep up on issuing building permits.

Supervisor Grace asked Building Inspector John Winter to put together a projected amount of comp time that would be needed to catch up on the building permits.

#### UNIFORM NOTICE OF CLAIMS

The New York Stated Department of State can now accept Notice of Claims from residents in the Town of Yorktown and the Town Board needs to pass a resolution authorizing the Town Clerk as the receiving agent for the State to send them to the town after they are filed with the State. The Town Board agreed to place this resolution on the next Town Board agenda.

SUSTAINABLE ENERGY FINANCE PROGRAM – ENERGIZE

Supervisor Grace stated that the Town Board could pass a Sustainable Energy Finance Law to provide a loan program for existing commercial properties to upgrade their buildings with sustainable energy efficiencies.

Mr. Mark Thielking, from the Energy Improvement Corporation stated that the program would supply loans to existing commercial properties for the purpose of upgrades in energy efficiencies. The commercial property owners would pay back the loan through their tax bill.

Town Comptroller Patricia Caporale and Receiver of Taxes Elfriede Schmid asked what would happen should someone default on the loan.

Mr. Thielking stated that the Energy Improvement Corporation has a reserved fund set aside to address situations like that.

The Town Board agreed to place this on the next Town Board agenda to advertise for a public hearing.

WAIVE FEE FOR YORKTOWN VOLUNTEER AMBULANCE CORPS – NYSEG ENERGY EFFICIENCY PROGRAM IN THE AMOUNT OF \$285.00  
RESOLUTION #244

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

Resolved, that the Town Board waives the \$285.00 permit fee for the NYSEG Energy Efficiency Program for the Yorktown Volunteer Ambulance Corps.

Grace, Bianco, Murphy, Patel Aye  
Resolution adopted

WAIVE FEE FOR YORKTOWN HISTORICAL SOCIETY – USE OF ROOM AT YORKTOWN COMMUNITY CULTURAL CENTER IN THE AMOUNT OF \$377.44  
RESOLUTION #245

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

Resolved, that the Town Board waives the \$337.44 fee for the use of the Yorktown Community Cultural Center for the Yorktown Historical Society.

Grace, Bianco, Murphy, Patel Aye  
Resolution adopted

BUDGET TRANSFER – FINANCE DEPARTMENT  
RESOLUTION #246

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

BE IT RESOLVED, that the following 2013 budget transfer is approved:

Transfer \$53,960 from the General Fund Contingency Line (A1990.0499) to the Police Department Insurance Line (A3120.0467) to pay Fairfield County Bank Insurance Services for 2013 Police Department Professional Liability insurance premium.

Grace, Bianco, Murphy, Patel Aye  
Resolution adopted

AUTHORIZE SUPERVISOR TO SIGN STIPULATION AGREEMENT WITH WESTCHESTER COUNTY CONSENTING TO ELECTRONIC FILING WITH TAXPAYERS WHO FILE SCAR PETITIONS UNDER THE 2013 ASSESSMENT ROLL  
RESOLUTION #247

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

RESOLVED, the Town Supervisor is authorized to execute a Stipulation Consenting to Electronic Filing with Taxpayers Who File Small Claims Assessment Review (SCAR) petitions,

to permit the electronic filing of petitions challenging the Town Assessor's property assessments under the 2013 Final Assessment Roll.

Grace, Bianco, Murphy, Patel Aye  
Resolution adopted

REMOVE STRAWBERRY MEADOWS FROM TAX LIENS  
RESOLUTION #248

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

WHEREAS, the parcel identified on the Town's tax maps as section/block/lot 15.8-3-19 was taken by the town in an In Rem proceeding in 2009 and is owned by the Town; and

WHEREAS, the records of the Tax Receiver indicate that said parcel is subject to tax liens for the tax years 1999 through 2010, which liens were imposed against the prior owner or owners; and

WHEREAS, the Town of Yorktown wishes to remove said liens from the Town's tax records,

NOW THEREFORE, be it resolved that the Town Board finds that the liens on parcel 15.8-3-19 are hereby determined to be uncollectible, and directs and authorizes the Tax Receiver to remove said liens from the Town's tax records.

Grace, Bianco, Murphy, Patel Aye  
Resolution adopted

EXTEND BID – PREVENTATIVE MAINTENANCE GENERATOR SYSTEMS  
RESOLUTION #249

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

WHEREAS, the Town Board at its meeting of June 19, 2012, awarded the Preventative Maintenance Generator Systems bid, bid #12-03, 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 first renewal, NOW, THEREFORE, BE IT,

RESOLVED, Peak Power Systems will be paid in accordance with its 2012 bid, for the one-year extension period.

Grace, Bianco, Murphy, Patel Aye  
Resolution adopted

REQUEST TO BE PLACED IN WESTCHESTER SANITARY SEWER DISTRICT  
CORREIA – 250 EAST MAIN STREET

The Town Board discussed a request from Correia, 250 East Main Street to be added to the Peekskill Sanitary Sewer District. The Town Board agreed to place this on the June 18, 2013 Town Board agenda.

REFERRAL - TOWN OF YORKTOWN WETLAND PERMIT APPLICATION FOR  
GREENWOOD STREET BRIDGE PROJECT AND DECLARE LEAD AGENCY  
RESOLUTION #250

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

RESOLVED, that the Town Clerk is hereby authorized to refer the application received from the Town of Yorktown for a wetland permit to place sheet piling in order to repair defects in the culverts on Greenwood Street to the following agencies listed below for their review and/or recommendation, and

BE IT FURTHER RESOLVED, the Town Board declares its intent to act as Lead Agency, and

BE IT FURTHER RESOLVED, that the Town Board would like your comments and or recommendation by July 9, 2013, and

BE IT FURTHER RESOLVED, that a Public Hearing is scheduled to take place on Tuesday, July 16, 2013 at Hilltop Hanover Farm, 1271 Hanover Street, Yorktown Heights, NY at 6:30 pm o'clock or as soon thereafter can be heard.

To: Army Corps. of Engineers, Colonel John Boulé  
Conservation Board  
Environmental Consultant Bruce Barber  
NYS DEC, Region 8, Permits, Dan Whitehead  
NYCDEP, Cynthia Garcia, SEQRA Coordinator  
Planning Board  
Planning Department  
Town Engineer  
File

Grace, Bianco, Murphy, Patel Aye  
Resolution adopted

DECLARE LEAD AGENCY FOR WETLAND PERMIT FOR GREENWOOD STREET  
BRIDGE PROJECT  
RESOLUTION #251

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

WHEREAS, the Town of Yorktown is seeking to rehabilitate the defects of the Greenwood Street Culvert; and

WHEREAS, Chas. H. Sells has completed the design, developed the contract documents and drawings for public bidding purposes: and

WHEREAS, the estimated cost of the project is approximately \$150,000; and

WHEREAS, there are Town regulated wetlands and associated buffers located on the site; and

WHEREAS, a wetland permit application in which plans have been provided to mitigate impacts to wetland and wetland buffer areas and to prevent erosion and sediment from the leaving the site and preventing the introduction of pollutants to the wetlands has been prepared; and

WHEREAS, the applicant has submitted a short Environmental Assessment Form (EAF), dated June 11, 2013 and pursuant to NNYSCR Part 617 of the State Environmental Quality Review Act the Town Board seeks to conduct an environmental review of the project: and

WHEREAS, jurisdictional permits and approvals for this project have been obtained from the New York State Department of Environmental Protection (NYSDEC), the Army Corps of Engineers (ACOE)

WHEREAS, the proposed action has been determined to be an Unlisted Action under the State Environmental Quality Review Act (SEQRA); and

NOW THEREFORE BE IT RESOLVED THAT the Town Board thereby adopts Lead Agency status and directs that the wetland permit application, plans and the short-form EAF be circulated for review and comment to remaining interested and involved agencies.

Grace, Bianco, Murphy, Patel Aye  
Resolution adopted

AUTHORIZE SUPERVISOR TO SIGN AGREEMENT WITH EMPIRE CONSULTING FOR  
DRUG AND ALCOHOL TEST SERVICES  
RESOLUTION #252

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

Authorize the Supervisor to sign an agreement with Empire Consulting for services in compliance with the Federal Department of Transportation regulations regarding drug and alcohol test services.

Grace, Bianco, Murphy, Patel Aye  
Resolution adopted

TOWN BOARD AGENDA  
JUNE 18, 2013

The Town Board discussed the June 18, 2013 Town Board meeting agenda which will be held at the Town Hall, 363 Underhill Avenue, Yorktown Heights, NY 10598. The televised meeting will begin at 7:30 P.M.

ADJOURN

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

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Diana L. Quast, Deputy Town Clerk  
Town of Yorktown