

Meeting of the Town Board, Town of Yorktown held on October 27, 2015 at the Town Hall, 363 Underhill Avenue, Yorktown Heights, New York 10598.

Present: Michael J. Grace, Supervisor  
Vishnu V. Patel, Councilman  
Gregory M. Bernard, Councilman  
Susan M. Siegel, Councilwoman  
Thomas P. Diana, Councilman

Diana L. Quast, Deputy Town Clerk  
Jeannette Koster, Town Attorney

TOWN BOARD MEETING

Supervisor Michael Grace called the meeting to order.

EXECUTIVE SESSION

Upon motion made by Supervisor Grace, seconded by Councilman Patel, the Town Board moved into Executive Session to discuss litigation. Upon motion made by Supervisor Grace, seconded by Councilman Patel, the Town Board moved out of Executive Session and proceeded with the meeting.

STREET NAME CHANGE REQUEST FOR GAY RIDGE ROAD

Supervisor Grace stated that there is a request to change the name of a portion of Gay Ridge Road to Winchester Court. Supervisor Grace stated that he does not have a problem with changing the name of the road when it comes before the Town Board to accept the road dedication from the developer.

CROMPOND TERRACES

Ann Kutter along with representatives from the Crompond Terraces rezoning were present to give an update to the Town Board on the project. The Town Board agreed to reconvene this public hearing on November 17, 2015.

RECONVENE PUBLIC HEARING – CROMPOND TERRACES REZONING  
RESOLUTION #409

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

RESOLVED, that notice is hereby given that a Public Hearing will be reconvened by the Town Board, Town of Yorktown, Westchester County, New York at the Town Hall, 363 Underhill Avenue, Yorktown Heights, New York on the 17<sup>th</sup> day of November, 2015 at 7:30 o'clock PM to consider the application made by Mandalay Builders, LLC in connection with property known on the Yorktown Tax Rolls as Section, Parcel and lots 26.18-1-9, 26.18-1-10, 26.18-1-11, 26.18-1-12, 26.18-1-13, 26.18-1-14, 26.18-1-15, 26.18-1-16 for a Change of Zone from R1-20 to C2 and R-3.

A copy of said proposal 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 may be heard at the public hearing to be held as aforesaid.

Grace, Bernard, Diana            Voting    Aye  
Patel, Siegel                      Voting    Nay  
Resolution adopted.

EAST MAIN STREET TRAFFIC STUDY

The Town Board agreed to contact Phil Greeley, Traffic Consultant and ask him to look at East Main Street for his recommendations.

LANDMARKS COMMISSION HOMES OF HISTORIC DISTINCTION PROGRAM

Members of the Landmark Preservation Commission asked the Town Board to consider adding a Homes of Historic Distinction Program. Town Board agreed to hold a public hearing on November 17, 2015 to establish this program.

ADVERTISE FOR PUBLIC HEARING HOMES OF HISTORIC DISTINCTION PROGRAM  
RESOLUTION #410

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

NOTICE IS HEREBY GIVEN, that a public hearing will be convened by the Town Board, Town of Yorktown, Westchester County, New York at the Town Hall, 363 Underhill Avenue, Yorktown Heights, New York 10598 on Tuesday, November 17, 2015 at 7:30 o'clock PM, or as soon thereafter as the same can be heard to amend Chapter 198 of the Code of the Town of Yorktown entitled "LANDMARK PRESERVATION." To add a "homes of historic distinction" program:

Chapter 198 of the Town Code of the Town of Yorktown is hereby amended to enumerate Sections 198-1 through 198-15 as "Article 1, of Chapter 198, entitled "Landmarks Preservation program."

Chapter 198 of the Town Code is hereby amended to add a new Article II, entitled "Homes of Historic Distinction Program.

A copy of the 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. Can also be viewed at [www.yorktownny.org](http://www.yorktownny.org)

All persons in interest and citizens may be heard at the public hearing as aforesaid.

Grace, Patel, Bernard, Siegel, Diana Voting Aye  
Resolution adopted.

SUSTAINABLE WESTCHESTER

The Town Board discussed the Community Choice Aggregation Program.

PUBLIC SAFETY REPORT

Councilman Bernard gave the Town Board an update on several issues regarding public safety.

RELEASE WETLANDS BOND WP-079.15- 1640 HUNTERBROOK ROAD - INGA  
KUFALL  
RESOLUTION #411

Upon motion made by Councilwoman Siegel, seconded by Councilman Bernard,

WHEREAS, Ingo Kufall, as applicant, posted Check No. 1502 in the amount of \$300.00 on, \$200 of which was deposited into the 2116.1 account and the remaining \$100.00 was deposited into the A2116 account on October 15, 2015, to serve as the application fee for Wetland Permit #WP-079-15, for work performed at his Hunterbrook Avenue residence, and

WHEREAS, the Environmental Consultant has reviewed the above referenced application and determined that a permit will not be necessary, and that \$300.00 application fee may be released, NOW THEREFORE BE IT

RESOLVED, that the above-referenced fee in the amount of \$300.00 be and is hereby released to Mr. Ingo Kufall, 99 Church Street, White Plains, NY 10601.

Grace, Patel, Bernard, Siegel, Diana Voting Aye  
Resolution adopted.

AUTHORIZE COMPTROLLER TO PAY OUT RAMONA GIULIANO CASH VALUE OF  
UNUSED TIME

RESOLUTION #412

Upon motion made by Councilwoman Siegel, seconded by Councilman Bernard,

BE IT RESOLVED that the Town Board hereby authorizes the Town Comptroller to pay Ramona Giuliano the cash value of unused time as of her separation date

Rate of Pay: \$32.4839

Vacation	28.00 hours	x	\$32.4839	=	\$ 909.55
Personal Days	8.50 hours	x	\$32.4839	=	\$ 276.12
Floating Holiday	14.00 hours	x	\$32.4839	=	\$ 454.78
				Total	\$ 1,640.45

Grace, Patel, Bernard, Siegel, Diana Voting Aye  
Resolution adopted.

AUTHORIZE COMPTROLLER TO TRANSFER \$10, 500.00 FROM THE HIGHWAY FUND – FUND BALANCE TO HIGHWAY EQUIPMENT TO REPAIR TREE TRUCK  
RESOLUTION #413

Upon motion made by Councilwoman Siegel, seconded by Councilman Bernard,

BE IT RESOLVED that the Comptroller is hereby authorized to transfer \$10,500.00 from the Highway Fund - Fund Balance to Highway Equipment D5110.201 for the repair of tree truck.

Grace, Patel, Bernard, Siegel, Diana Voting Aye  
Resolution adopted.

AUTHORIZE TOWN ATTORNEY TO FILE A NOTICE OF CLAIM AGAINST YORKTOWN CENTRAL SCHOOL DISTRICT  
RESOLUTION #414

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

RESOLVED, that the Town Board authorizes and directs the Town Attorney to file a notice of claim against the Yorktown Central School District in connection with the Town’s insurer’s settlement of a lawsuit entitled *Porcelli v. Yorktown Central School District*, Index No. 59513/2014, concerning a personal injury claim arising from an incident on YCSD property during, or immediately before or after, a Town Parks and Recreation program being held on YCSD property under a license from the YCSD.

Grace, Patel, Bernard, Siegel, Diana Voting Aye  
Resolution adopted.

EXTEND LEASE FOR ROOMS USED BY THE YORKTOWN TEEN CENTER, INC.  
RESOLUTION #415

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

RESOLVED, to extend the lease for rooms as described in exhibit A of the current lease to the Yorktown Teen Center, Inc. at an annual fixed rent of \$1.00 (one dollar) for the period beginning January 1, 2016 through December 31, 2016.

Grace, Patel, Bernard, Siegel, Diana Voting Aye  
Resolution adopted.

EXTEND LEASE FOR ROOMS USED BY THE YORKTOWN COMMUNITY HELP, INC  
RESOLUTION #416

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

RESOLVED, to extend the lease for rooms as described in exhibit A of the current lease to Yorktown Community Help, Inc., at an annual fixed rent of \$1.00 (one dollar) for the period beginning January 1, 2016 through December 31, 2016.

Grace, Patel, Bernard, Siegel, Diana Voting Aye  
Resolution adopted.

ADJOURN

Upon motion made by Supervisor Grace, seconded by Councilman Patel, the Town Board meeting was adjourned.

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Diana L. Quast, Deputy Town Clerk  
Town of Yorktown