

**FINAL TOWN BOARD AGENDA
TOWN OF YORKTOWN
May 18, 2010**

PLACE: TIME:

TOWN HALL 7:30pm

1. PLEDGE OF ALLEGIANCE
2. MOMENT OF SILENCE
3. REPORT FROM SUPERVISOR SUSAN SIEGEL
4. REPORTS FROM TOWN COUNCIL
5. COURTESY OF THE FLOOR
6. PRESENTATION
 - Con Ed Yankee's Kid Program – Arbina Camaj
 - Pines Bridge Monument – Police Officer Michael Kahn
7. PUBLIC FORUM
 - Comprehensive Plan – SEQRA Findings
8. PUBLIC HEARING
 - Reconvene:
 - Proposed local law repealing Chapter 168 in its entirety and enacting a new chapter 168 entitled "FEES"
 - Decision:
 - Proposed local law repealing and reenacting a new Chapter 45 of the Code of the Town of Yorktown entitled "Ethics"
9. ADVERTISING
 - Public Hearing
 - Request from Shaiken – for an excavation permit – 363 Wooded Hill Court for the construction of a pool, cabana and tennis court

10. PERSONNEL

Retirement:

- Harry Mackay – Police Department

Resignation:

- Patrick Kaley – Police Department

11. RESOLUTIONS

Request from the Comptroller:

- Budget Transfers

Requests from the Engineering Department:

- Authorize the Supervisor to sign agreements for the Water Pollution Control Plant with:

Rockwell Automation - Large Flat Pad Manufacturing Machine

Syna-Flow Technologies - Continental Blowers

Siemens Water Technologies - Microfiltration Membranes

HO Penn - maintenance of sewer & water treatment plant equipment

- Landscape Bond Release: Hudson Valley Home Builders – Hunterbrook Road
- Request to add parcel 16.19-1-60 (3323 Beaver Drive) to Westchester County Peekskill Sanitary Sewer District:
- Authorize Mike Mill of the Engineering/Sewer Dept. to attend SUNY Morrisville Environmental Training Center for the Basic Operation of Wastewater Treatment Plants for a cost of \$650

Requests from the Nutrition Department:

- Authorize the Supervisor to sign SNAP contract (Westchester County Application for State Funds) for home delivered meals in the amount of \$9,263.00.

Requests from the Planning Department:

- Authorize the Supervisor to sign grant agreement between NY Power Authority and Town of Yorktown for \$90,000 Installation of solar photovoltaics, no match requirement

Request from the Supt. of Parks and Recreation:

- Amend resolution # 227 dated May 4, 2010 awarding Camp Bus Bid to Royal Coach Lines, Inc.

Requests from the Supervisor's Office:

- Creation of Storm Water Advisory Committee and
- Appointment of volunteer members:
Kenneth Belfer
Dennis Horbatuk

12. REFUNDS

Duplicate Taxes:

- Account #3980000 \$ 4,102.91
- Account #2983509 \$ 3,472.06
- Account #4318500 \$ 4,530.33
- Account #4318500 \$ 4,800.44

Northern Westchester Joint Water Works:

- 3209 Lakefront Avenue - \$ 2,867.25

13. MONTHLY REPORTS

- Building Department
- Receiver of Taxes (3)

14. COURTESY OF THE FLOOR

15. ADJOURN

ALICE E. ROKER
TOWN CLERK
TOWN OF YORKTOWN

DATED: May 14, 2010

The Town Board respectfully requests that you keep your remarks during Courtesy of the Floor as brief as possible; no more than three minutes.

Outstanding Bids:

RFP – Lockboxes – Due Back Date May 28, 2010

May 18, 2010 Town Board Meeting Resolutions to be approved:

9. ADVERTISING:

Public Hearing:

REQUEST FROM SHAIKEN FOR AN EXCAVATION PERMIT
363 WOODED HILL COURT FOR THE CONSTRUCTION OF A POOL,
CABANA AND TENNIS COURT

RESOLVED, that 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 on the 1st day of June, 2010 at 7:30 o'clock PM to consider the application of Andrew Shaiken for an Excavation Permit for property located on 363 Wooded Hill Court, Yorktown, New York. Described work: The approximate limit of disturbance is 25,000 Sq. Ft. for the construction of a swimming pool, pool cabana, tennis court and stormwater practices. All excavation material will remain on site.

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.

10 PERSONNEL

Retirement:

- Harry Mackay – Police Department

Resignation:

- Patrick Kaley – Police Department

11. RESOLUTIONS

Request from the Comptroller:

BUDGET TRANSFERS
RESOLUTION

BE IT RESOLVED, that the Town Board approves the following budget transfers:

2009 Budget Transfer:

Increase A 1002 Appropriated Fund Balance \$170,907.58

Increase A 1420.443 Legal Settlement \$170,907.58

To record the Adrian settlement to prior year.

2010 Budget Transfer:

Increase A 1420.108 Legal Lump Sum \$14,174.57

Decrease A 1990.499 Contingency \$14,174.57

To cover employee buy out at separation of service.

Requests from the Engineering Department:
Authorize Supervisor To Sign The Following Agreements:

ROCKWELL AUTOMATION
LARGE FLAT PAD MANUFACTURING MACHINE
RESOLUTION

WHEREAS, the Water Pollution Control Upgrade Project included the installation of various equipment as listed on the attached Rockwell Automation Proposal's hardware section; and

WHEREAS, to ensure reliable operations a service agreement for equipment maintenance by the manufacturer is required; NOW, THEREFORE BE IT

RESOLVED, that the Town Supervisor is authorized to enter into a preventative maintenance agreement with Rockwell Automation for the maintenance of the Large Flat Pad Manufacturing Machine, for a one-year term, for a total contract price of \$14,256.00.

SYNA-FLOW TECHNOLOGIES
CONTINENTAL BLOWERS
RESOLUTION

WHEREAS, the Water Pollution Control Plant Upgrade Project included the installation of two centrifugal blowers equipment; and

WHEREAS, to ensure reliable operations a service agreement for annual equipment maintenance by the manufacturer is required; NOW, THEREFORE BE IT

RESOLVED, that the Town Supervisor is authorized to execute a one-year service agreement dated April 19, 2010 with Syna-Flow Technologies, in the amount of \$3,980.00, which includes two 2-day bi-annual inspections.

SIEMENS WATER TECHNOLOGIES
MICROFILTRATION MEMBRANES
RESOLUTION

WHEREAS, the Water Pollution Control Plant Upgrade Project included the installation of Memcor Membrane Filtration system and associated equipment; and

WHEREAS, to ensure reliable operations a service agreement for equipment maintenance by the manufacturer is required; NOW, THEREFORE BE IT

RESOLVED, that the Town Supervisor is authorized to execute a one-year service agreement number GECYTH032609-00 with Siemens Water Technologies in the amount of \$18,000.00.

HO PENN – MAINTENANCE OF SEWER & WATER

TREATMENT PLANT EQUIPMENT
RESOLUTION

WHEREAS, the Water Pollution Control Plant has sewer & water treatment pump stations needing preventative maintenance; and

WHEREAS, to ensure reliable operations, a service agreement for equipment maintenance by the manufacturer is required; NOW, THEREFORE BE IT

RESOLVED, that the Town Supervisor is authorized to enter into a preventative maintenance renewal agreements with H.O. Penn for the maintenance of sewer & water treatment plant equipment, twelve agreements for a one-year term for a total contract price of \$24,775.00.

LANDSCAPE BOND RELEASE
HUDSON VALLEY HOME BUILDERS - HUNTERBROOK ROAD
RESOLUTION

WHEREAS, Hudson Valley Home Builders, as applicant, heretofore filed Landscape Bond #2336, in the amount of \$300.00, for Lot #13 on Hunterbrook Road, which was deposited into the T-30 Account on December 17, 2007; and

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

RESOLVED, that Landscape Bond #2336, on Hunterbrook Road, in the amount of \$300.00 be and is hereby released to Hudson Valley Home Builders, 513 Washington Street, Peekskill, NY 10566.

REQUEST TO ADD PARCEL 16.19-1-60
3323 BEAVER DRIVE TO PEEKSKILL SANITARY SEWER DISTRICT
RESOLUTION

WHEREAS, the Town of Yorktown Town Board is desirous of including 1 parcel of land into the existing Peekskill Sanitary Sewer District; NOW, THEREFORE BE IT

RESOLVED, that the Town Board of the Town of Yorktown does hereby request that the County of Westchester incorporate parcel 16.19-1-60 (3323 Beaver Drive – Donow) into the Peekskill Sanitary Sewer District.

AUTHORIZE MIKE MILL TO ATTEND TRAINING
FOR BASIC OPERATION OF WASTEWATER TREATMENT PLANT
RESOLUTION

WHEREAS, the NYCDEP provides for training of wastewater personnel as part of the upgrade project and fully reimburses the Town of Yorktown for such expense; and

WHEREAS, the training includes for overnight stay and expenses; NOW, THEREFORE BE IT

RESOLVED, that Michael Mill of the Engineering/Sewer Department is authorized to attend the SUNY Morrisville Environmental Training Center for the Basic Operation of Wastewater Treatment Plants for a total cost of \$650.00 (course, estimated overnight stay and expenses).

Request from Nutrition Department:

AUTHORIZE SUPERVISOR TO SIGN (SNAP) CONTRACT
FOR HOME DELIVERED MEALS
RESOLUTION

RESOLVED, that the Town Supervisor is hereby authorized to sign an agreement with Westchester County for Supplemental Nutrition Assistance Program (SNAP), for the provision of nutrition services to seniors through NYS Office for the Aging grant funds provided by Westchester County.

FURTHER RESOLVED, the contract amount is \$9,263.00 and the term is April 1, 2010 through March 31, 2011.

Request from Planning Department:

AUTHORIZE SUPERVISOR TO SIGN GRANT AGREEMENT
BETWEEN NY POWER AUTHORITY AND TOWN OF YORKTOWN
RESOLUTION

WHEREAS, the Town of Yorktown has been awarded a \$90,000.00 grant from the Power Authority of the State of New York (NYPA) for the installation of photovoltaic solar panels on Town buildings; and

WHEREAS, the program requires grant recipients to enter a contract with the NYPA to participate in the program, but does not require any matching funds to be expended by the Town; THEREFORE,

BE IT HEREBY RESOLVED, that the Supervisor of the Town of Yorktown is hereby authorized to execute a contract with the New York State Power Authority for the purpose of installing energy efficiency measures utilizing Petroleum Overcharge Restitution Funds (POCR) as a recipient of a \$90,000.00 grant.

Request from the Superintendent of Parks and Recreation:

AMEND RESOLUTION #227 DATED MAY 4, 2010 AWARDING
CAMP BUS BID TO ROYAL COACH LINES, INC.
RESOLUTION

WHEREAS, at the Town Board meeting on May 4, 2010, the Town Board awarded Section I and Section II of the Camp Bus Bid to Royal Coach Lines, Inc.;

WHEREAS, Quality Bus Lines Inc. is the actual business name on the non-collusion statement of the bid document; so

THEREFORE BE IT RESOLVED, the Town Board awards Section I and Section II of the Camp Bus Bid to Quality Bus Lines, Inc.

Request from Supervisor's Office:

CREATION OF STORMWATER ADVISORY COMMITTEE RESOLUTION

WHEREAS, the Town Board of the Town of Yorktown hereby wishes to establish an advisory committee to the Town Board with regard to stormwater to oversee the Town's stormwater municipal separate storm sewer system (MS4) requirements; and

WHEREAS, attached to this resolution and incorporated herein is a Statement of Purpose of the Stormwater Committee;

NOW, THEREFORE BE IT RESOLVED, as follows:

1. The Town Board hereby establishes an advisory committee to the Town Board and shall be known as the Stormwater Committee.
2. The Stormwater Committee shall carry out the purposes as set forth in the Statement of Purpose.
3. The membership of the Stormwater Committee shall be comprised of the following members:
 - Town Engineer
 - Town Highway Superintendent
 - Town Stormwater Consultant
 - Town Building Inspector
 - Town Stormwater Management Officer
 - Two volunteer residents of the Town of Yorktown as may be appointed by the Town Board. Such volunteers will serve three years.
4. The Town Board may authorize and budget for such expenses of Stormwater Committee as may be necessary and proper.
5. Meetings of the Stormwater Committee shall be held as such committee may determine, from time to time. Notice of such meeting shall be posted and published in accordance with the Open Meetings Law of the State of New York.
6. The Stormwater Committee shall choose a chairperson from its members.

7. Determinations and actions by Stormwater Committee shall be made by majority vote. A quorum shall consist of four members of the Stormwater Committee.

8. The Stormwater Committee shall report to the Town Board on its activities at least semi-annually.

KENNETH BELFER – APPOINTMENT
STORMWATER ADVISORY COMMITTEE
RESOLUTION

BE IT RESOLVED, that Kenneth Belfer is hereby appointed as a member to the Storm Water Advisory Committee for a three year period expiring on May 18, 2013.

DENNIS HORBATUK – APPOINTMENT
STORMWATER ADVISORY COMMITTEE
RESOLUTION

BE IT RESOLVED, that Dennis Horbatuk hereby appointed as a member to the Storm Water Advisory Committee for a three year period expiring on May 18, 2013.

13. REFUNDS

Northern Westchester Joint Water Works

WATER REFUND – 41-02643209
3209 LAKEFRONT AVE
RESOLUTION

RESOLVED, that the Town Board authorizes a refund of \$2,867.25, account # 41-02643209, for incorrect billing of water at 3209 Lakefront Ave., Mohegan Lake, since July 5, 2007, due to an incorrect meter size installed.