

**FINAL REGULAR SESSION AGENDA
TOWN OF YORKTOWN
363 Underhill Avenue
Yorktown Heights, NY 10598
March 16, 2010**

PLACE: TOWN HALL

TIME: 7:00pm

1. PLEDGE OF ALLEGIANCE

2. MOMENT OF SILENCE

3. REPORT FROM SUPERVISOR SUSAN SIEGEL

4. REPORTS FROM TOWN COUNCIL

- Councilman Bianco
- Councilman Martorano
- Councilman Murphy
- Councilman Patel

5. COURTESY OF THE FLOOR

6. ADVERTISEMENTS

Public Hearings:

Bonsignore – Request for a wetlands permit to allow the construction of a 1,500 square foot home at 738 East Main Street

7. AWARD BIDS

* Street Light Maintenance

* Traffic Light Repair/Maintenance

8. RESOLUTIONS

Requests from the Building Department:

* Approve attendance at training seminars for Building

Department personnel

Requests from the Comptroller:

* Approve 2009 and 2010 budget transfers

Requests from the Engineering Department:

* Wetland Bond Releases:

#WP-021-09

#WP-023-08

* Authorize the Supervisor to sign:

Agreement with Fred Koelsch for GIS Services until 2012

* Bond Acceptance:

E-002-10 – Excavation Permit

Requests from the Highway Department:

* Release of Escrow Deposit for

Street Opening Permit #009-006

Requests from the Nutrition Center:

* Authorize the Supervisor to sign a contract with Paula Costello for providing social worker consulting services for senior citizens

Requests from the Police Chief:

* Authorize Detective Sean Lewis to attend a Certified Voice Stress Analyzer Recertification Course

Requests from the Supervisor's Office

* Authorize the Supervisor to sign an agreement in support of the Croton Kensico Watershed Intermunicipal Coalition (CKWIC) to apply for a NYS Dept. of State Local Government Efficiency in Implementation Grant

* Payment to Wormser Kiley for providing Interim General Counsel services for the period March 1 – March 12

* Authorize the Supervisor to sign engagement letter with Wormser, Kiley, Galef & Jacobs, LLP for providing legal services as Special Counsel and Tax Certiorari Counsel to the Town of Yorktown

* Support Westchester County's Joint Legislative Package for 2010

9. PERSONNEL

Appointments:

* Martin McGannon – Maintenance Worker - Mechanical

* Elfriede Schmid – Receiver of Taxes

10. REFERRAL

* Corner Car Care – Route 6 & Lexington Avenue Request for special use permit – gas station

11. MONTHLY REPORTS

- * Building Department Construction Report – February, 2010
- * Receiver of Taxes (3 Reports)

12. REFUNDS

Duplicate Taxes:

Account #3330500 \$ 3,009.35

Account #2855500 \$ 3,578.02

Account #3818500 \$ 3,466.99

13. COURTESY OF THE FLOOR

14. EXECUTIVE SESSION

The Town Board will enter into Executive Sessions to discuss labor Negotiations

15. ADJOURN

ALICE E. ROKER
TOWN CLERK
TOWN OF YORKTOWN

DATED: March 16, 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.

Public Hearing for the Comprehensive Plan as revised and
a Final Supplemental General Environmental Impact
Statement (FSGEIS) – April 6, 2010 – 7:00PM

March 16, 2010 Town Board Meeting Resolutions to be approved:

6. ADVERTISEMENTS

Public Hearing:

**BONSIGNORE REQUEST FOR A WETLANDS PERMIT TO ALLOW
CONSTRUCTION OF A 1,500 SQ. FT. HOME AT
738 EAST MAIN STREET**

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 6th day of April, 2010 at 7:30 o'clock PM to consider the application of Brian Bonsignore for a Wetlands Permit to construct a 1,500 square foot foundation for a single family dwelling at 738 East Main Street, Yorktown Heights, NY

10598.

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.

7. AWARD BIDS

STREET LIGHT MAINTENANCE BID – RESOLUTION

WHEREAS, invitation to bid for the Street Light Maintenance for the Town of Yorktown was duly advertised, and

WHEREAS, said bids were received and opened on March 1, 2010, with the bid amounts for the above-referenced project summarized as follows:

P & M Electric (Year 2010-2011)

Hourly Rate per Person

Weekdays 8am to 4pm \$94.00 Mechanic

Nights 4am to 8pm \$141.00 Mechanic

Weekends/Holidays \$188.00 Mechanic

Hourly Rate Bucket Truck \$20.00

Hourly Rate Pole Line Truck n/c

Hourly Rate Stake Body Truck n/c

Hourly Rate Pick-Up Truck \$10.00

Hourly Rate Van \$10.00

LK Equities LTD (Year 2010-2011)

Hourly Rate per Person

Weekdays 8am to 4pm \$90.00 Mechanic \$50.00 Helper

Nights 4am to 8pm \$120.00 Mechanic \$65.00 Helper

Weekends/Holidays \$150.00 Mechanic \$65.00 Helper

Hourly Rate Bucket Truck \$85.00

Hourly Rate Pole Line Truck \$85.00

Hourly Rate Stake Body Truck \$75.00

Hourly Rate Pick-Up Truck \$50.00

Hourly Rate Van \$50.00

Verde Electric Maintenance (Year 2010-2011)

Hourly Rate per Person

Weekdays 8am to 4pm \$120.00 Mechanic \$83.00 Helper

Nights 4am to 8pm \$182.00 Mechanic \$127.00 Helper

Weekends/Holidays \$220.00 Mechanic \$165.00 Helper

Hourly Rate Bucket Truck \$160.00
Hourly Rate Pole Line Truck \$160.00
Hourly Rate Stake Body Truck \$160.00
Hourly Rate Pick-Up Truck \$105.00
Hourly Rate Van \$75.00

Delta Electric, Inc. (Year 2010-2011)

Hourly Rate per Person
Weekdays 8am to 4pm \$100.70 Mechanic \$46.24 Helper
Nights 4am to 8pm Sat, Holidays \$135.92 Mechanic \$62.53 Helper
Sundays \$171.14 Mechanic \$78.82 Helper

Hourly Rate Bucket Truck \$95.00
Hourly Rate Pole Line Truck \$95.00
Hourly Rate Stake Body Truck \$55.00
Hourly Rate Pick-Up Truck N/C
Hourly Rate Van N/C

RESOLVED, that upon the recommendation of the Town Comptroller, Joan Goldberg, the bid for the Street Light Maintenance be and is hereby awarded to P&M Electric, Inc., the lowest responsible bidder.

FURTHER RESOLVED, this contract is effective for one (1) year from March 1, 2010 through February 28, 2011 with an option to extend for two additional years in one year increments upon its original terms and conditions.

TRAFFIC LIGHT REPAIR/MAINTENANCE BID RESOLUTION

WHEREAS, invitation to bid for the Traffic Light Repair/Maintenance for the Town of Yorktown was duly advertised, and

WHEREAS, said bids were received and opened on March 1, 2010, with the bid amounts for the above-referenced project summarized as follows:

Verde Electric Maintenance Corp. (Year 2010-2011)

Hourly Rate per Person:
Weekdays 8am to 4pm \$120.00 Mechanic, \$83.00 Helper
Nights 4pm to 8am \$182.00 Mechanic, \$127.00 Helper
Weekends/Holidays \$220.00 Mechanic, \$165.00 Helper

Hourly Rate Bucket Truck \$160.00
Hourly Rate Stake Body Truck \$160.00
Hourly Rate Pick-Up Truck \$105.00

RESOLVED, that upon the recommendation of the Town Comptroller, Joan Goldberg, the bid for the Traffic Light Repair/Maintenance be and is hereby awarded to Verde Electric Maintenance Corp, the sole responsible bidder.

FURTHER RESOLVED, this contract is effective for one (1) year from March 1, 2010 through February 28, 2011 with an option to extend for two additional years in one year increments upon its original terms and conditions.

8. RESOLUTIONS

Request from the Building Department:

APPROVE ATTENDANCE FOR TRAINING SEMINARS FOR BUILDING DEPARTMENT PERSONNEL RESOLUTION

BE IT RESOLVED, that the Town Board hereby authorizes Building Inspector William Gregory, Assistant Building Inspector Glen Sneyd and Assistant Building Inspector Brad Goodman to attend the Hudson Valley Educational Conference in Poughkeepsie, New York on April 7, 8, and 9, 2010.

FURTHER RESOLVED, the total cost will be \$275.00 as Mr. Sneyd's registration has already been paid and there will be no cost for Building Inspector William Gregory's attendance;

BE IT FURTHER RESOLVED, that money is available in the Building Department training budget A3620.423 for the cost. There will be no overnight charges.

Request from the Comptroller:

APPROVE 2009 AND 2010 BUDGET TRANSFERS RESOLUTION

BE IT RESOLVED, the attached 2009 and 2010 budget transfers are hereby authorized.

Requests from the Engineering Department:

WETLAND BOND RELEASE VISION PROPERTY GROUP, LLCWP-021-09 RESOLUTION

WHEREAS, Vision Property Group, LLC, as applicant, heretofore filed a Wetland Bond in the amount of \$1,000.00, which was deposited into the T33 Account on June 25, 2009 covering Wetland Permit #021-09, for work performed (demo of structure) at the Chase Bank site on Route 202; 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 \$1,000.00 for wetlands may be released; NOW, THEREFORE BE IT

RESOLVED, that the above-described Wetland Bond in the amount of \$1,000.00 be and is hereby released to Vision Property Group, LLC, 39 Fields Lane, North Salem, New York 10560, Attn: Tom Kalensky.

WETLAND BOND RELEASE
#WP-023-08
RESOLUTION

WHEREAS, Peter Kuczma, as applicant, heretofore filed a Wetland Bond in the amount of \$300.00, which was deposited into the T33 Account on May 30, 2008, covering Wetland Permit #023-08, for work performed at his Old Yorktown Road 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 wetlands may be released; NOW, THEREFORE BE IT

RESOLVED, that the above-described Wetland Bond in the amount of \$300.00 be and is hereby released to Mr. Peter Kuczma, 2748 Old Yorktown Road, Yorktown Heights, New York 10598.

AUTHORIZE SUPERVISOR TO SIGN AGREEMENT
WITH FRED KOELSCH FOR GIS SERVICES UNTIL 2012
RESOLUTION

RESOLVED, that the Town Board authorizes the Town Supervisor to sign a Professional Services Agreement with Fred Koelsch, for GIS Services for the Town of Yorktown, for the time period of March 9, 2010 to March 31, 2012; BE IT FURTHER

RESOLVED, that the above referenced services are not to exceed a maximum annual fee of \$39,000.00.

BOND ACCEPTANCE E-002-10
EXCAVATION PERMIT
RESOLUTION

WHEREAS, Mark Marricco, as applicant, provided the Town with Check No. 1732 in the amount of \$7,500.00, to serve as the Erosion Control Bond for Excavation Permit #E-002-10 for work to be done at his site located on Indian Hill Road; NOW THEREFORE BE IT

RESOLVED, that the above referenced check is hereby accepted to serve as the bond for the Marricco Subdivision.

Request from Highway Department:

RELEASE OF ESCROW DEPOSIT FOR
STREET OPENING PERMIT #009-006
RESOLUTION

WHEREAS, a representative of the Highway Department has made an inspection of the following site and found the work to be completed satisfactorily.

NOW, THEREFORE, BE IT RESOLVED, the Town Board authorizes the release of the following Escrow Deposit:

Type of Permit Permit # Amount Location Refund to

Street Opening 009-006 \$1,000.00 Ivy Rd. Jeffrey/Lynn Cusma
1289 Ivy Rd.
Mohegan Lake, NY
10547

Request from Nutrition Center:

AUTHORIZE SUPERVISOR TO SIGN CONTRACT WITH
PAULA COSTELLO FOR PROVIDING SOCIAL WORKER
CONSULTING SERVICES FOR SENIORS - RESOLUTION

WHEREAS, the Town has obtained a grant in the amount of \$330,000.00 from the Administration on Aging of the U.S. Department of Health and Human Services; and

WHEREAS, the Town seeks to enhance the well-being of the seniors of Yorktown by providing assessments, consultation and short-term intervention to senior center members on an as-needed basis; assessing the social services and programming needs of the Yorktown senior population and their caregivers; keeping track of the health of senior citizens; promoting seniors' positive lifestyles; and providing information regarding health services and social services available to seniors of Yorktown; and

WHEREAS, the Town intends to use the grant in part to fund a part-time temporary social worker to provide services in effectuating such goals; and

WHEREAS, the Town issued a Request for Proposals on February 17, 2010; and

WHEREAS, a proposal was timely received that upon evaluation was determined to meet the needs of the Town and the requirements of the grant;

NOW, BE IT RESOLVED, that the Town Board authorizes the Supervisor to enter into a Contractor Agreement with PAULA COSTELLA (Contractor) to serve as part-time social worker for a period of nine months commencing upon the signing of the Contract. The Town

shall pay Contractor a total fee of Twenty-Seven Thousand Dollars (\$27,000.00), to be paid in monthly installments of Three Thousand Dollars (\$3,000.00).

Requests from the Police Chief:

**AUTHORIZE DETECTIVE SEAN LEWIS TO ATTEND A
CERTIFIED VOICE STRESS ANALYZER RECERTIFICATION COURSE
RESOLUTION**

BE IT RESOLVED, that the Town Board hereby authorizes Detective Sean Lewis to attend a Certified Voice Stress Analyzer Recertification Course from April 13, 2010 through April 15, 2010 in Scranton, Pennsylvania.

Requests from the Supervisor's Office:

**AUTHORIZE SUPERVISOR TO SIGN AGREEMENT IN SUPPORT
OF THE CROTON KENSICO WATERSHED INTERMUNICIPAL COALITION
TO APPLY FOR NYS DEPT OF STATE LOCAL GOVERNMENT EFFICIENCY
IMPLEMENTATION GRANT - RESOLUTION**

WHEREAS, the Town of Yorktown is a member of the Croton Kensico Watershed Intermunicipal Coalition (CKWIC) which consists of the Towns of Bedford, Cortlandt, Harrison, Lewisboro, Mount Pleasant, New Castle, North Castle, North Salem, Pound Ridge, Somers, Yorktown and the Village of Mt. Kisco in Westchester County, whose land area is located wholly or partially within the Croton and/or Kensico Watersheds; and

WHEREAS, on May 27, 2008 the Town of Somers was designated to be the lead municipality to accept and administer funds, such as the Water Quality Planning & Implementation Grant, the East-of-Hudson Water Quality Investment Program Funds or the 2007 Filtration Avoidance Determination East-of-Hudson Non-Point Source Pollution Control Program Funds, on behalf of the participating municipalities; and

WHEREAS, on February 24, 2010 the Town of Somers, on behalf of CKWIC, applied for a 2010 NYS Department of State Local Government Efficiency in Implementation Grant for Regional Implementation of Individual MS4 Phosphorus Reduction Requirements (Stormwater Retrofits) which would require establishment of a Public Benefit Corporation (PBC) and the related work program for implementation of CKWIC's draft Regional Stormwater Implementation Plan; and

WHEREAS, the receipt of the 2010 NYS Department of State Local Government Efficiency in Implementation Grant would require that CKWIC municipalities would regionally implement the required stormwater retrofits pursuant to the MS4 permit requirements rather than implement them on an individual basis; and

WHEREAS, the grant request was made for \$500,000.00 and in accordance with the grant requirements \$50,000.00 or 10% of this grant request must come from local sources of funding/services.

NOW, THEREFORE BE IT RESOLVED, that the Town of Yorktown fully supports the 2010 NYS Department of State Local Government Efficiency in Implementation Grant application made on behalf of the CKWIC; and

BE IT FURTHER RESOLVED, that the Town of Somers shall continue to be designated the lead municipality to execute all financial and/or administrative processes on behalf of the participating municipalities, regarding the acquisition of grants or other funds for CKWIC, including the 2010 NYS Department of State Local Government Efficiency in Implementation Grant until such time as the PBC is formed and operational; and

IN WITNESS WHEREOF, the Chief Elected Official of the Town of Yorktown or their designated representative is hereby authorized to affix their signature by authority vested in them on this resolution

PAYMENT TO WORMSER KILEY FOR INTERIM
GENERAL COUNSEL SERVICES
FOR MARCH 1 THROUGH MARCH 12

RESOLVED, that Wormser, Kiely, Galef & Jacobs LLP, shall continue its work as Interim Town Attorney as established by resolution of the Town Board dated January 19, 2010, for the period March 1, 2010 through March 12, 2010, and shall be paid for such services the sum of \$4,000.00 representing the pro-rata portion of the retainer authorized by said resolution of January 19, 2010.

AUTHORIZE SUPERVISOR TO SIGN ENGAGEMENT LETTER
WITH WORMSER, KILEY, GALEF & JACOBS, LLP
RESOLUTION

RESOLVED, that the Supervisor is authorized to sign an engagement letter with Wormser, Kiley, Galef & Jacobs LLP for providing legal services as Special Counsel and Tax Certiorari Counsel to the Town of Yorktown.

WESTCHESTER COUNTY BOARD OF LEGISLATORS
2010 LEGISLATIVE PACKAGE
RESOLUTION

RESOLVED, that the Supervisor is authorized to send a letter to the Westchester County Executive and Westchester County Legislature supporting the 2010 Westchester County Joint Legislative Package.

9. PERSONNEL
Appointments:

APPOINT MARTIN MCGANNON

MAINTENANCE WORKER – MECHANICAL RESOLUTION

BE IT RESOLVED, that Martin McGannon is hereby appointed Maintenance Worker-Mechanical, job class code 0443-02, in the Sewer Department, effective March 17, 2010, with no change in salary.

APPOINT ELFRIEDE SCHMID

RECEIVER OF TAXES - RESOLUTION

RESOLVED, that Elfriede Schmid be appointed Receiver of Taxes for a seven month period ending July 31, 2010 and

BE IT FURTHER RESOLVED, that during that time, Ms. Schmid will work closely with the Supervisor and Town Board to implement cost savings measures in the tax office by July 31, 2010 including but not limited to

- * implement any Town Board resolution authorizing a lock box system for the collection of tax payments by June 1st
- * prepare a report for the Town Board by May 15th on the costs and benefits of accepting online tax payments
- * establish protocols with the Tax Assessor's office for the sharing of the Assessment Tax Aide so that the aide can physically remain in the tax office while answering phones and doing work for the Tax Assessor's office
- * reallocate work assignments within the tax office in order to increase the productivity of all department employees
- * work with the Town Comptroller to identify and implement additional measures that can increase the productivity and efficiency of the tax office and its coordination with the finance department and make recommendations to the Town Board if policy or legislative changes are needed to implement any recommendations.

10. REFERRAL

CORNER CAR CARE ROUTE 6 & LEXINGTON AVE

REQUEST FOR SPECIAL USE PERMIT – GAS STATION

RESOLVED, the Town Clerk is authorized to refer the requests from Corner Car Care Route 6 & Lexington Ave., for a special use permit to the appropriate agencies.