Town Board Meeting

Meeting: Town Board Meeting
Date/Time: Tue, Jul 17th, 2012 6:00pm - 9:30pm
Location: Town Hall Board Room

PLEASE NOTE CHANGE OF LOCATION

FINAL TOWN BOARD AGENDA
TOWN OF YORKTOWN
JULY 17, 2012

PLACE: TIME:
TOWN HALL 6:00pm

1. PLEDGE OF ALLEGIANCE

2. MOMENT OF SILENCE

3. WELCOME - Brian Gray
Superintendent, Parks and Recreation

4. REPORT FROM SUPERVISOR MICHAEL GRACE

5. REPORTS FROM TOWN COUNCIL

6. DISCUSSION WITH THE HIGHWAY SUPT. CONCERNING PAVING

7. YORKTOWN LEO'S PRESENTATION TO THE D.AR.E. PROGRAM
AND THE JUSTIN VEATCH FOUNDATION

8. RESOLUTIONS FROM THE MEETING OF 6/19/2012

9. COURTESY OF THE FLOOR

10. PUBLIC HEARINGS
• Eminent Domain proceedings and Request for a wetlands permit related to the Town of Yorktown's Baptist Church Road Rehabilitation Project
• Proposed local law amending Chapter 275 -40 (A)(1)adding to the list of areas designated as fire lanes (Police/Court Complex)
• Proposed local law amending Chapter 198 entitled "Landmark Preservation"
• Proposed local law amending Chapter 300-19 for Temporary Building Permits
• Proposed local law amending Chapter 15 for building permit renewals
• Unsafe Structure – 1482 Maiden Lane

11. ADVERTISING
Bids:
• Elevator Inspection and Maintenance – Capital Project #12-4

12. REFERRAL

• Request from Tonndorf to have a commercial vehicle (food truck) on property in Jefferson Valley.

13. RESOLUTIONS
Requests from the Engineering Department:
• Village Traditions - Site Plan Bond Reduction
• Esposito Builders – Site Plan – Acceptance of Bonds
• Release of Bond for Wetland Permit #129-04
• Release of Bond for Wetland Permit #026-09
• Release of Bond for Erosion Control Permit #018-12
• Release of Landscape Bond #1192 - $300.00

Requests from the Finance Department:
• Approve refund of compost permit
• Approve overtime reimbursement
• Budget Transfers

Request from the Police Department:
• Authorize the Supervisor to sign a renewal agreement with SunGard Public Sector, Inc. relating to the Department's productivity software from Aug. 1, 2012 to Jan. 31, 2013 at a cost of $25, 296.28.

Request from the Town Attorney:
• Authorize the Supervisor to sign an IMA (Intermunicipal Agreement) with the Town of Greenburg relating to tax grievances
• Approve a Temporary Certificate of Occupancy – Field Home- Sales Office

Request from the Town Board:
• Approve auctioning off surplus vehicles

14. PERSONNEL
• Appoint Barbara Korsak Deputy Receiver of Taxes for the period July 17 – July 31, while the Receiver of Taxes is on vacation

15. REFUNDS
Duplicate Taxes:
Account # 0295060 - $3,409.93
Account # 1421093 - $2,057.85
- $2,057.85
16. MONTHLY REPORTS
Building Department – June Permits
Receiver of Taxes

17. COURTESY OF THE FLOOR

18. ADJOURN

ALICE E. ROKER
TOWN CLERK
TOWN OF YORKTOWN

DATED: July 17, 2012

July 17, 2012 Town Board Meeting
Resolutions to be approved:

8. RESOLUTIONS FROM THE MEETING OF 6/19/2012
Resolved, that the Town Board Meeting Resolutions for July 19, 2012 are approved by the Town Board.

11. ADVERTISING
Bids:
ELEVATOR INSPECTION AND MAINTENANCE – CAPITAL PROJECT #12-4
Sealed proposals will be received by the Town Clerk of the Town of Yorktown, Westchester County, New York, at the Town Hall, 363 Underhill Avenue, Yorktown Heights, New York, until 10:00 A.M., on Monday, August 13, 2012, for the Elevator Inspection and Maintenance Bid #12-4.

Specifications and standard proposals for the bid may be obtained at the office of the Town Clerk at said Town Hall.

The bidder assumes the risk of any delay in the mail or in the handling of mail by the employees of the Town of Yorktown. Whether sent by mail or means of personal delivery, the bidder assumes the responsibility for having bids in on the time and the place specified above.

The Town of Yorktown reserves the right to waive any informalities in the bids, to reject any or all bids and reserves the right to accept that bid which it deems most favorable to the interests of the Town of Yorktown. No bidder may withdraw his bid within thirty (30) days after the actual date of the opening thereof.

If mailed, sealed proposals must be addressed in care of the Town Clerk at the above address.

12. REFERRAL
REQUEST FROM TONNDORF TO HAVE A COMMERCIAL VEHICLE (FOOD TRUCK) ON PROPERTY IN JEFFERSON VALLEY
No Information Provided.

13. RESOLUTIONS
VILLAGE TRADITIONS - SITE PLAN BOND REDUCTION
WHEREAS, Timothy Mallon, as applicant, has provided the Town with Platte River Insurance Company Subdivision Bond #41206723, in the amount of $132,380.00, to serve as the Performance Bond for the Village Traditions Site Plan located on Route 6, and

WHEREAS, Timothy Mallon, as applicant, has provided the Town with Platte River Insurance Company Subdivision Bond #41206724 in the amount of $20,000.00, to serve as the Erosion Control Bond, and

WHEREAS, Timothy Mallon, as applicant, has provided the Town with a check in the amount of $750.00, to serve as the Wetland Bond for Wetland Permit #WP-038-10, and a check in the amount of $500.00 for inspections for the Wetland Permit, and

WHEREAS, the work for Wetland Permit #038-10 has not yet been completed, so that money held will remain in full force and effect, and

WHEREAS, Timothy Mallon has requested that the Performance and Erosion Control Bonds (#41206723 and #4120624) be released, and

WHEREAS, the Acting Town Engineer has said that the Performance & Erosion Control Bonds may be reduced for the completion of site work items within the Village Traditions Site Plan, and
WHEREAS, that the above referenced Performance Bond #41206723 be reduced to $9,200.00 and the Erosion Control Bond #41206724 be reduced to $3,000.00, and

WHEREAS, a member of the Engineering Department has informed the Acting Town Engineer that said items have been satisfactorily completed and that the $152,380.00 Performance & Erosion Control Bonds can be reduced to $12,200.00 ($152,380.00- $12,200.00 = $140,180.00 back to developer), NOW, THERFORE BE IT,

RESOLVED, that the above referenced bonds be released to Village Traditions, LLC, 47 Kayla Avenue, Mahopac,

NY 10541, Attn: Mr. Tim Mallon.

ESPOSITO BUILDERS – SITE PLAN – ACCEPTANCE OF BONDS
WHEREAS, Richard Esposito/Esposito Builders, as applicant, provided the Town with American Fire & Casualty Company Performance Bond #3-253-858, in the amount of $57,015.00, to serve as the Performance Bond, for the Esposito Builders' Site Plan located at 1922 East Main Street, and

WHEREAS, Richard Esposito/Esposito Builders, as applicant, provided the Town with Check No. 1479, in the amount of $5,000.00, which was deposited into the T33 account on October 22, 2008, to serve as the Erosion Control Bond, for the Esposito Builders Site Plan, and

WHEREAS, Richard Esposito/Esposito Builders, as applicant posted Check No. 1476 in the amount of $1,500.00, which was deposited into the T33 account on June 30, 2008, to serve as the Erosion Control Bond for Excavation Permit #E-017-08, and,

WHEREAS, the Town Engineer has informed this Board that a representative of her department has inspected the property and determined that all public improvements have met Town requirements, NOW, THEREFORE, BE IT

RESOLVED, that the above referenced bonds are hereby released to Mr. Richard Esposito, Esposito Builders, Inc., 8 John Walsh Boulevard, Suite 401, Peekskill, NY 10566.

RELEASE OF BOND FOR WETLAND PERMIT #129-04
WHEREAS, Galina Kanevsky, as applicant, heretofore filed a Wetland Bond in the amount of $300.00, which was deposited into the T33 Account on December 3, 2004, covering Wetland Permit #129-04 for work performed at her Spring Valley 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 erosion control 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 Ms. Galina Kanevsky, 1358 Spring Valley Road, Ossining, NY 10562.

RELEASE OF BOND FOR WETLAND PERMIT #026-09
WHEREAS, Steven & Julie D'Orazio, as applicant, posted Check #0549 in the amount $350.00, which was deposited into the T33 account on August 28, 2009, to serve as the Wetland Bond for Wetland Permit #026-09, for work performed at their Barry 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 $350.00 may be released, NOW THEREFORE BE IT

RESOLVED, that the above-referenced Erosion Control Bond in the amount of $350.00 be and is hereby released to Mr. & Mrs. Steven D'Orazio, 2543 Barry Court, Yorktown Heights, NY 10598.

RELEASE OF BOND FOR EROSION CONTROL PERMIT #018-12
WHEREAS, Jorge Torres Solari, as applicant, heretofore filed an Erosion Control Bond in the sum of $250.00, which was deposited into the T33 Account on April 27, 2012, covering Wetland Permit #018-12, 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 $250.00 for erosion control may be released, NOW THEREFORE BE IT

RESOLVED, that the above-described Erosion Control Bond in the amount of $250.00 be and is hereby released to Mr. Jorge Torres Solari, 2914 Old Yorktown Road, Yorktown Heights, NY 10598.

RELEASE OF LANDSCAPE BOND #1192 - $300.00
WHEREAS, Mohan Singh, as applicant, heretofore filed Landscape Bond #1192, in the amount of $300.00, for Lot #3.14, in the Clover Ridge Estates Subdivision on Rustic Ridge Court, which were deposited into the T30 Account on May 7, 1998, 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 #1192 in the amount of $300.00 be and is hereby released to Mohan Singh, 1310 Rustic Ridge Court, Yorktown Heights, NY 10598.

APPROVE REFUND OF COMPOST PERMIT
Whereas, Kevin M Martelli purchased a compost yard permit for a six wheel dump truck on April 5, 2012, for the total amount of $2,500, and

Whereas, due to unforeseen circumstances, this individual has not and will not be utilizing the compost facility, and said permit was revoked, now,

Therefore, Be It Resolved, upon the recommendation of the Highway Superintendent and the acting head of Conservation, a refund in the amount of $2,500 shall be issued to Kevin M Martelli.

APPROVE OVERTIME REIMBURSEMENT
Whereas, Dance For Joy was billed $937.50 for YCCC overtime (incurred on May 19 and May 20, 2012) by both the Town and the theater, and

Whereas, Dance For Joy paid both invoices, and both amounts were remitted to the finance department, now

Therefore, Be It Resolved, Dance For Joy shall be refunded $937.50

BUDGET TRANSFERS
Be It Resolved, the following 2012 budget transfers are hereby approved:

General Fund
7/10/2012 Line Description Amount Reason
A 1010.490 Cable Services 3,250.00 Cover cable services
A 1010.810 Medical Insurance 12,700.00 Cover add'l councilman premium
A 1910.467 Insurance (15,950.00) Available funds

A 1450.490 Election Contractual Services 1,180.66 Cover pmt to West County for election costs
A 1910.467 Insurance (1,180.66) Available funds

A 9000.103 Police Retro Pay 307,973.81 2010 + 2011 Police Retro Pay
A 1002 Appropriated Fund Balance (307,973.81) Cover 2010 + 2011 Police Retro Pay

Highway Fund
D 5112.200 Highway Chips 59,981.78 Match verified state aid notice
D 3501 State Aid:Chips (59,981.78) Match verified state aid notice

D 5130.201 Highway Machinery 161,200.00 Cover 2nd truck
D 5142.403 Highway Snow Material (161,200.00) Available funds

Yorktown Sewer Fund
YS 8130.449 Analysis 10,500.00 5 year cycle testing
YS 8130.460 Plant Maintenance (10,500.00) Available funds

AUTHORIZE THE SUPERVISOR TO SIGN A RENEWAL AGREEMENT WITH SUNGARD PUBLIC SECTOR, INC. RELATING TO THE DEPARTMENT'S PRODUCTIVITY SOFTWARE FROM AUG. 1, 2012 TO JAN. 31,

2013 AT A COST OF $25, 296.28
RESOLVED, that the Town Board hereby authorizes the Town Supervisor to sign an agreement with SunGard Public Sector, Inc. for a renewal maintenance and support services contract for the Yorktown Police Department's productivity software from August 1, 2012 through January 31, 2013. The semi-annual renewal fee is $25,296.28

AUTHORIZE THE SUPERVISOR TO SIGN AN IMA (INTERMUNICIPAL AGREEMENT) WITH THE TOWN OF GREENBURG RELATING TO TAX GRIEVANCES
RESOLVED, that the Town Board authorizes the Supervisor to execute an intermunicipal agreement between the Town of Yorktown and the Town of Greenburgh, providing for the transfer of tax assessment review cases in situations where the Assessor of the transferor town determines that such transfer is appropriate to avoid a conflict of interest or appearance of a conflict of interest, and where recusal of a board of assessment review member is not sufficient to resolve the conflict or apparent conflict. Such agreement shall have a term of one year and shall be automatically renewed annually unless terminated by either party.

APPROVE A TEMPORARY CERTIFICATE OF OCCUPANCY – FIELD HOME- SALES OFFICE
Not Available at Time of Publication.

APPROVE AUCTIONING OFF SURPLUS VEHICLES
WHEREAS, the various Department Heads have designated the following items as obsolete or out-of-service equipment;

Department Year Make Model Vin #
Police 2003 Ford Crown Vic. 2fafp71wx3x118263
Police 2003 Ford Crown Vic. 2fafp71w33x118265
Police 2004 Ford Crown Vic. 2fafp71w94x102105
Cent. Garage 2000 Ford Crown Vic. 2fafp71wbyx106359
Engineering 1997 Ford Crown Vic. 2falp71w6vx210833
Library/Highway 1993 Ford Crown Vic. 2facp71w7px172452
Parks & Rec. 1988 Chevy Jimmy 1gkct18r6j8528551
Parks & Rec. 1995 GMC Pick up 1gtgk24kose503386
Parks & Rec. 1991 GMC Bucket Van 1gtgg35k3m7514167
Parks & Rec. 1991 GR/MA Tractor 10167
Water 1993 International 257 Dump 1htgeayr2ph466357
Conservation 1999 MACK PACKER RD690S 1M2P264C2XM027974
Water 1995 International 257 Dump 1htgeaurosh654728

WHEREAS, on June 15, 2011 the preceding Town Board authorized the former Supervisor to sign a two-year contract agreement with Auctions International, Inc. to sell surplus Town vehicles and equipment using an online auction;

THEREFORE BE IT RESOLVED, that the Town Board designates the aforementioned items as surplus equipment and authorizes such equipment to be placed on public online auction with Auctions International, Inc.

14. PERSONNEL
APPOINT BARBARA KORSAK DEPUTY RECEIVER OF TAXES FOR THE PERIOD JULY 17 – JULY 31, WHILE THE RECEIVER OF TAXES IS ON VACATION
RESOLVED, that the Receiver of Taxes, Elfriede H. Schmid will be on vacation from July 17 – July 31 and that while she is away from the office, Barbara Korsak is hereby appointed Deputy Receiver of Taxes.

15. REFUNDS
Duplicate Taxes:
Account # 0295060 - $3,409.93
Account # 1421093 - $2,057.85
$2,057.85

Meeting Minutes

Minutes 07/17/2012

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