

Work Session held by the Town Board, Town of Yorktown on April 11, 2007. Yorktown Town Hall, 363 Underhill Avenue, Yorktown Heights, New York 10598.

Present: Linda G. Cooper, Supervisor
James Martorano, Councilman
Nicholas Bianco, Councilman
Matthew Metz, Councilman
Louis Campisi, Councilman

Absent:

CLOSED SESSION

At 6:00 P.M., Councilman Campisi moved, seconded by Councilman Martorano, to move into Executive Session to discuss the employment of particular persons.

Councilman Campisi moved, seconded by Councilman Martorano to move out of Executive Session and proceed with the Work Session.

WORK SESSION

Supervisor Cooper called the meeting to order. Deputy Town Clerk Diana L. Quast and Town Attorney Kevin Sweeny were also present.

DISCUSSION OF COUNCIL/MANAGER FORM OF GOVERNMENT

New Castle Town Administrator Jerry Faiella, Mamaroneck Town Administrator Steve Altieri, Irvington Village Manager Don Marra and Former Mayor of Croton Bob Elliott were present to discuss with the Town Board a Council/Manager form of government. All of the administrators and managers present described to the Board their respective roles in their communities. The Board decided to form a committee to research the issue further.

LENGTH OF TERM CHANGE FOR TOWN SUPERVISOR

Town resident Anthony D'Allessandro was present to discuss with the Board a request to change the Town Supervisor's term from two (2) years to four (4) years. The Board decided that the term for Supervisor should remain every two (2) years.

APPOINTMENT OF POLICE LIEUTENANT KEVIN SORAVILLA RESOLUTION #149

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

BE IT RESOLVED, that Kevin Soravilla is hereby appointed Police Lieutenant from Eligible List No. 73-845 effective Wednesday, April 11, 2007 to be paid the contractual salary of \$103,529 annually.

BE IT FURTHER RESOLVED, that this appointment is subject to a probationary period of not less than 12 nor more than 52 weeks.

Cooper, Martorano, Bianco, Campisi, Metz Voting Aye.
Resolution adopted.

APPOINTMENT OF CONTINGENT PERMANENT POLICE SERGEANT MICHAEL ZAICEK RESOLUTION #150

Upon motion made by Councilman Campisi, seconded by Councilman Martorano,

BE IT RESOLVED, that Michael Zaicek is hereby appointed Contingent Permanent Sergeant from Eligible List No. 75-993 effective April 11, 2007 to be paid the contractual salary of \$90,143 annually.

BE IT FURTHER RESOLVED, that this appointment is subject to a probationary period of not less than 12 nor more than 52 weeks.

Cooper, Martorano, Campisi, Metz Voting Aye.
Bianco Voting Nay
Resolution adopted.

SHOPPES AT YORKTOWN
ROUTE 202 ACROSS FROM MOHANSIC AVENUE

Al Capellini was present as the attorney for the Stanberry Development Corporation. They would like to request that the Town Board consider rezoning a parcel of land located in the area of Route 202 and the Taconic State Parkway near BJ's to construct an upscale shopping center. A representative from Stanberry Development explained that this would be an anchorless center where every store has to work together.

Councilman Martorano stated that he like the idea of this but it would have to stay exactly the same as this presentation.

Supervisor Cooper stated that the Board should consider a site plan specific zone rather than a change of zone so that this area can only be used for that purpose.

A representative from Adler Consulting discussed various ways to re-route traffic on Route 202 in order to help with the congestion, if an upscale shopping center was put into the area.

Supervisor Cooper asked what affect this would have on the JV Mall. The Stanberry Development Corporation felt that it would not have a great impact at all because it is a different type of environment. They explained that many retailers prefer this type of situation and it eliminates competition. Stanberry stated that this center would be less than a ten (10) percent the size of the mall and would have no impact.

TEMPLE ISREAL RE-APPROVAL

Al Capellini was present as the attorney for Temple Israel, who would like to request that the Town Board consider re-approving their site plan. The Board agreed to place this on the next agenda.

PARKS AND RECREATION SKATE PARK

Members of the Concerned Citizens for Safe Skateboarding in Yorktown were present to discuss with the Board the proposed concept layout for the skate park. The Board agreed to the layout and will continue to work towards building a skate park in Yorktown. Westchester County Legislator Kaplowitz was present and stated that he was in full support of this project and will work hard to have it funded through the Legacy Program.

YORKTOWN LEGACY BALLFIELDS

Superintendent of Parks and Recreation Jen Fava was present to review with the Board the Legacy Ballfields, which are at sixty (60) percent submission. The Board would like to continue to move forward with getting this project started.

MISCELLANEOUS

Supervisor Cooper discussed miscellaneous items with the Board.

AMEND BID AWARD RESOLUTION
BMJ CONSTRUCTION - WPC AMMONIA REMOVAL & EQUIPMENT
MAINTENANCE UPGRADE PROJECT
RESOLUTION #151

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

The BMJ Construction Company's contract price for the WPC Ammonia Removal and Equipment Maintenance Upgrade Project, was \$7,515,000 and was incorrectly awarded at \$7,415,000.00, therefore, I am requesting the Town Board amend the following resolution to reflect the correct bid award price of \$7,515,000.00. Please note that the grand total financed for the project reflects the correct bid amount.

<u>PORTION OF BID</u>	<u>NAME OF BIDDER</u>	<u>AMOUNT OF BID</u>
General Construction	BMJ Construction Co., Inc.	\$7,515,000.00

RESOLVED, that the bid for the Water Pollution Control Plant Ammonia Removal and Equipment Maintenance Upgrades, General Construction portion, be awarded to BMJ Construction Co., Inc., the low bidder, at a cost of \$7,515,000.

Cooper, Martorano, Bianco, Campisi, Metz Voting Aye.
Resolution adopted.

AUTHORIZE SUPERVISOR TO SIGN
AGREEMENT WITH BRYANT SURVEYORS TO PERFORM
SURVEY WORK NEEDED FOR THE DESIGN OF OVERLOOK, SUNCREST AND
GOMER SEWER DISTRICTS
RESOLUTION #152

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

RESOLVED, that the Town Board authorizes the Town Supervisor to sign an agreement with Bryant Surveyors to perform survey work needed for the Overlook, Suncrest and Gomer Street Sewer Districts.

Cooper, Martorano, Bianco, Campisi, Metz Voting Aye.
Resolution adopted.

CHANGE ORDER FOR COMMERCE STREET PROJECT
RESOLUTION #153

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

WHEREAS, the Town Board of the Town of Yorktown on October 5, 2005, awarded DeCarvalho Landscaping Service Inc. for the construction of the Commerce Street Streetscape Phase-I at YCCC and Gateway Wall, and

WHEREAS, said contract was awarded for a maximum amount of \$191,850; and

WHEREAS, said contract has been reduced by \$430 due to cost saving efforts for a total project cost of \$191,430.00; and

WHEREAS, DeCarvalho Landscaping has submitted additional expenses for required work in the amount of \$6353.00; therefore

BE IT HEREBY RESOLVED, the Town of Yorktown hereby authorizes payment for said expenses with an increased allocation of \$6,353.00 for a total project cost of \$197,773.00 to be funded from the General Fund Balance.

Cooper, Martorano, Bianco, Campisi, Metz Voting Aye.
Resolution adopted.

REQUEST TOPOGRAPHIC SURVEYS OF COMMERCE STREET STREETSCAPES
PHASE II FROM THE FIRE HOUSE TO KEAR STREET, AND EAST MAIN
STREET, JEFFERSON VALLEY, FROM HILL BOULEVARD TO
APPROXIMATELY 225 FT BEYOND PERRY STREET
RESOLUTION #154

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

WHEREAS, the Town of Yorktown has been awarded Community Development Block Grants for streetscape improvements to East Main Street in Jefferson Valley and Commerce Street in Yorktown Heights, and

WHEREAS, in order to execute design and construction of said projects accurately and efficiently, the Town Board solicited proposals for topographic surveys of East Main Street, Jefferson Valley, from Hill Boulevard to approximately 225 ft beyond Perry Street, and Commerce Street from the Fire House to Kear Street, and

WHEREAS, proposals were received for the said surveys and are summarized as follows:

Gabriel E. Senior, P.C.	East Main Street	\$14,000.00
90 North Central Avenue	Commerce Street	<u>\$5,500.00</u>
Hartsdale, NY 10530	total	\$19,500.00
J. Henry Carpenter	East Main Street	\$9,225.00
2070 Saw Mill River Road	Commerce Street	<u>\$6,500.00</u>
Yorktown Heights, NY 10598	total	\$15,725.00

THEREFORE BE IT HEREBY RESOLVED, that the Town Board of the Town of Yorktown authorizes the Supervisor of the Town of Yorktown to sign an agreement for said survey with J. Henry Carpenter, for a total expenditure not to exceed \$15,725.00.

Cooper, Martorano, Bianco, Campisi, Metz Voting Aye.
Resolution adopted.

GLOBAL WARMING
RESOLUTION #155

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

WHEREAS, the U.S. Conference of Mayors has previously adopted strong policy resolutions calling for cities, communities and the Federal Government to take actions to reduce global warming pollution; and

WHEREAS, the Inter-Governmental Panel on Climate Change (IPCC), the international community's most respected assemblage of scientists, has found that climate disruption is a reality and that human activities are largely responsible for increasing concentrations of global warming pollution; and

WHEREAS, recent, well-documented impacts of climate disruption include average global sea level increases of four to eight inches during the 20th century; a 40 percent decline in Arctic sea-ice thickness; and nine of the ten hottest years on record occurring in the past decade; and

WHEREAS, climate disruption of the magnitude now predicted by the scientific community will cause extremely costly disruption of human and natural systems throughout the world including: increased risk of floods or droughts; sea-level rises that interact with coastal storms to erode beaches, inundate land, and damage structures; more frequent and extreme heat waves; more frequent and greater concentrations of smog; and

WHEREAS, on February 16, 2005, the Kyoto Protocol, an international agreement to address climate disruption, went into effect in the 141 countries that have ratified it to date; 38 of those countries are not legally required to reduce greenhouse gas emissions on average 5.2 percent below 1990 levels by 2012; and

WHEREAS, the United States of America, with less than five percent of the world's population, is responsible for producing approximately 25 percent of the world's global warming pollutants; and

WHEREAS, the Kyoto Protocol emissions reduction target for the U.S. would have been 7 percent below 1990 levels by 2012; and

WHEREAS, many leading U.S. companies that have adopted greenhouse gas reduction programs to demonstrate corporate social responsibility have also publicly expressed preference for the U.S. to adopt precise and mandatory emissions targets and timetables as a means by which to remain competitive in the international marketplace, to mitigate financial risk and to promote sound investment decisions; and

WHEREAS, state and local governments throughout the United States are adopting emission reduction targets and programs and that this leadership is bipartisan, coming from Republican and Democratic governors and mayors alike; and

WHEREAS, many cities throughout the nation, both large and small, are reducing global warming pollutants through programs that provide economic and quality of life benefits such as reduced energy bills, green space preservation, air quality improvements, reduced traffic congestion, improved transportation choices, and economic development and job creation through energy conservation and new energy technologies; and

WHEREAS, mayors from around the nation have signed the U.S. Mayors Climate Protection Agreement which, as amended at the 73rd Annual U.S. Conference of Mayors meeting, reads:

The U.S. Mayors Climate Protection Agreement

- A. We urge the Federal Government and State Governments to enact policies and programs to meet or beat the target of reducing global warming pollution levels to 7 percent below 1990 levels by 2012, including efforts to: reduce the United States' dependence on fossil fuels and accelerate the development of clean, economical energy resources and fuel-efficient technologies such as conservation, methane recovery for energy generation, waste to energy, wind and solar energy, fuel cells, efficient motor vehicles, and biofuels;
- B. We urge the U.S. Congress to pass bipartisan greenhouse gas reduction legislation that includes 1) clear timetables and emissions limits and 2) a flexible, market-based system of tradable allowances amount emitting industries; and
- C. We will strive to meet or exceed Kyoto Protocol targets for reducing global warming pollution by taking actions in our own operations and communities such as:
 1. Inventory global warming emissions in city operations and in the community, set reduction targets and create an action plan.
 2. Adopt and enforce land-use policies that reduce sprawl, preserve open space, and create compact, walkable urban communities;
 3. Promote transportation options such as bicycle trails, commute trip reduction programs, incentives for car pooling and public transit;
 4. Increase the use of clean, alternative energy by, for example, investing in "green tags" advocating for the development of renewable energy resources, recovering landfill methane for energy production, and supporting the use of waste to energy technology;
 5. Make energy efficiency a priority through building code improvements, retrofitting city facilities with energy

- efficient lighting and urging employees to conserve energy and save money;
6. Purchase only Energy Star equipment and appliances for city use;
 7. Practice and promote sustainable building practices using the U.S. Green Building Council's LEED program or a similar system;
 8. Increase the average fuel efficiency of municipal fleet vehicles; reduce the number of vehicles; launch an employee education program including anti-idling messages; convert diesel vehicles to bio-diesel;
 9. Evaluate opportunities to increase pump efficiency in water and wastewater systems; recover wastewater treatment methane for energy production;
 10. Increase recycling rates in city operations and in the community;
 11. Maintain healthy urban forests; promote tree planting to increase shading and to absorb CO₂; and
 12. Help educate the public, schools, other jurisdictions, professional associations, business and industry about reducing global warming pollution.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Yorktown endorses the U.S. Mayors Climate Protection Agreement as amended by the 73rd annual U.S. Conference of Mayors meeting and urges mayors from around the nation to join this effort.

BE IT FURTHER RESOLVED, the Town of Yorktown will work in conjunction with ICLEI Local Governments for Sustainability and other appropriate organizations to track progress and implementation of the U.S. Mayors Climate Protection Agreement as amended by the 73rd annual U.S. Conference of Mayors meeting.

Cooper, Martorano, Bianco, Campisi, Metz Voting Aye.
Resolution adopted.

TOWN BOARD AGENDA

The Town Board discussed the April 17, 2007 meeting agenda.

ADJOURN

Councilman Campisi moved, seconded by Councilman Martorano to adjourn the Town Board meeting.

Diana L. Quast
Deputy Town Clerk
Town of Yorktown