

Work Session held by the Town Board, Town of Yorktown on April 8, 2008. Yorktown Town Hall, 363 Underhill Avenue, Yorktown Heights, New York 10598.

Present: Donald S. Peters, Supervisor
James J. Martorano, Councilman
Nicholas J. Bianco, Councilman
Matthew P. Metz, Councilman
Louis J. Campisi, Councilman

Absent:

WORK SESSION

Supervisor Donald S. Peters called the meeting to order. Deputy Town Clerk Diana L. Quast and Town Attorney John Buckley were also present.

UPDATE FROM TOWN ASSESSOR

Town Assessor Harold Girdlestone was present to give the Town Board an update on changing the valuation date from June 1 to July 1, and about planning for certiorari refunds. The Town Board would like to continue discussing this issue at a later Work Session.

TREE CONSERVATION ADVISORY COMMISSION

The Town Board discussed staffing the Tree Conservation Advisory Commission. Councilman Campisi asked to advertise for openings on the Tree Conservation Advisory Commission and for other volunteer boards that currently have openings.

OPEN SPACE PRESENTATION

Members of the Open Space Committee were present to discuss the quarterly review and 2008 goals of the Open Space Committee. They presented the Town Board with nine properties that should be on the top priority list for acquisition and many others that should be considered.

BUSINESS DEVELOPMENT BOARD PROPOSAL

Bob Giordano and Trish Mulligan were present to discuss with the Board a proposal to create a Business Development Board. The Town Board would like to continue discussing this proposal at a later Work Session.

LABOR OPERATIONS UPDATE

Director of Labor Operations Eric DiBartolo, Superintendent of Environmental Conservation Patrick Lofaro and Deputy Highway Superintendent Paul Holopeter were present to update the Board on projects and the overtime reduction that the consolidation of departments has accomplished.

AUTHORIZE SUPERVISOR TO SIGN FARMALND PROTECTION GRANT PROGRAM RESOLUTION #167

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

WHEREAS, the New York State Farmland Protection Implementation Grant Program (the "Program") was designated to help protect and preserve farmland throughout the State by providing financial assistance to towns and counties with adopted

Agriculture and Farmland Protection Plans to support local farmland protection activities, and

WHEREAS, the Westchester County Agriculture and Farmland Protection Plan (the “Plan”) was prepared in 2004 and approved by the New York State Department of Agriculture and Markets (“NYSDAM”) on April 7, 2005; and

WHEREAS, the Plan recognizes the value of protecting farmland and the agricultural industry as critical to protecting the environment and reducing the impacts of sprawl, preserving cultural history, enhancing scenic vistas and community character, and providing fresh food and economic opportunities, and the Plan specifically recommends participating in programs such as this to protect farmland; and

WHEREAS, Westchester County (the “County”) has created various funds to purchase open space and to protect farmland throughout the County, which furthers the public policy of preserving open space in light of recent community growth rates, which have risen as rapidly as 13% annually; and

WHEREAS, the County intends to further serve the public policy of reducing potential impacts to water quality within the County and to prevent water degradation while enhancing community character as described and recommended in the Croton Plan for Westchester and through collaborative efforts with the Watershed Agricultural Council; and

WHEREAS, the Town of Yorktown (the “Town”) shares this recognition of the value of agriculture and has adopted similar policies to protect open space, community character and natural resources; and

WHEREAS, the protection of farmland and agriculture will serve the public interest of both the local community and the County as a whole for the reasons stated herein; and

WHEREAS, the Hemlock Hill Farm (the “Farm”), which the County and the Town seek to protect and preserve, is located astride the border of the towns of Yorktown and Cortlandt and is located within the boundaries of the New York City Watershed; and

WHEREAS, the County, the towns of Yorktown and Cortlandt and the title owner of the Farm, the DeMaria Family (“Property Owner”), are all committed to participating in the Program; and

WHEREAS, the Town submitted a letter of support as part of the grant application and has agreed to assist in preserving the Farm by contributing an amount not to exceed Two Hundred Twenty-Six Thousand, Sixty-Three (\$226,063) Dollars or six and one-quarter (6.25%) percent of the project costs toward the Program, in order to meet the Program’s matching contribution requirements; and

WHEREAS, the County will enter into or has already executed an agreement to receive a New York State Department of Agriculture and Markets Farmland Protection Implementation Grant (the “Grant”) pursuant to the Program with New York State (the “State”) for a total project cost not to exceed Three Million, Six Hundred Fifty-Six Thousand, Nine Hundred Thirty (\$3,656,930) Dollars, with funds to be provide in not-to-

exceed amounts as follows:

- Two Million, Seven Hundred Forty-Two Thousand, Six Hundred Eighty (\$2,742,680) Dollars from the State pursuant to the Program;
- Four Hundred Fifty-Two Thousand, One Hundred Twenty-Five (\$452,125) Dollars in addition to in-kind services in the amount of Ten Thousand (\$10,000) Dollars from the County;
- Two Hundred Twenty-Six Thousand, Sixty-Three (\$226,063) Dollars from Yorktown; and

WHEREAS, upon closing, the County will receive an undivided one hundred (100%) percent interest in an agricultural conservation easement (the Conservation Easement”) on the Farm as required by the Program. For their contributions, the State and the towns of Yorktown and Cortlandt will benefit from the reduced impacts of sprawl, preserved cultural history, enhanced scenic vistas and community character, and improved quality of water, fresh food and economic opportunities. The State requires that the Conservation Easement be placed on the Farm ensuring that the Farm will be held in perpetuity as agricultural land in order to protect the agricultural operation; and

WHEREAS, the County will pay up to One Hundred Forty-Seven Thousand, Eight Hundred Seventy-Five (\$147,875) Dollars to finance all associated planning and closing costs; and

WHEREAS, the County agrees to ensure that the Farm continues as viable agricultural farmland as required by the Grant; and

WHEREAS, the Town shall have no obligations to oversee the Farm or Conservation Easement and shall benefit from no additional traffic congestion or demand on community services from the Farm, as the Grant dictates that the Farm shall not be further developed; and the Town shall further benefit from the protection of the Farm as agricultural land and open space, which serve the Town’s public policy of maintaining its “community character”; and

WHEREAS, the Town and the County agree that the Town’s sole responsibility shall be to provide an amount not to exceed the \$226,063 contribution toward the easement acquisition costs, the final amount to be further determined by an updated appraisal, and the Town shall have no other responsibility for the Farm.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Yorktown authorized the Supervisor to enter into discussions with the County to facilitate the preparation of an Intermunicipal Agreement (IMA) to accomplish the aforementioned.

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

REJECT & REBID
CONCESSIONS/BRIAN J. SLAVIN AQUATIC FACILITY
JUNIOR LAKE POOL
RESOLUTION #168

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

WHEREAS, invitation to bid for providing food and refreshment services at the Yorktown Pools Concession facilities located at Junior Lake Pool in Yorktown Heights and at the Brian J. Slavin Aquatic Center in Shrub Oak was duly advertised, and

WHEREAS, said bids were received and opened on the 3rd day of April, 2008 at the Town Hall, 363 Underhill Avenue, Yorktown Heights, New York 10598.

WHEREAS, the Assistant Superintendent of Parks and Recreation has recommended that all bids be rejected and that the matter be re-bid on the 9th day of April, 2008 at the Town Hall, 363 Underhill Avenue, Yorktown Heights, New York, now therefore be it

RESOLVED, that upon recommendation of the Assistant Superintendent of Parks and Recreation, the Town Board rejects all bids made for providing food and refreshment services at the Yorktown Pools concession facilities located at Junior Lake Pool in Yorktown Heights and at the Brian J. Slavin Aquatic Center in Shrub Oak, and that the matter be re-bid on the 9th day of April, 2008.

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

TOWN BOARD AGENDA
APRIL 15, 2008

The Town Board discussed the April 15, 2008 Town Board meeting agenda.

EXECUTIVE SESSION

Councilman Campisi moved, seconded by Councilman Martorano, to move into Executive Session to conduct interviews and discuss personnel.

Councilman Bianco moved, seconded by Councilman Martorano to move out of Executive Session and adjourn the meeting.

ADJOURN

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

Diana L. Quast
Deputy Town Clerk
Town of Yorktown