

Meeting of the Town Board, Town of Yorktown held on December 15, 2015 at the Town Hall, 363 Underhill Avenue, Yorktown Heights, New York 10598.

Present: Michael J. Grace, Supervisor
Vishnu V. Patel, Councilman
Gregory M. Bernard, Councilman
Susan M. Siegel, Councilwoman
Thomas P. Diana, Councilman

Diana L. Quast, Deputy Town Clerk
Jeannette Koster, Town Attorney
John Tegeder, Planning Director

TOWN BOARD MEETING

Supervisor Michael Grace called the meeting to order.

EXECUTIVE SESSION

Upon motion made by Supervisor Grace, seconded by Councilman Diana, the Town Board moved into Executive Session to discuss litigation.

Upon motion made by Supervisor Grace, seconded by Councilman Patel, the Town Board moved out of Executive Session and proceeded with the meeting.

PLEDGE OF ALLEGIANCE

Boy Scout Alex Rechter led the salute to the flag.

MOMENT OF SILENCE

A moment of silence was observed in honor of our men and women serving in the Armed Forces.

DURING REPORTS TO THE TOWN, Supervisor Grace thanked everyone for participating in the 4th Annual Holiday Electric Lights Parade. He noted that the Randy Zapakin Community Service Award was given to the Yorktown Leos. Supervisor Grace stated that there will be a New Year's Eve Ball Drop from 11:00 P.M. until 12:30 P.M. at the corner of Commerce Street and Veterans Road and urged everyone to attend. He mentioned that the Organic Waste Facility is closed for the winter and he wished everyone a belated Hanukkah, Merry Christmas and a Happy and Healthy New Year.

DURING REPORTS FROM THE TOWN COUNCIL, Councilman Patel wished all the men and women in the military a Happy Holiday and thanked them for protecting us. He spoke about an Eagle Scout that will be attending West Point Military Academy.

Councilwoman Siegel thanked the residents for allowing her to serve as their Councilwoman and wished everyone a Happy New Year.

Councilman Bernard wished everyone a belated Hanukkah, Merry Christmas and a Happy New Year. He thank the Parks and Recreation Department, the Recreation Commission, the Highway Department and the Police Department for all their work in hosting the 4th Annual Holiday Electric Lights Parade. He thanked the Judges who participated: Westchester County Legislators Michael Kaplowitz and John Testa and former Town Supervisor Al Capellini.

Councilman Diana wished everyone a belated Hanukkah, Merry Christmas and Happy New Year. He spoke about the New Year's Eve Ball Drop on January 31, 2015. He announced that on December 21, 2015 the Taskforce on Heroin will be hosting Judge James Reicht at the Yorktown Justice Court to learn about a pilot program for Drug Court that is currently being done in Putnam County.

DURING COURTESY OF THE FLOOR, the following people spoke:

Mr. Chris Sciarra, CS Construction spoke about the New Year's Eve Ball Drop. He stated that he is working with the owner of the Hilltop Gas Station and will be coming into the Town Board Work Session next week to discuss the proposed site plans for the property.

Councilwoman Siegel stated that the issue is he cannot sell used cars there under the current zoning.

Supervisor Grace stated that this is a gateway to the Shrub Oak hamlet and it should be appealing and inviting to people who come into the area.

PUBLIC HEARING FOR IANUZZI REQUEST TO USE FLEXIBILTY STANDARDS ON SUBDIVISION

Supervisor Grace convened a public hearing to consider a request from Stephen and Betty Ianuzzi to grant permission for the Planning Board to process their subdivision application for a 19.56 acre site, known on the Yorktown Tax Map as Section 47.15 Block 1 Lots 14, 15, 16 utilizing flexibility standards. The Deputy Town Clerk presented affidavits of printing and publication.

Mr. Al Capellini, Attorney for the applicant gave an overview of the project.

Mr. Joseph Riina, Engineer for the applicant showed maps of the site plan utilizing the flexibility standards and explained that this would be an environmentally friendlier way to layout this subdivision.

All those present having been given the opportunity to be heard and there being no further discussion, upon motion by Supervisor Grace, seconded by Councilman Diana, the public hearing was closed.

APPROVE USE OF FLEXIBILTY STANDARDS FOR IANUZZI SUBDIVISION
RESOLUTION #467

Upon motion made by Supervisor Grace, seconded by Councilman Diana,

WHEREAS, the Yorktown Planning Board is currently reviewing the application of Stephen & Betty Ianuzzi, (hereinafter the "Applicant") for approval of the proposed Ianuzzi subdivision located on Baptist Church Road; and

WHEREAS, the property consists of approximately 20 acres that is currently divided into three lots, each having an existing residence, and known on the Town of Yorktown tax map as Section 47.15 Block 1 Lots 14, 15 & 16; and

WHEREAS, the Applicant proposes to re-subdivide the land into four lots, remove the existing dwelling on Lot 14 and construct two new dwellings on the re-subdivided property, with all homes being accessed by common driveways; and

WHEREAS, the Applicant has demonstrated that four lots can be reasonably accommodated by conventional subdivision complying with the requirements of the R1-160 zoning district; and

WHEREAS, the conventional subdivision would require significant land disturbance, including grading and tree removal, for the purpose of constructing a road to town specifications; and

WHEREAS, the Yorktown Planning Board is the lead agency with respect to SEQRA; and

WHEREAS, after review and evaluation, the Yorktown Planning Board has determined that it would be beneficial to apply flexibility standards pursuant to Chapter 300, Article V, Section §300-22 of the Code of the Town of Yorktown, which would preserve the existing homes and rural character of the property; and

WHEREAS, the Yorktown Planning Board has requested permission from the Town Board to apply flexibility standards pursuant to Chapter 300, Article V, Section §300-22 in order to promote development that is sensitive to the land by means of modifying the application of the zoning code's bulk requirements with respect to yard setbacks, building height, lot frontage, lot coverage, lot area, and minimum floor area; and

WHEREAS, the proposed layout on which the Yorktown Planning Board is basing this request is entitled "Flexibility Plan," prepared by Site Design Consultants, dated May 6, 2015 and last revised July 28, 2015 is for a maximum of four (4) lots for single family dwellings; and

WHEREAS, the proposed subdivision will be accessed by private shared driveways from Baptist Church Road, as well as a secondary right-of-way over the Croton Aqueduct; and

WHEREAS, a public hearing to consider these requests was convened on the 15th day of December, 2015, at 7:30 o'clock PM; during which public hearing the applicant presented information and arguments in favor of granting the permit and members of the surrounding neighborhood and the public at large were afforded the opportunity to present information and express their views concerning the application; now therefore be it hereby

RESOLVED, that the request of the Yorktown Planning Board for permission to use flexibility standards pursuant to Chapter 300, Article V, Section §300-22, is granted in order to promote development that is sensitive to the land by means of modifying the application of the zoning code's bulk requirements with respect to yard setbacks, building height, lot frontage, lot coverage, lot area, and minimum floor area.

Grace, Patel, Siegel, Bernard, Diana Voting Aye
Resolution adopted.

APPROVE REFUND FOR WITHDRAWN MECHANICAL PERMIT
RESOLUTION #468

Upon motion made by Councilman Diana, seconded by Councilman Bernard,

Resolved, that upon the recommendation of the Building Inspector the fee of \$75.00 be refunded to Eric Gossner, Holbrook Heating, Inc. for a withdrawn Mechanical Permit.

Grace, Patel, Siegel, Bernard, Diana Voting Aye
Resolution adopted.

APPROVE RENT RATE FOR 2016 HEAD START
RESOLUTION #469

Upon motion made by Councilwoman Siegel, seconded by Councilman Diana,

RESOLVED, that the Town Board authorizes the Supervisor to sign an Agreement with Head Start to hold in place the YCCC 2015 rent rate for 2016.

BE IT FURTHER RESOLVED, that the term of the license is from January 1, 2016 through December 31, 2016.

Grace, Patel, Bernard, Diana Voting Aye
Siegel Voting Nay
Resolution adopted.

APPROVE LEASE AGREEMENT WITH CORPORATE CHILDRENS CENTER
CONSULTANTS, INC. FOR USE OF ROOM (S) AT THE YCCC
RESOLUTION #470

Upon motion made by Councilwoman Siegel, seconded by Councilman Bernard,

WHEREAS, Corporate Children's Center Consultants Inc., a for profit corporation ("Tenant"), wishes to lease from the Town of Yorktown certain room(s) within the Yorktown Community & Cultural Center as set forth in Exhibit A of a proposed lease, which Exhibit A is on file with the Town Clerk, and the Town of Yorktown wishes to lease such space to Tenant, and

WHEREAS, Town Law § 64 requires that the Town's lease of real property be subject to a permissive referendum under Town Law §§ 90 and 91; and

NOW THEREFORE, BE IT RESOLVED, that the Town has determined the action contemplated under this Resolution is a Type II action under the State Environmental Quality Review Act (“SEQR”) and therefore no further review is required under SEQR; and be it

FURTHER RESOLVED, the Town Board hereby directs that a copy of this resolution be filed with the Town Clerk and a copy be provided to any person who has requested a copy hereof; and be it

FURTHER RESOLVED, that pursuant to NY Town Law §§ 82 and 90, within ten (10) days from the date of this Resolution the Town Clerk shall post and publish a notice which shall set forth the date of the adoption of the Resolution, shall contain an abstract of such Resolution concisely setting forth the purpose and effect thereof, shall specify that this Resolution was adopted subject to a permissive referendum; and shall publish such notice in The Yorktown News, a newspaper published in the County having a general circulation in the Town of Yorktown, and in addition thereto that the Town Clerk shall post or cause to be posted on the sign-board of the Town of Yorktown, a copy of such notice within ten (10) days after the date of the adoption of this Resolution.

Grace, Patel, Siegel, Bernard, Diana Voting Aye
Resolution adopted.

APPROVE LEASE AGREEMENT WITH YORKTOWN COMMUNITY HELP, INC. FOR USE OF ROOM (S) AT THE YCCC
RESOLUTION #471

Upon motion made by Councilwoman Siegel, seconded by Councilman Bernard,

WHEREAS, Yorktown Community Help Inc., a nonprofit corporation (“Tenant”), wishes to lease from the Town of Yorktown certain room(s) within the Yorktown Community & Cultural Center as set forth in Exhibit A of a proposed lease, which Exhibit A is on file with the Town Clerk, and the Town of Yorktown wishes to lease such space to Tenant, and

WHEREAS, Town Law § 64 requires that the Town's lease of real property be subject to a permissive referendum under Town Law §§ 90 and 91; and

NOW THEREFORE, BE IT RESOLVED, that the Town has determined the action contemplated under this Resolution is a Type II action under the State Environmental Quality Review Act (“SEQR”) and therefore no further review is required under SEQR; and be it

FURTHER RESOLVED, the Town Board hereby directs that a copy of this resolution be filed with the Town Clerk and a copy be provided to any person who has requested a copy hereof; and be it

FURTHER RESOLVED, that pursuant to NY Town Law §§ 82 and 90, within ten (10) days from the date of this Resolution the Town Clerk shall post and publish a notice which shall set forth the date of the adoption of the Resolution, shall contain an abstract of such Resolution concisely setting forth the purpose and effect thereof, shall specify that this Resolution was adopted subject to a permissive referendum; and shall publish such notice in The Yorktown News, a newspaper published in the County having a general circulation in the Town of Yorktown, and in addition thereto that the Town Clerk shall post or cause to be posted on the sign-board of the Town of Yorktown, a copy of such notice within ten (10) days after the date of the adoption of this Resolution.

Grace, Patel, Siegel, Bernard, Diana Voting Aye
Resolution adopted.

APPROVE LEASE AGREEMENT WITH YORKTOWN TEEN CENTER, INC. FOR USE OF ROOM (S) AT THE YCCC
RESOLUTION #472

Upon motion made by Councilwoman Siegel, seconded by Councilman Bernard,

WHEREAS, The Yorktown Teen Center Inc., a New York nonprofit corporation (“Tenant”), wishes to lease from the Town of Yorktown certain room(s) within the Yorktown Community & Cultural Center as set forth in Exhibit A of a proposed lease, which Exhibit A is

on file with the Town Clerk, and the Town of Yorktown wishes to lease such space to Tenant, and

WHEREAS, Town Law § 64 requires that the Town's lease of real property be subject to a permissive referendum under Town Law §§ 90 and 91; and

NOW THEREFORE, BE IT RESOLVED, that the Town has determined the action contemplated under this Resolution is a Type II action under the State Environmental Quality Review Act ("SEQR") and therefore no further review is required under SEQR; and be it

FURTHER RESOLVED, the Town Board hereby directs that a copy of this resolution be filed with the Town Clerk and a copy be provided to any person who has requested a copy hereof; and be it

FURTHER RESOLVED, that pursuant to NY Town Law §§ 82 and 90, within ten (10) days from the date of this Resolution the Town Clerk shall post and publish a notice which shall set forth the date of the adoption of the Resolution, shall contain an abstract of such Resolution concisely setting forth the purpose and effect thereof, shall specify that this Resolution was adopted subject to a permissive referendum; and shall publish such notice in The Yorktown News, a newspaper published in the County having a general circulation in the Town of Yorktown, and in addition thereto that the Town Clerk shall post or cause to be posted on the sign-board of the Town of Yorktown, a copy of such notice within ten (10) days after the date of the adoption of this Resolution.

Grace, Patel, Siegel, Bernard, Diana Voting Aye
Resolution adopted.

APPROVE LEASE AGREEMENT WITH MANETOO DANCE, INC. D/B/A WESTCHESTER BALLET CENTER FOR USE OF ROOM (S) AT THE YCCC
RESOLUTION #473

Upon motion made by Councilwoman Siegel, seconded by Councilman Bernard,

WHEREAS, Manetoo Dance Ensemble, Inc. d/b/a Westchester Ballet Center, a New York for profit corporation ("Tenant"), wishes to lease from the Town of Yorktown certain room(s) within the Yorktown Community & Cultural Center as set forth in Exhibit A of a proposed lease, which Exhibit A is on file with the Town Clerk, and the Town of Yorktown wishes to lease such space to Tenant, and

WHEREAS, Town Law § 64 requires that the Town's lease of real property be subject to a permissive referendum under Town Law §§ 90 and 91; and

NOW THEREFORE, BE IT RESOLVED, that the Town has determined the action contemplated under this Resolution is a Type II action under the State Environmental Quality Review Act ("SEQR") and therefore no further review is required under SEQR; and be it

FURTHER RESOLVED, the Town Board hereby directs that a copy of this resolution be filed with the Town Clerk and a copy be provided to any person who has requested a copy hereof; and be it

FURTHER RESOLVED, that pursuant to NY Town Law §§ 82 and 90, within ten (10) days from the date of this Resolution the Town Clerk shall post and publish a notice which shall set forth the date of the adoption of the Resolution, shall contain an abstract of such Resolution concisely setting forth the purpose and effect thereof, shall specify that this Resolution was adopted subject to a permissive referendum; and shall publish such notice in The Yorktown News, a newspaper published in the County having a general circulation in the Town of Yorktown, and in addition thereto that the Town Clerk shall post or cause to be posted on the sign-board of the Town of Yorktown, a copy of such notice within ten (10) days after the date of the adoption of this Resolution.

Grace, Patel, Siegel, Bernard, Diana Voting Aye
Resolution adopted.

APPROVE LEASE AGREEMENT WITH YORKTOWN STAGE, INC.
FOR USE OF ROOM (S) AT THE YCCC
RESOLUTION #474

Upon motion made by Councilwoman Siegel, seconded by Councilman Bernard,

WHEREAS, Yorktown Stage Inc., a nonprofit corporation (“Tenant”), wishes to lease from the Town of Yorktown certain room(s) within the Yorktown Community & Cultural Center as set forth in Exhibit A of a proposed lease, which Exhibit A is on file with the Town Clerk, and the Town of Yorktown wishes to lease such space to Tenant, and

WHEREAS, Town Law § 64 requires that the Town's lease of real property be subject to a permissive referendum under Town Law §§ 90 and 91; and

NOW THEREFORE, BE IT RESOLVED, that the Town has determined the action contemplated under this Resolution is a Type II action under the State Environmental Quality Review Act (“SEQR”) and therefore no further review is required under SEQR; and be it

FURTHER RESOLVED, the Town Board hereby directs that a copy of this resolution be filed with the Town Clerk and a copy be provided to any person who has requested a copy hereof; and be it

FURTHER RESOLVED, that pursuant to NY Town Law §§ 82 and 90, within ten (10) days from the date of this Resolution the Town Clerk shall post and publish a notice which shall set forth the date of the adoption of the Resolution, shall contain an abstract of such Resolution concisely setting forth the purpose and effect thereof, shall specify that this Resolution was adopted subject to a permissive referendum; and shall publish such notice in The Journal News, a newspaper published in the County having a general circulation in the Town of Yorktown, and in addition thereto that the Town Clerk shall post or cause to be posted on the sign-board of the Town of Yorktown, a copy of such notice within ten (10) days after the date of the adoption of this Resolution.

Grace, Patel, Siegel, Bernard, Diana Voting Aye
Resolution adopted.

ADVERTISE BID FOR EMERGENCY AND ON-CALL SERVICE FOR TOWN BOILERS
AND FURNACES
RESOLUTION #475

Upon motion made by Councilman Patel, seconded by Councilman Bernard,

WHEREAS, the Town issued a request for bids for a Town contract for Annual Maintenance and Emergency On-Call Service for Town Boilers and Furnaces and bids were received and opened on September 19, 2014; and

WHEREAS, HRR Industries, Inc. submitted the only responsive bid, and accordingly, the Town awarded said bid to HRR Industries, Inc. on September 23, 2014; and

WHEREAS, HRR Industries, Inc. has not performed the contract to the satisfaction of the Town;

NOW THEREFORE BE IT RESOLVED, that the Town Attorney shall send a letter of termination of the contract to HRR Industries, Inc., and

BE IT FURTHER RESOLVED, that the said bid shall be readvertised.

Grace, Patel, Siegel, Bernard, Diana Voting Aye
Resolution adopted.

AWARD BID FOR ELECTRICAL WORK ON TOWN BUILDINGS
RESOLUTION #476

Upon motion made by Councilman Bernard, seconded by Councilman Diana,

WHEREAS, invitation to bid for the Electrical Work on Town Buildings for Maintenance for the Town of Yorktown was duly advertised, and

WHEREAS, said bids were received and opened on December 14, 2015, with the bid amounts for the above-referenced project summarized as follows:

A-AMP Electric Corporation \$119.00 \$178.50 \$178.50 (Sunday)/ \$238.00 (Holiday)
Hanover Electric \$95.00 \$142.50 \$170.00 (Sunday/Holiday)

RESOLVED, that upon the recommendation of the Building Maintenance/Human Resource Specialist, Margaret Gspurning, the bid for the Electrical Work for the Town Buildings for Maintenance be and is hereby awarded to Hanover Electric, the lowest responsible bidder.

FURTHER RESOLVED, this contract is effect for one (1) year, commencing on November 17th, 2015 through November 18th, 2016 with an option for two additional one-year extensions upon its original terms and conditions.

Grace, Patel, Siegel, Bernard, Diana Voting Aye
Resolution adopted.

AUTHORIZE BUDGET TRANSFER
RESOLUTION #477

Upon motion made by Councilwoman Siegel, seconded by Councilman Diana,

Whereas, the following departments are in need of a new copier: Tax; Engineering; Parks and Recreation; Police, and

Whereas, Ricoh copiers are on State Bid, and

Whereas, there are funds available in each of those departments to pay for the copiers, now

Therefore Be it Resolved, that the Comptroller is hereby authorized to process the following budget transfers:

From:	A1315.101	Finance – Salary	\$ 6,569
To:	A1330.201	Tax – Equipment	\$ 6,569
From:	A1440.479	Engineering – Special Projects	\$ 7,000
To:	A1440.201	Engineering – Equipment	\$ 7,000
From:	A7110.101	Parks – Salary	\$11,109
To:	A7020.200	Recreation – Equipment	\$11,109
From:	A.3120.810	Police – Medical	\$13,076
To:	A.3120.201	Police – Equipment	\$13,076

Grace, Patel, Siegel, Bernard, Diana Voting Aye
Resolution adopted.

APPROVE THE RE-ENGAGEMENT OF SULLIVAN DATA MANAGEMENT FOR
INFORMATION TECHNOLOGY SERVICES
RESOLUTION #478

Upon motion made by Councilwoman Siegel, seconded by Councilman Diana,

Whereas, the Town of Yorktown’s procurement policy allows for the Town Board to re-engage the same vendor without issuing a new Request For Proposals and an RFP for Information Technology Services was received from Sullivan Data Management on October 20, 2011 and awarded on November 1, 2011, now

Therefore Be It Resolved, that Sullivan Data Management is re-engaged for the services of Information Technology for an additional term of one year commencing January 1, 2016 through December 31, 2016 at a total cost of \$63,100 which represents no price increase from 2015.

Grace, Patel, Siegel, Bernard, Diana Voting Aye
Resolution adopted.

APPROVE EMPLOYEE VACATION CARRY-OVER
RESOLUTION #479

Upon motion made by Councilman Diana, seconded by Councilman Bernard,

WHEREAS, the following employees have requested and received permission from their applicable department heads to carry accrued 2015 vacation time for use in 2016 and

WHEREAS, the Comptroller has confirmed the available balances as of 2015 Payroll 24, for pay period ending November 27, 2015,

NOW THEREFORE BE IT IT RESOLVED, the following employees may carry over remaining vacation time balances as follows, unless the employee takes vacation time after 2015 Payroll 24 which would reduce the time listed in the attachment.

Name	# hours
Ann Anderson	56
Jeff Bischoff	100.25
Peter Goldberg	71.25
Paul Hollopeter	262.5
Charlie Vilarino	131.25
Adam Cerrato	30
Robert Ireland	90
John Calcutti	97.5
Paul Shields	22.5
Joseph Dell'Olio	52.5
Paul Welsch	37.25
Ted Devlin	30
Andrew Alimonti	60
Michael Grasso	60
David Nikishier	22.5
Scott Mills	30
John Tegeder	63
Doug Neeson	30
Curt Doerr	112.5
Shajan George	75
Cathy Romanych	82.5
George Routsis	60
David Rambo	28
Patricia Caporale	189
Donna Andrews	35
Sandra Serrano	14
Noreen O'Driscoll	56
Tom Travis	63.7
Kathie Nicholson	56
Elena Panagi	14
Adele Hobby	75
Joe Venitucci	70
John Winter	49
Vinny Ambrosino	37.5
Kim Angliss-Gage	35
Scott Baldwin	30
Doug Paget	35
Jeff Rosenstrach	52.5
Michael Samuels	22.5
Rich Weber	37.5
David Doherty	7.5

Don Gaffney	18.75
Peter Legler	22.5
John Winter Jr.	22.5
Richard Flocco	22.5
Kim Adam Penner	245
Karren Perez	28
Nancy Calicchia	28.25
Barbara Korsak	154
Margaret Gspurning	154
Louise Kobiliak	70
Andrew Cerrato	97.5
Scott Ferreira	22.5
Barry Gelbman	45
Michael Hoek	90
Eric Hollberg	45
Dominic Monopoli	127.5
Guido Parks	105
Richard William	30
Jessica Bambach	42
Brian Gray	98.5
Anita Hecker	91
Erin Mantz	42
Todd Orłowski	38.5
Robert Rohr	32
Daniel McMahon	152
Martin McGannon	97.5
Donald Mesuda	37.5
Curt Chase	22.5
Kyle Gulitz	22.5
Anthony Cuccovia	7.5
Mary Capoccia	56
Al Pisano	72
Daniel Cruz	45
Kieran Carney	97.5
Mark Gallagher	22.5
Yolanda Vazquez	14
Shane Enea	43.25
Maria Ricci	56
Isabel Klein	120.25

Grace, Patel, Siegel, Bernard, Diana Voting Aye
Resolution adopted.

APPROVE EAST OF HUDSON CORPORATION O & M POLICY
RESOLUTION #480

Upon motion made by Councilman Diana, seconded by Councilman Patel,

WHEREAS, the Town of Yorktown is a member of the East of Hudson Watershed Corporation (“EOHWC”), a not-for-profit local development corporation formed to assist the member municipalities in complying with the stormwater retrofit requirements of the Municipal Separate Storm Sewer System Permit (MS4 Permit); and

WHEREAS, EOHWC has installed and will continue to install stormwater retrofit projects (SRPs) or has reimbursed member municipalities for installing SRPs in compliance with the first five year Region Stormwater Retrofit Plan and intends to do so for the second five year plan to the extent funding is provided by New York City Department of Environmental Protection (DEP); and

WHEREAS, the MS4 Permit requires member municipalities to maintain each SRP for its useful life to ensure that it continues to operate as it was designed, and

WHEREAS, the Board of Directors of EOHWC has adopted an O&M Policy providing for the equitable sharing of the costs and responsibilities of O&M by all member municipalities in a manner consistent with the MS4 Permit bubble compliance concept, conditioned on the legislative body of each member municipality agreeing to comply with the terms and conditions of the O&M Policy; and

WHEREAS, approval of the O&M Policy is a Type II action exempt from the State Environmental Quality Review Act (SEQRA) under 6 NYCRR617.5(c)(1) as it relates to the routine maintenance of the SRPs; and

WHEREAS, approval of the O&M Policy is in the best interests of Westchester County as it assures continued compliance by the Town of Yorktown with the MS4 Permit;

NOW THEREFORE IT IS HEREBY RESOLVED by the Town Board of the Town of Yorktown that:

1. The Town of Yorktown accepts and agrees to the terms of the conditions of the EOHEC O&M Policy; and
2. Authorizes the Supervisor to take whatever other actions are required to implement the resolution.

Grace, Patel, Siegel, Bernard, Diana Voting Aye
Resolution adopted.

AWARD BID FOR BRUSH CHIPPER
RESOLUTION #481

Upon motion made by Councilman Bernard, seconded by Councilman Diana,

WHEREAS, invitation to bid for one (1) New Vermeer BC1500 Tier4i (StageIIIB) Brush Chipper with Winch (or equivalent) for the Yorktown Parks and Recreation Department was duly advertised, and

WHEREAS, said bids were received and opened on Wednesday, December 2, 2015, with the bid amounts for the above referenced project summarized as follows;

COMPANY	BRAND/MODEL	PRICE
Westchester Tractor, Inc.	Bandit Model 1390XP 15" Drum Style Brush Bandit	\$47,497.00
A. Montano Co. Inc.	Morbark Beaver Model M15R	\$59,800.00
Vermeer North Atlantic	Vermeer Model BC1500	\$60,944.00

WHEREAS thorough review of each model specifications was performed and determined that the Bandit Model 1390XP 15" Drum Style Brush Bandit is equivalent to the Vermeer BC1500.

NOW THEREFORE BE IT RESOLVED, that upon recommendation of the Superintendent of Parks and Recreation, Brian Gray, the bid be and is hereby awarded to Westchester Tractor Inc. the lowest responsible bidder of an equivalent unit, at \$47,497.00.

Grace, Patel, Siegel, Bernard, Diana Voting Aye
Resolution adopted.

WAIVE RENT FEE FOR USE OF YCCC BY NOR-WEST
RESOLUTION #482

Upon motion made by Councilman Diana, seconded by Councilman Bernard,

Resolved, that the Town Board waives the rent fee for Tuesday evenings from 4:00 – 6:00PM for 21 weeks from January through June totaling \$1,344.00 for use of the YCCC gymnasium by Nor-West for their Winter and Spring session.

Grace, Patel, Siegel, Bernard, Diana Voting Aye
Resolution adopted.

APPROVE FEE SCHEDULE FOR REFUSE AND RECYCLING DEPARTMENT
RESOLUTION #483

Upon motion made by Councilman Diana, seconded by Councilman Bernard,

RESOLVED, effective January 1, 2016, the Town Board approves the following fee schedule for goods and services offered by the Refuse & Recycling Department:

“Special” Bulk Trash Collection: \$ 50.00

Car Tires without rim: \$ 5.00 each *(Note: car tires will no longer be picked up curbside with Bulk Trash collections. During pre-scheduled “Recovery Days” residents can bring car tires to the Refuse & Recycling Department where a \$ 5.00/tire disposal fee must be paid in the office).*

30-gallon Biodegradable Leaf Bags: \$.40 each

18-gallon Recycling Bin: \$ 8.00

14-gallon Recycling Bin: \$ 6.00

Grace, Patel, Siegel, Bernard, Diana Voting Aye
Resolution adopted.

AUTHORIZE TOWN COMPTROLLER TO PAY HAPPY SOFTWARE, INC. FOR
COMPUTER SOFTWARE SUPPORT FOR SECTION 8 HOUSING
RESOLUTION #484

Upon motion made by Councilwoman Siegel, seconded by Councilman Bernard,

RESOLVED, that the Town Comptroller is authorized to pay Happy Software, Inc. for a one year software license and software support for computer software provided to the Section 8 Office, to cover the period from February 1, 2016 through January 31, 2017. The payment amount is \$4,668.00 as shown on the invoice(s) dated December 1, 2015. The source of funds is Housing Assistance Payments Account maintained by the Section 8 office and funded by U.S. Department of Housing and Urban Development (“HUD”).

Grace, Patel, Siegel, Bernard, Diana Voting Aye
Resolution adopted.

APPROVE BUDGET TRANSFER
RESOLUTION #485

Upon motion made by Councilwoman Siegel, seconded by Councilman Diana,

BE IT RESOLVED, the following budget transfer in the Town Attorney’s 2015 budget is hereby authorized:

\$25,000.00 from A.1420.0439.0000 (Litigation Outside Counsel Fees) to
A.1420.0426.0000 (Non-Litigation Outside Counsel Fees).

Grace, Patel, Siegel, Bernard, Diana Voting Aye
Resolution adopted.

AUTHORIZE SUPERVISOR TO SIGN A CLEANING AND RELINING AMENDMENT NO.
2 WITH WESTON & SAMPSON, PE TO PERFORM ENGINEERING, DESIGN AND
CONSTRUCTION SERVICES
RESOLUTION #486

Upon motion made by Councilwoman Siegel, seconded by Councilman Diana,

WHEREAS, while performing field work on Granite Springs Road the Water Department staff discovered an additional 6,250 linear feet of water main that needs relining that is not included in our relining project contract; and

WHEREAS, these roads include Granite Springs Road (2,575 ft.), Sarles Drive (1,000 ft.), Windmill Drive (1,000 ft.), Knoll Place (350 ft.) and Sunrise Street (1,325 ft.); and

WHEREAS, the cost for this additional engineering, design and construction is \$21,100;

WHEREAS, Water Distribution Superintendent David Rambo is requesting authorization to enter into amendment #2 contract agreement with Weston & Sampson, PE; and

THEREFORE BE IT RESOLVED, the Town Board authorizes the Supervisor to sign a Cleaning and Relining Amendment No. 2 with Weston & Sampson, PE to perform engineering, design and construction services for the additional 6,250 linear feet of water main for a total cost of \$21,100, to be paid out of the SW.8340.0483.0001 fund.

Grace, Patel, Siegel, Bernard, Diana Voting Aye
Resolution adopted.

APPROVE BUDGET TRANSFER

RESOLUTION #487

Upon motion made by Councilwoman Siegel, seconded by Councilman Diana,

BE IT RESOLVED, that the Town Comptroller is hereby authorized to make the following budget transfer:

Transfer \$450,000 from the Water Department Cement Lining line (SW8340.483.0001) to the Water Department Water Purchase line (SW.8320.0450) for water purchase charges from Northern Westchester Joint Waterworks for the remainder of 2015.

Grace, Patel, Siegel, Bernard, Diana Voting Aye
Resolution adopted.

APPROVE FEE RATE FOR USE OF ROOM (S) AT YCCC BY ENRICHMENT CENTER

RESOLUTION #488

Upon motion made by Councilwoman Siegel, seconded by Councilman Diana,

BE IT RESOLVED that the Town Board authorizes the use of the rooms on the dates indicated on the attached email dated Tuesday, December 1, 2015 from the Enrichment Center for the remainder of 2015 through June of 2016 at the original reduced rate of \$5.50 per hour for the additional 12 hours of use.

Grace, Patel, Siegel, Bernard, Diana Voting Aye
Resolution adopted.

MONTHLY REPORTS

The Town Board accepted the monthly report from the Building Department for November 2015.

ADJOURN

Upon motion made by Councilman Bernard, seconded by Councilman Patel, the Town Board meeting was adjourned.

Diana L. Quast, Deputy Town Clerk
Town of Yorktown