

Meeting of the Town Board, Town of Yorktown held on February 14, 2017 at the Town Hall, 363 Underhill Avenue, Yorktown Heights, New York 10598.

Present: Michael J. Grace, Supervisor
Vishnu V. Patel, Councilman
Thomas P. Diana, Councilman
Edward Lachterman, Councilman

Also Present: Maura Weissleder, Deputy Town Clerk
Michael McDermott, Town Attorney

Absent: Gregory M. Bernard, Councilman

TOWN BOARD MEETING

Supervisor Michael Grace called the meeting to order.

EXECUTIVE SESSION

Upon motion made by Councilman Lachterman, seconded by Councilman Diana, the Town Board moved into Executive Session to discuss the employment of particular individuals.

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

PROCUREMENT POLICY

Town Attorney Michael McDermott, together with the Town Comptroller Patricia Caporale, presented a new Town procurement policy which will increase threshold levels in order to make them state compliant and to make purchasing easier for Town department heads. This affects town-wide purchases and is not department specific. The Town's current thresholds were too low which made it difficult for department heads to make purchases. This has been a specific problem for departments such as Highway and Refuse & Recycling. Highway Superintendent David Paganelli gave the example that he is forced to buy cheaper catch basins because of the current threshold which do hold up well; this policy will allow him to purchase ones that may be more expensive but will last much longer and ultimately be more cost effective.

ADOPTION OF PROCUREMENT POLICY

RESOLUTION #069

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

BE IT RESOLVED that the Town Board hereby adopts the attached procurement policy entitled "Procurement Policy 2017."

Grace, Patel, Diana, Lachterman Voting Aye
Resolution adopted.

REQUEST FOR TOWN TO TAKE OVER PORTION OF SUNRISE STREET

The Town Board received letters from the owners of homes on the portion of Sunrise Street that is not currently Town property asking for the road to be taken over by the Town. Supervisor Grace stated that he saw no reason why the Town should not take possession of the road since the Town already owns and maintains at least half of it. Highway Superintendent David Paganelli listed the portions of the road we already have responsibility for and said that the portioning of the road is complicated; however, maintenance would be of minimal cost to the Town. This matter will be taken under review and decided at a future date.

CERTIFIED LOCAL GOVERNMENT STATUS

Lynda Briggs, Chairperson of the Landmarks Preservation Committee, approached the Town Board regarding the wording in the Local Law that affects Yorktown's Certified Local Government Status and the eligibility for state funding. The Committee has requested that the portion of the current law that the State finds unacceptable, "*shall obtain written consent from all owners,*" be amended so that the State will be able to consider the Town for CLG status. Although initially opposed to doing so, Supervisor Grace stated that under the current leadership of the Landmarks Preservation Committee, the change will be acceptable because the Committee they would be prudent in their work to landmark homes in the town.

Town Attorney Michael McDermott stated that a homeowner would still be able to follow a processing landmarking according to the law and that the Town Board actually has the final say for the final designation of landmark status on a home. A public hearing has been set for the March 7th Town Board meeting.

ADVERTISE PUBLIC HEARING TO AMEND SECTION 198-4.D (2) OF THE TOWN CODE
ENTITLED DESIGNATION OF LANDMARKS OR HISTORIC DISTRICTS
RESOLUTION #070

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

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Town Board, Town of Yorktown, Westchester County, New York, at the Town Hall, 363 Underhill Avenue, Yorktown Heights, New York 10598 on the 7th day of March, 2017 at 7:30 o'clock PM, or as soon thereafter as the same can be heard, to consider amending Section 198-4.D(2) of the Code of the Town of Yorktown entitled "Designation of Landmarks or Historic Districts" by adding "The Commission shall discuss the designation proposal with the owner(s) of the subject property or properties prior to proceeding with the designation proposal."

Grace, Patel, Diana, Lachterman Voting Aye
Resolution adopted.

FUND TRANSFER FOR HIGHWAY DEPARTMENT
RESOLUTION #071

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

RESOLVED, the Town Comptroller is hereby authorized to transfer the following:

\$165,000.00 from D.1002 Highway Fund Balance
 To D.5142.403 Snow Materials & Supplies for the purchase of salt

Grace, Patel, Diana, Lachterman Voting Aye
Resolution adopted.

RESIDENTIAL GARBAGE RFP

A discussion took place regarding a one-year extension of the current contract.

Kim Angliss-Gage from Refuse & Recycling stated that she is interested in getting an RFP out there to see what comes back. Michael McDermott stated that an RFP gives a contractor flexibility in the means of accomplishing our needs. It should go on the State bid.

Mrs. Maura Gregory, resident stated she could not hear and said she was hearing impaired. She asked if microphones could be used.

Supervisor Grace said no since this was a work session for the board members and not a televised board meeting.

Mr. Mel Tanzman, resident stated that this is a violation of the Americans with Disabilities Act.

Mrs. Gregory asked if there was a rule that does not allow members of the public to move to the dais in order to hear what is being discussed. Supervisor Grace stated that it was his rule to not allow this.

Ms. Angliss-Gage explained that in an RFP rather than giving details, the town is essentially saying to interested contractors: This is our population and we require dual stream recycling – what are your ideas? The Town is seeking options since there are many new innovations that the Town may be able to utilize.

REQUEST FOR PROPOSALS (RFP'S) FOR COLLECTION AND DISPOSAL OF
RESIDENTIAL REFUSE AND RECYCLING MATERIALS
RESOLUTION #072

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

NOTICE IS HEREBY GIVEN, that the Town of Yorktown is seeking proposals from qualified vendors for the Town's Collection and Disposal of Residential Refuse and Recyclable Materials Contract.

Request for Proposals may be obtained at the Office of the Town Clerk, 363 Underhill Avenue, Yorktown Heights, NY 10598 during regular business hours.

All completed proposals must be received in the Office of the Town Clerk, 363 Underhill Avenue, Yorktown Heights, NY no later than 2:00 pm on March 15, 2017.

The Town Board reserves the right to reject any or all proposal which it deems most favorable to the interests of the Town.

Grace, Patel, Diana, Lachterman Voting Aye
Resolution adopted.

VEHICLES AND TRAFFIC (TRAFFIC AND PARKING REGULATIONS)

Highway Superintendent David Paganelli stated that site inspections were done at the intersections in question and feels that the proposed changes are good safety measures for the residents. A public hearing was set for the March 7, 2017 Town Board meeting.

ADVERTISE PUBLIC HEARING TO AMEND CHAPTER 275 OF THE TOWN CODE
ENTITLED "VEHICLES AND TRAFFIC" – MARK ROAD AND BUNNEY LANE
RESOLUTION #073

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

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Town Board, Town of Yorktown, Westchester County, New York, at the Town Hall, 363 Underhill Avenue, Yorktown Heights, New York 10598 on the 7th day of March, 2017 at 7:30 o'clock PM, or as soon thereafter as the same can be heard, to consider amending Chapter 275 of the Code of the Town of Yorktown entitled "Vehicles and Traffic," Article I, entitled "Traffic and Parking Regulations," adding a full stop at intersection of Bunney Lane and Mark Road.

Grace, Patel, Diana, Lachterman Voting Aye
Resolution adopted.

ADVERTISE PUBLIC HEARING TO AMEND CHAPTER 275-12 OF THE TOWN CODE
ENTITLED "VEHICLES AND TRAFFIC" – INTERSECTION OF EAST MAIN STREET
AND STONY STREET
RESOLUTION #074

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

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Town Board, Town of Yorktown, Westchester County, New York, at the Town Hall, 363 Underhill Avenue, Yorktown Heights, New York 10598 on the 7th day of March, 2017 at 7:30 o'clock PM, or as soon thereafter as the same can be heard, to consider amending Chapter 275-12 of the Code of the Town of Yorktown entitled "Vehicles and Traffic," Article I, entitled "Traffic and Parking Regulations," adding a new subsection G to Section 275-12 entitled "Traffic Control Signals" for the installation of a traffic control signal at the intersection of East Main Street and Stony Street.

Grace, Patel, Diana, Lachterman Voting Aye
Resolution adopted.

ADVERTISE PUBLIC HEARING TO AMEND CHAPTER 275-12 OF THE TOWN CODE
ENTITLED “VEHICLES AND TRAFFIC” – INTERSECTION QUAKER CHURCH ROAD
AND GRANITE SPRINGS ROAD
RESOLUTION #075

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

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Town Board, Town of Yorktown, Westchester County, New York, at the Town Hall, 363 Underhill Avenue, Yorktown Heights, New York 10598 on the 7th day of March, 2017 at 7:30 o'clock PM, or as soon thereafter as the same can be heard, to consider amending Chapter 275 of the Code of the Town of Yorktown entitled “Vehicles and Traffic,” Article I, entitled “Traffic and Parking Regulations,” adding a full stop at intersection of Quaker Church Road and Granite Springs Road.

Grace, Patel, Diana, Lachterman Voting Aye
Resolution adopted.

LED SIGN RESOLUTIONS

Councilman Patel asked what the angle would be for the new proposed LED sign at the Triangle Shopping Center and was told by Sergio Esposito of the Chamber of Commerce that it would be the same as a banner but will be set back on the property that EK Triangle, LLC owns. Town Attorney Michael McDermott stated that the license agreement for the sign will mirror the agreement that the Town already has in place with EK Triangle. The Town has permission to install the sign. Mr. Esposito stated that the Chamber of Commerce is willing to clean up the planting area and maintain it and the sign. Councilman Patel stated that he is concerned that the angle of sign and the resulting refraction of light would be a hazard for drivers at the four-way intersection. He said that he was not able to get in touch with the makers of the sign to have his questions answered. Highway Superintendent David Paganelli stated that the same technology is currently used for traffic safety. Mr. Esposito explained that studies have been done to analyze the possibility of dangers to drivers from this kind of sign and the studies determined that the sign is considered “safety neutral.” He proceeded to explain how this sign would emit less light than what most town ordinances require. The sign adjusts itself with sensors that adjust the light according to weather conditions. The company has never had any problems with their signs nor has it had any record of traffic incidences.

Councilman Patel also voiced concern as to who will control the advertising. The Chamber of Commerce will control and maintain the sign. Town Attorney Michael McDermott said the agreement will state that there will be no political or religious messages or advertising allowed. Sergio Esposito said they will be maintaining the sign and the advertising.

AUTHORIZE SUPERVISOR TO SIGN LEASE AGREEMENT WITH EK TRIANGLE, LLC
RESOLUTION #076

Upon motion made by Councilman Diana, seconded by Councilman Lachterman

BE IT RESOLVED, the Town Supervisor is authorized to sign a License Agreement with EK Triangle, LLC for the installation of an LED sign on the brick wall at the Triangle Shopping Center.

Grace, Diana, Lachterman Voting Aye
Patel Voting No
Resolution adopted.

AUTHORIZE SUPERVISOR TO SIGN MAINTENANCE AGREEMENT WITH CHAMBER
OF COMMERCE FOR LED SIGN
RESOLUTION #077

Upon motion made by Councilman Lachterman, seconded by Councilman Diana

BE IT RESOLVED the Town Supervisor is authorized to sign a Maintenance Agreement with the Yorktown Chamber of Commerce for the maintenance of the LED sign on the brick wall at the Triangle Shopping Center.

Grace, Patel, Bernard, Diana, Lachterman	Voting	Aye
Patel	Voting	No

Resolution adopted.

EXECUTIVE SESSION

Upon motion made by Councilman Lachterman, seconded by Councilman Diana, the Town Board moved into Executive Session to discuss the employment of particular individuals.

Upon motion made by Councilman Diana, seconded by Councilman Lachterman, the Town Board moved out of Executive Session.

ADJOURN

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

Maura Weissleder, Deputy Town Clerk
Town of Yorktown