

**FINAL TOWN BOARD AGENDA  
TOWN OF YORKTOWN  
APRIL 20, 2010**

**PLACE: TIME:  
TOWN HALL 7:30pm**

1. PLEDGE OF ALLEGIANCE

2. MOMENT OF SILENCE

3. REPORT FROM SUPERVISOR SUSAN SIEGEL

4 REPORTS FROM TOWN COUNCIL

- Councilman Bianco
- Councilman Martorano
- Councilman Murphy
- Councilman Patel

5. COURTESY OF THE FLOOR

6. PRESENTATION

- New senior services outreach program – Paula Costella
- Water Department Update – David Rambo

7. VOLUNTARY BOARD

Appointments:

- Diane Drier – Conservation Board
- Ann Kutter – Co-Chair Conservation Board

Resignations:

- Michael Cook – Tree Advisory Commission

8. PERSONNEL

- Louis Gagne

9. RESOLUTIONS

Requests from the Engineering Department:

- Modification of the Peekskill Sanitary Sewer District – 2804 Gomer Street
- BJ's Route 202 Traffic Improvements - \$100,000

Requests from the Highway Department:

- Extend bid renewal for rebuilding stone walls and stone head walls

Requests from the Police Department:

- Approve police training for Sergeant James Graham

Requests from the Superintendent of Parks and Recreation

- Extend Shrub Oak and Junior Park Concession Bid
- Volunteer Board member pool pass reduction

Requests from the Town Board:

- Approve Request for Proposal (RFP) for conducting a risk Assessment of the Town's insurance coverage
- Amend Town Board Resolution # 24 dated 1/5/2010 hiring David Rambo as a consultant for a three month period
- Authorize the Supervisor to sign the Mutual Aid and Rapid Response IMA with Westchester County
- Authorize the Supervisor to sign an agreement with Sullivan Data for the maintenance, repair and troubleshooting of the computer system \$4,750 for one year beginning March 1, 2010 – February 28, 2011
- Authorize the Supervisor to send a letter to the Public Service Commission regarding the status of the Utilities Oversight Committee

## 10. ADVERTISING

Public Hearings: - May 4, 2010

- Proposed local law repealing and reenacting a new Chapter 45 of the Code of the Town of Yorktown entitled "Ethics"
- Proposed local law repealing Chapter 168 in its entirety and enacting a New chapter 168 entitled "FEES"

Bids:

- Buses – Summer Camp Programs

## 11. REFERRALS

- Hansmann – Request for wetlands permit 289 E. Main Street, Jefferson Valley, New York
- Shaiken – Request for excavation permit – 363 Wooded Hill Court, - construction of swimming pool

## 12. REFUNDS

Duplicate Taxes:

Account # 0991000 - \$ 3,110.31

Account # 1780530 - \$ 4,326.37

## 13. MONTHLY REPORTS

- Building Department

## 14. COURTESY OF THE FLOOR

## 15. ADJOURN

ALICE E. ROKER  
TOWN CLERK

TOWN OF YORKTOWN

UPDATED: April 20, 2010

The Town Board respectfully requests that you keep your remarks during Courtesy of the Floor as brief as possible; no more than three minutes.

April 20, 2010 Town Board Meeting  
Resolutions to be approved:

7. VOLUNTARY BOARD

Appointments:

APPOINTMENT - DIANE DRIER  
CONSERVATION BOARD  
RESOLUTION

RESOLVED, that Diane Drier is hereby appointed to the Conservation Board to replace Richard Fon for a term ending August 30, 2012.

APPOINTMENT – ANN KUTTER  
CO-CHAIR CONSERVATION BOARD  
RESOLUTION

RESOLVED, that Ann Kutter be appointed co-chair of the Conservation Board for a term ending July 31, 2011.

8. PERSONNEL

LOUIS GAGNE  
RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Yorktown hereby terminates the employment of Louis Gagne pursuant to Section 71 of the Civil Service Law, effective April 21, 2010.

9. RESOLUTIONS:

Requests from the Engineering Department:

MODIFICATION OF THE PEEKSKILL SANITARY SEWER DISTRICT  
2804 GOMER STREET  
RESOLUTION

WHEREAS, the Town of Yorktown Town Board is desirous of including 1 parcel of land into the existing Peekskill Sanitary Sewer District; NOW, THEREFORE BE IT

RESOLVED, that the Town Board of the Town of Yorktown does hereby request that the County of Westchester incorporate parcel 27.09-3-59 (2804 Gomer Street – Matier) into the Peekskill Sanitary Sewer District

BJ'S ROUTE 202  
TRAFFIC IMPROVEMENTS - \$100,000.00  
RESOLUTION

WHEREAS, BJ'S Wholesale Club, as applicant, posted Check No. 1630891 in the amount of \$100,000.00 for Route 202 Traffic Improvements; and

WHEREAS, the money will be used for Route 202 traffic improvements as part of their site plan approval; NOW, THEREFORE BE IT

RESOLVED, that Check No. 1630891 is hereby accepted as the Traffic Improvement monies for Route 202.

Request from the Highway Department:

EXTEND BID RENEWAL FOR  
REBUILDING STONE WALLS / STONE HEAD WALLS  
RESOLUTION

WHEREAS, bids for the Rebuilding of Stone Walls / Stone Head Walls were received and opened on March 1, 2007; and

WHEREAS, said bid was awarded to DeCarvalho Landscaping Service, Inc., 31 State Street, Ossining, New York 10562; and

WHEREAS, the town has the option to extend said bid for three additional years in one-year increments; and

WHEREAS, said bid commenced March 15, 2007 through February 28, 2008 with additional years of 2009, 2010 and 2011; SO THEREFORE BE IT

RESOLVED, the Superintendent of Highways hereby recommends to the Town Board that the Town exercise its option to renew the contract for one last year, per the terms of the bid; and be it

FURTHER RESOLVED, the date of the extension will commence March 15, 2010 through to February 28, 2011.

Request from the Police Department:

APPROVE POLICE TRAINING FOR  
SERGEANT JAMES GRAHAM  
RESOLUTION

BE IT RESOLVED, that the Town Board hereby authorizes Sergeant James Graham to attend a Benelli Armorer Course scheduled for November 8, 9, and 10, 2010 in Accokeek, Massachusetts.

FURTHER RESOLVED, his attendance at this 3-day training will not create any overtime nor create any overtime backfill for his absence.

Requests from the Superintendent of Parks and Recreation:

**EXTEND SHRUB OAK AND JUNIOR PARK  
CONCESSION BID  
RESOLUTION**

WHEREAS, bids for Concession services at the Brian Slavin Aquatic Center in Shrub Oak and the Junior Lake Pool in Yorktown Heights received and opened on April 20, 2007; and

WHEREAS, the Town of Yorktown has entered into an agreement with O'Neill's Concessions of 2709 Baldwin Road, Yorktown Heights, New York to provide food and refreshment services at the Brian J. Slavin Aquatic Facility in Shrub Oak and the Junior Lake Pool in Yorktown Heights; and

WHEREAS, the town has the option to extend said bid for three additional years in one-year increments; and

WHEREAS, said bid commenced in the 2007 pool season, with additional years of 2008, 2009 and 2010; and

RESOLVED, the Superintendent of Parks and Recreation hereby recommends to the Town Board that the Town exercise its option to renew the contract for one last year, per the terms of the bid; and be it

FURTHER RESOLVED, the extension will be for the 2010 pool season.

**VOLUNTEER BOARD MEMBER  
POOL PASS REDUCTION  
RESOLUTION**

RESOLVED, that members of volunteer Boards and Commissions appointed by the Town Board and meeting a minimum of 10 times per year, shall receive a 50% discount on the purchase of a pool pass as per the purchasing regulations outlined in the Parks and Recreation Department brochure.

Requests from the Town Board:

**APPROVE REQUEST FOR PROPOSAL (RFP) FOR CONDUCTING A  
RISK ASSESSMENT OF THE TOWN'S INSURANCE COVERAGE  
RESOLUTION**

WHEREAS, the Town spends in excess of \$500,000 a year in insurance premiums and workers'

compensation; and

WHEREAS, the Town's current insurance policies expire on or about December 31, 2010; and

WHEREAS, it is in the Town's best interest to analyze its current insurance coverage prior to soliciting competitive quotes for its 2011 insurance needs;

NOW, THEREFORE BE IT RESOLVED, that the Town Board authorizes the Supervisor to distribute a Request for Proposals to professional risk managers to conduct a comprehensive risk assessment of the Town's insurance coverage and workers' compensation program.

AMEND TOWN BOARD RESOLUTION #24 DATED 1/5/2010  
HIRING DAVID RAMBO AS A CONSULTANT FOR  
A THREE MONTH PERIOD  
RESOLUTION

WHEREAS, the Town Board adopted a resolution on January 5, 2010 authorizing the Supervisor to sign a Consulting Agreement with David Rambo to serve as Acting Water Superintendent for a period of 90 days for a total fee of \$21,500.; and

WHEREAS, the resolution failed to include a \$500.00 stipend for travel expenses for the 90 day period that was included in the Consulting Agreement that David Rambo signed on January 6, 2010;

NOW, THEREFORE BE IT RESOLVED, that the authorizing resolution of January 5, 2010 be amended to include a stipend of \$500.00 to cover travel expenses.

AUTHORIZE SUPERVISOR TO SIGN MUTUAL AID AND  
RAPID RESPONSE IMA WITH WESTCHESTER COUNTY  
RESOLUTION

RESOLVED, that the Supervisor is hereby authorized to sign a five year Mutual Aid and Rapid Response Plan for the Police Departments of Westchester County, New York and the Westchester County Arson Zone Plan IMA for the period July 31, 2010 thru July 30, 2015.

FURTHER RESOLVED, this agreement shall commence on July 31, 2010 and terminate on July 30, 2015.

AUTHORIZE SUPERVISOR TO SIGN  
AGREEMENT WITH SULLIVAN DATA  
RESOLUTION

RESOLVED, that the Town Supervisor is hereby authorized to sign an agreement with Sullivan Data Management Inc. for management, maintenance, troubleshooting and repair of the existing network infrastructure.

BE IT FURTHER RESOLVED, the contract amount is \$4,750.00 and the term is for one year, from March 1, 2010 through February 28, 2011.

**AUTHORIZE SUPERVISOR TO SEND LETTER TO  
PUBLIC SERVICE COMMISSION REGARDING  
STATUS OF THE UTILITIES OVERSIGHT COMMITTEE  
RESOLUTION**

WHEREAS, the Town Board created by Resolution #382 a Utilities Oversight Committee on October 16, 2007; and

WHEREAS, Resolution #382 stated that the Committee was to “report directly to the Town Board”; and

WHEREAS, the current Town Board has not authorized the Utilities Oversight Committee to represent or speak for the Town of Yorktown, in either written or oral comments, to other public or private entities or groups; and

WHEREAS, the members of the Utilities Oversight Committee, acting as private individuals and not representatives of the Town of Yorktown, are encourage to express their personal views regarding utility related issues;

NOW, THEREFORE BE IT RESOLVED, that the Town Board directs the Supervisor to send a letter to the Public Service Commission indicating that the Yorktown Utilities Oversight Committee in no way is representing or speaking for the Town of Yorktown and has no official standing as a Town advisory committee.

**10. ADVERTISING**

Public Hearings: May 4, 2010

**PROPOSED LOCAL LAW REPEALING AND REENACTING  
A NEW CHAPTER 45 OF THE CODE OF THE TOWN OF YORKTOWN  
ENTITLED “ETHICS”**

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 on the 4th day of May, 2010 at 7:30 PM, or as soon thereafter as the same can be heard, to consider repealing and reenacting Chapter 45 of the Code of the Town of Yorktown entitled, “ETHICS” relating to definitions; applying the ethics provisions to all town employees and officials; adding revolving door restrictions; and other changes intended to strengthen the town ethics code.

A copy of the proposed Local Law is on file in the office of the Town Clerk, at the said Town Hall, where the same may be inspected during regular office hours.

All persons in interest and citizens may be heard at the public hearing to be held as aforesaid.

**PROPOSED LOCAL LAW REPEALING CHAPTER 168 IN ITS ENTIRETY  
AND ENACTING A NEW CHAPTER 168 ENTITLED “FEES”**

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 on the 4th day of May, 2010 at 7:30 PM, or as soon thereafter as the same

can be heard, to consider repealing Chapter 168, in its entirety, and enacting a new Chapter 168, entitled "FEES" relating to authorizing a master fee schedule and professional review fees.

A copy of the proposed Local Law is on file in the office of the Town Clerk, at the said Town Hall, where the same may be inspected during regular office hours.

All persons in interest and citizens may be heard at the public hearing to be held as aforesaid.

Bids:

**BUSES – SUMMER CAMP PROGRAMS**

NOTICE IS HEREBY GIVEN that sealed proposals will be received by the Town Clerk of the Town of Yorktown, Westchester County, NY until 11:00 AM on Monday, May 3, 2010 at the Town Hall, 363 Underhill Avenue, Yorktown Heights, NY 10598 for contracting bus service for various programs in the Yorktown Parks and Recreation Department. Bids may be made on a total per section basis, a group basis or the total bid. The Town reserves the right to award the bid(s) on a lowest cost per section basis, a lowest cost for a group of sections basis or the lowest cost for a total bid (Section I: School Buses - Camps; Section II: Coaches - Camps), for a one (1) year contract starting June 1, 2010 and ending on May 31, 2011.

All bids must be accompanied by an executed non-collusion bidding certificate.

Specifications may be obtained at the office of the Town Clerk at said Town Hall, Yorktown Heights, NY during regular office hours.

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 at the time and the place specified above.

The Town Board reserves the right to reject any or all bids and to accept that bid which it deems most favorable to the interests of the Town of Yorktown.