

Regular meeting held by the Town Board,
On August 7, 2012, held at Downing Park, 2881 Crompond Road,
Yorktown Heights, NY 10598

Present: Michael J. Grace, Supervisor
Terrence Murphy, Councilman
Nicholas Bianco, Councilman
Vishnu Patel, Councilman
David Paganelli, Councilman
Alice E. Roker, Town Clerk

EXECUTIVE SESSION

Upon motion made by Supervisor Grace, seconded by Councilman Bianco, the Town Board moved into Executive Session to conduct interviews for Town Comptroller.

TOWN BOARD MEETING

Supervisor Michael Grace called the meeting to order. Town Attorney Jeannette Koster was also present at the meeting.

PLEDGE OF ALLEGIANCE

Boy scouts from Troop 165 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 THE SUPERVISOR'S REPORT TO THE TOWN

Supervisor Grace spoke about a Press Release issued by his office last Friday in which he discusses the recent presentation regarding a Department of Public Works by Citizens for a DPW and remarks made by his department heads at that meeting.

DURING REPORTS FROM TOWN COUNCIL

Councilman Vishnu Patel introduced the Boy Scouts who led the Pledge of Allegiance. They are members of Troop 165; Gil Seda, Robert Merson, Dan DiSanzo and Nick DiSanzo. The scouts spoke about their trip to Town Hall where they helped Councilman Patel with yard work.

Councilman Murphy spoke about the grand opening of TCBY on Route 6 and the grand re-opening of Friendly's on Commerce Street.

Councilman Bianco read a prepared statement, a copy of which is on file in the Town Clerk's Office. The statement concludes that "based upon the information given to the Town by Citizens for a DPW, there appears at this time, not to be any substantial evidence that a Yorktown DPW would fulfill the goals set up by not only the committee itself or me."

Councilman Patel spoke about a ceremony in memory of U.S. Army Spc David Fahey that will be held at Patriot Garden on Sunday, August 19, 2012. Councilman Patel stated that he supports having a DPW in Yorktown. He also spoke about a demolition project that was recently completed at the Holland Sporting Club by the Highway Superintendent and members of his Department. Councilman Patel said the work has not been completed. He produced a bag filled with several pieces of that he found lying under a pile of wood chips. Councilman Patel stated that he wants to see some type of confirmation that the Building Inspector has signed off of this project.

Councilman Murphy stated that he went up to the Holland Sporting Club with Councilman Patel because he claimed there was a buried oil tank on the premises. No tank was found during his visit.

Supervisor Grace addressed the work done at the Holland Sporting Club stating that the work was done according to the specifications that were written for this project. He has been up at the site every day. Wood chips were placed at the site to stabilize the area until we knew what was going to be done on this site.

Councilman Bianco stated that he spoke to the Building Inspector who said there was some debris left on the site. He further stated that he was against Highway Superintendent DiBartolo taking on this job because he knew no matter what happened, the Highway Superintendent would be the subject of criticism.

Councilman Paganelli spoke about telephone calls that he has received from residents complaining about their water bills. He spoke to the Yorktown Water Superintendent who told him that New York City, who we buy our water from has raised their rates more than one hundred percent since 2006.

Mr. Rambo stated that the new charge is a result of the latest rate hike by New York City.

APPROVE RESOLUTIONS FROM THE JULY 17, 2012 TOWN BOARD MEETING
RESOLUTION #334

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

Resolved, that the Town Board Meeting Resolutions for July 17, 2012 are approved by the Town Board.

Grace, Bianco, Murphy, Patel, Paganelli Voting Aye
Resolution adopted.

PUBLIC HEARING – PROPOSED LOCAL LAW AMENDING CHAPTER 280 ENTITLED
WATER REGARDING BACKFLOW TESTING FEES

Supervisor Grace convened the public hearing to consider amending Chapter 280 of the Code of the Town of Yorktown entitled “WATER” regarding Backflow Testing Fees. The Town Clerk presented affidavits of posting and publication.

Supervisor Grace explained that this proposal came about after looking at what our current fees were and what the actual cost of providing this service was. This proposal affects mainly commercial water tenants.

Water Superintendent David Rambo explained that in 2008 the Town was out of compliance with what the law stated we had to do. Highway Superintendent Eric DiBartolo who was in charge of the Department made sure some of our workers became certified to do this work. He spoke to Delroy Taylor at the Westchester County Health Department who told him that he received an inquiry from J&J Backflow questioning whether the Town was in compliance with the law and whether we were authorized to provide maintenance work to the community. Mr. Rambo stated that Mr. Taylor told him that the Town of Yorktown is in compliance with the law and that there are no statutes prohibiting the Town from offering this type of service. We do not repair backflows, we provide maintenance on them.

Mr. Joseph Bonnano from J&J Backflow stated that he did send a letter to the Health Department but he did not say we were not in compliance with the law. He doesn't believe the New York State Sanitary Code says the Town is required to offer this type of service. He also wanted to know if we charge sales tax on these jobs because according to state law, we have to. Mr. Bonnano stated that he also believes the Town of Yorktown has an unfair advantage over companies that provide the same type of service.

Supervisor Grace stated that we do not charge sales tax, but we are conducting an investigation into whether or not we have to.

All those present having been given the opportunity to be heard and there being no further discussion the hearing was closed. Councilman Bianco motioned, seconded by Councilman Murphy.

LOCAL LAW #12 OF 2012 - AMENDING CHAPTER 280 ENTITLED WATER
REGARDING BACKFLOW TESTING FEES
RESOLUTION #335

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

WHEREAS, a public hearing was held on the 7th day of August 2012 pursuant to notice duly published as required by law to consider amending Chapter 280 of the Code of the Town of Yorktown entitled “WATER” regarding Backflow Testing Fees.

RESOLVED, that Local Law #12 of the year 2012, be and is hereby adopted. The question of the adoption of the foregoing Local Law was duly put to a vote on roll-call, which resulted as follows:

Supervisor Grace	Voting	Aye
Councilman Bianco	Voting	Aye
Councilman Murphy	Voting	Aye
Councilman Patel	Voting	Aye
Councilman Paganelli	Voting	Aye

Local Law #12 /2012 was thereupon declared adopted.

PUBLIC HEARING

PROPOSED LOCAL LAW AMENDING CHAPTER 275-4E ENTITLED "VEHICLES AND TRAFFIC" ADD PARKING RESTRICTIONS ON STONY MANOR COURT (WHOLE CUL-DE-SAC)

Supervisor Grace called to order a public hearing to consider a proposed local law to amend Chapter 275-4E of the Code of the Town of Yorktown entitled "VEHICLES AND TRAFFIC," add parking restrictions on Stony Manor Court. The Town Clerk presented affidavits of posting and publication.

Supervisor Grace explained that there are two proposals on this particular law; one to have no parking on a limited basis, and the other to have no parking all the time.

Councilman Bianco stated that if the second law, with no time limits went into effect, where do people visiting the residents in this complex park.

We need input from the community.

All those present having been given the opportunity to be heard and there being no further discussion the hearing was adjourned. Councilman Paganelli motioned, seconded by Councilman Bianco.

PUBLIC HEARING

PROPOSED LOCAL LAW AMENDING CHAPTER 275 ENTITLED "VEHICLES AND TRAFFIC" TO LIMIT PARKING ON STONY MANOR COURT (PARTIAL CUL-DE-SAC)

Supervisor Grace called to order a public hearing to amend Chapter 275 of the Town Code of the Town of Yorktown entitled "VEHICLES AND TRAFFIC," to limit parking on Stony Manor Court. The Town Clerk presented affidavits of posting and publication.

Supervisor Grace again explained that before we make a decision on which law to adopt, we will have to get more input from the community.

All those present having been given the opportunity to be heard and there being no further discussion the hearing was adjourned. Councilman Paganelli motioned, seconded by Councilman Bianco.

ADVERTISE PUBLIC HEARING PROPOSED LOCAL LAW AMENDING CHAPTER 300 TO ALLOW RECYCLING AS A PERMITTED MANUFACTURING USE IN THE I-1 PLANNED LIGHT INDUSTRIAL DISTRICT RESOLUTION #336

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

NOTICE IS HEREBY GIVEN, that a public hearing will be convened by the Town Board, Town of Yorktown, Westchester County, New York at 363 Underhill Avenue, Yorktown Heights, New York 10598 on the 4th day of September, 2012 at 7:30 o'clock PM, or as soon thereafter as the same can be heard, to consider a proposed local law to amend Chapter 300 of the Code of the Town of Yorktown entitled "ZONING" with respect to Article V entitled "Schedule of Regulations," to allow recycling as a permitted manufacturing use in the I-1 Planned Light Industrial District.

A copy of said 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 will be heard at the public hearing to be held as aforesaid.

Grace, Bianco, Murphy, Patel, Paganelli Voting Aye
Resolution adopted

AUTHORIZE THE SUPERVISOR TO SIGN AN IMA WITH THE TOWN OF GREENBURGH TO SHARE TAX ASSESSMENT REVIEW FUNCTIONS TO AVOID CONFLICTS OF INTEREST
RESOLUTION #337

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

WHEREAS, occasionally an applicant for a tax assessment review has a close relationship with the Town (for example, when an applicant is an elected or appointed official of the Town, an employee of the Town, or a family member of such official or employee), and, additionally, the Town, as an owner of certain parcels of real property, occasionally applies for tax assessment review as to its own parcels; and

WHEREAS, the Town Board, the Assessor and the Board of Assessment Review wish to avoid conflicts of interest or the appearance of conflicts of interest in the Town's handling and determining of tax assessment reviews; and

WHEREAS, in some cases, recusal of one or more members of the Board of Assessment Review would be insufficient to resolve the conflict or appearance of conflict; and

WHEREAS, in order to create a procedure for handling such cases, it is in the interest of the Town to enter into an intermunicipal agreement with another town to provide for the mutual transfer of cases filed with the Town to the other's Board of Assessment Review for determination; and

WHEREAS, the Town of Greenburgh has indicated its willingness to enter into such an agreement for shared services; and

WHEREAS, pursuant to General Municipal Law section 119-o, municipal corporations have "the power to enter into, amend, cancel and terminate agreements for the performance among themselves or one for the other of their respective functions, powers and duties on a cooperative or contract basis,"

NOW, THEREFORE, BE IT RESOLVED, that the Town Board authorizes the Supervisor to execute an intermunicipal agreement with the Town of Greenburgh for the mutual performance of tax assessment review services on an as-needed basis, at no cost to either municipality.

Grace, Bianco, Murphy, Patel, Paganelli Voting Aye
Resolution adopted

APPROVE BUDGET TRANSFERS FOR THE WATER DEPARTMENT
RESOLUTION #338

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

Be It Resolved, the following 2012 budget transfer is hereby approved:

Decrease:	SW 8340.110 Part time & Seasonal	(\$20,000)
Increase:	SW 8340.403 Materials & Supplies	+18,000
Increase:	SW 8340.478 Service Lines	+2,000

Grace, Bianco, Murphy, Patel, Paganelli Voting Aye
Resolution adopted

EXTEND THE PAVEMENT MARKING CONTRACT AUGUST 1, 2012 TO JULY 31, 2013. THIS IS THE SECOND EXTENSION OF A CONTRACT SIGNED WITH THREE ONE YEAR RENEWALS
RESOLUTION #339

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

WHEREAS, invitation to bid for Pavement Markings for the Town of Yorktown was duly advertised, and

WHEREAS, said bids were received and opened on July 16, 2010.

RESOLVED, that upon the recommendation of the Highway Superintendent Eric DiBartolo, the bid for the Pavement Markings is hereby extended for one year, per the terms of the Bid, to Safety Markings, Inc.

BE IT FURTHER RESOLVED, the dates of the extension will be August 1, 2012 through July 31, 2013.

Grace, Bianco, Murphy, Patel, Paganelli Voting Aye
Resolution adopted

AUTHORIZE THE SUPERVISOR TO SIGN AGREEMENTS FOR TITLE 111-C1 AND 111-C2 FOR THE YEAR 1/1/12 TO 12/31/12 – NUTRITION SERVICES INCENTIVE PROGRAM RESOLUTION #340

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

RESOLVED, that the Town Supervisor is authorized to sign agreements with Westchester County for Senior Services and Programs, Title III-C1 and III-C2 programs for the year January 1, 2012 through December 31, 2012. The total amount of funding for both the contracts is \$66,873.00 with an estimated amount of \$37,142, awarded through the Nutrition Services Incentive program (NSIP)

Grace, Bianco, Murphy, Patel, Paganelli Voting Aye
Resolution adopted

AUTHORIZE THE SUPERVISOR TO SIGN AGREEMENTS FOR (SNAP) SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM FOR THE YEAR 4/1/12 TO 3/31/13 RESOLUTION #341

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

RESOLVED, that the Town Supervisor is hereby authorized to sign an agreement with Westchester County for Supplemental Nutrition Assistance Program (SNAP), for the year April 1, 2012 through March 31, 2013. The amount of this grant is \$7,187 with up to \$1,650 from (NSIP) Nutrition Services Incentive Program.

Grace, Bianco, Murphy, Patel, Paganelli Voting Aye
Resolution adopted

STANDARDIZE BASEBALL FIELD CONDITIONER MACHINES, AND TO AUTHORIZE ADVERTISEMENT TO BID SMITHCO BRAND MACHINES RESOLUTION #342

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

WHEREAS, the Town owns two (2) Smithco baseball field conditioner machines; and

WHEREAS, from time to time the Town needs to buy or replace parts for our baseball field conditioner machines; and

WHEREAS, the Smithco baseball field conditioner machines owned by the Town have interchangeable components, and the Park and Recreation Department's mechanic has many years of expertise in maintaining and repairing the Town's existing Smithco machines; and

WHEREAS, the Town is satisfied with the past performance of Smithco brand baseball field conditioner machines; and

WHEREAS, pursuant to General Municipal Law section 103, opinions of the State Comptroller, and the Town's Procurement Policy, the Town Board is authorized to pass a

resolution to standardize the purchase of equipment when the Town Board finds it is in the Town's best interest to specify a particular make and/or model of goods when bidding the goods;

NOW THEREFORE, BE IT RESOLVED, for the reasons set forth above, the Town Board finds that it is in the best interest of the Town to standardize its purchases of baseball field conditioner machines and seek bids for Smithco baseball field conditioner machines when such machines are needed by the Parks and Recreation Department.

Grace, Bianco, Murphy, Patel, Paganelli Voting Aye
Resolution adopted

AUTHORIZE THE TOWN SUPERVISOR TO EXECUTE A CONTRACT WITH MECHANICAL COORDINATORS OF NY FOR A PLUMBING REPAIR TO THE SPRINKLER SYSTEM AT THE JOHN C. HART LIBRARY
RESOLUTION #343

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

RESOLVED, the Town Board hereby authorizes the Town Supervisor to execute a contract with Mechanical Coordinators of New York, P.O. Box 400, Carmel, NY 10512 (under Westchester Restricted Plumbing License # 626 issued to Robert Fossati) in the amount of \$2,105.00 for a plumbing repair to the sprinkler system at the John C. Hart Memorial Library.

Grace, Bianco, Murphy, Patel, Paganelli Voting Aye
Resolution adopted

APPROVE THE ASSIGNMENT OF THE THREE YEAR AGREEMENT WITH USA TPA FOR THIRD PARTY ADMINISTRATION OF WORKERS' COMPENSATION CLAIMS TO POMCO, INC.
RESOLUTION #344

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

WHEREAS, following a competitive procurement process, the Town authorized the Supervisor to sign a three-year agreement with USA TPA for third party administration of workers' compensation claims; and

WHEREAS, the Town has been informed that USA TPA is having difficulties that will impede its ability to fulfill its responsibilities under the agreement with the Town, and that USA TPA wishes to assign its rights and responsibilities under the agreement to Pomco, Inc., and

WHEREAS, Pomco was the second lowest bidder on that same contract with the Town and therefore assigning USA TPA's contract to Pomco is in the best interest of the Town;

BE IT RESOLVED, that the Town Board consents to the assignment of the three- year contract between the Town and USA TPA, dated June 1, 2012, to Pomco, Inc, 2425 James Street, Syracuse, NY 13206 and authorizes the Supervisor to sign the assignment agreement. All terms and conditions of the contract between the Town and USA TPA, including the rates charged, shall be applicable to Pomco but in all other respects shall remain unchanged.

Grace, Bianco, Murphy, Patel, Paganelli Voting Aye
Resolution adopted

REFERRAL FROM DREW BOSTINTO TO CONVEY PROPERTY TO THE TOWN OF YORKTOWN
RESOLUTION #345

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

Resolved, that the Town Board authorizes the Town Clerk to refer out a proposed offer to convey a parcel of property to the Town of Yorktown to the appropriate agencies for comment.

Grace, Bianco, Murphy, Patel, Paganelli Voting Aye
Resolution adopted

APPOINT AUTOMOTIVE MECHANIC
JOHN W. WINTER – CENTRAL GARAGE

RESOLUTION #346

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

BE IT RESOLVED, that John W. Winter of Katonah, NY, is hereby appointed Automotive Mechanic, job class code 0481-02, effective August 7, 2012 to be paid from Yorktown CSEA Salary Schedule A, Group 12, Step 1 which is \$53,942.00 annually,

BE IT RESOLVED, contingent upon successful completion of a drug test and reference checks,

BE IT RESOLVED, that John W. Winter will report to work at the Central Garage Building on August 27th, 2012, and this date will be used as the first date of appointment,

BE IT FURTHER RESOLVED, that this appointment is subject to a probationary period of not less than 12 nor more than 52 weeks, commencing on the first date of appointment on August 27th, 2012.

Grace, Bianco, Murphy, Patel, Paganelli Voting Aye
Resolution adopted

CHANGE AND/OR CANCEL MEETING DATES 8/21/12 – 9/12/12 – 11/16/12
RESOLUTION #347

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

RESOLVED, the Town Board Meetings scheduled to take place on August 21, 2012 and September 12, 2012 are hereby cancelled.

Grace, Bianco, Murphy, Patel, Paganelli Voting Aye
Resolution adopted

BERNSTEIN HOUSE
RESOLUTION #348

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

WHEREAS, The Town of Yorktown is the owner a parcel of real property located at 3147 Old Yorktown Road, a/k/a Tax Map No. 26.07-1-30, which was acquired by donation and conveyed to the Town on November 2, 1990 by deed of the executor of the Estate of Helen Bernstein, which is known as the “Bernstein Property;” and

WHEREAS, some or all of the rooms in the building located on the Bernstein Property were open for public use as a museum for a period of at least ten years; and

WHEREAS, Resolutions No. 325 of July 6, 2010, No. 394 of August 31, 2010, and No. 348 of August 7, 2012, authorized the sale of said property, the Town Board having determined that the property was no longer needed for town purposes, had fulfilled all the conditions of the donation and should be sold, and in Resolution; and

WHEREAS, on August 7, 2012 the Town Board declared its intent to act as the lead agency in connection with all processing procedures, determinations, and findings to be made or conducted with respect to the sale and transfer of the Bernstein Property under Section 8-0101, et. seq., of the Environmental Conservation Law (“SEQRA”) and the regulations promulgated by the New York State Department of Environmental Conservation there under, which appear at 6 N.Y.C.R.R. Part 617 (“SEQRA Regulations”); and

WHEREAS, the Town Board determined the action to be an Unlisted Action under SEQRA and prepared a short form Environmental Assessment Form (“EAF”) as required under SEQRA; and

WHEREAS, in Resolution #348, the Town Board found that no significant adverse environmental impact would result from the sale of the property and issued a negative declaration; and

WHEREAS, the Town Board decided in 2012 to market the Bernstein Property using a licensed real estate broker, and the Town Board received and considered a number of offers; and

WHEREAS, an offer was made by Franzoso Contracting (“Purchaser”) to the Town’s real estate broker, in the amount of \$170,000; and

WHEREAS, the Town Board hereby considered such offer and other offers, and hereby determines that accepting the Purchaser’s offer is in the best interest of the Town.

NOW THEREFORE, BE IT RESOLVED, pursuant to the provisions of Section 64 of the Town Law, subject to permissive referendum, that the Town Board hereby approves the sale of the Bernstein Property to the Purchaser or its successors and assigns for \$170,000.00, upon the following conditions:

Purchaser shall provide a 20% non-refundable down payment of \$34,000.00 upon execution of the contract of sale, balance due at closing, and there shall be no contingencies.

BE IT FURTHER RESOLVED, that pursuant to Sections 82 and 90 of the Town Law, 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 a newspaper published in Westchester County having general circulation in the Town of Yorktown, and in addition thereto 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; and be it further

RESOLVED, after the expiration of the permissive referendum period, a title closing shall be held at which the Purchaser will pay the purchase price balance of \$136,000, by certified or cashier’s check, and the Town shall deliver to the Purchaser or his successors and assigns an executed deed, with the Town paying the New York State Transfer Tax of \$34.00. The Seller will prepare the TP-584 and RP-5217 Forms. The Purchaser will pay the recording fees;

RESOLVED that, the Town Attorney and the Town Supervisor are hereby authorized to take any and all other steps and executed all documents necessary to complete the sale of the Bernstein Property in accordance with the foregoing resolutions.

Grace, Bianco, Murphy, Patel, Paganelli Voting Aye
Resolution adopted

APPOINT DAVID TETRO TO THE ADVISORY BOARD OF ARCHITECTURE &
COMMUNITY APPEARANCE – ABACA
RESOLUTION #349

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

BE IT RESOLVED, that David Tetro is hereby reappointed as a member of the Advisory Board of Architecture & Community Appearance for a three year term expiring on 6/30/2015.

Grace, Bianco, Murphy, Patel, Paganelli Voting Aye
Resolution adopted

APPOINT PETER ALDUINO TO THE CONSERVATION BOARD
RESOLUTION #350

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

BE IT RESOLVED, that Peter Alduino is hereby reappointed to the Conservation Board for a three year term expiring on 3/30/2015.

Grace, Bianco, Murphy, Patel, Paganelli Voting Aye
Resolution adopted

REFUNDS - DUPLICATE TAXES
RESOLUTION #351

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

WHEREAS, records of the Receiver of Taxes indicate that the following duplicate tax payment was made:

Year and Tax	S-P-L	Account #	Refund Amount
2012 Town/Cty	16.10-2-73	1226000	\$3,623.86
2012 Town/Cty	37.18-1-9	263000	\$4,351.14
2012 Town/Cty	17.09-1-20	2264500	\$4,541.08
2012 Town/Cty	16.17-2-90	101080	\$6,006.75

BE IT RESOLVED, that the Supervisor is hereby authorized to refund the above noted amount.

Grace, Bianco, Murphy, Patel, Paganelli Voting Aye
Resolution adopted

DURING COURTESY OF THE FLOOR, the following residents addressed the Town Board:

Mrs. Linda Miller stated that she lives on Dunning Drive and has no lake rights or access to Mohegan Lake. She always believed that it would be nice to have access to this water body in the Town of Yorktown. Mrs. Miller further stated that she was happy to hear that the buildings on the grounds of the Holland Sporting Club had been demolished. She spoke about the age of the structures and the possibility that there could have been materials with dangerous chemicals in them. The site which is primarily bordered by Mohegan Lake should have sent off alarm bill as to the potential problems. Was this project looked at by the Conservation Board.?

Supervisor Grace explained that before any demolition work could take place, the site was looked at by an Environmental Hygienist who identified asbestos in the shingles of a building. A company specializing in asbestos removal was brought in and before any work was done, the site was certified as environmentally clean. He further added that there is no buried construction debris.

Mr. Fred Guiltz thanked the Department Heads for the presentation they made on June 25, 2012. He believes a DPW is a dead issue at this point. Mr. Guiltz stated that the issue is whether we should have an elected or appointed Highway Superintendent. He later handed the Town Clerk copies of information he got off the web. One of the articles is entitled: Highway Superintendents should be appointed. Mr. Guiltz asked the Town Board to consider reducing the term of a Highway Superintendent to two years. He also gave the Town Board some suggestions to reduce the budget; consider reducing the Highway Superintendent's salary to \$100,000 per year, consider taking away all of the cars driven home by town workers, take a close look at overtime and hire building inspectors who will work on the weekends to accommodate residents who cannot get to Town Hall during the week.

Supervisor Grace thanked Mr. Gulitz for his suggestions.

Mr. Ken Belfer, a resident of Mohegan Lake and President of the Mohegan Improvement District stated that while many of the beaches surrounding Mohegan Lake are private, the residents pay for the upkeep of the Lake, his beach association does allow residents from the Town who may not live in Mohegan Lake to pay the yearly fee and to enjoy the amenities that his members have. He also stated that he looks forward to the conservation regarding the future of the Holland Sporting Club.

EXECUTIVE SESSION

Upon motion made by Supervisor Grace, seconded by Councilman Bianco, the Town Board moved into Executive Session to conduct interviews for Town Comptroller.

ADJOURN

Upon motion made by Councilman Bianco moved, seconded by Councilman Murphy, the Town Board meeting was adjourned.

Alice e. Roker
Town Clerk
Town of Yorktown