

Work Session held by the Town Board, Town of Yorktown on January 29, 2013, held the Town Hall, 363 Underhill Avenue, Yorktown Heights, New York 10598.

Present: Michael J. Grace, Supervisor  
Nicholas J. Bianco, Councilman  
Terrence P. Murphy, Councilman  
Vishnu V. Patel, Councilman  
David D. Paganelli, Councilman

Alice E. Roker, Town Clerk  
Jeannette Koster, Town Attorney  
Eric DiBartolo, Highway Superintendent  
David Rambo, Water Distribution Superintendent  
Sharon Robinson, Acting Town Engineer  
Bruce Barber, Environmental Consultant  
Michael Dubovsky, Environmental Code Officer  
John Winter, Building Inspector

#### EXECUTIVE SESSION

Upon motion made by Councilman Bianco, seconded by Councilman Murphy, the Town Board moved into Executive Session to discuss litigation with the Town Attorney .

#### WORK SESSION

Supervisor Michael Grace called the meeting to order.

SENIOR STIPENDS - Members of various senior clubs including New Horizons, Yorktown Seniors Chapter 1, Yorktown Seniors Chapter 2 and AARP Chapter 3297 participated in this discussion with the Town Board.

Supervisor Grace asked Councilman Paganelli if all of the clubs turned in their Financial Report concerning their stipends for 2012.

Councilman Paganelli responded, yes.

#### AUTHORIZE SUPERVISOR TO SIGN - SENIOR CONTRACTS – NEW HORIZON SENIORS, AARP CHAPTER 3297, SAINT PATRICK’S SENIOR CLUB, SHRUB OAK SENIOR CLUB, YORKTOWN SENIORS CLUB CHAPTER 1, YORKTOWN SENIORS CLUB CHAPTER 2, SENIOR TRAVEL CLUB, JEFFERSON VILLAGE RESOLUTION #49

Upon motion made by Councilman Bianco, seconded by Councilman Murphy

RESOLVED, that the Town Supervisor is hereby authorized to sign an agreement with the following senior clubs to provide a recreational travel program for senior citizen residents of the Town.

New Horizon Seniors,  
AARP Chapter 3297,  
Saint Patrick’s Senior Club,  
Shrub Oak Senior Club  
Yorktown Seniors Club, Chapter 1  
Yorktown Seniors Club, Chapter 2  
Senior Travel Club, Jefferson Village

The contract amount is \$2,700, with the exception of the Senior Travel Club, Jefferson Village; the contract amount will be \$2,100.00. The contract amounts will be paid in a single lump sum and the term of the agreement shall be from January 1, 2013 to December 31, 2013.

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

#### STIPEND DISCUSSION

Mr. Gil Kaufman asked if Jefferson Owner's Corp. was getting a stipend.

Supervisor Grace said the Travel Club was getting a stipend.

Mr. Kaufman spoke about a new club starting up at St. Patrick's. He wondered if they would be getting a similar stipend. He also believes the Town of Yorktown should have a written policy governing how clubs become eligible for stipends. The rules should include: a new club should be in existence for more than three years, they must have 50 members and a Charter and By-laws.

The Recreation Commission has regulations that cover this topic.

Mr. Anthony Grasso expressed concern that the Jefferson Village Foundation is not a legitimate organization. This group failed to file the required annual documentation with the Internal Revenue Service.

Councilman Paganelli read a memorandum explaining how and why a former Town Board certified the Jefferson Village Foundation as a senior club.

Representatives of the Jefferson Village Foundation presented their own documents to the Town Board and explained why they are in compliance with the Town regulations.

Supervisor Grace explained the paperwork before him, appears to be in order. As of today, all senior clubs will be required to meet the financial reporting deadline.

AMEND THE RESOLUTION FOR THE SENIOR TRAVEL CLUB, JEFFERSON VILLAGE RESOLUTION #50

Upon motion made by Supervisor Grace, seconded by Councilman Bianco

RESOLVED, the resolution authorizing the Town Supervisor Grace to sign an agreement with the Senior Travel Club, Jefferson Village is hereby amended and shall read as follows:

RESOLVED, that the Town Supervisor is hereby authorized to sign an agreement with Jefferson Owners Foundation.

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

WATER DEPARTMENT -UPDATE

Water Meter Project:

Water Distribution Superintendent David Rambo stated that 2,000 new meters have been installed. Phase 1 of the Project calls for the installation of 2,400 meters. . He asked that the Town Board to extend the contract of the company installing the meters.

Supervisor Grace reminded Mr. Rambo that in a previous meeting, the Town Board decided that the remaining installations would be done by the staff of the Water Department. Mr. Rambo further stated that National Metering Services has already schedule appointments with homeowners in Yorktown. The Board agreed that it would adopt a resolution on Tuesday, February 5, 2013 to extend the contract for National Metering Services until February 10, 2013.

Next step for Fluoride Project

Mr. Rambo explained that he has been in contact with Hazen & Sawyer concerning the design of the new equipment. The Board also discussed what would happen if we were getting water only from Amawalk due to a shut-down of the Catskill Facility. Recognizing that residents of the Town of Cortlandt and the Village of Montrose do not receive fluoridated water, the Town Board agreed; if the Catskill facility went off- line and the Amawalk Plant was the sole provider of water, fluoride would not be added to the water.

Water Account adjustment

Mr. Rambo explained that he would like the Town Board to adopt a resolution refunding \$60.00 to a resident whose bill went up because of a leak in one of our meter pits.

#### CREATIVE LIVING

The applicant, CJ Divens along with his team, Albert Capellini, Attorney, Joseph Riina, Engineer, Steve Marino, Environmental Consultant and Town Department heads and staff discussed the problems they have with this application.

The first issue the Board addressed was the two footbridges. The Town Board asked that they be cordoned off so that nobody walks on them.

The Building Inspector said the green houses were not on an approved drawing. He also discussed a problem with the permanent bridge.

The Engineer, the Environmental Consultant and the Code Enforcement Officer addressed their concerns including; the applicant having a Permit from the NYS Department of Environmental Conservation; wood chips that appear to be acting as fill, and wood chips in the wetlands.

The Planning Director told the Town Board that this applicant should be required to get a site plan approval from the Planning Board. The applicant's temporary certificate of occupancy should be conditioned on him filing for site plan approval once the temporary period is over.

The applicant stated that some of these issues have already been addressed. He will meet with the Environmental Consult and the Environmental Code Officer at his site tomorrow.

The Clerk will have a resolution at next Tuesday's meeting approving the applicant's request for an amendment to his wetlands permit.

#### AMEND CHAPTER 300 – SELF STORAGE WAREHOUSE OPERATION AS A PERMITTED SPECIAL USE IN A C-1 COMMERCIAL SHOPPING CENTER DISTRICT

Planning Director John Tegeder explained that the Board recently adopted a local law on self-storage warehousing in C-1 Districts. During the public hearing, a memorandum from the Planning Board recommended amending the proposal and adding some new wording was ready. Unfortunately, when the law was adopted, the amendment was not included.

The Clerk will place an advertisement to hold a public hearing on the next Town Board agenda.

#### BEN FRANKLIN SCHOOL – SIGN

The Town Clerk will send the Principal at the Ben Franklin Elementary School the Police Department's recommendation concerning this request.

#### WOOD STREET AND EAST MAIN STREET

Councilman Bianco read the recommendation sent to the Town Board by Public Safety Officer Larry Eidelman.

Councilman Murphy and Highway Superintendent DiBartolo disagreed with Officer Eidelman about where no parking signs should go. Councilman Murphy will be meeting with Officer Eidelman on other traffic related concerns; he will bring this up for discussion.

#### TOW BID

Councilman Paganelli was put in charge with coming up with a new Tow Bid document.

Highway Superintendent Eric DiBartolo asked that the Town Board keep the provision that allows his trucks to be towed and housed inside the tow operator's facility if there is a breakdown. Last night, four of his trucks had to be towed and housed inside. If the trucks are not housed in a closed environment, salt inside the truck will solidify and will have to be jack hammered out of the truck.

HIGHWAY DEPARTMENT UPDATE:

Highway Superintendent DiBartolo told the Board that he was notified that the Town will be receiving \$295,000 in CHIPS funding for 2013. Their plan is now to complete paving on Barberry Street, Ridge Street and Lincoln Place. His supply of salt is okay. Mr. DiBartolo showed the Town Board the type of vehicle he would like to go out to bid on. The advertisement will be approved at the next Town Board Meeting.

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Alice E. Roker, Town Clerk  
Town of Yorktown