

Work Session held by the Town Board, Town of Yorktown on June 25, 2013, held at 363 Underhill Avenue, Yorktown Heights, New York 10598.

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

Diana L. Quast, Deputy Town Clerk  
Patricia Caporale, Town Comptroller  
Jeannette Koster, Town Attorney

Absent: Nicholas Bianco, Councilman

#### WORK SESSION

Supervisor Michael Grace called the meeting to order.

#### EXECUTIVE SESSION

Upon motion made by Councilman Bianco, seconded by Councilman Murphy, to move into Executive Session to discuss litigation and personnel.

Upon motion made by Councilman Bianco, seconded by Councilman Murphy, the Town Board came out of Executive Session and resumed the work Session

#### REFER OUT WETLANDS PERMIT APPLICATION YORKTOWN PARKS & RECREATION SYLVAN GLEN DOG PARK RESOLUTION #272

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

RESOLVED, that the Deputy Town Clerk is hereby authorized to refer the application received from the Town of Yorktown Parks & Recreation Department for a Wetlands Permit for the creation of a Dog Park at Sylvan Glen Park Preserve to the agencies listed below for their review and/or recommendation, and

BE IT FURTHER RESOLVED, the Town Board declares its intent to act as Lead Agency, and

BE IT FURTHER RESOLVED, that the Town Board would like your comments and or recommendation by July 25, 2013, and

BE IT FURTHER RESOLVED, that a Public Hearing is scheduled to take place on Tuesday, August 6, 2013 at the Brian J. Slavin Aquatic Facility, Shrub Oak Park, Sunnyside Avenue, Shrub Oak, New York 10588 at 6:30 pm o'clock or as soon thereafter can be heard.

To: Building Inspector  
Conservation Board  
Environmental Consultant Bruce Barber  
NYS DEC Region 3, Jonathan Stercho, Environmental Analyst  
NYC DEP, Cynthia Garcia, SEQRA Coordinator  
Advisory Committee on Open Space  
Planning Board  
Planning Department  
Parks & Recreation Superintendent Brian Gray  
Parks & Recreation Commission  
Town Attorney  
Town Engineer  
Tree Conservation Advisory Commission  
Yorktown Community Dog Park  
Yorktown Land Trust  
Wetlands Inspector

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

### BUILDING PERMIT FEES

Supervisor Grace discussed with the Town Board amending a section of the Town Code with regards to Building Permit fees. He explained that currently the law states that if you start work before a building permit is issued then the fine is double the original permit fee.

Councilman Murphy stated that the problem occurs when there is a wait time between when the application is filed and when a permit is issued.

Supervisor Grace stated that the law should be amended so that if an applicant files an application and begins work there will be no penalty, if no application is filed then the penalty would remain the same.

The Town Attorney will draft proposed legislation to amend the current local law.

### WATER METER PROJECT UPDATE

Water Distribution Superintendent David Rambo was present to give the Town Board an update on the Water Meter replacement project.

Superintendent Rambo stated that he would like to come back in a couple of weeks so that he can provide a better analysis to the Town Board regarding this project.

Supervisor Grace stated that he wants to know statistical information, if there are any old meters that still need to be replaced, performance issues with new meters, loss ratio, statistical analysis and any billing issues that the new system has.

Supervisor Grace also asked about taking over the in house billing for water usage.

Councilman Paganelli stated that the issue was looked into but the cost savings was small and it would have negative effects on the Northern Westchester Joint Water Works.

Superintendent David Rambo stated that there was an issue with several meters that malfunctioned and they are covered under warrantee.

Superintendent David Rambo stated that he received a request from a resident who had an excessive water bill of \$700.00. She would like the amount waived because she states that the residence was not being utilized during that billing period. He noted that there was a big difference in the hourly usage rate over that period of time.

Supervisor Grace Stated that Mr. Rambo should contact the resident to arrange a payment schedule so that they can pay it off over a period on time.

### UNDERHILL PLAZA SIGNAGE

A representative from Signs Ink was present to discuss with the Town Board proposed signage to be placed at the Underhill Plaza. The Town Board requested some revisions to the proposed signage and will review the updated plans at a future Town Board meeting.

### SENIOR ADVISORY COMMITTEE

Mr. Gil Kauffman, Jennie Menton, Rhoda Sussman, Rosemarie Panio were present to discuss with the Town Board some concerns they have with the security at the Yorktown Community Cultural Center. They would like to have security in the building when it is open. They suggested using the Yorktown Auxiliary Police.

Supervisor Grace stated that panic buttons can be placed in the building and he would speak to the Police Chief about using the Auxiliary Police.

Mr. Gil Kauffman also asked about the "Are You Ok Program"

Supervisor Grace stated that during the recent storms the Town used Westchester County's list and it worked out well. He will talk to the Police department regarding this program.

Councilman Murphy stated that years ago there were neighborhood watches and maybe this could be incorporated into this program and he will call Detective Lewis regarding this issue.

Mr. Gil Kauffman stated that Mr. Jerry Knapp from the American Legion has offered to volunteer his time to do checks on people.

Mrs. Rosemarie Panio stated that the Senior Advisory Committee would be doing a column in one of the local papers to keep seniors up-to-date on what is happening, addressing concerns for the elderly.

Supervisor Grace stated that he will be asking the Town Board to approve moving forward with a Phase II Environmental Study for the Highway Garage.

#### LANDMARKS COMMISSION

Members of the Landmarks Commission were present to ask the Town Board to change the current alternate members to the Landmark Commission to regular members.

#### APPOINTMENT LANDMARKS COMMISSION

##### BRIDGET KROWE

##### RESOLUTION #273

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

BE IT RESOLVED, that Bridget Krowe is hereby appointed as a member of the Landmarks Preservation Commission for a three year term expiring October 16, 2016.

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

#### APPOINTMENT LANDMARKS COMMISSION

##### ROBERT PIERSON

##### RESOLUTION #274

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

BE IT RESOLVED, that Robert Pierson is hereby appointed as a member of the Landmarks Preservation Commission to fulfill an unexpired term ending on October 16, 2014.

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

#### APPOINTMENT LANDMARKS COMMISSION

##### WILLIAM PRIMAVERA

##### RESOLUTION #275

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

BE IT RESOLVED, that William Primavera is hereby appointed as a member of the Landmarks Preservation Commission for a three year term expiring October 16, 2016.

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

#### REFERRAL YESHIVA KEHILATH YAKOV REQUEST

##### FOR EXCAVATION, STORMWATER POLLUTION PLAN AND TREE PERMIT

##### RESOLUTION #276

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

RESOLVED, that the Deputy Town Clerk is hereby authorized to refer the application received from the Yeshiva Kehilath Yakov for an Excavation, Storm Water Pollution Prevention Plan and Tree Permit to install solar panels on their property located at 340 Illington Road to the agencies listed below for their review and/or recommendation, and

BE IT FURTHER RESOLVED, the Town Board declares its intent to act as Lead Agency, and

BE IT FURTHER RESOLVED, that the Town Board would like your comments and or recommendation by July 25, 2013, and

BE IT FURTHER RESOLVED, that a Public Hearing is scheduled to take place on Tuesday, August 6, 2013 at the Brian J. Slavin Aquatic Facility, Shrub Oak Park, Sunnyside Avenue, Shrub Oak, New York 10588 at 6:30 pm o'clock or as soon thereafter can be heard.

To: Building Inspector  
Conservation Board  
Environmental Consultant Bruce Barber  
NYS DEC, Region 3, Permits, Dan Whitehead  
NYC DEP, Cynthia Garcia, SEQRA Coordinator  
Planning Board  
Planning Department  
Town Attorney  
Town Engineer  
Tree Conservation Advisory Commission  
Zoning Board of Appeals

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

#### FINANCIAL UPDATE

Town Comptroller Patricia Caporale was present to give the Town Board a financial update. She gave the Town Board the following reports: Trial Balance ~ showing cash balances for all funds, Revenue Control Report ~ which details by fund the total revenue budgeted, the total amount received to date, and the total amount still to be collected, Expense Control Report ~ which details by fund the total expenditures budgeted, the total amount paid to date and the available funds remaining. She stated that the Town Board will receive these reports on a monthly basis.

#### APPROVE CONFERENCE ATTENDANCE

##### SOLE ASSESSOR KIM PENNER

##### RESOLUTION #277

Upon motion made by Councilman Murphy seconded by Councilman Patel,

Whereas, in her capacity as Assessor for the Town of Yorktown, Kim Penner is required to attend a training session to be held in Ithaca, New York from July 15, 2013 through July 19, 2013, and

Whereas, estimated expenses include tuition (\$470), lodging (\$600), and food (\$180), for a total estimated expense of \$1250, and sufficient funds exist in the department's training line, now.

Therefore, Be It Resolved, Assessor Kim Penner shall be granted permission to attend said session and to use a town vehicle for the trip.

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

#### BUDGET TRANSFER

##### RESOLUTION #278

Upon motion made by Councilman Murphy seconded by Councilman Patel,

Be it Resolved, that the following budget transfer is approved:

As per request of Assessor Kim Penner, transfer \$1,500 from the Assessor Salary Line (A1355.101) to Vehicle Maintenance (A1355.420).

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

ADVERTISE PUBLIC HEARING  
PROPOSED LOCAL LAW ESTABLISHING A SUSTAINABLE ENERGY LOAN PROGRAM  
RESOLUTION #279

Upon motion made by Councilman Murphy seconded by Councilman Patel,

NOTICE IS HEREBY GIVEN, that a public hearing will be held by the Town Board, Town of Yorktown, Westchester County, New York at the Yorktown Community Cultural Center, at the newly landscaped area surrounding the walking path located on Veterans Road, Yorktown Heights, New York on the 2<sup>nd</sup> day of July, 2013 at 6:30 o'clock PM, or as soon thereafter as the same can be heard for the purpose of enacting a new Chapter of the Code of the Town of Yorktown entitled "ENERGY CONSERVATION" authorizing the establishment of a Sustainable Energy Loan Program.

A copy of the Local Law is on file in the Office of the Town Clerk, Town of Yorktown, 363 Underhill Avenue, Yorktown Heights, New York, where it is a public record, available for inspection during regular office hours.

A copy of the Local Law may also be seen on the Town of Yorktown's website [www.yorktownny.org](http://www.yorktownny.org)

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

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

ADVERTISE BID  
COMPUTER AND NETWORKING EQUIPMENT FOR ALL TOWN DEPARTMENTS  
RESOLUTION #280

Upon motion made by Councilman Murphy seconded by Councilman Patel,

NOTICE IS HEREBY GIVEN that sealed proposals will be received by the Town Clerk, Town of Yorktown, in the Town Hall, 363 Underhill Avenue, Yorktown Heights, New York, until 11:00 AM on the 15<sup>th</sup> day of July, 2013 for Computer-Networking Equipment for the Town's computer system.

Specifications may be obtained at the Office of the Town Clerk, 363 Underhill Avenue, Yorktown Heights, NY 10598 during regular business 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 the bids in at the time and the place specified above. All bids are to be returned to the Town Clerk, 363 Underhill Avenue, Yorktown heights, NY 10598, marked: **Bid: Computer-Networking Equipment.**

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

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

AUTHORIZE SUPERVISOR TO SIGN AGREEMENT  
MAJOR ABSTRACT CORP. – LIEN SEARCHES FOR IN REM PROPERTIES  
RESOLUTION #281

Upon motion made by Councilman Murphy seconded by Councilman Patel,

RESOLVED, that the Supervisor is authorized to enter into an agreement with Major Abstract Corp. for last owner and lien searches for the Town's in rem parcels, and the Comptroller is authorized to pay up to \$8,000 for such searches in calendar year 2013.

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

TOWN BOARD AGENDA

JULY 2, 2013

The Town Board discussed the July 2, 2013 Town Board meeting agenda which will be held at the YCCC - Jack DeVito Memorial Field on Veterans Road, Yorktown Heights, NY 10598. The meeting will begin at 6:30 P.M.

EXECUTIVE SESSION

Upon motion made by Councilman Murphy, seconded by Councilman Paganelli, to move into Executive Session to discuss Certiorari Settlement.

Upon motion made by Councilman Murphy, seconded by Councilman Paganelli, the Town Board came out of Executive Session and adjourned the Town Board Meeting.

ADJOURN

Upon motion made by Councilman Murphy, seconded by Councilman Paganelli, the Town Board adjourned the meeting.

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Diana L. Quast, Deputy Town Clerk  
Town of Yorktown