

Work Session held by the Town Board, Town of Yorktown on February 23, 2010. Yorktown Town Hall, 363 Underhill Avenue, Yorktown Heights, New York 10598.

Present: Susan Siegel, Supervisor
James J. Martorano, Councilman
Nicholas J. Bianco, Councilman
Terrence P. Murphy, Councilman
Vishnu V. Patel, Councilman
Alice E. Roker, Town Clerk

EXECUTIVE SESSION

Councilman Murphy motioned, seconded by Councilman Martorano, to move into Executive Session for discussions with the Interim Legal Counsel and Town Assessor.

WORK SESSION

Supervisor Susan Siegel called the meeting to order. Acting Town Engineer Sharon Robinson was also present.

LIBRARY HEATING SYSTEM

Patricia Barresi, Director of the John C. Hart Library and Library Trustees Audrey Sherman and Joan Landzberg were present to discuss the building's heating and cooling system.

Mrs. Barresi stated that there is no heat in the Library. The average temperature is 59 degrees. Space heaters are being used. As far as air conditioning, it is not consistent.

Councilman Bianco asked if Library had any fund balance and if the bond to pay for the upgrade of the Library had been paid off.

Mrs. Barresi stated that the Library didn't have a fund balance because it was used by the Town Board to help lower taxes. She also stated that the bond that was issued to pay for the improvements at the Library had been paid off two years ago.

Mrs. Barresi stated that she could apply for a Library grant, but that the Westchester Library System would get the money and then send a portion of the grant to the Town of Yorktown.

Supervisor Siegel stated that the Town has received an estimate from an engineer of \$600,000. She recommended that the Board approve a Request for Proposal (RFP) to do take an in-depth look at what needs to be done to the HVAC System.

A resolution for an RFP will be on the March 2, 2010 agenda.

NEW BROADCASTING EQUIPMENT FOR BOARD ROOM

Town Clerk Alice E. Roker was present to discuss with the Town Board the new broadcasting equipment for the board room.

Mrs. Roker spoke about the list of equipment that she received estimates for. This covers providing audio in the Town Board Room. It provides the Town with the capability of televising more than one video a day without having someone come into Town Hall to change tapes. It will also provide a better picture. The latest estimate is approximately \$61,000.

Mr. Thomas Sciangula, a professional cameraman and videographer for the Town of Yorktown stated that he believes the Town should spend the money for a new system. Cablevision provided the Town with the current system in the early 1990's. The Town has not spent any money on the system.

Mr. Rubin stated that the Town currently has \$30,000 in PEG money from Verizon. We have begun negotiations on a new franchise agreement with Cablevision. Additional PEG money from Verizon will not be sent to Yorktown until a new agreement is reached with Cablevision. Mr. Rubin suggested upgrading the equipment in phases.

The Town Board agreed that they would table this issue for two months to see how negotiations were going with Cablevision.

POLICE SIDE JOB POLICY

Police Chief Daniel McMahon was present to discuss with the Town Board the off duty jobs policy for police officers.

Chief McMahon explained that currently there are two ways in which to hire an off duty officer. The School Districts and the Mall hire police officers through the PBA. All of businesses including movie studios and the Board of Elections go through the Police Chief who requires that they sign a contract that imposes an hour rate of \$78.96. The question of liability was raised because police officers who work off-duty wear their Town of Yorktown uniforms. Insurance is required for everyone who hires a police officer. Chief McMahon doubted that the mall or school districts would be financially able to pay \$78.96 per hour. In 2008, off-duty police officers worked for the school districts a total of 58 times. Businesses going through the Police Chief hired off duty police officers 23 times. In 2009, those figures were 44 for schools and 27 for all other types of businesses.

Interim Town Attorney Dan Pozin will find out if the Town can have a two tier structure for hiring off duty police officers.

BID FOR TOWING CONTRACT

There was discussion concerning the bid specifications.

Eric DiBartolo asked that the Town not remove the requirement for enclosed bays because if one of his salt trucks breaks down and needs to be housed overnight, it must be in a warm environment otherwise there will be problems with the salt.

Chief McMahon felt that there were no problems with the current tow truck business, if anything he states that the current owner has updated the equipment which requires that vehicle owners spend less time waiting for a tow.

A resolution extending the bid will be added to the next Town Board agenda.

BUDGET TRANSFERS

There was discussion with the Town Board concerning backfilling vacant positions in Highway and the Environmental Conservation Dept.

Highway Superintendent Eric DiBartolo and Patrick LoFaro, Superintendent of the Department of Environmental Conservation explained why they could not afford to lose their employees. Mr. DiBartolo explained why the addition of two laborers to his department would be insufficient.

A consensus of the Town Board agreed that Mr. DiBartolo can hire three employees. He was down a total of five employees. They also agreed that Mr. LoFaro should post his job.

CROTON OVERLOOK

Kim Calandriello, one of the principles of the Croton Overlook Corp. was present to discuss a proposed project.

Louise Doyle, the engineer for the project explained that at their last meeting with the Town Board, the main concern of the Town Board was the waste water treatment system. The applicant has performed extensive test borings. The soils go down ten feet which is more than what is needed. The question now is will the sewage be treated at the plant, or will it go straight into the septic system. All 68 units will be served by this septic system which will be owned by a transportation corporation. Under state law, each unit will have to buy-in into the system. New York State law requires that the municipality and the County Health Department approve the system. The municipality does not have to own or operate the system.

John Tegeder, Yorktown Planning Director stated that this project does not meet the requirements set forth in the Comprehensive Plan. It is not affordable. Much review will have to take place.

Sharon Robinson, Acting Town Engineer stated that her concern with this type of waste water treatment system comes about through experience with developments such as Cedar Pond.

The applicant stated that they will submit an application.

STORMWATER UPDATE, INCLUDING NEW ORDINANCE AND NEW COMMITTEE

Bruce Barber, Environmental Consultant was present to give an update on Stormwater Management. He explained that the Department of Environment Conservation issues a Stormwater Permit to the Town of Yorktown annually. There are six components assigned to each permit including a requirement for public education, public participation, monitoring construction activities in the Town as well as having post construction plans. Mr. Barber stated that the Town of Yorktown would be better served by coming up with new storm water legislation as well as establishing a Storm Water Advisory Committee.

Mr. Barber will work with Mr. Pozin on the legislation.

POLICY STATEMENTS

Supervisor Siegel stated that she is waiting for the President of the PBA to sign off on the policy concerning the signing of payroll sheets. Chief McMahon has agreed. She further stated that the Board has already discussed the Media Policy.

The Media Policy will be placed on the next agenda. The Supervisor will tell the Town Clerk when the payroll signing policy can be placed on an agenda.

CON EDISON TRANSMISSION LINE TREE TRIMMING

Supervisor Siegel spoke about her conversations with Con Edison and their legal requirements for tree trimming and cutting. The Supervisor also explained that she attended a meeting in White Plains where a county resolution on this issue was discussed.

Dr. Patricia Podolak and Mr. Craig Strauss, members of the Yorktown Utility Oversight Committee requested that the Town Board support the same resolution requesting Con Edison to cease implementation of the New York State Public Service Commission's "Enhanced Transmission Right of Way Management Practice" rules and further requesting that the New York State Public Commission rescind or undertake a review of same.

APPROVE SEWER TRAINING
KYLE GULITZ – SEWER DEPARTMENT
RESOLUTION #109

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

WHEREAS, the NYCDEP provides training of wastewater personnel as part of the upgrade project and fully reimburses the Town of Yorktown for such expense; and

WHEREAS, the training includes overnight stay and expenses; NOW,
THEREFORE BE IT

RESOLVED, that Kyle Gulitz of the Sewer Department is authorized to attend the SUNY Morrisville Environmental Training Center for the Basic Operation of Wastewater Treatment Plants for a total cost of \$1,950.00

Siegel, Bianco, Martorano, Murphy, Patel Voting Aye
Resolution adopted.

MEMBERSHIP TO ADVISORY COMMITTEE
ON OPEN SPACE

Supervisor Siegel discussed with the Town Board amending the term limits for members of the Advisory Committee on Open Space. The code currently states that members of this advisory committee can only serve two three year terms. She suggested amending that section of the code.

Town Board members agreed. Dan Pozin will come up with amending legislation.

TOWN BOARD AGENDA
MARCH 2, 2010

The Town Board discussed the March 2, 2010 Town Board meeting agenda.

ADJOURN

Councilman Martorano moved, seconded by Councilman Murphy, to adjourn the Town Board meeting.

Alice E. Roker
Town Clerk
Town of Yorktown