

Meeting of the Town Board, Town of Yorktown held on November 17, 2015 at the Town Hall, 363 Underhill Avenue, Yorktown Heights, New York 10598.

Present: Michael J. Grace, Supervisor
Vishnu V. Patel, Councilman
Gregory M. Bernard, Councilman
Susan M. Siegel, Councilwoman
Thomas P. Diana, Councilman

Alice E. Roker, Town Clerk
Jeannette Koster, Town Attorney
John Tegeder, Planning Director
Bruce Barber, Environmental Consultant
Patricia Caporale, Town Comptroller

TOWN BOARD MEETING

Supervisor Michael Grace called the meeting to order.

EXECUTIVE SESSION

Upon motion made by Supervisor Grace, seconded by Councilwoman Siegel, the Town Board moved into Executive Session to discuss the employment of a particular person.

Upon motion made by Supervisor Grace, seconded by Councilman Bernard, the Town Board moved out of Executive Session and proceeded with the meeting.

PLEDGE OF ALLEGIANCE

Supervisor Grace 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 and the people of Paris.

DURING REPORTS TO THE TOWN, Supervisor Grace congratulated former Councilman Anthony Grasso who will be inducted into the Westchester County Senior Hall of Fame on December 4, 2015.

DURING REPORTS FROM THE TOWN COUNCIL,

Councilwoman Siegel spoke on several topics including the issuance of a new SPEDES Permit for the Yorktown Waste Water Control Plant.

Councilman Bernard spoke about a fundraiser he attended for the organization United for the Troops. He also announced that the new owners of the Hilltop Service Station have received an Order to Remedy for removing landscaping and fencing that were part of the site plan for this parcel.

Councilman Diana announced that the Yorktown Citizens Task Force Against Heroin will resume their regular meetings at the Elks Club in January.

DURING REPORTS FROM WHITE PLAINS, Michael Kaplowitz, Chairman of the Westchester County Board of Legislators and representative for the 4th County Legislative District spoke about the upcoming budget which right now has a zero tax increase. He also stated that the request of the Town of Yorktown to expand the Peekskill Sanitary Sewer District to include certain parcels including COSTCO has been granted.

Heather O'Donnell, President of the John C. Hart Library Board of Directors told the Town Board that they had conducted an extensive search to find a replacement for Patricia Barresi, who served as Director of the Library and who retired several months ago. Mrs. O'Donnell stated that the Board of Trustees of the John C. Hart Library believe Patricia Hallinan who has worked for the Library for a number of years is the person best suited for the job.

APPOINT LIBRARY DIRECTOR
PATRICIA HALLINAN – JOHN C. HART MEMORIAL LIBRARY
RESOLUTION #418

Upon Motion made by Councilman Patel, seconded by Councilman Bernard,

BE IT RESOLVED, that Patricia Hallinan, is hereby appointed Library Director III, job class code 0217-01, from eligible list No. 60-779 at the John C. Hart Memorial Library, effective November 17, 2015, to be paid a salary of \$95,000 annually,

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 November 17, 2015.

Grace, Patel, Siegel, Bernard, Diana, Voting Aye
Resolution adopted.

DURING COURTESY OF THE FLOOR, the following people spoke:

Mrs. Mara Ziedens asked for additional traffic calming devices and a stepped up Police presence on Hallocks Mill Road.

Mr. Robert Giordano, head of the Yorktown Small Business Association spoke about a new program for small business that is modeled on the American Express Shop Small Business Saturday. American Express campaign is for one day, Saturday, November 28, 2015. The Yorktown Program will continue through the holidays. Merchants will be offering discounts as well as a way to enter a raffle.

Mr. Heller, a resident of Shrub Oak described the landscape and fencing that were removed from the Hilltop Service Station property. Mr. Heller further told the Town Board that he is also a business owner, but, that he tries to play by the rules. The new owner of this property should also be required to play by the rules.

Supervisor Grace stated that the owner of the property was in his office today and is looking to resolve the problem.

CONVENE PUBLIC HEARING
HOMES OF HISTORIC DISTINCTION PROGRAM – LANDMARKS PRESERVATION

Supervisor Grace convened the public hearing to consider a proposed local law to amend Chapter 198 of the Code of the Town of Yorktown entitled “LANDMARK PRESERVATION.” To add a “Homes of Historic Distinction” Program. Affidavits of Posting and Publication were presented by the Town Clerk.

Mr. Jean Francois de Laperouse, Chairman of the Landmarks Preservation Commission spoke about the Town of Yorktown and the vast number of historic homes that were built in this community. Officially, the 14 homes and/or structure have received landmark status. The Landmarks Preservation Commission has come up with a new program called the Historic Distinction Program that recognizes the historic nature of a structure without giving it landmark status.

Mrs. Linda Briggs explained that during the 2010 Comprehensive Plan, an architectural firm identified more than 200 homes of “Notable Interest”. The Landmarks Commission will contact the owners of these structures, but if anyone would like us to consider their home, they can either download the application from the Town’s website or contact the Planning Department.

All those present having been given the opportunity to be heard and there being no further discussion. Upon motion made by Councilman Patel, seconded by Councilman Bernard and carried, the hearing was closed.

LOCAL LAW #11 OF 2015 AMENDING CHAPTER 198, HOMES OF HISTORIC
DISTINCTION PROGRAM – LANDMARKS PRESERVATION
RESOLUTION #419

Upon Motion made by Councilwoman Siegel, seconded by Councilman Diana,

WHEREAS, a public hearing was held on November 17, 2015 pursuant to notice duly published as required by law to amend Chapter 198 of the Code of the Town of Yorktown entitled "LANDMARK PRESERVATION." To add a "Homes of Historic Distinction" Program.

RESOLVED, that Local Law #11 of 2015, as annexed hereto, be and is hereby adopted.

The question of the adoption of the foregoing Local Law was duly put to a vote on rollcall, which resulted as follows:

Supervisor Michael Grace	Voting	Aye
Councilman Vishnu Patel	Voting	Aye
Councilwoman Susan Siegel	Voting	Aye
Councilman Gregory Bernard	Voting	Aye
Councilman Thomas Diana	Voting	Aye

Local Law #11/2015 was thereupon declared adopted.

CONVENE PUBLIC HEARING

AMEND CHAPTER 275 – RESTRICTING PARKING ON LAUREL COURT AND ROCHAMBEAU DRIVE -TRAFFIC AND PARKING REGULATIONS

Supervisor Grace convened the public hearing to consider a proposed local law to amend Chapter 275 of the Code of the Town of Yorktown entitled "VEHICLES AND TRAFFIC." Article 1, entitled "Traffic and Parking Regulations," restricting parking on Laurel Court and Rochambeau Drive. Affidavits of Posting and Publication were presented by the Town Clerk.

Mrs. Terry Zulkowsky, a resident of Hallocks Mill Road stated that she recognizes that safety is and should always be a concern of the Town. The biggest issue for people living in this area is the number of cars that speed through our neighborhood. Many of the people who live in this area have small driveways and it is necessary at times to park on Laurel Court. Mrs. Zulkowsky stated she believes that the one hundred foot requirement in this proposal is excessive.

Mr. Bob Zulkowsky stated that he believes if the Town reduced the footage requirement for parking along the road from one hundred feet down to fifty feet, than you will in addition to achieving your safety goal, it will also allow homeowners with smaller driveways to continue to park on Laurel Court.

Mrs. Geraldine Schwalb thanked the Town Board for following up on her concern regarding people parking along both sides of Rochambeau Court, but she says in addition to prohibiting parking, you should also prohibit standing.

Mrs. Isabel Kavanagh, who also lives in the area agrees that the law should also prohibit standing.

All those present having been given the opportunity to be heard and there being no further discussion. Upon motion by Supervisor Grace, seconded by Councilman Bernard and carried, the hearing was closed.

Reserve Decision.

RECONVENE PUBLIC HEARING

REZONING REQUEST MADE BY MANDALAY BUILDERS AKA CROMPOND TERRACES

Supervisor Grace reconvened the public hearing to consider a request made by Mandalay Builders, LLC in connection with property known on the Yorktown Tax Rolls as Section, Parcel and lots 26.18-1-9, 26.18-1-10, 26.18-1-11, 26.18-1-12, 26.18-1-13, 26.18-1-14, 26.18-1-15, 26.18-1-16 for a Change of Zone from R1-20 to C2R and R-3.

Mrs. Ann Kutter, Project Manager introduced the members of the Mandalay Builders team including Engineer Dan Ciarcia, Planner Ann Cutignola, Environmental Engineer Steve Marino and Traffic Consultant Dr Philip Greeley, and Roy Baiata. She reviewed the project with the Town Board stating that the proposed rezoning will implement the recommendations of the

2010 Comprehensive Plan. Mrs. Kutter also stated that an EEF (Expanded Environmental Assessment Form) was distributed to the involved and interested agencies on October 12, 2015.

Mr. Gary Ajello read prepared remarks, a copy of which is on file in the Town Clerks Office. Mr. Ajello, a former member of the Town Board stated that beginning with the 1955 Master Plan, this site, now known as the Bear Mountain Triangle was considered to be for non-residential purposes. The idea of developing this site for any other purposes did not come up until the 2010 Master Plan. He is against the proposal.

Mr. Ken Belfer, Chairman of the Yorktown Community Housing Board spoke in favor of this proposal.

Mr. Anthony Grasso who is also a former member of the Yorktown Town Board stated that tonight he was speaking on behalf of the Chamber who is in favor of the proposal.

Mrs. Geraldine Schwalb, a former Town Clerk stated that there was one flaw to Mr. Ajello's discussion. If former Town Board's agreed that this site should have been for non-residential purposes, why didn't they change the zone.

Mr. Edward Ciffone spoke in opposition to the plan.

Mr. Vincent Scotto, a resident of the Millpond area spoke about flooding issues in his area. What effect would this proposal have on his area?

Supervisor Grace explained that this proposal should have no effect on this area. What needs to happen to resolve the flooding issue in his area is for the State Land property to be developed.

Mr. William LaScala spoke in favor of the proposal stating that while it is good to look back onto history, ideas that were good fifty years ago, may not be so good today.

Ms. Ann Cutignola, a representative of Tim Miller Associates reiterated that this proposal meets the goals of the 2010 Comprehensive Plan.

Supervisor Grace read reports from the following agencies:

A joint memorandum from John Tegeder, the Director of Planning and Bruce Barber, Yorktown's Environmental Consultant dated November 17, 2015.

Westchester County's Planning Board

Supervisor Grace also read an email from Alfio Della Vecchia, one of the property owners in the area.

Councilwoman Siegel read a memorandum from the Planning Board dated November 17, 2015. She further indicated that according to the members of the Planning Board, they just received the EEF in paper form.

The Town Clerk stated that they were sent this same document in CD format on October 12, 2015. The Planning Director later requested a paper version of the document for the members of the Planning Board.

Discussion among Board Members.

All those present having been given the opportunity to be heard and there being no further discussion. Upon motion made by Councilman Diana, seconded by Councilman Bernard, and carried, the hearing was closed.

Grace, Bernard, Diana Voting Aye
Siegel, Patel Voting Nay
Motion Carried.

APPROVE STAFF TO PREPARE NEGATIVE DECLARATION AND APPROVING RESOLUTION FOR REZONING REQUEST MADE BY MANDALAY BUILDERS AKA CROMPOND TERRACES
RESOLUTION #420

Upon motion made by Councilman Bernard, seconded by Councilman Diana,

RESOLVED, the comment period for this application will remain open for ten days while staff prepares a Negative Declaration and Approving Resolution.

Grace, Bernard, Diana Voting Aye
Siegel, Patel Voting Nay
Resolution Adopted.

APPROVE COMMENT PERIOD FOR REZONING REQUEST MADE BY MANDALAY BUILDERS AKA CROMPOND TERRACES
RESOLUTION #421

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

RESOLVED, the comment period for this application will remain until December 1, 2015.

Grace, Bernard, Diana Voting Aye
Siegel, Patel Voting Nay
Resolution Adopted.

ACCEPT RETIREMENT
JOHN CALCUTTI – HIGHWAY DEPARTMENT
RESOLUTION #422

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

The Yorktown Town Board congratulates John Calcutti on his retirement and wishes him the best.

Grace, Bernard, Diana, Patel, Siegel Voting Aye
Resolution Adopted

APPROVE REFERRAL
REZONING REQUEST FROM RPG PROPERTIES TAX ID 15.15-1-22
RESOLUTION #423

Upon motion made by Councilman Bernard, seconded by Councilman Diana,

RESOLVED, that the Town Clerk is hereby authorized to refer the application received from Petitioner: RPG Properties, Inc. in connection with property known on the Yorktown Tax Rolls as Section 15.15, Parcel 1, lot 22 for a rezoning from R1-20 to R-3 to the appropriate agencies for their review and/or recommendation

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 recommendations by December 8, 2015

Westchester County Planning Dept/Board
Westchester County Department of Public Works

New York State DOT, Region 8
New York State DEC, Region 3

New York District US Army Corp of Engineers

Town of Cortlandt – Town Clerk
Lakeland Central School District

Lake Mohegan Lake Fire District

New Yorktown Chamber of Commerce

Town of Yorktown Agencies:

ABACA
Building Inspector
Community Housing Board
Conservation Board
Fire Inspector
Highway Department
Planning Department/Board
Police Department
Recreation Commission
Town Attorney
Town Engineer
Water Department

Grace, Bernard, Diana, Patel, Siegel Voting Aye
Resolution Adopted

APPROVE REFERRAL

AMEND SPECIAL USE PERMIT REQUEST CPD ENERGY CORP. – MOBIL GAS
STATION STORE – 2035 SAW MILL RIVER ROAD
RESOLUTION #424

Upon motion made by Councilman Bernard, seconded by Councilman Diana,

RESOLVED, that the Town Clerk is hereby authorized to refer the application received from CPD Energy Corp. for an amended special use permit for the Mobil Gas Station Store located at 2035 Saw Mill River Road, also known on the Yorktown tax map as Section 37.14, Parcel 2, Lot 51 in connection with the construction of a new convenience store, and be it

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 recommendations by December 8, 2015

Westchester County Planning Department/Board

Cynthia Garcia, New York City Department of Environmental Protection
New York State Department of Transportation

Town of Yorktown Agencies:

ABACA
Acting Town Engineer
Building inspector
Planning Board
Planning Department
Town Attorney

Grace, Bernard, Diana, Patel, Siegel Voting Aye
Resolution Adopted

APPROVE CERTIORARI SETTLEMENT

RESOLUTION #425

Upon motion made by Councilwoman Siegel, seconded by Councilman Diana,

WHEREAS, tax certiorari proceedings were instituted challenging the assessment for parcel known as Section 35.08 Block 1 Lot 21, 3805 Crompond Road, on the Tax Map of the Town of Yorktown, now therefore be it

RESOLVED, that the tax certiorari proceedings affecting tax parcel 35.08-1-21 Account Number 0570050, owned by Curry Corporation, for assessment roll years 2010, 2011, 2012, 2013, 2014 and 2015 be settled as set forth in the proposed stipulation as follows:

Roll Reduction Year	Assessed Value		Assessed Value	
	From	To	From	To
2010	78,800	41,085	37,715	
2011	78,800	42,735	36,065	
2012	78,800	39,900	38,900	
2013	78,800	41,550	37,250	
2014	78,800	40,000	38,800	
2015	75,100	40,000	35,100	

Grace, Bernard, Diana, Patel, Siegel Voting Aye
Resolution Adopted

AUTHORIZE REFUND OF BUILDING PERMIT THAT WAS WITHDRAWN
RESOLUTION #426

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

BE IT RESOLVED, that the Town Comptroller is hereby authorized to refund \$875.00 to Anthony Onofri for the cost of a building permit that was withdrawn.

Grace, Bernard, Diana, Patel, Siegel Voting Aye
Resolution Adopted

AWARD BID
DISINFECTION SYSTEM ULTRAVIOLET LAMP REPLACEMENT – WATER
POLLUTION CONTROL PLANT BID #15-4
RESOLUTION #427

Upon motion made by Councilman Bernard, seconded by Councilman Diana,

Bids were received and opened on November 13, 2015 for the Ultraviolet Lamp Replacement for the Disinfection System for the Water Pollution Control Plant, Bid #15-4, and are summarized as follows:

Bendlin Incorporated	\$20,096.00
UltraTech Systems, Inc.	\$15,712.00

RESOLVED, that the bid for the Ultraviolet Lamp Replacement for the Disinfection System for the Water Pollution Control Facility, be awarded to UltraTech Systems, Inc., at a total bid price of \$15,712.00.

Grace, Bernard, Diana, Patel, Siegel Voting Aye
Resolution Adopted

APPROVE BUDGET TRANSFER – PURCHASE TWO VEHICLES OFF WESTCHESTER
COUNTY CONTRACT OR NEW YORK STATE CONTRACT
RESOLUTION #428

Upon motion made by Councilman Bernard, seconded by Councilman Diana,

Whereas the Yorktown Sewer District is to purchase vehicles off the Westchester County and/or New York State Contract.

Be It Resolved, upon the request of the Engineering/Sewer Department, the following 2015 budget transfer is approved:

Decrease:	YS 8130.201.1 Capital Equipment	(\$60,000.00)
Increase:	YS 8130.420 Vehicles	\$60,000.00

RELEASE ESCROW FOR STORMWATER POLLUTION PREVENTION PERMIT AND WETLAND PERMIT APPLICATION PROCESS, ESCROW MONIES TAKEN FOR INSPECTION SERVICES
RESOLUTION #429

Upon motion made by Councilman Bernard, seconded by Councilman Diana,

As part of the Town of Yorktown's Stormwater Pollution Prevention Permit and Wetland Permit Application process, escrow monies are taken for the inspection services.

WHEREAS, the work associated with each permit listed has been completed and, and

WHEREAS, the escrow monies were deposited into the T76 account,

WHEREAS, each permit's accompanying remaining escrow amounts are listed below and can be released back to each permits applicant,

WP-001-13	\$12.50
BSWPPP-025-13	\$12.50
BSWPPP-071-13	\$12.50
WP-013-13	\$12.50
WP-039-14	\$12.50
FSWPPP-061-12	\$12.50
WP-017-13	\$12.50, NOW,

THEREFORE be it RESOLVED, that the above-described monies are hereby released to each applicant that is on record for posting the escrow fees for each permit.

Grace, Bernard, Diana, Patel, Siegel Voting Aye
Resolution Adopted

RELEASE BOND – MOSCA #BSWPPP-076-15 – RACHEL DRIVE
RESOLUTION #430

Upon motion made by Councilman Bernard, seconded by Councilman Diana,

WHEREAS, Franco Mosca, as applicant, posted check #0571 in the amount of \$300 which was deposited into the T33 account on October 14, 2015, to serve as the Erosion Control Bond for Stormwater Permit #076-15, for work performed at his Rachel Drive residence, and

WHEREAS, the Town Engineer has informed this Board that a representative of her department has inspected the property and determined that the work has been satisfactorily completed, and that the above referenced monies may be released, NOW, THEREFORE BE IT

RESOLVED, that the above referenced Erosion Control Bond be released to Mr. Franco Mosca, 622 Rachel Drive, Yorktown Heights, NY 10598.

Grace, Bernard, Diana, Patel, Siegel Voting Aye
Resolution Adopted

RELEASE WETLAND AND STORMWATER PERMIT FEES FOR #WP-BSWPPP-052-15
RRSOLUTION #431

Upon motion made by Councilman Bernard, seconded by Councilman Diana,

WHEREAS, William Spade, AIA, as applicant, posted Check No. 0628 in the amount of \$600.00 on, \$200 of which was deposited into the 2116 account and the remaining \$400.00 was deposited into the T76 account on July 10, 2015, to serve as the application fee for Wetland & Stormwater Permit #WP-BSWPPP-052-15, and

WHEREAS, the Acting Town Engineer has approved the fee release as a permit will not be necessary, and that \$600.00 fee may be released, NOW THEREFORE BE IT

RESOLVED, that the above-referenced fee in the amount of \$600.00 be and is hereby released to Mr. William Spade, 12 Brevoort Road, Chappaqua, NY 10514.

Grace, Bernard, Diana, Patel, Siegel Voting Aye
Resolution Adopted

APPROVE REPAIR OF GENERATOR AT THE YORKTOWN WATER POLLUTION CONTROL FACILITY
RESOLUTION #432

Upon motion made by Councilman Diana, seconded by Councilman Bernard,

Quotes were received for the repair of the 1500kw generator radiator for the Water Pollution Control Plant, and are summarized as follows:

Peak Power Systems Inc.	No Quote-Cannot perform the repair due to complexity
HO Penn Machinery Co., Inc.	\$87,599.00
Cummins Power Systems, LLC	\$88,401.49

Whereas, the existing generator service company, Peak Power identified a leak in the 1500 kw generator's radiator requiring repair, and

Whereas, the generator requiring repair provides power to the Upgraded Treatment Plant facilities during loss of power; and

Whereas, this situation is deemed an emergency since standby power is mandatory to prevent a sanitary sewer spill during a power outage and as part of all regulatory approvals of the facility; and

Whereas, the New York City Department of Environmental Protection (NYCDEP) will reimburse the Town of Yorktown one hundred percent (100%) for the total sum of the project, as part of its agreement with the Town of Yorktown for the operation and maintenance of upgrades required by the city's watershed regulations, Now, Therefore Be It

Resolved, that the Town Board authorizes a budget transfer in the amount of \$90,000 from YS8130.459 to YS8130.460.003 in the amount of \$90,000 and resolved that the Town Board authorizes the expenditure up to \$90,000 the Emergency Generator Repair work at the Water Pollution Control Facility.

Grace, Bernard, Diana, Patel, Siegel Voting Aye
Resolution Adopted

AUTHORIZE REFUND OVERPAYMENT TO ACCOUNT #440380630
RESOLUTION #433

Upon motion made by Councilwoman Siegel, seconded by Councilman Bernard,

RESOLVED that upon recommendation of the Northern Westchester Joint Water Works, NWJWW, the amount of \$85.26, overpayment of final water bill Acct #440380630, be and is hereby refunded to Lisa Cuker, 8 Springvale Road – Apt. A, Cortlandt Manor, NY 10567.

Grace, Bernard, Diana, Patel, Siegel Voting Aye
Resolution Adopted

AUTHORIZE THE SUPERVISOR TO SIGN AN AGREEMENT WITH WESTCHESTER COUNTY – SENIOR PROGRAMS
RESOLUTION #434

Upon motion made by Councilwoman Siegel, seconded by Councilman Bernard,

RESOLVED, that the Town Board authorizes the Town Supervisor to sign an Agreement with Westchester County Department of Senior Programs and Services for (CSE) Community Services for the Elderly Act in the amount of \$6,459. This is for the period April 1, 2015 through March 31, 2016.

Grace, Bernard, Diana, Patel, Siegel Voting Aye
Resolution Adopted

AWARD BID – PARKS AND RECREATION
BI-ANNUAL BROCHURE
RESOLUTION #435

Upon motion made by Councilman Diana, seconded by Councilwoman Siegel,

WHEREAS, bids were received on Thursday, November 12, 2015 for formatting, printing and delivering the 2016 Program Brochures as specified by the Town of Yorktown Parks and Recreation Department. Bids were submitted by the following vendors:

1. Graphic Image, Inc.
561 Boston Post Road
Milford, CT. 06460
BID per Brochure: \$5,680.00
Total cost per year (x2): \$11,360.00
2. Courier Printing Corporation
24 Laurel Bank Ave.
Deposit, NY 13754
BID per Brochure: \$8,214.00
Total cost per year (x2): \$16,428.00
3. Morris Graphics Inc.
660 N. Broad Street
Woodbury, NJ 08096
BID per Brochure: \$10,726.00
Total cost per year (x2): \$21,452.00
4. Progressive Color Graphics
30-02 48th Avenue
Long Island City, NY 11101
BID per Brochure: \$14,019.75
Total cost per year (x2): \$28,039.50
5. Bartash Printing Inc.
5400 Grays Avenue
Philadelphia, PA 19143
BID per Brochure: \$3,689.16
Total cost per year (x2): \$7,378.32
 - As per bid proposal form – cannot provide cover design and layout
6. Graphicolor Corporation
3490 North Mill Rd.
Vineland, NJ 08360
BID per Brochure: \$10,155.00
Total cost per year (x2): \$20,310.00
7. Tri-State Media Group
85 Executive Blvd.
Elmsford, NY 10523
BID per Brochure: \$13,640.00
Total cost per year (x2): \$27,280.00
8. KB Offset Printing
3500 E.College Ave. Ste 1000
State College, PA 16801
BID per Brochure: \$9,323.00
Total cost per year (x2): \$18,646.00

RESOLVED, that the lowest bidder, Graphic Image, Inc., is awarded the 2016 Program Brochures Bid.

Grace, Bernard, Diana, Patel, Siegel Voting Aye
Resolution Adopted

APPROVE SPCA CONTRACT 2016

RESOLUTION #436

Upon motion made by Councilman Diana, seconded by Councilman Bernard,

RESOLVED, that the Town Supervisor is authorized to sign a one-year contract with the SPCA in the amount of \$22,715.66 for the period January 1, 2016 through December 31, 2016, payable in monthly installments of \$1,892.97.

Grace, Bernard, Diana, Patel, Siegel Voting Aye
Resolution Adopted

AUTHORIZE SUPERVISOR TO SIGN CONTRACT WITH STOP DWI
WITH NEW YORK STATE FOUNDATION TO PARTICIPATE IN A SPECIAL DETAIL
RESOLUTION #437

Upon motion made by Councilman Diana, seconded by Councilman Bernard,

RESOLVED, that the Town Supervisor is authorized to sign a contract with the New York State Foundation to participate in a special STOP-DWI enforcement details that involve DRE (Drug Recognition Experts) Call-Outs for the period from October 1, 2015 through September 30, 2016.

Grace, Bernard, Diana, Patel, Siegel Voting Aye
Resolution Adopted.

AUTHORIZE SUPERVISOR TO SIGN AN AGREEMENT WITH THOMPSON REUTERS-
WEST 3 YEAR CLEAR AGREEMENT WITH 60 OFFICERS
RESOLUTION #438

Upon motion made by Councilman Diana, seconded by Councilman Bernard,

RESOLVED, that the Town Supervisor is hereby authorized to sign an agreement with Thomson Reuters – West, a Thomson Reuters business, P.O. Box 6292, Carol Stream, IL 60197-6292 for a 3-year CLEAR agreement for 60 officers to have 24/7/365 on-line access to law enforcement/investigative content commencing December 1, 2015 according to cost/date table below and ending December 31, 2018, which reflects a 3% increase for years 2 and 3.

	<u>Monthly</u>	<u>Annual cost</u>	<u>Term</u>
Free month	\$0	\$0	Free month December 2015
Year 1	\$409.50	\$4,914.00	1/1/2016 – 12/31/2016
Year 2	\$421.79	\$5,061.48	1/1/2017 – 12/31/2017
Year 3	\$434.44	\$5,213.28	1/1/2018 – 12/31/2018

Grace, Bernard, Diana, Patel, Siegel Voting Aye
Resolution Adopted.

ADVERTISE BID – POLICE DEPARTMENT UNMARKED VEHICLES
RESOLUTION #439

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

NOTICE IS HEREBY GIVEN that sealed bids will be received by the Town Clerk, Town of Yorktown, Westchester County, NY until 11:00 A.M. on December 8, 2015 at the Town Hall, 363 Underhill Avenue, Yorktown Heights, N.Y. 10598 for *Police Department Unmarked Vehicle Purchase*. Specifications may be obtained at the Office of the Town Clerk in said Town Hall.

The Bidder assumes the risk of any delay in the mail or in the handling of the 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: Police Department Unmarked Vehicle Purchase.**

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

Grace, Bernard, Diana, Patel, Siegel Voting Aye
Resolution Adopted.

AUTHORIZE SUPERVISOR TO SIGN AN AGREEMENT WITH BUSINESS ELECTRONICS, INC. – POLICE DEPARTMENT RESOLUTION #440

Upon motion made by Councilman Bernard, seconded by Councilman Diana,

RESOLVED, that the Town Supervisor is authorized to sign a maintenance agreement with BUSINESS ELECTRONICS, INC. for servicing the Yorktown Police Department's voice recorder equipment for the period December 1, 2015 through November 30, 2016. The annual contract amount is \$2,900.00.

Grace, Bernard, Diana, Patel, Siegel Voting Aye
Resolution Adopted

AUTHORIZE COMPTROLLER TO REFUND DUPLICATE TAX PAYMENT ROUNDPOINT MORTGAGE SERVICING CORPORATION – Acct. #2305000 RESOLUTION#441

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

BE IT RESOLVED, that the Town Comptroller is hereby authorized to refund \$4,010.28 for duplicate School tax payment to Roundpoint Mortgage Servicing Corporation in connection with account number 2305000.

Grace, Bernard, Diana, Patel, Siegel Voting Aye
Resolution Adopted

AUTHORIZE EXPENDITURE OF \$25,000 FROM PARKS AND RECREATION TRUST AND AGENCY ACCOUNT TO REPLACE PLAYGROUND AT IVY KNOLLS PARK RESOLUTION #442

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

Whereas, the Parks and Recreation Commission has authorized the removal and replacement of playground equipment at Ivy Knolls Park at a cost not to exceed \$25,000,

Now Therefore Be It Resolved, the Town Board authorizes the expenditure of \$25,000 to be taken from the Parks and Recreation Trust and Agency Account.

Grace, Bernard, Diana, Patel, Siegel Voting Aye
Resolution Adopted.

AUTHORIZE SUPERVISOR TO SIGN AN AGREEMENT WITH YVAC FOR FLYCAR STORAGE RESOLUTION #443

Upon motion made by Councilwoman Siegel, seconded by Councilman Diana,

RESOLVED, the Supervisor is authorized to sign an amendment to the Town's license agreement with the Yorktown Volunteer Ambulance Corp. (YVAC) for the storage of a flycar for advanced life support services, through December 31, 2017, at the same annual rate as set forth in the agreement.

Grace, Bernard, Diana, Patel, Siegel Voting Aye
Resolution Adopted

AUTHORIZE BUDGET TRANSFER – TOWN ATTORNEY RESOLUTION #444

Upon motion made by Councilman Bernard, seconded by Councilman Diana,

BE IT RESOLVED, the following budget transfer in the Town Attorney's 2015 budget is hereby authorized:

\$19,500.00 from A.1420.0426.0000 (Non-Litigation Outside Counsel Fees) to A.1420.0439.0000 (Litigation Outside Counsel Fees) \$500.00 from A.1420.0427.0000 (Outside Expenses) to A.1420.0439.0000 (Litigation Outside Counsel Fees).

Grace, Bernard, Diana, Patel, Siegel Voting Aye
Resolution Adopted

AWARD BID – 2015 OR NEWER STEP VAN- WATER DEPARTMENT
RESOLUTION #445

Upon motion made by Councilwoman Siegel, seconded by Councilman Patel,

WHEREAS, invitation to bid for the New 2015 or Newer Step Van for the Water Department was duly advertised; and

WHEREAS, on October 23, 2015 one bid was opened and read aloud as follows:

- FYDA Freightliner Cincinnati, Inc. for \$155,080 (includes warranty coverage)

THEREFORE BE IT RESOLVED, that upon the recommendation of the Water Distribution Superintendent, David Rambo, the bid for is hereby awarded to FYDA Freightliner Cincinnati, Inc., 1 Freightliner Drive, Cincinnati, OH 45241; and

THEREFORE BE IT FURTHER RESOLVED, the Town Board authorizes the Comptroller to transfer \$123,000 from line SW.8340.0201 (Equipment) to line SW.8340.0201.0002 (Equipment/Vehicle) to cover the cost of the purchase of the new 2015 or newer step van.

Grace, Bernard, Diana, Patel, Siegel Voting Aye
Resolution Adopted

AUTHORIZE REFUND FOR OVERPAYMENT WATER TAP APPLICATION
RESOLUTION #446

Upon motion made by Councilwoman Siegel, seconded by Councilman Patel,

WHEREAS, contractor Frank Fierro paid \$2,400 for a 2" water tap at 3525 Buckhorn Street; and

WHEREAS, a 1 1/2" water tap which costs \$2,100 was required and installed at the location; now

THEREFORE BE IT RESOLVED, that upon recommendation of the Water Distribution Superintendent, a refund in the amount of \$300 shall be issued to Frank Fierro of Fierro General Contracting Corp. of Mahopac, NY for overpayment of water tap application for 3525 Buckhorn Street.

Grace, Bernard, Diana, Patel, Siegel Voting Aye
Resolution Adopted.

AUTHORIZE BUDGET TRANSFER – WATER DEPARTMENT
RESOLUTION #447

Upon motion made by Councilwoman Siegel, seconded by Councilman Patel,

BE IT RESOLVED, that the Town Comptroller is hereby authorized to make the following budget transfer:

Transfer \$90,000 from the Water Department Cement Lining line (SW8340.483.0001) to the Water Department Professional Services NWJWW line (SW.8340.0490.0002) for the 2015 Administrative fee as per 2015 NWJWW adopted budget.

Grace, Bernard, Diana, Patel, Siegel Voting Aye
Resolution Adopted.

MONTHLY REPORTS

The Town Board accepted the monthly reports from the Building Department, Receiver of Taxes and Finance Department.

AUTHORIZE THE TOWN TO INTERVENE IN THE SPECTRA ENERGY PROJECT
RESOLUTION #448

Upon motion made by Councilwoman Siegel, seconded by Councilman Patel,

RESOLVED that the Supervisor is authorized to submit a Motion to intervene to the Federal Energy Regulatory Commission (FERC) in proceeding CP 16-9-000, the Spectra Atlantic Bridge Project, and that the motion to intervene is to be submitted no later than the November 27, 2015 FERC deadline for filing.

Patel, Siegel	Voting Aye
Grace, Bernard, Diana,	Voting Nay
Resolution Denied.	

ADJOURN

Upon motion made by Councilman Bernard, seconded by Councilman Diana, the Town Board meeting was adjourned.

Alice E. Roker, Town Clerk
Town of Yorktown