

Meeting of the Town Board, Town of Yorktown held on May 12, 2015  
at the Town Hall, 363 Underhill Avenue, Yorktown Heights, New York 10598.

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

Also present: Alice E. Roker, Town Clerk  
Jeannette Koster, Town Attorney

#### TOWN BOARD MEETING

Supervisor Michael Grace called the meeting to order.

#### EXECUTIVE SESSION

Upon motion made by Supervisor Grace, seconded by Councilman Bernard, the Town Board moved into Executive Session to discuss the labor negotiations and litigation. Upon motion made by Supervisor Grace, seconded by Councilman Diana, to move out of Executive Session and proceed with the Town Board meeting.

#### FIELD HOME SALES OFFICE

Mr. John Ahern, Executive Director of the Field Home and Albert Capellini, Attorney for the applicant participated in the discussion.

The skilled nursing portion of the overall plan for the Field Home site has changed. Due to the economy, that portion of the plan is being sold to another entity. The immediate need was the renewal of the temporary certificate of occupancy for their sales office. A resolution will be placed on the next agenda.

#### CROMPOND TERRACES

Mrs. Ann Kutter spoke about the recreational component to this proposed rezoning. She has met with the Recreation Commission, Gil Kaufman, Chairman of the Senior Advisory Group and the Parks and Recreation Superintendent and has been given wish lists from each. Mrs. Kutter further stated that she was informed by the Planning Director that the Planning Board does not have to accept the Town Board's decision when it comes to what the Recreational Fee should be. Supervisor Grace stated the Town Board will have this discussion at a later date.

#### MOHEGAN LAKE IMPROVEMENT DISTRICT

Mr. Ken Belfer, Chairman of the Mohegan Improvement District and other members of the district including Abby Luby and Patrick Cumiskey spoke to the Town Board about the condition of the lake. Their long range plan of clearing blue algae from the water body continues to take shape. Right now, there need is a new wetlands/general permit to apply copper sulfate to up to 50 acres of the lake.

#### ZONING CODE AMENDMENT

Councilwoman Siegel drafted a proposal to amend the zoning code related to sober living residences.

Supervisor Grace said the current code is sufficient, in fact, the Judge in the action filed against the Town agreed with the Building Inspector's and the Zoning Board's later interpretation of the code.

Town Attorney Koster asked to meet with the Board in a closed session for advice from counsel.

Councilmen Bernard and Diana stated that they want to hear from the Town Attorney before making a decision on this proposal.

#### PEG MONEY

Mr. Thomas Sciangula, videographer for the Town of Yorktown participated in this discussion.

Monitors will be purchased for the Board Room.

#### USE OF PA SYSTEM

Councilwoman Siegel wanted to discuss the use of the public address system during work sessions. Supervisor Grace stated a work session is for Board members to discuss different items amongst themselves. The use of a public address system is not necessary.

#### WATER DEPARTMENT

#### CHANGE ORDER IN CEMENT LINING AGREEMENT

#### RESOLUTION #180

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

WHEREAS on April 21, 2015 the Town Board authorized Supervisor Grace to sign Amendment No.1 for Engineering Services Cleaning and Cement Relining Water Lines proposal dated April 20, 2014;

WHEREAS after performing additional field work, it was determined that 1,800 feet of water line on Front Street does not need to be cement lined, however 1,800 feet of water line on Hanover Street does need cement relining and cleaning;

WHEREAS Weston and Sampson has reflected this field modification on a new proposal dated April 30, 2015 with no change in price;

THEREFORE BE IT RESOLVED, the Town Board authorizes the Supervisor to sign a 20150330 Cleaning and Relining Amendment No. 1 with Weston & Sampson, PE dated April 30, 2015 to perform engineering, design and construction services for the additional 4,500 linear feet of water main for a total cost of \$28,600, to be paid out of the SW.8340.0483.0001 fund.

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

#### ADVERTISE BID FOR NEW OIL TANK AT THE WATER DEPARTMENT

#### RESOLUTION #181

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

Resolved, that the Town Clerk is authorized to advertise bids for a new oil tank at the Water Department Building.

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

#### EXECUTIVE SESSION

Upon motion made by Supervisor Grace, seconded by Councilman Diana, the Town Board moved into Executive Session to for negotiations with Spectra Energy. Upon motion made by Supervisor Grace, seconded by Councilman Diana, to move out of Executive Session and resume the Town Board meeting.

#### REQUEST FROM HISTORICAL SOCIETY TO WAIVE FEES FOR USE OF YCCC

#### RESOLUTION #182

Upon motion made Supervisor Grace, seconded by Councilman Patel,

Resolved, that the Town Board waives the fees for use of the Nutrition Room at the Yorktown Community Cultural Center by the Yorktown Historical Society for historical presentations in the amount of \$357.96.

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

#### REQUEST FROM RELAY FOR LIFE/AMERICAN CANCER SOCIETY TO WAIVE FEES FOR USE OF YCCC

#### RESOLUTION #183

Upon motion made Supervisor Grace, seconded by Councilman Patel,

Resolved, that the Town Board waives fees in the amount of \$553.23 for the use of the Gym and Room 26 for the American Cancer Society on June 12 and June 13, 2015 in connection with Relay for Life.

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

AUTHORIZE TOWN COMPTROLLER TO TRANSFER FUNDS  
RESOLUTON #184

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

BE IT RESOLVED that the Town Board hereby authorizes the Town Comptroller to pay Martin Scatola the cash value of unused time as of his retirement date

Rate of Pay:    \$26.3618

Sick	920.50 hours @	50%	=	460.25 hours
	460.25 hours x	\$26.3618	=	\$12,133.02
Vacation	133.00 hours x	\$26.3618	=	\$ 3,506.12
Personal Days	11.00 hours x	\$26.3618	=	\$ 289.98
Floating Holidays	14.00 hours x	\$26.3618	=	\$ 369.07
Total				\$ 16,298.19

BE IT FURTHER RESOLVED that the Comptroller is hereby authorized to transfer funds for the purpose of this payout at retirement as follows:

From:  
A909.8            General Fund Reserve for Employee Accrued Benefits  
To:  
SR7210.105    Refuse & Recycling Lump Sum Payments  
Amount:  
\$16,298.19

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

REBID FOR PURCHASE AND INSTALLATION OF NEW BOILER AT THE WATER DEPARTMENT  
RESOLUTION #185

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

WHEREAS, on October 1, 2014 the Town Board passed a resolution to advertising to furnish and install a new hot water oil-fired burner at the Water Department main office; and

WHEREAS, as of the November 13, 2014 deadline no bids were received; and

THEREFORE BE IT RESOLVED the Town Board authorizes the Water Distribution Superintendent to re-bid for the purchase and installation of a new boiler at the Water Department.

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

ADVERTISE BID FOR ASPHALT LAID IN PLACE, JOHN DEERE OEM PARTS AND CUMMINS OEM PARTS  
RESOLUTION #186

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

Resolved, that the Town Clerk is authorized to advertise bids for Asphalt Laid In Place, John Deere OEM Parts and Cummins OEM Parts for the Highway Department.

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

ADJOURN

Upon motion made by Supervisor Grace, seconded by Councilman Patel,  
The Town Board meeting was adjourned.

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Alice E. Roker, Town Clerk  
Town of Yorktown