

Work Session held by the Town Board, Town of Yorktown on June 14, 2011. Yorktown Town Hall, 363 Underhill Avenue, Yorktown Heights, New York 10598.

Present: Susan Siegel, Supervisor
Nicholas J. Bianco, Councilman
James J. Martorano, Councilman
Terrence P. Murphy, Councilman
Diana L. Quast, Deputy Town Clerk

Tardy: Vishnu V. Patel, Councilman

EXECUTIVE SESSION

Upon motion made by Councilman Bianco, seconded by Councilman Martorano, to move into Executive Session to conduct interviews for Building Inspector. Upon motion made by Councilman Martorano, seconded by Councilman Bianco the Town Board moved into the work session.

WORK SESSION

Supervisor Susan Siegel called the meeting to order. Town Attorney Jeannette Koster, Acting Town Engineer Sharon Robinson and Director of Planning John Tegeder were also present.

DRUG PREVENTION PROGRAM

Members of the Alliance for Safe Kids (ASK) met with the Town Board to discuss drug prevention initiatives that could be offered to young adults in the Town of Yorktown.

Councilman Martorano spoke about the ASK group and the initiatives presented to the Town Board. He would like to establish a partnership with ASK. The Town Board agreed to move forward with ASK and form a partnership.

MELBOURNE HOUSE

Supervisor Siegel outlined the procedure for land marking a house for Historical Preservation. She stated that the Melbourne House is owned by the Yorktown School District and there is a community group that should talk to the School Board about preserving the house.

Councilman Bianco suggested writing a letter to the Yorktown School District and asking them to take another look at preserving the Melbourne House.

LETTER TO YORKTOWN SCHOOL DISTRICT TO RECONSIDER PRESERVING THE MELBOURNE HOUSE RESOLUTION #287

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

RESOLVED, that the Supervisor is directed to send a letter to the Yorktown School Board asking the School Board to consider the community interest in preserving the Melbourne House.

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

REQUEST FOR A WETLANDS PERMIT TO BUILD A SINGLE FAMILY HOUSE ON HANOVER STREET
RESOLUTION #288

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

RESOLVED, the Town Clerk is authorized to refer out an application submitted by Chris & Pat Lyhus for a wetlands permit to build a single-family house on Hanover Street to the appropriate agencies for review and comment.

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

RSP-3 CHANGE OF ZONING TEXT AMEND PROPOSED LOCAL LAW
INTRODUCED ON JUNE 14, 2011 WITH REGARDS TO VARIOUS PROVISIONS OF CHAPTER 300
RESOLUTION #289

Upon motion made by Supervisor Siegel, seconded by Councilman Martorano,

RESOLVED, that the town board hereby amends the proposed local law introduced on June 14, 2011 which proposed to amend various provisions of Chapter 300 of the Code of the Town of Yorktown entitled "ZONING" with respect to Article XVI entitled "Age-Oriented Geriatric Community," to add the following provisions:

SECTION IV. Supersession of conflicting law.

Where the requirements of this Local Law impose a different restriction or requirement than imposed by other sections of the Code of the Town of Yorktown, the Town Law of the State of New York or other applicable rules or regulations, the requirements of this Local Law shall prevail.

SECTION V. Severability.

The invalidity of any work, section, clause, paragraph, sentence, part or provision of this local law shall not affect the validity of any other part of this local law that can be given effect without such invalid part or parts.

SECTION VI. This local law shall take effect immediately upon filing in the office of the Secretary of the State of New York in accordance with the provisions of the Municipal Home Rule Law.

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

LEXINGTON AVENUE BRIDGE REPAIR

Acting Town Engineer Sharon Robinson reviewed a proposal from WSP Sells for the design and permitting services to replace the Lexington Avenue culvert over Hunter's Brook for a sum of \$70,000. She explained that the existing culvert at Lexington Avenue over Hunter's Brook is failing and has lost pavement stability.

The Town Board agreed to place this on the June 21, 2011 Town Board agenda.

SPARKLE LAKE DAM

Acting Town Engineer Sharon Robinson was present to discuss with the Town Board, Sparkle Lake Dam which was deemed a Class C (High Hazard) Dam. The Birdsall Services Group performed an annual inspection report last year to comply with the New York State Department of Environmental Conservation's regulations. This year's report needs to be submitted to the NYSDEC by August 19, 2011. The cost for the Annual Emergency Action Plan, Inspection and Maintenance Plan, and both a structural and hydraulic analysis is \$59,000.

The Town Board agreed to place this on the June 21, 2011 Town Board agenda.

AMEND SIGN LAW

The Town Board reviewed the proposed local law amending the Zoning Code of the Town of Yorktown, Chapter 300, Article II and Article XX, pertaining to definitions of signs, and regulation of signs in the Town of Yorktown. The Town Board agreed to place this on the June 21, 2011 Town Board agenda to advertise for a public hearing on July 19, 2011.

EMERGENCY NOTIFICATIONS SYSTEM RFP

Supervisor Siegel stated that she was still reviewing the Request For Proposals (RFP'S) for the Emergency Notification System.

RAILROAD AVEUNE DRIVER PRACTICE ISSUE

Supervisor Siegel explained that she got a complaint with regards to people using Railroad Avenue as a practice area for the New York State Department of Motor vehicles Driver's License test.

ILLINGTON ROAD

Supervisor Siegel discussed with the Town Board a request to purchase Town-owned property located on Illington Road. Some members of the Town Board decided to do a site visit along with Environmental Consultant Bruce Barber.

PARKING ON VETERAN ROAD

Highway Superintendent Eric DiBartolo was present to discuss with the Town Board parking on Veterans Road. Mr. DiBartolo explained that there is an issue during snow events in the area of the Solaris Sports Club because people park on the road and plow trucks cannot get through safely. He stated that if we limit parking on the roadway during snow events this will hopefully, alleviate the problem. The Town Board agreed to move forward with this issue.

BUSINESS REVITALIZATION PLAN

RESOLUTION #290

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

Whereas Yorktown's business community constitutes an integral and valuable component of our Town, and

Whereas the vitality and financial health of the Yorktown community is directly related to the vitality of its business community, and

Whereas the prolonged economic recession has resulted in many vacant commercial buildings and commercial space which has resulted in a loss of property tax revenue to the town and an increase in tax certiorari filings and settlements, and

Whereas it is in the Town's interest, and the interest of its residents to assist the business community find tenants and/or buyers for the vacant structures,

Now therefore be it resolved that the Town Board expresses its whole hearted support for a new Business Revitalization Plan designed to publicize the availability of vacant commercial space and commercially zoned vacant land in Yorktown and to promote the Town of Yorktown as a desirable place for businesses to relocate to, and

Be it further resolved that all Yorktown town departments, with a special emphasis on the building, planning and engineering departments, will be involved in this initiative insofar as streamlining their approval process and will, to the extent compatible with existing town regulations, proactively identify steps that can expedite site plan approval and the approval of building permits and certificates of occupancy.

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

PHOENIX HOUSE ACCESS AGREEMENT FOR GRANITE KNOLLS FIELD

Town Attorney Jeannette Koster stated that rather than a lease with Phoenix House Academy for use of an existing roadway to gain access to town-owned property she recommends a license agreement. The Town Board agreed to move forward with this issue.

APPOINTMENT – INTERIM BUILDING INSPECTOR

GLEN SNEYD

RESOLUTION #291

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

WHEREAS, the individual serving as the full time Building Inspector retired effective June 10, 2011; and

WHEREAS, until such time as a replacement is selected it is important to have one individual in charge to render technical, operational and administrative decisions; and

WHEREAS, the Town Board has not yet selected a replacement Building Inspector and has determined that it wishes to have, on an interim basis, an Assistant Building Inspector take responsibility for the following interim duties until a new permanent Building Inspector is hired:

Supervises enforcement of the provisions of the local building, zoning and plumbing ordinances and the multiple residence law; supervises the day-to-day operations and administration of the building department; the inspection of or makes inspections of the construction and repair of buildings and structures, other than those specifically exempted by ordinances or resolution; and, supervises the preparation of periodic reports of buildings and structures erected or altered, or permits issued, of fees collected and estimated costs of work covered by such permits, for presentation to the local governing body.

WHEREAS, the Town Board has determined that Glen Sneyd, an Assistant Building Inspector, is qualified to perform the duties described above on an interim basis;

NOW, THEREFORE, BE IT RESOLVED, that for a period of up to three (3) months or until a new permanent Building Inspector is hired, whichever occurs first, unless the Town Board shortens the period of such service in its sole discretion, the Board hereby authorizes Assistant Building Inspector Glen Sneyd to perform certain interim duties described below:

Supervises enforcement of the provisions of the local building, zoning and plumbing ordinances and the multiple residence law; supervises the day-to-day operations and administration of the building department; the inspection of or makes inspections of the construction and repair of buildings and structures, other than those specifically exempted by ordinances or resolution; and, supervises the preparation of periodic reports of buildings and structures erected or altered, or permits issued, of fees collected and estimated costs of work covered by such permits, for presentation to the local governing body.

BE IT FURTHER RESOLVED, that, in return for the performance of the interim duties described herein, Glen Sneyd shall receive a personal stipend of \$1,000 per month, which will be prorated on a weekly basis and, in addition, is authorized to work up to a maximum of 7.5 hours of overtime per month; and

BE IT FURTHER RESOLVED, that the effective date of this Resolution shall be June 13, 2011.

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

AUTHORIZE ONLINE AUCTION OF SURPLUS TOWN VEHICLES

RESOLUTION #292

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

RESOLVED, that the Supervisor is authorized to sign an agreement with Auctions International, Inc. to sell surplus Town vehicles and equipment at an online auction at no cost to the Town, and to take photographs of vehicles and equipment being auctioned and prepare condition reports of the Town's items to be auctioned, at cost of \$30 per-vehicle and \$5 for each auction lot that is not a motor vehicle as set forth in the agreement.

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

REVISED AUDIO VISUAL BID

CHANGE PROCUREMENT FROM RFP TO EXPEDIATED BID

RESOLUTION #293

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

Sealed proposals will be received by the Town Clerk of the Town of Yorktown, Westchester County, New York, at the Town Hall, 363 Underhill Avenue, Yorktown Heights, New York, until 2:00 P.M., on June 30, 2011 for furnishing and delivering Audio Visual Equipment for the Town Meeting Room in the Town Hall, 363 Underhill Avenue, Yorktown Heights, NY 10598.

Specifications and standard proposals for the bid may be obtained at the Office of the Town Clerk at said Town Hall.

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 bids in on the time and the place specified above.

The Town of Yorktown reserves the right to waive any informalities in the bids, to reject any or all bids and reserves the right to accept that bid which it deems most favorable to the interests of the Town of Yorktown. No bidder may withdraw his bid within thirty (30) days after the actual date of the opening thereof.

If mailed, sealed proposals must be addressed in care of the Town Clerk at the above address.

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

TOWN BOARD AGENDA - JUNE 21, 2011

The Town Board discussed the June 21, 2011 Town Board meeting agenda which will be held at Woodlands Legacy Field, located at Strang Blvd and Wood Street, Yorktown Heights, NY 10598. The meeting will begin at 6:00 P.M.

EXECUTIVE SESSION

Councilman Bianco motioned, seconded by Councilman Martorano, to move into Executive Session to obtain Advise from Counsel, personnel, discussion of Building Inspector Position, and Union Grievance.

ADJOURN

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