

Regular meeting held by the Town Board,
Town of Yorktown on April 20, 2011 held at
Town Hall, Yorktown Heights, NY.

Present: Susan Siegel, Supervisor
Nicholas Bianco, Councilman
James Martorano, Councilman
Vishnu Patel, Councilman
Alice E. Roker, Town Clerk

Absent: Terrence Murphy, Councilman

EXECUTIVE SESSION

Councilman Bianco motioned, seconded by Councilman Martorano to move into Executive Session to discuss personnel matters, labor negotiations and litigation. Upon motion made by Councilman Martorano, seconded by Councilman Bianco, the Town Board moved into the Town Board meeting.

TOWN BOARD MEETING

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

PLEDGE OF ALLEGIANCE

Supervisor Siegel 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 for the victims of the tsunami in Japan.

DURING THE SUPERVISOR'S REPORT TO THE TOWN, Supervisor Siegel announced that the new Legacy Ball Field will open tomorrow. The Grand Opening which will include the official ribbon cutting ceremony will take place on May 5, 2011.

DURING REPORTS FROM TOWN COUNCIL, Councilman Bianco explained that the New York State Legislature capped the STAR tax dollar savings at 2%. What this means is that Yorktown residents living in the Lakeland School District should get an extra \$100. Residents living within the Yorktown Central School District will get an extra \$60. Residents living within the boundaries of the Croton on Hudson or Ossining School Districts should receive an extra STAR savings of \$40.00.

Councilman Martorano explained that this should clear up the misconception that the STAR tax savings was going to be cut. The Councilman also stated that over the weekend, he attended the Annual Support Connection Dinner Dance. He thanked Katherine Quinn, Support Connection's Executive Director and Nancy Heller, a founding member of the group for all they do for women with cancer.

Councilman Patel spoke about the Battle of Yorktown, our annual war on roadside litter which took place over the weekend. He also spoke about the Certificate of Merit that the Town of Yorktown received from Westchester County for its Recycling Education Program. Councilman Patel represented the members of the Town Board at the DARE Graduation Ceremony at George Washington School. He also presented a petition containing more than a hundred signatures to the Town Clerk. The petitioners are opposed to the Town's proposed local law which would prohibit parking on Veteran's Road near the facility.

Councilman Bianco stated that Highway Superintendent Eric DiBartolo had to be at another meeting tonight, but that he wanted him to say that he will be in attendance at the next Town Board Meeting to speak about this year's road paving plan.

Councilman Martorano stated that the Teen Center will have its official opening on May 2, 2011. He also spoke about a special meeting that was held in Town Hall. Representatives of the Alliance for Safe Kids (ASK), members of the Yorktown Police Department and the several Town Board members talked about solutions to the recent deaths of young people; several of them due to drug overdoses.

PROCLAMATION – ARBOR DAY

Supervisor Siegel read the following:

WHEREAS, Arbor Day, which began in Nebraska in 1872, is now observed throughout the nation and the world, and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife, and

WHEREAS, trees in our town increase property values, enhance the economic vitality of business areas, and beautify our community, and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal, therefore be it

RESOLVED, that the Town Board hereby proclaims Friday, May 6th 2011 as Arbor Day in the Town of Yorktown, and urges all citizens to celebrate Arbor Day and to support our trees and woodlands, and

FURTHER, to attend the first Arbor Day ceremony at the Patriot Garden next to Town Hall at 3:00pm.

PRESENTATION – ARBOR DAY COMMITTEE

Members of the Arbor Day Committee, including Lorraine DeSisto, from the Yorktown Planning Department, William Kellner, Chairman of the Yorktown Tree Conservation Advisory Commission and Keith Schepart, also a member of the Tree Commission spoke about the upcoming Arbor Day Ceremony on May 6, 2011. Mrs. DeSisto explained that many of Yorktown's civic groups have donated money toward the purchase of 200 saplings. Students from various schools including Mildred Strang Middle School have already done posters for the event. Mr. Schepart stated that Zino's Nursery and Con Edison have graciously donated trees to be planted at Patriot Garden. He added that this should fill the last requirement that would allow the Town of Yorktown to become a part of Tree USA.

Councilman Martorano spoke about last week's work session where the Town Board decided it would go out to bond to make improvements to the infrastructure and park facilities. He stated that he wanted to re-assure people that this money would be used for road improvements as well as park improvements.

Councilman Patel stated that he wanted to congratulate the staff of the Environmental Conservation Department for all of their hard work in making the Battle of Yorktown a real success.

Supervisor Siegel explained that the Town Board did not officially vote to go out to bond, the Board agreed to a bond concept.

ADVERTISE PUBLIC HEARING
PROPOSED LOCAL LAW AMENDING CHAPTER 275-4
RESOLUTION #171

Upon Motion by Councilman Martorano, Seconded by Councilman Bianco

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Town Board, Town of Yorktown, Westchester County, New York at the Town Hall, 363 Underhill Avenue, Yorktown Heights, New York on the 3rd day of May, 2011 at 7:30 o'clock PM, or as soon thereafter as the same can be heard, to consider a proposed local law amending Chapter 275-4 Parking, A-No Parking Zone-Decatur Road, both sides, from a point 100" east of Cabot Lane to the end of the Cul-de-sac.

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

ADVERTISE PUBLIC HEARING
REQUEST FOR A WETLANDS PERMIT FOR CONSTRUCTING A SINGLE
FAMILY HOUSE, DRIVEWAY, SEWER AND OTHER FACILITIES – ZEAL
CONSTRUCTION
RESOLUTION #172

Upon Motion by Councilman Martorano, Seconded by Councilman Bianco,

RESOLVED, that notice is hereby given that a public hearing will be convened by the Town Board, Town of Yorktown, Westchester County, New York at the Town Hall, 363 Underhill Avenue, Yorktown Heights, New York on the 17th day of May, 2011 at 7:30 o'clock PM to consider the application of Zeal Construction for a Wetlands Permit to construct a single family house, driveway, water, sewer and other utilities located at 1719 Parmly Road, Mohegan Lake, New York 10547.

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

ADVERTISE BID
TRAFFIC SIGNS – HIGHWAY DEPARTMENT
RESOLUTION #173

Upon Motion by Councilman Martorano, Seconded by Councilman Bianco,

NOTICE IS HEREBY GIVEN, that sealed proposals will be received by the Town Clerk, Town of Yorktown, Westchester County, NY until 11:00AM on May 2, 2011 at the Town Hall, 363 Underhill Avenue, Yorktown Heights, New York 10598 for Traffic Signs.

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

ADVERTISE RFP
ALARM MONITORING – SUPERVISOR'S OFFICE
RESOLUTION #174

Upon Motion by Councilman Martorano, Seconded by Councilman Bianco,

NOTICE IS HEREBY GIVEN that sealed Request for 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 11:00 A.M., on Monday, May 27, 2011, for Alarm Monitoring at Town facilities throughout the Town.

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

AWARD
FIRE SPRINKLER SYSTEMS MAINTENANCE BID
RESOLUTION #175

Upon Motion by Councilman Martorano, Seconded by Councilman Bianco,

Whereas, invitation to bid for Inspection/Testing Sprinkler Systems was duly advertised, and

Whereas, said bids were received and opened on April 11, 2011, with the bid amounts for the above-referenced project summarized as follows;

D & S Fire Protection Corp.	\$2,670.00
Simplex Grinnell LP	\$1,296.00
All State Sprinkler Corp.	\$2,850.00
S.R.I Fire Sprinkler Inc.	\$2,200.00

Whereas, the Superintendent of Environmental Conservation recommends to the Town Board that the bid be awarded to Simplex Grinnell LP. Now

Therefore Be It Resolved, that the bid for the Inspection/Testing Sprinkler Systems is awarded to Simplex Grinnell LP in the amount of \$1,296.00.

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

AWARD
COPIER MACHINE MAINTENANCE CONTRACTS BID
RESOLUTION #176

Upon Motion by Councilman Martorano, Seconded by Councilman Bianco,

Whereas, the town solicited bids for the service and maintenance of town-wide copy machines, and

Whereas, said bids were opened Monday, April 18th, now,

Therefore, be it resolved, the town board hereby authorizes the Supervisor to contract with Eagle Business for copier service and maintenance on a cost per copy basis pursuant to the bid received from Eagle Business, the sole bidder. This contract will be in effect June 1, 2011 through May 31, 2012.

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

AWARD
ASPHALT, CONCRETE AND LIQUID BITUMINOUS – HIGHWAY DEPARTMENT
RESOLUTION #177

Upon Motion by Councilman Martorano, Seconded by Councilman Bianco,

WHEREAS, invitation to bid for Blacktop and Liquid Bituminous Materials for the Highway Department, was duly advertised, and

WHEREAS, said bids were received and opened on the 18th day of April, 2011, the bid amounts are summarized as follows:

	<u>Peckham Materials</u>	<u>Thalle Industries</u>
<u>Asphalt Concrete</u>	<u>Price per ton FOB</u>	
Type 1 Base	\$68.00	\$71.00
Type 1 Base Warm Mix Spec.	\$68.00	\$76.00
Type 3 Binder	\$68.00	\$71.00
Type 3 Binder Warm Mix Spec.	\$68.00	\$76.00
Type 6F3 Top	\$68.00	\$73.00
Type 6F3 Top Warm Mix Spec.	\$68.00	\$78.00
Type 5 Shim	\$75.00	\$78.00
Curb Mix	\$80.00	\$88.00
	<u>Peckham Materials</u>	<u>Thalle Industries</u>
	<u>Price per ton FOB</u>	
12.5 MM S/P Top	\$68.00	\$78.00
19.0 MM S/P Binder	\$68.00	\$76.00
<u>Liquid Bituminous Materials</u>	<u>Price per gal</u>	
Penetration Asphalt	\$3.90	No Bid
Cationic CRS-S/ Emulsified Asphalt	\$3.25	No Bid

RESOLVED, that upon the recommendation of the Superintendent of Highways, the bid for Blacktop and Liquid Bituminous Materials be and is hereby awarded to Peckham Materials Corp., as the lowest bidder.

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

REQUESTS FROM THE ASSESSOR
APPROVE TAX CERTIORARI SETTLEMENT FOR 342 DOWNING DRIVE
RESOLUTION #178

Upon motion by Councilman Bianco, seconded by Councilman Martorano,

WHEREAS, tax certiorari proceedings were instituted challenging the assessment for parcel known as Section 37.18, Block 2, Lot 58, located at 342 Downing St, on the Tax Map of the Town of Yorktown, now therefore be it

RESOLVED, that the tax certiorari proceedings affecting tax parcel 37.18-2-58, owned by Albert H. Padovani, for assessment roll years 2005, 2006, 2007, 2008, 2009 and 2010 be settled as set forth in the proposed stipulation as follows:

<u>Roll</u>		<u>AV</u>	<u>AV</u>
<u>Year</u>	<u>AV</u>	<u>To</u>	<u>Reduction</u>
2010	\$68,550	\$67,100	\$1,450
2009	\$68,550	\$67,100	\$1,450
2008	\$68,550	\$64,050	\$4,500
2007	\$68,550	\$60,100	\$8,450
2006	\$79,000	\$59,300	\$19,700
2005	\$87,000	\$87,000	\$0

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

APPROVE TAX CERTIORARI SETTLEMENT FOR 1929 COMMERCE STREET
RESOLUTION #179

Upon motion by Councilman Bianco, seconded by Councilman Martorano,

WHEREAS, tax certiorari proceedings were instituted challenging the assessment for parcel known as Section 37.18, Block 2, Lot 66, located at 1929 Commerce St, on the Tax Map of the Town of Yorktown, now therefore be it

RESOLVED, that the tax certiorari proceedings affecting tax parcel 37.18-2-66, owned by Victor Bass ET AL, for assessment roll years 2002, 2003, 2004, 2005, 2006, 2007, 2008 and 2009 be settled as set forth in the proposed stipulation as follows:

<u>Roll Year</u>	<u>AV</u>	<u>AV From</u>	<u>AV Reduction</u>
2009	\$60,500	\$53,350	\$7,150
2008	\$60,500	\$50,900	\$9,600
2007	\$60,500	\$46,050	\$14,450
2006	\$60,500	\$45,450	\$15,050
2005	\$67,800	\$47,850	\$19,950
2004	\$67,800	\$49,200	\$18,600
2003	\$67,800	\$49,200	\$18,600
2002	\$67,800	\$51,300	\$16,500

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

REQUEST FROM THE ENGINEERING DEPARTMENT
RELEASE LANDSCAPE BOND - #2082
RESOLUTION #180

Upon motion by Councilman Bianco, seconded by Councilman Martorano,

WHEREAS, Dan Ciarcia, as applicant, heretofore filed Landscape Bond #2082 in the amount of \$300.00, for Lot #11, for his residence on Mohansic Avenue, which was deposited into the T-30 Account on May 26, 2000, and

WHEREAS, the Town Engineer has informed this Board that a representative of her Department has inspected said property and determined that the work has been satisfactorily completed, and that said bond totaling \$300.00 may be released, NOW, THEREFORE, BE IT

RESOLVED, that Landscape Bond #2082 in the amount of \$300.00 be and is hereby released to Mr. Dan Ciarcia, 2451 Mohansic Avenue, Yorktown Heights, NY 10598.

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

RELEASE WETLAND APPLICATION FEE - #WP-056-10
RESOLUTION #181

Upon motion by Councilman Bianco, seconded by Councilman Martorano,

WHEREAS, Drew Miller, as applicant, posted Check No. 135 in the amount of \$300.00 on January 7, 2011, \$200 of which was deposited into the T76 account and the remaining \$100.00 was deposited into the A2116 account, to serve as the application fee for Wetland Permit #WP-056-10, for work performed at his Underhill Avenue site, and

WHEREAS, the Environmental Panel has reviewed the above referenced application and determined that a permit will not be necessary, and that \$100.00 of the \$300.00 (\$200.00 is escrow) application fee may be released, NOW THEREFORE BE IT

RESOLVED, that the above-referenced fee in the amount of \$100.00 be and is hereby released to Mr. Drew Miller, 629 Underhill Avenue, Yorktown Heights, NY 10598.

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

AUTHORIZE THE SUPERVISOR TO SIGN AN AGREEMENT WITH WSP SELLS
FOR DESIGN & INSPECTION SERVICES – SHERMAN COURT BRIDGE
CULVERT REPLACEMENT PROJECT
RESOLUTION #182

Upon motion by Councilman Bianco, seconded by Councilman Martorano,

WHEREAS, structural analysis of the existing bridge as well as inspection services will be needed during construction for the culvert replacement project, NOW, THEREFORE BE IT

RESOLVED, that the Town Board authorizes the Town Supervisor to sign an agreement with WSP Sells for design services and periodic structural inspection services, for the Sherman Court Bridge Culvert Replacement Project, for Lump Sum Cost of \$18,200.00.

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

ACCEPT PERFORMANCE & EROSION CONTROL BOND FEE
CURRY NISSAN SITE PLAN – ROUTE 202
RESOLUTION #183

Upon motion by Councilman Bianco, seconded by Councilman Martorano,

WHEREAS, B.F. Curry Realty, LLC, as applicant, provided the Town with JP Morgan Chase Bank Letter of Credit #CTCS918678, in the amount of \$62,480.00, to serve as the Performance Bond for the Curry Nissan Site Plan located on Route 202,

WHEREAS, B.F. Curry Realty, LLC, as applicant, provided the Town with JP Morgan Chase Bank Letter of Credit #CTCS-918676, in the amount of \$10,000.00, to serve as the Erosion Control Bond for the Curry Nissan Site Plan, and

WHEREAS, Curry Management Corp., as applicant, provided the Town with Check #7021108, in the amount of \$5,798.00, to serve as the 8% Inspection Fee for the Curry Nissan Site Plan, NOW, THEREFORE BE IT

RESOLVED, that the above referenced monies are hereby accepted to serve as the required bonds and fee for the above referenced subdivision.

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

APPROVE BUDGET TRANSFERS – FINANCE DEPARTMENT –
RESOLUTION #184

Upon motion by Councilman Martorano, seconded by Councilman Bianco,

WHEREAS, the attached 2010 budget amendments exceed the Supervisor's \$10,000 limit, and

WHEREAS, upon recommendation of the Town Comptroller, the following budget adjustments are requested:

BE IT RESOLVED, that the attached budget transfers are approved

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

RELEASE ESCROW DEPOSIT – HIGHWAY DEPARTMENT
DRIVEWAY PERMIT – NUMBER 1167 - \$ 500
RESOLUTION #185

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

WHEREAS, a representative of the Highway Department has made an inspection of the following site and found the work to be completed satisfactorily.

NOW, THEREFORE, BE IT RESOLVED, the Town Board authorizes the release of the following Escrow Deposit:

<u>Type of Permit</u>	<u>Permit #</u>	<u>Amount</u>	<u>Location</u>	<u>Refund to</u>
Driveway	1167	\$500.00	Morningview Drive	Kincart Associates 1643 Maxwell Dr. Yorktown Hts, NY 10598

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

AUTHORIZE THE SUPERVISOR TO SIGN A LEASE RENEWAL AT THE YCCC
WITH YORKTOWN TEEN CENTER, INC.
RESOLUTION #186

Upon motion by Councilman Martorano, seconded by Councilman Bianco,

WHEREAS, Yorktown Teen Center Inc., a New York not-for-profit corporation (“Tenant”), wishes to lease from the Town of Yorktown certain room(s) within the Yorktown Community & Cultural Center as set forth in Schedule A of a proposed lease, which Schedule A is annexed hereto, and the Town of Yorktown wishes to lease such space to Tenant, and

WHEREAS, Town Law § 64 requires that the Town's lease of real property be subject to a permissive referendum under Town Law §§ 90 and 91; and

NOW THEREFORE, BE IT RESOLVED, that the Town has determined the action contemplated under this Resolution is a Type II action under the State Environmental Quality Review Act (“SEQR”) and therefore no further review is required under SEQR; and be it

FURTHER RESOLVED, the Town Board hereby directs that a copy of this resolution be filed with the Town Clerk and a copy be provided to any person who has requested a copy hereof; and be it

FURTHER RESOLVED, that pursuant to NY Town Law §§ 82 and 90, within ten (10) days from the date of this Resolution the Town Clerk shall post and publish a notice which shall set forth the date of the adoption of the Resolution, shall contain an abstract of such Resolution concisely setting forth the purpose and effect thereof, shall specify that this Resolution was adopted subject to a permissive referendum; and shall publish such notice in The Journal News, a newspaper published in the County having a general circulation in the Town of Yorktown, and in addition thereto that the Town Clerk shall post or cause to be posted on the sign-board of the Town of Yorktown, a copy of such notice within ten (10) days after the date of the adoption of this Resolution.

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

RETAIN THE LAW FIRM OF
COLLINS, FITZPATRICK & SCHOENE, LLP
RESOLUTION #187

Upon motion by Councilman Martorano, seconded by Councilman Bianco,

RESOLVED, that the Town board authorizes the Supervisor to retain the law firm Collins, Fitzpatrick & Schoene, LLP, to represent the Town in the matter of Joseph M. Adrian, et al v. Town of Yorktown (Sup. Ct. Westchester County Index No. 21378/2006), for work not reimbursed by Arrowood Indemnity Company in accordance with the April 20, 2011 letter from Ralph Schoene, Esq., at the rate of \$165 per hour plus reimbursement of customary expenses and disbursements.

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

DIRECT RECEIVER OF TAXES
TO RECREDIT TAX PAYMENTS RECEIVED
ON APRIL 11, 2011.
RESOLUTION #188

Upon motion by Councilman Martorano, seconded by Councilman Bianco,

RESOLVED, that the Receiver of Taxes shall recredit the payments received on April 11, 2011 as to the following parcels, and correct her records, such that the payments tendered shall be credited in reverse chronological order, and shall reimburse any excess that would constitute a partial payment to the property owner:

6.17-1-15	Ronald Hippolyte	3851 Wood Place
35.8-1-26	Jennie Scinicariello	3800 Old Crompond Rd.

and be it further

RESOLVED, that the Receiver shall notify the above property owners of the corrective action taken and issue a corrected receipt to such owners stating that "This parcel remains subject to one or more delinquent tax liens. The payment you have made will not postpone the enforcement of the outstanding lien or liens. Continued failure to pay the entire amount owed will result in the loss of the property.", and be it further

RESOLVED, that the Receiver of Taxes shall accept payments of liens only in reverse chronological order; and be it further

RESOLVED, that the Receiver shall not accept partial payments of taxes unless the payment is pursuant to a currently valid installment agreement for the payment of delinquent taxes and such payment is in the correct amount for that installment, including all penalties and interest to which the Town is entitled under such agreement.

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

AUTHORIZE THE PAYMENT FOR A PURCHASE DONE BY THE POLICE
DEPARTMENT WITHOUT AN APPROVED PURCHASE ORDER
RESOLUTION #189

Upon motion by Councilman Martorano, seconded by Councilman Bianco,

RESOLVED, that the Finance Department is authorized to pay New England Uniform LLC the sum of \$8,426 for body armor vests that were purchased by the Yorktown Police Department without an approved purchase order

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

AUTHORIZE THE PAYMENT FOR WORK DONE ON A POLICE VEHICLE
WITHOUT A PURCHASE ORDER
RESOLUTION #190

Upon motion by Councilman Martorano, seconded by Councilman Bianco

RESOLVED, that the Finance Department is authorized to pay McCaffrey Signs the e sum of \$ 660.00 for the installation of car graphics on a 1999 Ford Expedition 4x4 that was donated by the Yorktown Fire Department to the Yorktown Police and which was done without an approved purchase order.

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

AUTHORIZE SUPERVISOR TO SIGN AN AGREEMENT WITH POLICE REPORTS
USA FOR ONLINE ACCESS TO YORKTOWN POLICE ACCIDENT REPORTS
RESOLUTION #191

Upon motion by Councilman Martorano, seconded by Councilman Bianco,

RESOLVED, that the Town Supervisor is hereby authorized to sign an agreement with Police Reports USA for an agreement covering Yorktown Police Department's online access to Yorktown Police Accident Reports for three years commencing May, 2011, and shall provide that the charge per report shall be \$6.00 of which \$4.00 per report shall be paid by the Town to Police Reports USA and the other \$2.00 retained by the Town

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

AUTHORIZE THE PAYMENT FOR WORK DONE ON A POLICE VEHICLE
WITHOUT A PURCHASE ORDER
RESOLUTION #192

Upon motion by Councilman Martorano, seconded by Councilman Bianco,

Resolved that the Finance Department is authorized to pay McCaffrey Signs the e sum of \$ 660.00 for the installation of car graphics on a 1999 Ford Expedition 4x4 that was donated by the Yorktown Fire Department to the Yorktown Police and which was done without an approved purchase order.

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

AUTHORIZE SUPERVISOR TO SIGN AN AGREEMENT WITH POLICE REPORTS
USA FOR ONLINE ACCESS TO YORKTOWN POLICE ACCIDENT REPORTS
RESOLUTION #193

Upon motion by Councilman Martorano, seconded by Councilman Bianco,

RESOLVED, that the Town Supervisor is hereby authorized to sign an agreement with Police Reports USA for an agreement covering Yorktown Police Department's online access to Yorktown Police Accident Reports for three years commencing May, 2011, and shall provide that the charge per report shall be \$6.00 of which \$4.00 per report shall be paid by the Town to Police Reports USA and the other \$2.00 retained by the Town.

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

AUTHORIZE SUPERVISOR TO SIGN A RENEWAL GRANT APPLICATION FOR JUSTICE ASSISTANCE GRANT (JAG) FUNDS
RESOLUTION #194

Upon Motion by Councilman Martorano, seconded by Councilman Bianco

RESOLVED, that the Town Supervisor is hereby authorized to sign a Justice Assistance Grant renewal application.

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

APPROVE AGREEMENT WITH AHA CONSULTING TO CREATE A COMMUNITY CALENDAR PAGE ON THE TOWN'S WEBSITE
RESOLUTION #195

Upon motion by Councilman Martorano, seconded by Councilman Bianco,

BE IT HEREBY RESOLVED that the Town Board approves a single payment for an amount not to exceed \$300.00 be paid to Aha Consulting, Inc. to provide an additional calendar on the Town of Yorktown website for the purpose of posting community events; and

BE IT HEREBY FURTHER RESOLVED that events posted on the community calendar shall comply with the Yorktown Event Sign Policy latest revision.

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

APPROVE AMENDED RESOLUTION FOR CREATIVE LIVING WETLANDS AND EXCAVATION AND TREE PERMIT
RESOLUTION #196

Upon motion by Councilman Martorano, seconded by Councilman Bianco,

RESOLVED, that the Town Board approves the modifications in form and content prepared by the Town Attorney to the April 5th resolution approving the Wetlands and Excavation Permit and Tree Permit for Creative Living Inc's development that was transmitted to the Town Clerk by email on April 15 at 4:20PM.

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

AUTHORIZE DAVID RAMBO TO ATTEND THE AMERICAN WATER WORKS ASSOCIATION TRAINING COURSE
RESOLUTION #197

Upon motion by Councilman Martorano, seconded by Councilman Bianco,

WHEREAS, the Town Board updated the town conference attendance and trip policy on February 2, 2010,

WHEREAS, Distribution Superintendent, David Rambo, has requested authorization to attend a three day management training class sponsored by the American Water Works Association at a cost of \$499.00 which includes all instruction workbook and handout materials; \$260.00 for two day lodging; and approximately \$60 per day for meals.

WHEREAS, SW8310.423 has sufficient funds to cover this training request.

RESOLVED, Town Board authorization is granted for David Rambo to attend this leadership class on May 4th, 5th and 6th in Long Island, NY.

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

APPROVE AMENDED RESOLUTION FOR CREATIVE LIVING
WETLANDS AND EXCAVATION PERMIT AND TREE PERMIT
RESOLUTIONS #198

Upon motion by Councilman Martorano, seconded by Councilman Bianco,

RESOLVED, that the Town Board approves the modifications in form and content prepared by the Town Attorney to the April 5th resolution approving the Wetlands and Excavation Permit and Tree Permit for Creative Living Inc's development that was transmitted to the Town Clerk by email on April 15 at 4:20PM.

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

VOLUNTEER BOARD APPOINTMENTS:
RESOLUTION #199

Upon motion by Councilman Martorano, seconded by Councilman Bianco,

RESOLVED, that the Town Board re-appoints Galina Kanevsky to a three (3) year term on the Advisory Board of architecture and Community Appearance (ABACA) from March 1, 2011 to February 28, 2014.

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

REFUND DUPLICATE TAX PAYMENTS
ACCOUNT #1674500
RESOLUTION #200

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

RESOLVED, that records of the Receiver of Taxes indicate that the following duplicate payments were made:

<u>Tax & Year</u>	<u>Property</u>	<u>Amount</u>	<u>Refund to:</u>
2010 School	26.12-2-34	\$2,633.69	Wells Fargo One Home Campus MACX 25-02-011 Des Moines, IA 50328

DURING COURTESY OF THE FLOOR, the following residents addressed the members of the Town Board

Mr. Paul Moskowitz congratulated Councilman Patel who was named "Inventor of the Year." He also announced that Green Yorktown would hold its meeting in the Town Board Room on Friday, April 22nd. The Topic of discussion is "Indian Point – Now or Never." The three panelists will be Marilyn Elie Co-founder of Westchester Citizens Awareness Network, Philip Musegaas, Riverkeeper, Hudson River Program Director and Michael Kaplowitz from the Westchester County Board of Legislators. Mr. Moskowitz stated that a representative of Green Energy called Entergy and asked them to join the discussion, but they declined. They were also asked if they would appear on a separate program, that invitation was also declined.

Mr. Steve Gardner asked the members of the Town Board to re-consider the demotion of Mr. Fred Gauthier who has worked in the Highway Department for 38 years. He felt it was disrespectful to demote someone who had spent that many years on the job.

Mr. C.J. Divens, a partner in Creative Living thanked the members of the Town Board for adopting tonight's resolution.

Mrs. Helena Rodriguez, from the Yorktown Teen Center spoke about their upcoming events including their first Art Festival at the John C. Hart Library and Open Mike Night at the Nutrition Center. They will be co-sponsoring "The Battle of The Bands" with Town of Yorktown's Recreation Department on May 20th.

Mr. Patrick Cumiskey, a resident of Mohegan Lake asked the Town Board if they had read a report that he sent to them regarding the demolition of the buildings at the Holland Sporting Club (that report was not made available to the Town Clerk). He also asked for a timeline on what to expect next.

Mr. Bill Primavera also expressed his disappointment that the Public Affairs Spokesperson for Entergy will not attend Green Yorktown's meeting on April 22nd and is not interested in participating in a discussion where he would be the sole speaker. Mr. Primavera also stated that he received information from the Town Engineer with regard to what the New York City Department of Environmental Conservation requirements are for hooking into the sewers.

COURTESY OF THE FLOOR IS CLOSED

Supervisor Siegel responded to some of the comments and questions as follows:

The Report that was sent on the Holland Sporting Club is very detailed. Bonding is not an issue. We may have to develop two different sets of specifications for this project; asbestos removal as well as the demolition of the buildings.

Four people in the Hallock's Mill Sewer District whose septic systems had failed were approved to go into the sewer district. Our biggest problem is that our sewer lines are near or at capacity, there is no quick fix to this problem.

Councilman Martorano stated that the biggest obstacle in getting work done at the Holland Sporting Club is over, last week, the Town Board decided to bond the project and it will happen. The Councilman also stated that Mr. Primavera received an award last week for his activism in the community.

ADJOURN

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

Alice E. Roker
Town Clerk
Town of Yorktown