

Regular meeting held by the Town Board,
Town of Yorktown on December 6, 2011 held at
363 Underhill Avenue, Yorktown Heights, NY 10598

Present: Susan Siegel, Supervisor
James Martorano, Councilman
Terrence Murphy, Councilman
Vishnu Patel, Councilman
Diana L. Quast, Deputy Town Clerk

Absent: Nicholas Bianco, Councilman

EXECUTIVE SESSION

Upon motion made by Councilman Martorano, seconded by Councilman Murphy, the Town Board moved into Executive Session to discuss Personnel. Upon motion made by Councilman Martorano, seconded by Councilman Murphy, to convene the Town Board meeting.

TOWN BOARD MEETING

Supervisor Susan Siegel called the meeting to order. Town Attorney Jeannette Koster was also present at the meeting.

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.

PRESENTATION

Westchester County Legislator Michael Kaplowitz wished everyone a Happy Holiday and New Year. He recognized Supervisor Susan Siegel for her dedicated service to the Town of Yorktown. He also recognized Councilman Martorano for his many years of faithful service to the Town of Yorktown.

FAREWELL TO COUNCILMAN JAMES MARTORANO

Former Supervisor Aaron Bock and former Councilwoman Bridget Krowe stated that Councilman Martorano has shown his talent and skill over twenty years of service by listening, by being receptive and by being fair minded to everyone who has come before him. This is a testament of his integrity, longevity and success. Mr. Bock thanked Councilman Martorano for his service. Mrs. Krowe also thanked Councilman Martorano for everything that he has done for the Town.

Mr. Al Capellini stated that it has been wonderful to be in Councilman Martorano's company over the last twenty years, thank you for your service to the Town.

Mr. Ed Killeen spoke about Councilman Martorano, he never came with a preconceived idea, and he listened and gave everyone a sense of fairness. He said he is a decent human being, thank you Jim for your service. He also spoke about Supervisor Siegel he thanked her for serving the Town.

Mr. Rich Campanaro spoke about Councilman Martorano and thanked him for his service to the Town. He wished him luck in the future.

Former Supervisor Linda Cooper stated that Jim's middle name is compassion. He is known for his ability to empathize with constituents and enjoyed working with seniors. He served as Deputy Supervisor capably and even handily, always bringing decorum and respect to Town Board deliberations, always a gentleman. You have served the people of Yorktown with dignity, with intelligence and dedication. I am privileged to stand here and offer you tribute and on behalf of all Yorktowners to offer you thanks for your many years of service.

Mrs. Linda Cooper spoke about Supervisor Susan Siegel and thanked her for the care, intelligence and diligent pursuit of good government that she has always represented.

Mrs. Ann Kutter spoke about Councilman Martorano and thanked him for all the work that he has done for the Town. She also spoke about Supervisor Siegel and thanked her for all her work.

Town Justice Ilan Gilbert stated that he has been friends with Councilman Martorano for many years and the Town is a better place because of your service to the Town and we thank you.

Mr. Ron Buehl thanked Councilman Martorano and Supervisor Siegel for their service to the Town.

Ms. Patty Peckham thanked Supervisor Siegel for her service to the Town. She thanked Councilman Martorano for all his dedication and support on environmental issues.

Ms. Jennie Sunshine thanked Supervisor Siegel and Councilman Martorano for their service to the Town.

Councilman Murphy read a letter from Councilman Bianco who was unable to be present this evening. He read the following:

I am sorry I cannot be here for your last public Town Board meeting. It has been a pleasure working with you for the past sixteen years. While we did not agree on some of the topics, we were both congenial to each other. I have the highest respect for your kindness to town employees and citizens, you have always thought of them as family and treated all with fairness, I guess fairness is what your legacy to the town is. I hope you enjoy your brief retirement from public service and wish you well in any future challenges. I will always cherish your friendship and kindness to me and my family. You are surely a man of all seasons in the truest sense. Good Luck and please keep a watch on us who serve our great residents of the Town of Yorktown.

Councilman Murphy stated that it has been his honor and pleasure to serve with Councilman Martorano. He said he is a gentleman and he described him as a selfless man and would go above and beyond for anyone in this Town. He wished Jim the best.

Councilman Patel thanked Councilman Martorano for his dedicated public service. He also thanked Supervisor Siegel.

Councilman James Martorano stated that he appreciates everyone's comments and the last twenty years have been a wonderful time. I have been honored and privileged to serve with many wonderful people. He congratulated Supervisor Siegel for her hard work. He stated that people nowadays say I, I don't, I say we because truly anything that I have accomplished over the last twenty years, I haven't accomplished, we have accomplished, Town Boards and great Supervisors have accomplished it. Collectively, as a community we have accomplished a lot. I think that if you look at today's world you see negativity rampant and truth scarce. I have never been negative against anyone and have always tried to tell the truth. I have never been afraid to lose an election, what I was afraid of is losing my soul. No one likes to lose but if I had to lose, I couldn't think of two better people to lose too than Nick Bianco and Dave Paganelli, they are both great people. I stand ready, willing and able to help anyone on the Town Board to accomplish what we can for this Town. We are one, we are a community, we fail or succeed together. Grace Roma, Jerry Dineen and Joan Valenstein are good friends of mine who have passed on, they all dedicated themselves to this community, I am dedicated to this community, I love this community, it has honored me five times in twenty years, I will never forget it, I thank you all from the bottom of my heart.

DURING THE SUPERVISOR'S REPORT TO THE TOWN

Supervisor Siegel stated that tomorrow December 7, 2012 is the annual Budget meeting which begins at 7:00 pm, she urged residents to come or call in if they have question 914-962-5722 x216. This is your money we are spending and your opportunity to ask questions. She announced that December 13, 2012 there will be elections for Fire

Commissioner in the Yorktown Fire District and you can vote at the Yorktown Fire House located on Commerce Street between 6:00 PM and 9:00 PM. She spoke about the Tree Lighting event and Manura lighting. She spoke to Ray Arnold regarding Town Board minutes. She thanked everyone who has helped during her administration.

DURING REPORTS FROM TOWN COUNCIL

Councilman Murphy thanked Supervisor Siegel for her administration and wished her the best. He also mentioned that during the last storm Con Edison is doing tree trimming and NYSEG needs to do the same to help prevent outages.

Councilman Patel announced that Jennie Menton was recognized in the Seniors Hall of Fame. He congratulated the newly elected Supervisor and Councilman. He spoke about Yorktown School Districts Blue Ribbon Award. He thanked the Leo's for planting flowers and cleaning up Patriot Garden. He announced the Museum Exhibit opening this Saturday. He wished everyone Happy Holidays. Thanked Councilman Martorano and Supervisor Siegel for their years a service. Thanked David Humphreys who serves as the Supervisor's Executive Assistant for the last two years. He stated that during the last storm Con Edison did a better job then NYSEG.

COURTESY OF THE FLOOR

During Courtesy of the Floor, the following people addressed the members of the Town Board:

Mr. Grigory Krastov spoke about the Yorktown Museum and an initiative that he has to make it a positive revenue making Museum.

Mr. John Kincart stated that he wanted to echo the sentiments of everyone and thanked Supervisor Siegel for the two years of her extreme hard work. Mr. Kincart echoed everyone's sentiments that have been expressed this evening. He stated that 20 years is a long time, thank you for your dedication. He also thanked David Humphreys for his work as the Executive Assistant to the Supervisor for the last two years. He congratulated Deputy Assessor Kim Penner and is dedicated, hard working individual and an asset to the Town.

Mark Lieberman spoke about big box stores such as COSTCO and how it will affect small local stores in the community.

Ms. Janice Turner spoke about Strawberry Road and when it would be repaved. It is the second most heavily traveled road in Yorktown. She stated that she spoke with the Highway Department and they told her that Strawberry Road would not be repaved for at least two years. She stated that she went door to door and had a petition signed by her neighbors.

Mr. Mike Byrnes stated that he used to be a member of the Cable Committee and he heard that the Yorktown Cable studio will be closing and is moving it to Peekskill. He feels that this is an important issue and we should keep the studio in Yorktown. He stated that this should have been addressed in the Cable Contract and wasn't.

Building Inspector John Winter stated that he was present to discuss vacation carry over requests from employees in his department. He asked the Town Board to approve the requests for vacation carry for this year.

Receiver of Taxes Elfreide Schmid echoed Building Inspector John Winter's request to approve a vacation carry over for a member of her staff as well.

Ms. Lorna Brown read a petition signed by her neighbors to have Strawberry repaved. Highway Superintendent Eric DiBartolo spoke about vacation carry over requests and would like to know why some employees are being granted them and some are not. He asked the Town Board to consider allowing all the request for this year.

Mr. Ron Stokes spoke about Councilman Martorano and his many years of service to the Town. He said that we have all benefitted measurably from serving on the Town Board.

COURTESY OF THE FLOOR IS CLOSED

Highway Superintendent stated that if Strawberry Road is repaved it will become a racetrack and that is not saying it will not be paved. To repave it will cost over \$297,000, we do not get enough CHIPS funding to cover that. The Highway Department has put up signs on the road to help with speed and intersections.

Supervisor Siegel asked her Assistant David Humphreys to stand up so the community can see the person that has helped them over the last two years. She thanked him for all his hard work over the last two years.

Councilman Patel spoke about Mr. David Humphreys and thanked him also.

Supervisor Siegel responded to many of the concerns raised tonight including the following:

She spoke about reducing taxes and stated that she encourages everyone to come tomorrow night for the Budget Hearing.

She stated that the only money that we have had to do paving is the funding from the State which is the CHIPS funding and ranges from \$240,000 to \$290,000.

She stated that there has been an increase in traffic enforcement on Strawberry Road.

Supervisor Siegel stated that we are aware of the closing of the studio. She stated that we will see if there is anything we can do to change their minds.

She spoke about vacation carry over requests and stated that the Town Board voted informally not to grant the vacation carry over requests.

Councilman Martorano thanked Mr. Kincart for his comments. He stated that he voted against this budget because there is not enough money provided for our roadways.

Councilman Martorano stated that he voted against the cable contract and is against the studio moving out of Yorktown. He stated that he is in favor of the vacation carry over's. He thanked David Humphreys for his work. He stated that Bonnie O'Brien also served the town in David's position and she recently passed away, he sends his condolences to her family. He also thanked Mr. Ron Stokes for his comments.

DECISION ON PROPOSED PROPOSED LOCAL LAW AMENDING CHAPTER 275-4
PARKING, NO PARKING ZONE ADDING AN ADDITIONAL SECTION OF VETERANS
ROAD

Supervisor Siegel moved to adopt the proposed local law, no second was received.
No action taken.

APPROVE RESOLUTIONS
NOVEMBER 1 AND NOVEMBER 15, 2011

Supervisor Siegel stated that she did not have time to review these resolutions and will do so by the next meeting.

ACCEPT RESIGNATION OF ASSISTANT COURT CLERK
MARIA VALDES

The Town Board accepted with regret the resignation of Assistant Clerk Maria Valdes.

APPOINT DEPUTY ASSESSOR
KIM PENNER
RESOLUTION #591

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

BE IT RESOLVED, that Kim Penner, is hereby appointed Deputy Town Assessor, job class code 0073-01, from Eligible List No. 77-876, in the Assessor Department, effective December 12, 2011 to be paid from Yorktown CSEA Salary Schedule A1, Group 14, Step 4 which is \$70,771.00 annually;

BE IT RESOLVED, that this appointment is subject to a probationary period of not less than 12 nor more than 52 weeks, commencing on the first date of appointment on December 12, 2011.

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

RECONVENE PUBLIC HEARING
PROPOSED LOCAL LAW AMENDING CHAPTER 300 OF THE ZONING CODE WITH
RESPECT TO ARTICLE IV ENTITLED GENERAL REGULATIONS, "PERTAINING TO
FENCE HEIGHTS"

Supervisor Siegel reconvened a public hearing to consider amending Chapter 300 of the Code of the Town of Yorktown entitled "ZONING" with respect to Article IV entitled "General Regulations," pertaining to fence heights. The Town Clerk presented affidavits of posting and publication.

No Public Comment Received.

All those present having been given the opportunity to be heard and there being no further discussion the hearing was closed. Councilman Martorano motioned, seconded by Councilman Murphy.

Supervisor Siegel moved, seconded by Councilman Martorano, to reject the proposed local law.

Siegel, Martorano, Murphy, Patel Voting Aye
Proposed Local Law denied.

RECONVENE PUBLIC HEARING
AMENDING CHAPTER 115 – ENTITLED ANIMALS

Supervisor Siegel convened a public hearing to consider a proposed local law amending to amend Chapter 115 of the Code of the Town of Yorktown entitled "ANIMALS," Article 1 of Chapter 115 "Entitled" Dog Control," Section 115-4 (Definitions) is hereby amended by the deletion of the defined term "Habitual". The Town Clerk presented affidavits of posting and publication.

Councilman Martorano asked if a person has a dog and the dog barks when they are not home, what will be the remedy. Will they receive a summons?

Police Chief McMahon stated that dogs bark for a reason. The first offense will be given a copy of the law and if it continues a summons can be issued. The Community Service Worker will work with the owner and try to come up with a solution.

Police Chief McMahon described the proposed local law. He explained that the law hinges on whether or not the barking can be heard off the property.

Police Chief McMahon thanked Councilman Martorano for his years of service, he stated that you have always been professional and he wished him well.

All those present having been given the opportunity to be heard and there being no further discussion the hearing was closed. Councilman Martorano motioned, seconded by Councilman Patel.

Supervisor Siegel moved, seconded by Councilman Patel, to adopt the proposed local law.

Siegel, Patel Voting Aye
Martorano, Murphy Voting Nay
No Action Taken.

CONVENE PUBLIC HEARING

PROPOSED LOCAL LAW AMENDING CHAPTER 10 REGARDING THE NUMBER OF MEMBERS CONSTITUTING THE ADVISORY BOARD ON ARCHITECTURE AND COMMUNITY APPEARANCE (ABACA)

Supervisor Siegel convened a public hearing to consider amending Chapter 10 of the Code of the Town of Yorktown entitled “BOARDS AND COMMISSIONS” relating to membership in the Advisory Board on Architecture and Community Appearance. The Town Clerk presented affidavits of posting and publication.

Planning Director John Tegeder stated that he would like to come to the Town Board and discuss space being allocated for the ABACA Board to meet at the YCCC. He also stated that it was great working with Councilman Martorano.

All those present having been given the opportunity to be heard and there being no further discussion the hearing was closed. Councilman Martorano motioned, seconded by Councilman Murphy.

LOCAL LAW #19 OF 2011
CHAPTER 10 REGARDING THE NUMBER OF MEMBERS CONSTITUTING THE
ADVISORY BOARD ON ARCHITECTURE AND COMMUNITY APPEARANCE (ABACA)
RESOLUTION #592

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

WHEREAS, a public hearing was held on December 6, 2011 pursuant to notice duly published as required by law to amend Chapter 10 of the Code of the Town of Yorktown entitled “BOARDS AND COMMISSIONS” relating to membership in the Advisory Board on Architecture and Community Appearance, Now therefore be it

RESOLVED that Local Law #19/2011, 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 roll-call, which resulted as follows:

Councilman Murphy	Voting	Aye
Councilman Martorano	Voting	Aye
Councilman Patel	Voting	Aye
Supervisor Siegel	Voting	Aye

Local Law #19/2011 was thereupon declared adopted.

CONVENE PUBLIC HEARING
PROPOSED ESTABLISHMENT OF HUNTERBROOK SEWER DISTRICT NUMBER 20

Supervisor Siegel convened a public hearing to consider a petition filed for Establishment of Hunterbrook Sewer District Number 20, together with a map and plan, and which petition recites that all of the costs associated with the design, installation of the trunk line to service the proposed Districts’ properties and the cost of connecting each of the existing homes to that trunk will be borne by petitioners, Retail Stores Construction Co., Inc., the contract vendee of the properties to be consolidated for the Costco improvement. The Town Clerk presented affidavits of posting and publication.

Mr. Al Capellini, Esq., Attorney for the applicant stated that they would like to have the sewer establishment be in conjunction with the site plan which is before the Planning Board.

A brief presentation was given on the placement of the sewer line.

Mr. Benjamin Folke stated that he signed the petition to establish the sewer district. Septic systems have had to be repaired and a sewer system would be a benefit to getting rid of the sewage and he is in favor of this.

Mr. Paul Moskowitz commented on the project by saying that the process of being in conjunction with the Planning Board. He read the Planning Board’s memo regarding this being done concurrent with the project before the Planning Board and they have objected to the Town Board assuming Lead Agency to the Sewer District establishment. He stated that the Town Board

should leave this with the Planning Board. He spoke about sewer diversion to the Peekskill plant. He stated that there is excessive rainfall in this area and White Hill Road has been flooded due to this issue three times this year.

Ms. Janice Turner stated that we can't keep doing business like this. We cannot offer loss of local tax revenue, traffic congestion, air pollution, loss of businesses and lots of money in COSTCO's back pocket. This needs to change.

Ms. Patricia Peckham stated that she is reading this on behalf of Mark Lieberman. Yorktown is a large and unique community with wonderful neighborhoods and history of appreciating and preserving open and green space. We have an opportunity here at this site to develop that Route 202, Bear Mountain triangle in a unique way. The Comp Plan called for a pedestrian mixed use hamlet and the Town should take that into consideration when looking at this development. We should educate ourselves on the long term impact from big box stores like the proposed COSTCO development. He appealed to the committee to not fast track this development.

Mrs. Olivia Buehl echoed what everyone else has said. She spoke about how big box stores are not good for communities, residents and local businesses.

Ms. Jennie Sunshine stated that COSTCO is not a bad store and she likes one stop shopping but it should be placed in an industrial area. She said this is a beautiful area and because we have some great mom and pop stores. She does not want them to go out of business. This is not the right place for COSTCO.

Mr. Mark Michaels stated that the process is highly problematic. This is going around the SEQRA process and the Town Board should abide by the law and follow the process.

Mr. Jonathon Nettlefield stated that if you fast track the sewer district, then it is a done deal. If there was not a COSTCO plan here would we be talking about a sewer district? Probably not. This should be done together in the proper fashion.

Mr. Al Capellini, Esq. stated that the intent tonight is to ask the Town Board to adjourn the public hearing because of the segmentation issue that has been raised.

The Town Board was given approximate Gallons Per Day (GPD) sewage totals for the proposed sewer district.

Planning Director John Tegeder asked if the flows represent the existing conditions of the residential with COSTCO included. Under SEQRA we should look at this concurrently with the Planning Board, you will need to look at the growth inducement of placing sewers here.

Mr. Capellini, Esq., pointed out that some of the units have more than one dwelling unit. The object of SEQRA was to provide an informational tool for the planning process. Somehow that tool has become the beginning and the ending of the process. It has become the planning process and we should be worried about this. You cannot have a concurrent review for a project like this. A project like this has entails several millions of dollars in planning and if they can't get sewers they throw away all that money. How do we encourage any development unless you have some foresight and intelligence in the process. We are not asking to rezone this property, it is zoned for this use already.

Supervisor Siegel stated that she has asked if the County will entertain the application to create the sewer district and not make a decision until the Planning Board has done the SEQRA process. She has not gotten an answer back from Westchester County as of yet.

All those present having been given the opportunity to be heard and there being no further discussion the hearing was adjourned. Councilman Murphy motioned, seconded by Councilman Patel.

Siegel, Martorano, Murphy, Patel Voting Aye
Public Hearing was adjourned.

CONVENE PUBLIC HEARING
CON EDISON WETLANDS PERMIT APPLICATION FOR VEGETATION MANAGEMENT
PLAN WITHIN THE CON EDISON ROW

Supervisor Siegel convened a public hearing to consider the application of Consolidated Edison for a Wetland Permit for the implementation of their Vegetation Management Plan (VMP) within the Consolidated Edison Right-of-Way (ROW) for the "F&P" high voltage transmission lines. Hand cutting and pruning is to be performed by a crew to ensure safety and regional electric reliability. The Town Clerk presented affidavits of posting and publication.

Mr. Mike Amato, Representative from Con Edison described the vegetation management plan. They have redelineated the local wetlands including flagging and mapping at the request of the Town's Environmental Consultant. They anticipate not having any soil disturbance for this project.

Dr. Patricia Podolak, Chair, Utilities Oversight Committee stated that the committee has issued fourteen recommendations to this application. She read from a statement which is on file in the Town Clerk's Office. She feels the Town Board should not approve this application at this time.

Environmental Consultant Bruce Barber gave a history of the application and stated that Con Edison did provide a written response to the Utilities Oversight Committee's recommendation.

Con Edison Planner Mike Amato addressed each recommendation made by the Utilities Oversight Committee. A copy of his comments is on file in the Town Clerk's office.

Environmental Consultant Bruce Barber described the plan, the plan calls for the cutting of approximately 62 trees in the wetlands and wetlands buffer area. He stated that he was out at the site and it needed to be flagged and mapped this was done on November 30, 2011 by the applicant. He has reviewed them and they are accurate. Con Edison is exempt from the Tree Ordinance, they have done a Box Turtle study to protect the habitat, this is a Type 2 Action and the Town Board has declared Lead Agency. With respect to the application it is a process, we work closely together with the applicant and do not ask for everything up front because there is a cost involved. Everything has been submitted and is accurate.

Councilman Martorano stated that Con Edison has had complaints about clear cutting and is this cutting excessive?

Mr. Barber stated that the difference from past applications and this one is that the Town has had a lot of oversight and addressed all the concerns presented. This minimizes the environmental impacts.

Dr. Podolak stated she feels that Con Edison has not undergone the appropriate review process and it would be a mistake to approve the wetlands permit without having its revised plan go through a thorough review process.

Ms. Jennie Sunshine stated that she is a member of the Teatown Lake Reservation and she cannot imagine cutting down 62 trees. She feels that a more scientific approach should be taken and she does not want this approved.

Councilman Murphy asked how many times the Utilities Oversight Committee met with Con Edison?

Mr. Amato stated that he has met twice with the Utilities Oversight Committee regarding this project. The trees are all marked in the field.

Councilman Martorano asked if there was any mitigation being considered offsite.

Mr. Amato stated that he would have to check on that issue. They are engaging in different programs to see what they can do to promote new growth in the area.

Supervisor Siegel suggested adjourning the public hearing to allow the Utilities Oversight Committee a chance to review the amended plan.

Dr. Podolak spoke against issuing this wetland permit. She feels that they need a couple more weeks to review this project.

Mr. Bruce Barber stated that the application is complete and accurate, the documents should be review by the Utilities Oversight Committee but this project is ready to move forward.

Mr. Amato stated that the transmission lines programs are regulated by the State and Federal Government and changes are subject to their approval. All of the changes that have been requested have been made.

Dr. Podolak feels that there are no imminent dangers out there and this is an incomplete application. It should be reviewed and a site visit should be done by the Utilities Oversight Committee regarding the amended plan.

Councilman Martorano suggested putting this on the December 13, 2011 Town Board meeting.

All those present having been given the opportunity to be heard and there being no further discussion the hearing was adjourned. Councilman Martorano motioned, seconded by Councilman Murphy.

Siegel, Martorano, Murphy, Patel Voting Aye
Public Hearing was adjourned.

ADOPT FINDINGS STATEMENT FOR CROTON OVERLOOK
RESOLUTION #593

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

RESOLUTION APPROVING ADOPTING SEQRA FINDINGS FOR THE
REZONING PETITION AND PROPOSAL FOR THE CROTON OVERLOOK
PROPERTY AND DEVELOPMENT was adopted by the Town Board and annexed hereto.

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

CONVENE PUBLIC HEARING
TO CONSIDER PETITION OF CROTON OVERLOOK CORPORATION
TO AMEND THE TOWN ZONING MAP

Supervisor Siegel convened a public hearing to consider the Petition of Croton Overlook Corporation to amend the Town of Yorktown Zoning Map, as it pertains to lands located east of the intersection of New York State Routes 134 and 100, designated on the Town Tax maps as parcels 70.11-1-16, 70.15-1-1 and 70.15-1-2, totaling approximately 62.76 acres. the Petition proposes to rezone the aforesaid parcels from the current R1-160 Single-Family Residential Zoning District to the RSP-1 Age-Oriented Community Zoning District to construct a 72 lot subdivision, which includes 35 buildings, containing a total of 70 residential fee simple duplex units for active adult housing, one open space lot, consisting of a protected land preservation parcel of approximately 44 acres and one lot for the development's on-site sewer treatment facility. The Town Clerk presented affidavits of posting and publication.

Mr. John Kirkpatrick, Esq., representing Random Farms gave a brief summary regarding the Croton Overlook Rezoning. A copy of which are on file in the Town Clerk's office.

Mr. Paul Moskowitz stated that this is the first time no public hearings have been done regarding an FEIS for a project. He does not think this should have been accepted as a complete FEIS. He believes that the Town is rushing this project. He spoke about adding children to the school district and the cost involved with that.

Councilman Patel stated that if just one student finds the cure for cancer for the entire human race it is worth the \$25,000 per student.

Mr. Mark Michaels urged the Town Board to reject this application. He feels it is being rushed through. He feels it is a pipe dream in this economy and not in the best interest of the Town or its residents.

Mr. Jonathon Nettlefield he is in favor of building dense housing in Yorktown but it should not be built here.

Ms. Holly Ross she is speaking tonight for Barbara Michaels. She expressed her concerns with regards to this project and urged the Town Board not to change the zone.

Mr. Ron Buehl echoed everything everyone else said and feels it is a good project but in the wrong place.

Dr. Podolak stated that the Utilities Oversight Committee has review the plan and she feels that the FEIS for this project does not answer the concerns made by the Utilities Oversight Committee.

Ms. Jennie Sunshine stated that in this economy it does not make sense to build something like this.

Mr. John Schroeder representing the Yorktown Land Trust spoke against this project. A copy of his comments are on file in the Town Clerk's office.

Mr. Mike Anglia spoke against this project and asked the Town Board not to change the zoning.

Mr. Aaron Bock stated that he was speaking on behalf of his wife, Chair of the Conservation Board. The Conservation Board is not in favor of this project. A copy of the Conservation Board's comments are on file in the Town Clerk's office.

Mr. William Kellner spoke against this project and feels it is an inappropriate placement for this type of housing. He urged the Town Board not to rezone this property.

Ms. Janice Turner spoke against this project and urged the Town Board not to rezone this property.

Mr. David Steinmetz, Esq., attorney for the applicant would like the Town Board to close the public hearing tonight and he stated that this project has not been rushed and has cost millions of dollars. My client has complied with all that has been asked of him. This should not have been regurgitation by the public about the FEIS and a public hearing on the FEIS is not a requirement of law. He asked that the Town Board close the public hearing and pass the resolution granting the Zoning Map Amendment. There are still many issues that have to be dealt with but we need to move forward.

Councilman Murphy asked if the Planning Department is ready to move this project forward.

Planning Director John Tegeder stated that the Planning Board is ready to move forward with this project.

Councilman Patel stated that he has spent a lot of time reviewing this project and it is time to move forward.

Supervisor Siegel asked Director of Planning John Tegeder to outline the minor changes to the resolution.

Mr. David Steinmetz Esq., suggested a change to the resolution regarding the durational limitations and this Town Board should have the right to extend it.

Director of Planning John Tegeder stated that he is ok with Mr. Steinmetz suggested changes.

All those present having been given the opportunity to be heard and there being no further discussion the hearing was closed. Councilman Murphy motioned, seconded by Councilman Patel.

LOCAL LAW #20 OF 2011
AMEND TOWN ZONING MAP
RESOLUTION #594

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

WHEREAS, a public hearing was held on December 6, 2011 pursuant to notice duly published as required by law to amend the Town of Yorktown Zoning Map, as it pertains to lands located east of the intersection of New York State Routes 134 and 100, designated on the Town Tax maps as parcels 70.11-1-16, 70.15-1-1 and 70.15-1-2, totaling approximately 62.76 acres. the Petition proposes to rezone the aforesaid parcels from the current R1-160 Single-Family Residential Zoning District to the RSP-1 Age-Oriented Community Zoning District to construct a 72 lot subdivision, which includes 35 buildings, containing a total of 70 residential fee simple duplex units for active adult housing, one open space lot, consisting of a protected land preservation parcel of approximately 44 acres and one lot for the development's on-site sewer treatment facility, Now therefore be it

RESOLVED that Local Law #20/2011, 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 roll-call, which resulted as follows:

Councilman Murphy	Voting	Aye
Councilman Martorano	Voting	Nay
Councilman Patel	Voting	Aye
Supervisor Siegel	Voting	Aye

Local Law #20/2011 was thereupon declared adopted.

ADVERTISE BID
PARKS AND RECREATION BROCHURE
RESOLUTION #595

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

NOTICE IS HEREBY GIVEN, that sealed bids will be received by the Town Clerk, Town of Yorktown, Westchester County, NY until 11:00 AM on Wednesday, December 21, 2011 at the Town Hall, 363 Underhill Avenue, Yorktown Heights, NY 10598 for typesetting, printing and delivery of the Town of Yorktown Parks and Recreation Department Semi-Annual Program Brochures.

All bids must be accompanied by an executed non-collusion bidding certificate.

Specifications may be obtained at the office of the Town Clerk at said Town Hall, Yorktown Heights, NY during regular office hours.

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 at the time and the place specified above.

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

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

AUTHORIZE SUPERVISOR TO SIGN A PROPERTY ACCESS AGREEMENT WITH
CABLEVISION GRANTING ACCESS TO THE YCCC TO PERMIT INSTALLATION
AND MAINTENANCE OF CABLE AND BROADBAND DEVICES
RESOLUTION #596

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

RESOLVED, that the Supervisor is authorized to sign a Property Access Agreement with Cablevision granting Cablevision access to the YCCC to permit the installation and maintenance of cable and broadband devices, so as to permit Cablevision to provide cable service to tenants of the YCCC. The Agreement is at no cost to either party. Cablevision agrees to indemnify and hold harmless the Town. The Agreement is for 5 years and automatically renews each year but may be terminated at any time.

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

APPROVE SUBMISSION OF APPLICATION FOR THE JUSTICE COURT
ASSISTANCE PROGRAM FOR A GRANT OF \$14,821.10 FOR VARIOUS ITEMS
RESOLUTION #597

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

Resolved, that the Supervisor is authorized to submit a grant application to the Justice Court Assistance Program for a grant of \$14,821.10 for various items in the Town Justice Court.

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

EXTEND BID CONTRACT FOR STONE, GRAVEL AND CONCRETE MATERIALS
FOR ONE ADDITIONAL YEAR AS PER TERMS OF CONTRACT
RESOLUTION #598

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

Resolved, that the Stone, Gravel and Concrete Materials Bid for the Town of Yorktown is hereby extended for one year, per the terms of the bid. The dates of the extension will be January 1, 2012 to December 31, 2012.

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

RELEASE WETLANDS BOND
#WP-046-11 – FLANDERS DRIVE
RESOLUTION #599

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

WHEREAS, James & Renee Byrne, as applicant, posted Check No. 162 in the amount of \$300.00, which was deposited into the T33 account on August 10, 2011, to serve as the Wetland Bond for Wetland Permit #WP-046-11, for work performed at their Flanders 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 \$300.00 for erosion control may be released, NOW THEREFORE BE IT

RESOLVED, that the above-referenced Wetland Bond in the amount of \$300.00 be and is hereby released to Mr. & Mrs. James Byrne, 3554 Flanders Drive, Yorktown Heights, NY 10598.

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

RELEASE WETLANDS/EXCAVATION BOND
#WP/E-051-08 – AQUEDUCT ROAD
RESOLUTION #600

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

WHEREAS, B.F. Curry Realty, LLC, as applicant, provided the Town with JP Morgan Chase Bank Letter of Credit #CTCS918678, which was accepted at the Town Board meeting of April 20, 2011 in the amount of \$62,480.00, to serve as the Performance Bond for the Curry Nissan Site Plan located on Route 202, and

WHEREAS, B.F. Curry Realty, LLC, as applicant, provided the Town with JP Morgan Chase Bank of Letter of Credit #CTCS-918676, which was accepted at the Town Board meeting of April 20, 2011 in the amount of \$10,000.00, to serve as the Erosion Control Bond for the Curry Nissan Site Plan, and

WHEREAS, the applicant has requested that the above referenced monies be released and that all work has been completed, 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 Performance and Erosion Control Bonds may be released, NOW THEREFORE BE IT

RESOLVED, that both Letter's of Credit may be released to B.F. Curry Realty, LLC, 727 Central Avenue, Scarsdale, NY 10583.

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

RELEASE EROSION CONTROL BOND
#E-044-10 – CARR COURT
RESOLUTION #601

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

WHEREAS, Frank Fiore, as applicant, posted Check No. 8541 in the amount of \$300.00, which was deposited into the T33 account on October 22, 2010, to serve as the Erosion Control Bond for Excavation Permit #E-044-10, for work performed at his Carr Court 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 \$300.00 for erosion control may be released, NOW THEREFORE BE IT

RESOLVED, that the above-referenced Erosion Control Bond in the amount of \$300.00 be and is hereby released to Mr. Frank Fiore, 2797 Carr Court, Yorktown Heights, NY 10598.

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

RELEASE PERFORMANCE & EROSION CONTROL
CURRY NISSAN – ROUTE 202
RESOLUTION #602

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

WHEREAS, B.F. Curry Realty, LLC, as applicant, provided the Town with JP Morgan Chase Bank Letter of Credit #CTCS918678, which was accepted at the Town Board meeting of April 20, 2011 in the amount of \$62,480.00, to serve as the Performance Bond for the Curry Nissan Site Plan located on Route 202, and

WHEREAS, B.F. Curry Realty, LLC, as applicant, provided the Town with JP Morgan Chase Bank of Letter of Credit #CTCS-918676, which was accepted at the Town Board meeting of April 20, 2011 in the amount of \$10,000.00, to serve as the Erosion Control Bond for the Curry Nissan Site Plan, and

WHEREAS, the applicant has requested that the above referenced monies be released and that all work has been completed, 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 Performance and Erosion Control Bonds may be released, NOW THEREFORE BE IT

RESOLVED, that both Letter's of Credit may be released to B.F. Curry Realty, LLC, 727 Central Avenue, Scarsdale, NY 10583.

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

REQUEST FOR TIME EXTENSION ON WETLANDS PERMIT
ZEAL CONSTRUCTION – CAROZZA PROPERTY
RESOLUTION #603

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

WHEREAS, Joe Scorsone of Zeal Construction, as applicant for Carozza, has submitted a letter requesting a 180 day extension of his Town Board Wetland Permit application, #WP-051-09, NOW, THEREFORE BE IT

RESOLVED, that Wetland Permit #WP-051-09 is hereby extended for 180 days.

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

APPROVE BEAVER FARM CONFERENCE FARM MONETARY GIFT
RESOLUTION #604

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

Resolved, that the gift of \$ 1,625.35 from the Gilbert Beaver Conference Farm shall be deposited in the Town's Trust and Agency Fund to be used to help finance the development or acquisition of new parks and/or recreational facilities.

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

ADOPT PURCHASE CARD POLICY
RESOLUTION #605

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

The objective of this policy is to maximize purchasing and payment efficiencies and facilitate the timely acquisition of materials and supplies through the use of purchase cards, sometimes referred to as Identification cards.

This policy is not intended to avoid or bypass the Town's existing procurement policies but rather complement those existing policies.

Pursuant to a resolution adopted by the Town Board on September 6, 2011, the Town Comptroller is designated as the approval authority for all credit applications, including those credit lines using purchase or identification cards.

It shall be the Town Comptroller's responsibility to keep an up-to-date list of how many credit lines have been established, what departments have access to them, and how many

purchase cards or identification cards for each vendor have been issued to which departments.

Purchase cards are not credit cards. They are a Town liability charge card requiring balances to be paid in full by the due date.

Purchase cards are to be used for authorized Town purchases only and any use for personal purposes is strictly prohibited, including the purchase of items for which the employee may later be reimbursed by the Town.

Employees who are authorized to use purchase cards for one or more vendors are personally responsible for unauthorized purchases resulting from the careless or intentional misuse of these cards.

It shall be the responsibility of each department head whose department has been authorized by the Town Comptroller to have one or more purchase cards for one or more vendors to assure the safe keeping of the cards and to keep an up-to-date inventory of all cards issued to his or her department, including a list of all employees in his or her department who are authorized to use purchase cards.

Purchase cards are to be kept within the department and given to an employee to use only when a purchase is to be made. Once the purchase has been made, the card is to be returned to the person in the department charged with keeping the card/s. Purchase cards are not to be taken home.

It shall be the responsibility of the employee who has been authorized to use the card to report the card's loss to his or her department head as soon as the card is determined to be missing.

It shall be the responsibility of the department head to notify the Town Comptroller of the lost card as soon as they are informed of the loss by an employee in their department.

Original receipts, signed by the purchaser, must be provided for all purchases made with a purchase card, and are to be given to the department employee responsible for processing bills. If the receipt is lost, the employee who made the purchase must submit a written explanation, entitled "Lost Receipt," describing the transaction in detail. The employee's department head must review and sign the written explanation.

Monthly statements should be submitted to the Comptroller for review in order to identify any potential "red flags" that may be reflected. Statements should be presented with receipts/purchase orders (if any purchases have been made) or separately if no payments need to be processed.

It shall be the Comptroller's responsibility to review, on an annual basis, each vendor's credit line activity to determine if the credit line is still needed, or whether the line should be cancelled and closed and purchase cards destroyed.

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

AUTHORIZE SUPERVISOR TO SIGN SPCA CONTRACT IN THE AMOUNT OF \$21,633.96

RESOLUTION #606

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

Resolved, that the supervisor is authorized to sign a one year contract with the SPCA in the amount of \$21,633.96 for the period January 1, 2012 through December 31, 2012.

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

AUTHORIZE SUPERVISOR TO SIGN A TEO ONE YEAR RENEWALS OF THE CONTRACT WITH EMPRESS AMBULANCE SERVICE FOR PARAMEDIC FLY CAR SERVICES

RESOLUTION #607

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

Whereas, in June 2009, the Town's Advanced Life Support (ALS) district issued an RFP to provide ALS Paramedic Fly Car Services in the Town of Yorktown, and;

Whereas, Empress EMS was the lowest fully responsive bidder, and on December 2, 2009, the Town Board adopted a resolution authorizing the Supervisor to sign an agreement with Empress EMS effective January 1, 2010 through December 31, 2010, to provide ALS Paramedic Fly Car Services at a cost of \$469,810.04 for 2010 and \$483,904.34 for 2011; and

Whereas a formal agreement or contract between the Town of Yorktown and Empress EMS was never signed by the Town but the Town has been paying Empress for ALS Paramedic Fly Car Services based on the December 2, 2009 resolution; and

Whereas the June 2009 RFP gave the Town the option to extend any agreement with Empress for two additional one year terms; and

Whereas it is in the best financial interest of the Town to finalize the annual rates for the next two years;

Now therefore be it resolved, that upon the recommendation of the Board of Commissioners of the Town of Yorktown Advanced Life Support District, the Town Board authorizes the Supervisor to sign two one-year renewal agreements with Empress EMS, one for 2012 at the annual rate of \$493,584 and one for 2013 at the annual rate of \$503,448, both rates reflecting an annual increase of 2%, subject to a written agreement being prepared by the Town Attorney that is based on the June 2009 RFP and signed by both the Town Supervisor and Empress EMS.

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

APPROVE AMENDMENT TO RESOLUTION #483 OF 2011 RELATING TO SEWER CONNECTIONS FOR YORKTOWN FARMS SUBDIVISION

RESOLUTION #608

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

WHEREAS, the Town Board of the Town of Yorktown (the "Town Board") rezoned the property now known as the Yorktown Farms Subdivision by Resolution #111, dated February 27, 2007(the "Rezoning Resolution");

WHEREAS, pursuant to said Rezoning Resolution, the Town Board imposed various conditions including, but not limited to, requiring that all Sewer Connection Stipend Payments of \$3,000 per home (the "Stipend Payments") were to be paid to the 67 Neighborhood Property Owners who were going to be able to connect to the Yorktown Farms Sewer system (the "Neighborhood Property Owners") prior to the issuance of the first Certificate of Occupancy in the Yorktown Farms Subdivision;

WHEREAS, the Yorktown Farms Subdivision was approved by the Planning Board by Resolution #08-03, dated February 11, 2008, as subsequently extended; and

WHEREAS, all conditions of final approval were satisfied and the Yorktown Farms Subdivision Plat was signed by the Chairman of the Planning Board and filed in the Westchester County Clerk's office, on July 20, 2011, as Map No. 28496;

WHEREAS, VS Construction Corp. ("VS") as developer of Yorktown Farms has installed the on-site infrastructure and has completed the off-site sewer improvements, including those to benefit the Neighborhood Property Owners;

WHEREAS, VS has entered into agreements with approximately 25 of the Neighborhood Property Owners to install individual sewer lateral connections to their homes and has extended a \$3,000 credit to each such homeowner as and for their respective Sewer Stipend;

WHEREAS, VS has agreed to correspond with and/or meet with all Neighborhood Property Owners to extend an offer to either connect such homeowner to the public sewers or pay the \$3,000 Sewer Stipend;

WHEREAS, VS met with the Town Board on September 27, 2011 to provide the Town Board with a complete update on the status of the project, and also requested the issuance of one (1) Certificate of Occupancy and three (3) Building Permits;

WHEREAS, VS agreed that on or before November 30, 2011, it would have either: i) entered into Sewer Connection Agreements with all Neighborhood Property Owners, ii) paid the \$3,000 stipend to the Neighborhood Property Owners, and/or iii) placed a sum in escrow with Zarin & Steinmetz, as Attorneys, totaling \$3,000 times the number of Neighborhood Property Owners who have not entered into Sewer Connection Agreements or been paid the \$3,000 Sewer Stipend and signed written receipts therefor;

WHEREAS, the Town Board adopted a Resolution on September 27, 2011 concerning these issues;

WHEREAS, subsequent to September 27, 2011, VS has been actively engaged in meeting with Neighborhood Property Owners in an attempt to enter into additional Sewer Connection Agreements and has requested that the Town Board extend the November 30 date to December 31, 2011;

WHEREAS, VS shall request an Amended Resolution from the Planning Board consistent herewith.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Yorktown hereby amends the Rezoning Resolution and the September 27, 2011 Resolution as follows:

1) All provisions of the September 27th Resolution shall remain in effect, except that VS shall have until December 31, 2011 to file with the Town copies of all receipts of Sewer Stipends, proof of the extension of Sewer Stipend credits, and proof of the establishment of the escrow account.

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

APPROVE VACATION CARRYOVER REQUEST FROM SPECIFIC TOWN EMPLOYEES

RESOLUTION #609

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

Whereas, Sections 14.1 through 14.3 of the last agreed to contract between CSEA and the Town of Yorktown set forth the annual leave days earned by employees covered by the CSEA contract, and

Whereas, Section 14.4 of the aforesaid contract states that annual leave days will not be cumulative and must be taken in the year earned, and

Whereas, Section 14.4 of the aforesaid contract also states that the Town Board may permit employees to carryover up to 35 working days of annual leave provided the interests of the Town are not adversely affected in any way; and

Whereas, in previous years the Town Board has approved requests to carryover annual leave when such request was based on extenuating circumstances and did not adversely affect the Town,

Now therefore be it resolved that the Town Board approves the request of the following employees to carryover 2011 annual leave time to be used in 2012:

Steve Vitulli	19.65 hours
Sophie F. James	21 hours
Charlie Vilarino	7 days
Barbara Korsak	9 days
Joe Venitucci	7 days
Kathy Nicholson	5 days
Brian Gray	4 days

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

DENY VACATION CARRYOVER REQUESTS FROM SPECIFIC TOWN EMPLOYEES

Supervisor Siegel moved to deny, no second was received.

REFUND PARTIAL BUILDING PERMIT – \$112.50

1313 MCKEEL STREET

RESOLUTION #610

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

RESOLVED, that upon recommendation of the Building Inspector the amount of \$112.50, partial refund of building permit fee, be and is hereby refunded to Jennifer & John Coppola, 1313 McKeel Street, Yorktown Heights, New York 10598.

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

REFUND PARTIAL BUILDING PERMIT - \$1,762.50

1704 DECATUR ROAD

RESOLUTION #611

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

RESOLVED, that upon recommendation of the Building Inspector the amount of \$1,762.50, partial refund of building permit fee, be and is hereby refunded to Carla Gelbman, Secretary, Zaro Homes, Inc. P.O. Box 73, Shrub Oak, New York 10588.

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

REFUND ZONING BOARD OF APPEALS APPLICATION FEE

\$210.00 – 3627 BUCKHORN STREET

RESOLUTION #612

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

RESOLVED, that the Town Board approves a refund in the amount of \$210.00 be made to Elina Fleyshgaker of 3627 Buckhorn Street, Shrub Oak, New York 10588 for a Zoning Board of Appeals variance fee that was withdrawn.

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

AUTHORIZE COMPTROLLER TO PAY NOR-WEST FOR THERAPEUTIC RECREATION PROGRAMS

RESOLUTION #613

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

Whereas, the Town of Yorktown is a member of Nor-West, and

Whereas, Nor-West provides valuable therapeutic recreation programs, respite and transportation services to persons with differing abilities who reside in Yorktown, and

Whereas, no recent formal agreement could be located to authorize the Town's annual payment for said services,

Now, Therefore, Be It Resolved, that the Comptroller is authorized to pay Nor-West the annual budgeted amount of \$38,232 for providing services for calendar year 2011.

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

MONTHLY REPORTS

Building Department – Cost of Construction Report – November 2011

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

Mrs. Ann Kutter spoke about onsite and offsite mitigation. She also spoke about meadows and why they are needed.

Mr. Steve Gardner thanked Councilman Martorano and Supervisor Siegel for their work and dedication to the Town.

ADJOURN

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

Diana L. Quast
Deputy Town Clerk
Town of Yorktown