

Regular Meeting held by the Town Board, Town of Yorktown on April 17, 2007. John C. Hart Memorial Library, 1130 Main Street Shrub Oak, New York 10588.

Present: Nicholas Bianco, Councilman  
Matthew Metz, Councilman  
Louis Campisi, Councilman  
Alice E. Roker, Town Clerk

Absent: Linda G. Cooper, Supervisor  
James Martorano, Councilman

#### TOWN BOARD MEETING

Councilman Nicholas Bianco called the meeting to order. Town Attorney Kevin Sweeney was also present.

#### PLEDGE OF ALLEGIANCE

#### MOMENT OF SILENCE

In honor of our Armed Forces serving in the military in this country and abroad.

DURING THE COUNCIL=S REPORTS TO THE TOWN, Councilman Bianco reported on the Town and County Tax Bill which was sent out at the end of March. He explained that this year=s bill is slightly different due to a computer glitch. Hopefully the computer problem will be resolved next year so that the bills provide more information. Councilman Bianco further explained that there is some good news to report. Yorktown residents in the Peekskill Sanitary Sewer District saw their bills drop by approximately 45%. Councilman Bianco also stated that he attended Sunday=s Tax Rally in Town Hall. More than thirty people along with various county and state officials attended the meeting.

Councilman Louis Campisi stated that he wanted to address some of the confusion concerning the Hallocks Mill Sewer District. First, he and Councilman Metz support the creation of a new sewer district. They have no problem with the Engineering Department working on a conceptual map, but it must include the three surveys that are currently floating around town. Councilman Campisi also spoke about a handout prepared by the Committee of Unsewered Homeowners. He stated that while much of the information is helpful, the literature fails to point out that before any work can be done on this district, the Town must obtain a change in the rules and regulations from the New York City Department of Environmental Protection which must then be ratified by the signatories of the Watershed Agreement which was signed in 1997 by more than 90 entities. He further explained that although the current email alludes to having design work done, this also is not possible. The cost of design work will be approximately \$4 million. The Town is not authorized to borrow money for this district until a district is formed.

Councilman Metz questioned how all of this confusion came about. He stated that perhaps there needs to be a better system of communication. Councilman Metz proposed that a member of the Board meet with homeowners from this proposed district at least once a month.

Acting Town Engineer Sharon Robinson stated that she would prepared a map using the three surveys which people can come and look at. She also explained the process used by the Town to form a sewer district. Mrs. Robinson agreed that before anything can be done on this sewer district, the Town needed to secure a change in the

DEP=s rules and regulations.

DURING HIS REPORT FROM THE COUNTY, Westchester County Legislator George Oros stated that people living within his Legislative District should have seen a drop in their sewer tax due to the county consolidating the operation and maintenance of its thirteen sewer districts into one. He further explained that he has joined County Legislator Kaplowitz in working on the Legacy Ballfield and Yorktown Skateboard Projects.

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

Mr. Nick DiTomasso spoke against a proposal for a Town Manager. He stated that this adds another layer to government. He suggested that the Town Council=s part time jobs become full time and that the Supervisor=s term be lengthened to four years.

Mrs. Katherine McGowan read a prepared statement from the Unsewerd Hallocks Mill Homeowners reiterating their desperate need for sewers. She applauded Councilman Metz= suggestion that a board member meet with homeowners once a month in Town Hall.

Mr. Edward Killeen, a resident of Shrub Oak stated that many of the newer areas in Shrub Oak got sewers while his did not. He further stated that capacity in all sewer districts could increase if homeowners updated their bathrooms with toilets requiring less water.

Mr. David Weisfuse stated that he was happy to learn from the Town Board that people who did not want sewers would not be forced into this sewer district.

Mrs. Laurie Noonan thanked the Board for opening up a clear line of communication with its residents.

Town Clerk Alice Roker spoke about a telephone call she received from Mrs. Linda Clemenza asking her to share several concerns with the Board. Mrs. Clemenza is concerned about the accuracy of some of the surveys. She is opposed to this sewer project because of the cost. Mrs. Clemenza also wanted to know why the Town was involved in all of these discussions since it cannot do anything until the Department of Environmental Protection changes its rules.

Town Clerk Alice Roker also read a letter sent to the Board by Eileen Burke reiterating her family=s need to connect into a sewer district. She further asked that those who oppose this district not interfere with those who want them. Mrs. Burke stated that it is in their self interest to eliminate all the streets from the proposed sewer district where a majority of homeowners don=t want sewers. The Northern Westchester Watershed Committee has recommended that Yorktown get \$10 million from the East of Hudson funds to pay for this district. The smaller the district, the better it is for the homeowners who want sewers.

ADVERTISE TO BID  
SALE OF USED EQUIPMENT BHIGHWAY DEPARTMENT  
RESOLUTION#157

Upon motion made by Councilman Campisi, seconded by Councilman Metz,

WHEREAS, the Town of Yorktown owns and has in its possession several vehicles (see list below) which are no longer necessary or adaptable for use by the Town, and whereas it is in the best interest of the Town to dispose of said vehicles and receive monetary compensation for the benefit of the town, now therefore be it

RESOLVED, that the Supt. of Highways of the Town of Yorktown is hereby authorized to sell the said vehicles by sealed bid to be submitted to the Supt. of Highways, 281 Underhill Avenue, Yorktown Heights, New York 10598 no later than

10:00AM on May 1, 2007

A listing of said used vehicles is on file in the Office of the Town Clerk. The vehicles may be examined at the Highway Department, 281 Underhill Avenue, Yorktown Heights, New York, between the hours of 7:00 AM - 2:00 PM, Monday - Friday. The sale of these vehicles is subject to the execution of a bill of sale prepared by the Town Attorney. The Town of Yorktown also has the right to withdraw the vehicle(s) prior to the actual sale. The Town Board further 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. The sale is contingent upon the payment of 100% of the winning bid amount by cash and/or check at time of the acceptance of the offer of bid, subject to the "as is" condition of the vehicles.

Vactor mounted a 1980 International	Vin # CA255KHA20032
1989 Ford Utility Truck	Vin # 2FDLF47M4KCB33038
2001 Ford Pickup w/utility box	Vin # 1FTSX31F31EA91844 B <b>MIN. BID: \$6000</b>
1988 GMC Blazer/S10	Vin # 1GKCT18RXJ8529184
1993 Crown Victorian	Vin # 2FALP71W5PX172451
1993 Dodge Caravan	Vin # 1B4GH54R3PX536307
1999 Ford F350	Vin # 1FDSX35F9XED37293 B <b>MIN. BID \$4000</b>

Bianco, Campisi, Metz Voting Aye.  
Resolution adopted.

RE-APPROVE AMENDED SITE PLAN  
TEMPLE ISRAEL OF NORTHERN WESTCHESTER  
RESOLUTION #158

Upon motion made by Councilman Campisi, seconded by Councilman Metz,

WHEREAS a formal application for the approval of a site plan and architectural plans titled ATemple Israel of Northern Westchester,@ as prepared by Cronin Engineering, P.E., P.C., dated November 17, 2004 and last revised December 22, 2004 and Gershon Palevski, R. A., dated June 12, 2004 and last revised November 16, 2004, and as located on Section 36.06, Block 2, Lot 72 (fka Section 8.11, Parcel 6, Lot 9) of the Town tax map (Athe Property@), was submitted to the Planning Board on January 7, 2005; and

WHEREAS said site plan was approved by the Town Board by a resolution dated June 7, 2005; and

WHEREAS said resolution was re-approved on May 2, 2006.; and

WHEREAS said re-approval will expire on May 28, 2007; and

WHEREAS the applicant=s attorney has advised the Town Board that the applicant is continuing it efforts to form a sewer district to service the Property and to obtain admission to the Westchester County Sewer District; and

WHEREAS the applicant=s attorney has advised the Town Board that the applicant will not be able to obtain a building permit prior to May 28, 2007; and

WHEREAS the applicant, through its attorney, has requested that the site plan be re-approved to run for an additional 360 days from May 28, 2007; and

WHEREAS the Town Board finds there has been no change in the environmental findings leading to the approval of the subject site plan based on the correspondence of the applicant=s engineer, dated March 20, 2007, and attorney, dated March 27, 2007;

BE IT FURTHER RESOLVED that the Town Board resolution approving the site plan for Temple Israel of Northern Westchester is hereby re-approved in its entirety; and

BE IT FURTHER RESOLVED that the Town Board resolution approving the

application for a wetland permit ( # WP/E-041-05) is hereby re-approved subject to the requirements and conditions contained therein; and

BE IT FURTHER RESOLVED that the Town Board resolution approving the application for an excavation permit (# WP/E-041-05) is hereby re-approved subject to the requirements and conditions contained therein; and

BE IT FURTHER RESOLVED that unless a building permit, extension, or re-approval has been issued within 360 days from **May 28, 2007**, the re-approval granted herein will be null and void.

Bianco, Campisi, Metz Voting Aye.  
Resolution adopted.

AUTHORIZE SUPERVISOR TO SIGN  
IMA WITH WESTCHESTER COUNTY  
DEVELOPMENT OF SKATE PARK B LEGACY PROGRAM  
RESOLUTION #159

Upon motion made by Councilman Campisi, seconded by Councilman Metz,

RESOLVED, that the Town of Yorktown shall enter into an Intermunicipal Agreement with the County of Westchester to obtain a \$250,000 Legacy Grant for the installation of a community skateboard park within the Town of Yorktown; and be it further

RESOLVED, that the Town Board authorizes and directs the Supervisor to sign the Intermunicipal Agreement, together with such other documents as may be appropriate and necessary to effectuate said County Legacy Grant, on behalf of the Town; and be it further

RESOLVED, the proposed Intermunicipal Agreement and all related documents shall be reviewed and approved as to form and substance by the Town Attorney before being signed by the Supervisor.

Bianco, Campisi, Metz Voting Aye.  
Resolution adopted.

AUTHORIZE SUPERVISOR TO SIGN  
AGREEMENTS FOR TITLE 111-B, 111-C-1 AND 111-C-2  
JANUARY 1-DECEMBER 31, 2007  
RESOLUTION #160

Upon motion made by Councilman Campisi, seconded by Councilman Metz,

RESOLVED, that the Town Supervisor is hereby authorized to sign the Contractual Agreement between the Town of Yorktown and the Westchester County Office for the Aging for Title III-B, Title III C-1 and Title III C-2 for the year January 1, through December 31, 2007. The total amount of the contracts is \$72, 575.

Bianco, Campisi, Metz Voting Aye.  
Resolution adopted.

ENDORSE A GRANT APPLICATION FOR FUNDS  
TO PREVENT DRUG ABUSE AND UNDERAGE DRINKING  
IN THE COMMUNITY  
RESOLUTION #161

Upon motion made by Councilman Campisi, seconded by Councilman Metz,

RESOLVED, the Town Board endorses a grant application for funds for the Alliance for Safe Kids to prevent drug abuse and underage drinking in the community.

Bianco, Campisi, Metz Voting Aye.

Resolution adopted.

FAMILY AND MEDICAL LEAVE  
FRAN PERITO B OFFICE ASSISTANT  
POLICE DEPARTMENT  
RESOLUTION #162

Upon motion made by Councilman Campisi, seconded by Councilman Metz,

BE IT RESOLVED, Fran Perito, Office Assistant Police Department is hereby placed on Family and Medical Leave effective April 12, 2007 through July 9, 2007.

Bianco, Campisi, Metz Voting Aye.  
Resolution adopted.

APPOINTMENT MOTOR EQUIPMENT OPERATOR  
J. JOHN MICHAUD B HIGHWAY DEPARTMENT  
RESOLUTION #163

Upon motion made by Councilman Campisi, seconded by Councilman Metz,

BE IT RESOLVED, that J. John Michaud is hereby appointed Temporary Motor Equipment Operator in the Highway Department effective April 16, 2007 to be paid from Yorktown CSEA Salary Schedule A, Group 10, Step 1 which is \$44,584 annually.

Bianco, Campisi, Metz Voting Aye.  
Resolution adopted.

APPOINTMENT LABORER  
ALFRED PISANO  
DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
RESOLUTION #164

Upon motion made by Councilman Campisi, seconded by Councilman Metz,

BE IT RESOLVED, that Alfred Pisano is hereby appointed Laborer in the Department of Environmental Conservation effective February 7, 2007 to be paid from Yorktown CSEA Salary Schedule A, Group 5, Step 2 which is \$39,057, representing no change in salary.

BE IT FURTHER RESOLVED, that this appointment is subject to a probationary period of not less than 12 nor more than 52 weeks.

Bianco, Campisi, Metz Voting Aye.  
Resolution adopted.

APPOINTMENT B PLANNER  
ROBYN STEINBERG B PLANNING DEPARTMENT  
RESOLUTION #165

Upon motion made by Councilman Campisi, seconded by Councilman Metz,

BE IT RESOLVED, that Robyn Steinberg is hereby appointed Planner (Planning) from Eligible List No. 79-459 effective March 9, 2007 to be paid from Yorktown CSEA Salary Schedule A-1, Group 17, Step 2 which is \$74,015 annually, representing no change in salary.

BE IT FURTHER RESOLVED, that this appointment is subject to a probationary period of not less than 12 nor more than 52 weeks.

Bianco, Campisi, Metz Voting Aye.  
Resolution adopted.

APPOINTMENT B ASSISTANT CURATOR  
ADELE HOBBY B MUSEUM

RESOLUTION #166

Upon motion made by Councilman Campisi, seconded by Councilman Metz,

BE IT RESOLVED, that Adele Hobby is hereby appointed Assistant Curator from Eligible List No. 61-812 effective April 6, 2007 working 25 hours per week, to be paid from Yorktown CSEA Salary Schedule A-1, Group 7, Step 5 which is \$37,491 annually representing no change in salary.

BE IT FURTHER RESOLVED, that this appointment is subject to a probationary period of not less than 12 nor more than 52 weeks.

Bianco, Campisi, Metz Voting Aye.  
Resolution adopted.

REFUND DUPLICATE TAX PAYMENT

RESOLUTION #167

Upon motion made by Councilman Campisi, seconded by Councilman Metz,

WHEREAS, records of the Receiver of Taxes indicate that the following duplicate tax payment was made:

<u>Year and Tax</u>	<u>S-P-L</u>	<u>Account #</u>	<u>Refund</u>
2006 Sch 21	16.09-1-43	0944000	\$1,905.78
2006 Sch 22	36.10-1-55	3213000	\$1,820.83
2006 Sch 22	37.18-2-21	3311000	\$1,511.41
2006 Sch 22	59.19-1-9	C660800	\$1,071.08
2006 Sch 22	27.07-1-19	2768500	\$2,820.50
2006 Sch 21	16.16-2-15	1916500	\$2,490.89
2006 Sch 21	17.18-3-17	2683595	\$5,019.40
2006 Sch 22	27.15-2-1	3948000	\$4,244.64
2006 Sch 22	26.16-3-38	1619500	\$3,256.86
2006 Sch 21	16.12-1-32.-29	2086500	\$1,671.74
2006 Sch 22	58.06-1-9	4124500	\$3,375.83

BE IT RESOLVED, that the Supervisor is hereby authorized to refund the above noted amount.

Bianco, Campisi, Metz Voting Aye.  
Resolution adopted.

MONTHLY REPORTS

Building Inspector - Permit Cost Report

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

Mr. Edward Killeen following up on his earlier discussion stated that correct water management facilities help to reduce water usage by up to 45%.

ADJOURN

Councilman Campisi moved, seconded by Councilman Metz to adjourn the Town Board meeting.

Alice E. Roker  
Town Clerk  
Town of Yorktown