

Regular Meeting held by the Town Board, Town of Yorktown on December 18, 2007. Yorktown Town Hall, 363 Underhill Avenue, Yorktown Heights, New York 10598.

Present: Alice E. Roker, Supervisor
James Martorano, Deputy Supervisor
Nicholas Bianco, Councilman
Matthew Metz, Councilman
Louis Campisi, Councilman
Diana L. Quast, Town Clerk

Absent:

WORK SESSION

Supervisor Alice E. Roker called the meeting to order. Town Attorney Kevin Sweeny, Acting Town Engineer Sharon Robinson, Comptroller Joan Goldberg and Highway Superintendent Eric DiBartolo were also present.

PLEDGE OF ALLEGIANCE

Supervisor Alice E. Roker 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.

DURING HER REPORT TO THE TOWN, Supervisor Roker wished everyone a Happy Holiday Season. Supervisor Roker announced that the snow angel program is no longer in existence. The Teacher who ran the program has retired.

Supervisor Roker asked Environmental Consultant Bruce Barber to discuss Con Edison's tree cutting Program along Granite Springs Road. Mr. Barber stated that about two weeks ago he met with Con Edison to discuss specific aspects of their vegetation management plan for Granite Springs Road. He began by saying that Con Edison is in the process of finishing up its tree removal program and now the town needs to address the erosion issues and come up with an overall concept plan. Supervisor Roker stated that these regulations have been set forth by the Federal Energy Regulatory Commission.

Councilman Campisi asked if the Public Service Commission required Con Edison to remove these trees by December 31, 2007. Mr. Barber stated that it his understanding that the Public Service Commission was created by the Governor to oversee the utilities vegetation management program throughout the State. There will be trees planted along Granite Springs Road to replace some that were taken down and will be of a specific species that do not grow higher than thirty feet.

Dr. Podolak spoke about the Utilities Oversight Committee. She stated that she would like to see the mitigation plan in writing.

Supervisor Roker asked Planning Director John Tegeder to talk about the trees that are being removed on Route 118. Mr. Tegeder explained that the Town is doing a sidewalk project and because of a redesign by the State more trees had to be cut down. Trees will be planted which will provide fuller and better screening.

December 18, 2008

1

Supervisor Roker asked Highway Superintendent Eric DiBartolo to talk about the work that will be done at Woodlands Fields. Mr. DiBartolo stated that all the permits to begin

the project are in place. Fourteen (14) acres of land will need to be cleared in order to construct the ballfields. A tree company will come in and remove all the trees in the work area including the stumps. This will be at no cost to the town.

Mr. DiBartolo explained that the town is going to be expanding the parking lot located at Downing Park by the High School to allow for more parking by students driving to school. This will help eliminate parking on side roads and students crossing over Route 202 which has become a great safety issue.

Walter Daniels, member of the Conservation Board stated that the Conservation Board has not seen a copy of the plans for the Woodlands Fields project.

Westchester County Legislator Michael Kaplowitz stated that he will make the plans available to the Town for referral to the Conservation Board. Mr. Kaplowitz gave an update with regard to the County and wished everyone a happy holiday season.

RETIREMENT

Supervisor Roker read a retirement letter from Yorktown Sole Assessor Robert Killeen, a copy of which is on file in the Town Clerk's office. She stated that she will miss Bob as a colleague and even more as a friend, and wished him much happiness.

Councilman Bianco stated that Bob is a gentleman, a good assessor and he will miss working with him.

Councilman Martorano stated that Bob is a true professional and irreplaceable.

Councilman Campisi stated that Bob has done a great job for the Town. We will miss him and enjoy retirement.

Councilman Metz stated that Bob is responsive to everyone, a terrific person and a great assessor. He will be missed.

Sole Assessor Bob Killen stated that it has been a great experience for him. The Town Board has been very supportive and it has been his pleasure to serve the town. He has had the opportunity to work with some of the finest, some of the kindest and hardest working people that he will never forget. He stated that it was a pleasure to work with everyone.

The Town Board thanked Bob for his many years of service and dedication to the town.

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

Cathy Gironda thanked the Board for all of their hard work and support with regard to the creation of the skate park. She stated that the Board has on the agenda for tonight a resolution to award the bid for Skate Park Equipment and Installation. She feels it is a wonderful Christmas present for the Concerned Citizen's for Safe Skateboarding in Yorktown. She hopes we can continue to work together for a grand opening in early spring.

Linda Gironda stated that it is a significant milestone that the Board is awarding the bid for the skate park equipment tonight. She thanked Westchester County Legislator Michael Kaplowitz for all of his help, guidance and leadership in obtaining funding for the project in the amount of \$250,000. The goal of the Concerned Citizen's for Safe Skateboarding in Yorktown has always been to keep children safe, off the streets and in a safe skateboarding environment and that dream is now a reality. Ms. Gironda asked that the Concerned Citizen's for Safe Skateboarding continue to be involved in the project.

December 18, 2008

2

She suggested that the Board consider having free access for the first couple of months as the Town's gift to show a partnership which will bring the community together and get people involved.

She thanked the Town Board, members of the Parks and Recreation Commission, in particular, Diana Quast who helped us through the process, Westchester County Legislator Michael Kaplowitz and members of the Yorktown Rotary for all their support.

Anthony D'Alessandro stated that he is concerned with an article he read in the North County News with regard to the development of the Old Yorktown Motel on Route 202. He feels it is the hub of traffic congestion on Route 202. To consider it is unbelievable however, it saddens him because the Town does need to widen its tax base by doing projects like this. He stated that there are other avenues that can be developed, such as the sanctuary Golf Course. He commended the Board on its decision to consolidate and thanked the Board for getting together with the School Board and hopes that will continue.

Jeremiah Dineen stated that several years ago the Board tried to up zone about 25% of the town and the action was struck down by the courts, last year the Board tried to up zone the entire town and that action was struck down by the courts. He feels that we can build a new consensus and have a real comprehensive plan that we can all be on board with for the next twenty years or alternatively, we can steer the bus down the same reckless road to ruin towards the same inevitable conclusion, the choice is yours.

Paul Moskowitz thanked Alice Roker for being Supervisor for the last three months.

An employee from the Water Department thanked the Town Board for sending Highway Superintendent Eric DiBartolo to oversee the Water Department. She feels that the Water Department can now work efficiently and effectively. She noted that many employees of the Water Department strive to work hard and continue to further their knowledge in order to be the best at their profession. Eric has made tough decisions and the results have been to the betterment of this community.

Councilman Campisi moved, seconded by Councilman Bianco to close Courtesy of the Floor.

PUBLIC HEARING
REQUEST FOR CLUSTERING
LOCKWOOD ESTATES SUBDIVISION

Supervisor Roker reconvened a public hearing to consider a request from the Planning Board to allow the use of clustering for the Lockwood Estates Subdivision. Affidavits of Publication and Posting were presented by the Town Clerk.

On behalf of the applicant, Mr. Al Capellini stated that the Planning Board supports clustering of this project. The average size lots will be three quarters of an acre and public water and sewer is available. There is a ravine that runs through the property. A public informational meeting was held by the Planning Board and they asked the applicant to come to the Town Board and request clustering be used for this subdivision. The current plan calls for 20 homes.

Supervisor Roker stated that the original plan which came to the Planning Board was for twenty-two homes and it has been cut down to twenty. Clustering helps preserve valuable and sensitive lands.

Councilman Bianco read a letter from the Town of Cortlandt regarding the request for clustering for the proposed Lockwood Estates subdivision.

December 18, 2008

3

Mr. Capellini stated that the Planning Board cannot study clustering for this proposed subdivision without the Town Board's approval.

Supervisor Roker asked if the Planning Board could request that the applicant do two

DEIS studies.

Councilman Campisi asked if the Planning Board could prohibit a road from going through to Cortlandt. Planning Director John Tegeder said that restrictions could be placed in the approving resolution.

Town Attorney Sweeny gave an overview of the project.

Supervisor Roker asked Environmental Consultant Bruce Barber to take a look at the proposed subdivision.

Councilman Metz suggested having the Planning Board study both a conventional and clustering layout.

Mr. Daniels, member of the Conservation Board stated he is concerned with the stream and feels that the buffer should be moved back.

Councilman Martorano asked Mr. Daniels if he supports clustering. Mr. Daniels stated that he is in favor of clustering.

Ms. Schwab stated that she was Town Clerk when clustering was adopted. The Planning Board reviews the proposed subdivision and makes a recommendation to the Town Board on whether clustering should be used. The use of clustering is to conserve sensitive areas. Clustering provides for more green space and should be considered.

Ms. Seigel explained clustering and agreed that the Town Board should consider having the Planning Board look at clustering.

Mr. Dineen stated that the Board should encourage the use of clustering not discourage it. The Town Board can make contingency's in the resolution.

Mr. Moskowitz, member of the Open Space Committee stated that he is in favor of preserving open space and the Town Board should consider clustering.

Supervisor Roker asked Acting Town Engineer Sharon Robinson if the Town has had stream crossing with sewer pipes.

Acting Town Engineer Sharon Robinson stated that it has been done on many occasions and she knows of no breaks.

Mr. Patel stated that he supports clustering because it protects the environment.

Mr. Belfer stated that the Community Housing Board encourages clustering. It preserves open space and sensitive areas.

Mr. Capellini stated that any conditions would have to be presented to his client. The applicant would then have to make a decision on whether or not to proceed.

Everyone present was given the opportunity to be heard and there being no further discussion the hearing was adjourned, Councilman Metz motioned, seconded by Councilman Martorano.

December 18, 2008

4

PUBLIC HEARING

UNSAFE STRUCTURE -1704 DECATUR ROAD

The unsafe structure has been removed. No other action is required.

DIRECTOR OF LABOR OPERATIONS

Supervisor Roker explained that the town decided during budget hearings to consolidate the workforce. This will provide the town with an efficient, effective workforce and save the town money.

Several people spoke in favor and against creating the position of Director of Labor Operations.

CREATE POSITION - DIRECTOR OF LABOR OPERATIONS
RESOLUTION #447

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

RESOLVED, that the Town Board appoints Eric DiBartolo, the elected Highway Superintendent, to concurrently serve as Director of Labor Operations. The appointment is effective January 1, 2008. The Director of Labor Operations shall serve at the pleasure of the Town Board and, subject to the Town Board's supervision and control, shall have the following duties:

- a) Have general authority and control over the staffs of the Environmental Conservation, Parks Water and Sewer Departments. The Director of Labor Operations shall oversee the proper fulfillment of all tasks and duties assigned to these departments. This general control and authority does not extend to current department heads.
- b) The authority to assign and reassign employees, including supervisory personnel within these departments, to ensure timely and workmanlike completion of the tasks and duties assigned to these departments. This authority does not extend to current department heads.
- c) The responsibility to make recommendations to the Town Board regarding the hiring, firing, discipline and most efficient use of department Labor resources.

FURTHER RESOLVED, that the title "Director of Labor Operations" is a functional title created to facilitate the efficient operation of Town Departments and is not intended to be an official title for civil service purposes.

Roker, Martorano, Bianco, Campisi, Metz Voting Aye.
Resolution adopted.

PUBLIC HEARING
PROPOSED LOCAL LAW MASTER METERS FOR SERVICE CONNECTIONS TO
COMMERCIAL PROPERTIES

Supervisor Roker convened a public hearing to consider a proposed local law to allow master connections to commercial properties. Affidavits of Publication and Posting were presented by the Town Clerk.

On behalf of the Town, Highway Superintendent Eric DiBartolo stated that by placing master meters in commercial establishments it will prevent theft of services and be more efficient. Mr. Brofsky stated that he takes care of the Triangle Shopping Center with regards to this issue and feels the town should give owners more time before having to change over. Mr. DiBartolo stated that it would not take effect until April 1, 2008.

December 18, 2008

5

Everyone present was given the opportunity to be heard and there being no further discussion the hearing was closed, Councilman Metz motioned, seconded by Councilman Martorano.

LOCAL LAW #16

MASTER METERS FOR SERVICE CONNECTIONS
TO COMMERCIAL PROPERTIES
RESOLUTION #448

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

WHEREAS a public hearing was held on the 18th day of December, 2007 pursuant to notice duly published as required by law to consider the adoption of a proposed Local Law amending Chapter 280 of the Code of the Town of Yorktown with regard to Master Meters for Service Connections to Commercial Properties, now therefore be it

RESOLVED that Local Law # 16/2007 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:

Supervisor Roker	Voting	Aye
Councilman Martorano	Voting	Aye
Councilman Bianco	Voting	Aye
Councilman Campisi	Voting	Aye
Councilman Metz	Voting	Aye

Local Law # 16/2007 was thereupon declared adopted.

ADVERTISE BID
SENIOR BUSES – PARKS AND RECREATION DEPARTMENT
RESOLUTION #449

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

The Town Clerk of the Town of Yorktown will receive bids for contracting bus service for various programs in the Yorktown Parks and Recreation Department. Bids may be made on a total per section basis, a group basis, or the total bid. The Town reserves the right to award the bid(s) on a lowest cost per section basis, a lowest cost for a group of sections basis or the lowest cost for a total bid. Section I: School Buses – Potential Senior Trips; Section II: Coaches - Senior Citizen Trips; Section III: Potential Senior Citizen Trips using Coach. This is an eleven (11) month contract starting February 1, 2008 and ending on December 31, 2008. Bids will be received until 11:00am on Tuesday, January 15, 2008.

All bid prices should include tolls and parking for buses for each trip. If the Bidder cannot meet demand of buses needed for that day, it is the Bidder's responsibility to sub-contract to meet the demand. All coaches should have working air conditioning and a step or stool for access onto the bus. If planned trips do not fill, the amount of buses will be reduced or cancelled.

For coaches where no dates are given, the Town is seeking a price on the trip destination in case the destination is selected at a later date or used to replace another trip. The Bidder is responsible to sub-contract if they are unable to meet demand for any day scheduled.

December 18, 2008

6

Upon the award of the bus bid, the bus company must submit insurance certificates indicating coverage provided pursuant to section XVIII of the General Terms and Conditions of Bid.

Roker, Martorano, Bianco, Campisi, Metz Voting Aye.
Resolution adopted.

ADVERTISE BID
2008 POLICE VEHICLES – POLICE DEPARTMENT
RESOLUTION #450

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

NOTICE IS HEREBY GIVEN that sealed proposals will be received by the Town Clerk of the Town of Yorktown, Westchester County, New York at the Town Hall, 363 Underhill Avenue, Yorktown Heights, New York until 2:00 o'clock PM on the 19th day of February, 2008 for the furnishing and delivering of marked and unmarked police patrol cars for the use by the Police Department of the Town of Yorktown along with approximately fifteen (15) other communities and other qualifying police agencies in the State of New York.

The number of units listed is approximate and may increase or decrease. The exact sum of the award will be the total of the orders placed during the contract period. All bidders hereby waive claims for damages by reason of any changes in the estimated quantities.

Specifications may be obtained at the office of the Town Clerk in the said Town Hall.

The Bidder assumes the risk of any delay in the mail or in the handling of the 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 the bids in at the time and place specified above.

The Town Board of the Town of Yorktown along with the other communities reserves the right to reject any and all bids and to accept that bid which is deemed most favorable to the interests of the said Towns.

Roker, Martorano, Bianco, Campisi, Metz Voting Aye.
Resolution adopted.

ADVERTISE BID
ANNUAL MAINTENANCE AND EMERGENCY ON-CALL SERVICE FOR TOWN
BOILERS AND FURNACES
RESOLUTION #451

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

Sealed proposals will be received by the Town Clerk, Town of Yorktown, in the Town Hall, 363 Underhill Avenue, Yorktown Heights, New York, until 2:00 p.m. on the 2nd day of January 2008 for Annual Maintenance and Emergency On-Call Service for Town Boilers and Furnaces.

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

The bidder assumes the risk of any delay in the mail, or in the handling of mail by the employees of the Town of Yorktown. Whether sent by mail or means of personal delivery, the bidder assumes the responsibility for having the bids in on the time and the place specified above.

December 18, 2008

7

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

Roker, Martorano, Bianco, Campisi, Metz Voting Aye.
Resolution adopted.

ADVERTISE BID
FURNISHING AND DELIVERING OF NO. 2 FUEL OIL

TO VAROUIS TOWN BUILDINGS

RESOLUTION #452

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

Sealed proposals will be received by the Town Clerk, Town of Yorktown, in the Town Hall, 363 Underhill Avenue, Yorktown Heights, New York, until 2:00 p.m. on the 2nd day of January 2008 for furnishing and delivering No. 2 Fuel Oil to various Town Buildings.

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

The bidder assumes the risk of any delay in the mail, or in the handling of mail by the employees of the Town of Yorktown. Whether sent by mail or means of personal delivery, the bidder assumes the responsibility for having the bids in on 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 interest of the Town of Yorktown.

Roker, Martorano, Bianco, Campisi, Metz Voting Aye.
Resolution adopted.

SET PUBLIC HEARING

AMENDING CHAPTER 275 WITH RESPECT TO LIMITING PARKING ON FLAGG PLACE

RESOLUTION #453

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

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 15th day of January, 2008 at 7:30 o'clock P.M., or as soon thereafter as the same can be heard, to consider amending Chapter 275 of the Code of the Town of Yorktown.

Section I - Chapter 275, Section 275-4 (E)(2) of the Code of the Town of Yorktown is hereby amended by adding the following to the list of streets where no vehicle shall be parked, stored or left standing during school days only between the hours of 7:00 a.m. to 2:00 p.m.:

Flagg Place, both sides, from the intersection of Crompond Road
(U.S. Route 202) to the intersection Locksley Road

A copy of the proposal is on file in the Town Clerk's Office in the Town Hall, 363 Underhill Avenue, Yorktown Heights, New York, where the same may be inspected during regular office hours.

All persons in interest and citizens may be heard at the public hearing to be held as aforesaid.

Roker, Martorano, Bianco, Campisi, Metz Voting Aye.
Resolution adopted.

December 18, 2008

8

SET PUBLIC HEARING

AMENDING CHAPTER 300-21 (15) BY ADDING PERSONAL SERVICE ESTABLISHMENTS TO THE OFFICE DISTRICT AS A PERMITTED USE

RESOLUTION # 454

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

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 15th day of January, 2008 at 7:30 o'clock PM, or as soon thereafter as the same can be heard, to consider the adoption of a proposed Local Law amending Chapter 300 of the Code of the Town of Yorktown with regard to adding personal service establishments to the Office District as a permitted Use.

A copy of the proposed Local Law is on file in the office of the Town Clerk, at the said Town Hall, where the same may be inspected during regular office hours.

All persons in interest and citizens may be heard at the public hearing to be held as aforesaid.

Roker, Martorano, Bianco, Campisi, Metz Voting Aye.
Resolution adopted.

AWARD BID
VAROUI MATERIALS/RENTAL EQUIPMENT
RESOLUTION #455

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

WHEREAS, invitation to bid for materials and equipment for use by the Town of Yorktown, was duly advertised and

WHEREAS, said bids were received and opened on the eleventh day of December, 2007, NOW THEREFORE BE IT

RESOLVED, that upon the recommendation of the Superintendent of Highways the bids be and are hereby awarded as indicated on the annexed list entitled Materials Equipment Bid 2007 to 2008.

Roker, Martorano, Bianco, Campisi, Metz Voting Aye.
Resolution adopted.

AWARD BID
TWO – FORD 350 TRUCKS – HIGHWAY DEPARTMENT
RESOLUTION #456

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

Bids were received December 11, 2007 for three 2008 Ford F350 XL Trucks for the Water Department and are summarized as follows:

<u>NAME OF BIDDER</u>		<u>TOTAL AMOUNT OF BID</u>
Interstate Ford Truck Sales	(2) XLT	\$77,728.00 (Highway Dept)

RESOLVED, that the Town Board awards the three 2008 ford F350 XLT Trucks to Interstate Ford Truck Sales, 45 Brainard Rd., Hartford, CT 06144 in the amount of \$101,982.00, as the lowest bidder.

Roker, Martorano, Bianco, Campisi, Metz Voting Aye.
Resolution adopted.

December 18, 2008

9

AWARD BID
THREE – FORD 350 TRUCKS – WATER DEPARTMENT
RESOLUTION #457

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

Bids were received December 11, 2007 for three 2008 Ford F350 XL Trucks for the Water Department and are summarized as follows:

<u>NAME OF BIDDER</u>		<u>TOTAL AMOUNT OF BID</u>
Interstate Ford Truck Sales	(3) XL	\$101,982.00 (Water Dept)

RESOLVED, that the Town Board awards the three 2008 ford F350 XL Trucks to Interstate Ford Truck Sales, 45 Brainard Rd., Hartford, CT 06144 in the amount of \$101,982.00, as the lowest bidder.

Roker, Martorano, Bianco, Campisi, Metz Voting Aye.
Resolution adopted.

AWARD BID

BOILER REPLACEMENT – YCCC BUILDING – CAPITAL PROJECT #07-3
ENGINEERING SDEPARTMENT
RESOLUTION #458

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

Bids were received November 30, 2007 for the replacement of two boilers at the Yorktown Community and Cultural Center, Capital Improvement Project #07-3, and are summarized as follows:

<u>NAME OF BIDDER</u>	<u>TOTAL AMOUNT OF BID</u>
Mengler Mechanical, Inc.	\$470,500.00
Sun-Dance Energy Contractors, Inc.	\$477,575.00
Southeast Mechanical Corp.	\$526,350.00
D.P. Wolff, Inc.	\$537,194.00
Clean Air Quality Service, Inc.	\$546,706.00

RESOLVED, that the bid for the replacement of two boilers at the Yorktown Community and Cultural Center, Capital Improvement Project #07-3, be awarded to Mengler Mechanical, Inc., the low bidder, at the total bid price of \$470,500.00.

Roker, Martorano, Bianco, Campisi, Metz Voting Aye.
Resolution adopted.

AWARD BID

SKATE PARK EQUIPMENT – PARKS AND RECREATION DEPARTMENT
RESOLUTION #459

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

WHEREAS, Bids were received on Monday, October 1, 2007 for the purchase and installation of skate park equipment and

WHEREAS, the lowest responsive bid from a responsible bidder was submitted by Raymond Michael, Ltd, in the amount of \$163,541.00; NOW, THEREFORE, BE IT HEREBY

December 18, 2008

10

RESOLVED, that upon recommendation of Deputy Town Attorney John Buckley, the bid is hereby awarded to Raymond Michael, Ltd., the lowest responsible bidder, in the amount of \$163,541.00.

Roker, Martorano, Bianco, Campisi, Metz Voting Aye.
Resolution adopted.

APPOINTMENT PARKS AND RECREATION COMMISSION

LISA STAMATELOS
RESOLUTION #460

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

BE IT RESOLVED, that Lisa Stamatelos is hereby re-appointed as a member of the Parks and Recreation Commission for a seven year term expiring on 12/31/2014

Martorano, Bianco, Campisi, Metz Voting Aye.
Resolution adopted.

RESIGNATION
CHRIS MILLER – JOHN C. HART MEMORIAL LIBRARY

Chris Miller tendered his resignation from the John C. Hart Memorial Library.

RESIGNATION
WILBERTO SAEZ – POLICE DEPARTMENT

Wilberto Saez tendered his resignation as a Police Officer for the Town of Yorktown.

REQUEST TO CARRYOVER VACATION TIME
ROBYN STEINBERG – PLANNING DEPARTMENT
RESOLUTION #461

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

BE IT RESOLVED that the Town Board authorizes Robyn Steinberg to carry over four (4) vacation days into 2008 to be used in 2008.

Roker, Martorano, Bianco, Campisi, Metz Voting Aye.
Resolution adopted.

REQUEST TO CARRYOVER VACATION TIME
GLEN CAMERON – HIGHWAY DEPARTMENT
RESOLUTION #462

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

BE IT RESOLVED that the Town Board authorizes Glenn Cameron to carry over 52.5 hours of vacation time into 2008 to be used in 2008.

Roker, Martorano, Bianco, Campisi, Metz Voting Aye.
Resolution adopted.

December 18, 2008 11
REQUEST TO CARRYOVER VACATION TIME
CHARLIE VILARNO – HIGHWAY DEPARTMENT
RESOLUTION #463

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

BE IT RESOLVED that the Town Board authorizes Charlie Vilarino to carry over 52.5 hours of vacation time into 2008, to be used in 2008.

Roker, Martorano, Bianco, Campisi, Metz Voting Aye.
Resolution adopted.

REQUEST TO CARRYOVER VACATION TIME
PATRICIA CAPORALE – FINANCE DEPARTMENT
RESOLUTION #464

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

BE IT RESOLVED that the Town Board authorizes Patricia Caporale to carry over eight (8) vacation days into 2008, to be used in 2008.

Roker, Martorano, Bianco, Campisi, Metz Voting Aye.
Resolution adopted.

REQUEST TO CARRYOVER VACATION TIME
JANET PROTANO – SUPERVISOR’S OFFICE
RESOLUTION #465

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

BE IT RESOLVED that the Town Board authorizes Janet Protano to carry over three (3) vacation days into 2008, to be used in 2008.

Roker, Martorano, Bianco, Campisi, Metz Voting Aye.
Resolution adopted.

REQUEST TO CARRYOVER VACATION TIME
KATHIE NICHOLSON – SUPERVISOR’S OFFICE
RESOLUTION #466

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

BE IT RESOLVED that the Town Board authorizes Kathie Nicholson to carry over three (3) vacation days into 2008, to be used in 2008.

Roker, Martorano, Bianco, Campisi, Metz Voting Aye.
Resolution adopted.

REQUEST TO CARRYOVER VACATION TIME
STUART SOUTH – BUILDING MAINTENANCE
RESOLUTION #467

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

BE IT RESOLVED that the Town Board authorizes Stuart South to carry over seven (7) vacation days into 2008, to be used in 2008.

Roker, Martorano, Bianco, Campisi, Metz Voting Aye.
Resolution adopted.

December 18, 2008

12

REQUEST TO CARRYOVER VACATION TIME
JOSEPH HUGHES – BUILDING DEPARTMENT
RESOLUTION #468

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

BE IT RESOLVED that the Town Board authorizes Joseph Hughes to carry over 35 hours of vacation time into 2008, to be used in 2008.

Roker, Martorano, Bianco, Campisi, Metz Voting Aye.
Resolution adopted.

LANDSCAPE BOND RELEASE
MARIA SPAGNOLI – ILLINGTON ROAD - \$300.00
RESOLUTION #469

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

WHEREAS, Maria Spagnoli, as applicant, heretofore filed Landscape Bond #2214, on January 14, 2003, in the amount of \$300.00, which was deposited into the T-30 account, 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, #2214, in the amount of \$300.00 be and is hereby released to Ms. Maria Spagnoli.

Roker, Martorano, Bianco, Campisi, Metz Voting Aye.
Resolution adopted.

AUTHORIZE SUPERVISOR TO SIGN
ADDITION TO THE PROFESSIONAL SERVICES AGREEMENT WITH STEARNS
AND WHELER FOR THE WATER POLLUTION CONTROL PLANT
IMPROVEMENT PROJECT FOR SCADA PROGRAMMING
RESOLUTION #470

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

WHEREAS, the NYC DEP has authorized the scope of work of Amendment No. 2 for SCADA programming as additional services, and will fully fund the costs associated with the services, NOW, THEREFORE BE IT

RESOLVED, that the Town Board authorizes the Town Supervisor to sign an amendment to the Professional Services Agreement for Engineering Services for SCADA Programming at the Water Pollution Control Plant as part of the improvement project.

Roker, Martorano, Bianco, Campisi, Metz Voting Aye.
Resolution adopted.

December 18, 2008

13

AUTHORIZE SUPERVISOR TO SIGN
CHANGE ORDER #3 WITH CARLIN CONTRACTING – CONTRACT #1 GENRAL –
FOR THE WPC IMPROVEMENT PROJECT- INSTALLATION OF MODIFIED
SAND FILTER PIPING, IN THE AMOUNT OF \$4,647.00
RESOLUTION #471

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

WHEREAS, the NYC DEP has authorized the scope of work as additional services and will fully fund the costs associated with Change Order NO. 3, NOW, THEREFORE BE IT

RESOLVED, that the Town Board authorizes the Town Supervisor to sign a

Change Order (#3) with Carlin Contracting Co., Inc., for the WPC Improvement Project, for the installation of modified sand filter piping, in the amount of \$4,647.00.

Roker, Martorano, Bianco, Campisi, Metz Voting Aye.
Resolution adopted.

AUTHORIZE SUPERVISOR TO SIGN
CHANGE ORDER #4 WITH CARLIN CONTRACTING – CONTRACT #1 GENRAL –
FOR THE WPC IMPROVEMENT PROJECT- ADDITIONAL ROCK REMOVAL &
SPECIAL PIPE BEDDING, IN THE AMOUNT OF \$31,792.00
RESOLUTION #472

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

WHEREAS, the NYC DEP has authorized the scope of work as additional services and will fully fund the costs associated with Change Order No. 4, NOW, THEREFORE BE IT

RESOLVED, that the Town Board authorizes the Town Supervisor to sign a Change Order (#4) with Carlin Contracting Co., Inc., for the WPC Improvement Project, for additional rock removal & special pipe bedding, in the amount of \$31,792.00.

Roker, Martorano, Bianco, Campisi, Metz Voting Aye.
Resolution adopted.

AUTHORIZE SUPERVISOR TO SIGN
PROFESSIONAL SERVICES AGREEMENT WITH PUBLIC SECTOR HR FOR THE
PURPOSE OF CREATING A WORKPLACE VIOLENCE PREVENTION PROGRAM
RESOLUTION #473

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

BE IT RESOLVED, that the Town Supervisor is hereby authorized to sign a Professional Services Agreement between the Town of Yorktown and Public Sector HR, located at 14 Knollwood Drive, Glenville, New York for the purpose of creating a Workplace Violence Prevention Program in the Town of Yorktown.

Roker, Martorano, Bianco, Campisi, Metz Voting Aye.
Resolution adopted.

COMPREHENSIVE PLAN SGEIS FUND AUTHORIZATION
RESOLUTION #474

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

WHEREAS, the Town Board has previously approved a project to create a new Comprehensive Plan for the Town of Yorktown; and

December 18, 2008

14

WHEREAS, the Town Board authorized the project as a capital project with allocations funded from the General Fund Balance; and

WHEREAS, the project requires additional planning services, traffic engineering services, and legal services; and

WHEREAS, the Town's three consultants have submitted expenses for the extra required work as follows:

Phillips Preiss Shapiro Associates (PPSA)	\$45,000
Eng Wong Taub & Associates (EWT)	\$25,000
Sive, Paget & Riesel P. C. (SPR)	<u>\$50,000</u>
	\$120,000

BE IT HEREBY RESOLVED, that the Town Board of the Town of Yorktown hereby authorizes the budget increase for the additional service rendered by PPSA, EWT, and SPR for a total of \$120,000.

Roker, Martorano, Bianco, Campisi, Metz Voting Aye.
Resolution adopted.

REFUND DUPLICATE TAX PAYMENT
RESOLUTION #474

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

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>
2007 Sch 21	15.16-1-31	0565000	\$5,458.06

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

Roker, Martorano, Bianco, Campisi, Metz Voting Aye.
Resolution adopted.

REFERRAL – WETLANDS PERMIT APPLICATION
PLANAMENTO – 3083 OAK STREET
RESOLUTION #475

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

WHEREAS, Vito Planamento has made a request for a wetlands permit for property located at 3083 Oak Street in the Town of Yorktown for a proposed extension to a single family residence.

This application will be referred out to the following agencies:

Town Board
Town Engineer
Town Attorney
Environmental Consultant
New York State Department of Environmental Conservation
New York City Department of Environmental Protection
Planning Department

December 18, 2008 15

Planning Board
Conservation Board
Building Inspector

Roker, Martorano, Bianco, Campisi, Metz Voting Aye.
Resolution adopted.

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

Ms. Schwab suggested advertising for heating oil in the summer when prices may be cheaper.

MONTHLY REPORTS

Receiver of Taxes (2)

Building Department – Permit Cost Report November

ADJOURN

Upon motion made by Councilman Bianco, seconded by Councilman Martorano, the Town Board meeting was adjourned.

Diana L. Quast
Town Clerk
Town of Yorktown