

Regular meeting held by the Town Board,
Town of Yorktown on February 6, 2007 held at
Town Hall, Yorktown Heights, NY.

Present: Linda G. Cooper, Supervisor
James J. Martorano, Councilman
Nicholas J. Bianco, Councilman
Matthew P. Metz, Councilman
Alice E. Roker, Town Clerk

Absent: Louis J. Campisi, Councilman

TOWN BOARD MEETING

Supervisor Linda G. Cooper called the meeting to order. Town Attorney Kevin Sweeny was also present.

PLEDGE OF ALLEGIANCE

The Yorktown Police Department's Honor Guard and two Boy Scouts, Jason and John Davin led the salute to the flag.

MOMENT OF SILENCE

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

Jason and his brother John Davin explained that they were attending tonight's board meeting as a requirement for their Communication Badge.

DURING HER REPORT TO TOWN, Supervisor Linda Cooper spoke about upcoming events at the Yorktown Stage including this coming weekend's presentation of Pinocchio. She also announced that several senior clubs are sponsoring a trip to Foxwoods, anyone can sign up.

DURING THE COUNCIL'S REPORTS TO THE TOWN, Councilman Nicholas Bianco announced that Governor Spitzer has come out with a new formula for school aid. Residents should ask their individual school district how the new formula will effect them.

Police Chief McMahon stated that Robert Pavletich graduated from Westchester Community College with an Associate's Degree in Criminal Justice. He is currently a student at John Jay College of Criminal Justice working on his Bachelors Degree. Mr. Pavletich began his career in law enforcement in Scarsdale in 2002 and later transferred to New York City where he worked out of the 43rd Precinct in the Bronx. He was an

instructor for the New York City Police Department in CPR as well as Critical Needs Management.

APPOINTMENT- POLICE DEPARTMENT

ROBERT PAVLETICH

RESOLUTION #42

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

BE IT RESOLVED, that Robert Pavletich of Yorktown Heights, is hereby appointed Police Officer in the Town of Yorktown from Eligible List No. 67-782 effective February 7, 2007 to be paid \$32,297 annually.

BE IT FURTHER RESOLVED, that this appointment is subject to a probationary period of not less than 12 nor more than 78 weeks.

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

Officer Pavletich thanked the Town Board for the opportunity to serve his home town.

POLICE DEPARTMENT AWARDS

Lieutenant Robert Noble handed out several awards.

The Civilian Award was given to Community Service Worker Christine Barber in connection with her actions during a structural fire at a Pet Shop in Mohegan Lake. Due to the actions of Ms. Barber, Sgt. James Graham, Police Officers Patrick Kaley, and Mark Rapisarda the lives of many animals were saved.

A Life Saving Award was given to Officers Justin Foley and Brian Shanahan who saved the life of an unresponsive woman at Charlie Brown's on September 30, 2005.

An Excellent Police Service Award went to Officers Jason Swart, Justin Foley, and Harry Mackay along with Sgt. Kevin Soravilla for their work on the night of January 13, 2006 apprehending a violent drug dealer.

APPOINTMENT - DEPUTY TOWN ATTORNEY

TARA LUPOLI, ESQ.

RESOLUTION #43

Upon motion of Councilman Bianco, seconded by Councilman Martorano,

RESOLVED, that Tara Lupoli, Esq. is hereby appointed, effective January 29, 2007, to serve as Deputy Town Attorney; and be it further

RESOLVED, that the terms of Ms. Lupoli's employment shall include the following:

Ms. Lupoli shall be a full-time employee of the Town and shall devote her full time and professional attention to her employment by the Town. She shall not be permitted to engage in the outside practice of law, except for members of her immediate family, so long as she is serving as Deputy Town Attorney.

Ms. Lupoli shall be compensated at the rate of \$46,508 per year, payable bi-weekly at the same time as other employees of the Town.

The term of Ms. Lupoli's appointment as Deputy Town Attorney shall be at the pleasure of the Town Board.

It shall not be a requirement of this appointment that the Deputy Town Attorney reside in the Town of Yorktown.

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

CERTIFICATE OF APPRECIATION
EDWARD KILLEEN

Supervisor Cooper gave a key to the Town of Yorktown and read the following Certificate of Appreciation honoring Edward Killeen:

For giving so much of yourself on behalf of the people of the Town of Yorktown, for your invaluable service as the first Co-Chair of the Advisory Committee on Open Space. You have made your Town proud! Yorktown is a better place to live as a result of your efforts. Thank you and Good Luck as you begin your next adventure.

Mr. Killeen thanked the Town Board for giving him the opportunity to serve on this board. He then explained the role that open space has played in the Town of Yorktown throughout its two hundred year history.

APPOINTMENT
OPEN SPACE COMMITTEE
JOHN E. SCHROEDER
RESOLUTION #44

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

BE IT RESOLVED, that John E. Schroeder be re-appointed as a member of the Open Space Committee for a three year term expiring on 12/31/10.

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

APPOINTMENT
OPEN SPACE COMMITTEE
CHARLES J. SHELD
RESOLUTION #45

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

BE IT RESOLVED, that Charles J. Sheld be appointed as a member of the Open Space Committee for a three year term expiring on 12/31/09.

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

APPOINTMENT
OPEN SPACE COMMITTEE
JOHN SETTEMBRINO - CO - CHAIR
RESOLUTION #46

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

BE IT RESOLVED, that John Settembrino be re-appointed as a member of the Open Space Committee for a three year term expiring on 12/31/10.

BE IT FURTHER RESOLVED, that John Settembrino be appointed as Co-Chair of the Open Space Committee.

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

APPOINTMENT
OPEN SPACE COMMITTEE
WALT DANIELS - CO-CHAIR
RESOLUTION #47

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

BE IT RESOLVED, that Walt Daniels be re-appointed as a member of the Open Space Committee for a three year term expiring on 12/31/10.

BE IT FURTHER RESOLVED, that Walt Daniels be re-appointed as Co-Chair of the Open Space Committee.

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

APPOINTMENT
PARKS AND RECREATION COMMISSION
PAUL TETRO

RESOLUTION #48

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

BE IT RESOLVED, that Paul Tetro be re-appointed as a member of the Parks and Recreation Commission for a seven year term expiring on 12/31/13.

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

APPOINTMENT

PARKS AND RECREATION COMMISSION

LISA STAMATELOS

RESOLUTION #49

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

BE IT RESOLVED, that Lisa Stamatelos be appointed as a member of the Parks and Recreation Commission to fulfill the unexpired term of Regina Poltrack expiring on 12/31/2007.

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

APPOINTMENT

PARKS AND RECREATION COMMISSION

ROBERT GIRONDA

RESOLUTION #50

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

BE IT RESOLVED, that Robert J. Gironda be appointed as a member of the Parks and Recreation Commission to fulfill the unexpired term of Michael Sitzer expiring on 12/31/2008.

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

PUBLIC HEARING

PROPOSED LOCAL LAW AMENDING CHAPTER 260

EXEMPTIONS FOR SENIORS WITH LIMITED INCOMES

Supervisor Cooper called to order a public hearing to consider the proposed local law amending Chapter 260 of the Code of the Town of Yorktown with regards to exemptions for Seniors with Limited Income. The Town Clerk presented affidavits of printing and publication.

Yorktown Assessor Robert Killeen spoke about the current law which helps 509 property owners who are seniors and 13 property owners with disabilities.

LOCAL LAW #2
AMENDING CHAPTER 260
EXEMPTIONS FOR SENIORS WITH LIMITED INCOMES
RESOLUTION #51

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

WHEREAS a public hearing was held on the 6TH day of February, 2007 pursuant to notice duly published as required by law to amend Chapter 260 of the Code of the Town of Yorktown with regards to Exemptions for Seniors with Limited Incomes.

RESOLVED that Local Law # 2/2007 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 Cooper	Voting	Aye
Councilman Martorano	Voting	Aye
Councilman Metz	Voting	Aye
Councilman Campisi	Voting	Aye
Councilman Bianco	Voting	Aye

Local Law # 2 of 2007 was thereupon declared duly adopted.

PUBLIC HEARING
PROPOSED LOCAL LAW AMENDING CHAPTER 260
EXEMPTIONS FOR SENIORS WITH LIMITED INCOME
LIVING IN COOPERATIVE APARTMENTS

Supervisor Cooper called to order a public hearing to consider the proposed local law amending Chapter 260 of the Code of the Town of Yorktown with regards to exemptions for Seniors with Limited Income in Cooperative Apartments. The Town Clerk presented affidavits of printing and publication.

LOCAL LAW #3
AMENDING CHAPTER 260
EXEMPTIONS FOR SENIORS WITH LIMITED INCOME
LIVING IN COOPERATIVE APARTMENTS
RESOLUTION #52

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

WHEREAS a public hearing was held on the 6TH day of February, 2007 pursuant to notice duly published as required by law to amend Chapter 260 of the Code of the Town of Yorktown with regards to Exemptions for Seniors with Limited Incomes living in cooperative apartments.

RESOLVED that Local Law # 3/2007 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 Cooper	Voting	Aye
Councilman Martorano	Voting	Aye
Councilman Metz	Voting	Aye
Councilman Campisi	Voting	Aye
Councilman Bianco	Voting	Aye

Local Law #3 of 2007 was thereupon declared duly adopted.

PUBLIC HEARING
PROPOSED LOCAL LAW AMENDING CHAPTER 260
EXEMPTIONS FOR DISABLED PERSONS

Supervisor Cooper called to order a public hearing to consider the proposed local law amending Chapter 260 of the Code of the Town of Yorktown with regards to exemptions for Disabled Persons. The Town Clerk presented affidavits of printing and publication.

LOCAL LAW #4
AMENDING CHAPTER 260
EXEMPTIONS FOR DISABLED PERSONS
RESOLUTION #53

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

WHEREAS a public hearing was held on the 6TH day of February, 2007 pursuant to notice duly published as required by law to amend Chapter 260 of the Code of the Town of Yorktown with regards to Exemptions for Disabled Persons.

RESOLVED that Local Law # 4/2007 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 Cooper	Voting	Aye
Councilman Martorano	Voting	Aye
Councilman Metz	Voting	Aye
Councilman Campisi	Voting	Aye
Councilman Bianco	Voting	Aye

Local Law # 4 of 2007 was thereupon declared duly adopted.

PUBLIC HEARING
PROPOSED LOCAL LAW AMENDING CHAPTER 275-4J
MAINTENANCE OF COMMERCIAL VEHICLES PARKED
ON RESIDENTIAL STREETS

Councilman Metz called to order a public hearing to consider the proposed local law amending Chapter 275-4J of the Code of the Town of Yorktown relating to the maintenance of commercial vehicles parked on residential streets. The Town Clerk presented affidavits of printing and publication.

LOCAL LAW #5
AMENDING CHAPTER 275-4J
MAINTENANCE OF COMMERCIAL VEHICLES PARKED
ON RESIDENTIAL STREETS
RESOLUTION #54

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

WHEREAS, a public hearing was held on the 6TH day of February, 2007 pursuant to notice duly published as required by law amending Chapter 275-4J of the Code of the Town of Yorktown relating to the maintenance of commercial vehicles parked on residential streets.

RESOLVED, that Local Law # 5/2007 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 Cooper	Voting	Aye
Councilman Martorano	Voting	Aye
Councilman Metz	Voting	Aye
Councilman Campisi	Voting	Aye
Councilman Bianco	Voting	Aye

Local Law #5 of 2007 was thereupon declared duly adopted.

PUBLIC HEARING
PROPOSED LOCAL LAW AMENDING CHAPTER 275-6
ADDING A STOP SIGN AT THE INTERSECTION OF COMMERCE STREET
AND HANOVER STREET

Councilman Metz called to order a public hearing to consider the proposed local law amending Chapter 275-6 of the Code of the Town of Yorktown relating to adding a stop sign at the intersection of Commerce Street and Hanover Street. The Town Clerk presented affidavits of printing and publication.

Councilman Metz explained that traffic situation in this area is still not perfect, but this stop sign should make the area safer for people driving down Hanover Street and making a left hand turn onto Commerce Street.

LOCAL LAW # 6
AMENDING CHAPTER 275-6
ADDING A STOP SIGN AT THE INTERSECTION OF COMMERCE STREET
AND HANOVER STREET
RESOLUTION #55

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

WHEREAS a public hearing was held on the 6TH day of February, 2007 pursuant to notice duly published as required by law by amending the Code of the Town of Yorktown adding a stop sign at the intersection of Commerce Street and Hanover Street.

RESOLVED that Local Law # 6/2007 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 Cooper	Voting	Aye
Councilman Martorano	Voting	Aye
Councilman Metz	Voting	Aye
Councilman Campisi	Voting	Aye
Councilman Bianco	Voting	Aye

Local Law #6 of 2007 was thereupon declared duly adopted.

PUBLIC HEARING
PROPOSED LOCAL LAW AMENDING CHAPTER 300
CREATING A LIGHTING ORDINANCE

Supervisor Cooper called to order a public hearing to consider the proposed local law amending Chapter 300 of the Code of the Town of Yorktown creating a lighting ordinance. The Town Clerk presented affidavits of printing and publication.

Planning Director John Tegeder explained that this proposals sets standards for lighting at commercial sites.

Councilman Martorano asked how this would effect the lighting of a new ballfield proposed for his development.

Mr. Tegeder explained that lighting at ballfields near residential areas are shielded.

Mr. Robert Wolfe asked how this proposal effects lighting in residential areas?

Mr. Tegeder stated that this proposal only effects commercial zones.

Supervisor Cooper explained that the Town Board may consider a residential lighting ordinance.

SET PUBLIC HEARING

PROPOSED LOCAL LAW AMENDING CHAPTER 300-257

APPLICABILITY OF NEW AFFORDABLE HOUSING PROVISIONS

RESOLUTION #56

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 20th day of February, 2007 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, Section 300-257(B) by deleting the phrase "which has received preliminary subdivision approval by the Town of Yorktown Planning Board" and substituting in its place the following:

" proposal for which a Draft Environmental Impact Statement has already been accepted as complete and a public hearing has been conducted with respect thereto by the Town of Yorktown Planning Board pursuant to the New York State Environmental Quality Review Act as of the effective date of this article."

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. You may also visit Yorktown's website www.yorktownny.org, click on the [Legal Department Page and go to Legislation](#).

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

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

ADVERTISE TO BID FOR

TWO (2) 2008 F550 TRUCKS

RESOLUTION #57

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

NOTICE IS HEREBY GIVEN, that sealed proposals will be received by the Town Clerk, Town of Yorktown, Westchester County, NY until 10:00 a.m. on February 19th, 2007 at the Town Hall, 363 Underhill Avenue, Yorktown Heights, N.Y. 10598 for Two (2) Ford 2008 F550.

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

The Bidder assumes the risk of any delay in 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 the place specified above. All bids are to be returned to the Town Clerk, 363 Underhill Avenue, Yorktown Heights, NY 10598, marked: "Bid: Two (2) FORD 2008 F550."

The superintendent of Highways reserves the right to reject any and all bids and to accept that bid which is deemed most favorable to the interests of the Town of Yorktown.

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

ADVERTISE TO BID FOR
TWO (2) 9' COMBINATION SERVICE/DUMP BODY
RESOLUTION #58

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

NOTICE IS HEREBY GIVEN, that sealed proposals will be received by the Town Clerk, Town of Yorktown, Westchester County, NY until 10:00 a.m. on February 19th, 2007 at the Town Hall, 363 Underhill Avenue, Yorktown Heights, N.Y. 10598 for Two (2) 9' Combination Service /Dump Body.

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

The Bidder assumes the risk of any delay in 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 the place specified above. All bids are to be returned to the Town Clerk, 363 Underhill Avenue, Yorktown Heights, NY 10598, marked: "Bid: Two (2) 9' Combination Service /Dump Body."

The superintendent of Highways reserves the right to reject any and all bids and to accept that bid which is deemed most favorable to the interests of the Town of Yorktown.

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

AWARD BID FOR
2007 SUMMER PARKS AND RECREATION BROCHURE
RESOLUTION #59

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

WHEREAS, invitation to bid for the printing and delivering of the Parks and Recreation 2007 Summer Brochure, and

WHEREAS, said bids was received and opened on the 26th day of January 2007 and the bid results are as follows:

Courier Printing Corporation 241 Laurel Bank Ave. Deposit, NY 13754	BID: \$5,319.00 \$800.00 - for each additional 4 pages
ShopSmart Central 1520 Front Street Yorktown Heights, NY 10598	BID: \$5,888.00 \$198.00 - for each additional 4 pages
Five Star Graphics, Inc. dba Graphic Image 561 Boston Post Road Milford, CT 06460	BID: \$6,180.00 \$880.00 - for each additional 4 pages
Signature Press 1000 No. Division Street PO Box 2509 Peekskill, NY 10566	BID: \$7,400.00 \$498.00 - for each additional 4 pages
Accel Printing and graphics Corp. 128 Radio Circle Mount Kisco, NY 10549	BID: \$8,498.00 \$843.00 - for each additional 4 pages

Resolved, that upon recommendation from the Superintendent of Parks and Recreation, the lowest responsible bidder, Courier Printing Corporation be awarded the 2007 Summer Brochure Bid.

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

AWARD BID FOR
10' ALL SEASON BODY, POWER REVERSE PLOW,
CUSTOM LOW MOUNT HITCH AND CENTRAL HYDRAULIC SYSTEM
RESOLUTION #60

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

WHEREAS, invitation to bid for a 10' All Season Body, Power Reverse Plow, Custom Low Mount Hitch and Central Hydraulic System for use by the Highway Department, and was duly advertised, and

WHEREAS, said bids were received and opened on the 5th day of February, 2007 with the bid amounts for the above-referenced item are summarized as follows:

<u>BIDDER</u>	<u>AMOUNT</u>
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Amthor Welding Service Inc. \$ 65,857.00
Trius, Inc. \$ 65,887.00

WHEREAS, Amthor Welding Service Inc. did not meet the specification set forth by the bid,

RESOLVED, that Trius, Inc. met all bid specifications and that although they were not the low bidder, the Highway Superintendent requested and was granted the request that the bid be awarded to them for the amount of \$ 65,887.00.

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

AUTHORIZE SUPERVISOR SIGN
SEWER EASEMENT AGREEMENT
GLORIA MARKUSON - HUNTERBROOK #8 SEWER DISTRICT
RESOLUTION #61

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

RESOLVED, that the Town Board authorizes the Town Supervisor to sign a Sewer Easement Agreement with Gloria Markuson, for the installation of sanitary sewer within the proposed Hunterbrook #8 Sewer District.

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

AUTHORIZE SUPERVISOR SIGN
SEWER EASEMENT AGREEMENT
GLORIA MARKUSON - HUNTERBROOK #8 SEWER DISTRICT
RESOLUTION #62

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

WHEREAS, A. DeVito 7 Sons, Inc. As applicant for Guiding Eyes for the Blind, provided the Town with Check No. 13645, in the amount of \$7,500.00 to serve as the Performance Bond for work performed at the Granite Springs Road location, for their Certificate of Occupancy, NOW, THEREFORE BE IT,

RESOLVED, that Check No. 13645, in the amount of \$7,500.00, is hereby accepted to serve as the Performance Bond for the Guiding Eyes for the Blind Site Plan, for their Certificate of Occupancy.

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

ACCEPT WETLANDS BOND

YORKTOWN JEWISH CENTER SITE PLAN
RESOLUTION #63

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

WHEREAS, Yorktown Jewish Center, provided the town with Check No. 163, in the amount of \$4,000.00 to serve as the Wetland Bond for work performed at their Crompond Road location, NOW, THEREFORE BE IT,

RESOLVED, that Check No. 163, in the amount of \$4,000.00, is hereby accepted to serve as the Wetland Bond for the Yorktown Jewish Center Site Plan.

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

AUTHORIZE TRAFFIC STUDY
EDWARDS & KELSEY ESPOSITO PROPERTY
ROUTE 6 OLD FARM LANE
RESOLUTION #64

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

WHEREAS, The Town Board has of the Town of Yorktown desires to study the traffic impact of the proposed site plan known as Esposito Builders a.k.a. Yorktown Realty, LLC, proposed on the south side of Route 6, as it relates to the Route 202/35/6 BMP Sustainable Development Study; and

WHEREAS, Edwards & Kelcey, a planning and traffic consultant firm, has entered into an agreement with the Town of Yorktown to provide these services on an on-call basis which was authorized by the Town Board by resolution on March 16, 2004; and

WHEREAS, Edwards and Kelcey has submitted a proposal to provide the traffic analysis for the site plan pursuant to said on-call agreement for an amount not to exceed \$4,580.00 for the traffic analysis; now therefore

BE IT RESOLVED, that the Supervisor of the Town of Yorktown is hereby authorized to engage Edwards & Kelcey under the on-call agreement between them and the Town of Yorktown for the purpose of analyzing the traffic impacts of the commercial site plan know as Esposito Builders, in an amount not to exceed \$4,580.00 for the traffic analysis, and that the total cost shall be reimbursed by the applicant as part of the cost review.

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

AUTHORIZE SUPERVISOR SIGN
AGREEMENT WITH WESTCHESTER COUNTY
EMPLOYEE ASSISTANCE PROGRAM

RESOLUTION #65

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

BE IT RESOLVED, that the Town Supervisor is hereby authorized to sign an agreement between the County of Westchester Employee Assistance Program and the Town of Yorktown for administrative, managerial and referral services as required under the CSEA Bargaining Agreement effective January 1, 2007 terminating on December 31, 2009 in the amount of \$5,215.00.

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

AUTHORIZE SUPERVISOR SIGN
CONTRACT OF SALE - FOR PROPERTY LOCATED
SOUTHWEST OF CRYSTAL LAKE
RESOLUTION #66

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

RESOLVED, that the Supervisor is authorized and directed to sign a contract of sale whereby the town of Yorktown shall acquire from Ruth Wheat that certain parcel of unimproved land situated southwest of Crystal Lake and designated as section 27.11, Block 2, Lot 37 on the Tax map of the town of Yorktown.

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

AUTHORIZE SUPERVISOR SIGN
AGREEMENT WITH STUDENT ASSISTANCE SERVICES CORP.
FOR COALITION COORDINATOR
RESOLUTION #67

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

BE IT RESOLVED, that the Supervisor is hereby authorized to sign an agreement with Student Assistance Services Corp. For a coalition coordinator working to prevent juvenile alcohol and drug use.

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

AUTHORIZE NYSEG TO CONNECT TWO NEW
STREET LIGHTS AT ROUTE 202 AND 35
RESOLUTION #68

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

BE IT RESOLVED, that the Town Board authorizes NYSEG to connect two new street lights at Routes 202 and 35, which were installed by Verde Electric Co.

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

APPROVE SUSTAINABLE DEVELOPMENT STUDY
ROUTE 202/35/6 BYPASS REQUESTING THE CONSTRUCTION
OF THE BEAR MOUNTAIN PARKWAY EXTENSION
AND THE PRESERVATION OF THE NECESSARY RIGHT OF WAY
RESOLUTION #69

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

WHEREAS, (The Town of Cortlandt / City of Peekskill / Town of Yorktown) has participated in the Route 202 / 35 / 6 Bear Mountain Parkway Sustainable Development Study (SDS), which resulted in the Sustainable Development Plan dated March 2004; and

WHEREAS, the Sustainable Development Plan recommended that NYSDOT design and implement construction of the Bear Mountain Parkway (BMP) Extension between its existing terminus in Cortlandt and the Taconic State Parkway; and

WHEREAS, NYSDOT has determined that the projected alignment of the parkway east of Lexington Avenue at or near the Boundary between Cortlandt and Yorktown must be moved to the north of the existing right-of-way to avoid major impacts to wetlands; and

WHEREAS, it is considered important that the continued feasibility of a limited access highway be recognized in the consideration of all land use decisions; and

WHEREAS, NYSDOT Regional Director Bob Dennison has requested for the next alignment to be placed on official maps to assist in preservation of the necessary right-of-way;

RESOLVED, that (The Town of Cortlandt / City of Peekskill / Town of Yorktown) supports the construction of the BMP extension, will place the alignment on official maps and will take action to preserve the necessary right-of-way; and be it further

RESOLVED, that the NYSDOT provide conceptual or design engineering plans for the extension of the BMP as they become available for comment, and continue to engage in a dialogue with the City of Peekskill, the Town of Cortlandt and the Town of Yorktown at appropriate times as the design progresses and through regular meetings of the SDS Implementation Committee; and be it further

RESOLVED, that it is understood that a final decision as to the suitability of the design will be made by the NYSDOT in consultation with the City of Peekskill, the Town

of Cortlandt and the Town of Yorktown at the appropriate time during the Scoping and Environmental Phase of the BMP extension project.

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

APPROVE SUSTAINABLE DEVELOPMENT STUDY
ROUTE 6 BYPASS REQUESTING NYSDOT REDESIGN
THE EXISTING SEGMENT OF THE BEAR MOUNTAIN PARKWAY
TO ACCOMMODATE TRUCK TRAFFIC
RESOLUTION #70

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

WHEREAS, the Town of Cortlandt, City of Peekskill, Town of Yorktown has participated in the Route 6 / 35 / 202 Bear Mountain parkway Sustainable Development Study (SDS), which resulted in the Sustainable Development Plan dated March 2004; and

WHEREAS, the SDS recommended that NYSDOT design and implement safety improvements along the existing Bear Mountain Parkway (BMP), and incorporate the findings of the Bear Mountain Parkway Truck Analysis undertaken as part of the SDS, and

WHEREAS, under current regulations, truck traffic is permitted on the Bear Mountain Parkway (BMP) during overnight hours, from 7PM to 7AM, but not during daytime hours, and

WHEREAS, the BMP Truck Analysis Report (dated September 2002) identified a potential to re-route approximately 1,000 - 1,300 commercial vehicles per day from the Route 6, 35 and 202 corridors in Peekskill and western Cortlandt onto the Bear Mountain Parkway, and smaller numbers of commercial vehicles from other arterial corridors such as Lexington Avenue (on the Cortlandt/Yorktown border) and Oregon Avenue in Cortlandt; and

WHEREAS, NYSDOT Regional Director Robert Dennison has requested resolutions from such municipalities that they support the concept of reconstructing the existing BMP to allow trucks, during daytime hours, to bypass the existing truck corridor, which now runs along Routes 6, 35, and 202 in the City of Peekskill and the Town of Cortlandt; NOW, THEREFORE BE IT HEREBY

RESOLVED, that (The Town of Cortlandt / City of Peekskill / Town of Yorktown) supports the concept of reconstructing the BMP to allow trucks during daylight hours; and

That NYSDOT provide conceptual or design engineering plans for the reconstruction of the Bear Mountain Parkway as they become available for comment, and continue to engage in a dialogue with (The Town of Cortlandt / City of Peekskill / Town of Yorktown) at appropriate times as the design progresses, and through the regular meetings of the Implementation Committee. It is understood that a final decision as to

the suitability of the BMP for trucks will be made by the NYSDOT in consultation with the (Town of Cortlandt / City of Peekskill / Town of Yorktown) at the appropriate time during the Scoping and Environmental phase of the BMP reconstruction project.

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

APPROVE SUSTAINABLE DEVELOPMENT STUDY
ROUTE 202/35/6 BYPASS
RESOLUTION #71

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

WHEREAS, the Town of Cortlandt, City of Peekskill and Town of Yorktown have participated in the Route 202 / 35 / 6 Bear Mountain Parkway Sustainable Development Study (SDS), which resulted in the Sustainable Development Plan dated March 2004; and

WHEREAS, the Sustainable Development Implementation Committee has identified possible new alignments for Route 6; be it

RESOLVED, that the Town of Yorktown requests that the NYSDOT take action to place the project on the NYS TIP, in order to conduct a technical planning study to determine the feasibility of the proposed alignment, or others that may be appropriate, between Strawberry Road and the vicinity of the Cortlandt Town Center.

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

RELEASE ESCROW DEPOSIT
HIGHWAY DEPARTMENT
RESOLUTION #72

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

WHEREAS, a representative of the Highway Department has made an inspection of the following sites and found the work to be completed satisfactorily.
NOW, THEREFORE, BE IT

RESOLVED, the Town Board authorizes the release of the following:

<u>Type of Permit</u>	<u>Permit #</u>	<u>Amount</u>	<u>Location</u>	<u>Refund to</u>
Street opening	005-11	\$2,750.00	Nabby Hill	MJD Contracting 1290 Wilson Road Yorktown Heights, NY
Driveway	#1142	\$500.00	Field & Jacob	Wallack Const. 18 East 64 th

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

DEEDS-TRANSFER TITLE ROADBEDS
LEVINE - OLD STONEY STREET/OLD CROMPOND ROAD
RESOLUTION #73

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

RESOLVED, that the Supervisor is authorized and directed to sign deeds to transfer title to the old Stoney Street and Old Crompond Road roadbeds to William and Iris Levine, as contemplated by Town Board Resolution 447.

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

REFUND DUPLICATE TAX PAYMENTS
RESOLUTION #74

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

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

<u>Tax & Year</u>	<u>Property</u>	<u>Amount</u>
2006 Sch 22	48.05-1-13	\$3,693.23
2006 Sch 21	16.05-3-5	\$105.98
2006 Sch 21	16.14-1-15	\$2,177.44
2006 Sch 21	15.12-1-35	\$12,287.29
2006 Sch 21	16.17-2-55	\$30.00

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

APPROVE COMMERCIAL GARBAGE LICENSE
A&N TRANSPORTATION, INC.
RESOLUTION #75

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

RESOLVED that A&N Transportation, Inc. be and is hereby granted renewal of their garbage license for commercial properties only, for the year 2007.

Cooper, Martorano, Bianco, Campisi: Voting Aye.
Metz: Recuse
Resolution adopted.

REFUND BUILDING PERMIT FEE
1112 GAMBELLI DRIVE
RESOLUTION #76

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

RESOLVED, that based on the Building Inspector's recommendation, the Town Board hereby refunds to Mr. Boniello the sum of \$729.00 in relation to the above-described building permit fee.

Cooper, Martorano, Bianco, Campisi: Voting Aye.

Metz: Recuse

Resolution adopted

MONTHLY REPORTS

Receiver of Taxes - Yorktown School & Twn/Cty Summary Report - January 2007

Receiver of Taxes - Monthly Report - January 2007

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

ADJOURN

Upon motion by Councilman Bianco, seconded by Councilman Martorano and carried, the meeting was adjourned.

Alice E. Roker
Town Clerk
Town of Yorktown