

Regular meeting held by the Town Board,  
Town of Yorktown on January 2, 2007 held at  
Yorktown Town Hall, Yorktown Heights, NY

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

TOWN BOARD MEETING

Supervisor Linda G. Cooper called the meeting to order 7:30 p.m.

PLEDGE OF ALLEGIANCE

Yorktown Justice Jeffrey Cohen led the Pledge of Allegiance

MOMENT OF SILENCE

To honor the men and women serving their country both at home and abroad.

SALARIES ELECTED AND APPOINTED

TOWN OFFICIALS

RESOLUTION # 1

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

RESOLVED, that the Supervisor be and is hereby authorized and directed to pay salaries of all elected and appointed Town officials and employees without prior audit.

Cooper, Martorano, Campisi, Bianco, Metz voting aye.  
Resolution adopted.

MILEAGE RATE

RESOLUTION #2

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

RESOLVED, that the rate of 48.5 cents per mile be allowed those Town officials and employees who use their own automobiles in the performance of their official duties in accordance with the budgetary appropriations, provided however, the expense incurred is presented to the Town Board in the proper manner and on the proper claim form.

Cooper, Martorano, Campisi, Bianco, Metz voting aye.  
Resolution adopted.

YOUTH STATE AID  
PARKS AND RECREATION  
RESOLUTION #3

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

RESOLVED, that the Supervisor be directed to make application to the New York State Division of Youth for State Aid for a Recreation and Youth Service Project Grant for \$20,000.00 for the calendar year 2007. \$10,000 of this application goes to the Recreation Department and,

Cooper, Martorano, Campisi, Bianco, Metz voting aye.

Resolution adopted.

YOUTH STATE AID  
POLICE DEPARTMENT  
RESOLUTION #4

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

FURTHER RESOLVED that Supervisor be directed to make application to the New York State Division of Youth for State Aid to the Police Department via the Youth Officer.

Cooper, Martorano, Campisi, Bianco, Metz voting aye.

Resolution adopted.

DELEGATES/ASSOCIATION OF TOWN MEETINGS  
RESOLUTION #5

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

RESOLVED, that Supervisor Cooper be and is hereby designated as the voting delegate to represent the Town of Yorktown at the Association of Towns Meeting to be held in February 2007, and be it

FURTHER RESOLVED, that William Gregory be and is hereby designated the alternate delegate to the aforementioned meeting.

Cooper, Martorano, Campisi, Bianco, Metz voting aye.

Resolution adopted.

DESIGNATE DEPOSITORIES  
RESOLUTION #6

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

RESOLVED, that the following banks located in the Town of Yorktown are hereby designated as depositories for the Town of Yorktown:

The Bank of New York  
2002 Commerce Street  
Yorktown Heights, New York 10598

Bank of America  
2 Triangle Center  
Yorktown Heights, New York 10598

Wachovia  
50 Main Street  
White Plains, New York 10606

Hudson United Bank  
19 Court Street  
White Plains, New York 10601

Putnam County Savings Bank  
331 Downing Drive  
Yorktown Heights, New York 10598

Chase  
106 Corporate Drive  
White Plains, New York 10604

and be it

FURTHER RESOLVED, that Linda Cooper, Supervisor of the Town of Yorktown, is hereby authorized, pursuant to Town Law Section 29(2), to act on behalf of the Town of Yorktown with said banks, and be it

FURTHER RESOLVED, that the above named banks are hereby required to provide a surety bond or pledge securities when applicable as required by Town Law Section 64(1) and General Municipal Law Section II, and be it

FURTHER RESOLVED, that the following banks are designated depositories for the following officers of the Town of Yorktown:

Bank of New York, Yorktown Heights, New York:  
Justice Gerstenzang Account  
Justice Gilbert Account  
Joint Bail Account - (Justices Gerstenzang & Justice Gilbert  
Bank of New York, Yorktown Heights, New York

Cooper, Martorano, Campisi, Bianco, Metz voting aye.  
Resolution adopted.

OFFICIAL NEWSPAPERS

RESOLUTION #7

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

RESOLVED, that the official newspapers for the Town of Yorktown are hereby designated to be the North County News and/or Journal News

Cooper, Martorano, Campisi, Bianco, Metz voting aye.  
Resolution adopted.

2007 MEETING DATES

RESOLUTION #8

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

RESOLVED, that the meeting dates of this Town Board will start at 7:00 PM unless otherwise noted and shall be as follows:

January 2  
January 9  
January 16  
January 23  
February 6  
February 13  
February 20  
February 27  
March 6  
March 13  
March 20  
March 27  
April 3  
April 10  
April 17 - John C. Hart Memorial Library  
April 24  
May 1  
May 8  
May 15  
May 22  
June 5  
June 12  
June 19- outdoor site, 6:00 p.m.  
June 26

July 3 - outdoor site, 6:00 p.m.  
July 10  
July 17  
July 24  
August 7  
August 14  
August 21  
September 4  
September 11  
September 18  
September 25  
October 2  
October 9  
October 16 - John C. Hart Memorial Library  
October 23  
November 13  
November 16 (Budget Review)  
November 17 (Budget Review)  
November 20  
November 27  
November 28 (Budget Hearing)  
December 11  
December 18

and as otherwise prescribed by law, and in the event a meeting date falls on a holiday, then the meeting shall be held the next succeeding evening or on such other dates as may be determined, and be it

FURTHER RESOLVED, that the Town Board will hold its regular budget meeting at 7:00 PM on the following date: November 28, 2007 (Wednesday) and be it,

FURTHER RESOLVED, the Town of Yorktown will hold its annual Record Management Inventory on March 1 and March 2, 2007 and be it,

FURTHER RESOLVED, that Special Meetings shall be called and held in conformance with Section 62 of the Town Law and Article 7 of the Public Officers Law.

Cooper, Martorano, Campisi, Bianco, Metz voting aye.  
Resolution adopted.

DESIGNATE COMPTROLLER  
OFFICIAL AUTHORIZED AND EMPOWERED  
SIGN APPLICATIONS CORRECTED TAX ROLLS  
RESOLUTION #9

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

WHEREAS, New York Real Property Tax Law Section 554 provides for the correction of errors on tax rolls, and

WHEREAS, Real Property Tax Law Section 554(9)(A) provides that the Town Board may designate an official who is empowered to sign an Application for Corrected Tax Roll (from RP-554) on the Town Board's behalf, and

WHEREAS, in order to streamline the processing of applications for corrections to the tax roll, the Tax Assessor of the Town of Yorktown has recommended that the Comptroller of the Town of Yorktown be designated as an authorized official pursuant to Real Property Tax Law Section 554(9)(A), and

WHEREAS, Joan Goldberg is the Comptroller of the Town of Yorktown, now therefore be it

RESOLVED, that the Town Board of the Town of Yorktown designates Joan Goldberg, in her capacity as the Comptroller of the Town of Yorktown, as the official authorized and empower sign Applications for Corrected Tax Roll (form RP-554) on the Town Board's behalf.

FURTHER RESOLVED, that the Town Board authorizes the Comptroller to make refunds for corrections of error up to a maximum of \$2,500.00.

AWARD BID COMPUTER HARDWARE  
SULLIVAN DATA  
RESOLUTION #10

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

Whereas, the computer hardware bid was duly noticed and advertised, and

Whereas, bids were opened on January 2, 2007, at 11:00 am at Town Hall, now

Therefore, Be It Resolved, said bid shall be awarded to the sole bidder, Sullivan Data, in the amount of \$60,544.13.

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

RESIGNATIONS

The Town Board accepted the resignation of Yorktown Justice Jeffrey Cohen and the resignation of Ilan Gilbert, Co-Chair of the Yorktown Conservation Board with regret.

Jeffrey Cohen explained that he has enjoyed his seventeen years as Yorktown Town Justice. Today was Justice Cohen's first day on the bench in White Plains. He further stated that the responsibilities of a Westchester County Court Judge are similar to those of a Town Court Judge.

APPOINT TOWN JUSTICE

ILAN GILBERT

RESOLUTION #11

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

BE IT RESOLVED, that Ilan Gilbert of Yorktown Heights, New York is hereby appointed Town Justice in the Town of Yorktown beginning January 2, 2007 and ending December 31, 2007 to be paid an annual salary of \$27,956, filling the vacancy created by the resignation of Jeffrey Cohen who assumed the duties at Westchester County Court Judge on January 1, 2007.

Martorano, Campisi, Metz: Voting Aye.

Cooper, Bianco: Voting Nay

Resolution adopted.

Councilman Bianco stated that he voted no on this appointment, not because the candidate is unqualified for the job but because he wanted to utilize a different type process. He wanted what he calls a "blue ribbon panel" to interview the candidates and then make recommendations. Councilman Bianco handed his written comments to the Town Clerk.

Councilman James Martorano stated that the Board interviewed ten candidates for this position and said they were all fine attorneys. He spoke about his long association with Mr. Gilbert in the Bronx County Court House. Councilman Martorano further stated that Mr. Gilbert is not only qualified for this position, he is highly qualified. Several years ago, the Town Board had to fill the judicial seat that had become vacant when Judge Dillon moved to a higher bench, we used the same process and then his colleagues chose a patent attorney to fill the position. While was not his choice, Councilman Martorano stated that he voted for the gentleman because it was the right thing to do. Today, my colleagues should have voted for Mr. Gilbert because he is the right choice.

Councilman Metz explained that he cast his vote for Mr. Gilbert solely for the reason that he is qualified. Mr. Gilbert is a law clerk which other law clerks go to for information. He has worked for Chief Judge John Collins at the Bronx County Court House for twenty four years. He has written thousands of briefs.

Councilman Campisi echoed the thoughts of Councilmen Martorano and Metz.

Supervisor Cooper stated that there was a personal reason for her casting the nay vote.

APPOINTMENT CONSERVATION BOARD  
RICHARD FON AND ROBERTA VAN ETTEN  
RESOLUTION #12

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

BE IT RESOLVED, that Richard Fon is hereby appointed as Co-Chair of the Conservation Board along with Roberta Van Etten.

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

INSURANCE-RISK MANAGEMENT  
SELECTIVE INSURANCE GROUP  
RESOLUTION #13

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

WHEREAS, Selective Insurance Group, Inc. is the largest provider of insurance for municipalities in the State of New York; and

WHEREAS, Selective is the insurance carrier for the Town of Yorktown for all coverage lines except Public Officials, Umbrella Liability, and Workers Compensation; and

WHEREAS, Selective is an A+ rated carrier, licensed and admitted in New York State, and one that has served the Town for many years; and

WHEREAS, the Selective insurance policies covering the Town are up for renewal; and

WHEREAS, Selective has agreed to renewal premium for the 2007 policy year that is only 2.5% (\$12,000) higher than the expiring policy premium; and

WHEREAS, Selective will guarantee the renewal rates for each of the next three years so long as the Town's pure claim payouts do not exceed 35% of the Town's annual premium; and

WHEREAS, Selective has offered to reduce the Town's deductible by 50% (from \$50,000 to \$25,000) if the Town will commit to a three year, loss sensitive program and the creation of a Risk Management Committee; now therefore be it hereby

RESOLVED that the Town of Yorktown shall accept, when formally offered by Selective, a Three Year Renewal program for those insurance lines currently provided by Selective, which program commits Selective to renew annually at a renewal rate no greater than the current (2007) rate per exposure for each upcoming year, up to three, so long as the pure loss ratio on those insurance lines does not exceed 35%, provided that Selective will also reduce the current deductible from \$50,000 to \$25,000; and be it further

RESOLVED that the Town reserves the right to not accept the renewal on each anniversary date if Selective fails to live up to mutually agreed upon service standards' and be it further

RESOLVED, that the offer, if agreed to by the Town and Selective, is contingent upon the formation and activation of a Risk Management Committee by the Town of Yorktown.

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

ADJOURN

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

Alice E. Roker  
Town Clerk  
Town of Yorktown