

Regular Meeting held by the Town Board, Town of Yorktown on  
July 17, 2007 at 363 Underhill Avenue, Yorktown Heights, New York 10598

Present: Linda G. Cooper, Supervisor  
James J. Martorano, Councilman  
Nicholas J. Bianco, Councilman  
Matthew P. Metz, Councilman  
Louis J. Campisi, Councilman

TOWN BOARD MEETING

Supervisor Linda G. Cooper called the meeting to order. Deputy Town Clerk Diana L. Quast and Town Attorney Kevin Sweeny were also present.

PLEDGE OF ALLEGIANCE

Town Supervisor Linda Cooper led the Pledge of Allegiance.

MOMENT OF SILENCE

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

REAPPOINTMENT ADVANCED LIFE SUPPORT COMMISSION

JOHN DILLION – CHAIR

RESOLUTION #261

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

BE IT RESOLVED, that John Dillon is hereby re-appointed as Chair of the Advanced Life Support Commission for a two year term expiring on 7/31/09.

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

REAPPOINTMENT CONSERVATION BOARD

ROBERTA VAN ETTEN – CO-CHAIR

RESOLUTION #262

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

BE IT RESOLVED, that Roberta Van Etten is hereby re-appointed as Co-Chair of the Conservation Board for a three year term expiring on 7/31/10.

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

Ms. Van Etten thanked the Board for re-appointing her to the Conservation Board. She feels that they are on a positive path and looks forward to serving another three years.

APPOINTMENT POLICE DEPARTMENT

JAMES WATERHOUSE – COMMUNITY SERVICE WORKER/ANIMAL WARDEN

RESOLUTION #263

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

BE IT RESOLVED, that James Waterhouse is hereby provisionally appointed Community Service Worker/Animal Warden in the Police Department effective July 30, 2007 to be paid from Yorktown CSEA Salary Schedule A-1, Group 8, Step 3 which is \$48,717 annually.

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

APPOINTMENT WATER DEPARTMENT

ADAM CERRATO – TEMPORARY LABORER

RESOLUTION #264

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

BE IT RESOLVED, that Adam Cerrato is hereby appointed Temporary Laborer in the Water Department effective July 30, 2007 to be paid from Yorktown CSEA Salary Schedule A, Group 5, Step 1 which is \$36,996 annually.

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

APPOINTMENT FINANCE DEPARTMENT  
PATRICIA CAPORALE – DEPUTY TOWN COMPTROLLER  
RESOLUTION #265

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

BE IT RESOLVED, that Patricia Caporale is hereby appointed Provisional Deputy Town Comptroller effective July 16, 2007 in the Finance Department to be paid \$68,640 annually, representing no change in salary.

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

Ms. Caporale thanked the Board for her appointment and looks forward to working with everyone.

APPOINTMENT POLICE DEPARTMENT  
CLAUDINE ROSENBERGEN – POLICE OFFICER  
RESOLUTION #266

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

BE IT RESOLVED, that Claudine Rosenbergen is hereby appointed Police Officer in the Town of Yorktown from Eligible List No. 67-782 effective July 27, 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.

RETIREMENT

The Town Board accepted the retirement of Lorraine Hughes from the Water Department and thanked her for her many years of service to the Town of Yorktown.

APPOINTMENT POLICE DEPARTMENT  
JARRED BUCHANAN – POLICE OFFICER  
RESOLUTION #267

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

BE IT RESOLVED, that Jarred Buchanan is hereby appointed Police Officer in the Town of Yorktown from Eligible List No. 67-782 effective July 27, 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.

APPOINTMENT POLICE DEPARTMENT  
BRIAN NICHOLSON – POLICE OFFICER  
RESOLUTION #268

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

BE IT RESOLVED, that Brian Nicholson is hereby appointed Police Officer in the Town of Yorktown from Eligible List No. 67-782 effective July 27, 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.

APPOINTMENT POLICE DEPARTMENT  
PAUL GRIEVE – POLICE OFFICER  
RESOLUTION #269

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

BE IT RESOLVED, that Paul Grieve is hereby appointed Police Officer in the Town of Yorktown from Eligible List No. 67-782 effective July 27, 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.

PRESENTATION

Supervisor Cooper introduced John Wolham, Regional Director for the NYS Office of Real Property Services. Mr. Wolham explained how New York's Real Property Tax System works. Town Assessor Robert Killeen and Mr. Wolham answered questions from the Town Board and members of the audience.

The Town Board thanked Mr. Wolham for coming in this evening.

The Town Board also thanked Mr. Killeen for all of his hard work and expertise.

DURING HER REPORT TO THE TOWN, Supervisor Cooper announced that the Yorktown Stage will be presenting "Follies" and the Town will also be having summer concerts and an outdoor movie viewing of Willy Wonka and the Chocolate Factory. She noted that summer camps are in full swing and the pools are open. Supervisor Cooper cautioned that children are out of school and around town, so please be careful driving.

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

Mr. Edward Killeen thanked Supervisor Cooper and the rest of the Town Board for their hard work on equalization challenges. He also applauded the Town Board for the acquisition of Shallow Creek Golf Course.

Ms. Wolf asked the Board if they received her letter that was dropped off yesterday and would like the Board to respond to a drainage issue that she is having at her residence. Councilman Bianco stated that he would address her question later in the meeting.

Mr. Frank asked for clarification of the resolution for Change Order #1 for Carlin Contracting Co. for removal and disposal of asbestos containing transite piping in the intermittent sand filters, in the amount of \$27,279. He stated that it is a lot of money and suggested that the town request sealed bids for the removal of the asbestos.

Ms. Clemenza commented on the Town Vehicle Policy, she feels no one should be allowed to take home town vehicles. She suggested that the Town Board should also look at cell phone usage as well as other items that can be misused. She feels that all town

offices should be located at the Yorktown Community Cultural Center and the museum, nutrition center and senior rooms should be placed in the current Town Hall.

Ms. McGowan asked about the Hallocks Mill Sewer District.

Councilman Bianco stated that he received Ms. McGowan's letter today and he has been in touch with Environmental Code Officer Bruce Barber, he issued a stop work order and has been in contact with the homeowner. He assured Ms. Wolf that he is working on her situation and they will find a solution to her problem.

Supervisor Cooper clarified the water rates and said that before the conversion occurs it seems like a big difference but after the conversion the amount is really a lot less.

Councilman Campisi stated that the Town Board is looking into the Hallocks Mill Sewer District issue and is trying to get the NYCDEP to change its regulations. He stated that we do have some time because the plant is still under construction and the Board is actively working on this.

Councilman Metz stated that they have been trying to get in touch with NYC Mayor Michael Bloomberg to see if he can assist the Town in getting NYCDEP's regulations changed. He stated that it is a difficult process but he feels that the Town is moving forward. The Town has hired Michael Gerrard, who is one of the finest environmental attorneys to help the Town push NYCDEP to change its regulations.

Councilman Martorano stated that this Board is working towards having everyone sewer who wants it.

Supervisor Cooper agreed that the Town is working on this issue and noted that there is a new draft that is being circulated but it has to go through many levels before it will be considered for adoption.

Councilman Bianco stated that Supervisor Cooper is constantly working on this issue. The plant is ahead of schedule and the problem is NYCDEP.

#### PUBLIC HEARING

#### PROPOSED LOCAL LAW REPEALING CHAPTER 175

#### FLOOD DAMAGE

Supervisor Linda Cooper convened a public hearing with regards to the proposed Local Law repealing Chapter 175, Flood Damage and enacting an updated Flood Protection Law adopting the new countywide Flood Insurance Rate Maps and asked Town Attorney Kevin Sweeny to summarize the draft of the proposed local law.

Ms. Wolf asked if this proposed local law is passed will it change her situation. Supervisor Cooper stated that this may not change her present situation because other variables may be involved.

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

#### AWARD BID

#### COMMERCE STREET

#### PLANNING DEPARTMENT

#### RESOLUTION #270

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

WHEREAS, invitation to bid for construction of the Commerce Street Streetscape Phase-2 and Alternate 1, Veterans Road Intersection, was duly advertised, and

WHEREAS, said bids were received and opened on the 5<sup>th</sup> day of July, 2007, with the bid amounts for the above referenced project summarized as follows:

DeCarvalho Landscaping Services, Inc.	Base Bid	\$1,064,000.00
PO Box 709	<u>Alternate #1</u>	\$8,000.00
Crugers, New York 10521	Total	\$1,072,000.00

BE IT HEREBY RESOLVED, that upon the recommendation of the Planner, the subject project is awarded to DeCarvalho Landscaping, the low bidder, for providing all work associated with the base bid of \$1,064,000.00 and, if necessary, and upon the consent of the Planner and Town Engineer, the alternate #1 of \$8,000.00 to move curbs for realignment of Veterans Road intersection for a total possible award amount of \$1,072,000.00

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

COMMERCE STREET – ALTERNATE 1  
MOVE CURVES FOR REALIGNMENT OF VETERANS ROAD  
PLANNING DEPARTMENT  
RESOLUTION #271

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

WHEREAS, the Town of Yorktown wishes to proceed with the Commerce Street Streetscape Phase 2 and may determine to implement Alternate 1, Veterans Road Intersection, and

WHEREAS, a bond resolution was passed on May 15, 2007, authorizing the issuance of \$700,000 in bonds, and

WHEREAS, the Supervisor has obtained authorization to utilize the Town’s Good Neighbor Payment from New York City Department of Environmental Protection of \$227,920, and

WHEREAS, the balance of \$144,080 may be funded from the general fund, now

THEREFORE BE IT RESOLVED, the capital project named “Commerce Streetscape Phase 2” shall be authorized in the amount of \$1,072,000.

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

READVERTISE PROPOSED LOCAL LAW AMENDING CHAPTER 216  
REGARDING FIRE HYDRANT  
RESOLUTION #272

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

NOTICE IS HEREBY GIVEN, that a public hearing will be convened by the Town Board, Town of Yorktown, Westchester County, New York at 363 Underhill Avenue, Yorktown Heights, New York, on the 7<sup>th</sup> day of August, 2007, at 7:30 o=clock PM or as soon thereafter as the same can be heard, to consider a proposed Local Law amending Chapter 216 of the Code of the Town of Yorktown with regard to Fire Hydrants, as follows:

**SECTION I:** Section 216 of the Code of the Town of Yorktown is amended by deleting § 216-7 in its entirety and replacing it with the following:

§ 216-7. Obstruction of fire hydrants.

It shall be unlawful for any person or company in any manner to obstruct the use or maintenance of any fire hydrant within the town, or to place any material or utility of type in front thereof or within 10 feet from either side thereof. It shall be the duty of the owner and occupant, jointly, of every parcel of real estate adjoining a fire hydrant to keep a two-foot wide path

around the fire hydrant free from snow and ice. Snow and ice shall be removed within forty-eight hours of a snowstorm. It shall be the duty of the owner and occupant, jointly, to notify the water district if the fire hydrant cannot be cleared within forty eight hours of a snowstorm.

**SECTION II:** Section 216 of the Code of the Town of Yorktown is further amended by deleting § 216-8 in its entirety and replacing it with the following:

§ 216-8. Unauthorized use of hydrants.

It shall be unlawful for any person, unless duly authorized, to open, draw water from, unfasten, break or injure any fire hydrant. Any person doing so will be charged for the usage or loss of water resulting from such action. The amount of such charge shall be determined by the Water Department consistent with its established fee schedule and, absent actual measurement, may be calculated on the Water Department's reasonable estimate of the volume of water lost or used. Such charge shall be in addition to any penalties and fines pursuant to § 216-11.

A complete proposed local law can be viewed on the Town Clerk's website at [www.yorktownny.org](http://www.yorktownny.org)

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.

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

**READVERTISE PUBLIC HEARING**  
**PROPOSED LOCAL LAW AMENDING CHAPTER 280**  
**REGARDING VARIOUS WATER DISTRICTS**  
**RESOLUTION # 273**

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

NOTICE IS HEREBY GIVEN, that a public hearing will be convened by the Town Board, Town of Yorktown, Westchester County, New York at 363 Underhill Avenue, Yorktown Heights, New York, on the 7<sup>th</sup> day of August, 2007, at 7:30 o'clock PM or as soon thereafter as the same can be heard, to consider a proposed Local Law amending Chapter 280 of the Code of the Town of Yorktown with regard to Service Connections, Meters, Discontinuance of Service, Fire Hydrants, Main Extensions, Fees and Charges.

The proposed law can be viewed on the Town Clerk's website at [www.yorktownny.org](http://www.yorktownny.org)

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.

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

**AUTHORIZE THE SUPERVISOR TO SIGN**  
**SEWER EASEMENT AGREEMENT – NORTHEAST FUNDING GROUP LLC**

PROPOSED HUNTERBROOK EXTENSION #8 SEWER DISTRICT  
RESOLUTION #274

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

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

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

AUTHORIZE CHANGE ORDER #1  
CHARLES H. SELLS, INC ADDITIONAL FIELD SURVEY WORK  
INCLUDING PROPERTY BOUNDARY AND EASEMENT STAKEOUTS  
OLD CROMPOND ROAD BRIDGE IN THE AMOUNT OF \$2,535.10  
RESOLUTION #275

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

RESOLVED, that the Town Board authorizes the Town Supervisor to sign a Change Order with Chas. H. Sells, Inc., for additional field survey work, including property boundary and easement stakeouts, for the Old Crompond Road Bridge Replacement Project, in the amount of \$2,535.10.

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

CHANGE ORDER #1 CARLIN CONTRACTING CO., INC.  
WPC IMPROVEMENT CAPITAL PROJECT FOR THE REMOVAL AND DISPOSAL  
OF ASBETOS CONTAINING TRANSITE PIPING IN THE INTERMITTENT SAND  
FILTERS IN THE AMOUNT OF \$27,279.00  
RESOLUTION #276

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

WHEREAS the NYC DEP has authorized the scope of work as additional services, now therefore be it

RESOLVED that the Town Board authorizes the Town Supervisor to sign a Change Order (#1) with Carlin Contracting Co., Inc., for the WPC Improvement Project, for the removal and disposal of asbestos (including labor and materials) containing Transite Piping in the intermittent sand filters, in the amount of \$27,279.00

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

INCREASE IN AUTHORIZATION FOR THE WPC UPGRADE PROJECT  
TO PAY NYSEG FOR MISCELLANEOUS COST APPROVAL  
FROM NYCDEP IN THE AMOUNT OF \$7,291.34  
RESOLUTION #277

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

WHEREAS the NYC DEP will reimburse the Town of Yorktown in the amount of \$7,291.34, (see attached May 8, 2007 NYS EFC document), for an upgrade in NYSEG services, now, therefore be it

RESOLVED that the Town Board authorizes the Town Supervisor to sign a resolution authorizing an increase for the WPC Upgrade Project to pay NYSEG for the Miscellaneous Cost Approval from NYCDEP, in the amount of \$7,291.34

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

RELEASE OF PERFORMANCE BOND

DONALD NEWSHOLME  
PERFORMANCE BOND #151683245001  
RESOLUTION #278

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

WHEREAS Donald Newsholme, an applicant, heretofore filed JP Morgan Chase Assignment of Security Performance Bond #151683245001 in the amount of \$18,000.00, which was accepted at the Town Board Meeting of January 6, 2006, to serve as the Performance Bond for their Certificate of Occupancy for Wetland Permit #WP-044-03, for work performed at his Crompond Road residence, and

WHEREAS the Town Engineer has informed this Board that a representative of her Department has inspected the property and determined that the work has been satisfactorily completed, and that the \$18,000.00 may be released, now therefore be it

RESOLVED that the above-referenced Performance Bond in the amount of \$18,000.00 be and is hereby released to Mr. Donald Newsholme.

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

AUTHORIZE SUPERVISOR TO SIGN  
INTER-MUNICIPAL AGREEMENT  
WITH WESTCHESTER COUNTY TO PARTICIPATE IN THE  
SELECTIVE ENFORCEMENT FOR TRAFFIC SAFETY GRANT PROGRAM  
RESOLUTION #279

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

RESOLVED, that the Supervisor is hereby authorized to enter into a inter-municipal agreement between the County of Westchester and the Town of Yorktown for the Yorktown Police Department to participate in the County's Selective Enforcement for Traffic Safety Grant Program (STEP) to reduce unsafe driving behaviors by monitoring aggressive driving and speeding for a term commencing upon execution of the contract and expiring on September 30, 2011 unless terminated earlier by the County upon 10 days written notice to the Town.

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

ACCEPT DONATION OF 12.29 ACRES OF LAND  
SHALLOW CREEK GOLF COURSE  
RESOLUTION #280

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

RESOLVED, that the Town Board accepts the donation of 12.29 acres of land to the Town of Yorktown, more particularly described as Section 16.07, Block 1, Lot 38 on the Tax Map of the Town of Yorktown and also known as Shallow Creek Golf Course from Shadow Creek Associates with offices at 116 East 30<sup>th</sup> Street, New York, NY. The Town accepts this donation and designates the parcel as parkland subject to confirmation of marketable title by a reputable title insurance company licensed to do business in New York State and the Town's receipt of a Phase I Environmental Assessment establishing that no significant unmitigated environmental issues exist on the site.

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

Supervisor Cooper thanked Cary Fields for the donation of Shallow Creek Golf Course to the Town of Yorktown.

AUTHORIZE SUPERVISOR TO SIGN  
CONTRACT WITH M. ROBERT AND JANE MOSS

FOR PURCHASE OF PROPERTY LOCATED ON UNDERHILL AVENUE  
RESOLUTION #281

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

RESOLVED, that the Town Board members, acting as in their capacity as Commissioners of the Town of Yorktown Consolidated Water District #1, authorize the Town Supervisor to enter into a contract of sale with M. Robert and Jane Moss of 563 Underhill Avenue, Yorktown Heights for the purchase of a certain parcel of land on Underhill Avenue, more particularly described as Section 48.05-1.31 on the Tax Map of the Town of Yorktown. The purchase price is \$50,000. This sale is subject to confirmation of marketable title by a reputable title insurance company licensed to do business in New York State.

RESOLVED, that the Town Board further authorizes the Town Supervisor to pay expenses customarily associated with the purchase of property, such as title search fees and recording fees.

RESOLVED, that the subject property will become part of consolidated Water district #1.

Cooper, Martorano, Bianco, Campisi Voting Aye.

Metz Recused

Resolution adopted.

AUTHORIZE PLANNING DEPARTMENT  
NYS OFFICE OF PARKS, RECREATION AND HISTORICAL PRESERVATION  
2007 CERTIFIED LOCAL GOVERNEMENT GRANT PROGRAM  
RESOLUTION #282

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

WHEREAS, the Town of Yorktown Town Board authorizes the Planning Department to apply to NYS Office of Parks, Recreation and Historical Preservation for the 2007 Certified Local Government Grant Program for the Mohegan Lake Area Intensive-Level Survey

WHEREAS, the Town of Yorktown Town Board will commit a matching share of \$11,000., including: donations, supplies, and/or materials and volunteer labor as needed to meet the requirements of the grant; BE IT

RESOLVED, that the Town of Yorktown Town Board authorizes the Planning Department to apply to NYS Office of Parks, Recreation and Historical Preservation for the 2007 Certified Local Government Grant Program for the Mohegan Lake Area Intensive-Level Survey.

Cooper, Martorano, Bianco, Campisi, Metz Voting Aye

Resolution adopted.

Supervisor Cooper announced that the Town is actively looking for people who would like to volunteer to serve on the Landmarks Preservation Commission.

WATER REFUND  
ACCOUNT # 41-02073665-3665  
RESOLUTION # 283

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

RESOLVED, that upon recommendation of Cliff Kummer, Yorktown Consolidated Water District, the amount of \$105.60, overpayment of Water Account #43-04251561, be and is hereby refunded to AT&T.

Cooper, Martorano, Bianco, Campisi, Metz Voting Aye

Resolution adopted.

WATER REFUND  
ACCOUNT # 43-04251561- 1565 FRONT STREET  
RESOLUTION #284

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

RESOLVED, that upon recommendation of Cliff Kummer, Yorktown Consolidated Water District, the amount of \$421.73, overpayment of Water Account #41-02073665, be and is hereby refunded to Tina Moundroukas.

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

REFUND DUPLICATE TAX PAYMENT  
RESOLUTION #285

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

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

<u>Year and Tax</u>	<u>S-P-L</u>	<u>Account #</u>	<u>Refund</u>
2007 Town/Cty	26.11-1-7	1382500	\$44.80
2007 Town/Cty	36.06-2-53	3153500	\$4,153.24
2007 Town/Cty	48.10-1-14	4301500	\$4,365.48
2007 Town/Cty	48.18-1-12	4629000	\$2,585.93

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

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

MONTHLY REPORTS

Building Department B Permit Cost Report B June 2007

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

Mr. Frank asked about the Moss property and reiterated his concern about the resolution for Change Order #1 for Carlin Contracting Co. for removal and disposal of asbestos containing transite piping in the intermittent sand filters, in the amount of \$27,279. He feels it is a terrible start to the project. He feels they should also be a licensed contractor for asbestos removal.

Supervisor Cooper stated that Carlin Contracting is a licensed contractor for asbestos removal and that all of the agencies involved with this project have approved all of these changes. She also noted that the NYCDEP may pick up the cost of these changes.

ANNOUCEMENT

Supervisor Cooper announced that the Town Board may not meet the 3<sup>rd</sup> and 4<sup>th</sup> week in August.

ADJOURN

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

Diana L. Quast  
Deputy Town Clerk  
Town of Yorktown