

Regular Meeting held by the Town Board, Town of Yorktown on March 20, 2007. Yorktown Town Hall, 363 Underhill Avenue, Yorktown Heights, New York 10598.

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. Town Attorney Kevin Sweeny was also present.

#### PLEDGE OF ALLEGIANCE

Cheryl Champ, Principal of Lakeland High School led the salute to the flag.

#### MOMENT OF SILENCE

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

#### CERTIFICATES OF APPRECIATION

##### JEFFREY CHIARA

Supervisor Cooper read the following Certificate of Appreciation to Jeffrey S. Chiara.

“For meritorious action that saved many lives your quick response and understanding of the situation prevented a disaster from occurring at the Jefferson Valley Bowling Lanes on Saturday, March 17, 2007. We offer you our heartfelt thanks and appreciation!”

Supervisor Cooper also read a letter sent to Mr. Chiara from New York State Senator Vincent Leibell acknowledging his act of bravery in helping to evacuate the Jefferson Valley Bowling Lanes last Saturday.

Mr. Chiara stated that he did not want to be referred to as a hero, I did what fire fighters do, we try to save lives.

Mrs. Angela Giordano, owner of the Jefferson Valley Bowl thanked Mr. Chiara for alerting her employees who evacuated the facility before the roof collapsed. She promised to rebuild the facility as soon as possible.

#### CERTIFICATES OF APPRECIATION

##### LAKELAND GIRLS BASKETBALL TEAM

The Town Board acknowledged the Lakeland Girls Basketball Team who are the New York State Girls Basketball Champions with a perfect record of 22 wins and zero losses.

Supervisor Cooper read the following Certificates of Excellence to Sarah Benischek, Captain of the Lakeland Basketball Team and Steve Fallo, Coach of the Lakeland Basketball Team:

“For being part of the Lakeland High School 2007 New York State Championship Basketball Team and making your Town proud, we join today to honor the leadership, effort and hard work that brought you the top honor New York State has to give in this sport, along with our hearty Congratulations!”

DURING HER REPORT TO TOWN, Supervisor Linda Cooper stated that the students from Yorktown High School did exceptionally well at last weekend's Science and Engineering Fair. Thomas Lipscomb won the top prize. He and his team will compete nationally at a fair in Albuquerque, New Mexico. New sirens at the Indian Point Nuclear Power Plant will be tested tomorrow beginning at 11:00 AM. The Battle of Yorktown,

our annual cleanup campaign will be held on Saturday, April 14, 2007. The Yorktown Land Trust has been added to the list of organizations participating in the Town's Adopt A Road Program. They will be responsible for cleaning up the linear park in the Hunterbrook section of Yorktown. The Yorktown Fire Department will hold its annual Chili Night Dinner at the Fire House on Commerce Street this coming Saturday. The Metro Card can be used on Bee Line Buses. A seminar on elder care will be held at the John C. Hart Library next month.

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

Mr. Nick DiTomasso, a representative of the United Taxpayers of Yorktown stated that members of his group traveled to Albany to meet with our state representatives. The UTY's biggest concern are unfunded state mandates. He was told that many legislators are not aware that a particular law is unfunded until it is enacted. Mr. DiTomasso also explained that his group is organizing a Tax Reform Rally to take place on April 15<sup>th</sup> at the Gazebo beginning at 2:00PM.

Mr. Richard Ansoli spoke about the Town's participation at a recent meeting organized by the Committee for Unsewered Homeowners in the Hallock's Mill District. He said literature was handed out in favor of creating a new local sewer district. Many of his neighbors, 20 out of 33 homeowners are not in favor of this district. They would like the Town to hand out information explaining their point of view.

Mr. Edward Donovan stated that he believes this local sewer district should be built and that he should not have to pay for it because he has been paying sewer taxes for thirty years even though his home doesn't have sewers.

Mrs. Susan Siegel speaking on behalf of the Committee of Unsewered Homeowners explained that her group, not the Town of Yorktown put out written information at the recent informational meeting. She further stated that a survey is underway to find out how many parcel owners want a sewer district. At some point she further stated her group would like to meet with neighbors of Mr. Ansoli.

Councilman Bianco thanked the UTY for going to Albany. He says a fiscal impact statement is attached to each piece of new legislation. The Councilman further stated that he will attend the Tax Reform Rally on April 15<sup>th</sup>.

Supervisor Cooper stated that the Town of Yorktown did not take a position at the recent sewer informational meeting. We are a long way from the possibility of creating a new sewer district in that area.

#### PUBLIC HEARING

#### UNSAFE BUILDING PROCEDURE B BASTYS AND BARTZICK SECTION 26.1, BLOCK 1 AND SECTION 26.0

Supervisor Cooper opened the public hearing to consider an unsafe building procedure. Town Clerk Alice Roker presented affidavits of posting and publication.

Mr. Joseph Hughes explained that an inspection of the premises determined that the structures are in complete disrepair, dilapidated and decayed to the point of being structurally unsound and unsafe, having rotted structural members, openings in the roofs, bowed-out walls and unsafe floors and is unfit for use or occupation, as well as being in unsanitary condition and is or may become dangerous or unsafe to the general public and that it is unfit for the purpose for which it may be lawfully used. The property is located on Stony Street and is owned by Jonas Bastys and Hubert Bartzick which is designated as Section 26.1, Block 1, Lot 1 and Section 26.0, Block 1, Lot 1 on the Tax Map of the Town of Yorktown. The owner of the parcels has recently filed for a demolition permit, but found out that she also needed to secure a wetlands permit before the demolition work could begin.

Mr. Dale Novak, representing the Estate of Hubert Bartzick reiterated that his

client has filed for a demolition permit and is addressing the wetlands issue. A contractor has also been retained who will do the actual work.

Supervisor Cooper asked if this work would be completed by June 1, 2006.

Mr. Novak responded that they hope to complete the work long before that time.

All those present having been given the opportunity to be heard and there being no further discussion, the hearing was adjourned until June 5<sup>th</sup>. Councilman Bianco motioned, seconded by Councilman Martorano.

APPROVE SIGNATURE BANK  
AS DEPOSITORY FOR THE TOWN  
RESOLUTION#122

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

RESOLVED, that Signature Bank having main offices at 565 Fifth Avenue, New York, New York is designated as a depository for the Town of Yorktown

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

ACCEPT PERFORMANCE AND EROSION CONTROL BOND  
COURTESY CAR WASH ROUTE 202 B SITE PLAN  
RESOLUTION#123

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

WHEREAS, Courtesy Car Wash 202, Inc., as applicant, provided the Town with Check No. 103, in the amount of \$17,519.00, to serve as the 8% Inspection Fee for the Courtesy Car Wash Route 202 Site Plan, and

WHEREAS, Courtesy Car Wash 202, Inc., as applicant, provided the Town with Check NO. 1023, in the amount of \$1,500.00, to serve as the Erosion Control Bond for the Courtesy Car Wash Route 202 Site Plan, and

WHEREAS,, Courtesy Car Wash 202, Inc., as applicant, provided the Town with Check No. 101, in the amount of \$1,000.00, to serve as the Performance Bond for the Courtesy Car Wash Route 202 Site Plan, NOW, THEREFORE BE IT

RESOLVED, that the above referenced checks are hereby accepted to serve as the bonds for the Courtesy Car Wash Route 202 Site Plan.

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

AUTHORIZE SUPERVISOR TO SIGN  
SEWER EASEMENT AGREEMENT WITH HALF STEP, LLC  
FOR PROPOSED HUNTERBROOK #8 SEWER DISTRICT  
RESOLUTION#124

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

RESOLVED, that the Town Board authorizes the Town Supervisor to sign a Sewer Easement Agreement with Half-Step, LLC, for the proposed Hunterbrook #8 Sewer District.

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

SIDEWALK MAINTENANCE  
MARK ROAD AND EDECRIS ROAD  
RESOLUTION #125

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

BE IT RESOLVED, by the Town Board of the Town of Yorktown that the Code Enforcement Officer is hereby directed to hold in abeyance the issuance of summons to residents of Mark Road and Edecris Road pursuant to Section 216-10 of the Code of the Town of Yorktown pending further notice from the Town Board.

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

EASEMENT WITH NYSEG  
RESOLUTION #126

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

RESOLVED, that the Town Supervisor is hereby authorized to sign an easement in favor of NYSEG for the construction of pad mounted transformers for Sprint cell tower on Greenwood Street.

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

EXTEND TOW BID  
POLICE DEPARTMENT  
RESOLUTION #127

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

WHEREAS, on March 14, 2006, the Town entered into a License Agreement with Yorktown Auto body Works, Inc. for towing and emergency repair services; and

WHEREAS, the License agreement provides that the Town shall have the unilateral option of extending the License for two (2) additional periods of twelve (12) months each upon the same terms and conditions; and

WHEREAS, the Town Board deems it to be in the best interests of the Town and its residents to exercise its option to extend the License Agreement; now therefore be it hereby

RESOLVED, that the Supervisor is authorized and directed to send written notification to Yorktown Auto Body Works, Inc. that the Town is exercising its option to extend the License Agreement for twelve (12) months.

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

EXTEND MAINTENANCE AGREEMENT  
HTA VAR  
RESOLUTION #128

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

RESOLVED, that the Town Supervisor is hereby authorized to sign an Agreement renewal with HTA VAR for equipment maintenance at the Police Department. This agreement provides for maintenance services at an annual cost of \$1,950.00

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

STOP DWI PROJECT AGREEMENT  
WESTCHESTER COUNTY B YORKTOWN POLICE DEPARTMENT  
RESOLUTION #129

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

RESOLVED, that the Town Supervisor is hereby authorized to sign an agreement amendment with Westchester County to extend the term of the STOP-DWI Patrol Project through December 31, 2010 and to increase the total amount payable to the Town from \$8,400 to \$42,000.

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

APPROVE KLEEN SWEEP CONTAINER SERVICES, INC.  
COMMERCIAL GARBAGE LICENSE  
RESOLUTION #130

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

RESOLVED, that the Town Board approves the issuance of a commercial garbage license to Kleen Sweep Container Service, Inc., P.O. Box 158, Yonkers, NY 10703.

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

APPOINTMENT CLEANER FOR POLICE/PUBLIC SAFETY COMPLEX  
RESOLUTION #131

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

BE IT RESOLVED, that Cheryl Alimonti is hereby appointed Cleaner for Police / Public Safety Complex effected April 2, 2007 to be paid from CSEA Salary Schedule A, Group 4, Step 3 which is \$38,762.00 annually.

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

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

AUTHORIZE COMTROLLER TO PAY  
SPRING TUITION BOOK COSTS  
POLICE OFFICER TOM NADORASKI  
RESOLUTION #132

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

BE IT RESOLVED, that the Town Board hereby authorizes the Town Comptroller to pay the Spring 2007 tuition / book costs for Police Officer Tom Nadoraski upon the satisfactory completion of said courses, in the amount of \$1,671.97.

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

FAMILY MEDICAL LEAVE

DOMININC MONOPOLI B PARKS AND RECREATION DEPARTMENT  
RESOLUTION #133

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

BE IT RESOLVED, that Dominic Monopoli in the Parks Department is hereby granted Family and Medical Leave, which includes intermittent absences commencing on February 26, 2007 to a maximum of 12 weeks.

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

FAMILY MEDICAL LEAVE  
DOMININC MONOPOLI B PARKS AND RECREATION DEPARTMENT  
RESOLUTION #134

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

BE IT RESOLVED, that Robert Sweet in the Parks Department, is hereby placed on Family ad Medical Leave effective February 26, 2007 for a period of 12 weeks.

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

REFUND DUPLICATE TAX PAYMENT  
RESOLUTION # 135

Upon motion made by Councilman Campisi, 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>
2006 Sch. 21	17.06-2-66	2902000	\$4,476.08
2006 Sch. 22	26.15-2-41	1413000	\$2,324.64

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

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

ADJOURN

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

Alice E. Roker  
Town Clerk  
Town of Yorktown

