

Regular Meeting held by the Town Board, Town of Yorktown on May 1, 2007. Yorktown Town Hall, 363 Underhill Avenue, Yorktown Heights, New York 10598.

Present: Deputy Supervisor James Martorano
Councilman Matthew Metz
Councilman Louis Campisi
Town Clerk Alice E. Roker

Absent: Linda G. Cooper, Supervisor
Nicholas Bianco, Councilman

TOWN BOARD MEETING

Deputy Supervisor James Martorano called the meeting to order. Town Attorney Kevin Sweeny was also present.

PLEDGE OF ALLEGIANCE

Mrs. Gilbert Kaufman led the salute to the flag.

MOMENT OF SILENCE

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

DURING THEIR REPORTS TO THE TOWN, Deputy Supervisor Martorano spoke about a telephone conversation that he had with a resident of Yorktown who lives in the Lakeland School District. Today was the Lakeland School District's Budget vote which calls for a 9% increase. According to this resident, The Yorktown Town Board was the reason for the increase. She was told this by, Mr. Korn, a Lakeland School Board Member that the Yorktown Town Board did not do their job. The Town Board of Cortlandt did their job and was successful at keeping their town's tax rate below 9%. Deputy Supervisor Martorano said this increase was a direct result of the equalization rate. The Town of Yorktown is not responsible for the equalization rate it is set by New York State. The rates are unequal because the Lakeland School District is not co-terminus with the Town of Yorktown. Deputy Supervisor Martorano stated that the Town has successfully sued the State's Office of Real Property Taxes in the past over this issue and possibly will do it again.

Councilman Campisi gave his update concerning the Hallocks Mill Sewer District Upgrade. The Councilman stated that he has reached out to many elected officials including State Senator Vincent Leibell, State Senator Andrea Stewarts Cousin, Assemblyman Greg Ball and Assemblyman Mike Spano for help with getting the New York City Department of Environmental Protection to change its regulations so that the SPEDES permit will be increased to allow any of the unsewered property owners to be included in the district. He further stated that when he spoke to an old friend, an Assemblyman from Queens, he was able to speak to the Deputy Commissioner of the Department of Environmental Protection who assured him that they are working on the new regulations and would arrange a meeting with him at the Sewer District. Councilman Campisi also gave an update on the proposed skate board park.

Councilman Metz cancelled the Citizens Advisory Board on Traffic's Meeting for tomorrow night.

PRESENTATION

ANNUAL STORMWATER COMPLIANCE REPORT

Judy Graham, a representative of Sterns and Wheeler gave a presentation regarding the Town's work on New York State's Storm Water Management requirements. She explained that the Town is working on its storm water plans for the Highway Department, The Department of Environmental Conservation Building and the Police Department. Ms. Graham spoke about how the Battle of Yorktown, The Yorktown's Lake Council, The Highway Department's inspection of storm drains and the summer stream team work directly relate to the town efforts concerning storm water management. She also included the town's public education efforts.

Mr. Gil Kaufman asked Ms. Graham about the manhole covers which are lower than the roadway. He asked why the Town doesn't level them with the road.

Mrs. Sharon Robinson, Acting Town Engineer stated that typically manhole covers are installed on roadways before they are paved. The elevation levels change once the road is paved. She further explained that even if water did infiltrate our sewer system because some manhole covers were lower than the road, the amount would be minuscule and not cost effective to set up a program to remove.

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

Mr. Howard Frank stated that he sent the new Sewer Committee information regarding a new system which employs a different type of technology. He asked that the Board look into this system.

Mr. Gilbert Kaufman asked the Town Board to clarify its sign law. He is attempting to sell his home himself. He places signs on Route 202 near his home on private property which are subsequently removed by the Code Enforcement Officer.

Mr. Nicholas DiTomasso asked why Villa Barone which is in Mahopac was allowed to have signs plastered throughout the Town.

Councilman Metz stated that he agrees the sign law needs to be modified and clarified.

RECONVENE PUBLIC HEARING
JEFFERSON VALLEY SERVICE STATION
AMEND SPECIAL USE PERMIT B MODIFY EXISTING SIGN

Deputy Supervisor Martorano reconvened a public hearing to consider the proposed local law amending Jefferson Valley Service Station Special Use Permit by modifying an existing sign.

Mr. John Tegeder, Director of Planning explained that the application was to legalize an existing sign at the service station. He explained that he along with ABACA have worked with the applicant and have arrived at something which is acceptable.

Mr. Howard Frank spoke of the illumination on the sign. He believes the Town should impose a fee if businesses want an illuminated sign.

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 Campisi.

DECISION
JEFFERSON VALLEY SERVICE STATION
AMEND SPECIAL USE PERMIT B MODIFY EXISTING SIGN
RESOLUTION #188

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

WHEREAS, the Town Board of the Town of Yorktown has received from Jefferson Valley Service Station an application pursuant to Section 300-46 of the Yorktown Town Code for amendment of the special use permit for an existing Citgo gasoline filling station located at the northeast corner of the intersection of Mahopac Street and East Main Street in Jefferson Valley; and

WHEREAS, the applicant proposes to modify their existing freestanding sign from a 17'-0" high double pole sign to a 12'-0" high triple pole sign; and

WHEREAS, the application was referred to and reviewed by the Advisory Board on Architecture and Community Appearance (ABACA), the Building Department, and the Planning Department of the Town of Yorktown; and

WHEREAS, the applicant made modifications to the proposed plans to incorporate the comments and recommendations of the reviewing boards and departments; and

WHEREAS, the Town Board convened a Public Hearing with respect to the application on 02/20/2007, at which the applicant was represented by Jay Hansmann, owner of the Jefferson Valley Service Station; and

WHEREAS, it appears to the satisfaction of the Town Board that this project, as modified to conform to the recommendations and requirements of the reviewing boards and departments, will have no significant adverse impacts; now therefore be it hereby

RESOLVED, that application for approval of an amended special use permit for the existing Jefferson Valley Service Station located at the northeast corner of the intersection of Mahopac Street and East Main Street in Jefferson Valley, Section 6.17 Parcel 2 Lot 72, as proposed by the applicant and modified to incorporate the comments and recommendations of the reviewing boards and departments, on the maps entitled, "Citgo I.D. Sign Location" Plan & Details," prepared by Michael K. Dunn, R.A. dated March 6, 2007 and "Citgo I.D. Sign w/ Roof Capping" prepared by Michael K. Dunn, R.A. dated December 13, 2006, was submitted to the Planning Department on April 26, 2007 by the applicant, shall be and hereby is granted subject to the continuing requirement of compliance by the applicant with all applicable local, county, state and federal licensing, permitting and regulatory requirements; and

BE IT FURTHER RESOLVED, that the plans be modified as follows:

1. Correct the subtitle of the drawing "Citgo I.D. Sign w/ Roof Capping" to read "12'-0 OAH triple Pole Support for the Citgo 6 ft. Wide Family of Signs."

BE IT FURTHER RESOLVED that unless the modifications to the sign approved herein are completed within 360 days of the date of this resolution, this approval will be null and void.

Martorano, Campisi, Metz Voting Aye.
Resolution adopted.

PUBLIC HEARING
PROPOSED LOCAL LAW AMENDING CHAPTER 275-9
RESTRICTING LEFT HAND TURNS BALDWIN ROAD
AND UNDERHILL AVENUE

Councilman Metz reconvened a public hearing to consider the proposed local law restricting left hand turns at Baldwin Road and Underhill Avenue.

Councilman Metz explained that this proposal will correct what he deems as an existing hazardous condition.

Mr. Robert Giordano, President of the Huntersville Homeowner's Association stated that the proposal has the potential of saving serious injuries and possibly lives. In addition to preventing a left hand turn from this location, the Board should instruct its personnel to cut back the foliage at the other location.

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 Campisi.

LOCAL LAW #8 AMENDING CHAPTER 275-9
RESTRICTING LEFT HAND TURNS BALDWIN ROAD
AND UNDERHILL AVENUE
RESOLUTION #189

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

WHEREAS, a public hearing was held on the 15th day of May, 2007 pursuant to notice duly published as required by law to consider the adoption of a proposed Local Law amending Chapter 275 -9 of the Code of the Town of Yorktown relating to restricting left hand turns off Baldwin Road where it intersects with Underhill Avenue.

RESOLVED, that Local Law #8/2007, 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:

Deputy Supervisor James Martorano	Voting	Aye
Councilman Louis Campisi	Voting	Aye
Councilman Metz	Voting	Aye

Local Law #8/2007 was thereupon declared adopted.

PUBLIC HEARING PROPOSED LOCAL LAW AMENDING
CHAPTER 275-17 ADDING WHIPOORWILL ROAD AND WILLOWAY STREET
BETWEEN BROAD STREET AND ROUTE 35 TO THE LIST OF STREETS WHERE
RATE OF SPEED IS 25 MPH

Councilman Metz reconvened a public hearing to consider the proposed local law amending Chapter 275-17 adding Whipoorwill Road and Willoway Street between Broad Street and Route 35 to the list of Streets where rate of speed is 25 MPH.

Councilman Metz stated that this proposal was brought about by residents in the area who attended a Citizens Advisory Board on Traffic (CABOT) meeting and made the request.

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 Campisi.

LOCAL LAW AMENDING
CHAPTER 275-17 ADDING WHIPOORWILL ROAD AND WILLOWAY STREET
BETWEEN BROAD STREET AND ROUTE 35 TO THE LIST OF STREETS WHERE
RATE OF SPEED IS 25 MPH
RESOLUTION #190

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

WHEREAS, a public hearing was held on the 15th day of May, 2007 pursuant to notice duly published as required by law to consider the adoption of a proposed Local Law amending Chapter 275 -17 of the Code of the Town of Yorktown relating to adding Whipoorwill Road and Willoway Street between Broad Street and Route 35 to the list of Streets where rate of speed is 25 MPH.

RESOLVED, that Local Law #9/2007, 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:

Deputy Supervisor James Martorano	Voting	Aye
Councilman Louis Campisi	Voting	Aye
Councilman Metz	Voting	Aye

Local Law #9/2007 was thereupon declared adopted.

SET PUBLIC HEARING FOR PROPOSED
GOMER STREET SEWER DISTRICT
RESOLUTION #191

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

WHEREAS, a written petition has been duly filed with the Town Board of the Town of Yorktown, Westchester County, New York, in relation to the establishment of a proposed sewer district in said Town, to be known as Gomer Street Sewer District (hereinafter, the "Sewer District" or simply, the "District") together with a map showing the boundaries thereof, a general plan to serve said District, and a report of the proposed method of operation thereof; and

WHEREAS, said map, plan and report, including an estimate of the cost, were prepared by a competent engineer duly licensed by the State of New York, and have been filed in the office of the Town Clerk of said Town, where the same are available during regular office hours for examination by any persons interested in the subject matter thereof, including estimate of cost; and

WHEREAS, the boundaries of said District shall be as described in Exhibit A attached hereto and hereby incorporated herein; and

WHEREAS, the improvements proposed for said District consist of the construction of a sanitary main of approximately 2,000 linear feet of 8-inch diameter sewer pipe, including original furnishings, equipment, machinery, apparatus and incidental improvements and expenses in connection therewith, all as more fully described in the map, plan and report hereinbefore described; and

WHEREAS, the maximum estimated cost of said improvements is \$600,000; and

WHEREAS, the proposed method of financing the cost of said improvements consists of the issuance of \$600,000 serial bonds of said Town maturing in annual installments over a period not exceeding forty years; and

WHEREAS, the estimated cost of hook-up fees to the typical property in said District is \$3,000; and

WHEREAS, the estimated cost of said District to the typical property therein is approximately \$1,400 in the first year in which operation, maintenance, debt service and other charges and expenses are to be paid; and

WHEREAS, a detailed explanation of the manner by which said estimated costs of hook-up fees and first-year costs to the typical property were computed has been filed in the office of the Town Clerk where the same are available during regular office hours for examination by any person interested in the subject matter thereof; and

WHEREAS, it is now desired to call a public hearing upon the question of the establishment of said District and the improvements proposed therefor, all pursuant to Section 209-d of the Town Law; NOW, THEREFORE, BE IT

ORDERED, by the Town Board of the Town of Yorktown, Westchester County, New York, as follows:

Section 1. A meeting of the Town Board of the Town of Yorktown, Westchester County, New York, shall be held at the Town Hall, in Yorktown Heights, New York, in said Town, on the 5th day of June, 2007, at 7:30 o'clock P.M., Prevailing Time, for the purpose of holding a public hearing to consider the establishment of a sewer district in said Town as described in the preambles hereof, to be known as Gomer Street Sewer District, and the improvements proposed therefor, and to consider the map, plan and report filed in relation thereto, and to hear all persons interested in the subject matter thereof concerning the same, and for such other action on the part of said Town Board as may be required by law or shall be proper in the premises.

The Town Clerk is hereby authorized and directed to cause a copy of this order to be published once in The North County News, the official newspaper of said Town, the first publication thereof to be not less than ten nor more than twenty days before the day set herein for the hearing as aforesaid, and said Town Clerk shall also cause a copy

thereof to be posted on the sign-board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law not less than ten nor more than twenty days before the day set for the hearing as aforesaid.

Section 3. This order shall take effect immediately.

Deputy Supervisor James J. Martorano	VOTING	AYE
Councilman Matthew P. Metz	VOTING	AYE
Councilman Louis J. Campisi	VOTING	AYE

The resolution was thereupon declared duly adopted.

EXHIBIT A
GOMER ST. SEWER DISTRICT OSCEOLA EXT. 12
Town of Yorktown Tax Map Identification

Old Tax Numbering System	New Tax Number	Address
Section 05.24 Parcel 16 Lot 10	27.05-2-29	3023 Gomer St.
Section 05.24 Parcel 16 Lot 11	27.05-2-28	3013 Gomer St.
Section 05.24 Parcel 16 Lot 12	27.05-2-27	3001 Gomer St.
Section 05.24 Parcel 16 Lot 13	27.05-2-26	2993 Gomer St.
Section 05.24 Parcel 16 Lot 2	17.17-2-2	355 Cording Rd.
Section 05.24 Parcel 16 Lot 3	17.17-2-1	3095 Gomer St.
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Section 05.24 Parcel 16 Lot 4	27.05-2-35	3085 Gomer St.
Section 05.24 Parcel 16 Lot 5	27.05-2-34	3077 Gomer St.
Section 05.24 Parcel 16 Lot 6	27.05-2-33	3069 Gomer St.
Section 05.24 Parcel 16 Lot 7	27.05-2-32	3061 Gomer St.
Section 05.24 Parcel 16 Lot 8.1	27.05-2-31	3053 Gomer St.
Section 05.24 Parcel 16 Lot 8.2	27.05-2-30	3043 Gomer St.
Section 05.24 Parcel 16 Lot 9	27.05-2-6	3018 Hickory St.
Section 05.24 Parcel 67 Lot 1	27.05-2-25	2985 Gomer St.
Section 05.24 Parcel 67 Lot 2.1	27.05-2-23	2977 Gomer St.
Section 06.02 Parcel 18 Lot 4.1	27.05-2-49	2970 Gomer St.
Section 06.02 Parcel 18 Lot 4.2	27.05-2-50	2960 Gomer St.
Section 06.03 Parcel 15 Lot 14	17.17-3-56	384 Homestead Rd.
Section 06.03 Parcel 15 Lot 15	17.17-3-55	3112 Gomer St.
Section 06.03 Parcel 15 Lot 16	17.17-3-54	3122 Gomer St.
Section 06.03 Parcel 15 Lot 17	17.17-3-53	3132 Gomer St.
Section 06.03 Parcel 15 Lot 18	17.17-3-52	3142 Gomer St.
Section 06.03 Parcel 15 Lot 20	27.05-2-48	2992 Gomer St.
Section 06.03 Parcel 15 Lot 21	27.05-2-46	3008 Gomer St.
Section 06.03 Parcel 15 Lot 21.1	27.05-2-47	3000 Gomer St.
Section 06.03 Parcel 15 Lot 24	27.05-2-43	3034 Gomer St.
Section 06.03 Parcel 15 Lot 25	27.05-2-42	3042 Gomer St.
Section 06.03 Parcel 15 Lot 26	27.05-2-36	3090 Gomer St.
Section 06.03 Parcel 15 Lot 27	27.05-2-40	3056 Gomer St.
Section 06.03 Parcel 15 Lot 28	27.05-2-39	3066 Gomer St.
Section 06.03 Parcel 15 Lot 29	27.05-2-38	3074 Gomer St.
Section 06.03 Parcel 15 Lot 30	27.05-2-37	3082 Gomer St.
Section 06.03 Parcel 15 Lot 31	27.05-2-36	3082 Gomer St.
Section 05.24 Parcel 67 Lot 2	27.05-2-24	2961 Gomer St.
Section 05.24 Parcel 67 Lot 4	27.05-2-21	2965 Gomer St.
Section 05.24 Parcel 67 Lot 3	27.05-2-22	2971 Gomer St.
Section 06.03 Parcel 15 Lot 19	17.17-3-50	3154 Gomer St.
Section 06.04 Parcel 14 Lot 1	17.17-3-49	3162 Gomer St.
Section 06.03 Parcel 15 Lot 18.1	17.17-3-51	3148 Gomer St.

AUTHORIZE SUPERVISOR TO SIGN
CONTRACT WITH BLUE WATER POOLS FOR POOL MAINTENANCE

RESOLUTION #191A

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

RESOLVED, that the Town Supervisor is hereby authorized to sign a Town pool service agreement with Blue Water Pools of Wappingers Falls. This agreement provides for pool opening and closing services, bulk chemical seasonal quotes as well as in season maintenance. The pool opening and closing costs will be \$13,990 and hourly maintenance rates of \$95/hr. for the first half hour of labor and \$89.90/hr. thereafter.

Martorano, Campisi, Metz Voting Aye.
Resolution adopted.

ADOPT THE LEGACY BALLFIELD PARK NAME AS
"WOODLANDS LEGACY FIELDS"

RESOLUTION #192

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

WHEREAS, the Town currently has a ball field off Route 132 known as the Woodlands Ball Field, and

WHEREAS, the Parks and Recreation Commission at its meeting of May 3, 2007 passed a resolution recommending the area including the new legacy ball fields adjacent to the Town's Woodlands ball field be known as the "Woodlands Legacy Fields", Now

THEREFORE BE IT RESOLVED, that the Town of Yorktown endorses naming the new ball field complex the "Woodlands Legacy Fields".

Martorano, Campisi, Metz Voting Aye.
Resolution adopted.

DECLARE INTENT TO BE LEAD AGENCY
FOR SKATE PARK IN COMPLIANCE WITH SEQRA

RESOLUTION #193

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

WHEREAS, the Town Board of the Town of Yorktown the "Board" is seeking to construct a modular skate park, to be know as "Patriot Skate Park", on land adjacent to Town Hall, 363 Underhill Ave, within the New York State ROW which is leased to the Town of Yorktown by lease numbered 81867; and

WHEREAS, the estimated cost of the project will be \$287,000; and

WHEREAS, the Town has applied for a Legacy Grant in the amount of \$250,000 from the Westchester County Legacy Program; and

WHEREAS, the remaining \$37,000 of the projected cost will come from private and public funding sources; and

WHEREAS, the Board has developed preliminary plans in consultation with the Yorktown Recreation Commission, Playworld Systems, Inc., Raymond Michael Ltd., and the Concerned Citizens for Safe Skateboarding in Yorktown; and

WHEREAS, the Board is contemplating building a 65' by 120' modular skate park; and

WHEREAS, the proposed action requires installation of 7,800 square feet of blacktop atop a crushed stone base; and

WHEREAS, the proposed action will utilize existing drainage; and

WHEREAS, as a result of this project as proposed, total impervious surface will be increased by 7,800 square feet; and

WHEREAS, pursuant to NYSCRR Part 617 of the State Environmental Quality Review Act, the Board seeks to conduct an environmental review of this project; and

WHEREAS, the Board has determined that in accordance with NYSCRR Part 617.2(ae) that the action is classified as an Unlisted action;

BE IT NOW RESOLVED, that the Board declares its intention to be lead agency for the project described as "Patriot Skate Park" for the environmental review of such project as a coordinated review, and directs the distribution of the Notice of Intent to the following interested and involved agencies: the New York State Department of Transportation, the Westchester County Department of Planning, the Westchester County Department of Parks, and the New York City Department of Environmental Protection.

Martorano, Campisi, Metz Voting Aye.
Resolution adopted.

REQUEST FOR WETLAND PERMIT EXTENSION
US HOME CORP./LENNAR B WP#-070-05
RESOLUTION #194

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

WHEREAS, U.S. Home/Lennar, as applicant has requested a 90 day extension for Town Board Wetland Permit application #WP-070-05, approved at their June 6, 2006 Town Board, and

WHEREAS, U.S. Home/Lennar's Wetland Permit application will become valid once the applicant posts the required bonds as stated in the Town Board resolution, and

WHEREAS, if the 90 days expire and the applicant decides to move forward, they are to reapply to the Town Board, NOW, THEREFORE BE IT

RESOLVED, that Town Board Wetland Permit application #WP-070-05 is hereby extended for ninety days.

Martorano, Campisi, Metz Voting Aye.
Resolution adopted.

LANDSCAPE BOND RELEASE
STEPHEN ROACH B CHRISTINE ROAD
RESOLUTION #195

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

WHEREAS, Stephen Roach, as applicant, heretofore filed Landscape Bond #2311, on January 4, 2006, 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 #2311, in the amount of \$300.00 be and are hereby released to Mr. Stephen Roach, 395 Route 6N, Mahopac, NY 10541.

Martorano, Campisi, Metz Voting Aye.
Resolution adopted.

LANDSCAPE BOND RELEASE
DORCHESTER HEIGHTS SUBDIVISION
RESOLUTION #196

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

WHEREAS, Dorothy Zeifer of North River Associates, as applicant, heretofore filed Landscape Bond #2297, on May 10, 2005, in the amount of \$300.00, which was deposited into the T-30 account, and

WHEREAS, Dorothy Zeifer of North River Associates, as applicant, heretofore filed Landscape Bond #2300, on August 3, 2005, 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 \$600.00 may be released, NOW, THEREFORE, BE IT

RESOLVED, that Landscape Bonds, #2297 & #2300, in the amount of \$600.00 be and are hereby released to Ms. Dorothy Zeifer, North River Associates, 2127 Crompond Road, Cortlandt Manor, NY 10567.

Martorano, Campisi, Metz Voting Aye.
Resolution adopted.

WETLAND PERMIT RELEASE #037-03
MICHAEL SALITAN
RESOLUTION #197

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

WHEREAS, SoHo Surgical, P.C., heretofore filed an Erosion Control Bond in the sum of \$2,500.00, which was deposited into the T33 Account on November 21, 2003, covering Wetland Permit #037-03, for work performed at 1225 Baptist Church 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 \$2,500.00 for erosion control may be released, NOW THEREFORE BE IT

RESOLVED, that the above-described Erosion Control Bond in the amount of \$2,500.00 be and is hereby released to SOHO Surgical, P.C., 589 Broadway, 2nd Floor, New York, NY 10012, Attn: Michael Salitan.

Martorano, Campisi, Metz Voting Aye.
Resolution adopted.

REQUEST TO AMENDMENT THE PEEKSKILL
SANITARY SEWER DISTRICT FOR PARCEL 26.18-1-29
RESOLUTION #198

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

WHEREAS, the Town of Yorktown Town Board is desirous of including 1 parcel of land into the existing Peekskill Sanitary Sewer District, NOW THEREFORE BE IT

RESOLVED, that the Town Board of the Town of Yorktown does hereby request that the County of Westchester incorporate parcel 26.18-1-29 into the Peekskill Sanitary Sewer District.

Martorano, Campisi, Metz Voting Aye.
Resolution adopted.

AUTHORIZE ADDITIONAL \$680
FOR FUNDING TRAFFIC STUDY

RESOLUTION #199

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

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, Jacobs, Edwards & Kelcey, a planning 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, Jacobs, Edwards and Kelcey has submitted a proposal to provide the additional traffic analysis for the site plan pursuant to said on-call agreement for an amount not to exceed \$680.00 for the additional traffic analysis; now therefore

BE IT RESOLVED, that the Supervisor of the Town of Yorktown is hereby authorized to engage Jacobs, 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 known as Esposito Builders, in an amount not to exceed \$680.00 for the additional traffic analysis, and that the total cost shall be reimbursed by the applicant as part of the cost review.

Martorano, Campisi, Metz Voting Aye.
Resolution adopted.

APPROVE YORKTOWN'S RESPONSIBILITY FOR ENFORCEMENT
OF PROPOSED SIDEWALKS ALONG ROUTE 202/35
AT LEXINGTON AVENUE
RESOLUTION #200

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

WHEREAS, the New York State Department of Transportation proposes the construction, under PIN 8561.33, of Route 35/202 in the TOWN OF YORKTOWN and

WHEREAS, the State will include as part of the construction of the above mentioned project a sidewalk along ROUTE 35/202, pursuant to Section 10, Subdivision 22 & Section 151 of the Highway Law, as shown on the contract plans relating to the project and

WHEREAS, the service life of the constructed sidewalk has not been extended and

WHEREAS, the State will provide for the construction of the above mentioned work, as shown on the contract plans relating to the project

NOW, therefore

BE IT RESOLVED, that the TOWN OF YORKTOWN approves the construction of the proposed SIDEWALK performed on the project and shown on the contract plans relating to the project and that the TOWN OF YORKTOWN will cause to be maintained the sidewalk as above stated and as shown on the contract plans, including the control of snow and ice.

BE IT FURTHER RESOLVED: that the clerk of this Board is hereby directed to transmit five (5) certified copies of the foregoing resolution to the State Department of Transportation.

Martorano, Campisi, Metz Voting Aye.
Resolution adopted.

AWARD BID FOR FOOD AND REFRESHMENT CONCESSION
AT THE BRIAN J. SLAVIN AQUATIC CENTER AND
JUNIOR LAKE POOL COMPLEX
RESOLUTION #201

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

WHEREAS, the following bid was received to provide food and refreshment concession services at the Brian Slavin Aquatic Center in Shrub Oak and the Junior Lake Pool in Yorktown Heights: O'Neill Concessions \$4,000

WHEREAS, the Superintendent of Parks and Recreation recommends to the Town Board that the bid be awarded to O'Neill Concessions for the 2007 pool season.
Now

THEREFORE BE IT RESOLVED, that the bid to provide food and refreshment concession services at the Brian Slavin Aquatic Center in Shrub Oak and the Junior Lake Pool in Yorktown Heights be awarded to O'Neill Concessions of 2709 Baldwin Road, Yorktown Heights, NY for the total amount of \$4,000 for the 2007 pool season.

Martorano, Campisi, Metz Voting Aye.
Resolution adopted.

REFUND DUPLICATE TAX PAYMENT
RESOLUTION #202

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

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

Year and Tax	S-P-L	Account #	Refund
2007 Town/Cty	48.05-1-16	4193000	\$161.62
2006 Sch 22	37.18-2-42	3317000	\$1,868.43
2007 Town/Cty	17.05-1-14.-795	2241295	\$1,445.49
2006 Sch 22	25.16-1-32	0414000	\$3,217.20
2006 Sch 22	37.05-2-12	3438500	\$4,149.43
2006 Sch 21	16.10-3-19	1196500	\$43.49
2006 Sch 22	37.19-3-32	3673000	\$2,146.12

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

Martorano, Campisi, Metz Voting Aye.
Resolution adopted.

MONTHLY REPORTS

Receiver of Taxes (2)
Building Inspector B Permit Cost Report dated 5/1/2007

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

Mr. Nick DiTomasso stated that he was in favor of the proposed skateboard park. He asked who would be picking up the insurance costs?

Mr. Howard Frank asked if there would be any rules concerning the use of safety equipment in the park?

Councilman Campisi stated that the insurance for this skateboard park would appear on the Town's insurance policy just as any other park area does. He also explained that in order for youngsters to use this facility, there will be rules that must be

adhered to, in addition to having an adult sign a liability waiver. He further stated that the rules and regulations would be posted in the park.

Mr. Richard Severi, a resident of Forest Court spoke about a storm water problem which he stated was caused by the Town of Yorktown. He said the Water Department has told him that the water which has caused his foundation to crack is not drinking water. Mr. Severi stated that he believes its coming from the catch basins. He would like the Engineering Department to come out to his home and tell him why the water is running so swiftly.

Councilman Campisi stated that the Highway Superintendent has gone out to Mr. Severi's home and believes this is a result of pipe which was cracked when the homeowner did an addition to his home last year. He said the Highway Superintendent has stated that before anything can be determined, a camera would have to be placed near the leak to actually see what happened.

ADJOURN

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

Alice E. Roker
Town Clerk
Town of Yorktown