

Regular Meeting held by the Town Board, Town of Yorktown on October 16, 2007. John C. Hart Memorial Library, 1130 Main Street, Shrub Oak, New York 10588.

Present: Alice E. Roker, Supervisor  
James Martorano, Councilman  
Nicholas Bianco, Councilman  
Louis Campisi, Councilman  
Matthew Metz, Councilman  
Diana L. Quast, Town Clerk

#### TOWN BOARD MEETING

Supervisor Alice E. Roker called the meeting to order. Town Attorney Kevin Sweeny, Acting Town Engineer Sharon Robinson, Assistant Planner Lorraine DeSisto and Planner Robyn Steinberg were also present.

#### PLEDGE OF ALLEGIANCE

Supervisor Alice E. Roker led the salute to the flag.

#### MOMENT OF SILENCE

A moment of silence was observed in honor of our men and women serving in the Armed Forces and for Grace Roma, a long time Yorktown resident who past away on Sunday.

#### PROCLAMATION

Councilman Nicholas Bianco read the following proclamation:

WHEREAS the Town of Yorktown proudly joins the County of Westchester in fighting the War on Drugs; and

WHEREAS as an expression of our solidarity in fighting drug use in Westchester County, the Town of Yorktown supports the Yorktown School District's Consortium for Community Education and P.S. We Care in recognizing "October is Substance Abuse Awareness Month;" and

WHEREAS the Town of Yorktown joins Westchester County in observing the 2007 National Red Ribbon Campaign, which has become the symbol to eliminate the demand for drugs in our country and demonstrates a commitment to a healthy, drug-free lifestyle; and

WHEREAS the Town of Yorktown will demonstrate its commitment to a drug-free lifestyle by observing this week with appropriate programs, ceremonies or activities and will encourage residents and employees to wear red ribbons during the week of October 21 through October 27, 2007.

NOW, THEREFORE BE IT PROCLAIMED that the Town Board of the Town of Yorktown does hereby recognize "October is Substance Abuse Awareness Month;" and

BE IT FURTHER PROCLAIMED that the Town of Yorktown does hereby proclaim October 21 to October 27, 2007 as

#### RED RIBBON WEEK

and encourages all citizens to participate in drug education and prevention activities to demonstrate support for our strong commitment to a drug-free Westchester.

DURING HER REPORT TO THE TOWN, Supervisor Roker introduced Assistant Planner Lorraine DeSisto and Planner Robyn Steinberg. Ms. DeSisto gave an update to the Town Board and community with regards to the Commerce Street Streetscape project. She stated that the work on Commerce Street has begun and will continue into January. On the Town's website there will be a schedule of the work planned and it will be constantly updated. Merchants and business owners will be contacted so that they are

aware of the work that is being done. The Town will be replacing streetlights, sidewalks and planting new trees along Commerce Street. This project is being funded through the Community Development Block Grant Program and the Good Neighbor Program. Supervisor Roker stated that there is a concept plan located in Town Hall that shows the completed project. The Town Board thanked Ms. DeSisto for her update.

DURING THEIR REPORTS TO THE TOWN, Councilman Bianco thanked Mr. Angelo Frangella a resident of the Town who has been cleaning up garbage across from the Jefferson Valley Mall on a routine basis.

Councilman Metz stated that traffic on Route 202 between the time of 4 PM and 6 PM has been particularly heavy over the last week. He believes that this was caused from the timer being off. Councilman Campisi stated that the light as you come off the Taconic State Parkway onto Route 202 was also not responding properly and that the State has been contacted.

Highway Superintendent Eric DiBartolo stated that both Councilman Metz and Campisi are correct. He stated that he is not sure if it was a lightening hit or power drop but what happens is that the timer gets thrown off and it needs to be reset. The New York State Department of Transportation has been contacted and will be out to check all the lights from Granite Springs Road right down to BJ's on Friday.

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

Ms. Clemenza stated that she feels there are many changes and issues going on in the community and information that is being given out should be accurate. Mr. Moskowitz read the rest of Ms. Clemenza's comments.

Mr. DiTomaso congratulated the Town on the Commerce Street Streetscape Project. He announced that on channel 74 at 5:30 PM on Friday's there will be a new show called Seniors Forum which will be a show about seniors.

Ms. McGowan, Co-Chair of the Adhoc Sewer Committee stated that she respects everyone's opinion but homeowners are receiving inaccurate information. She feels that when information is disseminated it should be accurate so that there is no miscommunication among residents. She stated that you can call the Adhoc Committee at 245-2661 or the Engineering Department at 962-5722 for more information.

Mr. Donovan stated that he feels that there are errors in the flyer that is being distributed with regards to sewers. He would like the Town to use the East of Hudson Funds to replace septic systems.

Mr. Killeen welcomed everyone to the John C. Hart Memorial Library. He stated that there is one item on the wall that he feels is totally inappropriate for a public building and he takes offense to it and would like it removed.

Ms. Siegel, Co-Chair for the Unsewered Hallocks Mill Homeowners Committee stated that there are two different committees being referred to: One is the Adhoc Sewer Committee established by the Town Board and the other is the Unsewered Hallocks Mill Homeowners Committee.

She mentioned that a new flyer is in progress which is being written by the Adhoc Sewer Committee and will clarify many issues of concern. She asked the Town Board to clarify the information about the money from the East of Hudson Funds.

Mr. Vishnu Patel asked people not to litter when eating their lunch around Town. Daylight is getting shorter and he asked everyone to be careful of children who may be out.

Mr. Don Peters stated that on Saturday many seniors were out getting signatures for the creation of a new senior center. They received 850 signatures in less than two

hours. He stated that Councilman Martorano has been working on this as well as others and it should be a bipartisan issue. He encouraged everyone to help seniors and sign their petition.

Councilman Campisi moved, seconded by Councilman Bianco, to close Courtesy of the Floor.

Supervisor Roker Stated that one of the biggest problems she has found in local government is the lack of communications, with miscommunications probably being the worst. She asked Acting Town Engineer Sharon Robinson to talk about sewers and the East of Hudson Funds.

Acting Town Engineer Sharon Robinson stated that the East of Hudson Funds money is approximately fifty million dollars and is to be divided between five different focus projects. The project slated for the Town of Yorktown is the lateral sewer district project. The Town is working on a variance to move forward with being able to take the sewage from the unsewered homeowners to the new sewer treatment plant that is sized to handle all of them. If this does not move forward for any reason, there is ten million dollars for the Town of Yorktown. She does not know at this time what the funds would be allocated for. She believes it would be very difficult for the NYC DEP to allocate funds to individuals with septic problems on private property. She stated that she is not saying it can't be done but it is not as easy as saying here is ten million dollars. There is only one community that has moved forward, the other four have not moved forward for various reasons. She stated that anyone can call her office and she will share all of the information she has with them.

Councilman Martorano asked if this variance was in reference to the SPEDES Permit.

Town Engineer Sharon Robinson stated no, that is just for the NYC DEP to change its rules and regulations. That has to happen first and then the Town's SPEDES Permit is a State Collusion Discharge Permit. Once this is changed the rest should follow suit. The Plant is now going through thirty million dollars in upgrades and is sized to handle the entire Hallocks Mill District.

Supervisor Roker stated that the question remains as to whether or not the change to the regulations will permit the entry of approximately 5000 people into the district.

Councilman Campisi asked if the ten million dollars is just for the Town of Yorktown and specifically to be used for sewers and not septic.

Mrs. Robinson answered that this is correct.

Councilman Martorano asked if there was any inclination that the rules would be changed.

Acting Town Engineer Sharon Robinson stated that NYC DEC is working on changing its rules and regulations but has not indicated what level the Town can expand to. She mentioned that the one thing from the State level is they approved our Sewage Treatment Plant to be built and to encompass the Hallocks Mill District as we know it.

Supervisor Roker asked how long it would take if it was approved in January. Ms. Robinson said that it would take anywhere from two to five years.

Highway Superintendent Eric DiBartolo stated that the Town has started hydrant flushing and the Water Department will be sending out notification letters. If you have any questions please call the Water Department.

SET PUBLIC HEARING

SANITARY SEWER DISTRICT HUNTERBROOK EXTENSION #17

TEMPLE ISRAEL OF NORTHERN WESTCHESTER AND BEST RENT  
PROPERTIES, LLC  
RESOLUTION #376

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

WHEREAS, a petition has been filed for the creation of the Hunterbrook Sewer District, Extension No. 17 together with a map and plan, and which petition recites the total amount proposed to be expended for the improvement is \$210,000 and will be borne entirely by petitioners, Best Rent Properties and Temple Israel of Northern Westchester, and

WHEREAS, the boundaries of the proposed sewer district extension are as shown on Schedule A and bounded and described, as follows:

SCHEDULE A, PARCEL 1

ALL that certain plot, piece or parcel of land, with the buildings and improvements, thereon erected, situate, lying and being in the Town of Yorktown, Westchester County and State of New York, being more particularly bounded and described as follows:

BEGINNING at a point on the northerly side of Carpenter Road, formerly known as Carpenter Street at the westerly end of a curve having a radius of 20 feet and a length of 32.53 feet, which curve connects the northerly side of Carpenter Road with the westerly side of Mohansic Avenue;

THENCE along said northerly side of Carpenter Road north 87 degrees 28 minutes 57 seconds west, 1065.49 feet to land formerly of Peter Cassinari, now or formerly of Peto;

THENCE along said mentioned land north 1 degree 56 minutes 00 seconds east, 99.80 feet, north 5 degrees 19 minutes east, 315.61 feet and north 6 degrees 24 minutes east, 26.02 feet to a point on the southerly side of Crompond Road, also known as Route No. 202;

THENCE easterly along the southerly side of Crompond Road along the arc of a curve to the left having a radius of 1945 feet, a distance of 102.65 feet;

THENCE still along the southerly side of Crompond Road, south 89 degrees 21 minutes 17 seconds east, 41.69 feet to land now or formerly of Bridget Vespo, as conveyed by deed in Liber 3238 cp 215;

THENCE along said last mentioned land the following courses and distances:

South 3 degrees 52 minutes west, 100.00 feet;  
South 86 degrees 08 minutes east, 100.00 feet;  
North 3 degrees 52 minutes east, 105.63 feet to a point on the southerly side of Crompond Road, aforesaid;

THENCE along said side of Crompond Road, south 89 degrees 12 minutes 17 seconds east, 588.13 feet to land now or formerly of Socony Mobil Oil Company, Inc. As conveyed by deed in Liber 6042 cp 278;

THENCE along said last mentioned land south 3 degrees 49 minutes 00 seconds east, 150 feet and south 82 degrees 54 minutes 40 seconds east, 196.12 feet to a point on the westerly side of Mohansic Avenue;

THENCE along said westerly side of Mohansic Avenue;

South 3 degrees 49 minutes east, 40.32 feet;  
South 3 degrees 10 minutes east, 198.22 feet;  
South 3 degrees 43 minutes west, 154.61 feet;  
South 8 degrees 20 minutes west, 58.12 feet to a point of curve;

THENCE southwesterly along the arc of a curve to the right having a radius of 20 feet, a distance of 32.53 feet to a point on the northerly side of Carpenter Road to the point or place of BEGINNING.

Excepting there from so much of the above described premises as was required by the State of New York pursuant to Notice of Appropriations recorded in Liber 9375 p. 65 and Control No. 441320593.

SAID premises being known as 3241 Old Crompond Road, Yorktown, New York.

#### SCHEDULE A, PARCEL 2

All that certain piece, plot or parcel of land situate lying and being in the TOWN OF YORKTOWN, COUNTY OF WESTCHESTER, State of New York, bounded and described as follows:

BEGINNING at a point on the northerly side of Crompond Road, where the same is intersected by the division line between premises described herein and the westerly line of lands of the State of New York, known as the Taconic Parkway.

RUNNING THENCE along said side of Crompond Road, South 61° 49' 50" West 316.62 feet to a point;

RUNNING THENCE North 3° 58' 30" East 109.13 feet;  
RUNNING THENCE North 5° 23' 20" East 215.65 feet;  
RUNNING THENCE North 5° 26' 00" East 100.00 feet;  
RUNNING THENCE South 83° 56' 50" West 106.33 feet, South 86° 44' 50" West 51.46 feet, South 84° 58' 40" West 112.53 feet, South 80° 29' 20" West 26.69 feet, South 74° 18' 50" West 42.87 feet, South 77° 56' 40" West 93.80 feet, South 73° 12' 30" West 60.54 feet, South 77° 43' 20" West 130.31 feet and North 86° 52' 10" West 23.99 feet to a cross on a wall and land now or formerly of Palumbo;

RUNNING THENCE along the last mentioned land; North 7° 02' 30" West 175.43 feet, North 6° 44' 10" West 112.89 feet, North 6° 59' 40" West 238.77 feet North 6° 37' 40" West 124.69 feet to land of the State of New York;

RUNNING THENCE along the last mentioned land, North 79° 39' 00" East 944.89 feet to a point on the westerly line of Taconic Parkway;

RUNNING THENCE along said Parkway, South 4° 52' 50" East 663.72 feet to a point of curve to the right;

THENCE southerly still along said Parkway on a curve to the right having a radius of 958.24 feet a distance of 328.52 feet to the point or place of BEGINNING.

EXCEPTING that portion of the premises appropriated by the State of New York under Notice of Appropriation recorded under Control No. 401020289.

WHEREAS, the maximum amount proposed to be expended for such improvement is \$210,000.00, which will be borne entirely by Petitioners, it is

ORDERED, that the Town Board of the Town of Yorktown, shall meet at the Town Hall, 363 Underhill Avenue, Yorktown Heights, New York on the 20<sup>th</sup> day of November, 2007 at 7:30 o'clock PM for the purpose of conducting a public hearing on the proposal to establish said sewer district with the improvements specified above, at which time and place all persons interested in the subject thereof may be heard concerning the same.

Roker, Martorano, Bianco, Campisi and Metz Voting Aye  
Resolution adopted.

SET PUBLIC HEARING  
WETLANDS PERMIT APPLICATION  
JEFFERSON VILLAGE DREDGING OF PONDS AND CHANNELS.  
RESOLUTION #377

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

RESOLVED, that notice is hereby given that a public hearing will be convened by the Town Board, Town of Yorktown, Westchester County, New York at the Town Hall, 363 Underhill Avenue, Yorktown Heights, New York on the 20<sup>th</sup> day of November, 2007 at 7:30 o'clock PM to consider the application of Jefferson Owners Corporation for a Wetlands Permit for a proposed maintenance program for the channels and waterways within Jefferson Village. The project involves the restoration and maintenance of existing features including restoration of a small pond and removal of accumulated sediment, installation of a stone wall around the perimeter of the pond and restoration of 100 linear feet of tributary channel.

A copy of said proposal 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.

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

Roker, Martorano, Bianco, Campisi and Metz Voting Aye  
Resolution adopted

SET PUBLIC HEARING  
REQUEST FOR CLUSTERING  
LOCKWOOD ESTATES SUBDIVISION  
RESOLUTION #378

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 20<sup>th</sup> day of November, 2007 at 7:30 o'clock PM, or as soon thereafter as the same can be heard, to consider the application of Lockwood Estates Subdivision for the approval of clustering authorization, pursuant to Chapter 300, Article XXV of the Code of the Town of Yorktown. Parcel is located at the northwestern most corner of Yorktown, between Foothill Street and Lockwood Road.

A copy of said application 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.

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

Roker, Martorano, Bianco, Campisi and Metz Voting Aye  
Resolution adopted

ADVERTISE BID  
MATERIALS/RENTAL EQUIPMENT  
RESOLUTION #379

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

NOTICE IS HERE GIVEN that sealed proposals will be received by the Town Clerk, Town of Yorktown, Westchester County, NY until 10:00 A.M. on December 11<sup>th</sup>, 2007 at the Town Hall, 363 Underhill Avenue, Yorktown Heights, N.Y. 10598 for Various Mat./Rental Bid.

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 or in the handling of 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: Various Material & Rental Bid.”**

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.

Roker, Martorano, Bianco, Campisi and Metz Voting Aye  
Resolution adopted

APPOINT POLICE DISPATCHER  
WARD NELLIGAN  
RESOLUTION #380

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

BE IT RESOLVED, that Ward Nelligan of Thornwood, New York is hereby appointed Police Dispatcher in the Yorktown Police Department from Eligible List No. 60-869 effective October 16, 2007 to be paid from Yorktown CSEA Salary Schedule A, Group 11, Step 1 which is \$48,340 annually.

BE IT RESOLVED, that Ward Nelligan is hereby placed on Administrative Leave from October 16 through October 28, 2007

BE IT RESOLVED, that Ward Nelligan will report to work at the Police Department on Monday, October 29, 2007, and this date will be used as the first date of employment.

WHEREAS, the nature of the position of Police Dispatcher requires an in-depth background investigation and fingerprinting results, this appointment is contingent upon satisfactory completion of the background investigation and fingerprinting results.

BE IT FURTHER RESOLVED, that this appointment is subject to a probationary period of not less than 12 nor more than 52 weeks, commencing on the first date of employment of October 29, 2007.

Roker, Martorano, Bianco, Campisi and Metz Voting Aye  
Resolution adopted

APPOINT AUTOMOTIVE MACHANIC  
CENTRAL GARAGE  
DAVID DOHERTY  
RESOLUTION #381

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

BE IT RESOLVED, that David Doherty is hereby appointed Automotive Mechanic in the Central Garage effective October 15, 2007 to be paid from Yorktown CSEA Salary Schedule A, Group 12, Step 5 which is \$61,022 annually, representing no change in salary.

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

Roker, Martorano, Bianco, Campisi and Metz Voting Aye  
Resolution adopted

ESTABLISH UTILITIES OVERSIGHT COMMITTEE  
RESOLUTION #382

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

WHEREAS, the Town board of the Town of Yorktown hereby establishes a Utilities Oversight Committee which will assist the Town with monitoring, reviewing and addressing the environmental impacts of utilities on the Town of Yorktown, and

WHEREAS, this committee will address security issues regarding utilities, trespassing on utility right-of-ways and quality of life impacts, and

WHEREAS, this committee will investigate environmental impacts, issues which pertain to such things as wetlands and wetland buffers, flooding, erosion, tree removal and trimming, placement of fill, clearing of vegetation, disturbances to steep slopes, herbicide applications, security, construction and excavations, and

WHEREAS, this committee will ask questions and conduct reviews, issue comments, review mitigation needs and make related recommendations, and

WHEREAS, this committee will report directly to the Town Board of the Town of Yorktown, now

THEREFORE BE IT RESOLVED, that the Town Board of the Town of Yorktown hereby establishes a Utilities Oversight Committee.

Roker, Martorano, Bianco, Campisi and Metz Voting Aye  
Resolution adopted

APPOINT MEMBERS  
UTILITIES OVERSIGHT COMMITTEE  
MICHAEL DUBOVSKY  
RESOLUTION#383

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

BE IT RESOLVED, that Michael Dubovsky is hereby appointed as a member of the Utilities Oversight Committee for a three year term expiring on 10/31/10.

Roker, Martorano, Bianco, Campisi and Metz Voting Aye  
Resolution adopted

APPOINT MEMBERS  
UTILITIES OVERSIGHT COMMITTEE  
KATHRYN FORCELLI  
RESOLUTION#384

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

BE IT RESOLVED, that Kathryn Forcelli is hereby appointed as a member of the Utilities Oversight Committee for a three year term expiring on 10/31/10.

Roker, Martorano, Bianco, Campisi and Metz Voting Aye  
Resolution adopted

APPOINT MEMBERS  
UTILITIES OVERSIGHT COMMITTEE  
ANTHONY FORCELLI  
RESOLUTION#385

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

BE IT RESOLVED, that Anthony Forcelli is hereby appointed as a member of the Utilities Oversight Committee for a three year term expiring on 10/31/10.

Roker, Martorano, Bianco, Campisi and Metz Voting Aye

Resolution adopted

APPOINT MEMBERS  
UTILITIES OVERSIGHT COMMITTEE  
RONALD GATTO  
RESOLUTION#386

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

BE IT RESOLVED, that Ronald Gatto is hereby appointed as a member of the Utilities Oversight Committee for a three year term expiring on 10/31/10.

Roker, Martorano, Bianco, Campisi and Metz Voting Aye  
Resolution adopted

APPOINT MEMBERS  
UTILITIES OVERSIGHT COMMITTEE  
JERALD KAPLAN  
RESOLUTION#387

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

BE IT RESOLVED, that Jerald Kaplan is hereby appointed as a member of the Utilities Oversight Committee for a three year term expiring on 10/31/10.

Roker, Martorano, Bianco, Campisi and Metz Voting Aye  
Resolution adopted

APPOINT MEMBERS  
UTILITIES OVERSIGHT COMMITTEE  
DAVID PAGANELLI  
RESOLUTION#388

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

BE IT RESOLVED, that David Paganelli is hereby appointed as a member of the Utilities Oversight Committee for a three year term expiring on 10/31/10.

Roker, Martorano, Bianco, Campisi and Metz Voting Aye  
Resolution adopted

APPOINT MEMBERS  
UTILITIES OVERSIGHT COMMITTEE  
PATRICIA PODOLAK  
RESOLUTION#389

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

BE IT RESOLVED, that Patricia Podolak is hereby appointed as a member of the Utilities Oversight Committee for a three year term expiring on 10/31/10.

Roker, Martorano, Bianco, Campisi and Metz Voting Aye  
Resolution adopted

APPOINT MEMBERS  
UTILITIES OVERSIGHT COMMITTEE  
CRAIG STRAUSS  
RESOLUTION#390

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

BE IT RESOLVED, that Craig Strauss is hereby appointed as a member of the Utilities Oversight Committee for a three year term expiring on 10/31/10.

Roker, Martorano, Bianco, Campisi and Metz Voting Aye  
Resolution adopted

TITLE OF LEAD MAINTENANCE MECHANIC (AUTOMOTIVE)  
MOVED FROM SCHEDULE A, GROUP 14 TO  
SCHEDULE A, GROUP 15  
RESOLUTION #391

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

BE IT RESOLVED, that the title of Lead Maintenance Mechanic (Automotive) shall be moved from Schedule A, Group 14 to Schedule A, Group 15 effective October 15, 2007 and Schedule B shall also be updated.

BE IT FURTHER RESOLVED, that employees who currently hold this title shall be paid at the appropriate Group 15 step commencing with the effective date of October 15, 2007.

Roker, Martorano, Bianco, Campisi and Metz Voting Aye  
Resolution adopted

AUTHORIZE THE SUPERVISOR TO SIGN  
AGREEMENT WITH STEARNS AND WHEELER FOR CADD DESIGN  
FOR ROUTE 202 SEWERS  
RESOLUTION #392

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

WHEREAS, the Engineering Department is to complete the final design of the Route 202 Sewers.

THEREFORE BE IT RESOLVED that the Town Board authorizes the Supervisor to sign an agreement with Stearns and Wheeler to complete CADD design of the Route 202 Sewers.

Roker, Martorano, Bianco, Campisi and Metz Voting Aye  
Resolution adopted

WETLANDS PERMIT EXTENSION  
WP-040-06 – BALDWIN ROAD  
RESOLUTION #393

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

WHEREAS, Sandra Goldstein posted Check #6415 in the amount of \$300.00, to serve s the Wetland Bond for Wetland Permit #WP-040-06, for work being performed at her Baldwin Road residence, and

WHEREAS, Sandra Goldstein submitted an email requesting a 180 day extension, and

WHEREAS, the applicant was made aware that she will have to reapply if the intended work is not started within the 180 day time frame, NOW, THEREFORE BE IT

RESOLVED, that Wetland Permit #WP-040-06 is hereby extended for 180 days.

Roker, Martorano, Bianco, Campisi and Metz Voting Aye  
Resolution adopted

REQUEST TO BE INCLUDED  
PEEKSKILL SANITARY SEWER DISTRICT  
RESOLUTION #394

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

WHEREAS, the Town of Yorktown has received a request from Temple Israel of Northern Westchester (36.06-2-72) and Best Rent Properties, LLC (26.18-1-19), requesting to be included in the Westchester County Peekskill Sanitary Sewer District

and the local Hunterbrook Sewer District, and

WHEREAS, the Town of Yorktown Town Board is desirous of including two (2) parcels 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 the above mentioned parcels (36.06-2-72) and (26.18-1-19) into the Peekskill Sanitary Sewer District.

Roker, Martorano, Bianco, Campisi and Metz Voting Aye  
Resolution adopted

BOND ACCEPTANCE

WP-070-05 TOWN BOARD APPROVING WETLAND PERMIT

EAST MAIN STREET

RESOLUTION #395

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

WHEREAS, Brian Bonsignore, as applicant, provided the Town with Check # 6146, in the amount of \$7,500.00 to serve as the Erosion Control Bond for Town Board Approving Wetland Permit #WP-070-05, for work being performed at his East Main Street residence, and

WEREAS, Brian Bonsignore, as applicant, provided the Town with Check #6145, in the amount of \$1,500.00 to serve as the Wetland Bond for Town Board approving Wetland Permit #WP-070-05, NOW, THEREFORE BE IT

RESOLVED, that the above referenced checks are hereby accepted to serve as the required bonds for the above referenced Wetland Permit.

Roker, Martorano, Bianco, Campisi and Metz Voting Aye  
Resolution adopted

AUTHORIZE SUPERVISOR TO SIGN

IMA WITH WESTCHESTER COUNTY

CABLEVISION LIGHT PATH CONTRACT

RESOLUTION #396

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

RESOLVED, that the Town Supervisor is hereby authorized to sign an Inter-Municipal License Agreement with Westchester County for Cablevision Lightpath telecommunication services. Under the terms of the IMA, the County will provide access to the telecommunication services for which it has contracted with Cablevision to the Town on the same terms and conditions as the County/Cablevision contract.

Roker, Martorano, Bianco, Campisi and Metz Voting Aye  
Resolution adopted

AUTHORIZE SUPERVISOR TO SIGN

IMA WITH WESTCHESTER COUNTY

LEGACY BALLFIELDS

RESOLUTION #397

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

RESOLVED, that the Town Supervisor is hereby authorized to sign an Inter-Municipal License Agreement with Westchester County for the design and construction of the Legacy Ball fields off Route 132. The county will spend a maximum of \$6,000,000 on this project. In return, the Town will allow County residents access to the ball fields and will accept the transfer of the following County roads: Underhill Avenue; Pines Bridge Road; Lake Road, Seven Bridges road and East Main Street.

Roker, Martorano, Bianco, Campisi and Metz Voting Aye  
Resolution adopted

AUTHORIZE SUPERVISOR TO SIGN  
IMA WITH WESTCHESTER COUNTY  
PATRIOT SKATE PARK  
RESOLUTION #398

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

RESOLVED, that the Town Supervisor is hereby authorized to sign an Inter-Municipal License Agreement with Westchester County for a Legacy Program Skateboard Park. The County will finance the construction of the park on property owned by the NYSDOT and in which the Town has an interest. The County has a maximum \$250,000 financial commitment under this agreement. In return, the Town will make the park available to all county residents. The term of the agreement is 15 years.

Roker, Martorano, Bianco, Campisi and Metz Voting Aye  
Resolution adopted

APPROVE EXTENSION  
HVAC WORK ON TOWN BUILDINGS  
RESOLUTION #399

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

RESOLVED, that the Supervisor is authorized to sign an authorizing letter to exercise the option to renew the HVAC contract for the calendar year of 2008 with Atlantic Westchester Inc., for HVAC service at Town facilities.

Roker, Martorano, Bianco, Campisi and Metz Voting Aye  
Resolution adopted

APPROVE EXTENSION  
BODYWORK ON TOWN CARS BID  
RESOLUTION #400

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

RESOLVED, that the Town Board authorizes the extension of the Bodywork on Town Cars Bid for one additional year, November 2, 2007 through October 31, 2008, per the terms of the contract.

Roker, Martorano, Bianco, Campisi and Metz Voting Aye  
Resolution adopted

APPROVE EXTENSION  
BODYWORK ON TOWN TRUCKS BID  
RESOLUTION #401

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

RESOLVED, that the Town Board authorizes the extension of the Bodywork on Town Trucks Bid for one additional year, November 2, 2007 through October 31, 2008, per the terms of the contract.

Roker, Martorano, Bianco, Campisi and Metz Voting Aye  
Resolution adopted

ADOPT SCOPING DOCUMENT  
COMPREHENSIVE PLAN  
RESOLUTION #402

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

WHEREAS in 2005 the Town Board prepared a Generic Environmental Impact Statement under the State Environmental Quality Review Act (“SEQRA”) in connection with the proposed enactment by the Town of a Comprehensive Plan and amendments to the Zoning Ordinance; and

WHEREAS the Town Board has determined that additional information is needed to satisfy the requirements under SEQRA and directed that a Supplemental Generic Environmental Impact Statement (“SGEIS”) be prepared in connection with the consideration of the adoption of an updated comprehensive Plan and zoning amendments; and

WHEREAS the Town Board has prepared a draft scoping document and conducted a public scoping session on July 18, 2007, and thereafter received written comments regarding said document; therefore

BE IT HEREBY RESOLVED, the Town Board declares the scoping hearing and comment period closed; and

BE IT FURTHER RESOLVED, the Town Board, having caused the draft scoping document to be revised pursuant to both oral and written comments received, and pursuant to Section 617.8 of the SEQRA Regulations, accepts the scoping document with revisions as provided in the revised scoping document dated October 9, 2007, and directs the Town’s consultant, Phillips Preiss Shapiro Associates, Inc., to prepare and submit the Draft SGEIS pursuant to said scoping document.

Roker, Martorano, Bianco, Campisi and Metz Voting Aye  
Resolution adopted

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

Mr. Frank thanked the Board for the establishment of a Utilities Oversight Committee. He would like the committee to address all utility issues not just Con Edison

Mr. Drexel, Yorktown School Board Trustee stated that there will be a School Tax Reform Convention on October 20, 2007 which is being held at Mercy College. He urged Yorktown School District residents to vote on the upcoming referendum for funds on October 23, 2007 from 7 AM until 9 PM at Mohansic School.

Councilman Bianco moved, seconded by Councilman Campisi, to close Courtesy of the Floor.

#### MONTHLY REPORTS

Building Department – Permit Cost Report for September

#### ADJOURN

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

Diana L. Quast  
Town Clerk  
Town of Yorktown