

Regular Meeting held by the Town Board, Town of Yorktown on April 1, 2008. Yorktown Town Hall, 363 Underhill Avenue, Yorktown Heights, New York 10598.

Present: Donald S. Peters, Supervisor  
James Martorano, Councilman  
Nicholas Bianco, Councilman  
Matthew Metz, Councilman  
Louis Campisi, Councilman  
Alice E. Roker, Town Clerk

#### EXECUTIVE SESSION

Councilman Campisi moved, seconded by Councilman Martorano, to move into Executive Session to meet with discuss the employment of a particular person

Councilman Campisi moved, seconded by Councilman Martorano to move out of Executive Session and proceed with the Regular Meeting of the Town Board

#### TOWN BOARD MEETING

Supervisor Donald S. Peters called the meeting to order. Town Attorney John Buckley was also present.

#### PLEDGE OF ALLEGIANCE

Supervisor Peters 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.

DURING HIS REPORT TO THE TOWN, Supervisor Peters spoke of about today's ribbon cutting ceremony at the John C. Hart Memorial Library where a new program that would enable seniors to go on line and check out their medical records was unveiled. Supervisor Peters also stated that the members of the Town Board have agreed to retain Council to oppose Opengate's proposal to have another group home in the Town of Yorktown.

#### AUTHORIZE SUPERVISOR TO RETAIN MICHAEL GRACE, ESQ - OPENGATE'S REQUEST TO OPEN ADDITIONAL GROUP HOMES RESOLUTION #143

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

WHEREAS, Opengate, Inc. proposes to open community residential homes located at 3793 March Street and 2799 Evergreen Street for the purpose of housing mentally disabled persons, and

WHEREAS, the Town of Yorktown has determined that the addition of the two community residential homes will result in such a concentration of these facilities in the town that the nature and character of the Town will be substantially altered, NOW THEREFORE,

BE IT RESOLVED, that the Town Board authorizes the Supervisor to retain Michael Grace, Esq. of the law firm Grace & Grace to pursue appropriate administrative and legal remedies to prevent the establishment of said homes or mitigate the impact of

these homes on the nature and character of the Town.

Peters, Martorano, Bianco, Campisi, Metz Voting Aye  
Resolution adopted

Mr. Grace stated that his firm has already started the process of getting a hearing with the Commissioner of the Office of Mental Retardation and Disabilities.

Supervisor Peters stated that Mr. Grace is here tonight to and will speak to anyone who wants to talk to him directly.

APPROVE STIPEND  
DEPUTY HIGHWAY SUPERINTENDENT  
RESOLUTION #144

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

WHEREAS, during the 2008 budget discussions, it was determined that the Deputy Highway Superintendent would have an increased responsibility level due to the institution of the combined labor force, and

WHEREAS, it was decided that as long as the position of Director of Labor Operations is filled, the Deputy Highway Superintendent acts in a higher capacity, NOW THEREFORE

BE IT RESOLVED, the position of Deputy Highway Superintendent, effective January 1, 2008, shall receive a stipend equivalent to Grade XIX of Salary Scale A. This stipend ceases when and if the Director of Labor Operations is vacated.

Peters, Martorano, Bianco, Campisi, Metz Voting Aye  
Resolution adopted

APROVE UPGRADE – HIGHWAY DEPARTMENT  
THOMAS MCNULTY  
RESOLUTION #145

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

BE IT RESOLVED, that Thomas McNulty is hereby upgraded within the Highway Department and is to be paid from Yorktown CSEA Salary Grade 12, Step 4 which is \$60,878 annually.

Peters, Martorano, Bianco, Campisi, Metz Voting Aye  
Resolution adopted

APROVE UPGRADE – HIGHWAY DEPARTMENT  
SCOTT MILLS  
RESOLUTION #146

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

BE IT RESOLVED, that Scott Mills is hereby upgraded within the Highway Department and is to be paid from Yorktown CSEA Salary Grade 12, Step 5 which is \$63,400 annually.

Peters, Martorano, Bianco, Campisi, Metz Voting Aye  
Resolution adopted

APROVE UPGRADE – HIGHWAY DEPARTMENT  
DANIEL MORAN  
RESOLUTION #147

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

BE IT RESOLVED, that Daniel Moran is hereby upgraded within the Highway Department and is to be paid from Yorktown CSEA Salary Grade 12, Step 5 which is \$63,400 annually.

Peters, Martorano, Bianco, Campisi, Metz Voting Aye  
Resolution adopted

APROVE UPGRADE – HIGHWAY DEPARTMENT

PAUL WELSCH

RESOLUTION #148

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

BE IT RESOLVED, that Paul Welsch is hereby upgraded within the Highway Department and is to be paid from Yorktown CSEA Salary Grade 12, Step 4 which is \$60,878 annually.

Peters, Martorano, Bianco, Campisi, Metz Voting Aye  
Resolution adopted

PROCLAMATION

LEONARD LUSTRINO

EAGLE SCOUT AWARD

Councilman Campisi read the following proclamation:

WHEREAS Leonard Lustrino, a Boy Scout from the Town of Yorktown Troop 164, has achieved the highest rank in Scouting that of Eagle Scout; and

WHEREAS Leonard Lustrino has received this honor for his diligent work on behalf of Scouts and this community, for having the perseverance to keep with Scouting through his teenage years and to honor its tenets; and

WHEREAS Leonard Lustrino is applauded for his leadership and initiative in the coordinating renovation at St. Andrew's Lutheran Church converting a room in the chapel to a classroom providing more space for the programs for the parishioners and their families; and

WHEREAS Leonard Lustrino, in having so attained this highest rank in Scouting, is joining the ranks of an elite cadre of youths and is deserving of the recognition of the entire population of the Town of Yorktown;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Yorktown expresses hearty congratulations to Eagle Scout Leonard Lustrino and in recognition of his achievement this Proclamation is presented.

PROCLAMATION

SUSAN MADSEN

GOLD SCOUT AWARD

Supervisor Peters read the following proclamation:

WHEREAS Susan Madsen, a Girl Scout from Troop 1389, has achieved the highest rank in Scouting that of Girl Scout Gold Award; and

WHEREAS Susan Madsen, is recognized for her leadership and initiative in organizing and coaching a basketball league for physically and mentally challenged children in the Harrison School District, which included coaching her cousin Daniel; and

WHEREAS Susan Madsen brought joy to these children by teaching them to overcome their challenges and work together as a team; and

WHEREAS Susan Madsen, lived the pledge of Girl Scout Law in serving God and her country and was an active community participant;

WHEREAS Susan Madsen, in having so attained this highest rank in Girl Scouting and joining the ranks of an elite cadre of youths, is deserving of the recognition of the entire population of the Town of Yorktown; and

NOW, THEREFORE, BE IT RESOLVED, that the Town of Yorktown expresses congratulations to Susan Madsen, and in recognition of her achievement this Proclamation is presented.

Susan Madsen's mother, Mrs. Phyllis Madsen accepted the Proclamation on behalf of her daughter who passed away earlier this year.

DURING REPORTS FROM THE TOWN COUNCIL, Councilman Nicholas Bianco spoke about the Town Tax Bills that were mailed out today

DURING THE HIGHWAY SUPERINTENDENT'S REPORT TO THE TOWN, he stated that the new parking lot at Downing Park will be completed by the end of next week. This was a joint venture by employees of the highway department and parks and recreation department as well as laborers from the Water Department and Department of Environmental Conservation.

PRESENTATION  
BATTLE OF YORKTOWN

Kim Angliss, a representative of the Department of Environmental Conservation spoke about the Battle of Yorktown, Yorktown's annual campaign to get rid of roadside litter. At last count, more than 18 tons of litter have been picked up. Ms. Anglis also reported that the Town of Yorktown will receive at least three rewards from Westchester County for its recycling program.

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

Mr. Vishnu Patel congratulated the Town on its recycling program.

Mrs. Kathleen Rodgers, a resident of Marcy Street read a prepared statement expressing her dissatisfaction with the town for not preventing Opengate from opening group homes on Marcy Street and Evergreen Street. Those streets are unlike the other areas in Yorktown where group homes are on roadways with wider lots and mature landscaping. Their areas will have more noise, since the houses are closer together and more traffic since a number of different families will come to visit the residents of these homes.

Mrs. Melissa McGrath, a resident of Evergreen Street read a letter authored by Cliff Davis, an attorney who also lives on Evergreen Street. This communication was first presented to the Town Board at its group home meeting last week. A copy of which is on file in the Town clerk's office. This letter discusses the mental hygiene law that legislates what should happen if and when a group home is proposed. It also outlines what Mr. Davis believes are the Town's right not to have any more group homes in the Town of Yorktown due to saturation.

Mr. Michael Vanderwerker, a resident of Evergreen Street continued reading Mr. Davis' letter after the three minute time limit went off.

Mr. Ralph Rodgers, a resident of Marcy Street stated that he was pleased to hear that the Town Board hired an attorney to challenge Opengate.

Mrs. Kay Fazio, a resident of Marcy Street stated that she lives next door to the proposed group home. She would like the Town Board to take every and any action it can take to get that neighborhood back their 40 day period to challenge the placement of this group home.

A resident of 2776 Evergreen Street stated that he lives three homes from the proposed group home on his street. He wanted to know why Opengate chose the home on Evergreen Street. He said this is a small property with not a lot of room to expand on.

Beth O'Neill, a resident of Marcy Street wanted to know what happened to the three letters that went to the Supervisor, two for Marcy Street and one for Evergreen Street? She read a quote from the North County News asking for a formal inquiry into what went wrong.

Linda Miller, a resident of Yorktown asked questions about the plan to revive Sparkle Lake. Before any work is done, questions need to be asked and answered. In 2005, the Board chose not to fund a study that could have answered a lot of questions. How do you know what needs to be done? On what basis did the Department of Environmental Protection give you permits to do any work including reintroducing carp to the lake?

Susan Siegel continued reading Mrs. Miller's prepared statements. The North County News reported that a carbon aerator will be used in Sparkle Lake. She wanted to know how the Town arrived at making a decision to use an aerator. Her remarks stressed the importance of having a clear vision and having an environmental impact statement to back up your conclusions. What are the long term plans for Sparkle Lake?

Mr. Nick DiTomasso stated that he was here tonight on behalf of another resident, Ed Ciffone. He wants to know what impact will the outstanding tax certiorari claims have on the Town of Yorktown? Mr. Ciffone also wanted the public to know about the United Taxpayer's Plans to have a "Tax Rally" at Town Hall on Sunday, April 13, 2008.

Mr. Leon Horman, a resident of Marcy Street asked if the Town was prepared to do all it could do to prevent Opengate from opening any other group homes in the Town of Yorktown? What's the next step?

Mr. Edward Donovan, wanted to know why the procedure by which group homes come into the Town didn't work. He further stated that the amount of money we lose because these homes are taken off the tax rolls amounts to approximately 2% of the town budget.

Mr. Ray Arnold stated that he was speaking in advance of the Town Board's meeting with officials from the Town of Cortlandt. He told them that it was important to remember that the Board's responsibilities were to residents of the Town of Yorktown.

Mr. Mark Drexel, a resident of Yorktown stated that he was challenged when he called the Supervisor's Office and asked why last week's entire work session was closed. He also question the amount of time meetings take.

Councilman Bianco stated that the Town Board did not know about either group home until March 17<sup>th</sup>.

Yorktown Highway Superintendent Eric DiBartolo stated that the lake has not been cared for in at least five years including having the water table dropped. What we are doing is learning from the program which was started at Mohegan Lake several years ago.

AWARD BID  
CAMP BUSES – PARKS & RECREATION DEPARTMENT  
RESOLUTION #149

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

WHEREAS, invitation to bid for Camp Buses for use by the Parks & Recreation Department was duly advertised, and

WHEREAS, said bids were received and opened on the March 20, 2008, and were structured in two sections. Section I (A-B) consists of transportation using School Buses for Camp, and Section II consists of transportation using Coach Buses for the Travel / Adventure Camp. Section II reflects the cost for a 55 Passenger Coach. Bid results are as follows:

**Section I-A (School Buses for Swimming Program)**

- |    |                                     |  |
|----|-------------------------------------|--|
| 1. | Coach Tours                         | No Bid                                     |
| 2. | Baumann & Sons Buses, Inc.          | \$6,577.12 (1 bus) / \$13,154.24 (2 buses) |
| 3. | J & R Tours                         | No Bid                                     |
| 4. | Hudson Valley Charter Service, Inc. | No Bid                                     |
| 5. | JTR Transportation                  | No Bid                                     |

**Section I-B (School Buses for Trips)**

- |    |                                     |            |
|----|-------------------------------------|------------|
| 1. | Coach Tours                         | No Bid     |
| 2. | Baumann & Sons Buses, Inc.          | \$8,214.75 |
| 3. | J & R Tours                         | No Bid     |
| 4. | Hudson Valley Charter Service, Inc. | No Bid     |
| 5. | JTR Transportation                  | No Bid     |

**Section II (Coach Buses for Trips)**

- |    |                                     |             |
|----|-------------------------------------|-------------|
| 1. | Coach Tours                         | \$18,835.00 |
| 2. | Baumann & Sons Buses, Inc.          | \$19,370.00 |
| 3. | J & R Tours                         | \$17,550.00 |
| 4. | Hudson Valley Charter Service, Inc. | \$16,650.00 |
| 5. | JTR Transportation                  | \$15,405.00 |

BE IT RESOLVED, that upon recommendation of the Superintendent of Parks and Recreation the Town Board awards the Camp Buses bid to the lowest bidders; Section I-A Baumann & Sons Buses, Inc., for Section I-B Baumann & Sons Buses, Inc., and Section II JTR Transportation.

Peters, Martorano, Bianco, Campisi, Metz Voting Aye  
Resolution adopted

REJECT BID HYDRUALIC EXCAVATOR  
ADVERTISE BID USED EXCAVATOR  
RESOLUTION #150

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

WHEREAS, invitation to bid on Hydraulic Excavator was duly advertised, and

WHEREAS, said bids were received and opened on April 1, 2008 at the Town Hall.

RESOLVED, that upon the recommendation of the Highway Superintendent, all bids are rejected.

FURTHER RESOLVED, that an alternate proposal for a “Used Excavator” is

approved for advertisement.

Peters, Martorano, Bianco, Campisi, Metz Voting Aye  
Resolution adopted

ADVERTISE BID  
CHAIN LINK FENCING – TOWNWIDE  
RESOLUTION #151

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

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 April 22<sup>nd</sup>, 2008 at the Town Hall, 363 Underhill Avenue, Yorktown Heights, N.Y. 10598 for Chain Link Fencing –Townwide in the Town of Yorktown. 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: Chain Link Fencing – Townwide.**

The Town Board 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.

Peters, Martorano, Bianco, Campisi, Metz Voting Aye  
Resolution adopted

ADVERTISE BID  
VARIABLE SPEED CONSTANT PRESSURE SYSTEM  
FRENCH HILL PUMP STATION – WATER DEPARTMENT  
RESOLUTION #152

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

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 April 22<sup>nd</sup>, 2008 at the Town Hall, 363 Underhill Avenue, Yorktown Heights, N.Y. 10598 for a Variable Speed Constant Pressure System for the French Hill Pump Station in the Town of Yorktown. 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: Variable Constant Pressure System for the French Hill Pump Station.**

The Town Board 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.

Peters, Martorano, Bianco, Campisi, Metz Voting Aye  
Resolution adopted

AUTHORIZE SUPERVISOR TO SIGN  
WESTCHESTER COUNTY – TITLE III-B, III-C-1 AND III-C-2 FOR 2008  
NUTRITION CENTER

RESOLUTION #153

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

RESOLVED, that the Town Supervisor is authorized to sign agreements with Westchester County for Title III-B, III-C-1 and III-C-2 for the year January 1, 2008 through December 31, 2008. The total amount of the contracts is \$72,573.00.

Peters, Martorano, Bianco, Campisi, Metz Voting Aye  
Resolution adopted

EROSION CONTROL BOND RELEASE  
PERMIT NO. E # 085-06 – EVERGREEN STREET  
RESOLUTION #154

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

WHEREAS, David Hirsch, heretofore filed an Erosion Control Bond in the sum of \$300.00, which was deposited into the T33 Account on January 25, 2007, covering Excavation Permit #085-06, for work performed at his Evergreen Street 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 \$300.00 for erosion control may be released, NOW THEREFORE BE IT

RESOLVED, that the above-described Erosion Control Bond in the amount of \$300.00 be and is hereby released to Mr. David Hirsch.

Peters, Martorano, Bianco, Campisi, Metz Voting Aye  
Resolution adopted

EROSION CONTROL BOND RELEASE  
PERMIT NO. E # 039-07 – OAKWOOD COURT  
RESOLUTION #155

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

WHEREAS, Enrico Genovese, heretofore filed an Erosion Control Bond in the sum of \$300.00, which was deposited into the T33 Account on August 20, 2007, covering Excavation Permit #039-07, for work performed at 3173 Oakwood Court, 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 \$300.00 for erosion control may be released, NOW THEREFORE BE IT

RESOLVED, that the above-described Erosion Control Bond in the amount of \$300.00 be and is hereby released to Enrico Genovese.

Peters, Martorano, Bianco, Campisi, Metz Voting Aye  
Resolution adopted

RELEASE EROSION CONTROL BOND  
PERMIT NO. E # 006-99 – AMAWALK CEMETERY  
RESOLUTION #156

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

WHEREAS, Amawalk Hill Cemetery Association, as applicant, heretofore filed an Erosion Control Bond in the sum of \$500.00, which was deposited into the T33 account on August 31, 1999, to serve as the Erosion Control Bond for Excavation Permit #E-006-99, for work performed at the Quaker Church Road cemetery, 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 \$500.00 for erosion control may be released, NOW THEREFORE BE IT

RESOLVED, that the above-described Erosion Control Bond in the amount of \$500.00 be and is hereby released to Amawalk Hill Cemetery Association.

Peters, Martorano, Bianco, Campisi, Metz Voting Aye  
Resolution adopted

RELEASE WETLANDS BOND  
PERMIT # 020-06 – LEWIS AVENUE  
RESOLTUION #157

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

WHEREAS, Thomas Heffernan, heretofore filed an Erosion Control Bond in the sum of \$300.00, which was deposited into the T33 Account on May 26, 2006, covering Wetland Permit #020-06, for work performed at 372 Lewis Avenue, 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 \$300.00 for erosion control may be released, NOW THEREFORE BE IT

RESOLVED, that the above-described Erosion Control Bond in the amount of \$300.00 be and is hereby released to Thomas Heffernan.

Peters, Martorano, Bianco, Campisi, Metz Voting Aye  
Resolution adopted

RELEASE WETLANDS BOND  
PERMIT # 026-07- ORIOLE COURT  
RESOLTUION #158

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

WHEREAS, Nivea Carrasquillo, as applicant, heretofore filed an Erosion Control Bond in the sum of \$300.00, which was deposited into the T33 account on June 15, 2007, to serve as the Erosion Control Bond for Wetland Permit #WP-026-07, for work performed at his Field Street 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 \$300.00 for erosion control may be released, NOW THEREFORE BE IT

RESOLVED, that the above-described Erosion Control Bond in the amount of \$300.00 be and is hereby released to Ms. Nivea Carrasquillo.

Peters, Martorano, Bianco, Campisi, Metz Voting Aye  
Resolution adopted

RELEASE WETLANDS BOND  
PERMIT # 068-06 – LINCOLN DRIVE  
RESOLTUION #159

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

WHEREAS, Gjok Hysaj, as applicant, heretofore filed an Erosion Control Bond in the sum of \$300.00, which was deposited into the T33 account on December 1, 2006, to serve as the Erosion Control Bond for Wetland Permit #WP-068-06, for work performed at his Lincoln Drive 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 \$300.00 for erosion control may be released, NOW THEREFORE BE IT

RESOLVED, that the above-described Erosion Control Bond in the amount of \$300.00 be and is hereby released to Mr. Gjok Hysaj.

Peters, Martorano, Bianco, Campisi, Metz Voting Aye  
Resolution adopted

RELEASE WETLANDS BOND  
PERMIT # 047-07 – MOHANSIC AVENUE  
RESOLTUION #160

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

WHEREAS, Gerrie Muccitelli, heretofore filed an Erosion Control Bond in the sum of \$300.00, which was deposited into the T33 Account on October 29, 2007, covering Wetland Permit #047-07, for work performed at her Mohansic Avenue 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 \$300.00 for erosion control may be released, NOW THEREFORE BE IT

RESOLVED, that the above-described Erosion Control Bond in the amount of \$300.00 be and is hereby released to Ms. Gerrie Muccitelli.

Peters, Martorano, Bianco, Campisi, Metz Voting Aye  
Resolution adopted

RELEASE WETLANDS BOND  
PERMIT # 009-02 – CATHERINE STREET  
RESOLTUION #161

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

WHEREAS, Field Home - Holy Comforter as Principal and Halcyon Construction Corporation, as Co-Principal, provided the Town with Liberty Mutual Insurance Company's Wetland Bond No. 015-017-764, in the amount of \$3,500.00, to serve as the Wetland Bond for a period of three years, for Wetland Permit #WP-009-02, as per Planning Board Chairman, Jeremiah Dineen, for work located on Catherine Street for the Hunterbrook Ridge at Field Home Site, 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 \$3,500.00 for erosion control may be released, NOW THEREFORE BE IT

RESOLVED, that the above-described Wetland Bond in the amount of \$3,500.00 be and is hereby released to Halcyon Construction Corporation.

Peters, Martorano, Bianco, Campisi, Metz Voting Aye  
Resolution adopted

RELEASE WETLANDS BOND  
PERMIT # 008 – 05 – DARNLEY PLACE  
RESOLUTION #162

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

WHEREAS, Kathleen Bozek, as applicant, heretofore filed an Erosion Control Bond in the sum of \$300.00, which was deposited into the T33 account on March 11, 2005, to serve as the Erosion Control Bond for Wetland Permit #WP-008-05, for work performed at her Darnley Place 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 \$300.00 for erosion control may be released, NOW THEREFORE BE IT

RESOLVED, that the above-described Erosion Control Bond in the amount of \$300.00 be and is hereby released to Ms. Kathleen Bozek.

Peters, Martorano, Bianco, Campisi, Metz Voting Aye  
Resolution adopted

RELEASE WETLANDS BOND  
PERMIT # 019 – 94 - WENONAH TRAIL  
RESOLUTION #163

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

WHEREAS, Barry & Carla Gelbman, as applicant, heretofore filed an Erosion Control Bond in the sum of \$500.00, which was deposited into the T33 account on September 6, 1994, to serve as the Erosion Control Bond for Wetland Permit #WP-019-94, for work performed at their Wenonah Trail location, 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 \$500.00 for erosion control may be released, NOW THEREFORE BE IT

RESOLVED, that the above-described Erosion Control Bond in the amount of \$500.00 be and is hereby released to Barry & Carla Gelbman.

Peters, Martorano, Bianco, Campisi, Metz Voting Aye  
Resolution adopted

REFERRAL  
PROPOSED OSCEOLA SEWER DISTRICT EXTENSION # 30  
COUNTRY ACADEMY OF DANCE  
RESOLUTION #164

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

WHEREAS, a petition was submitted to create an extension to the Osceola Sewer District #30 by the owners of the Country Academy of Dance, the petition will be referred to the following agencies:

Environmental Inspector  
Planning Department  
Town Attorney  
Town Engineer  
Conservation Board  
Planning Board

Planning Department

Peters, Martorano, Bianco, Campisi, Metz Voting Aye  
Resolution adopted

REFUND DUPLICATE TAX PAYMENT  
RESOLUTION #165

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:

<u>Year and Tax</u>	<u>S-P-L</u>	<u>Account #</u>	<u>Refund</u>
2007 Sch 22	37.18-2-67.8-3	3642026	\$698.22
2007 Sch 22	27.09-1-21	1953100	\$3,690.57
2007 Sch 21	27.06-3-54	2683085	\$3,886.32
2007 Sch 22	48.07-3-50	4527000	\$2,900.93
2007 Sch 22	37.15-2-13	3993500	\$2,036.47
2007 Sch 21	16.12-1-28.9-27	2218117	\$670.37
2007 Sch 22	36.11-1-31	3236440	\$3,815.25
2007 Sch 21	17.09-1-22	2265500	\$2,618.06
2007 Sch 22	48.06-1-44.6-26	4314326	\$95.59
2007 Sch 22	48.09-1-51	4295500	\$1,870.22
2007 Sch 21	27.06-1-78	2487090	\$5,086.64

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

Peters, Martorano, Bianco, Campisi, Metz Voting Aye  
Resolution adopted

REFUND BUILDING PERMIT  
#20070111  
RESOLUTION #166

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

RESOLVED that based upon recommendation of the Building Inspector, the amount of \$1,305.00, full refund of building permit fee, be and is hereby refunded to I.B.M.

Peters, Martorano, Bianco, Campisi, Metz Voting Aye  
Resolution adopted

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

Mrs. Linda Miller also speaking on work being done at Sparkle Lake stated that she only found out about this program after reading the North County News. She further stated that some of the actions described in the article would require a wetlands permit, has anyone applied for one?

Mr. Edward Donovan spoke about the Tulis Report that was generated when a former Supervisor did not tell the Town Board about a million dollar error that had been made by the school district on school taxes.

Mrs. Lisa Vanderwerker challenged a statement made by the Director of Opengate at last week's meeting when he suggested that the reason people on Evergreen

and Marcy Street oppose these homes because they did not care about the physically or mentally challenged. Mrs. Vanderwerker stated that there are four children on Evergreen Street who are mentally challenge. The entire community goes out of the way to support them doing whatever is necessary.

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