

Work Session held by the Town Board,  
Town of Yorktown on February 12, 2008 held at  
Yorktown Town Hall, Yorktown Heights, NY

Present: Donald S. Peters, Supervisor  
James Martorano, Councilman  
Matthew Metz, Councilman  
Louis Campisi, Councilman

Absent: Nicholas Bianco, Councilman

#### EXECUTIVE SESSION

Councilman Campisi moved, seconded by Councilman Martorano, to move into Executive Session to meet with Labor Counsel and personnel.

Councilman Campisi moved, seconded by Councilman Martorano to move out of Executive Session and proceed with the Work Session.

#### WORK SESSION

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

#### AUTHORIZE DIRECTOR OF LABOR OPERATIONS TO POST THE FOLLOWING POSITIONS RESOLUTION #64

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

BE IT RESOLVED, that the Town Board grants permission for Eric DiBartolo, Director of Labor Operations to post the following Positions:

1. Water Service Worker, Schedule A, Group 10, Salary \$46,321
2. Laborer, Parks & Recreation, Schedule A, Group 5, Salary \$38,438
3. Two Heavy Motor Equipment Operators, Highway, Schedule A, Group 12, Salary \$53,349

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

#### APPOINTMENT ARDETH KESSLER – DEPUTY RECEIVER OF TAXES RESOLUTION #65

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

WHEREAS, Robert Killeen resigned from his positions of Assessor and Deputy Tax Receiver effective January 2, 2008; and

WHEREAS, New York Town Law Section 64(5) provides that "...whenever a vacancy shall occur or exist in any town office, the Town Board or a majority of members thereof, may appoint a qualified person to fill the vacancy; and

WHEREAS, the Town Board finds that Ardeth Kessler is well qualified to fill the vacancy in the Deputy Tax Receiver position; now therefore be it

RESOLVED, that the Town Board hereby appoints Ardeth Kessler, Deputy Receiver of Taxes.

FURTHER RESOLVED, that this appointment shall become effective February 11, 2008.

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

PAYMENT OF SEVERENCE -ACCRUED UNUSED VACATION TIME  
KEVIN P. SWEENEY – FORMER TOWN ATTORNEY  
RESOLUTION #66

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

WHEREAS, the Town Attorney serves an indefinite term of office and at the pleasure of the Town Board pursuant to Section 20(2)(a) of the New York Town Law; and

WHEREAS, the Town Board has decided not to reappoint Kevin P. Sweeney to the position of Town Attorney; and that

WHEREAS, Kevin P. Sweeney’s final day of employment with the Town of Yorktown was January 25, 2008; and that

WHEREAS, the Town Board finds it appropriate to pay Kevin P. Sweeney four (4) weeks of severance pay and all accrued unused vacation pay; now therefore be it

RESOLVED, that the Town Board hereby directs the Town Comptroller to calculate Kevin P. Sweeney’s severance payment and accrued unused vacation pay as of January 25, 2008 and pay said amounts to him.

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

APPOINTMENT  
JOHN BUCKLEY – INTERIM TOWN ATTORNEY  
RESOLUTION #67

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

WHEREAS, the position of Town Attorney became vacant on January 25, 2008; and

WHEREAS, New York Town Law Section 64(5) provides that “...whenever a vacancy shall occur or exist in any town office, the Town Board or a majority of members thereof, may appoint a qualified person to fill the vacancy; and

WHEREAS, the Town Board finds that John W. Buckley is well qualified to fill the vacancy in the Town Attorney position pending the Board’s review of Town legal services; now therefore be it

RESOLVED, that the Town Board hereby appoints John W. Buckley, Interim Town Attorney until a Town Attorney is appointed and to receive compensation as prescribed by law.

FURTHER RESOLVED, that this appointment became effective January 25, 2008.

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

REAPPOINTMENT

STEVE ZANON – BOARD OF ASSESSMENT REVIEW

RESOLUTION #68

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

BE IT RESOLVED, that Steven Zanon is hereby reappointed as a member of the Board of Assessment Review for a five year term expiring on 2/28/13.

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

REAPPOINTMENT

JOHN KINCAID – BOARD OF ASSESSMENT REVIEW

RESOLUTION #69

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

BE IT RESOLVED, that John Kincart is hereby reappointed as a member of the Board of Assessment Review for a five year term expiring on 2/28/12.

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

REAPPOINTMENT

HOWARD ORNECK – ZONING BOARD OF APPEALS

RESOLUTION #70

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

BE IT RESOLVED, that Howard Orneck is hereby reappointed as a member of the Zoning Board of Appeals for a five year term expiring on 2/28/13.

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

TOWN BOARD MEETING

Supervisor Donald S. Peters called the meeting to order. Also present were Deputy Town Clerk Diana L. Quast and Highway Superintendent Eric DiBartolo.

ELECTRICAL INSPECTION AGENCIES

Councilman Campisi discussed with the Board an issue that is occurring with electrical inspection agencies. The Board decided to continue the discussion on this issue at the next work session.

COMMUNITY DEVELOPMENT BLOCK GRANT

Director of Planning John Tegeder was present to discuss with the Board the 2008 Community Development Block Grant (CDBG) Preliminary Applications.

YORKTOWN FARMS SUBDIVISION FOR SEWER DISTRICT

David Steinmetz, attorney for V.S. Construction was present to discuss the establishment of a proposed sewer district for the Yorktown Farms Subdivision. The Town Board agreed to place this on the next agenda to advertise for a public hearing.

JEFFERSON VALLEY SIDEWALKS

Director of Planning John Tegeder was present to discuss with the Board sidewalk construction projects.

TREE PRESERVATION ORDINANCE

Director of Planning John Tegeder was present to discuss with the Board a proposed Tree Preservation Ordinance. The Board agreed to refer this out for comments.

PARKS AND RECREATION TRAILERS

Supervisor Peters discussed with the Town Board the possibility of re-evaluating the purchase of the trailers for the Parks and Recreation Department. The Board decided to continue looking into this issue.

TUITION REIMBURSEMENT

POLICE OFFICER THOMAS NADORSKI

RESOLUTION #71

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

BE IT RESOLVED, that the Town Board hereby authorizes the Town Comptroller to pay the Fall 2007 tuition/book costs for Police Officer Thomas Nadoraski upon the satisfactory completion of said courses, in the amount of \$829.00.

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

RESIGNATION

The Board accepted with regret the resignation of Peter Bisaccia as an alternate member on the Parks and Recreation Commission. The Board will advertise for a replacement.

ADVERTISE BID

CAMP SPECIAL EVENTS SUPPLIES

PARKS AND RECREATION DEPARTMENT

RESOLUTION #72

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

NOTICE IS HEREBY GIVEN that sealed proposals will be received by the Town Clerk of the Town of Yorktown, Westchester County, NY until 11:00 AM on Monday, March 3, 2008 at the Town Hall, 363 Underhill Avenue, Yorktown Heights, NY 10598 for furnishing and delivering Special Events supplies including but not limited to Knock Hockey Tables, Harvard XP-1000 Foosball Table, Cotton Candy Machine, Pop Corn Machine, Low Profile Field Cones, Bingo Games, etc., to the Yorktown Department of Parks and Recreation.

All bids must be accompanied by an executed non-collusion bidding certificate.

Specifications may be obtained at the office of the Town Clerk at said Town Hall, Yorktown Heights, NY during regular office hours.

The bidder assumes the risk of any delay in the mail or in the handling of 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 bids in at the time and the place specified above.

The Town Board reserves the right to reject any or all bids and to accept that bid which it deems most favorable to the interests of the Town of Yorktown.

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

ADVERTISE BID  
PROGRAM/STAFF SHIRTS – PARKS AND RECREATION DEPARTMENT  
RESOLUTION #73

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

NOTICE IS HEREBY GIVEN that sealed proposals will be received by the Town Clerk of the Town of Yorktown, Westchester County, NY until 11:15 AM on Monday, March 3, 2008 at the Town Hall, 363 Underhill Avenue, Yorktown Heights, NY 10598 for furnishing and delivering of Staff and Program Shirts for the Yorktown Department of Parks and Recreation.

All bids must be accompanied by an executed non-collusion bidding certificate.

Specifications may be obtained at the office of the Town Clerk at said Town Hall, Yorktown Heights, NY during regular office hours.

The bidder assumes the risk of any delay in the mail or in the handling of 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 bids in at the time and the place specified above.

The Town Board reserves the right to reject any or all bids and to accept that bid which it deems most favorable to the interests of the Town of Yorktown.

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

AWARD BID  
JUNIOR LAKE MEMORIAL PARK POOL  
CLEANING, PREPPING AND PAINTING  
RESOLUTION #74

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

WHEREAS, invitation to bid for the cleaning, prepping and painting of Junior Lake Memorial Park Pools was duly advertised, and

WHEREAS, said bid was received and opened on January 31, 2008, with the bid amount for the above-referenced project summarized as follows:

Nu-Clear Swimming Pool, LLC	\$6,975.00
242 South Regent St.	
Port Chester, NY 10573	

RESOLVED, the Town Board awards the cleaning, prepping and painting of the Junior Lake Memorial Park Pools to Nu-Clear Swimming Pool in the amount of \$6,975.00 as the lowest, responsible bidder.

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

AWARD BID  
BRIAN J. SLAVIN AQUATIC FACILITY  
SANDBLASTING, CLEANING, PREPPING AND PAINTING  
RESOLUTION #75

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

WHEREAS, invitation to bid for the cleaning, prepping, painting and sandblasting of the Brian J. Slavin Aquatic Facility Pools was duly advertised, and

WHEREAS, said bid was received and opened on January 31, 2008, with the bid amount for the above-referenced project summarized as follows:

	Option A	Option B	Option C
Nu-Clear Swimming Pool, LLC 242 South Regent St. Port Chester, NY 10573	\$22,150	\$22,875	\$4,120

RESOLVED, the Town Board awards the cleaning, prepping and painting of the Brian J. Slavin Aquatic Facility Pools to Nu-Clear Swimming Pool in the amount of \$22,150.00 for Option A as specified on bid, \$22,875.00 for Option B as specified on bid and \$4,120.00 for Option C as specified on bid as the lowest responsible bidder.

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

EXTEND BID  
BLACKTOP  
RESOLUTION #76

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

RESOLVED, that the Blacktop Bid for the Town of Yorktown is hereby extended for one year, per the terms of the bid, to Patterson Blacktop Corp. and Peckham Materials Corp., 20 Haarlem Ave., White Plains, NY 10603 . The dates of the extension will be January 31, 2008 to January 31, 2009.

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

EXTEND BID  
PAVEMENT MARKINGS  
RESOLUTION #77

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

RESOLVED, that the Pavement Markings Bid for the Town of Yorktown is hereby extended for one year, per the terms of the bid, to Safety Marking Inc., 460 Bostwick Ave., Bridgeport, CT 06605. The dates of the extension will be March 15, 2008 to February 28, 2009.

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

EXTEND BID  
REBUILDING STONEWALLS  
RESOLUTION #78

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

RESOLVED, that the Rebuilding Stonewalls and Stonehead Walls Bid for the Town of Yorktown is hereby extended for one year, per the terms of the bid, to DeCarvalho Landscaping Services, Inc., P.O. Box 7109, Crugers, NY 10521. The dates of the extension will be March 15, 2008 to February 28, 2009.

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

AWARD COMMUNICATIONS DATA  
WATER DEPARTMENT  
RESOLUTION #79

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

WHEREAS, invitation to bid for the Communication and Data Collection for the Yorktown Consolidated Water District was duly advertised, and

WHEREAS, said bid was received and opened on February 7, 2008, with the bid amount for the above-referenced project summarized as follows:

Wayne Martin Enterprises	\$89,987.00
448 Manville Road	
Pleasantville, NY 10570	

RESOLVED, that upon the recommendation of the Director of Labor Operations, Eric DiBartolo, the bid for the Communication and Data Collection be and is hereby awarded to Wayne Martin Enterprises, the lowest responsible bidder.

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

ADVERTISE BID  
TOWING – POLICE DEPARTMENT  
RESOLUTION #80

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

Sealed bids for the Towing Services License Agreement will be received at the Yorktown Town Hall, Town Clerk's Office, Underhill Avenue, Yorktown Heights, New York until 11:00 AM on March 3, 2008. If additional information concerning the bidding is required, call Chief Dan McMahon at (914) 962-4141.

Bidders shall properly execute in full, and submit with their bid, the bid proposal contained herein, following the specifications herein set forth.

Specifications and standard proposals for the proposed work may be obtained at no charge at the Town Clerk's Office, Town Hall, 363 Underhill Avenue, Yorktown Heights, NY 10598.

A certified check or bank draft, payable to the order of the Town Supervisor, Town of Yorktown, New York, negotiable United States Government Bonds (at par value).

**A satisfactory Bid Bond executed by the bidder and an acceptable surety in an amount equal to at least ten percent (10%) of the Total Base Bid for the first twelve (12) months shall be submitted with each bid.**

The Town of Yorktown reserves the right to waive any informalities in any bid, and the right to reject any or all bids. No bidder may withdraw its bid within sixty days after the actual date of the opening thereof.

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

AUTHORIZE TOWN SUPERVISOR TO SIGN  
NEW YORK STATE EFC DOCUMENTS  
RESOLUTION #81

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

RESOLVED, that as of January 1, 2008, the new Town Supervisor, Donald S. Peters, is the authorized representative to sign for all New York State Environmental Facility Corporation documents.

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

ADVERTISE BID  
HUNTERBROOK COMMERCIAL SEWER DISTRICT – CAPITAL IMPROVEMENT  
PROJECT #08-1  
RESOLUTION #82

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

Sealed proposals will be received by the Town Clerk of the Town of Yorktown, Westchester County, New York, at the Town Hall, 363 Underhill Avenue, Yorktown Heights, New York, until 10:00 A.M., on Monday, March 31, 2008, for the Hunterbrook Commercial Sewer District, Capital Improvement Project #08-1

Specifications and standard proposals for the bid may be obtained at the office of the Town Clerk at said Town Hall.

The bidder assumes the risk of any delay in the mail or in the handling of 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 bids in on the time and the place specified above.

The Town of Yorktown reserves the right to waive any informalities in the bids, to reject any or all bids and reserves the right to accept that bid which it deems most favorable to the interests of the Town of Yorktown. No bidder may withdraw his bid within thirty (30) days after the actual date of the opening thereof.

If mailed, sealed proposals must be addressed in care of the Town Clerk at the above address.

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

ADJOURN

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

Diana L. Quast  
Deputy Town Clerk  
Town of Yorktown