

Regular Meeting held by the Town Board, Town of Yorktown on March 18, 2008. Yorktown Town Hall, 363 Underhill Avenue, Yorktown Heights, New York 10598.

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

Tardy: Matthew Metz, Councilman

TOWN BOARD MEETING

Supervisor Donald S. Peters called the meeting to order. Deputy Town Attorney Tara Lupoli 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 COURTESY OF THE FLOOR, the following residents addressed the members of the Town Board:

Mrs. Susan Siegel read a statement dated March 18, 2008, a copy of which is on file in the Town Clerk's Office. In her remarks, Mrs. Siegel raised issues about the town's compliance with the Freedom of Information Law as well as New York's Open Meetings Law.

Mr. Ralph Rodgers, a resident of Marcy Street stated that he was surprised to learn that an additional group home operated by OpenGate was recently purchased. Mr. Rodgers stated that he and his neighbors became aware of the situation only after the purchase of the home. How could this happen? Why didn't the Town notify the neighbors so that they would have input into the process?

Mr. Gil Kaufman asked if the Town planned to sell the trees it is cutting down at Downing Park or the new Legacy Ballfields? The reason he wanted to know about this is because sawdust was selling for \$125 a ton.

Mr. Paul Moskowitz spoke about an upcoming program sponsored by the environmental group Green Yorktown. A "Green Café" will be held at Town Hall on March 28th at 7:00PM. We hope to provide information such as recycling tips that will demonstrate how individuals could help reduce the Town's carbon footprint.

Mr. Vishn Patel spoke about the upcoming Battle of Yorktown, where residents help clean up litter.

PUBLIC HEARING

WOODLANDS LEGACY BALLFIELDS

Supervisor Peters reconvened a public hearing to consider the application of Eberlin & Eberlin for a Wetlands Permit to construct a new asphalt driveway, curbing, guardrail, catch basins, drain pipes and storm drains at the Woodlands Legacy Ballfields located on Route 132.

Mr. Ron Tetelman, an Engineer with Eberlin and Eberlin explained the final component to this plan is the mitigation work which the Town was given a presentation of at the last work session. The work will include moving a drainage pipe and associated stormfilter chamber and inlet and outlet chambers south of the Strang Boulevard extension to beneath the roadway and adding a new retaining wall south of the Strang Boulevard Extension.

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.

WOODLANDS LEGACY BALLFIELDS
LEAD AGENCY AND NEGATIVE DECLARATION
RESOLUTION#118

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

WHEREAS, the Town Board of the Town of Yorktown has received an application for a Wetland and Excavation Permit #054-07 by the Town of Yorktown to allow for the construction of the project known as Legacy Ball fields including installation of two playing fields, parking, comfort station with septic system, access road, wetland and wetland buffer impact located at Section 26.07 Block 1 Lot 19, 20,21,32 and Section 26.11 Block 1 Lot 42 at Strang Boulevard in the Town of Yorktown:

WHEREAS, the County of Westchester declared itself lead agency and submitted a long-form environmental assessment form (EAF) for review and

WHEREAS, the County of Westchester reviewed the EAF and concluded that a negative declaration was warranted, and

WHEREAS, the Town of Yorktown is an involved agency in the project because a Town of Yorktown Wetland and Excavation permit is required for the proposed activity, and

WHEREAS, the Town of Yorktown received a short-form EAF regarding the jurisdictional Town of Yorktown impacts,

WHEREAS, after review of the application this Town Board makes the following determinations:

1. That the proposed action relative to those found in the jurisdictional permit application is an Unlisted Action;
2. That the Town Board declares itself to be Lead Agency in connection with the SEQRA review of the proposed action relative to those found in the jurisdictional permit application; now therefore be it

RESOLVED, that the applicant has provided the Town of Yorktown a Wetland and Excavation Permit Application and a Short Form EAF. The Town Board of the Town of Yorktown hereby declares itself Lead Agency in connection with all processing, procedures, determinations and findings to be made or conducted with respect to the Wetlands Permit under Section 8-0101, et. seq. of the Environmental Conservation Law ("SEQRA") and the regulations promulgated by the New York State Department of Environmental Conservation thereunder, which appear at 6 N.Y.C.R.R. Part 617 (the "SEQRA" Regulations); and be it

FURTHER RESOLVED, that after review of the action, referral to the Town

Planning Board, the Town Conservation Board, the Town Engineer and other applicable boards and Town Departments for comment, and conducting a public hearings, the Town Board does not find any substantial adverse environmental impacts and therefore finds a negative declaration of the project to be warranted.

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

WOODLANDS LEGACY BALLFIELDS
WETLANDS AND EXCAVATION PERMITS
RESOLUTION #119

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

WHEREAS, the above referenced wetland and excavation permit application has been submitted by the property owner, The Town of Yorktown, and;

WHEREAS, the application has been referred to the Town of Yorktown Planning Board, the Town of Yorktown Conservation Board and the Town Engineer and comments have been received; now therefore be it

RESOLVED, that the Supervisor of the Town of Yorktown is hereby authorized to execute an approval to grant the wetland and excavation permit with following conditions:

1. Plans entitled; "Woodlands Legacy Ball Fields" prepared by the Westchester County Department of Public Works, Division of Engineering dated March 7, 2008, 3 Sheets: WP-1, WP-2, Erosion Control sheet, are incorporated into this permit by reference,
2. The above referenced plans must be signed and sealed by a NYS Licensed Design Professional prior to the commencement of any work. Third sheet "Erosion Control" should be labeled WP-3 for reference.
3. This permit incorporates by reference the final plans, requirements and conditions of the Stormwater Pollution Prevention Plan as accepted by NYSDEC and NYCDEP. The Town of Yorktown will be responsible for permit compliance of site work to be completed as per agreement with the County of Westchester.
4. Work of any nature shall not be conducted on the site until such time as all required project NYSDEC, NYCDEP, ACOE and Westchester County Department of Health permits are obtained and are provided to the Town Engineer. The Town Engineer shall documentation to the Town Board and Town Highway Superintendent the receipt of these permits.
5. A pre-construction meeting must be held at the site prior to the commencement of any work. The applicant or a representative shall contact the Town Wetland Consultant at (914) 962-5722 x220 to arrange this meeting. All temporary erosion controls and limits of disturbance must be installed prior to this meeting
6. An Environmental System Planner must be utilized by the Town to supervise site construction. The Environmental Systems Planner must report on a weekly basis and after every rain event greater than ½" within a 24 hour period as measured at Westchester County Airport. The Environmental Systems Planner must provide a written report documenting compliance with the approved plans and the condition of the erosion and sediment controls to the Town Board and Town Engineer. The Town of Yorktown is to provide written verification including the name and contact number of the qualified inspector to the Town Engineer prior to the commencement of any work on the site. This inspector must current meet NYSDEC qualifications as found in the NYSDEC SWPPP permit.

7. The Town Wetland Consultant must provide written conformation to the Town Board and Town Engineer that the wetland mitigation plant installation has been completed in conformance with the approved plan prior to the issuance of a certificate of occupancy. No planting substitutes must be made without the approval of the Town Wetland Consultant.
8. The Town of Yorktown will guarantee a minimum of 85% survival of planted species as shown on the approved mitigation plan after a five year growing period measured from the date of issuance of the certificate of occupancy. The mitigation is to be inspected annually by the Town Wetland Inspector and a written report shall be furnished to the Town Board and the Town Engineer. Invasive species are to be removed annually by hand under the direction of the Town Wetland Consultant. The Town of Yorktown will replace diseased, damaged or dead mitigation plantings.

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

ADVERTISE BID
ROOF REPLACEMENT/RENOVATION
JOHN C. HART LIBRARY
RESOLUTION #120

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

NOTICE IS HEREBY GIVEN that sealed proposals will be received by the Town Clerk, Town of Yorktown, Westchester County, N.Y. until 12:00 p.m. Tuesday, April 15, 2008 at the Town Hall, 363 Underhill Avenue, Yorktown Heights, N.Y. 10598 for Roof Replacement / Restoration at the John C. Hart Library in Shrub Oak, New York.

Specifications for work proposed may be obtained at the office of the Town Clerk at said Town hall upon cash or certified check in the amount of **TWENTY-FIVE DOLLARS (\$25.00)**. Said fee will not be refunded and will be used to defray costs of printing plans and specifications.

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 – Roof Replacement / Restoration**".

The Town of Yorktown 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. No bidder may withdraw his bid within thirty (30) days after the actual date of the opening thereof.

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

ADVERTISE BID
FOOD AND REFRESHMENT SERVICES
JUNOIR LAKE POOL AND BRIAN J. SLAVIN AQUATIC FACILITY
RESOLUTION #121

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

The Town of Yorktown Parks and Recreation Department is seeking bid proposals from qualified individuals and firms interested in providing food and

refreshment services at the Yorktown Town Pools concession facilities at the Junior Lake Pool in Yorktown Heights and at the Brian J. Slavin Aquatic Center in Shrub Oak.

All completed bids must be received in the Office of the Town Clerk, 363 Underhill Avenue, Yorktown Heights, NY 10598, no later than 11:00 a.m., April 3, 2008. 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, Martorano, Bianco, Campisi, Metz Voting Aye
Resolution adopted

ADVERTISE BID
HYDRAULIC EXCAVATOR
HIGHWAY DEPARTMENT
RESOLUTION #122

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 April 1st 2008 at the Town Hall, 363 Underhill Avenue, Yorktown Heights, N.Y. 10598 for an Hydraulic Excavator. 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: Hydraulic Excavator."**

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.

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

SET PUBLIC HEARING
EXCAVATION PERMIT - 2774 STRANG BLVD
RESOLUTION #123

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 10598 on the 1st day of April, 2008 at 7:30 o'clock PM, or as soon thereafter as the same can be heard, to consider the application of Stuart Horlacher for an Excavation Permit to remove part of a hill located

directly behind house, approximately 20 trees and fill will be removed from the rear of residence located at 2774 Strang Blvd., Yorktown Heights, New York 10598.

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.

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

AWARD BID

T SHIRTS - PARKS & RECREATION DEPARTMENT

RESOLUTION #124

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

WHEREAS, invitation to bid for Program/Staff Shirts for use by the Parks & Recreation Dept., was duly advertised, and

WHEREAS said bids were received and opened on the 3rd day of March, 2008, now therefore be it

RESOLVED, that upon the recommendation of the Supt. of Parks & Recreation, the bid be and is hereby awarded as a sole provider contract to Printwear Plus, the lowest responsible bidder, for all items excluding:

Item14 - Item will not be placed at this time.

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

AWARD BID

SPECIAL EVENT EQUIPMENT - PARKS & RECREATION DEPARTMENT

RESOLUTION #125

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

WHEREAS, invitation to bid for Camp Special Event Supplies for use by the Parks & Recreation Dept., was duly advertised, and

WHEREAS said bids were received and opened on the 3rd day of March, 2008, now therefore be it

RESOLVED, that upon the recommendation of the Supt. of Parks & Recreation, the bid be and is hereby awarded to the low bidder for all items, except for the following:

Item 13- Cage Balls: Item bid by Anaconda was only for ball cover, not entire ball including bladder.

Item 20 - Bingo Games: Item bid by Gopher was for a Bingo Board game, not bingo set with cage.

Item 1 - Knock Hockey Tables
1. Flaghouse \$39.36/each
2. Gopher \$40.74/each
3. ARC Sports \$49.00/each
4. Anaconda \$62.00/each

Item 2 - Stiga Table Tennis Table

	1. ARC Sports	\$358.00/each (Substitute)
	2. Flaghouse	\$505.83/each (Substitute)
	3. Sports Supply	\$526.12/each
	4. Anaconda	\$653.25/each
Item 3	Harvard XP-1000 Foosball Table	
	1. Sports Supply	\$398.56/each
	2. Gopher	\$456.44/each
	3. Anaconda	\$750.00/each
Item 4	Carrom: Dual Basketball Game	
	1. Flaghouse	\$152.93/each
	2. Sports Supply	\$176.82/each (Substitute)
	3. Anaconda	\$360.00/each
Item 5	Sno-Konette: Sno Cone Machine	
	1. Sports Supply	\$749.72
	2. NB	
	3. NB	
Item 6	Sno Konette: Syrup Case of 4 gallons	
	1. Sports Supply	420.46/case
	2. NB	
	3. NB	
Item 7	Sno Konette: 6 oz cups, Case of 5000	
	1. Sports Supply	\$150.72/case
	2. NB	
	3. NB	
Item 8	Cotton Candy Machine	
	1. Sports Supply	\$780.14/each
	2. NB	
	3. NB	
Item 9	Plastic Dome: Cotton Candy Machine	
	1. Sports Supply	\$173.92/each
	2. NB	
	3. NB	
Item 10	Cotton Candy Cones	
	1. Sports Supply	\$66.96/case
	2. NB	
	3. NB	
Item 11	Cotton Candy Sugar	
	1. Sports Supply	\$22.09/case
	2. NB	
	3. NB	
March 18, 2008		7
Item 12	Pop Corn Machine	
	1. Sports Supply	\$572.46
	2. NB	
	4. NB	
Item 13	Cage Balls: Size 48"	
	1. Anaconda	\$29.99 REJECT
	2. Sports Supply	\$53.93/each
	3. Flaghouse	\$60.63/each
	4. Gopher	\$61.74/each
Item 14	Cage Balls Vinyl bladders: 48"	
	1. Sports Supply	\$30.88/each
	2. Gopher	\$35.75/each
	3. Anaconda	\$41.00/each
	4. Flaghouse	\$41.23/each
Item 15	Bull's Eye Parachute: 30 Plus inches	
	1. Sports Supply	\$91.74/each
	2. Gopher	\$248.94/each
	3. NB	

Item 16	Low Profile Field Cones: Red		
	1. Sports Supply	\$0.39/each	
	2. NB		
	3. NB		
Item 17	Low Profile Field Cones: Yellow		
	1. Sports Supply	\$0.39/each	
	2. NB		
	3. NB		
Item 18	Low Profile Field Cone Carrier		
	1. Sports Supply	\$1.56/each	
	2. NB		
	3. NB		
Item 19	Mega Hones: Fanon MV10S		
	1. Anaconda	\$49.00/each	(substitute)
	2. Flaghouse	\$107.14/each	
	3. Sports Supply	\$108.27/each	
	4. Gopher	\$108.64/each	
Item 20	Bingo Games		
	1. Gopher	\$2.94/each	REJECT
	2. Flaghouse	\$75.37/each	
	3. Sports Supply	\$110.49/each	
	4. NB		

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

AUTHORIZE SUPERVISOR TO SIGN
MARGARET GSPURNING – PERSONNEL CONSULTANT
RESOLUTION #126

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

WHEREAS, the Town Board has determined that it wishes to retain a human resources consultant for an initial term of sixty(60) days to advise the Town on personnel matters, and

WHEREAS, the Town Board has determined that Margaret Gspurning is well qualified to serve as said consultant, now therefore be it

RESOLVED, that the Town Board authorizes the Supervisor to enter into a Consulting Agreement with Margaret Gspurning, retaining her services as an independent contractor, for an initial term of sixty (60) days. The Town shall pay Ms. Gspurning a total fee of eleven thousand, six hundred and sixty-eight dollars (\$11,668) in four semi-monthly installments of two thousand, nine hundred and seventeen dollars (\$2,917) each and be it

FURTHER RESOLVED, that the start date of this Agreement is March 17, 2008.

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

AUTHORIZE SUPERVISOR TO SIGN
SANDRA GOMEZ – FINANCE DEPARTMENT
RESOLUTION #127

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

BE IT RESOLVED, that Sandra Gomez of Peekskill, New York is hereby accepted as a transfer to the title of Intermediate Account Clerk in the Yorktown Finance Department effective March 17, 2008 to be paid at the rate established in the Yorktown CSEA Salary Schedule A-1, Group VI, Step 5 which is \$52,576 annually.

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

RETIREMENT

BOARD OF ASSESSMENT AND REVIEW

The Board accepted with regret the resignation of Robert Bocellari from the Board of Assessment review.

ACCEPTENCE OF BONDS

JOHN FRANCESE - WETLANDS PERMIT #022-06

RESOLUTION #128

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

WHEREAS, John Francese, as applicant, provided the Town with NGM Insurance Company Erosion Control Bond #S-265320, in the amount of \$2,500.00, to serve as the Erosion Control Bond for Town Board approving Wetland Permit #022-06, for his property located on Gambelli Dr., and

WHEREAS, John Francese, as applicant, provided the Town with NGM Insurance Company Wetland Bond #S-265321, in the amount of \$5,000.00, to serve as the Wetland Bond for Town Board approving Wetland Permit #022-06, and

WHEREAS, John Francese, as applicant, provided the Town with Check No. 3846, in the amount of \$800.00, to serve as Inspection Fees for Town Board approving Wetland Permit #WP-022-06, NOW, THEREFORE BE IT

RESOLVED, that the above referenced bonds and check, are hereby accepted to serve as the required bonds for Town Board approving Wetland Permit #WP-022-06.

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

BOND RELEASES

BEN COZZI – MJD CONTRACTING CORP. - ALFUS MINOR SUBDIVISION

RESOLUTION #129

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

WHEREAS, Ben Cozzi, MJD Contracting Corp., as applicant, provided the Town with Check No. 2522, in the amount of \$7,500.00, to serve as the Erosion Control Bond for the Alfus Subdivision, and

WHEREAS, Ben Cozzi, MJD Contracting Corp., as applicant, provided the Town with Selective Insurance Company of America, Performance Bond #B202604, in the amount of \$79,896.00, to serve as the Performance Bond for the Alfus Subdivision, and

WHEREAS, Ben Cozzi, MJD Contracting Corp. has requested the return of the above mentioned bonds as all public improvements within the subdivision have been completed, and

WHEREAS, the Town Engineer has informed this Board that a representative of her department has inspected the property and determined all public improvements have met Town requirements, NOW THEREFORE BE IT

RESOLVED, that the above referenced Performance Bond in the amount of \$79,896.00 and the Erosion Control Bond in the amount of \$7,500.00 are hereby released to Ben Cozzi, MJD Contracting Corp.

Peters, Martorano, Bianco, Campisi, Metz Voting Aye

Resolution adopted

EROSION CONTROL BOND RELEASE
AVNI BIBERAJ - EXCAVATION PERMIT # E-64-06
RESOLUTION #130

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

WHEREAS, Avni Biberaj, as applicant, posted \$300.00 Erosion Control Bond for Excavation Permit #E-64-06, for work being performed at his residence.

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, NOW THEREFORE BE IT

RESOLVED, that the Erosion Control Bond E-064-06 in the amount of \$300.00 is hereby released to Mr. Avni Biberaj.

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

EROSION CONTROL BOND RELEASE
MARK MARRICCO - EXCAVATION PERMIT # E-102-04
RESOLUTION #131

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

WHEREAS, Mark Marricco, as applicant, posted \$500.00 Erosion Control Bond for Excavation Permit #E-102-04, which was deposited into the T33 Account on October 22, 2004, for work being performed at his residence.

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, NOW THEREFORE BE IT

RESOLVED, that the Erosion Control Bond E-102-04 in the amount of \$500.00 is hereby released to Mr. Mark Marricco.

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

EROSION CONTROL BOND RELEASE
I.B.M. - WETAND PERMIT # 051-06
RESOLUTION #132

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

WHEREAS, I.B.M., as applicant, heretofore filed an Erosion Control Bond in the sum of \$800.00, which was deposited into the T33 Account on November 17, 2006, covering Wetland / Excavation Permit 051-06, for work performed at the Kitchawan Road 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 \$800.00 for erosion control may be released, NOW THEREFORE BE IT

RESOLVED, that the above-described Erosion Control Bond in the amount of \$800.00 be and is hereby released to I.B.M. Corporation.

Peters, Martorano, Bianco, Campisi, Metz Voting Aye

Resolution adopted

EROSION CONTROL BOND RELEASE
HOWARD BUCK - WETLAND PERMIT # 047-06
RESOLUTION #133

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

WHEREAS, Howard Buck, as applicant, heretofore filed an Erosion Control Bond in the sum of \$300.00, which was deposited into the T33 Account on August 25, 2006, covering Wetland/Excavation Permit #047-06, for work performed at his 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. Howard Buck.

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

EROSION CONTROL BOND RELEASE
JEFFREY DREZEK - WETLAND PERMIT # 075-06
RESOLUTION #134

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

WHEREAS, Jeffrey Drezek, 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-075-06, for work performed at his 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. Jeffrey Drezek.

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

EROSION CONTROL BOND RELEASE
JASON FLORKOWSKI - WETLAND PERMIT # 046-06
RESOLUTION #135

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

WHEREAS, Jason Florkowski, as applicant, posted Check No. 2460 in the amount of \$500.00, which was deposited into the T33 Account on September 15, 2006, to serve as the Erosion Control Bond for Wetland Permit #WP-046-06 for work performed at his 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 \$500.00 bond 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 Mr. Jason Florkowski.

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

EROSION CONTROL BOND RELEASE
MICHAEL RUBBO - WETLAND PERMIT # 015-07
RESOLUTION #136

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

WHEREAS, Mr. Michael Rubbo, as applicant for Teatown Lake Reservation, heretofore filed an Erosion Control Bond in the sum of \$300.00, which was deposited into the T33 Account on May 11, 2007, covering Wetland Permit #015-07 for work performed at Teatown Lake Reservation, 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. Michael Rubbo, Teatown Lake Reservation.

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

EROSION CONTROL BOND RELEASE
TOYS R US - WETLAND PERMIT # 030-07
RESOLUTION #137

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

WHEREAS Toys R Us, as applicant, posted Check No. 7575187 in the amount of \$1,200.00 to serve as the Erosion Control Bond for Excavation Permit #E-030-07, which was deposited in the T33 Account on July 27, 2007, for work being performed at the Toys R Us location in Jefferson Valley, 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, NOW, THEREFORE BE IT

RESOLVED, that the Erosion Control Bond E-030-07 in the amount of \$1,200.00 is hereby released to Toys R Us.

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

EROSION CONTROL BOND RELEASE
EILEEN ZIDI - WETLAND PERMIT # 051-04
RESOLUTION #138

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

WHEREAS, Eileen Zidi, heretofore filed an Erosion Control Bond in the sum of \$300.00 which was deposited into the T33 Account on June 18, 2004, covering Wetland Permit #051-04, for work performed at her 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. Eileen Zidi.

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

EROSION CONTROL BOND RELEASE
MJC CONSTRUCTION CORP. - WETLAND PERMIT # 035-07
RESOLUTION #139

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

WHEREAS, MJC Construction Corp., as applicant for Soundview Preparatory School, posted Check No. 5161 in the amount of \$2,500.00, to serve as the Erosion Control Bond for Wetland Permit #WP-035-07, which was deposited into the T33 Account on August 31, 2007, for work being performed at the Underhill Avenue location.

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, NOW, THEREFORE BE IT

RESOLVED, that the Wetland Bond WP-035-07 in the amount of \$2,500.00 is hereby released to MJC Construction Corp.

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

EROSION CONTROL BOND RELEASE
ANDREW BOSSE FORESTRY SERVICE - WETLAND PERMIT # 074-06
RESOLUTION #140

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

WHEREAS, Andrew Bosse Forestry Service, as applicant for the Republic of Angola, posted Check No. 2004, in the amount of \$300.00 to serve as the Erosion Control Bond for Wetland Permit #WP-074-06, which was deposited in the T33 Account on November 3, 2006, for work being performed at the Route 100 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, NOW THEREFORE BE IT

RESOLVED, that the Wetland Bond WP-074-06 in the amount of \$300.00 is hereby released to Andrew Bosse Forestry Service.

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

APPROVE EXTENSION
TOW BID – YORTOWN AUTO BODY WAORKS, INC.
RESOLUTION #141

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

WHEREAS, the Town Board has elected to exercise its right under the terms of the 2006 License Agreement with Yorktown Auto Body Works, Inc. located at 1798 Front Street, Yorktown Heights, New York to extend the term of said agreement on the same terms and conditions, through March 31, 2009, and

WHEREAS, the Town Board has directed the Town Attorney to advise Yorktown Auto Body Works, Inc., in writing, of specific due dates for the 2008-2009 quarterly payments due under the terms of the License Agreement and the Town Board's intent to strictly enforce the termination provisions of the License Agreement if Yorktown Auto Body Works, Inc. fails to meet said dates, and

WHEREAS, the Town Board has directed the Town Attorney to advise Yorktown Auto Body Works, Inc., in writing, that the Town will also impose a sliding scale of late payment fees for any late payments due under this License Agreement, now therefore be it

RESOLVED, that the Town Board authorizes the Town Supervisor to enter into a one year License Agreement term extension with Yorktown Auto Body Works, Inc.

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

REFUND DUPLICATE TAX PAYMENT
RESOLUTION #142

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

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

<u>Year and Tax</u>	<u>S-P-L</u>	<u>Account #</u>	<u>Refund</u>
2007 Sch 21	16.20-2-33	1766725	\$2,482.17
2007 Sch 21	15.16-1-28.2-87	0542587	\$375.95
2007 Sch 21	16.06-1-33	0245500	\$2,867.18
2007 Sch 21	16.17-1-34	1022000	\$3,591.90
2007 Sch 21	15.12-1-24	0714000	\$117.77

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

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

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

ADJOURN

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

Alice E. Roker
Town Clerk
Town of Yorktown

