

Regular meeting held by the Town Board,
Town of Yorktown on January 4, 2011 held at
Yorktown Town Hall, Yorktown Heights, NY.

Present: Susan Siegel, Supervisor
Nicholas Bianco, Councilman
James Martorano, Councilman
Terrence Murphy, Councilman
Vishnu Patel, Councilman
Alice E. Roker, Town Clerk

TOWN BOARD MEETING

Supervisor Susan Siegel called the meeting to order. Town Attorney Jeannette Koster, was also present.

PLEDGE OF ALLEGIANCE

Josh Davies, Dan Gower and Alex Alves, Boy Scouts from Troop 174 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 THE SUPERVISOR'S REPORT TO THE TOWN, Supervisor Siegel announced that the scouts who led tonight's Pledge of Allegiance are working on their communication badge and will be given an opportunity to tell us what they learned later this evening. The Supervisor also provided her list of goals for the coming year, they include; negotiating a new contract with the PBA and CSEA, completing the Comprehensive Plan re-zonings and the Yorktown Community Dog Park. The Supervisor also stated that she wants the Town to address Yorktown's aging infrastructure as well as continuing to explore the feasibility of on-line tax payments.

DURING REPORTS FROM TOWN COUNCIL,

Councilman Bianco thanked the employees who worked during the December blizzard for all of their hard work.

Councilman Martorano stated that he believes there has not been sufficient movement on either side in the negotiations with CSEA and the PBA. He further stated that our employees are to be valued. The Councilman expressed his concern that we are not treating our employees the way we should be, as a example he cited the recent demotion of a man who has worked for the town for over thirty years.

Councilman Murphy stated that the Town Board needs to become more creative in its approach to government; that is the only way we are going to be able to pay for infrastructure improvements.

Councilman Patel stated that he will continue to move forward with his plan to bring more technology to local government.

DURING THE REPORT FROM WHITE PLAINS, County Legislator Michael Kaplowitz spoke about the Westchester County's 2011 Budget. Last year, the Board of Legislators received Westchester County Executive Robert Astorino's 2011 Budget which we felt was a good, but could be improved.

After holding three public hearings and further discussions, we have come up with an even better budget. The Board of Legislators have come up with a budget for 2011 that will result an overall tax cut of 2.2% for the Westchester County. It translates to a drop in County taxes of 2.8% for people living in the Town of Yorktown.

DURING THE HIGHWAY SUPERINTENDENT'S REPORT, Mr. DiBartolo thanked the Town of Yorktown's workforce for their work during the blizzard. Mr. DiBartolo also thanked the Town's emergency services including the Yorktown Police Department, the Yorktown and Mohegan Lake Fire Departments, and the Yorktown and Mohegan Lake ambulance services for their help. He also stated that the costs associated with the blizzard totaled approximately \$100,000. He asked residents when possible, that they remain off the roadways during these snow storms. If you have to go out, make sure your vehicle has snow tires or chains. Mr. DiBartolo also asked homeowners to remind the companies that plow their driveways not to throw snow in the roadway. If there is an accident because of the snow that was thrown back onto the roadway, the homeowner will be liable.

COURTESY OF THE FLOOR

During Courtesy of the Floor, the following people addressed the members of the Town Board:

Mr. Richard DeSilva, a member of the Yorktown Elks provided the Town Board with a short history of his organization stating that the Elks was founded in 1865 and provides contributions to various charitable organizations. Today, the Elks have more than 128 million members. The Yorktown Elks Lodge chartered in 1965. Mr. DeSilva, his wife Mary and other officers of the Yorktown Elks Lodge presented a check for \$1,000 to the Town Board. Mr. DeSilva stated that he hopes the money will be put towards the renovation work being done in the Senior Room at the Yorktown Community Cultural Center.

Mr. Richard Ruvo, a resident of Edcris Road complained about a situation which he says he and his neighbors thought had been resolved. After the December blizzard, they received "Notices to Remedy" at their homes. Mr. Ruvo stated that he and his neighbors have no problem removing snow from the sidewalks. But, we can't remove the snow that has been piled up on these sidewalks by the Highway Department. Mr. Ruvo stated that he and his neighbors thought this issue was resolved.

Mr. DiBartolo, the Highway Superintendent stated that he too received a Notice To Remedy. He also thought the issue was resolved.

COURTESY OF THE FLOOR IS CLOSED

Supervisor Siegel responded to Mr. Ruvo by stating that she is aware of the issue and that they are working to find a solution.

Councilman Bianco asked Mr. DiBartolo to contact the Code Enforcement Agent.

AWARD BID

TOWN-WIDE PUBLISHING

RESOLUTION #1

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

WHEREAS, an invitation to bid on the printing of the attached list of Town of Yorktown publications and stationery was duly advertised upon resolution of the Town Board dated November 16, 2010, and

WHEREAS, said bids were received and opened on December 10, 2010, with the bid amounts for the various printing projects summarized as attached, and

WHEREAS, the lowest bid based on the total of eight projects was submitted by Chase Press, 1520 Front Street, Yorktown Heights, NY 10598,

BE IT RESOLVED, that upon the recommendation of Town Supervisor Susan Siegel, the bid for printing the attached list of publications and stationery for the Town of Yorktown is hereby awarded to Chase Press, the lowest responsible bidder.

BE IT FURTHER RESOLVED, the contract is to begin on January 4, 2011 and terminate on December 31, 2011. The Town shall have the option to terminate the Contract at anytime if dissatisfied with quality of vendor's product or customer service.

Siegel, Bianco, Martorano, Murphy, Patel Voting Aye
Resolution adopted.

AUTHORIZE SUPERVISOR TO COMPENSATE
BRYANT ROMAN, ESQ., ROMAN & ASSOCIATES
RESOLUTION #2

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

RESOLVED, that the Town Board authorizes the Town Supervisor to compensate Roman & Associates \$150.00 for the court appearance of Bryant Roman, Esq. on December 21, 2010 in Kings County Supreme Court made on behalf of the Town in the matter of Gloria Rosenberg v. IndyMac et al. (Sup Ct. Kings County Index No. 17529/2010)

Siegel, Bianco, Martorano, Murphy, Patel Voting Aye
Resolution adopted.

AUTHORIZE SUPERVISOR TO SIGN A RENEWAL AGREEMENT WITH THE SPCA
OF WESTCHESTER
RESOLUTION #3

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

RESOLVED, that the Town Board authorizes the Town Supervisor to sign a renewal agreement with the SPCA of Westchester, Inc. for the shelter of seized, stray and homeless dogs and cats. The annual contract fee is \$21,633.96.

Siegel, Bianco, Martorano, Murphy, Patel Voting Aye
Resolution adopted.

APPROVE COMMERCIAL GARBAGE LICENSE
AAA RUBBISH REMOVAL DBA A & N CARTING
RESOLUTION #4

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

RESOLVED that AAA Rubbish Removal D/B/A A&N Carting Company be and is hereby granted renewal of their garbage license for commercial properties only, for the year 2011.

Siegel, Bianco, Martorano, Murphy, Patel Voting Aye
Resolution adopted.

APPROVE COMMERCIAL GARBAGE LICENSE
SANI PRO DISPOSAL SERVICES CORP. DBA SUBURBAN CARTING CORP.
RESOLUTION #5

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

RESOLVED that Sani-Pro Disposal Services Corp. D/B/A Suburban Carting Com.be and is hereby granted renewal of their garbage license for commercial properties only, for the year 2011.

Siegel, Bianco, Martorano, Murphy, Patel Voting Aye
Resolution adopted.

APPROVE COMMERCIAL GARBAGE LICENSE
BETTER CARTING SERVICES, INC.
RESOLUTION #6

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

RESOLVED that Better Carting Services, Inc. be and is hereby granted renewal of their garbage license for commercial properties only, for the year 2011.

Siegel, Bianco, Martorano, Murphy, Patel Voting Aye
Resolution adopted.

APPROVE COMMERCIAL GARBAGE LICENSE - ATNM CORP.
RESOLUTION #7

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

RESOLVED that ATNM Corp. be and is hereby granted renewal of their garbage license for commercial properties only, for the year 2011.

Siegel, Bianco, Martorano, Murphy, Patel Voting Aye
Resolution adopted.

AUTHORIZE SUPERVISOR TO SIGN
AGREEMENT WITH WESTCHESTER COUNTY – TITLE 111-B FOR 2011
RESOLUTION #8

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

RESOLVED, that the Town Board of the Town of Yorktown hereby authorizes the Town Supervisor to sign the annual Title IIIB (Older American's Act) contract with the County of Westchester to offset some of the transportation costs associated with the Nutrition Program, and

BE IT FURTHER RESOLVED, that the Town of Yorktown will receive funding in the amount of 15,539.00.

Siegel, Bianco, Martorano, Murphy, Patel Voting Aye
Resolution adopted.

AMEND CONTRACT BRUCE BARBER
RESOLUTION #9

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

Resolved that the Town Supervisor is authorized to execute an amendment to the Agreement for Professional Services signed December 10, 2010 with Cornerstone Appraisal Associates, Inc., the Town's environmental consultant, retroactive to October 16, 2010, to provide that the town will compensate Cornerstone at the rate of \$125 per hour for all "Reimbursable Expenses" as identified in Section viii, B of Schedule A of the Agreement.

Siegel, Bianco, Martorano, Murphy, Patel Voting Aye
Resolution adopted.

AUTHORIZE SUPERVISOR TO SIGN AGREEMENT WITH HUGO H. RIVAS
TO TERMINATE CONTRACT FOR PURCHASE OF BERNSTEIN HOUSE
RESOLUTION #10

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

RESOLVED, that the Supervisor is authorized to sign an agreement with Hugo H. Rivas, the high bidder at the September 29, 2010 town auction for the parcel located at 3174 Old Yorktown Road (the "Bernstein house"), to terminate the contract between the parties and reimburse Mr. Rivas \$5,000 of the funds he deposited with the Town at the auction to settle all outstanding issues between the parties.

Siegel, Bianco, Martorano, Murphy, Patel Voting Aye
Resolution adopted.

ORGANIZATIONAL RESOLUTIONS
RESOLUTION #11

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

SALARIES
RESOLUTION

RESOLVED, that the Supervisor be hereby authorized and directed to pay salaries of all elected and appointed Town officials and employees without prior audit.

MILEAGE
RESOLUTION

RESOLVED, that the rate of .51 cents per mile be allowed those Town officials and employees who use their own automobiles in the performance of their official duties in accordance with the budgetary appropriations, provided however, the expense incurred is presented to the Town Board in the proper manner and on the proper claim form.

YOUTH STATE AID
PARKS AND RECREATION
RESOLUTION

RESOLVED, that the Supervisor be directed to make application to the New York State Division of Youth for State Aid for a Recreation and Youth Service Project Grant for \$20,000.00 for the calendar year 2011. \$10,000 of this application goes to the Recreation Department and,

YOUTH STATE AID
POLICE DEPARTMENT
RESOLUTION

RESOLVED, that the Supervisor is directed to make application to the New York State Division of Youth for State Aid to the Police Department via the Youth Officer.

DELEGATES/ASSOCIATION OF TOWN MEETINGS
RESOLUTION

RESOLVED, that Supervisor Susan Siegel be and is hereby designated as the voting delegate to represent the Town of Yorktown at the Association of Towns Meeting to be held in February 2011, and be it

FURTHER RESOLVED, that Councilman Nicholas Bianco be and is hereby designated the alternate delegate to the aforementioned meeting.

DESIGNATED DEPOSITORIES
RESOLUTION

RESOLVED, that the following banks located in the Town of Yorktown are hereby designated as depositories for the Town of Yorktown:

JP Morgan Chase
2002 Commerce Street
Yorktown Heights, New York 10598

Bank of America
2 Triangle Center
Yorktown Heights, New York 10598

Wachovia
50 Main Street
White Plains, New York 10606

TD Bank North
19 Court Street
White Plains, New York 10601

Putnam County Savings bank
331 Downing Drive
Yorktown Heights, NY 10598

Signature Bank
1C Quaker Ridge Road
New Rochelle, NY 10804

and be it

FURTHER RESOLVED, that Susan Siegel, Supervisor of the Town of Yorktown, is hereby authorized, pursuant to Town Law Section 29(2), to act on behalf of the Town of Yorktown with said banks, and be it

FURTHER RESOLVED, that the above named banks are hereby required to provide a surety bond or pledge securities when applicable as required by Town Law Section 64(1) and General Municipal Law Section II, and be it

FURTHER RESOLVED, that the following banks are designated depositories for the following officers of the Town of Yorktown:

JP Morgan Chase, Yorktown Heights, New York:
Justice Gilbert Account
Justice Lagonia Account
Joint Bail Account - Justices Lagonia & Justice Gilbert

OFFICIAL NEWSPAPERS

RESOLVED, that the official newspapers for the Town of Yorktown are hereby designated to be the North County News and/or Journal News

2011 MEETING DATES

RESOLVED, that the meeting dates of this Town Board will start at 6:45 PM unless otherwise noted and shall be as follows:

January 4
January 11
January 18
January 25
February 1
February 8
February 15
February 22
March 1
March 8
March 15
March 22
April 5 - John C. Hart Memorial Library
April 12
April 20
April 26
May 3
May 10
May 17

May 24
 June 7
 June 14
 June 21- outdoor site, 6:00 pm.
 June 28
 July 5 - outdoor site, 6:00 pm.
 July 12
 July 19 - outdoor site 6:00pm.
 July 26
 August 2 - outdoor site 6:00PM
 August 9
 September 6
 September 13 - Primary Day – No meeting
 September 20
 September 27
 October 4 - John C. Hart Memorial Library
 October 11
 October 18
 October 25
 November 1
 November 8 - Election Day – No meeting
 November 10 - Budget Workshop – Dept. Heads
 November 11 - Budget Workshop
 November 15
 November 22
 December 6
 December 7 (Budget Hearing)
 December 13

and as otherwise prescribed by law, and in the event a meeting date falls on a holiday, then the meeting shall be held the next succeeding evening or on such other dates as may be determined, and be it

FURTHER RESOLVED, that the Town Board will hold its regular budget meeting at 7:00 PM on the following date: December 7, 2011 (Wednesday) and be it,

FURTHER RESOLVED, the Town of Yorktown will hold its annual Record Management Inventory on February 3 and February 4, 2011 and be it,

FURTHER RESOLVED, that Special Meetings shall be called and held in conformance with Section 62 of the Town Law and Article 7 of the Public Officers Law.

COMPTROLLER TO REFUND
CERTAIN CORRECTIONS OF ERROR

As per Section 554 of the Real Property Tax Law - appoint the comptroller to make refunds for corrections of error up to a maximum of \$2,500.00.

Siegel, Bianco, Martorano, Murphy, Patel Voting Aye
Resolution adopted.

REFUND DUPLICATE TAX PAYMENTS

ACCOUNT #1092000, 0483000, 2629000, 4183000, 3639500, 1135400, 0542619
RESOLUTION #12

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

RESOLVED, that records of the Receiver of Taxes indicate that the following duplicate payments were made:

<u>Tax & Year</u>	<u>Property</u>	<u>Amount</u>	<u>Refund to:</u>
2010 Town/Cty	25.08-2-5	\$125.20	Claudia Mace 1708 Parmly Road Mohegan Lake, NY 10547
2010 Town/Cty	25.081-37	\$242.89	Claudia Mace 1708 Parmly Road Mohegan Lake, NY 10547
2010 Town/Cty	27.10-2-25	\$4,130.86	GMAC Mortgage P.O. Box 961219 Fort Worth, TX 76161
2010 Town/Cty	48.09-1-8	\$5,115.93	Chase Home Finance Attn: Refund Dept. 1 Corelogic Drive Westlake, TX 76262
2010 Town/Cty	37.15-1-76	\$5,746.29	Brenda Rude Senior Loan Administrator 1 Corporate Drive, Suite #360 Lake Zurich, Illinois 60047
2010 Town/Cty	26.14-1-6	\$4,053.09	Henry & Michelle Soliz 2870 Stony Street Mohegan Lake, NY 10547
2010 Town/Cty	15.16-1-28.2 -119	\$1,404.09	Wells Fargo R.E. Tax Service One Home Campus MACX 2502-011 Des Moines, IA 50328

Siegel, Bianco, Martorano, Murphy, Patel Voting Aye
Resolution adopted.

MONTHLY REPORTS

Building Department – 2 Reports

COURTESY OF THE FLOOR

During Courtesy of the Floor, the Town Board asked the scouts what they found interesting about tonight's meeting.

Josh Davies stated that he thought the sidewalk issue was interesting.

Dan Gower stated that he too thought the sidewalk issue was interesting.

Alex Alves stated that he surprised as to how many issue spoken about tonight related to the economy.

ADJOURN

Councilman Martorano moved, seconded by Councilman Murphy, to adjourn the Town Board meeting.

Alice E. Roker
Town Clerk
Town of Yorktown