Regular meeting held by the Town Board, Town of Yorktown on July 19, 2011 held at Mohansic Golf Course Restaurant Terrace, 3800 Baldwin Road, Yorktown Heights, NY 10598

Present: Susan Siegel, Supervisor

Nicholas Bianco, Councilman James Martorano, Councilman Terrence Murphy, Councilman Vishnu Patel, Councilman Alice E. Roker, Town Clerk

EXECUTIVE SESSION

Upon motion made by Councilman Bianco, seconded by Councilman Martorano, to move into Executive Session on Advice of Counsel. Upon motion made by Councilman Martorano, seconded by Councilman Bianco the Town Board moved into the work session.

TOWN BOARD MEETING

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

PLEDGE OF ALLEGIANCE

Supervisor Siegel 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 spoke about how the recently enacted State 2% tax cap legislation could affect Yorktown's 2012 Budget. The Town Comptroller, Joan Goldberg met with the Town Board and told us that she expects a 13-20% increase in medical costs and that employee step raises will cost the Town an additional \$96,000. Those two items exceed the 2% tax cap. We are awaiting information from the New York State Comptroller's Office on how to apply this new law to our budget. In the meantime, the Town Board has decided to hold off filling positions in the Highway Department and Police Department. Discussions with CSEA have also been put on hold. We expect to receive the information from the New York State Comptroller Office in August.

DURING REPORTS FROM TOWN COUNCIL

Councilman Bianco stated that the slogan "the last person hired, will be the first person fired" doesn't always apply in the Town of Yorktown. Under our CSEA contract, employees have what are called "bumping rights." If an employee was recently transferred to a new department and that new job was eliminated, it doesn't mean the employee is automatically out of a job. They have the right to fall back to their old position, and if someone else has been with us for a shorter period of time doing that same job, they could bump that other person. Councilman Bianco also congratulated the Mohegan Lake Improvement District on a very successful Lake Day.

Supervisor Siegel also congratulated the Lake Mohegan Improvement District's volunteers for all of the work they do.

Speaking about the Tax Cap Legislation, Councilman Martorano stated that no one knows the ramifications of this new law. We have to wait until Albany sends us information. He also stated that the Town Board did agree to put two new hires on hold, but he believes these people are necessary. We cannot continue to ask our employees to provide the maximum amount of service which our residents have grown accustomed to with fewer employees.

Councilman Murphy stated that the Town Board has not forgotten the people in Mohegan Lake who live near the Holland Sporting Club. We will be taking down those dilapidated buildings very soon. He also spoke about the increase in the number of people who come to the Yorktown's two pools; Junior Lake Pool and the Shrub Oak Pool.

Councilman Murphy congratulated a lifeguard, Kristin Vaas who he says saved the life of a youngster at Junior Lake Pool.

Councilman Patel spoke about the outdoor movie which he said he loved. He also spoke about the upcoming Outdoor Concert at the Gazebo at John DeVito Park co-sponsored by the Yorktown Lions and the Town of Yorktown.

Councilman Bianco stated that he has been getting a lot of inquiries about the hanging flower pots along Commerce Street.

Supervisor Siegel responded that the Town Board discussed this issue earlier in the year. We agreed that flowers would be placed in the sidewalk planters, but not in the hanging baskets. They require more water which in turn require more staff. Supervisor Siegel returned to her discussion concerning the tax cap legislation. All local governments are mandated to keep their tax levy at two percent or the Consumer Price Index. She further stated that a majority vote of the Town Board could override this state law.

APPROVE TOWN BOARD RESOLUTIONS FROM JULY 5, 2011 MEETING RESOLUTION #349

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

Approve Town Board Resolutions from Meeting of July 5, 2011.

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

RESIGNATION

The Town Board accepted with regret the resignation of David Klaus, who has served as Chair of the Planning Board. They thanked him for his for more than eighteen years of volunteer service to the Town of Yorktown.

<u>APPOINTMENTS TO CONSERVATION BOARD</u> RESOLUTION #350

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

WHEREAS The Conservation Board serves an important meaningful role as advisor to the Town Board in their deliberations of land use in the Town of Yorktown;

WHEREAS the following current volunteers have served honorably and faithfully in their capacity as members of the Conservation Board, and have indicated their desire to be reappointed;

WHEREAS the Town Board is satisfied with the service rendered by the following current members, and is pleased to reappoint them for an additional term;

THEREFORE, BE IT RESOLVED that the following members are reappointed to serve an additional three year term on the Conservation Board, and their expiration dates are listed below:

Phyllis Bock	9/30/2014
Bob Carroll	8/31/2014
Ann Kutter	7/31/2014
J. Patrick Francois	7/31/2014

BE IT FURTHER RESOLVED that Phyllis Bock and Ann Kutter are also reappointed Co-Chairs of the Conservation Advisory Board.

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

DURING THE REPORT FROM WHITE PLAINS, Westchester County Legislator Michael Kaplowitz spoke about the tax cap legislation as well. The legislation could be overridden by a 60% vote of a board or a majority vote of this Town Board. Legislator Kapolowitz spoke about the Westchester County Golf Courses which includes the Mohansic Golf Course where we are meeting tonight. He explained that Westchester County in 2010 paid \$8.2 million in expenses toward the golf courses. They generated \$9.8 million in revenue; leaving the County with one million dollars in surplus. During 2011, golf courses are projected to bring in more than \$3.4 million in surplus. Westchester County ended 2010 with a \$66 million surplus. We sent the Town of Yorktown \$1 million in mortgage tax in 2010, unfortunately the mortgage tax revenues have dropped by 9.2% this year. Yorktown is expected to get \$968,000 in 2011. Mr. Kaplowitz also stated that Westchester County has the lowest sales tax in New York State. Sales tax revenue is up by \$3 million this year.

COURTESY OF THE FLOOR

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

Mr. Gil Kaufman spoke about the bid for the Partial Alteration of the Basement at the Yorktown Community and Cultural Center. Someone told him there was a problem with the bid. Mr. Kaufman says he was told that the low bidder did meet all of the bid's requirements. He asked that this issue be held off until we know what the right thing to do is.

Mr. Howard Frank also commented on the Renovation bid stating that items such as performance bonds were also left out of the bid specifications.

Mr. John Oliveri, a resident of Heritage Court presented copies of pictures and letters to the Town Board that he says were already sent to the Highway Superintendent, Eric DiBartolo. These documents show what his house looked like after one of last winter's snow storms. Mr. Oliveri said his heating delivery company called him in Florida and told him that they could not deliver oil because his driveway was blocked by six feet of snow. He tried to contact the Highway Superintendent, but got a recording. Mr. Oliveri also expressed his concern about a drain issue in his area. He also asked the Town Board to consider consolidating the Police Department with Westchester County; just like the Town of Cortlandt. Mr. Oliveri spoke about the foot bridge over the Taconic Parkway which he says goes nowhere. Yorktown taxpayers paid \$1 million for the bridge. He also wanted to know what the Town is planning to do with the old Par 3 Golf Course on Route 6.

Mr. Andrew Pecunia, a resident of Waverly Road stated that the Town of Yorktown has an easement on his property. In March of 2011, a manhole cover blew into the air sending gallons of water onto his property and into his home. The water destroyed his basement. A couple of weeks ago, the Town experienced a severe rainstorm and his house was under water again. The Highway Superintendent came out and told him that the cause of the problem is that there is a twelve inch pipe underground which cannot handle the volume of water falling in this neighborhood. He also thanked Councilman Bianco for coming out to his home. Mr. Pecunia asked the Town Board for help.

COURTESY OF THE FLOOR IS CLOSED

RESPONSES TO COURTESY OF THE FLOOR:

Highway Superintendent Eric DiBartolo responded to Mr. Oliveri as follows:

He did go out to his home. He did apologize after receiving his letter and looking at the photographs. Mr. DiBartolo explained that his office received the telephone call right after he pulled the crews off the roads. They had been working for twenty four hours.

Mr. DiBartolo agreed that many years ago, the drain pipe on Heritage Court was installed improperly. The Highway Department is attempting to resolve the problem, but before we can go digging into the ground we have to be sure see what utilities are underground in the area. In the meantime, the catch basin has been relocated.

Mr. DiBartolo stated that he has gone out to Mr. Pecunia's home. The 12 inch drain pipe was put in during the 1960's and because of the huge amount of water coming from his neighborhood; a 24 inch pipe is necessary. Doing this work is no problem for his department, but getting the money is. The cost of this project is between \$18,000 -\$22,000.

Speaking about finances in his department, Mr. DiBartolo stated that instead of extending the current bid on blacktop, he chose to go out to bid and it has paid off. In 2010, the cost of a ton of blacktop was \$93.75. The cost of a ton in 2011 is \$82.90. Our department will now be able to pave more streets. Our paving schedule will begin in the Mohegan Lake area during the first week of August.

Supervisor Siegel provided the following responses:

To Mr. Kaufman:

There will be a discussion on the renovation work at the YCCC when we reach the item which is on tonight's agenda.

To Mr. Frank:

Performance bonds are a requirement of the bid, but winner does not have to give them to the Town until the bid is awarded.

To Mr. Oliveri:

The Yorktown Police Department cost taxpayers approximately \$9 million annually. The cost is roughly one third of our General Budget.

The bridge to nowhere was built many years ago.

The Town sent out a Request for Proposal (RFP) concerning the Par 3 Golf Course. The Recreation Commission is meeting with both companies that responded to the RFP which the Parks and Recreation Superintendent prepared. The Town Board will have a discussion on this issue at an upcoming work session.

Highway Superintendent DiBartolo addressed your issues concerning snow.

We have a problem throughout the Town with pipes in the Town that are too small.

Councilman Bianco provided the following responses:

To Howard Frank:

A performance bond is only required after a bid has been awarded.

To Mr. Oliveri:

He was sorry to hear about his problem during the snowstorm. Councilman Bianco disagreed with Mr. Oliveri's request to consolidate our Police Department with Westchester County. He asked him to compare the Town of Yorktown's Police Department's response time to that of Westchester County's response time.

The bridge to nowhere will eventually connect the Town of Yorktown with Fahnestock State Park which is in Putnam County.

We will be looking at proposals for the old Par 3 Golf Course.

To Mr. Pecunia:

The Town should spend the money to install a larger pipe.

Councilman Martorano provided the following responses:

To Mr. Pecunia:

He agreed with Councilman Bianco, the Town should spend the money to replace the pipe.

Councilman Martorano stated that Police Departments are expensive to maintain. But, that's what our residents want. It makes them feel safe. He agreed with Councilman Bianco saying there is a dramatic difference in the response time of our local police department versus Westchester County's County Police Department.

Councilman Patel provided the following responses:

He knew David Klaus longer than anyone on the Town Board. He worked with Mr. Klaus at IBM. He wondered whether the pipe near Mr. Pecunia's house was clogged or compressed.

The Highway Superintendent stated that the pipe has been examined, it is not clogged or blocked; it is simply too small.

CONVENE PUBLIC HEARING PROPOSED LOCAL LAW AMENDING CHAPTER 300
PERTAINING TO DEFINITIONS OF SIGNS AND REGULATION OF SIGNS IN THE TOWN
OF YORKTOWN

Supervisor Siegel convened a public hearing to consider a proposed local law amending the Zoning Code of the Town of Yorktown, Chapter 300, Article II and Article XX, pertaining to definitions of signs, and regulation of signs in the Town of Yorktown. The Town Clerk presented affidavits of posting and publication.

Supervisor Siegel explained the genesis of this proposal stating that the law is a result of a lawsuit filed against the Town of Yorktown regarding political signs.

We have been advised by Counsel that our code had to define what a temporary sign is. The Code also has to explain what an opinion sign is.

No one spoke in favor or in opposition of the proposal.

All those present having been given the opportunity to be heard and there being no further discussion the hearing was closed. Councilman Martorano motioned, seconded by Councilman Bianco.

LOCAL LAW #7 OF 2011 AMENDING CHAPTER 300 RESOLUTION #351

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

WHEREAS, a public hearing was held on July 5, 2011 pursuant to notice duly published as required by law to consider the adoption of a proposed local law amending the Zoning Code of the Town of Yorktown, Chapter 300, Article II and Article XX, pertaining to definitions of signs, and regulation of signs in the Town of Yorktown., now therefore be it

RESOLVED that Local Law #7/2011, as annexed hereto, be and is hereby adopted.

The question of the adoption of the foregoing Local Law was duly put to a vote on roll-call, which resulted as follows:

Councilman Bianco	Voting	Aye
Councilman Martorano	Voting	Aye
Councilman Murphy	Voting	Aye
Councilman Patel	Voting	Aye
Supervisor Siegel	Voting	Aye

Local Law #7/2011was thereupon declared adopted.

ADVERTISE PUBLIC HEARING

PROPOSED LOCAL LAW AMENDING CHAPTER 300 OF THE ZONING CODE WITH RESPECT TO ARTICLE IV ENTITLED GENERAL REGULATIONS ERTAINING TO FENCE HEIGHTS

RESOLUTION #352

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

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, Town of Yorktown, 363 Underhill Avenue, Yorktown Heights, New York on the 20th day of September, 2011 at 7:30 o'clock PM, or as soon thereafter as the same can be heard for the purpose of amending of Chapter 300 of the Code of the Town of Yorktown entitled "ZONING" with respect to Article IV entitled "General Regulations," pertaining to fence heights.

A copy of the Local Law is on file in the Office of the Town Clerk, Town of Yorktown, 363 Underhill Avenue, Yorktown Heights, New York, where it is a public record, available for inspection during regular office hours.

A copy of the Local Law may also be seen on the Town of Yorktown's website www.yorktownny.org

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

ADVERTISE PUBLIC HEARING

PROPOSED LOCAL LAW AMENDING CHAPTER 260 RELATING TO "TAXATION" RESOLUTION #353

Upon motion by Councilman Martorano, seconded by Councilman Bianco,

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, Town of Yorktown, 363 Underhill Avenue, Yorktown Heights, New York on the 6th day of September, 2011 at 7:30 o'clock PM, or as soon thereafter as the same can be heard for the purpose of amending Chapter 260 of the Code of the Town of Yorktown entitled "TAXATION", by amending Article IV entitled "Installment Agreement for "Delinquent Real Property Taxes," regarding defaults.

A copy of the Local Law is on file in the Office of the Town Clerk, Town of Yorktown, 363 Underhill Avenue, Yorktown Heights, New York, where it is a public record, available for inspection during regular office hours.

A copy of the Local Law may also be seen on the Town of Yorktown's website www.yorktownny.org

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

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

<u>AUTHORIZE WATER DISTRIBUTION SUPERINTENDENT TO GO OUT TO BID INSTALLATION OF WATER METERS – WATER DEPARTMENT</u> RESOLUTION #354

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

WHEREAS, the Water Distribution Superintendent has prepared bid specifications for the installation of these water meters with encoder registers,

WHEREAS, the cost shall be paid for out of water district funds,

WHEREAS, the Town Attorney has reviewed these specifications, and is incorporating new performance bond language into the document,

NOW THEREFORE BE IT RESOLVED that the Town Board authorizes the Water Distribution Superintendent to advertise for competitive bid the Installation of Cold Water Meters with Electronic Encoder Registers.

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

<u>ADVERTISE BID INSTALLATION OF WATER METERS – WATER DEPARTMENT</u> RESOLUTION #355

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

NOTICE IS HERE GIVEN that sealed bids will be received by the Town Clerk, Town of Yorktown, Westchester County, NY until (need to get bid before dating return) date at the Town Hall, 363 Underhill Avenue, Yorktown Heights, N.Y. 10598 for removal of approximately 2,400 water meters and installation of new water meters with electronic encoders in residential homes throughout 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 No. 002: Installation of Cold Water Meters with Electronic Encoder Registers."

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.

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

REJECT AND RE-BID RESIDENTIAL GARBAGE AND RECYLABLE MATERIAL COLLECTION AND DISPOSAL

RESOLUTION #356

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

Resolved, that upon the recommendation of Town Counsel, the bids for "Residential Garbage and Recyclable Material Collection and Disposal" received and opened on July 14, 2011, are hereby rejected, and

BE IT FURTHER RESOLVED that the Town Clerk is authorized to re-advertise the revised bid entitled "Residential Garbage and Recyclable Material Collection and Disposal" with a bid opening date of Monday, August 8, 2011 at 11:00AM.

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

AWARD BID ASPHALTIC CONCRETE LAID IN-PLACE **RESOLUTION #357**

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

WHEREAS, invitation to bid for the Asphaltic Concrete Laid-in-Place for the Town of Yorktown was duly advertised, and

WHEREAS, said bids were received and opened on July 5, 2011, with the bid amounts for the above-referenced project summarized on the attached sheet.

RESOLVED, that upon the recommendation of the Highway Superintendent, Eric DiBartolo, the bid for the Asphaltic Laid-in-Place be and is hereby awarded to Bilotta Construction Corp., 296 Purchase Ave, Rye, NY 10580, the most responsive bidder.

BE IT FURTHER RESOLVED, the contract is to begin on August 1, 2011 and terminate on July 31, 2012. The Town shall have the option to extend this contract at the same price for (3) consecutive one-year terms.

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

AWARD RFP APPRAISAL SERVICES – RESIDENTIAL RESOLUTION #358

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

WHEREAS, invitation to submit a Request For Proposal (RFP) to provide professional appraisal services for residential properties were mailed on March 17, 2011, and WHEREAS, the deadline for submitting the Request For Proposal (RFP) to provide professional appraisal services for residential properties was May 6, 2011, and

WHEREAS, said RFPs were opened on May 16, 2011 from the following companies:

Skyline Appraisals **Hudson Valley Appraisals** Landmark Appraisals Lane Appraisals Valuation Plus

Lawrence & Shedler

NOW THEREFORE BE IT RESOLVED, that upon the recommendation of Harold J. Girdlestone, Town Yorktown Sole Assessor, the RFP to provide professional appraisal services for residential properties be and is hereby awarded to Skyline Appraisals, on an as needed basis, based on the following fee schedule.

Base Fee Schedule

Uniform Residential Appraisal Report (Form 1004) \$250.00

Includes a full exterior/interior inspection

All subject and comparable photos

All Sketches and Maps

Drive-By Appraisal Report (Form 2055) \$200.00

Includes an exterior inspection from the street All exterior subject and comparable photos All Maps

Court Appearance

Per Case \$150.00 Per Diem \$700.00

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

<u>AWARD RFP APPRAISAL SERVICES – NON-RESIDENTIAL RESOLUTION #359</u>

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

WHEREAS, invitation to submit a Request For Proposal (RFP) to provide professional appraisal services for non-residential properties were mailed on March 17, 2011, and

WHEREAS, the deadline for submitting the Request For Proposal (RFP) to provide professional appraisal services for non-residential properties was May 6, 2011, and

WHEREAS, said RFP's were opened on May 16, 2011 from the following companies:

Valuation Plus Lane Appraisals Gabriele Appraisal Hudson Property Advisors

NOW THEREFORE BE IT RESOLVED, that upon the recommendation of Harold J. Girdlestone, Town Yorktown Sole Assessor, the RFP to provide professional appraisal services for non-residential properties, be and is hereby awarded to Valuation Plus, on an as needed basis, based on the following fee schedule.

Single Tenanted Properties: Preliminary Valuations	1 Approach	2 Approaches
Base Fee & 1 st Year	\$1,200.00	\$ 1,700.00
Additional Years	\$ 250.00/per yea	r \$ 300.00/per year
Interior Inspections	\$ 350.00	\$ 350.00
Multi-tenanted Properties Preliminary Valuations Base Fee & 1st year Additional Years	\$1,700.00 \$ 300.00/per year	1 4
Interior Inspections	\$ 350.00	\$ 350.00

Apartment Properties (Income Only) 1 – 24 Units 25-49 Units 50plus units Preliminary Valuations

Base Fee & 1 st Year	\$1,500.00	\$ 1,750.00	\$2,100.00
Additional Years	\$ 250.00	\$ 300.00	\$ 350.00
	Per year	Per year	Per year
Interior Inspections	\$ 300.00	\$ 400.00	\$ 500.00

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

YORKTOWN COMMUNITY CULTURAL CENTER ALTERATIONS TO A PORTION OF BASEMENT FLOOR

Supervisor Siegel provided an outline of what had transpired since the bid was opened; the next day, the second low bidder sent the Town of Yorktown a letter protesting the process. The Architect went back to low bidder and was given the sealed envelope called for in the bid specifications. The Architect, John Sullivan also checked out the low bidder's references. Supervisor Siegel stated that both she and John Sullivan have spoken to a number of attorneys who believe this is a diminutive problem. But she says, if you get ten attorneys in a room, you may get ten different answers.

Councilman Patel stated that if anyone had listened to him, the work would have been done in 2007.

Councilman Martorano said what we have is a technical issue with this bid; he is concerned because a judge threw out the 2005 Comprehensive Plan because of a technical issue. He suggested that the Town rebid the work.

Councilman Murphy stated that he wanted to stop all problems that could lead to litigation being filed against the Town of Yorktown. He believes the right thing to do is to rebid the work.

Councilman Bianco stated that when he first heard about this problem, his reaction was that the Town should rebid the work.

Supervisor Siegel stated that she wanted to clarify an issue. The Town sent out this bid and we followed all of the proper procedures. If we rebid the work, that may not stop litigation. The Town might be sued by the low bidder. There are risks in getting involved in litigation no matter what we decide.

AWARD BID ALTERATIONS TO BASEMENT FLOOR YORKTOWN COMMUNITY AND CULTURAL CENTER RESOLUTION #360

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

WHEREAS, invitation to bid for alterations to a portion of the basement floor of the Yorktown Community and Cultural Center was duly advertised, and

WHEREAS, said bids were received and opened on June 14, 2011, with the bid amounts for the above-referenced project summarized as follows:

NAME OF BIDDER	AMOUNT OF BID
Abbott & Price, Inc.	\$517,667.00
Caladri Development Corp	\$512,500.00
Foremost Development, LLC	\$389,670.00
Key Interiors, LLC	\$553,000.00
ACS System Associates Inc.	\$711,000.00
Marquis Construction Corp.	\$418,000.00
Fratello Construction Corp.	\$509,000.00

RESOLVED, that the bid for the alterations to a portion of the basement floor of the Yorktown Community & Cultural Center be awarded to Foremost Development, LLC, at a total cost of \$389,670.00

Siegel, Patel Voting Aye Bianco, Martorano, Murphy Voting Nay Resolution Rejected

ADVERTISE RE-BID YORKTOWN COMMUNITY CULTURAL CENTER ALTERATIONS TO A PORTION OF BASEMENT FLOOR

RESOLUTION #361

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

NOTICE IS HEREBY GIVEN for the above referenced project that sealed bids 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 **Friday, August 5, 2011, at 2:00 p.m.**

Plans, Specifications and Bid Proposal Forms will be available on **Friday**, **July 22**, **2011** at the Office of the Town Clerk for the non-refundable sum of \$100 dollars per set, payable by cash or certified check.

The Yorktown Community and Cultural Center located at 1974 Commerce Street, Yorktown Heights, New York will be open for a Pre-Bid meeting at **10:00 a.m. on Wednesday**, **July 27**, **2011**.

A bid bond, certified check or bank check in the amount of 10% of bid must accompany the bid proposal, made payable to the Town of Yorktown.

All bids must be submitted in sealed envelopes plainly marked with "Yorktown Community and Cultural Center - Bid for Construction" indicated on the front of the sealed envelope.

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 time and in the place specified above.

The Town of Yorktown reserves the right to accept or reject any or all bids and to waive any formalities at their discretion, and to award contracts in a manner deemed to be in the best interests of the Town of Yorktown even if such award is to other than the lowest bidder. No bidder may withdraw his bid within thirty (30) days after the actual date of the opening thereof.

Please Note: Contractor / Bidder is advised to make certain all bid submission requirements including wicks laws as applicable are included with bid submission.

All technical questions should be directed in writing to the Project Architect: Sullivan

Architecture, 31 Mamaroneck Avenue, White Plains, NY 10601 Fax: (914) 761-4919.

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

<u>RELEASE WETLANDS BOND ELM STREET – WP#008-10</u> RESOLUTION #362

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

WHEREAS, Steven Wrubel, as applicant, posted Check No. 366 in the amount of \$300.00, which was deposited into the T33 account on March 26, 2010, to serve as the Wetland Bond for Wetland Permit #WP-008-10, for work performed at his Elm 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 may be released, NOW THEREFORE BE IT

RESOLVED, that the above-referenced Wetland Bond in the amount of \$300.00 be and is hereby released to Mr. Steven Wrubel, 155 Elm Street, Yorktown Heights, NY 10598.

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

RELEASE EROSION CONTROL BOND WOODED HILL COURT #E-009-10

RESOLUTION #363

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

WHEREAS, Lisa Shaiken, as applicant, posted Check No. 715 in the amount of \$3,500.00, which was deposited into the T33 account on June 11, 2010, to serve as the Erosion Control Bond for Excavation Permit #E-009-10, for work performed at her Wooded Hill Court 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 \$3,500.00 may be released, NOW THEREFORE BE IT

RESOLVED, that the above-referenced Erosion Control Bond (Check No. 715) in the amount of \$3,500.00 be and is hereby released to Ms. Lisa Shaiken, 363 Wooded Hill Court, Chappaqua, NY 10514.

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

EXTEND STREET LIGHT MAINTENANCE BID HIGHWAY DEPARTMENT RESOLUTION #364

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

WHEREAS, invitation to bid for Street Light Maintenance for the Town of Yorktown was duly advertised, and

WHEREAS, said bids were received and opened on August 4, 2010.

RESOLVED, that upon the recommendation of the Highway Superintendent, Eric DiBartolo, the bid for the Street Light Maintenance be and is hereby extended for one year, per the terms of the Bid, to P&M Electric.

BE IT FURTHER RESOLVED, the dates of the extension will be August 15, 2011 through August 15, 2012.

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

EXTEND TRAFFIC LIGHT MAINTENANCE BID HIGHWAY DEPARTMENT RESOLUTION #365

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

WHEREAS, invitation to bid for Traffic Light Repair/ Maintenance for the Town of Yorktown was duly advertised, and

WHEREAS, said bids were received and opened on August 4, 2010.

RESOLVED, that upon the recommendation of the Highway Superintendent, Eric DiBartolo, the bid for the Traffic Light Repair/Maintenance be and is hereby extended for one year, per the terms of the Bid, to Verde Electric.

BE IT FURTHER RESOLVED, the dates of the extension will be August 15, 2011 through August 15, 2012.

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

EXTEND PAVEMENT MARKINGS BID HIGHWAY DEPARTMENT RESOLUTION #366

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

WHEREAS, invitation to bid for Pavement Markings for the Town of Yorktown was duly advertised, and

WHEREAS, said bids were received and opened on July 16, 2010.

RESOLVED, that upon the recommendation of the Highway Superintendent, Eric DiBartolo, the bid for the Pavement Markings be and is hereby extended for one year, per the terms of the Bid, to Safety Markings, Inc.

BE IT FURTHER RESOLVED, the dates of the extension will be August 1, 2011 through July 31, 2012.

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

DECLARE THE HOLLAND SPORTING CLUB A BLIGHTED PROPERTY RESOLUTION #367

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

WHEREAS, the property at 1670 Decatur Road, Mohegan Lake, known as the Holland Sporting Club, and designated as Section 15.20, Block 1, Lot 39 on the Tax Map of the Town of Yorktown, was acquired by the Town of Yorktown in 2006 from the Holland Sporting Club, Inc. when the several structures thereon were already in a neglected condition; and

WHEREAS, the Town has inspected the structures recently and found that they are unsafe and a hazard to the community due to significant physical decay and the presence of asbestos, and that the conditions include substantial structural defects, dilapidation and deterioration, vermin infestation, absence of necessary utility service, and the presence of asbestos and fire hazards; and

WHEREAS, the structures are attracting trespassers and vandalism, and have become an attractive nuisance and a problem in the neighboring residential community; and

WHEREAS, the property is located in an area of the Town that is not blighted; and

WHEREAS, the federal regulations governing Community Development Block Grants permit the use of CDBG funds for the elimination of conditions of blight, physical decay, and environmental contamination on a spot basis (24 CFR 570.483(c)(2)); be it

THEREFORE RESOLVED that the Town of Yorktown Town Board declares this property to be blighted, physically decayed, and environmentally contaminated; and be it further

RESOLVED, the Town Board finds that the cost of rehabilitation significantly exceeds the post-rehabilitation market value, and that it is in the best interests of the Town to clear the structures and remediate the environmental contamination, and to apply for a Community Development Block Grant to accomplish these purposes.

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

AUTHORIZE SUPERVISOR TO SIGN AN DAGREEMENT WITH MANETOO DANCE ENSEMBLE D/B/A WESTCHESTER BALLET CENTER FOR LEASE OF CERTAIN ROOM WITHIN YCCC RESOLUTION #368

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

WHEREAS, Manetoo Dance Ensemble, Inc. d/b/a Westchester Ballet Center, a New York for profit corporation ("Tenant"), wishes to lease from the Town of Yorktown certain room(s) within the Yorktown Community & Cultural Center as set forth in Schedule A of a

proposed lease, which Schedule A is annexed hereto, and the Town of Yorktown wishes to lease such space to Tenant, and

WHEREAS, Town Law § 64 requires that the Town's lease of real property be subject to a permissive referendum under Town Law §§ 90 and 91; and

NOW THEREFORE, BE IT RESOLVED, that the Town has determined the action contemplated under this Resolution is a Type II action under the State Environmental Quality Review Act ("SEQR") and therefore no further review is required under SEQR; and be it

FURTHER RESOLVED, the Town Board hereby directs that a copy of this resolution be filed with the Town Clerk and a copy be provided to any person who has requested a copy hereof; and be it

FURTHER RESOLVED, that pursuant to NY Town Law §§ 82 and 90, within ten (10) days from the date of this Resolution the Town Clerk shall post and publish a notice which shall set forth the date of the adoption of the Resolution, shall contain an abstract of such Resolution concisely setting forth the purpose and effect thereof, shall specify that this Resolution was adopted subject to a permissive referendum; and shall publish such notice in The Journal News, a newspaper published in the County having a general circulation in the Town of Yorktown, and in addition thereto that the Town Clerk shall post or cause to be posted on the sign-board of the Town of Yorktown, a copy of such notice within ten (10) days after the date of the adoption of this Resolution.

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

EXTEND SPECIAL USE PERMIT CORNER CAR CARE RESOLUTION #369

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

Whereas by Resolution # 273, the Town Board granted Competition Auto, Inc. d/b/a Corner Car Care, a Special Use Permit on June 15, 2010 for the construction of improvements related to pumping gas at property located at 1999 East Main Street, Mohegan Lake, NY, Section 15.19, Bock 1 Lot 4, and

Whereas due to a delay in implementing the lease for the property, to date a building permit has not been issued for the planned construction, and

Whereas, the applicant's attorney has advised the Town Board that to his knowledge there have been no changes to site conditions or the construction plans since the Special Use Permit was granted,

Therefore be it resolved that the Special Use Permit for Competition Auto, Inc., d/b/a Corner Car Care is hereby renewed subject to the following conditions:

- 1. That the boat presently being stored on the property be removed
- 2. That no more than ten (10) motor vehicles be allowed be to be stored on the property
- 3. That all illegal signs, banners and flags be removed from the property, and

Be it further resolved that unless a building permit is issued within 360 days of the date of this resolution, the Special Use Permit shall become null and void.

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

<u>SETTLE TAX CERTIORARI – DOBBER REALTY, INC.</u> RESOLUTION #369A

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

WHEREAS, tax certiorari proceedings were instituted challenging the assessment for parcel known as Section 37.18, Block 2, Lot 63, located at 1911 Commerce St, on the Tax Map of the Town of Yorktown, now therefore be it

RESOLVED, that the tax certiorari proceedings affecting tax parcel 37.18-2-63, owned by Dobber Realty Inc., Account # 3634500, for assessment roll year 2010 be settled as set forth in the proposed stipulation as follows:

Roll	AV	AV	AV
Year	F <u>rom</u>	<u>To</u>	Reduction
2010	\$19,500	\$14,850	\$4,650

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

<u>SETTLE TAX CERTIORARI – BF CURRY, LLC</u> RESOLUTION #369B

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

WHEREAS, tax certiorari proceedings were instituted challenging the assessment for parcel known as Section 36.05, Block 1, Lot 11, located at 3493 Crompond Rd, on the Tax Map of the Town of Yorktown, now therefore be it

RESOLVED, that the tax certiorari proceedings affecting tax parcel 36.05-1-11, owned by BF Curry, LLC, Account # 1000500, for assessment roll years 2004, 2005, 2006, 2007, 2008, 2009 and 2010 be settled as set forth in the proposed stipulation as follows:

Roll	AV	AV	AV
Year	F <u>rom</u>	<u>To</u>	Reduction
2010	\$19,500	\$27,900	\$0
2009	\$27,900	\$82,950	\$8,250
2008	\$91,200	\$91,200	\$0
2007	\$91,200	\$85,600	\$5,600
2006	\$91,200	\$86,500	\$5,000
2005	\$91,200	\$91,200	\$0
2004	\$91,200	\$91,200	\$0

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

<u>SETTLE TAX CERTIORARI – BF CURRY REALITY, LLC RESOLUTION #369C</u>

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

WHEREAS, tax certiorari proceedings were instituted challenging the assessment for parcel known as Section 36.05, Block 1, Lot 12, located at 3505 Crompond Rd, on the Tax Map of the Town of Yorktown, now therefore be it

RESOLVED, that the tax certiorari proceedings affecting tax parcel 36.05-1-12, owned by BF Curry Realty, LLC, Account # 1000000, for assessment roll years 2006, 2007, 2008, 2009 and 2010 be settled as set forth in the proposed stipulation as follows:

Roll	AV	AV	AV
<u>Year</u>	<u>From</u>	<u>To</u>	Reduction
2010	\$59,300	\$59,250	\$50
2009	\$65,000	\$55,000	\$10,000
2008	\$65,000	\$63,000	\$2,000
2007	\$65,000	\$59,100	\$5,900
2006	\$65,000	\$60,300	\$4,700

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

<u>SETTLE TAX CERTIORARI – BF CURRY REALTY, LLC</u> RESOLUTION #369D

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

WHEREAS, tax certiorari proceedings were instituted challenging the assessment for parcel known as Section 35.08, Block 1, Lot 10, located at 3845 Crompond Rd, on the Tax Map of the Town of Yorktown, now therefore be it

RESOLVED, that the tax certiorari proceedings affecting tax parcel 35.08-1-10, owned by BF Curry Realty, LLC, Account # 0378500, for assessment roll years 2005, 2006, 2007, 2008, 2009 and 2010 be settled as set forth in the proposed stipulation as follows:

Roll	AV	AV	AV
<u>Year</u>	<u>From</u>	<u>To</u>	Reduction
2010	\$129,500	\$129,500	\$0
2009	\$140,000	\$120,550	\$19,450
2008	\$140,000	\$140,000	\$0
2007	\$140,000	\$131,600	\$8,400
2006	\$140,000	\$133,050	\$6,950
2005	\$156,400	\$145,800	\$10,600

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

<u>SETTLE TAX CERTIORARI – CR WALLAUER & CO., INC.</u> RESOLUTION #369E

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

WHEREAS, tax certiorari proceedings were instituted challenging the assessment for parcel known as Section 37.14, Block 2, Lot 64, located at 1965 Commerce Street, on the Tax Map of the Town of Yorktown, now therefore be it

RESOLVED, that the tax certiorari proceedings affecting tax parcel 37.14-2-64, owned by C.R. Wallauer & Co., Inc., Account #3630000, for assessment roll years 2003, 2004, 2005, 2006, 2007, 2008, 2009 and 2010, be settled as set forth in the proposed stipulation as follows:

Roll	AV	AV	AV
Year	F <u>rom</u>	<u>To</u>	Reduction
2010	\$14,850	\$13,600	\$1,250
2009	\$14,850	\$13,600	\$1,250
2008	\$16,500	\$14,000	\$2,500
2007	\$16,500	\$13,200	\$3,300
2006	\$16,500	\$13,100	\$3,400
2005	\$16,500	\$13,750	\$2,750
2004	\$16,500	\$14,350	\$2,150
2003	\$16,500	\$13,600	\$2,900

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

AMEND RESOLUTION #346 OF 2011 REGARDING INVOICES ENVIRONMENTAL CONSERVATION DEPARTMENT RESOLUTION #370A

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

Whereas, the Central Garage Department followed the procedures set forth in the Town's Procurement Policy and purchased auto and truck parts off the New York State and Westchester County contracts, and

Whereas, some of the vendors did not comply with the terms of their contract that required them to supply contract pricing for the ordered parts, and

Whereas, the department has confirmed that the ordered parts have been delivered,

Now therefore be it resolved, that the Town Comptroller is directed to pay the 65 invoices hereto listed for auto and truck parts covering the period from March 29, 2011 through June 17, 2011, where the payment request did not contain the required contract price verification.

Central Garage

Invoices that 'price verification' sheets are not available for:

Purchase Order #	t 'price verification' shee Vendor	Invoice #	Date	Amount
1100084	Carquest	D927385	3/29/11	\$ 10.84
		D927442	3/29/11	\$ 71.62
		D927448	3/29/11	\$ 3.39
		D927477	3/19/11	\$ 21.20
		C153318	3/30/11	- \$ 21.20
		D928820	4/05/11	\$ 102.16
		D931417	4/19/11	\$ 135.02
		D933352	4/29/11	\$ 26.34
		D933353	4/29/11	\$ 29.90
				\$ 379.27
1100084	Carquest	D927385	3/29/11	\$ 5.99
		D927442	3/29/11	\$ 40.22
		D927448	3/29/11	\$ 3.39
		D927477	3/29/11	\$ 11.76
		D928820	4/05/11	\$ 102.16
		D931417	4/19/11	\$ 79.44
		D933352	4/29/11	\$ 26.34
		D933353	4/29/11	\$ 29.90
		D940782	6/06/11	\$ 199.58
		C154090	5/20/11	- \$ 14.00
		C153318	3/30/11	- \$ 21.20
				463.58
1100946	Carquest	D931191	4/18/11	\$ 127.24
1101104	Carquest	D938263	5/24/11	\$ 165.60
110110.	Carquest	D939564	5/31/11	\$ 180.56
		C154260	6/01/11	- \$ 22.00
			3, 0 2, 2 2	\$ 324.16
1101113	Carquest	D938299	5/24/11	\$ 269.60
1100816	Carquest	D929972	4/12/11	\$ 37.58
1100810	Carquest	D929972 D929974	4/12/11	\$ 37.58
		D929974 D930387	4/12/11	\$ 66.70
		D930367	4/20/11	\$ 14.19
		D931333	5/03/11	\$ 73.47
		D934171	5/05/11	\$ 33.56
		D734370	3/03/11	\$ 263.08
1100816	Carquest	D938613	5/25/11	\$ 119.90
1100010	Carquest	D940872	6/06/11	\$ 37.08
		D940878	6/06/11	\$ 24.87
		D941235	6/07/11	\$ 16.72
		D941233	0/07/11	\$ 198.57
1100087	Mt. Kisco Truck	813369	4/29/11	\$ 150.90
1100001	IVIV. INDCO TIUCK	815493	5/09/11	\$ 90.36
		815799	5/10/11	\$ 123.00
		013177	5/10/11	\$ 364.26
1100087	Mt. Kisco Truck	819739	5/26/11	\$ 190.90
1100819	Mt. Kisco Truck	813283	4/29/11	\$ 55.71
		813412	4/29/11	\$ 49.50
		814588	5/05/11	\$ 35.02
		816328	5/12/11	\$ 4.72
		2-32-2	-,,1	\$ 144.95
1100819	Mt. Kisco Truck	821985	6/06/11	\$ 83.95
1100819	Mt. Kisco Truck	821985	6/06/11	\$ 83.9

1100051	Mt. Kisco Truck	813285	4/19/11	\$ 291.58
		816604	5/13/11	\$ 23.80
				\$ 315.38
1101112	16 XX	024454	5/02/14	D 120 10
1101112	Mt. Kisco Truck	821151	6/02/11	\$ 128.40
		821696	6/03/11	\$ 85.23
		821986	6/06/11	- \$ 50.00
				\$ 163.65
1100865	Park Ford	5004111	4/11/11	\$ 35.98
1100005	Tark Ford	5004317	4/21/11	\$ 48.08
		3004317	7/21/11	\$ 84.06
				Ψ 0 1000
1100850	Smith Cairns Ford	569002	5/02/11	\$ 227.98
		569096	5/02/11	\$ 15.92
		569516	5/04/11	\$ 14.12
		569899	5/09/11	\$ 276.60
				\$ 534.62
1101051	A	204559	5/11/11	¢ 12.44
1101051	Arroway	304558	5/11/11	\$ 12.44
		304915	5/13/11	\$ 114.48
		305872	6/06/11	\$ 257.12
		306343	6/17/11	\$ 51.80
1100000	Manlanuta Danta	04348945	4/21/11	\$ 435.84
1100089	Markauto Parts Uni-Select USA	04348943	4/21/11	\$ 192.72
	Olli Sciect OS/1	04390408	4/28/11	\$ 82.54
		04349013	4/28/11	\$ 32.17
				\$ 307.43
1100089	Markauto Parts	043490791	5/02/11	\$ 197.00
	Uni-Select USA			·
1100089	Markauto Parts	043492018	5/17/11	- \$ 56.00
	Uni-Select USA			
1100089	Markauto Parts	043492156	5/19/11	\$ 87.20
	Uni-Select USA			
1100089	Markauto Parts Uni-Select USA	043018902	6/01/11	\$ 31.04
1100089	Markauto Parts	043493206	6/03/11	\$ 119.34
1100009	Uni-Select USA	043493200	0/03/11	\$ 117.34
	CIII Beleet esti			
1100972	Markauto Parts	042490364	4/27/11	\$ 149.80
	Uni-Select USA			
		043491932	5/16/11	\$ 134.41
				\$ 284.21
1100972	Markauto Parts	043492258	5/20/11	\$ 195.82
	Uni-Select USA			
1100972	Markauto Parts	043492434	5/23/11	\$ 57.90
	Uni-Select USA			

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

REFUND DUPLICATE TAX PAYMENT

RESOLUTION #370B

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

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

Year and Tax	S-P-L	Account #	Refund Amount
2010 Sch 21	17.09-1-69./262	2180046	\$1,616.28

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

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

LETTER OF SUPPORT FOR STATE SENATOR BALL'S LETTER RELATING TO

THE UNDERHILL APARTMENTS

RESOLUTION #371

Upon Motion by Councilman Bianco, Seconded by Councilman Martorano,

RESOLVED, the Town Board supports the efforts of New York State Senator Greg Ball in his letter of July 13, 2011 regarding SHARS #2011-6059 requesting the preservation and renovation of the Underhill Apartments by Marathon Development Group, and

BE IT FURTHER RESOLVED, that the preservation of the Underhill Apartments as affordable rental housing for the next fifty years serves as an important component in support Westchester County's obligation under the Settlement Agreement with HUD as an eligible 7(a) project.

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

DURING COURTESY OF THE FLOOR

Mr. John Oliveri questioned Councilman Bianco's response to his issue concerning the two Police Department's. He said Westchester County Police Department is backed up by the Parkway Police in the Town of Cortlandt. Mr. Oliveri also wanted to know why the flashing lights on Route 132 near the Copper Beech Middle School are kept on all night?

Courtesy of the Floor closed

Responses to Courtesy of the Floor

Councilman Bianco told Mr. Oliveri that Westchester County Police do not work between the hours of midnight and 8:00AM. The New York State Police who are based in Kingston work that shift and when they have problems, they are backed up by police from Yorktown.

Highway Superintendent Eric DiBartolo stated that the area where the light is on Route 132 is a School Safety Zone. The flashing lights go on at 6:00AM and go off at 11:00PM. The school has many meetings and classes that end late. He further stated that many New York State Police Officers are being laid off due to budget cuts. Mr. DiBartolo stated that he believes the response time for the New York State Police to an incident is now approximately 35 minutes.

Councilman Martorano spoke about the effects of some State laws on local government including their mandate regarding paying prevailing wages.

<u>ADJOURN</u>

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

Alice E. Roker Town Clerk Town of Yorktown