Work Session held by the Town Board, Town of Yorktown on August 9, 2011. Yorktown Town Hall, 363 Underhill Avenue, Yorktown Heights, New York 10598.

Present: Susan Siegel, Supervisor Nicholas J. Bianco, Councilman James J. Martorano, Councilman Terrence P. Murphy, Councilman Vishnu V. Patel, Councilman Diana L. Quast, Deputy Town Clerk

Absent:

#### EXECUTIVE SESSION

Upon motion made by Councilman Bianco, seconded by Councilman Murphy, the Town Board moved into Executive Session to review an Ethics Board Report, Tax Certiorari Settlements and Voluntary Board Interviews. Upon motion made by Councilman Murphy, seconded by Councilman Bianco the Town Board moved into the work session.

## APPROVE RESOLUTIONS OF JULY 26, 2011 MEETING Upon Motion by Councilman Patel, Seconded by Councilman Bianco,

Resolved, that the Town Board Meeting Resolutions for July 26, 2011 are approved by the Town Board.

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

## SHALLOW CREEK REQUEST FOR PROPOSALS

Jennifer Fava, Superintendent of Parks and Recreation, Recreation Commissioners Al Avitable and Patricia Caporale were present to discuss with the Town Board the recommendation from the Recreation Commission regarding the future use of Shallow Creek Golf Course.

## ACCEPT RECOMMENDATION OF RECREATION COMMISSION TO PURSUE NEGOTIATIONS WITH MR. KEVIN CHIN FOR USE OF SHALLOW CREEK GOLF COURSE **RESOLUTION #401**

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

Resolved, that the Town Board supports the Recreation Commission's recommendation to pursue negotiations with Mr. Kevin Chin's Proposal for use of Shallow Creek Golf Course.

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

#### **REVISIONS TO CAPITAL PLANS FOR PARK IMPROVEMENTS**

Jennifer Fava, Superintendent of Parks and Recreation was present to discuss with the Town Board the possibility of revising the Capital Improvement Plans for the Town Parks due to additional funding that may be received. The Town Board agreed to revise the Capital Improvement Plan for Parks & Recreation based on the funding that is to be received and to hold off on bonding any projects until the 2012 budget is reviewed.

## ACCEPTING CREDIT CARDS AND ONLINE PAYMENTS

Town Comptroller Joan Goldberg and Deputy Town Comptroller Patricia Caporale were present to discuss with the Town Board a report on the feasibility and costs associated with accepting credit card payments in certain departments and accepting online payments

for water bills and taxes. The Town Board agreed to test the use of credit card payments in certain departments.

#### AUTHORIZE THE HIRING OF TWO PART-TIME STAFF TO HELP IN THE TAX DEPARTMENT NOT TO EXCEED THE AMOUNT OF \$2,450 RESOLUTION #402

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

Whereas, at the town board meeting of August 9, 2011, the Receiver of Taxes requested additional funding for two seasonal employees during the tax collection period, and

Whereas, after discussion, the Town Board granted the Receiver of Taxes permission to hire two temporary employees, now,

Therefore, Be It Resolved, the Receiver of Taxes may hire two temporary workers up to a maximum expense of \$2,450 for the September 2011 tax collection period.

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

Councilman Murphy stated that Ardeth Kessler should be one of the two hired on a part-time basis because she previously worked for the Tax Department.

## SIDEWALK SNOW REMOVAL

Jeannette Koster, Town Attorney and John Tegeder, Director of Planning were present to review with the Town Board a proposed map of neighborhood sidewalks to address snow removal on certain sidewalks throughout Town.

John Tegeder presented a map of all the sidewalks in Town.

Superintendent of Highways Eric DiBartolo stated that you must set an established criteria regarding snow removal for sidewalks.

Town Attorney Jeannette Koster stated that there is a risk of liability.

The Town Board discussed criteria for which sidewalks would need to be done after a snow event. Schools, Churches, Commercial areas would need to be cleared sooner. They will apply the criteria on a case by case basis.

The Town Board agreed to set a general criteria and review it at the September 6, 2011 Town Board meeting to identify which areas need to be removed from the sidewalk districts.

## STATE LAND DEVELOPMENT PLAN

Al Capellini, Attorney for applicant provided a presentation to the Town Board on behalf of the State Land Development Corporation on a concept plan to develop a 100 acre site for commercial use. Mr. Joe Riino, Engineer for applicant showed a concept design for property located on Route 202. Some watercourses may be disturbed but we will work with the Town on minimal impact. Mr. Monaco, applicant would like to deed some of the property to the Town, approx. 65 acres. Mr. Capellini stated that they will be meeting with the NYS DOT tomorrow and depending on how that goes a proposed site plan will be drafted for Town Board review. A Rezoning will be needed for this area. The Town Board was favorable to the proposed site plan but will wait until NYS DOT reviews the plans.

## STORMWATER COMPLIANCE UPDATE

Bruce Barber, Stormwater Consultant was present to give an update to the Town Board on a proposed three (3) Year Stormwater retrofit plan, Regional Stormwater Compliance issues. The Town Board agreed to join the East of Hudson Watershed Corporation.

## FORMATION OF EAST OF HUDSON WATERSHED CORPORATION RESOLUTION #403

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

WHEREAS, the Town of Yorktown is a member of the East of Hudson Coalition ("EOH Coalition"), an association of municipalities located in the New York City watershed east of the Hudson River ("EOH Watershed"); and

WHEREAS, the Town of Yorktown and the other members of the EOH Coalition are individually subject to General Permit GP-0-10-002 for Municipal Separate Storm Sewer Systems ("MS4 Permit"), pursuant to which municipalities are required to implement stormwater retrofits and encouraged to participate in a regional stormwater retrofit plan; and

WHEREAS, the EOH Coalition was successful in negotiating on behalf of its members Special Condition 34 of the Water Supply Permit issued by the Department of Environmental Conservation ("NYSDEC") on December 24, 2010 ("2010 WSP"), which requires New York City (the "City") to provide \$15.5 million to the EOH communities to help fund implementation of their regional stormwater retrofit plans; and

WHEREAS, the EOH Coalition has negotiated an agreement with the City (the "Funding Agreement") which will enable the City to transfer the \$15.5 million provided for in the 2010 WSP and the \$4.5 million provided for in the 2007 Filtration Avoidance Determination ("2007 FAD") to the EOH communities; and

WHEREAS, the 2010 WSP encouraged the formation of a regional stormwater entity ("RSE") to organize, administer and implement the stormwater retrofit projects, by providing that up to \$50,000 of the \$15.5 million could be used by the EOH communities for the formation of the RSE; and

WHEREAS, the EOH Coalition has drafted articles of incorporation and bylaws for an RSE, which have been favorably reviewed by NYSDEC and the City, to be known as the East of Hudson Watershed Corporation ("EOH Watershed Corporation"), the members of which would be the municipalities located in the EOH Watershed and the Board of Directors of which would be the chief elected officials of the members; and

WHEREAS, the execution of the Funding Agreement and the payment of the \$15.5 million by the City under the Funding Agreement cannot occur until the EOH Watershed Corporation is formed; and

WHEREAS, it is in the best interest of the Town of Yorktown to authorize the formation of and become a member of the EOH Watershed Corporation for the purpose of jointly organizing, administering and implementing the regional stormwater plans under the MS4 Permit;

NOW THEREFORE BE IT RESOLVED, that the Town of Yorktown authorizes the formation of and consents to be a member of the EOH Watershed Corporation, with articles of incorporation and bylaws substantially in form and substance as annexed hereto; and

BE IT FURTHER RESOLVED, that Susan Siegel, the Supervisor of the Town of Yorktown is hereby designated to serve as the initial member of the Board of Directors of the EOH Watershed Corporation as provided in said articles of incorporation and bylaws.

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

## SULTANA RIDGE PAYMENT OF TAXES NON- PAYMENT OF TAXES

Supervisor Susan Siegel discussed options for dealing with the non payment of \$33,000 in back taxes for a private swimming club located on Sultana Drive.

Mr. Gordon Fine stated that they have grieved the taxes on the property and depending on the outcome may be able to pay off some of the back taxes. They could then

make an agreement with the town to make payments to pay off the rest. Mr. Fine stated that this is a swimming pool that sits on its own lot, it is in need of repairs and if the town was to take it over, he feels the town would not be able to maintain or repair it. The Town Board decided to review further and get advice of Town Counsel.

## HOUSING SET ASIDE LAW

Supervisor Susan Siegel discussed with the Town Board a final review of the proposed Housing Set Aside Law and advertising for public hearing.

The Town Board reviewed Draft #5C of the proposed Local Law. Mr. Ken Belfer, Chair, Community Housing Board had some changes. The Town Board reviewed other changes to the proposed local law and a final draft #6 will be created for review.

The Town Board agreed to place this on the September 6, 2011 Town Board agenda to set a public hearing for September 20, 2011.

#### SALE OF ILLINGTON ROAD PARCEL

Supervisor Susan Siegel discussed with the Town Board a request to buy Townowned property located at Route 134 and Illington Road to the adjoining property owner.

# SALE OF TOWN-OWNED PROPERTY LOCATED ON ILLINGTON ROAD AND ROUTE 134

### RESOLUTION #404

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

Resolved, that the Town Board authorizes the sale of the town-owned parcel having tax map identification number 69.16-1-5, located at Illington Road and Route 134, to Dr. Douglas D. Sankar of 202 Illington Road, Ossining, NY 10562, for the price of \$5,000, subject to the "Summary of Activity" and "Recommendations" set forth in the July 22, 2011 Memorandum from Cornerstone Associates to the Town Board, and also subject to Dr. Sankar merging parcel 69.16-1-5 with the three other contiguous parcels he owns on the east side of Illington Road (having tax map identification numbers 69.12-1-5, 69.16-1-4, and 69.16-1-3).

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

AMEND MASTER FEE SCHEDULE FOR ZONING BOARD APPLICATIONS

Supervisor Siegel discussed with the Town Board a recommendation from the Building Department with regards to professional escrow fees relating to certain applications before the Zoning Board of Appeals.

## AMEND MASTER FEE SCHEDULE FOR ZONING BOARD OF APPEALS RESOLUTION #405

Upon motion made by Councilman Bianco, seconded by Supervisor Siegel,

Whereas, Chapter 168 of the Code of the Town of Yorktown authorizes the Town Board to amend, by resolution, the Master Fee Schedule, and

Whereas, the Building Department has requested that pursuant to Chapter 168 a professional escrow fee be added to all applications for variances and interpretations of the Zoning Code, and

Whereas, such professional escrow fees have been added to the attached amended Master Fee Schedule, and

Whereas, pursuant to Chapter 168 the Zoning Board of Appeals, acting in its capacity as approval authority, will make the determination, on a case by case basis, if and when it is necessary to employ the services of an outside consultant to assist the Board in its determination, and

Whereas, pursuant to Chapter 168, any funds remaining in the escrow account upon the completion of the Zoning Board of Appeals' review will be refunded to the applicant,

Now, therefore be it resolved, that the Town Board adopts the attached amended Master Fee Schedule.

Siegel, Bianco Voting Aye Martorano, Murphy, Patel Voting Nay Resolution Denied.

### WESTCHESTER COUNTY DIGITAL FILING FOR SCAR PETITIONS

Supervisor Siegel discussed with the Town Board a request from Westchester County to participate in a pilot program for digital filing of Small Claim Assessment Review Petitions. The Town Board agreed to move forward with this.

## AWARD BID FOR RENOVATION OF SENIOR NUTRITION CENTER RESOLUTION #406

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

WHEREAS, the Town Board of the Town of Yorktown publicly advertised for bids for the renovation of the Senior Nutrition Center at the Yorktown Community and Cultural Center in Yorktown Heights, N.Y.; and

WHEREAS, the call for bids for the project was advertised in a local newspaper of having general circulation within the town and in accordance with the laws of the State of New York; and

WHEREAS, bids were received and opened on the 5<sup>th</sup> day of August, 2011, at the Yorktown Town Hall in view of the public; and

WHEREAS, the bids received for the project are summarized as follows:

Key Interiors	Total Base Bid	\$507,000
327-329 Main Street	Alt. #1	\$ 11,000
Poughkeepsie, NY 12601	Alt. #2	\$ 10,500
Peter A. Camilli & Sons	Total Base Bid	\$474,849
210 Marble Avenue	Alt. #1	\$ 4,260
Pleasantville, NY 10570	Alt. #2	\$ 3,986
Abbott & Price, Inc.	Total Base Bid	\$493,145
71 Sunset Drive	Alt. #1	\$ 9,900
Ossining, NY 10562	Alt. #2	\$ 8,500
Foremost Development, LLC 37 Old Albany post Road	C Total Base Bid Alt. #1	\$496,680 \$ 16,750
Ossining, NY 10562	Alt. #2	\$ 8,400

WHEREAS, the bid received from Peter A. Camilli & Sons is the apparent low bid and the bid and associated documents were reviewed to determine the respondent's qualifications, understanding of the scope of work, and the adequacy of the proposed cost for the project; and therefore

BE IT NOW HEREBY RESOLVED, the construction project to renovate the Senior Nutrition Center at the Yorktown Community and Cultural Center is awarded to Peter A. Camilli & Sons., the low bidder, for providing all work associated with the bid, for a total award amount of \$474,849.00.

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

## AWARD BID FOR TRAFFIC SIGNS

## RESOLUTION #407

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

WHEREAS, invitation to bid for the Traffic Signs for Town of Yorktown, was duty advertised and

WHEREAS, said bids were received and opened on 5<sup>th</sup> day of August, 2011, and the bid results are as follows:

RESOLVED, that upon recommendation of the Highway Superintendent, Eric DiBartolo, the bid for the Traffic Signs be and is hereby awarded to Glenco Supply Inc., POB 638, Oakhurst, NJ 07755, the most responsive bidder.

BE IT FURTHER RESOLVED, the contract is to begin on August 2, 2011 and terminate on July 31, 2012. The Town shall have the option to extend this contract as the same prices for (2) consecutive one-year terms for the total of three years.

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

## REQUEST FROM CORTLANDT FOR TEMPORARY SEWER CONNECTION RESOLUTION #408

Upon motion made by Councilman Patel, seconded by Supervisor Siegel,

WHEREAS, by letter dated July 12, 2011 to the Town Supervisor, the Town Board of the Town of Cortlandt requested that the Town of Yorktown consider allowing the temporary connection (i.e. 5 to 10 years) of certain properties located in the Town of Cortlandt into the Sanitary Sewer Main on Route 6 between Lexington Avenue and Baker Street; and

WHEREAS, several properties on Route 6 in the Town of Cortlandt are under order from the Department of Health to take corrective measures with respect to their septic systems; and

WHEREAS, it is the desire of the Town Board to accelerate the sewer service in this area by seeking a temporary connection through Yorktown to the Westchester County trunk line; and

WHEREAS, according to the Town of Cortlandt, the properties in the Town of Cortlandt that would be connected are either in, or were in, the Peekskill Sanitary Sewer District and thus, eligible to be reinstated into said District in accordance with the Westchester County policy; and

WHEREAS, the Town of Cortlandt has plans to go forward with the creation of two additional sewer districts that will ultimately allow the part of Route 6 from Lexington Avenue to Baker Street presently proposed to be connected to Yorktown to be reconnected and diverted through the Town of Cortlandt's sewer system; and

WHEREAS, following a meeting between Town of Cortlandt officials and the Yorktown Town Supervisor and Town Engineer it has been determined that before any further consideration can be given, that certain testing must be done on the sewer main in Yorktown on Route 6; and

WHEREAS, the Town of Cortlandt has indicated its desire to go forward with said testing; and

WHEREAS, all requisite insurance and liability arrangements would need to be made;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby authorize the Town Supervisor to enter into an agreement with the Town of Cortlandt to allow for the Town of Cortlandt and its consultants to place flow monitoring devices on sewer mains owned by the Town of Yorktown in Route 6 so as to determine the amount of flow within said mains; and

BE IT FURTHER RESOLVED, that said agreement will provide also that Cortlandt may video the same sewer lines; and

BE IT FURTHER RESOLVED, that all work shall be done at the sole cost and expense of the Town of Cortlandt with the requisite insurance and indemnification as required by the Town of Yorktown; and

BE IT FURTHER RESOLVED, that all results from said testing shall be provided to the Town of Yorktown without cost.

Siegel, PatelVotingAyeBianco, Martorano, MurphyVotingNayResolution denied.VotingNay

## AWARD BID FOR RESIDENTIAL GARBAGE AND RECYCLABLE MATERIAL COLLECTION AND DISPOSAL

#### RESOLUTION #409

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

WHEREAS, the current town residential garbage and recyclable material collection and disposal contract with CRP Sanitation, Inc., expires on December 31, 2011; and

WHEREAS, the town solicited bid proposals for a new residential garbage and recyclable material collection contract to begin on January 1, 2012; and

WHEREAS, three bid proposals were received and reviewed, and are as follows:

CRP Sanitation, Inc. 2 Bayview Road Cortlandt Manor, NY 10567	Total Base Bid	\$3,252,228.00
AAA Carting 480 Furnace Dock Road Cortlandt Manor, NY 10567	Total Base Bid	\$3,452,671.44
Suburban Carting Corporation 566 North State Road Briarcliff Manor, NY 10510	Total Base Bid	\$4,227,896.40

WHEREAS, due to the state mandated inclusion of current prevailing wage, the cost per unit has increased significantly, now

THEREFORE BE IT RESOLVED, the town awards the residential garbage and recyclable material collection and disposal contract to the low bidder, CRP Sanitation, Inc., 2 Bayview Road, Cortlandt Manor, NY 10567 in the amount of \$3,252,228.00.

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

<u>TAX REFUND TO PROPERTY OWNER</u> <u>PAUL FREHLEY</u> <u>RESOLUTION #410</u> Upon motion made by Councilman Bianco, seconded by Councilman Martorano, Whereas, that records of the Receiver of Taxes indicate that an Installment Agreement for Payment of Delinquent Taxes was entered into on May 20, 2011 with Paul Frehley for Parcel Number 69.15-1-27 and 69.15-1-28. Payments were made on the following dates:

March 15, 2011-\$14,509.34 April 25, 2011- \$2,049.03 May 23, 2011- \$2,167.71 June 27, 2011 - \$2,167.71

Resolved, that due to Chase Home Finance paying the full amount owed in taxes on both parcels on July 26, 2011, the homeowner is entitled to a full refund of his partial payments. The amount owed the homeowner is \$20,893.79.

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

## <u>SETTLEMENT WITH POSITIVE ENERGY REGARDING DISPUTED BILL</u> <u>RESOLUTION #411</u>

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

BE IT RESOLVED, that the Town Board hereby authorizes the Supervisor to execute on its behalf a Settlement Agreement and General Release between the Town of Yorktown and Positive Energy LLC providing for the payment of \$12,315 to Positive Energy LLC in lieu of full payment under the contract.

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

## EXTEND ELECTRICAL SERVICES CONTRACT WITH P&M ELECTRIC RESOLUTION #412

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

WHEREAS, invitation to bid for the Electrical Work on Town Buildings for Maintenance for the Town of Yorktown was duly advertised, and

WHEREAS, said bids were received and opened on August 4, 2010, with the bid amounts for the above-referenced project summarized as follows:

LK Equities, LTD	\$89.50	\$138.75	\$179.00
P&M Electric	\$93.50	\$140.00	\$186.00
Delta Electric, Inc.	\$98.95	\$135.35	\$170.59
JARS Electrical Corp.	\$100.00	\$150.00	\$175.00/\$135.35

WHEREAS, upon the recommendation of the Superintendent of Environmental Conservation, Patrick Lofaro, the bid for Electrical Work on Town Buildings was awarded to P&M Electric, the lowest responsible bidder.

RESOLVED, this contract is extended for one (1) additional year, commencing on August 15, 2011 through August 14, 2012 with an option to extend for one additional year upon its original terms and conditions.

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

## EROSION CONTROL BOND RELEASE: IBM/PIZZAGALLI CONSTRUCTION #E-048-09 - KITCHAWAN ROAD RESOLUTION #413

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

WHEREAS, Pizzagalli Construction, as applicant for I.B.M., posted Check No. 784344 in the amount of \$300.00, which was deposited into the T33 account on November 23, 2009, to serve as the Erosion Control Bond for Excavation Permit #E-048-09, for work performed at the I.B.M. location, and

WHEREAS, the Town Engineer has informed this Board that a representative of her Department has inspected the property and determined that the work has been satisfactorily completed, and that the \$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 Pizzagalli Construction, P.O. Box 2009, South Burlington, VT 05407-2009.

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

## ADVERTISE PUBLIC HEARING FOR SEPTEMBER 6, 2011 ON PROPOSED LOCAL LAW ESTABLISHING A 5 TON WEIGHT LIMIT ON WOOD STREET RESOLUTION #414

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 on the 6<sup>th</sup> 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 275 of the Code of the Town of Yorktown entitled "VEHICLES AND TRAFFIC," to add a weight restriction on Wood Street.

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, Murphy, Patel Voting Aye Resolution adopted.

## EXTEND CONTRACT WITH INGRID O'SULLIVAN AS TOWN PROSECUTOR RESOLUTION #415

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

RESOLVED, that the Town Supervisor is hereby authorized to sign a Second Amendment to the Agreement between the Town and Ingrid O'Sullivan, Esq., dated July 23, 2010, which was previously amended by an Amendment to Agreement for Professional Services dated April 18, 2011 (as so amended, hereinafter referred to as the "Agreement"), extending the contract term of the Agreement to December 31, 2011, retroactive to July 1, 2011. All other terms of the Agreement other than the aforementioned shall remain unchanged.

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

## AUTHORIZE SUPERVISOR TO SIGN APPLICATION FOR AUTHORIZED USE OF SCHOOL FACILITIES OF THE LAKELAND CENTRAL SCHOOL DISTRICT RESOLUTION #416

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

BE IT RESOLVED, the Supervisor is authorized to sign the Application for Authorized Use of School Facilities of the Lakeland Central School District, by which application the Town requests the Lakeland CSD to permit the Town to use school facilities for the purpose of Town of Yorktown Parks and Recreation Department programs during the 2011-2012 academic year. Upon acceptance by the Lakeland CSD, such application shall constitute a license granted by Lakeland CSD to the Town subject to the terms and conditions set forth in such application.

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

## <u>AUTHORIZE SUPERVISOR TO SIGN APPLICATION FOR AUTHORIZED USE OF</u> <u>SCHOOL FACILITIES OF THE YORKTOWN CENTRAL SCHOOL DISTRICT</u> <u>RESOLUTION #417</u>

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

BE IT RESOLVED, the Supervisor is authorized to sign the Building and Fields Request Form of the Yorktown Central School District, by which form the Town requests the Yorktown CSD to permit the Town to use school facilities for the purpose of Town of Yorktown Parks and Recreation Department programs during the 2011-2012 academic year. Upon acceptance by the Yorktown CSD, such form shall constitute a license granted by Yorktown CSD to the Town subject to the terms and conditions set forth in such form.

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

## <u>APPOINTMENT</u>

DAVID TETRO – ABACA

#### RESOLUTION #418

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

WHEREAS The Advisory Board on Architecture & Community Appearance (ABACA) serves an important role as advisors to the Town Board in their deliberations of building and signage applications in the Town of Yorktown; WHEREAS one of the requirements in the founding resolution of ABACA is that a licensed architect be included in the Board's membership;

WHEREAS frequent absence of such qualifying members curtails the Board's ability to function appropriately;

THEREFORE, BE IT RESOLVED that the Town Board does hereby appoint David Tetro, a licensed architect, to serve as an alternate member of ABACA for a limited term of six months to expire on 1/31/12.

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

#### TOWN BOARD AGENDA - SEPTEMBER 6, 2011

The Town Board discussed the September 6, 2011 Town Board meeting agenda which will be held at 363 Underhill Avenue, Yorktown Heights, New York 10598. The meeting will begin at 6:30 P.M.

#### **ADJOURN**

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

Diana L. Quast Deputy Town Clerk Town of Yorktown