

Regular meeting held by the Town Board,
Town of Yorktown on March 2, 2010 held at
Yorktown Town Hall, Yorktown Heights, NY.

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

TOWN BOARD MEETING

Supervisor Susan Siegel called the meeting to order. Interim Town Attorney Daniel Pozin were also present.

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 HER REPORT TO THE TOWN, Supervisor Susan Siegel asked Police Chief Dan McMahon to give the Town Board an update on the weekend snowstorm.

Chief Daniel McMahon thanked the Town employees for their efforts over the weekend. He also thanked the residents of the Town of Yorktown for their patience during the storm. After discussions with the Town Supervisor, and the Highway Superintendent, a State of Emergency was declared in the Town of Yorktown due to the number of trees and power lines that were knocked down. During a State of Emergency only snow plows, emergency vehicles and utility trucks are permitted on town roads. The Yorktown Community and Cultural Center was opened to serve as a “drop-in arming center.” Our first priority was to keep the roads open. Our second priority was to help the utility companies restore power. Con Edison had 300 crews from out of state working at the height of the snow storm.

Highway Superintendent Eric DiBartolo thanked the Police Department for their assistance during the storm. 983 work tickets for downed trees were generated over the past three days. 216 tickets were generated for power wires that were knocked down. The Westchester County Commissioner of Emergency Services toured the Town of Yorktown. As of 7:00 PM tonight, 400-600 homes were still without power. Mr. DiBartolo further stated that 1,688 employee man hours cost the Town of Yorktown more than \$43,000.

Councilman Bianco thanked the employees of Yorktown, the Highway Superintendent and the Police Department for their handling of this emergency.

Highway Superintendent DiBartolo stated that the Town will not be picking up the brush from private homes. Property owners are advised to gather the brush from their property, and bundle it so that the Department of Environment Conservation may pick it up.

Chief McMahon explained that there is a check list on the Yorktown Police Department’s website that explains how to prepare for an emergency.

Supervisor Siegel stressed the importance of having a portable radio for emergencies. The Supervisor also read from a checklist prepared by the Department of Environmental Conservation on how to prepare brush for pickup. The New York State

Department of Transportation will hold a public informational meeting at 7:30 PM on March 11th to solicit comments concerning their upcoming intersection improvement projects at Route 35/202 and Pine Grove Court and Route 202/35 and Stoney Street. The meeting will be held in the Nutrition Center at the Yorktown Community and Cultural Center. The Supervisor also congratulated Ray Granata, an employee of the Highway Department. She received a letter from a resident who praised Mr. Granata for his efforts in returning her cell phone which she lost.

DURING THEIR REPORTS TO THE TOWN

Councilman Terrence Murphy also thanked Town employees for their efforts during the snowstorm. He also thanked fire fighters at the Granite Springs Fire House for giving out dry ice to residents who lost power.

Councilman Patel spoke about a resident of the Seabury Assisted Living Facility who recently celebrated her 100th birthday. He also attended a celebration for Mr. James Hoff who served as a Mohegan Fire fighter for fifty years. The Councilman also spoke about a Sunday candlelight vigil that was held honoring two Yorktown teenagers killed in a car crash earlier this year. He also attended the unveiling of two new state of the art operating rooms at Hudson Valley Hospital.

DURING HIS REPORT FROM WHITE PLAINS, Westchester County Legislator Michael Kaplowitz also thanked all of the employees who worked during last weekend's snowstorm. At their meeting last night, the Westchester County Board of Legislators passed a resolution calling on the New York State Public Service Commission to order a halt to Consolidated Edison's tree-cutting activities around its transmission lines. The also passed a resolution requesting an end to the Metropolitan Transportation Authority (MTA) tax. Mr. Kaplowitz further explained that because Westchester County no longer employs a lobbyist, the Board has come up with a Legislative Package, a focus list of legislative priorities that they would like local support on.

COURTESY OF THE FLOOR

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

Mr. Edward Donovan complimented the Town employees on their work on the snow storm. He also suggested that the Town Board reconsider its decision not to lease the French Hill School as a Senior Center for two years. He stated that during that time, the Town could look at its options for the long term, which might be to fix up the space at the Yorktown Community and Cultural Center or do something else.

Mr. Paul Moskowitz complimented the Highway Superintendent for taking the initiative to replace the old street lighting on Commerce Street with new efficiency lighting. Mr. Moskowitz also spoke about an upcoming Green Yorktown Café. The discussion, "Water Security: Local and Global Threats to our Water" will be held at the Town Hall on March 10, 2010.

Mr. Edward Ciffone thanked Yorktown's employees who worked during the snow storm. He asked that the entire Town Board support the request to the Public Service Commission to call a halt to Consolidated Edison's tree cutting activities. Mr. Ciffone asked who was in charge of the School Resource Officers, the Chief of Police or the Superintendent of the School District? He also questioned a newspaper article which stated that the Town's fund balance has dropped below \$3 million. Mr. Ciffone also spoke about the Housing Settlement signed by Westchester County. He wanted to know why the County was borrowing \$66 million?

Mr. Chris Schera stated that he was concerned about the number of lawsuits that the Town of Yorktown is involved in. He then spoke about wineries in and around New York State. He stated that there are currently 257 wineries in New York. He further stated that

he has come up with a solution to resolve issues involving the winery at the Old Stone Church on Route 6.

Mr. Nick DiTomasso stated that he agrees with Mr. Donovan's remarks concerning the senior center. He also announced that the next meeting of the Senior Advisory Committee is March 12, 2010 at 1:00PM . Mr. DiTomasso also questioned why everyone was thanking the town employees who worked during the storm. He stated that they were doing their job for which they get paid.

COURTESY OF THE FLOOR IS CLOSED

RESPONSES TO COURTESY OF THE FLOOR:

Supervisor Siegel responded to questions and comments stating:

The Yorktown Central School District is in the midst of an Enrollment Projection Study. They initially told her that a two year lease was what they could offer. But, all of that occurred in a single discussion right after they made the decision to close the school. The Senior Advisory Committee is looking into multiple solutions. She further stated that while the Committee's next meeting is open to the public, it will be like a Town Board work session where the Committee does it works and does not take comments from the public. The Supervisor also thanked Mr. Moskowitz for his work on Green Yorktown. She will take a look at the new street lighting. The Supervisor addressed Mr. Ciffone's comments by stating that in the 2009 budget book, the fund balance was \$3.5 million, the Town Board decided to use \$500,000 to offset taxes. They also placed \$300,000 in a special account to be set aside for senior programs. She also stated that the Town has not closed the books on 2009. Preliminarily, a \$750,000 fund balance is what is projected. The Supervisor told Mr. Schera that the Town Board will try to work with the winery. They would like to know what the new proposal is.

Councilman Bianco stated that the Town will end 2009 with a \$750,000 fund balance.

Supervisor Siegel stated that there are still some questions on how much the Town will end 2009 with. We are attempting to track down a \$250,000 grant the Town was to receive from New York State during 2008 for work on constructing a new space for the senior center at the Yorktown Community and Cultural Center. We have called the New York State Dormitory Authority, where the grant money was parked. We were told that the State is currently revisiting their priorities.

Yorktown Police Chief McMahon explained that when a School Resource Officer is hired, the contract is between the school district and the Town of Yorktown. The School Resource Officer answers to the Police Department.

Yorktown Highway Superintendent Eric DiBartolo responding to Mr. DiTomasso stated that the Town's employees do more than what they have to. Many worked for 36 hours straight. They didn't have to, but they love this community. He further spoke about an issue that he says he thought was discussed and reached a conclusion at last week's work session. Over the past several months, he has lost five employees. He had asked for permission to replace them with 3 employees, and he believed it was decided that he could hire three people. After that meeting, he was informed that the Supervisor would not give the Human Resource Officer permission to post those jobs because a decision had not been made. In order for him to do his job, he needs to hire three individuals.

Supervisor Siegel stated that the Town Board will revisit the Mr. DiBartolo's hiring issue at its work session next week.

PUBLIC HEARING

AMEND CHAPTER 10 BY REPEALING, ARTICLE VII, TRAFFIC BOARD IN ITS ENTIRETY

Supervisor Siegel called to order a public hearing to amend Chapter 10 OF THE Code of the Town of Yorktown by repealing, Article VII, Traffic Board in its entirety. The

Town Clerk presented affidavits of posting and publication.

Supervisor Siegel explained that in February of 2009, the Town Board deleted a section of the Town Code which dealt with the makeup and duties of the traffic board. Unfortunately, that Board did not appoint any members to this committee.

At an earlier meeting, the Town Board agreed to creating a smaller, professional traffic committee that consists of the Public Safety Officer, the Highway Superintendent and a member of the Town Board.

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

LOCAL LAW #2 OF 2010
REPEAL CHAPTER 10, ARTICLE VII, IN ITS ENTIRETY
RESOLUTION #110

Upon motion by Councilman Bianco, seconded by Councilman Martorano,

WHEREAS, a public hearing was held on the 2nd day of March, 2010 pursuant to notice duly published as required by law to consider amending the Code of the Town of Yorktown by repealing Chapter 10, Article VII, Traffic Board in its entirety.

Section 10-19 Establishment of Town Traffic Board:

“The Town Board recognizes that it is important to give residents of the Town an opportunity to bring forth concerns regarding vehicular traffic in the community. Accordingly, the Town Board hereby establishes a Town Traffic Board (the “Board”) consisting of six town residents, to be hereinafter appointed by the Town Board, to meet to discuss traffic concerns in the community. The Board will meet each month, with the exception of July and August, at Town Hall. At least one member of the Town Board shall attend such meetings.”

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

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

Local Law #2/2010 was thereupon declared adopted.

AWARD BID
GAMES AND ATHLETIC EQUIPMENT
PARKS AND RECREATION DEPARTMENT
RESOLUTION #111

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

WHEREAS, invitation to bid for Athletic and Game Equipment for use by the Parks & Recreation Dept., was duly advertised, and

WHEREAS said bids were received and opened on the 10th day of February, 2010, now therefore be it

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

Item 1-Softballs- Item by Efinger is not equal to specific make/model requested.

- Item 5- Double First Base- Item by United Supply is not equal to the specific make/model number req.
- Item 9- Homeplate-Item by Flaghouse is not equal to specific make/model number requested.
- Item 12- Lanyards-Item by Flaghouse is not a breakaway lanyard as requested.
- Item 13- Basketball-Item by United Supply is not equal to the specific make/model requested.
- Item 29- Beach Balls-Item by S & S Worldwide is not equal to make/model specified.

BE IT FURTHER RESOLVED, these items will be ordered on a per item basis.

Item 1-	Softballs - Wilson A9105 Red Stitch - 1. Efinger Sports 2. No Bids	65 dozen \$29.00/dozen	= 0.00 REJECT
Item 2-	Umpire Neck Guards Large Diamond FM-TG-6	3 each	NO BID
Item 3a-	Pitchers Plates - Youth 18" x 4" 1. Sport Supply – BBPPLLXXY 2. United Supply 3. S & S Worldwide	8 each \$4.71/each \$5.89/each \$6.00/each	=\$37.68
Item 3b-	Pitchers Plates - Adult 1. Sport Supply BBPPLATE 2. United Supply 3. S & S Worldwide	8 each \$7.17/each \$8.27/each \$8.64/each	=\$57.36
Item 4a-	Movable Pitching Rubber - 18" rubber with ground sleeve unit and ground sleeve caps. 1. Sport Supply - BSN 1033465 2. United Supply 3. Efinger	2 sets \$16.96/set \$38.04/set \$64.00/set	=\$33.92
Item 4b-	Movable Pitching Rubber - 24" rubber with ground sleeve unit and ground sleeve caps. 1. Sport Supply - BSN BS1GPPSR 2. United Supply 3. Efinger	1 set \$17.64/set \$42.32/set \$64.00/set	=\$17.64
Item 4c-	Movable Pitching Rubber – 18" ground sleeve and ground caps only. 1. Sport Supply 2. Efinger 3.	4 sets \$10.18/set \$64.00/set No Bid	=\$40.72
Item 4d-	Movable Pitching Rubber – 24" ground sleeve and ground caps only. 1. Sport Supply 2. Efinger 3.	1 set \$10.46/set \$67.00/set No Bid	=\$10.46
Item 5-	Double First Base - 1. United Supply-M155 2. Sport Supply - MacGregor BS-BBDFBSNR 3. Flaghouse	2 each \$19.21/each \$46.20/each \$71.82/each	=\$92.40 REJECT
Item 6-	Soft Touch Breakaway Base with anchor box and orange insert 1. Sport Supply-BBBASEBRE 2. Efinger 3.	1 each \$68.48/each \$140.00/each No Bid	=\$68.48
Item 7-	Soft Touch Breakaway Base – Extra Base Mount Plugs (orange) 1. Efinger –	2 Sets \$4.00/set	= \$8.00

	2. Sports Supply – BS-200265504	\$56.71/set	
	3.	No Bid	
Item 8-	Base Anchor Plugs - BBRPLUGS	2 each	= \$3.88
	1. Sport Supply	\$1.94/each	
	2. United Supply	\$2.20/each	
	3. Efinger	\$4.00/each	
Item 9-	Home Plates - Bolco 300-AS with ¾' wood bottom, 3" thick		1 Dz.
	= \$546.00		
	1. Flaghouse	\$177.36/dz	REJECT
	2. Sport Supply-	\$546.00/dz	
	3. United Supply	\$582.36/dz	
Item 10-	MEGA Phones- 16 watt	6 each	
		= \$294.00	
	1. S & S Worldwide	\$49.00/each	
	2. United Supply	\$50.26/each	
	3. Efinger	\$54.95/each	
	4. Gopher	\$78.54/each	
Item 11-	Fox 40 Whistles - MG-FOX-BLACK	12 dozen	= \$401.76
	1. Sport Supply - MGFOXBLACK	\$33.48/dozen	
	2. Efinger	\$38.00/dozen	
	3. United Supply	\$42.80/dozen	
Item 12-	Whistle Lanyards - breakaway for lifeguards	9 dozen	= \$28.08
	1. Flaghouse	\$2.23/dozen	REJECT
	2. S & S Worldwide	\$3.12/dozen	
	2. United Supply	\$8.27/dozen	
Item 13-	Basketballs – Spalding Top Flight 1000 Pro	6 each	
			= \$214.92
	1. United Supply	\$8.27/each	REJECT
	2. Sport Supply -	\$35.82/each	
	3. S & S Worldwide	\$43.00/each	
	4. Flaghouse	\$45.31/each	
Item 14-	Basketballs - rubber, intermediate size	6 each	= \$15.60
	1. S & S Worldwide Spectrum	\$2.60/each	
	2. Sport Supply -	\$2.97/each	
	3. United Supply	\$4.17/each	
Item 15-	Recreation Soccer Ball	6 each	= \$15.36
	1. S & S Worldwide	\$2.56/each	
	2. Sport Supply -	\$2.81/each	
	2. United Supply	\$3.39/each	
Item 16-	Soft Composite Volleyballs	6 each	= \$48.00
	1. Efinger	\$8.00/each	
	2. Sport Supply	\$9.28/each	
	3. S & S Worldwide	\$11.85/each	
Item 17-	Inflating Pump – electric	4 each	= \$114.81
	1. United Supply	\$28.70/each	
	2. Flaghouse	\$46.52/each	
	3. Efinger	\$49.95/each	
Item 18-	6 inch Flex Cones-Orange	6 dozen	= \$120.24
	1. Flaghouse	\$20.04/dozen	
	2. Efinger	\$27.00/dozen	
	3. Sport Supply	\$41.57/dozen	

Item 19-	Weighted Anchorless Pylons: Set of 4	1 Set	= \$17.80
	1. United Supply	\$17.80/set	
	2. Sport Supply	\$18.86/set	
	3.	No Bid	
Item 20-	Triple Threat Flag Football Belts –X-Large	4 dozen	= \$57.60
	1. Efinger	\$14.40/dozen	
	2. United Supply	\$19.29/dozen	
	3. Gopher	\$34.34/dozen	
Item 21-	Sonic Boom flags: Flag-a-Tag 42” belts	6 dozen	= \$162.18
	1. Sport Supply	\$27.03/dozen	
	2. Flaghouse	\$54.22/dozen	
	3. Efinger	\$68.00/dozen	
Item 22-	Football Official Penalty Flags: Regulation size	4 each	= \$5.32
	1. Sports Supply FBREFFLG	\$1.33/each	
	2.	No Bid	
Item 23-	Air Horn Cannister - 8 oz.	1 dozen	= \$18.00
	1. Efinger	\$18.00/dozen	
	2. Sport Supply	\$107.16/dozen	
	3. United Supply	\$113.57/dozen	
Item 24-	Air Cannister Replacement Nozzles	1 dozen	= \$70.71
	1. United Supply	\$70.71/dozen	
	2.	No Bid	
Item 25-	Tennis Balls – Penn 1 Extra Duty Felt - Yellow	24 cans	= \$57.12
	1. United Supply	\$2.38/can	
	2. Sport Supply	\$2.85/can	
	3. S & S Worldwide	\$3.50/can	
Item 26-	Bowling Ball Sets	4 sets	= \$164.00
	1. S & S Worldwide-W2773	\$41.00/set	
	2. Sport Supply	\$54.17/set	
	2. United Supply	\$69.83/set	
Item 27-	Foam Footballs - Official Size	6 each	= \$17.70
	1. Efinger	\$2.95/each	
	2. United Supply	\$2.98/each	
	3. S & S Worldwide	\$2.99/each	
Item 28-	Rubber Footballs-Youth Size Macgregor X2Y	6 each	= \$16.56
	1. S & S Worldwide	\$2.76/each (equal substitute)	
	2. Sport Supply	\$2.96/each	
	3. United Supply	\$4.11/each	
Item 29-	Beach Balls- assorted set	4 sets	= \$138.08
	1. S & S Worldwide	\$33.00/set	REJECT
	2. United Supply	\$34.52/set	(Equal Substitute)
	3. Gopher	\$45.54/set	
Item 30-	Wiffle Balls - Softball Size	2 dozen	= \$10.24
	1. Sport Supply	\$5.12/dozen	
	2. S & S Worldwide	\$6.24/dozen	
	3. Flaghouse	\$6.92/dozen	
Item 31-	Gator Skin Balls - 6" size	6 each	= \$23.58
	1. Flaghouse -8861	\$3.93/each (equal substitute)	
	2. Sport Supply	\$4.91/each	
	3. Efinger	\$4.95/each	

	4. S & S Worldwide	\$4.99/each	
Item 32-	Gator Skin Balls - 8" size	6 each	=\$47.46
	1. Sport Supply Voit 440101	\$7.91/each (equal substitute)	
	2. S & S Worldwide	\$8.30/each	
	3. Flaghouse	\$8.93/each	
Item 33-	7" Diameter Foam Balls (set of 6)	3 sets	=\$40.86
	1. S & S Worldwide	\$13.62/set of 6	
	2. United Supply	\$19.64/set of 6	
	3. Efinger	\$45.00/set of 6	
Item 34-	Countdown Timer	3 each	=\$13.68
	1. Flaghouse	\$4.56/each	
	2. S & S Worldwide	\$9.80/each	
	3. United Supply	\$14.23/each	
Item 35-	Bean Bags 5" square	2 dozen	=\$10.56
	1. Sport Supply -	\$5.28/dozen	
	2. United Supply	\$6.85/dozen	
	3. Flaghouse	\$7.88/dozen	
Item 36-	Rubber Soccer Balls		See Item 15
Item 37-	Spectrum 2000 Volleyball system	4 sets	=\$831.16
	1. Sport Supply	\$207.79/set	
	2. S & S Worldwide	\$249.00/set	
	3. Efinger	\$280.00/set	
Item 38	Replacement Volleyball Nets: Outdoors	3 each	=\$45.90
	1. United Supply	\$15.30/each	
	2. S & S Worldwide	\$46.00/each	
	3. Efinger	\$65.00/each	
Item 39-	Ping Pong Balls - 50 + per box	1 box	=\$10.71
	1. United Supply	\$10.71/box 144	
	2. Sport Supply	\$14.16/box 144	
	3. S & S Worldwide	\$18.50/box 144	
Item 40-	Foosballs	1 dozen	=\$2.67
	1. Flaghouse	\$2.67/dozen	
	2. S & S Worldwide	\$4.44/dozen	
	3. United Supply	\$8.71/dozen	
Item 41-	Knock Hockey Games	5 games	=\$119.05
	1. United Supply	\$23.81/game	
	2. S & S Worldwide	\$25.00/game	
	3.	No Bid	
Item 42-	SNO KONETTE Machine	1 each	=\$650.00
	1. S & S Worldwide	\$650.00	
	2. Sport Supply	\$790.29	
	3.	No Bid	
Item 43-	SNO-KONETTE Syrup	1 case of 4/gal	=\$20.92
	1. Sport Supply	\$20.92	
	2. S & S Worldwide	\$58.00	
	3.	No Bid	
Item 44-	SNO KONETTE 6 oz case of cups (5,000)	1 case	=\$154.49
	1. Sport Supply	\$154.49	
	2. S & S Worldwide	\$160.00	

	3.	No Bid	
Item 45-	Cotton Candy Machine 1. S & S Worldwide 2. Sport Supply 3.	1 each \$685.00 \$780.14 No Bid	=\$685.00
Item 46-	Plastic Dome for Cotton Candy Machine 1. Sport Supply 2. S & S Worldwide 3.	1 each \$181.77 \$199.00 No Bid	=\$181.77
Item 47-	Cotton Candy Cones 1. S & S Worldwide 2. Sport Supply 3.	1 case \$25.60 \$72.69 No Bid	=\$25.60
Item 48-	Cotton Candy Sugar 1. Sport Supply 2. S & S Worldwide 3.	1 case \$20.14 \$21.00 No Bid	=\$20.14
Item 49-	Popcorn Machine 1. S & S Worldwide 2. Sport Supply 3.	1 each \$590.00 \$606.23 No Bid	=\$590.00
Item 50-	Hula Hoops 36" 1. S & S Worldwide 2. Sport Supply 3. United Supply	2 Dozen \$21.00/dz \$21.05/dz \$28.57/dz	=\$42.00
Item 51	Hula Hoops 24" 1. S & S Worldwide 2. Sports Supply 3. United Supply	2 Dozen \$15.00/dz \$17.80/dz \$21.43/dz	=\$30.00
Item 52-	Foam Hula Hoop Holders: Set of 12 1. S & S Worldwide 2. Gopher 3. Sport Supply 4. United Supply	4 sets \$16.00/2 sets of 6 \$22.84/set of 12 \$35.06/2 sets of 6 \$33.27/2 sets of 6	=\$64.00
Item 53-	Backgammon 1. United Supply 2. Flaghouse 3. S & S Worldwide	6 each \$2.38/each \$3.87/each \$3.90/each	=\$14.28
Item 54-	Monopoly 1. S & S Worldwide 2. United Supply 3. Flaghouse	6 each \$14.30/each \$15.06/each \$15.84/each	=\$85.80
Item 55-	Memory 1. S & S Worldwide 2. United Supply 3. Flaghouse	11 each \$7.79/each \$8.33/each \$8.78/each	=\$85.69
Item 56 -	Outburst Juniors Game - Discontinued	9 each	=No Bids
Item 57-	Trouble Board Game	7 each	=\$42.91

	1. United Supply	\$6.13/each (equal substitute)	
	2. S & S Worldwide	\$10.89/each	
	3. Flaghouse	\$12.68/each	
Item 58-	Sorry Board Game	5 each	=\$80.95
	1. S & S Worldwide	\$16.19/each	
	2. United Supply	\$17.33/each	
	3. Flaghouse	\$18.32/each	
Item 59-	Chess	5 each	=\$11.90
	1. United Supply	\$2.38/each	
	2. S & S Worldwide	\$3.74/each	
	3. Flaghouse	\$3.87/each	
Item 60-	Sequence	6 each	=\$41.70
	1. S & S Worldwide	\$6.95/each	
	2. No bid		
Item 61-	Candyland Game	8 each	=\$65.20
	1. S & S Worldwide	\$8.15/each	
	2. United Supply	\$8.33/each	
	3. Sport Supply	\$9.85/each	
Item 62-	Chutes & Ladders Board Game	8 each	=\$64.00
	1. S & S Worldwide	\$8.00/each	
	2. United Supply	\$8.33/each	
	3. Sport Supply	\$9.15/each	
Item 63-	Connect 4 game	7 each	=\$43.75
	1. United Supply	\$6.25/each (equal substitute)	
	2. S & S Worldwide	\$14.50/each	
	3. Flaghouse	\$16.91/each	
Item 64-	Boggle Game	5 each	=\$72.80
	1. S & S Worldwide	\$14.56/each	
	2. United Supply	\$16.33/each	
	3. Flaghouse	\$17.26/each	
Item 65-	Uno Card Game	20 each	=\$94.00
	1. S & S Worldwide	\$4.70/each	
	2. Flaghouse	\$5.04/each	
	3. Gopher	\$5.94/each	
Item 66-	Perfection Board Game	7 each	=\$117.25
	1. S & S Worldwide	\$16.75/each	
	2. United Supply	\$18.33/each	
	3. Flaghouse	\$19.37/each	
Item 67-	Scattergories Game	9 each	=\$237.60
	1. S & S Worldwide	\$26.40/each	
	2. United Supply	\$28.00/each	
	3. Gopher	\$31.94/each	
Item 68-	Checkers	8 each	=\$19.04
	1. United Supply	\$2.38/each	
	2. Flaghouse	\$2.67/each	
	3. S & S Worldwide	\$2.74/each	
Item 69-	Playing Cards	20 sets	=\$11.40
	1. S & S Worldwide	\$0.57/set	
	2. United Supply	\$0.68/set	
	3. Flaghouse	\$16.06/12 sets	

Item 70-	Bingo Balls: equal to Gopher GP 12-341	5 sets	= \$27.00
	1. S & S Worldwide	\$5.40/set (equal substitute)	
	2. Gopher	\$19.54/set	
	3.	No Bid	
Item 71-	Bingo Sets: cage, balls, card, plastic markers	4 each	= \$30.96
	1. United Supply	\$7.74/each	
	1. S & S Worldwide	\$23.00/each	
	2. Sport Supply	\$122.33/each	
	3. Gopher	\$153.34/each	

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

AWARD BID

CROWN VICTORIA POLICE INTERCEPTOR MARKED VEHICLES

POLICE CONSORTIUM

RESOLUTION #112

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

WHEREAS, invitation to bid for the purchase of 2010 Ford Crown Victoria Police Interceptor Marked Vehicles was duly advertised, and

WHEREAS, said bids were received and opened on February 23, 2010, with the bid amount summarized as follows:

Warnock Automotive Inc.	\$21,197.00
Country Ford-Mercury, Inc.	\$21,219.00

RESOLVED, that the 2010 Ford Crown Victoria Police Interceptor Marked Vehicles bid is hereby awarded to Warnock Automotive Inc. d/b/a Warnock Fleet of East Hanover New Jersey, in the amount of \$21,197.00, the lowest responsible bidder.

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

AWARD BID

CROWN VICTORIA POLICE INTERCEPTOR UNMARKED VEHICLES

POLICE CONSORTIUM

RESOLUTION #113

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

WHEREAS, invitation to bid for the purchase of 2010 Ford Crown Victoria Police Interceptor Unmarked Vehicles was duly advertised, and

WHEREAS, said bids were received and opened on February 23, 2010, with the bid amount summarized as follows:

Warnock Automotive Inc.	\$21,860.00
Country Ford-Mercury, Inc.	\$21,893.00

RESOLVED, that the 2010 Ford Crown Victoria Police Interceptor Unmarked Vehicles bid is hereby awarded to Warnock Automotive Inc. d/b/a Warnock Fleet of East Hanover New Jersey, in the amount of \$21,860.00, the lowest responsible bidder.

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

AWARD BID

EXPEDITION SSV 4X4 MARKED/UNMARKED VEHICLES
POLICE CONSORTIUM
RESOLUTION #114

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

WHEREAS, invitation to bid for the purchase of 2010 Ford Expedition SSV 4x4 Marked and Unmarked Vehicles was duly advertised, and

WHEREAS, said bids were received and opened on February 23, 2010, with the bid amount summarized as follows:

Warnock Automotive Inc.	\$26,779.00
Country Ford-Mercury, Inc.	\$26,888.00

RESOLVED, that the 2010 Ford Expedition SSV 4x4 Marked and Unmarked Vehicles bid is hereby awarded to Warnock Automotive Inc. d/b/a Warnock Fleet of East Hanover New Jersey, in the amount of \$26,779.00, the lowest responsible bidder.

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

AWARD BID
EXPLORER XLT MARKED/UNMARKED VEHICLES
POLICE CONSORTIUM
RESOLUTION #115

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

WHEREAS, invitation to bid for the purchase of 2010 Ford Explorer XLT 4x4 Marked and Unmarked Vehicles was duly advertised, and

WHEREAS, said bids were received and opened on February 23, 2010, with the bid amount summarized as follows:

Country Ford-Mercury, Inc.	\$21,752.00
Warnock Automotive Inc.	\$21,777.00

RESOLVED, that the 2010 Ford Explorer XLT 4x4 Marked and Unmarked Vehicles bid is hereby awarded to Country Ford-Mercury, Inc. of Guthrie, Oklahoma, in the amount of \$21,752.00, the lowest responsible bidder.

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

AWARD BID
DODGE CHARGER MARKED/UNMARKED VEHICLES
POLICE CONSORTIUM
RESOLUTION #116

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

WHEREAS, invitation to bid for the purchase of 2010 Dodge Charger Marked and Unmarked Vehicles was duly advertised, and

WHEREAS, said bids were received and opened on February 23, 2010, with the bid amount summarized as follows:

John Vance Motors, Inc.	\$21,781.00
Warnock Automotive Inc.	\$22,308.00

RESOLVED, that the 2010 Dodge Charger Marked and Unmarked Vehicles bid is hereby awarded to John Vance Motors, Inc. of Guthrie, Oklahoma, in the amount of \$21,781.00, the lowest responsible bidder.

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

REJECT BID
CHAIN LINK FENCE
RESOLUTION #117

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

WHEREAS, invitation to bid for the Chain Link Fence was duly advertised; and

WHEREAS, said bids were received and opened on February 23, 2010 at the Town Hall, 363 Underhill Avenue, Yorktown Heights New York 10598; and

RESOLVED, that the Superintendent of Parks and Recreation, Jennifer Fava has recommended that all bids be rejected and that the matter be dealt with on a “project by project” basis following the Town procurement policy.

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

APPOINT TOWN ATTORNEY
JEANNETTE KOSTER
RESOLUTION #118

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

BE IT RESOLVED, that Jeannette Koster is hereby appointed to the office of Town Attorney effective March 3, 2010 at an annual salary of \$110,000 and be it further resolved that the terms of Ms. Koster’s employment shall include the following:

- Jeannette Koster shall be a full-time employee of the Town. The term full-time shall include at least seven hours per day, plus attendance at all evening Town Board Meetings and Work Sessions and such off-hour meetings/events as determined by the Town Supervisor.
- Jeannette Koster shall devote her full time and professional attention to her employment by the Town and shall not be permitted to engage in the outside practice of law, except for members of her immediate family, so long as she is serving as Town Attorney
- The term of Jeannette Koster’s appointment as Town Attorney shall be at the pleasure of the Town Board
- It shall not be a requirement of this appointment that the Town Attorney reside in the Town of Yorktown
- Sick days, personal days, and floating holidays shall track the CSEA agreement
- Participation in medical/dental/vision benefits shall track the CSEA agreement
- Vacation entitlement is as follows:

During the first six months of employment	10 days
During the second six months of employment	10 days
Second year and beyond	20 days

Supervisor Siegel read a prepared statement explaining why she would cast a nay vote on Mrs. Koster.

Councilman Martorano explained that he has known Mrs. Koster for several years and believes that she will be a valuable asset to the Town of Yorktown.

Councilman Bianco echoed comments similar to those of Councilman Martorano. He thanked Dan Pozin for his work as Interim Town Counsel.

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

Town Attorney Jeanette Koster stated that she has been an attorney for twenty four years. She worked for the City of New York for 13 years. Mrs. Koster also ran her own law practice. She looks forward to serving the people of the Town of Yorktown.

REDUCE PERFORMANCE BOND
ROUTE 6 OFFICE DEVELOPMENT – SITE PLAN
RESOLUTION #119

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

WHEREAS, Celestial Route 6 Associates, as Principal, provided the Town with Liberty Mutual Insurance Company Performance Bond #837026790, in the amount of \$475,053.00, to serve as the Performance Bond for the Route 6 Office Development Site Plan, located on Route 6 and Mohegan Avenue, which was accepted at the Town Board Meeting of February 24, 2009; and

WHEREAS, Celestial Route 6 Associates, as Principal, provided the Town with Check No. 180 in the amount of \$10,000.00 to serve as the Erosion Control Bond for the Route 6 Office Development Site Plan, which was deposited into the T33 account on November 21, 2008; and

WHEREAS, Celestial Route 6 Associates, as Principal, provided the Town with Check No. 160 in the amount of \$10,000.00 to serve as the Erosion Control bond for the construction of three structures (only two have been built to date) and for the relocation of the driveway, for Planning Board Excavation Permit #E-008-08, which was deposited into the T33 account on October 22, 2008; and

WHEREAS, Celestial Route 6 Associates, as Principal, provided the Town with Check No. 172 in the amount of \$500.00 to serve as the Erosion Control Bond for contaminated soil remediation, for Planning Board Excavation Permit #E-052-08, which was deposited into the T33 account on October 22, 2008; and

WHEREAS, Celestial Route 6 Associates, as Principal, provided the Town with Check No. 172 in the amount of \$6,000.00 to serve as the escrow monies for inspections of the site, which was deposited into the T90 account on October 22, 2008; and

WHEREAS, Celestial Route 6 Associates, as Principal, has requested monies be released as construction is complete; and

WHEREAS, the Town Engineer has informed this Board that a representative of her department has inspected the property and determined public improvements have met Town requirements for the first two lots, but construction on the third lot is not yet complete, therefore, a bond reduction has been completed and all other securities held; and

WHEREAS, the Acting Town Engineer has said that the Performance Bond may be reduced by \$284,002.00 (\$475,053.00 - \$284,002.00 = \$191,051.00), NOW, THEREFORE BE IT

RESOLVED, that said Performance Bond can be reduced to \$191,051.00; and BE IT FURTHER

RESOLVED, that all remaining monies will be held in full force and effect until all construction is completed.

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

AUTHORIZE SUPERVISOR TO SIGN
AGREEMENT WITH WSP SELLS FOR SURVEYING/PROVIDING DESCRIPTION
FOR TEMPORARY EASEMENTS - SHERMAN COURT PROJECT - \$4,845.00
RESOLUTION #120

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

RESOLVED, that the Town Board authorizes the Town Supervisor to sign an agreement with WSP Sells for surveying and providing descriptions of the temporary easements for 13 properties on Oak Street, for the Sherman Court Project, for a fee of \$4,845.00.

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

APPROVE AN RFP (REQUEST FOR PROPOSALS) TO REPAIR/REPLACE THE
LIBRARY'S HEATING, VENTILATING AND AIR CONDITIONING SYSTEM
RESOLUTION #121

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

RESOLVED that the Town Board authorizes the Library Director, Patricia Barresi, to request proposals for professional engineering services to prepare an assessment of the heating, ventilating and air conditioning system of the John C. Hart Library, Shrub Oak, NY.

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

AUTHORIZE SUPERVISOR TO SIGN
AGREEMENT FOR TITLE 111C-1, C-2, AND 111B FOR THE YEAR 2010
RESOLUTION #122

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

RESOLVED, that the Town Board authorizes the Town Supervisor to sign agreements for Title 111B program for the year 2010 for \$9,168.00 for transportation, Title 111C-1 in the amount of \$32,411 with an estimate of an additional \$12,386 (NSIP) Nutrition Services Incentive Program and Title 111C-2 in the amount of \$29,975 with an estimate of an additional \$26,192 (NSIP)

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

APPROVE EXTENSION OF POLICE DEPARTMENT UNIFORM CLEANING BID
RESOLUTION #123

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

WHEREAS, bids for Uniform Cleaning Services for the Police Department were received and opened on February 11, 2009; and

WHEREAS, said bids were awarded to Rite Price Cleaners, the sole bidder; and

WHEREAS, the town has the option to extend said bid for three additional years in one-year increments; and

WHEREAS, said bid commenced March 1, 2009 through February 28, 2010 with additional years of 2011, 2012 and 2013; so, THEREFORE BE IT

RESOLVED, that the Uniform Cleaning Services Bid for the Police Department is hereby extended for one year, per the terms of the bid; and

FURTHER RESOLVED, the dates of the extension will be March 1, 2010 through to February 28, 2011.

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

APPROVE TRAINING
JAMES WATERHOUSE – COMMUNITY SERVICE WORKER/ANIMAL CONTROL
OFFICER – POLICE DEPARTMENT
RESOLUTION # 124

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

BE IT RESOLVED, that the Town Board hereby authorizes Community Service Worker James Waterhouse to attend a training seminar of the National Animal Control Association from April 12th through April 16th, 2010 in Windsor Locks, CT.

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

APPROVE STREET CRIMES TRAINING
RESOLUTION #125

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

BE IT RESOLVED, that the Town Board hereby authorizes the following 6 police officers to attend the 'Street Crimes Seminar' sponsored by John E. Reid and Associated, Inc. on May 3, 2010 in New Rochelle, NY:

Sergeant John LaPlaca
Police Officer Larry Eidelman
Police Officer Paul Grieve
Police Officer Matthew Iacona
Police Officer Kathryn McGuire
Police Officer William Olli

FURTHER RESOLVED, their attendance at this one day training will not create any overtime for the attendees nor create any overtime backfill for their absences.

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

APPROVE MEDIA POLICY
RESOLUTION #126

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

RESOLVED, as part of this administration's commitment to an open and transparent government, the Town Board encourages all department heads to cooperate with the media by answering questions and providing appropriate background information regarding their department's operations;

FURTHER RESOLVED, such contacts should be limited to discussing facts, devoid of confidential information, personal judgments or opinions. Comments on policy or procedures should come from the Town Board;

FURTHER RESOLVED, any questions or concerns dealing with a specific issue or a controversial issue are to contact the Supervisor's office.

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

MORATORIUM ON CON EDISON TRANSMISSION LINE CUTTING
RESOLUTION #127

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

WHEREAS, the Yorktown Town Board has received numerous complaints from property owners throughout the Town of Yorktown on whose property, or adjacent to whose property, Consolidated Edison Company of New York, Inc., (“Con Edison”) has an easement or right-of-way for the erection and maintenance of high voltage towers and wires, concerning the cutting and/or removal of trees and other vegetation thereon by Con Edison and/or by contractor(s) hired by Con Edison for that purpose; and

WHEREAS, Con Edison has asserted that its tree clearing activities are mandated by rules adopted by the New York State Public Service Commission (“PSC”) “Requiring Enhanced Transmission Right of Way Management Practices by Electric Utilities” in Case 04-E-0822 issued and effective June 20, 2005 (“PSC’s Rules”); and

WHEREAS, the tree clearing activities allegedly mandated by the PSC’s Rules have been implemented in an arbitrary and intermittent manner; and

WHEREAS, Con Edison’s interpretation and implementation of PSC’s Rules has resulted in the unlawful and unreasonable cutting of trees in such a way that often amounts to unnecessary clear-cutting, excessive and unsightly debris piles, and extreme vegetation removal that exposes bare soil in the entire easement area and beyond resulting in a “scorched earth” appearance (hereinafter referred to as “Scorched Earth Practice”); and

WHEREAS, Con Edison has not provided adequate public notice of its plans to implement the PSC Rules, including failure to properly survey affected properties and failure to communicate with affected property owners regarding the work that is to be performed by contractors of Con Edison; and

WHEREAS, a lack of an appropriate communication and complaint handling protocol between Con Edison, its contractors, PSC and the public has caused significant frustration and exacerbated the problem; and

WHEREAS, the PSC has failed to properly oversee Con Edison’s implementation of its transmission vegetation management plan, resulting in unnecessary economic, environmental, and aesthetic harm to numerous property owners and communities; and

WHEREAS, the PSC’s Rules were not accompanied by a fair and adequate environmental review, as only a limited, inaccurate review was conducted, with little notification to the affected public; and

WHEREAS, the PSC’s Rules remain unrevised, even though the North American Electric Reliability Corporation (“NERC”), under authority provided by Congress in the Energy Policy Act of 2005, has developed national transmission vegetation management standard FAC-003-1 in 2007 and as of January 2010 is reviewing a revised standard FAC-003-2; and

WHEREAS, the Yorktown Town Board has consulted with experts that believe that given the size and location of many of the trees being removed, the trees are not now, nor in the future, likely to reach or otherwise interfere with Con Edison’s transmission lines and towers; and

WHEREAS, the Yorktown Town Board believes that the PSC’s Rules, to the extent the Rules actually mandate the Scorched Earth Practice being employed by Con Edison and/or Con Edison’s interpretation of the regulations far exceed those steps reasonably required to protect Con Edison’s transmission assets and the legitimate public interest in maintaining an uninterrupted flow of power through the region; and

WHEREAS, the Yorktown Town Board believes that Con Edison’s scorched earth practice, as it is being implemented in Westchester County’s densely populated suburban communities, violates the real property rights of the immediately affected property owners and otherwise adversely affects the legitimate land use interests of the residents of

Westchester County, resulting in unsightly visual impacts, unnecessary and uncontrolled erosion due to denuded land, and the virtual decimation of carefully planned and maintained buffers; and

WHEREAS, there are equally important town, county and state laws that must be enforced and honored, which regulate land usage, zoning, permits, land preservation, easement agreements, trespassing outside of legal easements and right-of-ways, that are being violated and ignored by the Public Service Commission and Con Edison in the adoption and implementation of this Scorched Earth Practice; and

NOW THEREFORE BE IT RESOLVED, that the Yorktown Town Board demands that the New York State Public Service Commission direct Con Edison to immediately cease its Scorched Earth Practice, until such time as there has been a full, open public examination by the PSC, within the communities affected, as to the conditions that exist and the management steps required to be taken in Westchester County, to ensure compliance with town, county and state law and to revisit the PSC Rules as being interpreted by Con Edison and to make adjustments to same so that certain goals can be achieved, including but not limited to (i) preservation of non-offensive vegetation, (ii) control of erosion and run-off, (iii) retention and maintenance of sight lines and integrity of the residential appearance, (iv) retention and maintenance of vegetation providing noise abatement, (v) preservation of woodland and wetland habitats to the greatest extent possible, (vi) avoidance of herbicide use for vegetation management, but if required, that only herbicides approved by NYS DEC for use along wetlands and watercourses be utilized, and (vii) compliance with local and state laws; and be it further

RESOLVED, that Con Edison should further be directed to implement a full mitigation plan, establish a proper plan of public notification of future work sites, establish a management plan that requires it to properly remove and dispose of all debris generated by its clearing and/or cutting activities within three weeks, including but not limited to the remnants of any tree cut or cleared from its easements or other right-of-ways, as well as to develop a replanting plan whereby any tree removed as undesirable is replaced with a more desirable and right-of-way compatible species and not by seedlings but rather more mature trees. Such replanting plan should apply both going forward and to those areas already affected by Con Edison's clearing activities; and be it further

RESOLVED, that Congress enact legislation requiring the North American Electric Reliability Corporation to include proper environmental review, dispute resolution, and mitigation and restitution measures in the revision of its transmission vegetation management standard; and be it further

RESOLVED, that the Town of Yorktown Attorney is requested to see what actions can be taken with regard to the PSC's Rules and the way these have been implemented in Westchester County and to take whatever actions may be necessary to achieve the goals stated herein, including but not limited to initiating litigation against Con Edison or bringing a proceeding against the Public Service Commission on behalf of the Town of Yorktown citizens; and be it further

RESOLVED, that the Town of Yorktown Clerk be and is hereby authorized and directed to send a certified copy of this resolution to U.S. Senators Charles Schumer and Kirsten Gillibrand; U.S. Representative John Hall; New York State Governor David Paterson; New York State Senator Vincent L. Leibell, III; New York State Assembly Member Gregory Ball; the President Pro Tem of the New York State Senate; the Speaker of the New York State Assembly; the Majority and Minority Leaders of New York State Senate and Assembly; Westchester County Executive Robert Astorino, Westchester County Board of Legislators Chairman Kenneth Jenkins, Westchester County Legislators Michael Kaplowitz and John Testa, Chairman Kevin Burke of Consolidated Edison, Inc.; the New York State Public Service Commission; the New York State Department of Environmental Conservation and to such other persons as the Clerk, in his discretion, may deem proper in order to effectuate the purpose of this resolution.

Councilman Martorano stated that while he thanks Consolidated Edison for their quick response during this past snow storm, this resolution is long overdue. He also

thanked Dr. Podolak for her leadership in this step toward making a strong statement in protecting the environment.

Councilman Bianco stated that he too will support this request to the Public Service Commission.

Supervisor Siegel stated that she is equally concerned about the environment. She also wants to protect the electric grid. While she is cognizant of the problem the northeast experienced in 2007, she will not be voting for this measure. The Supervisor further stated that she has asked Con Edison for more oversight and for additional mitigation measures to be taken.

Mr. Vishnu Patel explained that trees are an important part of the environment. Tree companies can sometimes be like bad barbers. Sometimes they do not do a good job.

Councilman Murphy stated that he worked for Con Edison years ago. An official use to walk the entire grid pointing out which trees needed work or needed to come down. This practice does not take place any more. Now, tree companies pick and choose which companies to work on.

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

APPROVE CERTIORARI SETTLEMENT
CHASE FAMILY PARTNERSHIP
RESOLUTION #128

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

RESOLVED, that the tax certiorari proceeding relating to Chase Family Partnership, (48.11-1-50) located at 1520 Front St., in the Town of Yorktown, be corrected and accepted by the Yorktown Town Board as per the attachment.

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

APPROVE CERTIORARI SETTLEMENT
OHUNKI MEDICAL OFFICE BUILDING – SAW MILL RIVER ROAD
RESOLUTION #129

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

RESOLVED, that the tax certiorari proceeding relating to Ohunki, Namhee Trust, (37.14-2-34) located at 2048 Saw Mill River Rd., in the Town of Yorktown, be corrected and accepted by the Yorktown Town Board as per the attachment.

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

WAIVE LATE FEE ON PAYMENT OF WATER BILLS DUE TO THE SUPERVISOR'S
DECLARARATION OF A STATE EMERGENCY
RESOLUTION #130

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

WHEREAS, Supervisor Susan Siegel declared a State of Emergency on Friday, February 26, 2010 from 1:a.m. to 9:00 p.m.; and

WHEREAS, under the terms of the State of Emergency, all travel on the roadways in the Town of Yorktown was restricted to emergency vehicles, town highway vehicles, utility vehicles and essential emergency personnel; and

WHEREAS, due to the State of Emergency, Town Hall was closed on Friday, February 26, 2010 which was the last day that residents could pay their quarterly water bill without being subject to a late fee;

THEREFORE BE IT RESOLVED, that the Town Board waives the late fee for all water bills due on Friday, February 26, 2010 that are paid by the close of business on Monday, March 1, 2010.

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

APPROVE COMMERCIAL GARBAGE LICENSE
MID HUDSON WASTE
RESOLUTION #131

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

RESOLVED, that Mid Hudson Waste, Inc. be and is hereby granted renewal of their garbage license for commercial properties only in the Town of Yorktown for the year 2010.

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

REFUND DUPLICATE TAXES
ACCOUNT #2782500, 2683530, 2184500
RESOLUTION #132

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

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

<u>Year and Tax</u>	<u>S-P-L</u>	<u>Account #</u>	<u>Refund</u>
2009 Sch 22	17.19-1-7	2782500	\$2,520.23
2009 Sch 21	17.18-2-57	2683530	\$5,191.64
2009 Sch 21	17.13-1-31	2184500	\$4,349.75

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

APPROVE EXTENSION OF TOWING BID
WITH YORKTOWN AUTO BODY – MARCH 24, 2010 TO MARCH 23, 2011
RESOLUTION #133

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

WHEREAS, bids for Tow Services for the Town of Yorktown were received and opened on February 17, 2009; and

WHEREAS, said bid was awarded to Yorktown Auto Body Works, Inc. for the provision of certain towing and emergency services in the Town of Yorktown; and

WHEREAS, the town has the option to extend said bid for two additional years in one-year increments; and

WHEREAS, said options shall be exercised by written notification from town not less than thirty (30) calendar days prior to the expiration of the License; and

WHEREAS, said bid date commenced March 24, 2009 through March 23, 2010, with additional years of 2011 and 2012; so, THEREFORE BE IT

RESOLVED, that the Bid for Tow Services for the Town of Yorktown is hereby extended for one year, per the terms of the bid. The dates of the extension will be March 24, 2010 through to March 23, 2011.

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

Councilman Murphy stated did vote on renewing the tow bid. His personal feeling is that the bid should be awarded on a yearly basis.

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

Mr. Tony Forcelli stated that he was disappointed with those members of the Council who did not vote for resolution requesting the Public Service Commission to call a halt to Con Ed's tree cutting activities.

Mrs. Geri Schwalb asked if the Town Board could rescind the issuance of the commercial garbage license because commercial carters do not recycle.

Dr. Patricia Podolak stated that she finds it unconscionable that two members of the Town Board voted against the resolution concerning Con Ed.

Mr. Chris Schera spoke about a lawsuit involving his mother against the Town of Yorktown and why it was instituted.

Mt. Nick DiTomasso stated that he did not mean to diminish the work of the employees of the Town of Yorktown.

Mr. Edward Ciffone stated that he believes the vote on the moratorium should have been unanimous. He also clarified the issue concerning police officers who work at school events. They are not school resource officers, but off duty police officers. Mr. Ciffone also spoke about an issue that came up at the Board of Legislators last night concerning the housing settlement, and the right of first refusal on the purchase of county property. Mr. Ciffone stated that previous Town Boards have had a history of providing residents with low town budgets. He does not want a budget produced by this board to have a tax hike of 6, 7, or 8%. He also asked, what's up with this dog park?

Mr. Doug Dickan spoke about the towing contract and one clause which he felt was an issue. The bid does not permit Police Officers to call a particular tow company, even if person in need of help is a member of a towing service. He thinks this should be changed.

COURTESY OF THE FLOOR CLOSED

RESPONSES TO COURTESY OF THE FLOOR:

Supervisor Siegel spoke about the Public Hearing of the FSGEIS relating to the Comprehensive Plan.

Mr. John Tegeder, Planning Director for the Town of Yorktown spoke about when copies of the plan would be available for the public.

Town Clerk Alice Roker explained to Mrs. Schwalb that the Town Board could not rescind the commercial garbage license for a company's failure to pick up recycling. The Yorktown Town Code does not address this issue. But, she will make an inquiry to Westchester County's Solid Waste Commission which issues county licenses to these companies tomorrow.

Supervisor Siegel stated that police officers working side jobs is different from police officers working as School Resource Officers. This issue has come before the Town Board and our concern is about liability when it comes to officers who work side jobs but wear their Town of Yorktown uniform. We have asked the Town Attorney to look at the

Police Department's two hiring policies and make a recommendation to the Town Board. She further stated that the only property that the County has in the Town of Yorktown is on Route 202 and is leased by the Curry Automobile Group.

Supervisor Siegel told Mr. Dickan that he raised a good point and the Board will take a look at it.

Councilman Bianco told Mr. Ciffone that open space saves money.

ADJOURN

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

Alice E. Roker
Town Clerk
Town of Yorktown