

Regular meeting held by the Town Board,
Town of Yorktown on October 19, 2010 held at
John C. Hart Library, Shrub Oak, NY.

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

TOWN BOARD MEETING

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

PLEDGE OF ALLEGIANCE

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 announced the following:

Special Meeting of the Town Board on November 4, 2010.

Mae Carpenter, Westchester County Commissioner of Senior Programs and Services visits the Town of Yorktown on October 22, 2010.

New York State Department of Transportation will conduct its third meeting in the Town of Yorktown concerning improvements to Route 202 on October 28, 2010.

The Town of Bedford will host a meeting for the Westchester Municipal Planning Federation on October 27, 2010 concerning the Town of Bedford's Climate Action Plan.

There are openings on the following Boards, the Energy Advisory Board, ABACA (Advisory Board on Architecture & Community Appearance), and the Opening Space Committee.

The Town is exploring writing a grant that will help senior citizens connect with all of the services that they are eligible for.

DURING THE TOWN COUNCIL'S REPORT TO THE TOWN, several Town Board members spoke about a letter sent stating that the Yorktown Stage would be closing on Sunday and a letter that is expected to be sent to town employees discussing the possibility of layoffs. The Board members stated that these are matters associated with the Supervisor's Budget, not decisions made by the Town Board.

Councilman Patel spoke about the opening of a new trail that runs from Kitchawan Park to Teatown Lake Reservation. He called the new Yorktown Chamber of Commerce's Street Festival was a huge success.

Councilman Patel also asked the parents of Nick Athanasidy, the Town of Yorktown's latest Eagle Scout to come forward

PROCLAMATION

Councilman Martorano read a portion of the following proclamation:

WHEREAS, Nick Athanasidy, a Boy Scout from the Town of Yorktown Troop 174, has achieved the highest rank in Scouting that of Eagle Scout and;

WHEREAS, Nick Athanasidy has received this honor for his diligent work on behalf of Scouts and this community and for having the perseverance to keep with Scouting through his teenage years and to honor its tenets; and

WHEREAS, Nick Athanasidy is applauded for his leadership for coordinating the renovation of the hand railings at the John C. Hart Memorial Library by strengthening and refurbishing them providing safety to the patrons of the library; and

WHEREAS, Nick Athanasidy, in having attained this highest rank in Scouting and joining the ranks of an elite cadre of youths, is deserving of the recognition of the entire population of the Town of Yorktown;

NOW, THEREFORE, I, SUSAN SIEGEL, Supervisor of the Town of Yorktown, along with the Town Board express congratulations to Eagle Scout Nick Athanasidy and in recognition of his achievement, this proclamation is presented.

Councilman Bianco handed Supervisor Siegel a check for \$4,000 from the new Yorktown Chamber of Commerce. This check is to offset some of the Town's expenditures associated with the Street Festival. He also spoke about the Conservation Board's most recent handout entitled "Stormwater Management."

Supervisor Siegel stated that the Town has received \$150,000 from the former owners of Granite Knolls representing this year's taxes. The Town or Yorktown will still have to pay taxes on this parcel for 2011 and a portion of 2012.

Supervisor Siegel explained why she was sending a letter to employees that will be included with their paychecks. She also stated that the rumor salaries are being cut is untrue.

COURTESY OF THE FLOOR

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

Howard Frank, a 42 year resident of Yorktown and a member of the United Taxpayers of Yorktown (UTY) complimented the staff of the library, but said he was disappointed with the Library Board and Town Board. He has sent in several (FOIL) Freedom of Information requests concerning the new gas line, but has not received the information that he needs. He also stated that if the Town Board is exploring employee reductions, it should consider a suggestion made by the UTY President, Ed Ciffone. The Town of Yorktown has a School Resource Officer at the Middle School and High School. Why can't one officer work at both schools?

Mr. Steven Douglas, a resident of Starlight Road stated that he lives near two of the parcels that were sold at Auction on September 29, 2010. These properties have beautiful woods and wetlands. He felt betrayed by the auction company's description of these parcels. Mr. Douglas wanted to know why these properties did not go through a review process. The buyer has told him that if he cannot build on these lands, he will cut down the trees and make it a picnic area for his family who lives in Queens.

Mr. & Mrs. Lindholm stated that they were here to speak on behalf of the Dog Park. They said that in comparison to some of the issues before the Town Board, creating a dog park should be one of the easier things to do.

Several residents of Mohegan Lake including Mr. Don Kelly spoke about issues in northern Yorktown. When the sewer lines were installed, they were told that the streets would be repaved. They spoke to the Highway Superintendent in 2006 and were told that half of the roads would be repaved in 2007 and the other half in 2008. The first half was repaved in 2007, but we're still waiting for the second half to be repaved. They also spoke about the Holland Sporting Club. This parkland has become an attractive nuisance to young people who hang out there. The neighbors are concerned with young people setting fires in the abandoned buildings. There is trash on the property including mattresses. The area has experienced more residential break-ins and the police have increased their patrol. We need the buildings demolished and the trash removed from the property.

Mr. Mark Michaels thanked the Town Board for retaining the two parcels in Croton Heights. He was happy to see that they are on the agenda tonight to be dedicated as parklands. Mr. Michaels further stated that he hopes the Town of Yorktown will work on acquiring the middle property. .

Mrs. Tricey Kushner, a representative of the Alliance for Safe, read her group's Mission Statement which is as follows, "our mission is to educate and empower kids while emphasizing the need for parents to protect and nurture children by communicating healthy family expectations. Topics include the dangers of alcohol and other drugs, gambling, bullying, internet safety, driving safety, teen depression and suicide, domestic violence and the values of thoughtful community service." She told the members of the Town Board that next week is Red Ribbon Week, where communities unite and take a stand against substance abuse. ASK is also working with high school students on a Teen Suicide Prevention Program as well as an Anti-Bullying Program. She thanked the community for their support. The Barbeque Cook Off at the Grange Fair was extremely successful. ASK will be sponsoring a Teen Dance at Club Fit on October 29th.

Mr. John Schroeder spoke about the Town's recent auction. He was disappointed by the process. In the past, neighboring property owners were notified of the Town's intent to sell neighboring lots first. Not this time. There were indications that neighboring property owners were interested in purchasing the two parcels in Croton Heights for conservation purposes. Mr. Schroeder also stated that he was disappointed with the description used in the brochure for other vacant land parcels. The two properties on Vine Road and Bronx Road abut a stream. One of the two lots doesn't meet the two acre zoning requirement. During the recent auction, Mr. Schroeder stated that there were two types of bidders, those who were purchasing the property for development purposes, and neighboring property owners who wanted to purchase them for conservation purposes.

Mr. Art Bartosch thanked the Town Board for not rushing into adopting the Tree Ordinance. He lives on Vine Road and agrees with the statements made by the previous speakers.

Mr. Steve Gardner handed the Town Board a copy of a voucher from the Highway Department, a copy of which is on file in the Town Clerk's Office. He stated that at the last Town Board Meeting, he agreed that the Highway Superintendent needed new truck bodies, but he could have purchase truck bodies for less money. Mr. Gardner said the voucher that he handed out represents a waste of \$564 by the Highway Superintendent. This represents a cancellation fee for a cutting machine that his Department ordered and later cancelled.

Highway Superintendent Eric DiBartolo stated that he has nothing to hide, his door is always open and everyone is welcome to hop in his truck and watch him do his job. He further stated that Mr. Gardner and his friends have put together a campaign against him. They have gone as far as blocking in his truck to take pictures of him as he left a restroom in building in Shrub Oak. The voucher was for a root cutter.

Mr. DiBartolo responded to the residents who complained about his lack of paving in Mohegan Lake by stating that they were absolutely right. He did tell the residents of the area that he would complete the paving in 2008. Mr. DiBartolo explained that problems on Gomer Street, after the sewer line was put in delayed him from getting to that area. He gave the residents of Mohegan Lake his assurance that they would be first on the list for paving next year.

Mrs. Gail Chase stated that Mr. DiBartolo just finished explaining that he is being harassed. She stated that when Mr. DiBartolo became Director of Labor Operations she was unnecessarily targeted by him. She was stripped of her duties as foreman, but continued to receive the same pay. Another person was promoted to foreman. Mrs. Chase stated that the Water Department didn't need two foremen.

COURTESY OF THE FLOOR IS CLOSED

Supervisor Siegel responded to some of the comments by stating:

The Town Board and Library have provided Mr. Frank with all of the available documents concerning the new gas line.

She told Mr. Douglas that she knew he was disappointed with the auction. But, the process was open, transparent and fair. We decided that we did not want to make deals with neighboring property owners. Everyone who was interested in bidding on the properties was told to do their due diligence.

The Town has sent the State a detailed report from the Yorktown Fire Chief concerning the proposed controlled burn at the Trump State Park we are waiting for them to respond.

The Holland Sporting Club has always been a concern. The estimates that we have received to do the work are as follows: asbestos removal would be \$46,000 and the cost of having an outside contractor to demolish the buildings is \$217,000. The Town Board is hoping to have a dialogue with the Mohegan Fire District to see if they are interested in doing a controlled burn on the structures at the Holland Sporting Club.

Supervisor Siegel thanked the members of ASK for their work in the community.

Councilman Martorano responded to some of the comments by stating:

He told Mr. Douglas that he agreed with him, all of properties that were sold at auction should have been reviewed by the Conservation Board. He congratulated the members of ASK for their work in the community and asked if Joan Valenstein, one of the founders of ASK would be recognized.

Mrs. Kushner stated she most certainly will be honored.

Councilman Murphy responded to some of the comments by stating:

He told the members of ASK that having this year's Taste of Yorktown at the Grange Fair was a wonderful experience.

Councilman Bianco responded to some of the comments by stating:

Speaking about the Holland Sporting Club, he suggested that the next time a sewer project is set out for bid; the Town Board should include the cost of repaving the road. He further stated that he doesn't understand why the Town departments don't go onto the property and remove the garbage. Councilman Bianco apologized to Mr. Douglas stating that it was a mistake not to refer all of the properties to the Conservation Board and Open Space Committee. Councilman Bianco asked the other members of the Town Board to rescind the vote to approval the sale of the lots on Bronx Road and Vine Road.

Supervisor Siegel stated that before the Board acts, we need to check with the Town Attorney. We don't know if she has closed on this property or has set a closing date.

Councilman Patel responded to some of the comments by stating:

Councilman Patel stated that he has been to the Holland Sporting Club many times to help with the neighborhood clean-ups.

RECONVENE PUBLIC HEARING
PROPOSED LOCAL LAW REPEALING CHAPTER 248 AND CHAPTER 165 AND
RE-ENACTING CHAPTER 165 ENTITLED "STORMWATER MANAGEMENT
AND EROSION AND SEDIMENT CONTROL"

Supervisor Siegel reconvened the public hearing to consider repealing Chapter 248 entitled “Stormwater Management” and Chapter 165 of the Code of the Town of Yorktown entitled “Erosion and Sediment Control”, and re-enacting a new Chapter 165 entitled “Stormwater Management and Erosion and Sediment Control.” Affidavits of Posting and Publication were presented by the Town Clerk.

Mr. Bruce Barber, Yorktown’s Environmental Consultant stated that this proposal is a requirement of New York State. The proposed local law was circulated and the comments that the town received from the Department of Environmental Protection, from the Planning Board and those from residents at the last public hearing were incorporated into this new version.

Mr. John Schroeder asked if the proposed law covers impervious surfaces.

Mr. Barber responded yes, the law also includes a requirement for an erosion and sediment control plan for impervious surfaces.

Mr. Schroeder asked if this law addresses property owners who receive a site plan approval for an impervious surface such as a gravel driveway and paved the driveway the following year.

Mr. Barber said that would be a violation of the sited plan.

Mr. Anthony Grasso stated that he gave a presentation before the Westchester County Board of Legislators some concerning stormwater management. Mr. Grasso believes that one of the first things that the Town of Yorktown needs to do is sweep its streets more than once a year. Leaves are a source of phosphorous in our drinking water. The Town also should consider the addition of filters to its catch basins to collect materials that don’t belong in our drinking water.

Supervisor Siegel spoke about the new environmental regulations. The Town is part of the Croton-Kensico Coalition. Local governments will have to spend \$13 million over the next several years to meet the mandated phosphorous reduction levels.

Highway Superintendent DiBartolo explained that his workers have been unable to clean all of the catch basins in Town on a yearly basis. Westchester County prohibits any work in the catch basins between April and October. The new regulations may be too harsh.

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

NEGATIVE DECLARATION
PROPOSED LOCAL LAW REPEALING CHAPTER 248 AND CHAPTER 165 AND
RE-ENACTING CHAPTER 165 ENTITLED “STORMWATER MANAGEMENT
AND EROSION AND SEDIMENT CONTROL”
RESOLUTION #466

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

WHEREAS, the Town Board has determined that the regulation of stormwater runoff discharges from land development activities in order to control and minimize increases in stormwater runoff rates and volumes, soil erosion, stream channel erosion, and nonpoint source pollution associated with stormwater runoff is in the public interest and will minimize threats to public health and safety; and,

WHEREAS, the Town Board has determined that regulation of land development activities by means of performance standards governing stormwater management and site design will produce development compatible with the natural functions of a particular site or an entire watershed and thereby mitigate the adverse effects of erosion and sedimentation from development; and,

WHEREAS, adoption of a Local Stormwater Management Law is required to meet the requirements of minimum measures 4 and 5 of the SPDES General Permit for Stormwater Discharges from Municipal Separate Stormwater Sewer Systems (MS4s), as amended or revised; and,

WHEREAS, adoption of a Local Stormwater Management Law is required such that land development activities conform to the substantive requirements of the NYS Department of Environmental Conservation State Pollutant Discharge Elimination System (SPDES) General Permit for Construction Activities, as amended or revised; and,

WHEREAS, the Town Board has indicated that it is in public interest to streamline local laws in order to provide greater efficiency, cost effectiveness and clarity; and,

WHEREAS, the Town Board has determined that the existing Local Law Chapter 165 - Erosion and Sediment Control and the existing Local Law Chapter 248 - Stormwater Management contain overlapping and duplicitous components: and,

WHEREAS, the Town prepared a short-form Environmental Assessment Form (EAF), dated August 10, 2010; and,

WHEREAS, the proposed action has been determined to be an Unlisted Action under the State Environmental Quality Review Act (SEQRA); and

WHEREAS, the Town of Yorktown Town Board declared Lead Agency status on August 10, 2010 and referred the short-form EAF and associated documents to the following boards, agencies and departments; NYCDEP, NYSDEC, NYS Department of State, NYSDOT, NY District Army Corp. of Engineers, NYS Office of Parks, Recreation and Preservation, Westchester County Clerk of the Board, Westchester County Department of Health, Westchester County Environmental Facilities Commissioner, Westchester County Planning Board, Westchester County Department of Public Works, Westchester County Transportation Commissioner, Westchester County Soil and Water Board, Northern Westchester Watershed Committee, Yorktown Town Supervisor, Yorktown Town Acting Engineer, Yorktown Building Inspector, Yorktown Planning Director, Yorktown Highway Superintendent, Yorktown Town Attorney, Yorktown Water Superintendent, Yorktown Conservation Board, Yorktown Planning Board Chair, Town of Carmel Supervisor, Town of Cortlandt Supervisor, Town of New Castle Supervisor, Town of Putnam Valley Supervisor, and the Town of Somers Supervisor: and,

WHEREAS, comments were received from the Town of Yorktown Supervisor, Town of Yorktown Planning Department, the acting Town Engineer and NYCDEP and were fully considered: and,

WHEREAS, the Town Board has compared the proposed action with the Criteria for Determining Significance in 6 NYCRR 617.7 (c) and determined that the proposed action will not have a significant adverse impact on the environment; and,

WHEREAS, the Town Board has considered all reasonably related long-term, short term, direct, indirect, and cumulative environmental effects associated with the proposed action including other simultaneous or subsequent actions; and,

WHEREAS, the Town Board opened a public hearing on this matter on October 5, 2010;

NOW THEREFORE BE IT RESOLVED THAT, the public hearing for the adoption of Local Law 248: Stormwater Management and Erosion and Sediment Control is hereby closed; and,

BE IT FURTHER RESOLVED THAT, the Town Board hereby repeals Local Law Chapter 165: Erosion and Sediment Control and Local Law Chapter 248 Stormwater Management, and,

BE IT FURTHER RESOLVED THAT, the Town Board hereby adopts Local Law

Chapter 248: Stormwater Management and Erosion and Sediment Control.

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

LOCAL LAW #10 of 2010

CHAPTER 165 ENTITLED “STORMWATER MANAGEMENT AND EROSION AND SEDIMENT CONTROL”

RESOLUTON #467

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

Whereas, a public hearing was held on the 19th day of October, 2010 pursuant to notice duly published as required by law to consider repealing Chapter 248 entitled “Stormwater Management” and Chapter 165 of the Code of the Town of Yorktown entitled “Erosion and Sediment Control”, and re-enacting a new Chapter 165 entitled “Stormwater Management and Erosion and Sediment Control”, now therefore be it

RESOLVED that Local Law # 10/2010, 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 Murphy	Voting Aye
Councilman Martorano	Voting Aye
Councilperson Patel	Voting Aye
Supervisor Siegel	Voting Aye

Local Law #10/2010 was thereupon declared adopted.

RECONVENE PUBLIC HEARING

PROPOSED LOCAL LAW CREATING A NEW CHAPTER OF THE CODE OF THE TOWN OF YORKTOWN ENTITLED ILLICIT DISCHARGE, CONNECTIONS AND ACTIVITIES

Supervisor Siegel reconvened the public hearing to consider repealing Chapter 168 of the Code of the Town of Yorktown to consider creating a new Chapter of the Code of the Town of Yorktown entitled “Illicit Discharge, Connections and Activities.” Affidavits of Posting and Publication were presented by the Town Clerk.

Mr. Bruce Barber explained that this proposal is also mandated by the New York State Department of Environmental Conservation in order to meet the requirements of the SPDES General Permit Stormwater Discharges from MS4’s, Permit No. GP-0-10-002.

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

NEGATIVE DECLARATION

PROPOSED LOCAL LAW CREATING A NEW CHAPTER OF THE CODE OF THE TOWN OF YORKTOWN ENTITLED ILLICIT DISCHARGE, CONNECTIONS AND ACTIVITIES

RESOLUTION #468

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

WHEREAS, the Town Board of the Town of Yorktown determines it to be necessary to provide for the health, safety, and general welfare of the citizens of the Town of Yorktown through the regulation of non-stormwater discharges to the municipal separate storm sewer system (MS4) to the maximum extent practicable as required by federal and state law; and,

WHEREAS, this local law establishes methods for controlling the introduction of pollutants into the MS4 in order to comply with requirements of the SPDES General Permit for Municipal Separate Storm Sewer Systems.

WHEREAS, this local law is mandated by the New York State Department of Environmental Conservation (NYSDEC) in order to meet the requirements of the SPDES General Permit for Stormwater Discharges from MS4s, Permit No. GP-0-10-002 or as amended or revised; and

WHEREAS, the Town prepared a short-form Environmental Assessment Form (EAF), dated August 10, 2010; and,

WHEREAS, the proposed action has been determined to be an Unlisted Action under The State Environmental Quality Review Act (SEQRA); and

WHEREAS, the Town of Yorktown Town Board declared Lead Agency status on August 10, 2010 and referred the short-form EAF and associated documents to the following boards, agencies and departments; NYCDEP, NYSDEC, NYS Department of State, NYSDOT, NY District Army Corp. of Engineers, NYS Office of Parks, Recreation and Preservation, Westchester County Clerk of the Board, Westchester County Department of Health, Westchester County Environmental Facilities Commissioner, Westchester County Planning Board, Westchester County Department of Public Works, Westchester County Transportation Commissioner, Westchester County Soil and Water Board, Northern Westchester Watershed Committee, Yorktown Town Supervisor, Yorktown Town Acting Engineer, Yorktown Building Inspector, Yorktown Planning Director, Yorktown Highway Superintendent, Yorktown Town Attorney, Yorktown Water Superintendent, Yorktown Conservation Board, Yorktown Planning Board Chair, Town of Carmel, Supervisor, Town of Cortlandt Supervisor, Town of New Castle Supervisor, Town of Putnam Valley Supervisor, and the Town of Somers Supervisor: and,

WHEREAS, comments were received from the Town of Yorktown Supervisor, Town Of Yorktown Planning Department, the acting Town Engineer and NYCDEP and were fully considered: and,

WHEREAS, the Town Board has compared the proposed action with the Criteria for Determining Significance in 6 NYCRR 617.7 (c) and determined that the proposed action Will not have a significant adverse impact on the environment; and,

WHEREAS, the Town Board has considered all reasonably related long-term, short term, direct, indirect, and cumulative environmental effects associated with the proposed action including other simultaneous or subsequent actions; and,

WHEREAS, the Town Board opened a public hearing on this matter on October 5, 2010;

NOW THEREFORE BE IT RESOLVED THAT, the public hearing for the adoption of Local Law 247: Separate Stormwater Sewer System-Illicit Discharge, Detection and Elimination is hereby closed; and,

BE IT FURTHER RESOLVED THAT, the Town Board hereby adopts Local Law 247: Separate Stormwater Sewer System-Illicit Discharge, Detection and Elimination.

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

LOCAL LAW #11 of 2010
CHAPTER 165 ENTITLED “STORMWATER MANAGEMENT AND EROSION
AND SEDIMENT CONTROL”
RESOLUTION #469

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

Whereas, a public hearing was held on the 19th day of October, 2010 pursuant to notice duly published as required by law to consider creating a new Chapter of the Code of the Town of Yorktown entitled “Illicit Discharge, Connections and Activities”, now therefore be it

RESOLVED that Local Law #11/2010, 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 Murphy	Voting	Aye
Councilman Martorano	Voting	Aye
Councilperson Patel	Voting	Aye
Supervisor Siegel	Voting	Aye

Local Law #11/2010 was thereupon declared adopted.

ADVERTISE SPECIAL MEETING
TOWN BOARD NOVEMBER 4, 2010
RESOLUTION #470

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

RESOLVED, the Town Board of the Town of Yorktown will hold a Special Meeting on Thursday, November 4, 2010 at 6:45 P.M. at the Town Hall, 363 Underhill Avenue, Yorktown Heights, New York 10598. This meeting will replace the Town Board’s regularly scheduled meeting that would have been held on Tuesday, November 2nd, 2010 Election Day.

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

ADVERTISE PUBLIC HEARING
PROPOSED FRANCHISE RENEWAL – CABLEVISION
RESOLUTION #471

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 of the Town of Yorktown, at the Town Hall, 363 Underhill Avenue, Yorktown Heights, New York 10598 on the 4th day of November, 2010 at 7:30 o'clock PM, or as soon thereafter as the same can be heard, to consider the renewal of Cablevision Systems Westchester Corporation’s franchise in the Town of Yorktown.

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

A copy of said franchise agreement is on file in the office of the Town Clerk, at the said Town Hall, where the same may be inspected during regular office hours.

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

ADVERTISE PROPOSED LOCAL LAW ENTITLED “SKATEBOARDS, IN-LAW SKATES, ROLLER SKATES AND SCOOTERS.”
RESOLUTION #472

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, 363 Underhill

Avenue, Yorktown Heights, New York on the 4th day of November, 2010 at 7:30 o'clock PM, or as soon thereafter as the same can be heard to adopt a new Chapter 243 of the Code of the Town of Yorktown entitled "SKATEBOARDS, IN-LINE SKATES, ROLLER SKATES AND SCOOTERS" relating to regulations governing the use of these items within the Town of Yorktown.

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

A copy of said proposed local law is on file in the office of the Town Clerk, at the said Town Hall, where the same may be inspected during regular office hours or can be seen on the Town of Yorktown's website, www.yorktownny.org.

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

ADVERTISE PROPOSED LOCAL LAW AMENDING CHAPTER 260 ENTITLED "TAXATION" BY AMENDING ARTICLE IV ENTITLED "INSTALLATION AGREEMENT FOR DELINQUENT REAL PROPERTY TAXES."
RESOLUTION #473

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, 363 Underhill Avenue, Yorktown Heights, New York on the 4th day of November, 2010 at 7:30 o'clock PM, or as soon thereafter as the same can be heard to amend Chapter 260 of the Code of the Town of Yorktown entitled "Taxation," by amending Article IV entitled "Installment Agreement for Delinquent Real Property Taxes," to conform Town Code to Section 1184 of the New York State Real Property Tax Law.

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

A copy of said proposed local law is on file in the office of the Town Clerk, at the said Town Hall, where the same may be inspected during regular office hours or can be seen on the Town of Yorktown's website, www.yorktownny.org.

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

ADVERTISE PUBLIC HEARING – NOVEMBER 16, 2010
PROPOSED LOCAL LAW AMENDING CHAPTER 300-62 ENTITLED "STORAGE OF COMMERCIAL VEHICLES ON RESIDENTIAL PROPERTY."
RESOLUTION #474

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

NOTICE IS HEREBY GIVEN, that a public hearing will be convened by the Town Board, Town of Yorktown, Westchester County, New York at the Town Hall, 363 Underhill Avenue, Yorktown Heights, New York 10598 on Tuesday, November 16, 2010 at 7:30 o'clock PM, or as soon thereafter as the same can be heard to amend sections of Chapter 300-62 of the Code of the Town of Yorktown entitled "Storage of commercial vehicles on residential property."

All persons in interest and citizens may be heard at the public hearing as aforesaid.

A copy of the proposed local law is on file in the Office of the Town Clerk at the said Town Hall, where the same may be inspected during regular office hours. Can also be viewed at www.yorktownny.org

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

ADVERTISE PUBLIC HEARING – DECEMBER 2, 2010

PROPOSED 2011 BUDGET

RESOLUTION #475

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

NOTICE IS HEREBY GIVEN, that the Town Board of said Town of Yorktown will meet and hold a public hearing thereon at the Town Hall, 363 Underhill Avenue, in the said Town, on the 2nd day of December, 2010 at 7:00 o'clock PM, or as soon thereafter as the same can be heard, and that at such hearing any person may be heard in favor of or against the preliminary budget as compiled for or against any items therein contained.

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

ADVERTISE PUBLIC HEARING – DECEMBER 7, 2010

PROPOSED LOCAL LAW REPEALING AND RE-ENACTING CHAPTER 270

ENTITLED “TREES” AND VARIOUS SECTIONS OF THE CODE OF THE TOWN OF YORKTOWN INCLUDING CHAPTER 10, 165, 178 AND CHAPTER 195

RESOLUTION #476

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

NOTICE IS HEREBY GIVEN, that a public hearing will be reconvened by the Town Board, Town of Yorktown, Westchester County, New York at the Town Hall, 363 Underhill Avenue, Yorktown Heights, New York 10598 on the 7th day of December, 2010 at 7:30 PM, or as soon thereafter as the same can be heard, to repeal and reenact Chapter 270 of the Code of the Town of Yorktown entitled “TREES” and various sections of the Code of the Town of Yorktown including Chapter 10, Chapter 165, Chapter 178 and Chapter 195.

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

A copy of the proposed Local Law is on file in the office of the Town Clerk, at the said Town Hall, where the same may be inspected during regular office hours. The Proposed Local Law may also be viewed on the Town Website @ yorktownny.org

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

PROPOSED LOCAL LAW AMENDING CHAPTER 115 RELATING TO DOGS

RESOLUTION #477

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

NOTICE IS HEREBY GIVEN, that a public hearing will be convened by the Town Board, Town of Yorktown, Westchester County, New York at the Town Hall, 363 Underhill Avenue, Yorktown Heights, New York 10598 on the 7th day of December, 2010 at 7:30 PM, or as soon thereafter as the same can be heard, to amend Chapter 115 of the Code of the Town of Yorktown entitled “ANIMALS,” to establish a municipal dog licensing program and to amend fees related to the impoundment of dogs.

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

A copy of the proposed Local Law is on file in the office of the Town Clerk, at the said Town Hall, where the same may be inspected during regular office hours. The Proposed Local Law may also be viewed on the Town Website @ yorktownny.org

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

ENGINEERING DEPARTMENT
VARIOUS CHEMICALS BID #10-03
RESOLUTION #478

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

Bids were received by the Town Clerk on Thursday, October 14, 2010, for the above-referenced project and are summarized as follows:

CHEMICAL	BIDDER	AMOUNT
Ferric Chloride	Kemira Water Solutions Coyne Chemical Co.	\$560.00 per dry ton \$712.00 per dry ton
Ferric Chloride 37% to 40%	Slack Chemical Co.	\$184.29 per drum
Caustic Soda 50%	Tridon Chemical Slack Chemical Co.	\$2.12 per gallon \$2.39 per gallon
Caustic Soda 25%	Slack Chemical Co.	\$119.35 per drum
Citric Acid 50%	Slack Chemical Co. Coyne Chemical Co.	\$389.41 per drum \$438.75 per drum
Sulfuric Acid (not more than 51%)	Slack Chemical Co.	\$169.89 per drum
Sodium Bisulfite 38%	Slack Chemical Co. Coyne Chemical Co.	\$159.87 per drum \$183.60 per drum
Sodium Hypochlorite 15%	Slack Chemical Co. Tridon Chemical Co.	\$124.98 per drum \$141.48 per drum
Calgon Poly-E-Z 6500	Coyne Chemical Co., Inc. Nalco Company	\$11.59 per dry ton \$16.05 per dry ton

RESOLVED, that the bid for Ferric Chloride be awarded to Kemira Water Solutions, the low bidder, at a cost of \$560.00 per dry ton, and be it further

RESOLVED, that the bid for Ferric Chloride 37% to 40% be awarded to Slack Chemical Co., the sole bidder, at a cost of \$184.29 per 55 gallon drum, and be it further

RESOLVED, that the bid for Caustic Soda 50% be awarded to Tridon Chemical Co., the low bidder, at their bid price of \$2.12 per gallon,

RESOLVED, that the bid for Caustic Soda 25% be awarded to Slack Chemical Co., the sole bidder, at a cost of \$119.35 per 55 gallon drum, and be it further

RESOLVED, that the bid for Citric Acid 50% be awarded to Slack Chemical Co., the low bidder, at a cost of \$389.41 per 55 gallon drum, and be it further

RESOLVED, that the bid for Sulfuric Acid (not more than 51%) be awarded to Slack Chemical Co., the sole bidder, at a cost of \$169.89 per 55 gallon drum, and be it further

RESOLVED, that the bid for Sodium Bisulfite 38% be awarded to Slack Chemical Co., the low bidder, at a cost of \$159.87 per 55 gallon drum, and be it further

RESOLVED, that the bid for Sodium Hypochlorite 15% be awarded to Slack Chemical Co., the low bidder, at a cost of \$124.98 per 55 gallon drum, and be it further

RESOLVED, that the bid for Calgon Poly-E-Z 6500 be awarded to Nalco Co., the sole bidder, at a cost of \$16.05 per dry ton.

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

ENGINEERING DEPARTMENT
SLUDGE AND GREASE REMOVAL BID # 10-04
RESOLUTION #479

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

Bids were received by the Town Clerk on Thursday, October 14, 2010, for the above-referenced project and are summarized as follows:

<i>BIDDER</i>	Stand-by Weekday Hour	Digester Cleaning (per gallon)	Sludge Removal Scheduled at STP (per gallon)
Spectraserv	No Bid	\$0.40	\$0.13
Fred A. Cook, Jr., Inc.	\$105.00	\$0.45	\$0.138

Resolved, that the bid for Digester Cleaning is awarded to Spectraserv, at a price of \$.40 per gallon, and BE IT FURTHER

Resolved, that the bid for Sludge Removal scheduled at the STP, is awarded to Spectraserv, at a price of \$0.13 per gallon, and BE IT FURTHER

Resolved, that the bid for Stand-by Weekday Hour, is awarded to Fred A. Cook, Jr., Inc, at a price of \$105.00 per weekday hour.

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

DEPARTMENT OF ENVIRONMENTAL CONSERVATION
2011 FORD F550 4X4 TRUCK BID
RESOLUTION #480

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

WHEREAS, invitation to bid for the purchase of one (1) 2011 Ford F550 4x4 Truck for use in the Environmental Conservation Department was duly advertise, and

WHEREAS, said bids were received on the 18th day of October 2010 at the Town Hall, 363 Underhill Avenue, Yorktown Heights, New York 10598, and

WHEREAS, the Superintendent of Environmental Conservation has recommended that all bids be rejected and that the matter be rebid, now therefore be it

RESOLVED, that all bids received for the purchase of one (1) 2011 Ford F550 4x4 Truck for use in the Environmental Conservation Department be rejected and that the matter be rebid.

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

APPROVE VARIOUS BUDGET TRANSFERS
RESOLUTION #481

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

A 4489	Federal Aid:Nutrition	15,000.00	Nutrition Grant
A 6772.202	Nutrition Van	15,000.00	Nutrition Grant
A 1110.108	Justice Court Lump Sum	18,751.17	Cover 2nd court retirement
A 1910.467	Liability Unallocated Insurance	(18,751.17)	Available funds
A 1002.3	Appropriated Fund Balance-Seniors	37,000.00	Cover social worker/improvements
A 4489	Federal Aid: Nutrition	(27,000.00)	Amend prior budget adjustment
A 6772.480	Nutrition-Senior Grants	10,000.00	Cover social worker/improvements
A 7110.490	Parks Professional Services	23,250.00	Cover Sparkle Lake Dam report
A 7310.110	Camp Temp Help	(23,250.00)	Available funds
A 8020.490	Planning Professional Services	32,830.00	Cover Biodiversity Study
A 1910.467	Liability Unallocated Insurance	(32,830.00)	Available funds
D 5110.479	Highway Roads Drainage	30,000.00	Drainage projects
D 5110.467	Highway Insurance	(23,207.70)	Available funds
D 9700.710	Highway Interest Expense	(6,792.30)	Available funds

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

BOND ACCEPTANCE – SILVERMAN SUBDIVISION
EROSION CONTROL BOND – EXCAVATION
PERMIT #E-042-10 – WILLIAMS DRIVE
RESOLUTION #482

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

WHEREAS, Elizabeth Silverman, as applicant, provided the Town with Check No. 3371 in the amount of \$1,000.00, to serve as the Erosion Control Bond for Excavation Permit #E-042-10, for the Elizabeth Silverman Subdivision located on Williams Drive; and

WHEREAS, all other monies related to the above referenced subdivision were accepted by the Town Board at their meeting of December 1, 2009; NOW, THEREFORE BE IT

RESOLVED, that the above referenced check is hereby accepted to serve as the required bond for the Silverman Subdivision.

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

BOND ACCEPTANCE – ALGONQUIN GAS
SPECTRA ENERGY - #WP-E-030-10

RESOLUTION #483

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

WHEREAS, Spectra Energy/Algonquin Gas, as applicant, provided the Town with Check No.0142563, in the amount of \$2,500.00, to serve as the Erosion Control Bond for Town Board approving permit #WP-E-030-10, for gas pipeline work throughout the Town of Yorktown, and

WHEREAS, Spectra Energy/Algonquin Gas, as applicant, provided the Town with Check No.10142562, in the amount of \$1,500.00, to serve as construction monitoring escrow fee, NOW, THEREFORE BE IT

RESOLVED, that the above referenced checks are hereby accepted to serve as the required monies for the above referenced Wetland/ Excavation Permit.

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

BOND RELEASES – ROUTE 202

EROSION CONTROL BOND WP-009-89 / E-003-94

RESOLUTION #484

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

WHEREAS, Joseph Adrian, as applicant, heretofore filed an Erosion Control Bond in the sum of \$5,000.00, which was deposited into the T33 account on June 19, 1987, to serve as the Erosion Control Bond for Wetland Permit #WP-009-89, for work performed at the Adrian Auto Mall site located on Route 202; and

WHEREAS, the above referenced Erosion Control Bond was reduced to \$1,000.00 at the Town Board Meeting of December 18, 1990, Resolution #661, and transferred to Excavation Permit #E-003-94 for remaining work at the Auto Mall site and other Adrian property; 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 \$1,000.00 for Erosion Control may be released; NOW, THEREFORE BE IT

RESOLVED, that the above-described Erosion Control Bond in the amount of \$1,000.00 be and is hereby released to Mr. Joseph Adrian, 2445 Mark Road, Yorktown Heights, NY 10598.

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

BOND RELEASE – CROW HILL RD.

EROSION CONTROL BOND WP-043-09

RESOLUTION #485

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

WHEREAS, Lori Juergens, as applicant, heretofore filed an Erosion Control Bond in the amount of \$350.00, which was deposited into the T33 Account on October 16, 2009, covering Wetland Permit #043-09, for work performed at her Crow Hill Road 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 \$350.00 for erosion control may be released; NOW, THEREFORE BE IT

RESOLVED, that the above-described Erosion Control Bond in the amount of \$350.00 be and is hereby released to Ms. Lori Juergens, 459 Crow Hill Road, Yorktown Heights NY 10598.

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

AUTHORIZE SUPERVISOR TO SIGN AGREEMENT WITH JOHN J. BURKHARDT, ESQ. FOR LEGAL SERVICES TO DEFEND THE TOWN OF YORKTOWN WITH A TAX CERTIORARI CASE FILED BY ROC SHRUB OAK RESOLUTION#486

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

RESOLVED, that the Town Supervisor is hereby authorized to sign an agreement with John F. Burkhardt, Esq. for legal services to defend the Town in connection with a tax certiorari case filed by Roc Shrub Oak. The contract amount is \$200.00 per hour plus disbursements and the term is for the duration of the case not including any appeals.

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

AUTHORIZE INTERIM TOWN PROSECUTOR TO BE PAID FROM JUNE 15, 2010 TO JULY 20, 2010 DANIEL L. PAGANO RESOLUTION #487

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

RESOLVED, that the Town Supervisor is hereby authorized to sign an agreement with Daniel L. Pagano, Esq., for legal services to the Town to serve as Interim Town Prosecutor. The contract amount is \$180.00 per hour plus disbursements. The term of the agreement is from June 15, 2010 until July 20, 2010.

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

APPROVE PAYMENT TO CEDAR HILLS LANDSCAPING FOR ADDITIONAL WORK AT PATRIOT GARDEN RESOLUTION #488

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

WHEREAS the Town Board of the Town of Yorktown on September 9, 2009 awarded to Cedar Hills Landscaping the construction of the Patriot Garden; and

WHEREAS said contract was awarded for a maximum amount of \$ 168,078.00; and

WHEREAS Cedar Hills Landscaping has submitted additional expenses for required work:

Supply and Install 4,000 sf of erosion control mat along retention basin	\$ 2,000.00
Supply and Install 40 yards of 4-6 local rip rap stone	\$ 2,100.00
Supply and Install 4 plastic flared pipe ends (15 inch)	\$ 700.00
Supply and Install one precast catch basin, with concrete cover. Supply and Install 40 lf of 15 inch poly.	
Supply and Install two tons of asphalt. Salvage existing catch basin, frame and grate	<u>\$ 3,800.00</u>
	\$8,600.00, and

THEREFORE BE IT RESOLVED the Town of Yorktown hereby authorizes payment for said expenses with an increased allocation of \$ 8,600.00 for a total project cost of \$176,678.00

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

WAIVE UNCOLLECTABLE TAX LIENS
RESOLUTION #489

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

Whereas the Town of Yorktown wishes to remove the below-listed uncollectible liens from the Receiver's records, which liens are categorized as follows:

1. Parcels owned by the Town and later sold to subsequent owners, which liens predated the Town's acquisition,
2. Town-owned parcels acquired by foreclosure,
3. Parcels that have been taken off the tax roll,
4. A Town-owned tax exempt parcel, and
5. A privately-owned tax exempt property,

Now therefore be it resolved that the Town Board directs the Receiver of Taxes to remove from her records the following liens:

<u>SBL</u>	<u>LOCATION</u>	<u>OWNER</u>	<u>Total Lien</u>	<u>Lien Years</u>
Properties purchased from the Town				
15.16-3-59	3351 FENIMORE AVE.	TOWN OF YKTWN - PRIOR PURCHASE	\$2,045.46	1990-1995
15.16-3-60	3463 HEYWARD ST.	TOWN OF YKTWN - PRIOR PURCHASE	\$2,045.46	1990-1995
15.16-3-8	HILLSIDE ST.	TOWN OF YKTWN - PRIOR PURCHASE	\$1,065.75	1973-1975
17.05-1-29	3735 GOMER ST.	TOWN OF YKTWN - PRIOR PURCHASE	\$4,840.94	1990-1995
26.20-1-29	770 LOCKSLEY RD.	TOWN OF YKTWN - PRIOR PURCHASE	\$330.32	1973-75;79-81';87
37.15-2-8	94 HALYAN RD.	TOWN OF YKTWN - PRIOR PURCHASE	\$3,291.07	1974-1987
59.07-1-16	COLONEL GREENE RD.	TOWN OF YKTWN - PRIOR PURCHASE	\$8,125.14	1990-1995

In-Rem properties, 2009

25.08-1-81	LAKEFRONT AVE. 2265 VAN	TOWN OF YORKTOWN IN-REM	\$2,698.53	1995-2005
37.06-1-12	CORTLANDT CR.	TOWN OF YORKTOWN IN-REM	\$29,846.95	1998-2009
37.14-1-74	CROMPOND RD.	TOWN OF YORKTOWN IN-REM	\$13,421.53	1997-2009
69.08-1-26.11	AQUEDUCT ST.	TOWN OF YORKTOWN IN-REM	\$1,397.04	1998-2009

Properties removed from the assessment roll

16.6-1-50.11	PINE CT.	TOWN OF YKTN - TAKEN OFF ROLL	\$2,428.77	1993-2005
36.10-2-88.11	PARK LA.	TOWN OF YKTN - TAKEN OFF ROLL	\$715.35	2004-2006
36.11-1-47.11	MOHANSIC AVE.	TOWN OF YKTN - TAKEN OFF ROLL	\$1,152.23	2004-2006
36.11-1-29	MOHANSIC AVE.	TOWN OF YKTN - TAKEN OFF ROLL	\$1,638.14	2004-2006
48.10-1-60.11	ANNA CT.	TOWN OF YKTN - TAKEN OFF ROLL	\$104.86	2000 & 2005
700.-1-1./001	EAST MAIN ST.	TOWN OF YKTN - TAKEN OFF ROLL	\$5,684.68	2000-2006
26.1-1-1	STONY ST.	TOWN OF YKTN - TAKEN OFF ROLL	\$136,330.22	2005-2007
36.10-2-87.11	ELLEN LA.	TOWN OF YKTN - TAKEN OFF ROLL	\$138.23	2004-2006
36.17-1-6.11	HUNTERBROOK RD.	TOWN OF YKTN - TAKEN OFF ROLL	\$399.42	2003-2005

Miscellaneous

48.19-1-14	HANOVER ST.	Town of Yorktown EXEMPT: YESHIVA	\$247.65	2002
69.07-1-8	340 ILLINGTON RD	SETTLEMENT	\$28,653.94	1984

TOTAL LIENS REMOVED \$246,601.68

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

**ENDORSE APPLICATION TEATOWN LAKE RESERVATION
FOR A GRANT FROM NEW YORK STATE FOR TRAIL PROJECT
RESOLUTION #490**

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

WHEREAS, Teatown Lake Reservation is applying to the New York State Office of Parks, Recreation and Historic Preservation for a grant under the Recreational Trails Program

for a trail project to be located at 1600 Spring Valley Road in Ossining, a site located within the territorial jurisdiction of the Town of Yorktown; and

WHEREAS, as a requirement under the rules of these programs, said not-for-profit corporation must obtain the "approval/endorsement of the governing body of the municipality in which the project will be located";

NOW, THEREFORE, be it resolved by this august body that the Board of Yorktown hereby does approve and endorse the application of Teatown Lake Reservation for a grant under the Recreational Trails Program for a trail project known as Lakeside Boardwalk Project and located within this community.

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

DEDICATION OF PARKLAND
PARCELS 26.06-1-1 AND 26.09-1-22
RESOLUTION #491

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

WHEREAS, Town Law Section 64 allows a town to acquire by purchase, in the manner provided by law any lands or rights therein, either within or outside the town boundaries, required for any public purpose; and

WHEREAS, the Town of Yorktown has come into the ownership of two parcels of property through open space purchase; and

WHEREAS, a review by the Town of Yorktown has determined that these properties are appropriate for parkland; and

WHEREAS, the Town Board finds that dedication of these parcels is in the public interest and is consistent with the Town's policy with respect to the acquisition and preservation of parkland, be it

RESOLVED, the Town of Yorktown does hereby formally dedicate the following parcels as public parkland:

Section	Block	Lot	Location
26.06	1	1	Stoney Street (Granite Knolls)
26.09	1	22	Stoney Street (Granite Knolls)

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

DEDICATION OF PARKLAND
PARCELS 48.18-2-39 AND 48.18-2-37
RESOLUTION #492

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

WHEREAS, Article 11 of the Real Property Tax Law allow a town to acquire real property by in rem proceeding; and

WHEREAS, the Town of Yorktown has come into the ownership of two parcels of property through an in rem proceeding; and

WHEREAS, a review by the Town of Yorktown has determined that these properties are appropriate for parkland; and

WHEREAS, the Town Board finds that dedication of these parcels is in the public interest and is consistent with the Town's policy with respect to the acquisition and preservation of parkland, be it

RESOLVED, the Town of Yorktown does hereby formally dedicate the following parcels as public parkland:

<u>Section</u>	<u>Block</u>	<u>Lot</u>	<u>Location</u>
48.18	2	39	566 Croton Heights Road
48.18	2	37	586 Croton Heights Road

Supervisor Siegel stated that she will be voting no for this resolution because a declaration of parkland will take away our ability to do anything with this land in the future.

Councilman Martorano stated it is for that very reason that we should make it parkland, so there will never be any development on the property.

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

**DEDICATION OF MONEY FOR
PRACTICE BALLFIELDS AT
GRANITE KNOLLS
RESOLUTION #493**

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

Resolved, that the Town Board dedicates up to \$25,000 of the interest and penalties paid by the owners of the Granite Knolls property be used to build practice fields on the westerly portion of Granite Knolls.

Supervisor Siegel stated that the Board should discuss this issue at budget time.

Councilman Murphy stated that he did not want to wait. We have sports clubs who desperately need practice fields now.

Highway Superintendent Eric DiBartolo stated that the Town has the equipment that was used at Legacy Ball Fields. The Highway Department would be willing to build the two practice ball fields.

Bianco, Martorano, Murphy, Patel Voting Aye
Siegel Abstaining from Voting

**REFUND DUPLICATE TAX PAYMENTS
ACCOUNT #1756822
RESOLUTION #494**

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

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

<u>Tax & Year</u>	<u>Property</u>	<u>Amount</u>	<u>Refund to:</u>
2010 Sch 22	16.20-1-22	\$5,479.70	Michael & Lisa Aquilino 6 Whitman Drive Katonah, NY 10536

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

COURTESY OF THE FLOOR

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

Mr. Howard Frank stated that he was amazed to find out that the Town had sold that property on Bronx Road and Vine Road again. The Town sold that property in the 1980's and the individual who purchased it found out that he would have to build his septic tank on his neighbor's property because his was too small.

Highway Superintendent DiBartolo spoke about the \$325,000 that everyone is saying needed to pay before the Legacy Ball Fields are completed. He believes the number has been inflated and suggested that some of the projects like adding a gate could be phased in. Mr. DiBartolo also explained that before Con Edison installed the new gas line at the Library, they gave his office information which may be what Mr. Frank is looking for.

Mr. Ken Belfer congratulated Colette Rodgers, Department head of Yorktown's Section 8 program on her new job. He thanked the Town Board for adopting the new stormwater regulations. Mr. Belfer further stated that he is a member of the Stormwater Committee. Speaking as a property owner and member of the Mohegan Lake Improvement District, this legislation is greatly needed.

Ms. Gina Serafin, a resident of Spring Drive thanked the Board for their action in making the two parcels located on Croton Heights Road parkland.

Supervisor Siegel responded to some of the comments by stating:

She didn't know what the current zoning on Vine Road is. But, she didn't think that either parcel met the current zoning requirement.

Regarding Legacy Ball Field, the Town has a contract with Westchester County. The Town Board passed a resolution to satisfy the neighbors of this ball park. Many of the expenses come out of that resolution.

ADJOURN

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

Alice E. Roker
Town Clerk
Town of Yorktown