

Zoom Teleconference Meeting of the Town Board, Town of Yorktown held on Tuesday, September 22, 2020 held in Yorktown Heights, New York 10598.

Present: Matthew J. Slater, Supervisor
Thomas P. Diana, Councilman
Edward A. Lachterman, Councilman
Vishnu V. Patel, Councilman
Alice E. Roker, Councilwoman

Also Present: Diana L. Quast, Town Clerk
David Paganelli, Highway Superintendent
Adam Rodriguez, Town Attorney

TOWN BOARD MEETING

Supervisor Matthew Slater called the meeting to order.

EXECUTIVE SESSION

Upon motion made by Councilman Lachterman, seconded by Councilman Patel, the Town Board voted to go into Executive Session to discuss the employment of particular persons. Upon motion made by Councilwoman Roker, seconded by Councilman Diana, to move out of Executive Session and return to the Work Session.

PLEDGE OF ALLEGIANCE

Supervisor Matthew Slater led the Pledge of Allegiance.

ADOPT TRIBUTE TO SUPREME COURT JUSTICE RUTH BADER GINSBERG
RESOLUTION #311

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

WHEREAS, Supreme Court Justice Ruth Bader Ginsberg was a proud New Yorker, born on March 15, 1933 in Brooklyn; and

WHEREAS, Justice Ginsberg graduated first in her class from Cornell University in 1954 and married her college sweetheart Martin that same year; and

WHEREAS, Justice Ginsberg went on to attend Harvard Law School, being one of only nine female students in a class of 500 and becoming the first female member of the prestigious Harvard Law Review; and

WHEREAS, Justice Ginsberg transferred to Columbia Law School in order to join her husband where she graduated first in her class in 1959; and

WHEREAS, Justice Ginsberg went onto win five cases before the United States Supreme Court; and

WHEREAS, President Jimmy Carter appointed her to the U.S. Court of Appeals for the District of Columbia in 1980 and in 1993 she was appointed to the Supreme Court by President Bill Clinton; and

WHEREAS, as the time Justice Ginsberg was only the second woman to be named to the Supreme Court, following Sandra Day O'Connor, and was the first Jewish woman to serve; and

WHEREAS, Justice Ginsberg earned a reputation as a trailblazer advocating for gender equality and women's rights; and

WHEREAS, her notable time on the Supreme Court included ending the all-male enrollment of the Virginia Military Institute with taxpayer dollars (United States v. Virginia) in 1996 and Ledbetter v. Goodyear Tire (2007) in which a woman sued unsuccessfully for back pay to compensate for the years in which she was paid substantially less than junior male colleagues performing the same job. The U.S. Congress would later address the issue of pay equality by passing the Lily Ledbetter Fair Pay Act in 2009; and

WHEREAS, Justice Ginsberg's well documented friendships with the more conservative members of the Court included Justice Sandra day O'Connor and Justice Antonin Scalia, provide a modern-day reminder of the importance of civility in the present-day political arena; now therefore,

BE IT RESOLVED, that the Town of Yorktown pauses in its deliberation to remember an incredible American; and

BE IT FURTHER RESOLVED, that the Town of Yorktown once again reaffirms its commitment to achieving a free and equal society; and

BE IT FURTHER RESOLVED, that the Town of Yorktown applauds Justice Ginsberg for her exemplary years of public service to the United States of America.

Slater, Diana, Lachterman, Patel, Roker Voting Aye
Resolution adopted.

MOMENT OF SILENCE

Supervisor Slater asked everyone to join him in a moment of silence to remember Supreme Court Justice Ruth Bader Ginsberg who passed away on September 18th. He also asked to remember Town staff members and their families who very recently received news of parents falling ill.

Supervisor Slater talked about the relationship between Justice Ginsberg and Justice Scalia, who were great friends but who were on opposite sides of the political fence.

INTRODUCTIONS

Supervisor Slater introduced members of the Town Board, as well as Town Clerk Diana Quast, Town Attorney Adam Rodriguez, and Police Chief Robert Noble.

NEW YORK STATE EXECUTIVE ORDER 203

Supervisor Matt Slater said, as everyone knows, Yorktown is being mandated by Executive Order 203 to convene a task force, which is now called Yorktown Coalition on Community Safety and Engagement (CCSE). Supervisor Slater introduced a slide presentation that gave the history of the order, which was signed on June 12, 2020 by Governor Cuomo. The order requires that all local governments with a police agency to perform a comprehensive review of current police force deployments, strategies, policies, procedures, and practices. It also requires a plan to be developed to improve any deficiencies or shortfalls. The chief executive of the Town (the Supervisor) is to create a task force with the Chief of Police and community stakeholders. The task force is to consult with members of the community, non-profit organizations, faith-based community groups, the local office of the district attorney, and local public defenders. Supervisor Slater said the state had issued a guidebook for the Executive Order, which could be found online. He said it is important to point out that "guidebook" does not equate to regulations. He said the order states that the Director of the Division of the Budget would promulgate regulations, which would provide greater clarity or direction. Supervisor Slater said he contacted the governor's office several times and spoke with members of the Executive Branch; however, the regulations have not been promulgated. He said, at this point, the Town Board does not feel that the regulations that are going to be promulgated would provide any greater detail than the current guidebook. He said, from that standpoint, they are going to be relying on the guidebook until they hear or see what the regulations are. He said the Lieutenant Governor was in Town the other day and he had conversations with some of the staff members who were present and they felt we were making the right decision by proceeding and utilizing the guidebook until the regulations are promulgated.

Supervisor Slater continued with the slide presentation and said that, in his mind, this comes down to process. He said the Town is committed to an inclusive process and reviewed the establishment of this process.

- Yorktown is required to transmit a report and a signed certification form to the Director of the Division of Budget by April 1, 2021.
- All meetings will take place virtually, be open to the public, aired on TV, and streamed on the Town's website.
- Minutes will be recorded for all meetings, courtesy of the Town Clerk's Office, and included as part of the Town's final report.
- The focus of all discussions will be on the Town of Yorktown.

Supervisor Slater discussed the timeline of confirming to Executive Order 203 that would run from September 2020 through March 2021. Supervisor Slater showed the dates of the first portion of the process – the Listening Session Schedule, which consists of Work Group Meetings and Listening Sessions. The members of the Coalition were listed as follows: Jim Poulin – President of the Yorktown Lions, Rabbi Robbie Weiner – Yorktown Interfaith Coalition, Rosemarie Panio – Chairperson of the Senior Advisory Committee, Toni Reynolds – Citizen Representative, Liz Rivera – Citizen Representative, Peter Lanza – Vice President of the Yorktown Chamber of Commerce, Paul Cirilo – Youth Representative, Supervisor Matt Slater, and Police Chief Robert Noble. Supervisor Slater said this coalition is incredibly diverse from an age perspective, an ethnicity perspective, and from an affiliation perspective. He believes it does a good job in providing a host of backgrounds and represents the Town very well. He said it was a very deliberate decision in who was chosen; the conversations involved in these meetings could be understandably emotion and these individuals would do a great job in making sure they stay focused on the objective, which is the Town of Yorktown, and help cultivate and nurture a very important conversation for the community. The following organizations were invited as community participants: Yorktown for Justice, Yorktown Alliance for Safe Kids, Lakeland Central School District, Yorktown Central School District, Hope’s Door, The Legal Aid Society of Westchester County, and the Yorktown PBA. Supervisor Slater said everyone would have a role in this and that the focus is on compliance with Executive Order 203.

Police Chief Robert Noble said, at the end of the day, you want everyone treated as you would like to see a member of your family treated. He said that has always been his view and feels he has a department of officers who comply with this. He said he is hoping that they can beat the March 2021 deadline since he has an accreditation audit in 2021. Chief Noble said their data would back up the good work that they do.

Councilwoman Roker said she feels that they need to reassure people, particularly Yorktown for Justice, that all of these meetings would be open meetings.

Supervisor Slater said whether you are on the task force or not determines anything because what they are going to provide is a very engaging process – everybody and anybody can participate. It would be up to the person as to what level they want to commit themselves. He said feedback would be used to provide a fair and accurate assessment of what they are supposed to, according to EO203.

Councilman Lachterman said he wanted to reiterate that this is about the Yorktown Police Department; it is not about policing on a city, state, or national level.

Supervisor Slater said he is looking forward to getting the process started and thanked the members of the community who have helped them get this far in the process, as well as the Town Board, and the Town Clerk for her assistance with the video production and minutes.

Councilman Diana said that the Yorktown Police Department appears to follow the recommended protocols already but there is always room for “tweaking.”

Councilwoman Roker is looking forward to having the community learn about the protocols the Yorktown Police Department follows, as well as what being an accredited police agency means.

PARK SAFETY ENHANCEMENTS

Supervisor Slater introduced James Martorano, Parks and Recreation Superintendent and Ellen Bloom, New York Presbyterian (NYP) Hudson Valley Hospital Center.

Superintendent Martorano said he has partnered with Ms. Bloom to help keep our parks safe. Ms. Bloom thanked the Town for the work they have been doing to keep them open and operational and moving smoothly. She said for the hospital to be able to work on this partnership is a privilege for them. She said they want to help keep the community safe and NYP would be funding the refills of hand sanitizers at the parks, for as long as is needed. Superintendent Martorano listed all of the locations where the sanitizer dispensers could be found.

Ms. Bloom said this would be great visibility for the hospital and great support for the community and they are happy to do this.

Supervisor Slater said he is very happy this was able to come to fruition.

Councilman Lachterman raised the issue that Councilman Patel had raised at a previous meeting regarding disrepair at the gazebo. He said he spoke with John DeVito who is willing to do a portion of the work, along with the Parks & Recreation Department. Mr. DeVito said he ordered boards; however, the wait is long due to the holdup in lumber production. Councilman Lachterman asked that Superintendent Martorano be in touch with Mr. DeVito to coordinate the repairs.

FOOD TRUCK SITE

Supervisor Slater introduced John Tegeder, Director of Planning, and Rich McHale, property owner.

Mr. Tegeder said that Mr. McHale contacted him and he is the owner of the property at 401 East Main Street (across from the deli in Jefferson Valley). Mr. McHale is proposing to put a number of food trucks on the property as a semi-permanent array and some outside seating.

Mr. McHale said he is the owner of the property for about 10 years ago and has not done much with the property. He said he bought out the partners in the ownership of the property and is now the sole owner.

Mr. Tegeder said this discussion is about whether or not the Town Board would be in favor of such a use of commercial property and if so, how it would work under the Town's Zoning Code. It is under the Country Commercial Zone and you can do restaurants and "other places serving food" and this is close and may be allowed. The question is how the "movability" of the trucks would work. He said there are licenses to vend food from a truck among other things (Peddlers License) and is usually done through the Town Clerk's office. A site plan may be required to establish where the trucks would go, the number of parking spaces, seating, etc. Mr. Tegeder shared a diagram Mr. McHale submitted showing the layout of the property, as he sees it happening. The diagram showed parking spaces and spots for four food trucks, as well as a seating area.

Supervisor Slater asked if the food trucks would be permanent or cycled in and out. Mr. McHale said he is not yet sure how long he would contract the trucks – most likely on a per diem basis. Supervisor Slater referred Mr. McHale to the presentation done at last week's meeting by Best Food Trucks who is interest in partnering with the Town to do something very similar. He said their model might work for Mr. McHale.

Councilwoman Roker asked Mr. Tegeder if there is a zoning question here and he said yes. He said a food truck is clearly a restaurant or "other place serving food" but says they just have to be careful of what the language is and what it provides to do. He said he brought this to the Town Board to make sure everyone is able to understand the direction of where this is going. Mr. Tegeder said it is an open question he can work on with the Town Attorney if the Town Board wants to pursue it. Mr. Tegeder said the question of licensing would need to be addressed under Chapter 219 since it is a moveable piece of equipment.

Councilman Patel said there are other food vendors in Town and asked if this would be different in structure and if it would be a mobile service. Councilwoman Roker said the food trucks would have to pay Mr. McHale for the space. Mr. McHale agreed and said he is not looking to sell food himself; he is supplying the space and an adequate dining area. He said it would be more of a high-end food truck service.

Councilman Diana said directly across the street from the entrance to Mr. McHale's site is the deli, a brick-and-mortar store, that has been there for many years. He wondered about how taxes would be paid. Mr. McHale said he worked in the business directly next to the deli and frequented it – mostly for coffee and rolls. He said his property would be for high-end food trucks. Councilwoman Roker said the code states that these trucks must be 300 feet from any food establishment. She said there are many things to be considered. She said the law is very specific. Councilwoman Roker said when she was Town Clerk there were many restaurants upset with food truck vendors and the Town Board wrote into the law that they had to be 300 feet away from food establishments.

Supervisor Slater asked Mr. McHale if he knew how far he is from the deli and Mr. McHale said the trucks would be positioned on the back end of the property, at the widest part it is 118 feet. He said it is not directly across the street; it is catty-cornered from the deli's lot. He said it is probably right at the 250-300 foot mark. Councilman Diana said it is a good idea, but he would not want to see a long-established business hurt. Mr. McHale said there is not much he can do with his lot – he cannot

put a septic system in, for example – and this is something where it dresses up the property, brings more people in, and possibly gives the deli more exposure. He feels it would enhance the area.

Councilman Lachterman said there is something on a smaller scale located on Route 9A in Elmsford – the 9A Food Truck Park. He said it is similar in set up and you could talk to local business to see if it has affected them.

Supervisor Slater said that between Mr. Tegeder and Town Attorney Adam Rodriguez, they should make sure the code is clear.

Councilwoman Roker asked how many Country Commercial sites were in Yorktown and Mr. Tegeder said there is Jefferson Valley where all of the sites along the lake are Country Commercial and there are a handful down on Route 129 (the former Jennifer's Restaurant, Hilltop Gas Station) and the deli on Gomer Street.

Supervisor Slater said Town Clerk Quast had also raised issues about Peddlers' Permits before and he wanted to make sure she is included in any discussions, as well as any amendments to the law. He told Mr. McHale that the Town is in favor of food trucks but they want to make sure that it would not hurt any existing businesses.

CLEAN ENERGY COMMUNITIES PROGRAM

Supervisor Slater introduced John Tegeder, Director of Planning, Swarnav Pujari - CSC Task Force, and Bob DeAngelis - CSC Task Force to talk about the Clean Energy Communities Program. The Supervisor said it was an exciting day yesterday. The lieutenant governor was in Town, along with Councilman Lachterman, Councilman Patel, County Legislator Vedat Gashi, Assemblyman Byrne, and Senator Harckham were in attendance when the state's first solar and battery storage NEV charging station opened at Staples Plaza. He said we continue to be on the cutting edge on the renewal energy push.

Swarnav Pujari said that right now the Town, in conjunction with the CSC Task Force, is going through the checklist of what they have to go through to become a certified Clean Energy Community. He said the reason they collectively, as a group, decided this was a useful path to go down was because of the efforts that NYSERDA and New York State put into the checklist. He said they have really thought through what key changes towns and cities could individually make that would actually provide a significant environmental impact, both short term and long term. Part of this is implementing methods to allow solar to get into the Town when proposed in a favorable fashion, as well as battery storage. Deployment of things like Community Choice Aggregation offerings, food waste programs were also included. Mr. Swarnov said the CSC Task Force has started to aggregate what the Town has already done, to date. He said, as of right now, the last tally he had done of the qualification points, Yorktown was hovering around halfway there.

Supervisor Slater said he appreciates both his and Mr. DeAngelis's leadership in the effort to get the Town certified. He said the lieutenant governor paid the Town a wonderful compliment that Yorktown is a town on the cutting edge of renewable energy. Supervisor Slater said they are looking at the Clean Energy Communities Program, a NYSERDA program, and asked Mr. DeAngelis to walk them through the program.

Mr. DeAnglelis said the Climate Smart Communities Program could be a building block to get us to Clean Energy Communities Program, under which you can get a grant up to \$250,000. He said the better you are, the better they want you to be and the more money you can receive. He said they are particularly interested in this because the Town really needs to do an energy audit of Town facilities. He would like to prioritize about seven of the buildings, but for free (under a grant) we could probably go a little deeper. The audit would look at consumption (electric, gas, and oil) and look for opportunities as to how we could improve (heat pumps, solar) because there is a lot of new technology to consider. Mr. DeAngelis said as a result of the work that Supervisor Slater and others in the Town have done, Yorktown is either qualified or close to qualifying for the program. There are ten points of effort they would like the Town to commit to and if you meet four of them, the Town could become a Clean Energy Community. Mr. DeAngelis proposes that we try to do this because there is significant money available to continue to invest in clean technology.

Supervisor Slater said that they have talked a lot about an energy audit and it is really important for the Town. He said, unfortunately, energy audits cost money but by becoming a Clean Energy

Community, the Town can get this done for free. He said this leads to other opportunities that Mr. DeAngelis has been able to find.

The Town Board thanked Mr. Swarnav and the CSC for the work they have been doing.

VACANT COMMERCIAL PROPERTIES

Supervisor Slater introduced Highway Superintendent Dave Paganelli, Building Inspector John Landi, and Director of Planning John Tegeder to talk about vacant commercial properties. He said he feels that there are some properties that have taken advantage of the community for too long. He said a proposal is needed to be put together to ensure some accountability and transparency on the direction of these properties and where they are headed. Supervisor Slater proposed to the Town Board that vacant commercial properties of a certain size report to the Town if they are vacant after a certain number of years (ex. 50,000 square foot building that is vacant for more than 5 years). He said there is blight that needs to be combatted, inspections that should be done, etc. He said it would also open up a dialogue if there were something the Town Board can do to help them fill their vacancy. He said to have commercial properties vacant for years is anti-business and hurts the business community. Supervisor Slater cited the example of A&P holding a lease on the Food Emporium building for a number of years. He said the Town should have been informed of this and the community needed to know, as well.

Councilwoman Roker agreed but she said she comes from the standpoint of “hitting them in the pocketbook” when it comes to dealing with the vacancies. She said she has spoken to Senator Harckham about certioraris and her concern is that there may be companies that specifically leave their buildings vacant so they can get their assessments lowered. She said they go in every couple of years to get their assessment lowered because they have no tenants. Councilwoman Roker said she asked Senator Harckham if there was any legislation that could be written that would only allow a company to claim certioraris for a certain number of years because certioraris badly hurt the Town because when their taxes are reduced, it falls to the residents to make up the difference.

There was a brief conversation about the Roma Building and the owners’ intent to revisit their plans for the building in the near future.

Supervisor Slater said that if the Town’s intent is to revitalize the downtown area, there has to be some incentive for these vacant property owners to be good neighbors. He agreed with Councilwoman Roker’s view of “hitting them in the pocketbook” but feels that the Town needs to lead up to it. He said if they do not comply with reporting, they should be hit with a hefty fine. Supervisor Slater suggested bi-annual reporting to tell the Town what is going on with the property.

Councilman Patel said that if someone owns property and pays the taxes on it, they could do what they want to do as long as the property is kept in good condition. He said penalizing them would be difficult to do.

Supervisor Slater said we are fostering a dialogue between town government and the landlord to understand what the situation is because when you find out, for example, that K-Mart still holds the lease on the K-Mart building, there is not much that can be done. He said the Town needs to have that information and publicly available not just to the Town Board, but to the residents because they have a right to know what is happening with the properties that have been vacant, in some cases for over a decade.

Councilwoman Roker said she likes the idea of bringing in each of the landlords of these properties and showing them the Town’s point of how residents are viewing the properties. Supervisor Slater said the landlords’ know how their properties look because he and John Tegeder have met with almost every property owner in Town, especially those with vacancies. He cited several properties that are in bad shape and pose potential safety risks.

A discussion took place regarding the A&P Food Emporium lease and the K-Mart lease.

Supervisor Slater said it does not hurt to have these companies come in to talk about what is going on with the vacant buildings and if they refuse to participate, then it is time for the Town to work on handing out fines. He said it is only fair to the community especially when they are making money by letting a building sit vacant.

Supervisor Slater asked Building Inspector John Landi when the last time he did an inspection at the Yorktown Green and he said never because he cannot get in.

Councilwoman Roker said there are also communities that do not allow “For Sale” or “For Rent” signs in the vacant buildings and require some type of painting or murals to make the building look better. Mr. Landi said the Town does have sign laws and can make the landlords reduce the number of signs. He said he is not in favor of covering windows with paintings or murals because they cannot see inside, which can be dangerous.

Mr. Tegeder said communities around the country have been dealing with blight for decades. He said our region is not alone in dealing with retail stores closing and thinks there will be this kind of discussion happening in many communities. He said what Supervisor Slater is proposing is the first step in dealing with the situation.

Supervisor Slater said he would have the Town Attorney draft legislation; the Town Board can review it, and then refer it out.

Councilman Lachterman said he agrees with the idea. He also suggested telling a property owner not to file a certiorari because if they are not doing what they are supposed to in maintaining the property and trying to rent it, that is not an option.

Councilwoman Roker said the Town has nothing to do with certioraris; those are with the State. She said that while the Town has a certiorari board, all of what they have do is with New York State. Councilwoman Roker said this is a shame because New York State does not see the blight that local communities deal with. She said this is why she contacted Senator Harckham.

Supervisor Slater repeated that he would direct the Town Attorney to put this into legislative format. He said he would also reach out to the Assessor for suggestions, as well as the Building Inspector. He said he would bring it back to the Town Board for further discussion.

ZOMBIE PROPERTIES

Councilman Diana said zombie properties have been bothering him for quite some time. He said the Building Inspector asked the Code Enforcement Officer to reach out to other communities to see how they handle the issue. He said these types of homes need to be identified, the owners identified, and what the reason for abandonment was. The owners need to be located and told to maintain the properties so that they are not blights on the neighborhoods. Councilman Diana said the Code Enforcement Officer had several additions to the legislations that he reviewed. One was that all vacant or abandoned properties need to be registered by the mortgage company or bank within thirty days and an annual fee should be required. The annual fee should increase each year the property is vacant and all abandoned properties should be maintained according to Town Code and/or NYS Property Maintenance Code requirements. A civil penalty may be imposed as long as the property remains in violation. The fine would be calculated by the Code Enforcement Officer and any grievances may be made to the Town Board. He said the Code Enforcement Officer said establishing legislation to this effect would make enforcement much easier. Councilman Diana said the Town Board is not being severe in this case; they would be willing to work with owners.

Supervisor Slater said he thought the “zombie registry” was a very good idea; it would help our Building Inspector and Code Enforcement to identify where these properties are located.

Mr. Landi said this would help his department by cutting down on the hours spent trying to locate the owners of these types of properties.

Councilman Diana asked Town Attorney Adam Rodriguez if he reviewed the suggested legislation and he said yes; the suggestions made by the Code Enforcement could be used to draft new legislation.

Councilman Diana said this is similar to when the Highway Department is allowed by law to cut down or remove anything they feel contributes to a dangerous road condition. Superintendent Paganelli agreed and said they request the homeowner to remove a tree and if they do not, his department would remove it and bill the homeowner.

Supervisor Slater asked Mr. Rodriguez to work with Mr. Landi, Mr. Tegeder, and Mr. Zeif (Code Enforcement Officer) to draft legislation for the Town Board to review.

Councilman Lachterman said many of these cases get tied up in probate due to someone dying intestate.

Mr. Landi said the Town could always treat these on a case-by-case basis. Councilwoman Roker agreed and asked for a draft of the legislation to be sent to the Town Board prior to meeting again.

MASTER FEE SCHEDULE

Supervisor Slater said this has been discussed previously but tonight there are some specifics that need to be addressed so the next step of drafting legislation could proceed.

Building Inspector John Landi said the fee schedule is lopsided and unfair. He said he tried to come up with something more balanced and in line with other communities.

Councilman Patel asked if the goal was to reduce the fees or increase them and Mr. Landi said there are certain areas that would have major reductions and some that would be increased to be more in line with the surrounding area. Mr. Landi said the increases are mostly in the commercial areas because right now individual property owners are paying the same fees as commercial properties to renovate. He said he does not feel this is fair to the residents. He said the commercial properties are paying virtually nothing to redo their properties.

Supervisor Slater asked Mr. Landi to review the items with the Board. Mr. Landi outlined the following proposed changes:

- Copies – right now they are \$.25 per page. Title companies are inundating his department with requests for surveys, etc. as part of the sale process. He wants to increase this to \$1.00 per page. The costs of ink, paper, time, etc., cost more than what is being taken into consideration.
- New Construction for a Single Family House – there are many other areas that are charging more than \$1.75/square foot. He would like to increase this to \$2.00/square foot, which would bring Yorktown in line with surrounding communities. He said other areas are charging \$2.50/square foot. He said he could give a complete listing of the surrounding communities that were reviewed to the Town Board.
- New Construction for Commercial – he would like to charge \$2.75/square foot; right now the Town charges \$2.00/square foot.
- New Construction for Interior Renovation – he would like to go from \$1.00/square foot to \$1.50/square foot. He said to renovate the interior of a house costs the same amount as a commercial renovation.
- Residential Construction – Mr. Landi said that right now the minimum cost for a residential construction permit is \$300. He would like to reduce this to \$100 and stay at cost of construction for electrical, mechanical, etc. permits, which are based on cost of construction. Councilman Diana asked what this permit is for and Mr. Landi said any building permit (he gave the example of wanting to put a gas fireplace in a home – it now costs \$300).

Supervisor Slater asked if Mr. Landi had spoken to the Comptroller about these changes so that when the number of permits issued each year is calculated, they know what the projected revenue would be and Mr. Landi said he had talked to the Comptroller about the changing of the fees but not to that extent. Supervisor Slater said that conversation must take place to take the budget into consideration and what this means to the Town's revenue. He does not want to make changes to the fee schedule until they know what the impact would be on the Town. Mr. Landi said he feels his budget will hold steady, if not increase.

Mr. Landi also mentioned gas test fees, installation and removal of oil tank fees – fees the Town never had. Mr. Landi said the charge for this is based on permit fees and would like them to have their own permit fee. Councilman Diana agreed that these types of work should have their own fee schedule and believes it would encourage people to apply for the specific permits.

Councilwoman Roker asked Mr. Landi to send the Town Board his recommendations and the draft law, as well as do a presentation of the changes.

Supervisor Slater said that Mr. Landi would need to review the changes and recommendations with the Comptroller so that they can determine the projected revenue based on the changes versus what the current revenue is. He would also like to see this as part of his presentation to the Town Board.

Highway Superintendent Paganelli said he made changes to his fee schedule unaware of the fact that they did not correspond with the Master Fee Schedule. He said he reached out to the Town Attorney and provided him with his changes. He said he was not prepared to discuss his changes yet, as he was not on the agenda to speak about them. He cited the example of Con Edison and Cablevision were paying seven years ago \$5,000 each for an annual permit under a specific amount of disturbance; those fees are now up to \$20,000 apiece. Superintendent Paganelli said what he is looking to increase are the cash bonds that are put up because he is noticing more and more contractors are not restoring the Town's roads correctly when they are hooking up gas, sewers, or water. His department is often left having to do the work and figure out the associated costs. He said he would send a list to the Town Board showing what the fees are.

AUTHORIZE COMPTROLLER TO RELEASE RETAINAGE IN THE AMOUNT OF \$46,626.46 TO REMUS INDUSTRIES, LLC
RESOLUTION #312

Upon motion made by Councilwoman Roker, seconded by Councilman Lachterman,

WHEREAS, Remus Industries, LLC has completed the Town of Yorktown Mohegan Avenue retaining wall project and

WHEREAS, the Town has withheld \$46,626.46 as retainage and

NOW THEREFORE BE IT RESOLVED that retainage in the amount of \$46,626.46 is hereby released to Remus Industries, LLC.

Slater, Diana, Lachterman, Patel, Roker Voting Aye
Resolution adopted.

RESIGNATION OF JENNIFER O'NEILL, LIBRARY DIRECTOR
RESOLUTION #313

Upon motion made by Councilman Lachterman, seconded by Councilman Diana,

RESOLVED, the Town Board accepts the resignation of Jennifer O'Neill as Director of the John C. Hart Memorial Library.

Slater, Diana, Lachterman, Patel, Roker Voting Aye
Resolution adopted.

ADJOURN MEETING

Upon motion made by Councilman Lachterman, seconded by Councilman Diana, the Town Board meeting was adjourned.

DIANA L. QUAST, TOWN CLERK
TOWN OF YORKTOWN
CERTIFIED MUNICIPAL CLERK