

Zoom Video Conference Meeting of the Town Board, Town of Yorktown held on Tuesday, January 12, 2021 held in Yorktown Heights, New York 10598.

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

Also Present: Diana L. Quast, Town Clerk
David Paganelli, Superintendent of Highways
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 moved into Executive Session to conduct interviews for the Arts & Culture Committee, the employment of a particular person and Litigation. Upon motion made by Councilman Diana, seconded by Councilwoman Roker, the Town Board moved out of Executive Session and proceeded with the meeting.

PLEDGE OF ALLEGIANCE

Supervisor Slater led the Pledge of Allegiance.

MOMENT OF SILENCE

Supervisor Slater asked everyone to join him in a moment of silence to remember our front line workers as we battle the COVID-19 pandemic. He also asked to remember and pray for the families of over 350,000 Americans who have lost their fight with COVID-19, as well as our police, firefighters, EMS workers, and our military who are protecting our freedoms every day, serving overseas.

CONDEMNING THE STORMING OF THE CAPITOL BUILDING AS A HORRIFIC ASSAULT ON OUR DEMOCRACY

RESOLUTION #11

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

WHEREAS, the violent attack upon the U.S. Capitol on January 6th, 2021 will be regarded as one of the most infamous days in U.S. history;

WHEREAS, multiple lives were lost, including the life of Capitol Hill Police Officer Brian D. Sicknick;

WHEREAS, the U.S. Department of Justice uncovered no evidence of widespread voter fraud that could change the outcome of the 2020 election;

WHEREAS, the U.S. Congress and Vice President Mike Pence fulfilled their Constitutional duty and certified the results of the 2020 Presidential Election, declaring Joe Biden and Kamala Harris to be President-Elect and Vice President-Elect, respectively;

WHEREAS, the Federal Bureau of Investigation has received information and issued a warning that an insurrectionist group is calling for "storming" state government buildings and state and federal courthouses on Inauguration Day;

NOW, THEREFORE, BE IT RESOLVED, that the storming of the Capitol was a horrific assault on our democracy, which has no place in our society;

BE IT FURTHER RESOLVED, that every person or entity involved in the attack upon the Capital needs to be fully prosecuted to the greatest extent of the law;

BE IT FURTHER RESOLVED, that true leadership requires building consensus, not sowing division;

BE IT FURTHER RESOLVED, that fomenting the type of vitriol that has been dividing our nation over the course of many years must end;

BE IT FURTHER RESOLVED, that the Town Board urges all of our residents, neighbors and fellow Americans to come together to heal this great nation.

BE IT FURTHER RESOLVED, that a copy of this resolution, when approved, be delivered to the New York State Assembly, the New York State Senate and Governor Cuomo.

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

Supervisor Slater shared his thoughts regarding the events of January 6 and thanked the Town Board for passing the above resolution and for working with him and for showing the importance of consensus. He said that this shows how the Town Board has come together and it is appropriate; it puts the Town above the rhetoric and the politics of the day. He said the residents of Yorktown should be proud that they have a Town Board that continues to focus on consensus and who recognizes that we are first and foremost Americans. He said he believes that the violence that took place on January 6 should be an offense to all Americans, regardless of party affiliation. He said the eyes of the world are upon our nation and are looking at how we are going to respond to that very worst day – the challenge is upon us.

Councilman Diana said he would like to expand that resolution to include the incidents that occurred throughout the summer and fall where countless lives were taken, families destroyed, and buildings destroyed and that the people responsible for that will be held accountable. He stated that this is a country of law and order and the police have to be allowed to deal with this. He feels that this needs to be included in the resolution, as well.

Councilwoman Roker said there were two concurrent things going on during the summer that she pointed out. There were people who were demonstrating for Black Lives Matter and then at night there were criminals who came out and destroyed small business establishments. What she said at that time, she repeated: they deserve to go to jail; they are criminals. She thanked Supervisor Slater and the rest of the Board for this resolution because she feels no political party could be happy about this situation. She said we need to acknowledge it and move on. Councilwoman Roker also spoke about voter fraud and how unlikely it is, given the system of checks and balances put in place by the Board of Elections.

Councilman Lachterman said he agreed with Councilwoman Roker on the integrity of our election polling places in New York and Westchester County, although he questioned in other states. He said that there are a couple of things regarding tonight's resolution. One is that there should be equal laws across the board and it is important the rule of law in our country has that. He said the other thing that we need to make sure we steer away from is everything being politicized. He said that our freedom of choice and freedom to make decisions is now being pigeonholed; it is political racism and it is on both sides of the coin. He said we really need to steer away from a very dangerous path that our country appears to be on. He used the example of the Town Board to demonstrate four legislators split in half on party lines. The Board has diversity in people, diversity in politics and can agree to make things happen the right way.

Councilman Patel also spoke about the sadness of what has happened and is happening to the country. He said we really have to depend upon the Constitution and reject extremism from all sides. He asked that we all connect with each other, make good on promises made, whether individually or collectively, and move forward from this very tragic historic event in our national history.

THOMAS FRALEIGH EAGLE SCOUT PROJECT - HISTORY OF THE YORKTOWN POLICE DEPARTMENT

Supervisor Slater introduced Thomas Fraleigh who presented his Eagle Scout project on the history of the Yorktown Police Department.

Thomas Fraleigh explained that his project is a dedication to all the past and current members of the Yorktown Police Department. It lists the year each officer started working and applicable dates of retirement. Retired officers have their last known rank listed, as well. There are over 200 names listed.

Police Chief Robert Noble said that Thomas worked with Detective Billy Gordineer on this project and it celebrates the history of the Yorktown Police Department from Mr. Hyatt to Chief Hawk and more names will be added this year with some upcoming retirements. He mentioned how they are lucky to have young adults like Thomas demonstrate leadership and think to do something kind for the police department. He said the police department has been the beneficiary of several Eagle Scout projects over the last several years. Chief Noble said this is a legacy that Thomas has left the police department, which will be there long after he leaves.

Supervisor Slater displayed a photograph of the list and asked Thomas to explain the color coding system he used to categorize the personnel. He complimented Thomas and congratulated him on a fantastic job. He announced a Town Board Proclamation recognizing his accomplishment of obtaining the rank of Eagle Scout.

Supervisor Matt Slater read the following Proclamation:

PROCLAMATION FOR EAGLE SCOUT THOMAS FRALEIGH

WHEREAS, it is fit and proper to recognize the achievements of those individuals who substantially contribute to the vitality of our community and the entire Town of Yorktown; and

WHEREAS, The Boy Scouts of America was founded in the year Nineteen Hundred and Ten, and has grown to be a meaningful organization in the development of our youth through its teachings of important life skills, self-determination and understanding of the world; and

WHEREAS, a major objective of the Scouting Program is to facilitate citizenship through an emphasis on community involvement, and encourage participation in community service activities both pertinent and non-pertinent to the acquisition of merit badges; and

WHEREAS, THOMAS FRALEIGH has earned the rank of Eagle Scout with the Boy Scout Troop 45 of Van Cortlandville, where he is recognized among his peers as someone who embodies the principles and ideals of Scouting; and

WHEREAS, THOMAS FRALEIGH has through his obtainment of the status of Eagle Scout and completion of a Leadership Project, demonstrated the ability to plan, develop and execute a meaningful contribution to the community; and

WHEREAS, amongst his many accomplishments, THOMAS FRALEIGH has accomplished his Eagle Scout Leadership Project in which he researched and documented a history of the Yorktown Police Departments officers, and memorialized each police officer's term of service, and

WHEREAS, each office's term of service is memorialized with an engraved plaque mounted on a handmade display,

NOW, THEREFORE, BE IT RESOLVED, that I, as duly elected Town Supervisor of Yorktown, Matthew J. Slater, along with the Town Board Members of Yorktown do hereby offer our thanks and appreciation, and recognize the accomplishments of THOMAS FRALEIGH.

TOWNWIDE MOBILE & PORTABLE RADIO COMMUNICATIONS

Robert Noble, Chief of Yorktown Police Department, Captain John Vallarelli, MTA Police Craig Scatola, Sergeant Yorktown Police Department, Jay Kopstein

Chief Noble introduced the subject of the town-wide radio and mobile communication, which primarily includes the police department and the highway department and any other services in the town that communicate via radio. He said our system is very outdated. He presented this about 18 months ago and followed up with research, which led them to believe it would be cost prohibitive.

Resident Jay Kopstein, a former NYPD officer, introduced Chief Noble to Captain John Vallarelli of the MTA Police who is in charge of MTA communications from Albany to Long Island. The radio system he showed Noble was very impressive and it would have a significant savings to the town without loss and quality of service. Other police departments in Westchester are have signed on to using this system. What we need to be cautious about is that we are located between rail lines and want to make sure the proper coverage is there that would take into consideration the topography and include all of the physical locations where communication would be necessary:

the schools, the mall, the Albert A. Capellini Community and Cultural Center, etc. He is optimistic that this system will be a winner for Yorktown.

Jay Kopstein said the MTA covers an extraordinarily large area that goes from Port Jervis in Orange County out to Montauk, Long Island, up to New Haven, Connecticut, with the possibility of going up to Albany, if necessary. They have erected sites to cover this in a state-of-the-art trunking system. He then spoke about what this kind of system could do for Yorktown. If the Board decides to agree to this system and once it is in place, it will end capital expenses for the Town. The entire capital budget will be absorbed by the MTA. It is not a total gift; they want access to the French Hill tower. In order to do that, we would have to give up some of our revenue from that tower. On the expense side, we would have to buy the subscriber equipment, both mobiles and portables. In the short term, the MTA would be able to loan us some equipment so we do not have to buy everything up front immediately. He said Superintendent Paganelli would be involved with this as well, inasmuch as all of his mobile equipment and trucks would be on this system. It is good for the police department from a safety standpoint. The Yorktown Police Department has many responsibilities beyond the boundaries of the Town. For example, our court system for serious crimes is in White Plains – this system covers White Plains. If our police officers have to go to Orange or Putnam Counties, they will have coverage on this system. Right now if they go beyond the reach of our system, they have to rely on their cell phones, which are not always the best way to go. For example, FirstNet is a good system and is built by AT&T. However, during a recent explosion in Nashville, TN it took out an AT&T building, and it took out FirstNet because they share towers and equipment. This shows that cell phone communications are not always the best and they are not safety rated. The system that Captain Vallarelli manages is public safety rated and that is important. Mr. Kopstein explained his involvement in this. He handled emergency communications for the NYPD and he is vice chair for Safecom, which falls under DHS and is a national communications committee. He said he is deeply involved in this.

Chief Noble said they are continuing to test the coverage to see what type of mapping we would have and if it meets the 95% threshold that would need to be met. He said first and foremost, we would need to see if we have the interoperability, as well as the highway department. They have to make sure they can all communicate with each other. Chief Noble said that the space on the French Hill Tower they want access to would be nominal compared to the benefits the Town would receive. He said one of the nice parts of this system is that there is very little, if any, recurring costs whereas if we put our own system up, we would be looking at \$25,000-\$30,000 a year in recurring fees for the microwave connectivity. He said they have seen the quality of the portable radios, as well as the mobile radios (in-car and in-truck radios) they would be using and said they are winners.

Sergeant Craig Scatola, Yorktown Police, said the MTA found themselves in a similar position to ours – trying to work with an antiquated system and that became the birth of the MRRS – the Metropolitan Regional Radio System that the MTA put together. They had specifications similar to what Yorktown was looking for: 95% or greater coverage along the MTA's right of way, 95% or greater on certain types of roadways, 89% onboard training coverage. Sergeant Scatola gave more background on the MTA's system and how it is compatible to what Yorktown wants in their communications system.

Captain Vallarelli gave background on how they came to their current system and how it's primary goal was to provide MTA police officers with a reliable public grade radio system and secondarily, to seek out counties as partners. They originally secured agreements with Suffolk and Orange Counties. He said they went live on their system this time last year and it has been extremely successful for them. Their build, from a budgetary perspective, was a \$41 million contract with the Harris Corporation to build 65 sites and 2 separate controlling systems. There was a secondary contract to build a series of monopoles on MTA property. He said working with local agencies has been critical for them and found that the biggest similarity was finding out they were all in the same boat. Captain Vallarelli said that their contract requirements included 95% portable coverage along railroad right of ways and 95% of mobile coverage along primary, secondary, federal, state, and county roadways. He said in the case of Westchester, the coverage was beyond their expectations because they exceeded both portable and mobile coverage to near 98%. Captain Vallarelli stated that he is aware that Yorktown's system requirements are very much the same as some of their other system partners. He also spoke about how public safety is linked to the Department of Public Works in municipalities and it really matters most in local communities where their responsibilities and coordination is most important, which is why this system is not just for police, fire, and EMS but is available to DPW's and highway departments.

Supervisor Slater asked Captain Vallarelli if the timeframe the Town Board needs in which to take

action on this system was still next month. Captain Vallarelli said in the course of the Phase 2 contract, two things need to get done: execute leases through the MTA real estate department on the selected sites and get a change order into the contract through the procurement department. The change order is large enough to require Board action so to be able to get this system through the MTA Board for a March approval, they need to get licenses done as soon as possible. He was hoping to get something executed this month or early February. Captain Vallarelli and Supervisor Slater talked about what the next steps would be to move this project forward and the particulars of the system requirements particular to the contract. They also spoke about the monetary differences between Yorktown having its own system (\$586,000 annual estimate for operation and maintenance and \$4.8 million total cost for system) and the MTA's proposal. The MTA is willing to pay approximately \$1.8 million to build 2 sites (one in Putnam Valley and French Hill) that will benefit both agencies (Yorktown and the MTA) that will fill in gaps in their coverage. The MTA's proposal would cost, according to Chief Noble, \$902,000, and approximately \$7,800-\$10,000 operations and maintenance annually.

Councilwoman Roker asked Chief Noble how many sites in Yorktown were tested with this system. Captain Vallarelli answered that his program team spent a day testing schools, the community center, the police headquarters. Sergeant Scatola said 10 locations were tested. He said that the performance was mediocre, which was to be expected because the system has not been built up. He said that in order to make this work, the Town would need to allow the MTA to build the site at French Hill (\$1,000 a month). He said the only cost the Town would be "eating" is the \$1,000 per month in revenue from Crown Castle, which it does not get now anyway because there's nothing up there. Sergeant Scatola said the Town would basically give up \$12,000 a year, waive the rent the MTA would have to pay through Crown Castle in order to jump on this system. He explained that the two proposals he got from vendors were in the neighborhood of \$788,000 and \$986,000, which was proposed to the Town Board in November of 2018. He spoke about the downside of installing these types of systems, and potential skyrocketing costs.

Councilwoman Roker said that this means more than just the numbers – it would now become a shared service. Sergeant Scatola spoke to how important a shared service is to the public safety of a town like Yorktown. Mr. Kopstein said there may be a possibility of grant money under shared services from the county or the state. Mr. Kopstein spoke about the importance of task force operations during storms and natural disasters and how this system provides much improved communications.

Supervisor Slater asked Town Attorney Adam Rodriguez to review the proposals from a legal standpoint.

Mr. Kopstein mentioned how he believes we will see more communities in the near future jumping on to the MTA's system and this would not only be a benefit for them, but for our police officers because of increased communications between municipalities.

Supervisor Slater said that he has had conversations with the Town Comptroller who is on board with the dollars considering the other options. This is part of the Capital Improvement Plan that was put together for this coming year. He said that he will work with the town attorney to get the necessary paperwork and Town Board resolutions done to meet Captain Vallarelli's timeframe. He thanked all for bringing this opportunity to the Town.

OVERLAY DISTRICTS - HEIGHTS HAMLET & JEFFERSON VALLEY DISTRICTS

John Tegeder, Director of Planning, Robyn Steinberg, Town Planner, Richard Fon, Rob Garrigan, Aaron Bock, William LaScala from the Yorktown Planning Board, Gordon Fine from the Yorktown Zoning Board.

Supervisor Slater said this discussion was for the Yorktown Heights hamlet, specifically the Route 118 corridor, as well as for Jefferson Valley. Although the legislation will be sent out to individual boards and agencies as part of the referral process, the Supervisor felt it would be beneficial to have a conversation with the Planning and Zoning Boards to ensure this will be the best piece of legislation that can be put forth.

John Tegeder, Director of Planning, gave a brief overview of the proposed legislation for the establishment of certain districts in the Town as overlay districts. It allows flexibility in the zoning and in the allowed uses. For instance, in Yorktown Heights on some commercial properties and/or residential properties, you will be able to see a mix of commercial and residential use on the same property. This will be under the authority of the Planning Board and it will work similar to the Town's clustering ordinance in that flexibility of bulk requirements and some density and use

allowance will be reviewed by the Planning Board in order to be able to choose and develop on a particular site the very best development for the site.

Robyn Steinberg, Town Planner, displayed a map of the proposed Yorktown Heights Overlay District. Councilwoman Roker asked how the properties were chosen and Mr. Tegeder explained that the areas marked have vacancies, two of which are large and have been vacant for several years. He discussed proposed projects (Triangle Shopping Center, the Weyant, the Roma Building, Cablevision), as well as how the current retail situation is evolving. This district also includes the Front Street area and the former Soundview School property.

Councilwoman Roker said she would not like the Planning Board to process an application at the Highway Garage. Mr. Tegeder said there would have to be an applicant that would come to them. She said the Planning Board cannot process any applications under this law until the Town Board has adopted the legislation. Mr. Tegeder said this is correct.

Councilman Patel said if the Highway Garage land is owned by the Town and if anything is to be done, the public must be made aware of any plans. Supervisor Slater wanted to make clear that there is no plan for the sale of the Yorktown Highway Garage, nor is there any proposal. Mr. Tegeder said the Planning Board could not approve a site plan without an applicant initiating that. Supervisor Slater said unique buildings have also been identified, including the Spadaccia Building, 360 Underhill Avenue (former home of Edward Kear – the Grace Building), Town Hall, the Coldwell Banker building – 366 Underhill Avenue, Captain Underhill house – 370 Underhill Avenue, several buildings on Commerce Street, the Railroad Station, and the Capellini Community Center. Mr. Tegeder said they identified buildings they felt has some historic character, historic importance, or architectural character or that they felt lent pleasant designs and would keep an eye towards future building designs to keep the unique character of Yorktown Heights. Supervisor Slater read a portion of the proposed legislation that addresses this identification. Mr. Tegeder said that if applicants want to avail themselves of the flexibility that you can be afforded through the use of this law, the Town has some things in there that would be advantageous for us to either maintain or have enhanced, such as the architecture of some of these buildings. It promotes a more cooperative partnership with applicants and developers.

Gordon Fine, ZBA, said he felt the districting was a good idea but asked if this is opened up to mixed use (commercial and residential in the same building), and it says that the residential space can be used by the employer or the employee in their household, would this open it up to boarding house-type buildings because you cannot really control what the term “household” means. If you are saying that the owner of the commercial space can have his employee live there, you could end up housing all of the employees in that space. This may not be the intent, but it could be the result.

Mr. Tegeder said that he would work with Mr. Fine on the definition in the proposed legislation to make it stronger and more effective and clearer.

William LaScala, Planning Board, said that he thinks the Town needs a new Town Hall and suggested looking at the Soundview Building. Supervisor Slater said they are moving forward with the assessment of that building and will bring the assessment back to the public. The assessment includes a review of Town Hall and potential designs of what a new Town Hall could look like. He said they needed to get an idea of the costs involved in moving Town Hall before moving anything forward.

Aaron Bock, Planning Board, said he commended the Board on its efforts to implement these districts and the flexibility it provides to the Planning Board, as it is sorely needed. The vision that this legislation represents is really long term and will have a positive benefit to the Town, and will allow changes to take place. He mentioned that parking solutions need to be addressed if there are to be future developments in the Heights district. He also mentioned that the green energy component of the legislation is great.

Supervisor Slater asked Mr. Bock to expand on the idea of including parking solutions in the proposed legislation. Mr. Bock said that he thinks one of the first things that need to be done is to look out there to see what is available in terms of parking. He said there are very large parking lots on existing sites like K-Mart that are not fully used. He feels that this is an opportunity to implement some of the flexibility to create a different type of shopping center – one that does not have acres of parking lots just for it but may be scattered about in ways to become accessible in the community. He said he is not sure what the answer is but hopes they have the tools to develop solutions.

Councilman Lachterman said part of the parking situation becomes better with mixed use and walkability. He does not know if writing it in to the legislation is necessary versus waiting to see how it develops. He said it is great to put it on the radar but does not know if it is a definitive thing at this point.

Mr. Tegeder said that in Chapter 300-254, paragraph 2, does address parking issues so the flexibility is built in there in this law.

Councilwoman Roker asked if the Town did not have large parking areas, would it encourage or increase walkability. Mr. Tegeder said he thought it would. It would have to be done in a Master Plan way – it would have to be thought out as to where someone would drive to, how far to walk, convenience, etc.

Rich Fon, Planning Board Chair, stated that he thinks this legislation is a great first step. He also agrees with the parking issue and likes the language that Mr. Tegeder and Ms. Steinberg put into the proposed legislation regarding parking.

Supervisor Slater said one of the reasons he wanted to sit down with the boards is to make sure there were no unintended consequences of the proposed law, like raising the parking issue, but also from an implementation standpoint of applications and if this legislation helps or hinders boards in their decision making.

Bill Gregory, Planning Board, said this is a wonderful first step. He said that all of the parking that is being discussed is on private property so one of the things that should be addressed when incorporating parking on a site that does not have parking, is to include dialogues with people who do own parking lots. He said the proposed legislation also talks about the types of material that can be used on the outside of a building and that is getting into state building code issues, which we need to be aware of.

Rob Garrigan, Planning Board, said the overall legislation takes into account the history and character of what Yorktown is. He said it promotes collaboration and cooperation among Town agencies. Applicants are unique with their own ideas and designs and this allows the Planning Board to have a “north star” in where we want to go with appearance and use.

Robyn Steinberg displayed a map of the proposed overlay district for Jefferson Valley, including Osceola Lake. They wanted to focus on the properties around the lake and the use of the lake. Mr. Tegeder said that this area was also included the Comprehensive Plan as an overlay district. Mr. Tegeder reviewed the language of the proposed legislation in relation to this overlay district, much of which is similar to the language regarding the Heights district. The uses are more recreational in nature, due to the lake, which is a great natural resource. This allows more commercial recreational opportunities in order to make this more of a destination area.

Councilwoman Roker thought the Summit Hill Property should be included in this district. She also pointed out that the property across from the Valley Market (a request for a food truck area) does not have sewers and drainage is a problem, which is the one thing that the man who wanted a food truck area talked about how people in the area wanted that done. Supervisor Slater said this has been talked about for a long time. Mr. Tegeder said plans for a sewer there were done many, many years ago and it required a pumping station down by the lake, which pumped up to the Hill Boulevard/East Main Street intersection where the last manhole for the sewer is located and cited financial strain as part of the reason it did not come to fruition. He said that part of the reasoning or hope in doing this overlay district is that having some flexibility or added density may help loosen that up and make it a little more financially feasible. Councilwoman Roker thinks this is a fabulous area but until the Town can bring in sewers and proper drainage to the area, it may be a losing proposition.

Mr. Bock said one of the issues that jumped out at him on this area is the definition and the scope of the zone. If you are looking at making Hill Boulevard a more “neighborly” street, he thinks the Hill Property immediately to the west. He said there has been some significant development there with little effort or ability to get that big piece to connect well to the neighborhood. He thinks that if it is included in the overlay district, we may have better opportunities to connect that property into Hill Boulevard (which is part of the Comprehensive Plan). He said what he does not want to see in that area is another typical development with no connection to a neighborhood. Mr. Bock said if you include Hill Boulevard, he thinks you need to include within the scope of that zone the adjacent, large, undeveloped piece of property in the area, which has a lot of potential.

Mr. Bock said Lake Osceola on the eastern side has heavily silted in over the years as a result of uncontrolled drainage problems; all of the silt from the surrounding areas is dropped at the entrance to the stream and the lake level is threatened by that. Each year that amount is getting bigger and bigger and the lake is getting shallower. This may be able to be addressed in this type of district. If the properties around the lake can come together and work on that in some fashion for the benefit of the lake and, therefore, themselves, it will help implement the plan you are talking about. He said there are a number of properties in various states of disrepair and neglect through there.

Councilwoman Roker agreed with Mr. Bock. She said if the Town really wants to create walkable areas in Yorktown, the Summit Hill Property could add to that and may be able to pay for some things.

Councilman Diana said they have had a lot of pushback on that property and any future developments would have to be looked at carefully. Councilwoman Roker said she agreed with Councilman Diana and said it would have to not be a “cookie-cutter” development.

Rich Fon and Gordon Fine both had no issues with this overlay district and voiced their support.

Mr. Bock asked if there were height restrictions along the lake and Mr. Tegeder said there is a height restriction in the Heights district and does not recall if there is in Jefferson Valley. It needs to be included in the Jefferson Valley Overlay District.

Councilman Lachterman expressed his admiration of the very competent Planning Department and Planning Board and assured the public that although some of the power of the Town Board is relinquished in this proposal, it is being turned over to those experts we rely on to guide the Town Board. He believes that it also keeps these projects “cleaner.”

Supervisor Slater expressed how much he appreciates the collaboration of the boards in helping them to improve the proposed legislation. He said the Board is trying to be very deliberate in their approach to this and appreciates the feedback so the Planning Department can incorporate changes.

GREENWOOD STREET - ASSESSMENT OF BRIDGE REPAIR

Dave Paganelli, Highway Superintendent, said there is a long-standing Department of Transportation violation, which has been addressed over the years by monitoring the situation, most recently by Sells & Sells. He said it has come to their attention that the Town has an imminent problem because there has been significant deterioration on the bridge over the last four or five months, particularly in the southbound lane. In anticipation of having to fix this, he has gotten some price quotes for a solution that Sells & Sells had recommended which would put us in compliance and eliminate spending the money to monitor the bridge. The first bid came in at \$249,585; the second bid came in at \$127,551; the third bid came in at \$125,000 and that was from ELQ who we did work with a number of years ago to repair the culvert at the bottom of Lexington Avenue running parallel to Route 202. Superintendent Paganelli said the sooner this can get done, the better since it is an imminent problem that has been recognized as such by the engineers who have been monitoring the situation.

Michael Quinn, Town Engineer, walked the Board through the type of repair that is being proposed. He first showed photographs of the corrosion. The detail for the contractor would be to pour concrete on the inside of the barrel and stop the flow to work on one side (pictures shown). The road can remain open while there are doing this – one lane would be closed. Once the repair is done on the inside, they would excavate from the top of the pipe and put in flow-able concrete and then repave the top surface. ELQ says it would take about two weeks to do the repair.

Highway Superintendent Paganelli said that since Greenwood is very active right now in terms of the detour because of the closure at Veterans Road it was a concern, but a one-lane closure is all that would be required.

AUTHORIZE EMERGENCY REPAIR OF GREENWOOD STREET CULVERT AND AWARD TO ELQ INDUSTRIES, LOWEST RESPONSIBLE BIDDER RESOLUTION #12

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

WHEREAS,

1. The Town received a Red Flag notification from NYSDOT for the Greenwood Street culvert due to the deteriorating condition of the corrugated metal piping that carries water under the

roadway. This condition was identified in April 2017 and has been monitored since that date by the Town and their engineering consultant WSP.

2. In December 2020, the Town was notified by WSP that a recent inspection of the Greenwood Street culvert found conditions getting worse due to continued deterioration of the corrugated metal pipes and recent road settlement.
3. WSP provided a review memo dated 12/14/20 that included a recommended repair option to reinforce the corrugated metal piping with concrete and steel reinforcement. The recommended scope of work also included excavation at the top of culvert pipes and placement of new fill to remove void spaces that are causing road settlement.
4. The Town solicited pricing from three (3) contractors that have equipment and manpower resources available to perform the work.

Emergency Repairs to Greenwood Street Culvert		
Bidder	Total Bid Price	Ranking
ELQ Industries, New Rochelle, NY	\$125,000	1
Remus/Laura Li Industries, Ossining, NY	\$127,511	2
Transit Construction, Yonkers, NY	\$249,585	3

5. The Town Engineer and Highway Superintendent reviewed the detailed cost breakdowns furnished by each of the bidders and all included the full scope of work: (A) Flow isolation to perform work inside the culverts; (B) Steel reinforcement and concrete pours along the entire length of corrugated metal pipe; (C) excavation in Greenwood Street to top of pipe, new fill and new asphalt roadway; (D) All labor to be done at prevailing wage rates; (E) Work to be done with two lanes of traffic flowing on Greenwood Street (while the concrete is being poured, one lane closure is required); (F) Includes maintenance of traffic flow, i.e. signage, safety cones, flagpersons, metal plates, etc. The work is estimated to take 2-3 weeks to complete.
6. The Town Engineer and Highway Superintendent recommend award to ELQ Industries since they provided the lowest overall cost and have previously performed satisfactory work for the Town.

NOW, THEREFORE BE IT RESOLVED:

1. The Town Board declares an emergency condition exists at the Greenwood Street culvert, necessitating immediate action be taken to resolve the problems associated with deteriorating corrugated metal pipes and settlement of the roadway.
2. The emergency repair work is hereby awarded to ELQ Industries for the scope of work as described in preceding section for the not-to-exceed amount of \$125,000.
3. The Town Comptroller is authorized to transfer \$125,000 from General Fund Balance to A.1440.0479 Special Projects.

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

1600 FRONT STREET – TRANSITIONAL ZONE

Director of Planning John Tegeder said this is relative to the Roberta property on Front Street, which was approved for transitional zone. Mr. Roberta has now received approval from the DEP and is ready to move ahead with his project. Mr. Holmes is interested in taking the smaller building on the north side of this property and has a use that was not particularly anticipated and, as Mr. Tegeder stated, the transitional zone is very specific – you approve the use, you approve where the building goes, where every line and piece of concrete goes, and that is all the applicant gets.

Keith Holmes said the parcel is approved for two buildings: the northerly building is approved for a 2100 square foot retail site, and the southerly building is approximately 22,000 square feet and is zoned for a two-story residential over commercial use. The southerly building is fine for what they have in mind. They want to use the northerly building for a research and development facility for renewable energy that he and his partner, Swarnov Pujari have in mind. This research into renewable energy mainly focuses on piezoelectricity and low voltage use. Robyn Steinberg displayed the site plan the Town Board had approved for Mr. Roberta. Mr. Holmes said the footprint of the northerly building would not change, as it is conducive to their plans. He is seeking a change of use for this building, as opposed to altering the plan. He said that both of these buildings’ primary power would be solar and battery with backup to the grid.

Councilwoman Roker said that what he wants to do is probably less intense than what other businesses would do.

Supervisor Slater asked Mr. Tegeder if the use falls into the transitional zone. Mr. Tegeder said that it is not in the transitional zone but this use fits in with the underlying zone. He said since the Board approved the transitional zone, he felt the Board should do a resolution that on this site plan pursuant to the transitional zone that was approved, you are allowing this use for this building. He felt that was all that was needed. He said this is a formality in keeping with how the Town Board has used the transitional zone in the past.

Supervisor Slater asked Mr. Tegeder to draft the resolution to make sure it touches on the right points and they will move it forward.

LOCAL WATERFRONT REVITALIZATION PLAN (LWRP) - FORMATION OF LWRP COMMITTEE

John Tegeder, Director of Planning, Robyn Steinberg, Town Planner

Supervisor Slater said the Local Waterfront Revitalization Plan has been something that has been on the radar for more than a year. He said that this is important to pursue.

Robyn Steinberg said we need to have a committee and plan so that when you write the grant application, you are implementing parts of the plan. When they did the application for Mohegan Lake two years ago, we did not actually have a plan. We had ideas of what we wanted to do at the lake but did not have a master plan and steps to implement. It shows that you have a path to achieve your goals. This would not be just for Mohegan Lake but for all the lakes on the list. She said that a larger committee could break off into smaller committees to address the needs of the smaller lakes.

Supervisor Slater mentioned that in order to be able to apply for the LWRP, you have to be approved by the State and put on the inland waterway list. The State Legislature has approved a number of lakes in Yorktown as inland waterways and this is our way of trying to capitalize off that designation so that it actually benefits the Town. He said the four that are the “big ticket” items initially is Mohegan Lake, Sparkle Lake, Osceola Lake, and Junior Lake. He said the Parks and Recreation Commission and the Mohegan Lake Improvement District are supportive and interested in participating.

Councilwoman Roker asked if this would be like a master plan for the lakes and Supervisor Slater said it definitely is which is another reason why he thought it was good timing since the Board is doing the overlay districts. He said you could focus on environmental remediation, recreational use, and economic development.

Councilwoman Roker said she assumed that residents of those areas would be brought into any discussions. Supervisor Slater said that was one of the challenges they had with the Laberge Group (grant writers), which was do we do one larger committee or separate committees for the smaller areas. He said they concluded that doing what Ms. Steinberg mentioned earlier which was a larger committee looking on a macro level and then having breakout groups to address each individual area since they have different needs. The important thing is to engage in the process.

Councilwoman Roker said she would only agree if the communities around these lakes are engaged in the conversation. Supervisor Slater said he would want every community to have a seat at the table.

Councilman Patel asked when people would have some hope of getting sewers in Sparkle Lake and Supervisor Slater said that the County and DEP are in positive positions and we are nearing the place where funds will be released. He said that it would probably be at least two years before shovels go in the ground.

2060 ALLAN AVENUE – MS4 STORMWATER MANAGEMENT PERMIT APPLICATION

John Barile, John Landi, Building Inspector, Mike Quinn, Town Engineer,
John Tegeder, Town Planner

Mr. Panni, developer, said they are building a single-family house on a third of an acre lot and will be installing an 18 StormTech water treatment system. He said they had met with the Town Engineer and believes that they are all on the same page now.

Town Engineer Michael Quinn said this is a 10,000 square foot lot; the current zoning in this area is 20,000 square feet. This applicant worked with Building Inspector John Landi and the ZBA to get a variance. There is a second 10,000 square foot lot right next to this property site that Phil Sanders of RPG got Board approval and a variance to develop on the lot. The PanBar developer is proposing a modest size home. There are steep slopes present. On Mr. Sanders' lot, the ZBA asked that he put in many underground stormwater storage units so that there would not be any impact to the properties on the downhill side. He said he has worked with this applicant to install a similar system at 2060 Allan Avenue. There will be a series of 18 underground detention units that will hold water from the driveway, and roof gutters and leaders to let the water infiltrate into the ground. Similar to what was done on the neighboring property, along the rear, they will put in a planted berm to reduce stormwater runoff from running down the hillside.

Councilwoman Roker said that this would not go to the Planning Board because this property was part of an old subdivision. Mr. Tegeder said it was part of an old subdivision but if an improvement was ever done, it no longer exists and, therefore, there is no improvement layout so the Planning Board/Department does not stay involved. Councilwoman Roker said they must let the neighbors know when they are out there working, as well as the school district. When the other property was being developed, the Board requested in the approving resolution to get a police officer for traffic control.

Councilman Patel asked about the driveway and Mr. Quinn said it is a steep driveway with a 10% slope. The drainage that would be collected from the driveway would go into the underground storage units.

Councilman Diana mentioned that specific things were laid out on the neighboring project regarding the timing of things like the removal of soil, etc. Councilwoman Roker asked Mr. Quinn that when he is ready to come back to the Board with his recommendations if he would let them know if this is correct. Mr. Quinn displayed the plan of the proposed home and pointed out areas where he could compare the conditions of the approving resolution/permit of the neighboring house to this project to see if any would apply.

Mr. Tegeder asked Mr. Panni and Mr. Barile if they received their variance from the ZBA and was told they did. Mr. Panni said the fill would not be removed from the lot.

REFERRAL OF MS4 STORMWATER PERMIT APPLICATION – 2060 ALLAN AVENUE
RESOLUTION #13

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

RESOLVED, the Town Clerk is authorized to refer to the appropriate agencies an application for an MS-4 Stormwater Management Permit submitted by John Barile, Panbar Realty, for the construction of a driveway, foundation for a residence, retaining walls, and stormwater management for property located at 2060 Allan Avenue.

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

1875 BROOKDALE STREET – WETLANDS, EXCAVATION, MS4 STORMWATER
MANAGEMENT PERMIT

Heitor Almeida, John Landi, Building Inspector, Mike Quinn, Town Engineer
John Tegeder, Director of Planning

Joseph Riina, Site Design Consultants, said Mr. Almeida applied for a tree and wetland permit to cut down 77 trees, some of which were in the wetland buffer. A conditional permit was issued in May 2020, which approved the cutting of trees. They were supposed to be cut to grade and no stumps were to be removed, however, some were removed that resulted in some additional land disturbance and a violation was issued in August. Currently, he and Mr. Almeida are working with the Engineering Department to remedy the violation and to bring the site up to compliance and at the same time, dealing with improvements Mr. Almeida wants to make on the property. Essentially, he wants to complete the work he has started to get it properly graded, construct retaining walls, etc. As part of this, there is some additional wetlands disturbance proposed. Initially, 875 square feet of wetlands disturbance was approved and the latest proposal has an additional 1500+ square feet of wetlands disturbance. Mr. Riina said that almost every neighboring property has at least one drainpipe that drain onto the property. Mr. Almeida is

proposing to install a drain system to collect from these pipes and properly discharge them into a spreader, which would then provide recharge to the wetlands. This would run the entire back side of the house. He would like to expand the parking area, complete the lawn area, etc.

Councilwoman Roker said that this sounds like a whole new site plan. She asked where he got the site plan from and Mr. Riina said they put together a site plan that was submitted.

Supervisor Slater said there was a stop work order issued in August. (*A site plan was displayed.*) Mr. Quinn said that originally they were contacted for a tree removal permit, mostly for the left side of the house. Initially, he was granted a tree removal permit in August 2020 to remove 77 trees with no ground disturbance. Mr. Quinn said many of the trees were small and not a regulated size (8 inches and greater). The trees were removed and the permit was closed. More work was done at the property, which was the subject of the stop work order. At that point, basically the entire site was disturbed. Tree stumps were removed and the property was being leveled off so there would be more usable land. Mr. Quinn said the work that was done to the right of the house damaged the wetlands, the drainage ditch running along Brookdale Street. The drainage pipes from the rear properties Mr. Riina mentioned have caused the water that used to run into the wetland area to be diverted, effectively drying up the wetlands. He said he would like to see as part of the new site plan where is he asking for permission to authorize what has already been done along with the new work, to see restoration to the wetland area.

Supervisor Slater agreed with this and said the Board has heard from several of the residents in that area who are not appreciative of the current state that this property has been left in, so he thinks restoration is understood. Supervisor Slater said that this permit request is for the work that has already been done in the wetlands. Mr. Riina said yes and that the request for the stormwater permit is all within the buffer and will be included.

Councilwoman Roker asked if this was put before the Conservation Board. Mr. Riina said no because this is the first meeting for this property. Councilwoman Roker said this needs to be referred out.

Supervisor Slater agreed.

REFERRAL FOR WETLANDS, EXCAVATION, AND MS4 STORMWATER PERMIT – 1875 BROOKDALE STREET
RESOLUTION #14

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

RESOLVED, the Town Clerk is authorized to refer to the appropriate agencies an application for a Wetland Permit, MS4 Stormwater Management Permit, and Excavation Permit submitted by Heitor Almeida for the expansion of existing usable yard area for property located at 1875 Brookdale Street.

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

675 SAW MILL RIVER ROAD – ZONING BOARD REFERRAL SPECIAL USE PERMIT

Supervisor Slater said this is a ZBA referral for a Special Use Permit. He said since this was last discussed, he and John Tegeder did a site visit. Councilwoman Roker said she visited the site, as well.

Michael Grace, attorney for applicant, said this is akin to a use variance and feels that the site is not incompatible with what the applicant is looking to do, which is vehicle storage. He said it is a use that is very desperately needed because there are very little areas, if any, in the area to do this type of storage. He said any objection would come from DEP and his understanding is that they do not have any strong objections.

Supervisor Slater asked John Landi, Building Inspector, if he had any comments and Mr. Landi said he had no objection to the request.

Councilwoman Roker said in 2019 getting approval from the DEP was talked about and wanted to know if that was obtained. Mr. Grace said no because it does not make sense to go before the DEP if the Town was not going to approve the use.

John Tegeder said there is a lot of stuff being stored there right now. He is not sure what exactly

is being proposed. He said there seems to be a lot of equipment that is not regularly being used that is stored. He said maybe they're using them as a stormwater measure in some manner of some berms – he said he's not really sure if there is any rhyme or reason to it. He said if anything goes forward on this, a cleanup should be required, at the very least. He said any approval should have tight conditions on it in terms of how it is used.

Councilwoman Roker said when the owner previously met with the Board he spoke about allowing trucks to park on his property. Councilman Diana said this was true and also that the Board spoke about speaking with DEP first to find out their thoughts since the trucks on the site had diesel fuel and stored fertilizers.

Mr. Grace said he agreed with Mr. Tegeder in that there is a threshold issue – if the Town Board would be comfortable with the outdoor storage, type of storage, etc. He believes that the applicant should be under conditions and restrictions as to how to make it work. He said if the Town Board agrees to this, he would stress to his client to make the investment in creating a site plan that would make everyone happy. Mr. Grace said he understands that this is not in the Town Code or is an allowable use but he asked if he could get permission from DEP (DEC?), would the Town Board consider the proposed permit? Councilman Lachterman stated that this was where it was left the last time the applicant spoke to them – if DEP had no problem, the Board would be amenable to his request.

Councilwoman Roker expressed concern about looking at a lot of big trucks parked on the site.

Mr. Tegeder said that this use is not allowed in this zone. You have to think about the precedent that the Board would set. He also said going to the DEP is a real procedural conundrum. He feels that DEP is not going to say much without a real application and they probably will not look at a real application without the municipality having an application in front of them. He said you end up with a “chicken/egg” situation and if it is not allowed in the zone, he does not know how you take an application in order to enter SEQRA in order to refer it to DEP and he does not think DEP is going to give the Board too much without that type of formal referral. Procedurally, it is difficult.

Councilwoman Roker pointed out that these are not the applicant's vehicles – he is doing this to collect money for the use of vehicle storage.

Supervisor Slater asked Mr. Tegeder, from a precedent-setting standpoint, if there were other Country Commercial zones where he foresees similar applications happening. Mr. Tegeder responded that all around Lake Osceola is Country Commercial and there are a couple of properties there that have been problem properties that are operating outside of the Town Code. This precedent would pave the way for them to use the properties legally and long term.

Mr. Grace said he does not believe this property is a Country Commercial zone; it is set back in an R zone. Mr. Tegeder said it is still the same concern.

Supervisor Slater said that if there is a lack of commercial vehicle storage, it could be written into a more acceptable location and zone, i.e., Front Street corridor. Mr. Grace said he would not do that because it is not aesthetically pleasing to the rest of the area. He feels that his applicant's site is more appropriate because it is set back and hidden from view. Supervisor Slater said he recognizes Mr. Grace's point but feels that this still comes back to DEP. Mr. Grace asked the Board to be open-minded and allow him to approach DEP to see how they feel and then come back to the Board. This was the end of the discussion.

REQUEST FOR PROPOSALS FOR ON-CALL SERVICES - TRAFFIC & ENVIRONMENTAL CONSULTANTS

John Tegeder, Director of Planning, Robyn Steinberg, Town Planner

John Tegeder said he has two requests for proposals. He said he is tasking the prospective consultants with three tasks. The first is application review, which is to review traffic reports submitted by applicants. The second is similar except that the applicant in this case does not have a traffic report and we ask the consultant to evaluate traffic from a broad-based level all the way up to producing an analysis depending on the project. The third is transportation planning, which in this case if the Town has their own sponsored projects and they need a traffic consultant to evaluate intersections around Town, they would use the consultant. He said it is proposed in the RFP specifications that the consultant services would be administered by the Planning or Engineering Department since both departments would have the need.

ADVERTISE REQUEST FOR PROPOSALS FOR TRAFFIC CONSULTANT
RESOLUTION #15

Upon motion made by Councilwoman Roker, seconded by Supervisor Slater,

RESOLVED, the Town Clerk is authorized to advertise a Request for Proposals for a Traffic Consultant for the Planning Department.

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

Mr. Tegeder continued with the Request for Proposals for an Environmental Consultant. He also broke this down into three tasks. The first task is wetland delineation. The Planning Board needs this and the Engineering Department can also avail themselves of this service. The Engineering Department is also listed as an administrator of these services in the specifications. The second task is wetland mitigation evaluation. The third task is to evaluate vacant land for habitat and biodiversity issues.

Councilman Diana asked if the Board would have to make a choice among the RFP responses and Mr. Tegeder said there is a provision to reject any and all proposals, nor is the Board forced to choose the lowest proposal. He said they can also choose portions of the proposals.

Councilman Diana asked if, instead of an official RFP, some of these companies be contacted to talk to them to talk about the types of services the Town may need. Mr. Tegeder said he could reach out to past responders to a previous RFP for an Environmental Consultant. Councilman Diana said he would prefer to see this happen instead of a formal RFP. He said we might be able to do something all encompassing. Councilwoman Roker said that this should be discussed offline in closed session. It was decided to table this request for the RFP at this time.

ENERGY EFFICIENCY AND GREEN PROCUREMENT POLICY
RESOLUTION # 16

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

The New York State Comptroller's office has documented that purchasing "green" is a socially responsible initiative in an effort to preserve our natural resources. Recognizing this responsibility, the Town of Yorktown encourages environmentally responsible purchasing and therefore adopts the following environmentally responsible purchasing policies:

Energy Cost Savings:

The Town can consider energy efficiency which will produce long term savings in energy costs as part of "best value" analysis when purchasing equipment

Recycled Products:

The Town can consider recycled products that meet the requirements of the Environmental Conservation Law as long as the cost is reasonably competitive not exceeding 10% of the comparable non-recycled product. Products manufactured from sustainable materials that may have long-term benefits as a positive impact on the environment may also be considered.

Health / Environmental Sensitivity:

The Town can consider the purchase of environmentally sensitive cleaning and maintenance products which minimize adverse impacts on health and environment

Environmental Impact:

The Town can continue to provide options for recycled and energy efficient green products in considering its needs and objectives with environmentally responsible purchasing as part of its procurement policy. Waste separation / handling, recycling requirements and energy efficiency can also be taken into consideration when contracting for services to be provided to the Town

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

EXTEND BID FOR ALARM MONITORING SERVICES FOR TOWN FACILITIES TO
MARSHALL ALARM SYSTEMS
RESOLUTION #17

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

Whereas, the Town of Yorktown at its meeting of August 1, 2017 awarded the bid for Alarm Monitoring Services for Town Facilities to Marshall Alarm Systems, and

Whereas, the contract term for this service was for a contractual duration of three (3) years commencing on 8/2/17. Upon mutual consent of the Contractor and the Town, the contract may be extended for two 1-year periods, now

Be it Resolved, that the Town Board extends the contract with Marshall Alarm Systems for Alarm Monitoring Services for Town facilities through August 1, 2021.

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

CONTRACT RENEWAL FOR ELECTRICAL WORK ON TOWN BUILDINGS – HANOVER ELECTRIC

RESOLUTION #18

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

BE IT RESOLVED that the annual maintenance contract with Hanover Electric for electrical work on Town buildings for the Town of Yorktown is hereby extended for one year according to the terms of the contract.

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

AUTHORIZE THE COMPTROLLER TO PROCESS TRANSFERS FROM 2020 BUDGET
RESOLUTION #19

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

The Comptroller is hereby authorized to process the following transfer from 2020 budget:

From:		
A3120.423	Police - Training	\$13,851.00
To:		
A3120.424	Police - Communications	\$13,851.00

For payment to ESS for emergency repairs to the repeater located at the Police Department.

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

AUTHORIZE THE COMPTROLLER TO PROCESS TRANSFERS FROM 2021 BUDGET
RESOLUTION #20

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

The Comptroller is hereby authorized to process the following transfer from 2021 budget:

From:		
SR7210.101	R&R – Salary	\$19,841.12
To:		
SR7210.109	R&R – Stipend	\$19,841.12

For stipend to be paid to General Foreman for Building Maintenance duties

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

AUTHORIZE THE COMPTROLLER TO PAY THE CASH VALUE OF UNUSED TIME FOR KYLE THORNTON

RESOLUTION #21

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

Be It Resolved, that the Town Board hereby authorizes the Town Comptroller to pay Kyle Thornton the cash value of unused time as of 12/6/20 his date of resignation:

Rate of Pay: \$49.2611

2020 Vacation	133.00 hours	x	\$49.2611	=	\$6,551.72
Total			\$6,551.72		

Be It Further Resolved, that the Comptroller is hereby authorized to transfer funds from the 2020 Budget for the purpose of this payout at resignation as follows:

From:
A7020.101 Recreation Salary \$6,551.72

To:
A7020.108 Recreation Lump Sum Payments \$6,551.72

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

AUTHORIZE THE COMPTROLLER TO PROCESS TRANSFERS FROM 2020 BUDGET
RESOLUTION #22

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

Resolved, the Comptroller is authorized to process the following 2020 budget transfers to close Capital Project HB Hunterbrook/202 Sewer Extension

From:
HB.1002 Hunterbrook/202 Sewer Extension – Fund Balance \$6,209.44

To:
HB.701 Hunterbrook/202 Sewer Extension – Accounts Payable \$6,209.44

From:
HB.1002 Hunterbrook/202 Extension – Fund Balance \$141,300.63

To:
GJ.909 Hunterbrook/202 Sewer District – Fund Balance \$141,300.63

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

AUTHORIZE THE COMPTROLLER TO PROCESS THE FOLLOWING TRANSFER FROM
2020 BUDGET
RESOLUTION #23

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

From:
SW2.909 Kitchawan Water – Fund Balance \$6,228.51

To:
SW.8310.200 Kitchawan Water - Equipment \$3,800.00

For payment to Virtu Water Meter Services for meter calibrations, and

SW.8320.407 Kitchawan Water – Electricity \$2,428.51

For payment to New York Power Authority for differences between estimated and actual billings.

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

ADOPT RETENTION AND DISPOSITION SCHEDULE FOR NEW YORK LOCAL
GOVERNMENT RECORDS (LGS-1) REVISED BY THE STATE ARCHIVES

RESOLUTION #24

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

RESOLVED, By the Town Board of the Town of Yorktown, that Retention and Disposition Schedule for New York Local Government Records (LGS-1) revised by the State Archives, issued pursuant to Article 57-A of the Arts and Cultural Affairs Law, and containing legal minimum retention periods for local government records, is hereby adopted for use by all officers in legally disposing of valueless records listed therein, and

BE IT FURTHER RESOLVED, that in accordance with Article 57-A:

a) only those records will be disposed of that are described in the Retention and Disposition Schedule for New York Local Government Records after they have met the minimum retention periods described therein;

b) only those records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond established legal minimum periods.

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

APPROVE GARBAGE LICENSE FOR AAA CARTING & RUBBISH REMOVAL, INC. TO SERVICE COMMERCIAL PROPERTIES IN THE TOWN OF YORKTOWN FOR YEAR 2021
RESOLUTION #25

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

RESOLVED, that AAA Carting & Rubbish Removal, Inc. be and is hereby granted renewal of their Garbage License to service commercial properties in the Town of Yorktown for the year 2021.

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

AUTHORIZE LIBRARY DIRECTOR TO SIGN AGREEMENT WITH D.P. WOLFF INC.
RESOLUTION #26

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

BE IT RESOLVED, that the Town's Library Director is authorized to sign an agreement with D.P. Wolff Inc. for the service and comprehensive preventative maintenance of the John C. Hart Memorial Library air conditioning units, air handlers and air fans for a two year period from February 1, 2021 to January 31, 2023 for the sum of \$10,476.20. This amount shall be paid in 8 quarterly payments at the sum of \$1,309.52 per payment.

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

RESOLUTION FOR BOND RELEASE REQUEST FOR 1631 CENTRAL STREET
RESOLUTION #27

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

WHEREAS:

1. Louis Mastro as applicant, posted check #4067 in the amount of \$500 which was deposited to the T33 account on October 25, 2019.
2. Louis Mastro has requested his money be released as the site is now complete.
3. The Town Engineer has informed this Board that a representative of his department has inspected the property and determined that the work has been satisfactorily completed, and that the above referenced monies may be released.

NOW, THEREFORE BE IT RESOLVED, the above referenced \$500 bond be and is hereby released to Mr. Louis Mastro, 1631 Central Street, Yorktown Heights, NY 10598.

Slater, Diana, Lachterman, Patel, Roker Voting Aye

Resolution adopted.

RESOLUTION FOR BOND RELEASE REQUEST FOR 680 CROTON LAKE ROAD
RESOLUTION #28

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

WHEREAS,

1. Beriah Hart as applicant, posted \$500 which was deposited to the T33 account on July 20, 2018.
2. Beriah Hart has requested his money be released as the site is now complete.
3. The Town Engineer has informed this Board that a representative of his department has inspected the property and determined that the work has been satisfactorily completed, and that the above referenced monies may be released.

NOW, THEREFORE BE IT RESOLVED, the above referenced \$500 bond be and is hereby released to Mr. Beriah Hart, White Oak Farm, 680 Croton Lake Road, Yorktown Heights, NY 10598.

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

AUCTION OF OBSOLETE VEHICLE - HIGHWAY DEPARTMENT
RESOLUTION #29

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

WHEREAS, the Town of Yorktown has found that a certain vehicle is obsolete and no longer needed for public use by the Town, and

WHEREAS, the Highway Department recommends to the Town Board that the listed vehicle be deemed obsolete and sold at auction:

1999 Ford 350

NOW, THEREFORE BE IT RESOLVED, that the above listed vehicle be deemed obsolete and be sold at auction by Absolute Auctions & Realty, Inc.

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

APPOINT ROBERT ALFANO TO PARK GROUNDSKEEPER IN THE PARKS &
RECREATION DEPARTMENT
RESOLUTION #30

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

BE IT RESOLVED, that Robert Alfano is hereby appointed Park Groundskeeper, job class code 0288-05, within the Parks & Recreation Department, effective January 1, 2021, to be paid from Yorktown CSEA Salary Schedule A, Group 10, Step 1 which is \$54,539.00 annually; and

Be It Resolved, that this appointment is subject to a probationary period of not less than 12 weeks, commencing on the first date of appointment on January 1, 2021.

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

ADJOURN

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

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