

Meeting of the Town Board, Town of Yorktown held on Tuesday, August 3, 2021 held at Mohansic Golf Course, 1500 Baldwin Road, Yorktown Heights, New York 10598.

Present: Matthew J. Slater, Supervisor
Thomas P. Diana, Councilman
Edward Lachterman, Councilman
Vishnu V. Patel, Councilman

Absent: Alice E. Roker, Councilwoman

Also Present: Diana L. Quast, Town Clerk
Adam Rodriguez, Town Attorney (via telephone)
Dave Paganelli, Highway Superintendent

TOWN BOARD MEETING

Supervisor Matthew Slater called the meeting to order.

PLEDGE OF ALLEGIANCE

Purple Heart Recipient Gene Lang lead the Pledge of Allegiance.

MOMENT OF SILENCE

Supervisor Slater asked for a moment of silence to keep in our prayers long-time former employee of the Town of Yorktown, Patrick Lofaro, who is currently hospitalized due to COVID. He also asked to remember our frontline workers, emergency response workers, police officers, firefighters, volunteer ambulance members, and the bravest men and women in the world – the United States military.

INTRODUCTIONS

Town Board members introduced themselves, as well as Town Clerk Diana Quast and Town Attorney Adam Rodriguez.

WELCOME TO MOHANSIC GOLF COURSE

Robert Roth, Assistant Mohansic Golf Course Manager, welcomed everyone to Mohansic Golf Course.

REPORT FROM TOWN SUPERVISOR MATTHEW SLATER

Supervisor Slater reported on recent Town events and updates, including the following:

- COVID update
- Parkland Alienation Bill for Granite Knolls was signed into law. This is an important step in order to move the solar project forward. He thanked Senator Harckham and Assemblyman Byrne for their assistance.
- The consolidated funding applications – one for the Hallocks Mill Sewer Project and the other for the Local Waterfront Revitalization Program have been completed and submitted with assistance from the Laberge Group.
- The Food Waste Drop Off Center is doing very well – in one week we have doubled the amount of food picked up. Information may be found on the Refuse & Recycling webpage.
- The John C. Hart Memorial Library reported that in June the library was tied for the highest circulation in Westchester County.
- Parks & Recreation announcements of pool closings for the end of summer.
- Hill Boulevard has been partially reopened (one lane in each direction).

REPORTS FROM TOWN COUNCIL

Members of the Town Council reported on recent Town events and public service announcements.

REPORT FROM THE HIGHWAY SUPERINTENDENT

Highway Superintendent Dave Paganelli spoke about the opening of Hill Boulevard. He said that his department is doing paving and have currently paved 18 roads. He said that they are on schedule and announced the upcoming schedule of times and locations of the upcoming paving.

Councilman Lachterman read the following proclamation:

PROCLAMATION NATIONAL PURPLE HEART DAY – AUGUST 7, 2021

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

WHEREAS, the Purple Heart Medal is awarded in the name of the President of the United States to members of the armed forces who are wounded or killed in action; and

WHEREAS, The Purple Heart Medal was first created by General George Washington and remains the oldest military decoration in the world in present use; and

WHEREAS, the Purple Heart Medal was discontinued after the Revolutionary War but reinstated by the U.S. War Department on February 22, 1932, the 200th anniversary of George Washington's birthday; and

WHEREAS, nearly two million American soldiers who have been wounded in battle or killed in action have received this prestigious recognition for their bravery and valor; and

WHEREAS, it is fitting and proper to take time to remember these heroes who fought for and protected our freedoms both at home and abroad; and

WHEREAS, on August 6, 2013 the Town of Yorktown declared itself a Purple Heart Town through a resolution as recommended by the Military Order of the Purple Heart Chapter 21; and

WHEREAS, the freedoms we cherish come at a price paid by the brave soldiers who stand watch every single day; now, therefore, be it

RESOLVED, that the Town of Yorktown recognizes August 7, 2021 as National Purple Heart Day; and be it further

RESOLVED, that the Town of Yorktown recognizes our residents who are recipients of the prestigious Purple Heart award and thank them for their service; and be it further

Resolved, that the Town of Yorktown recommits itself as a Purple Heart Town.

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

Councilman Lachterman called Gene Lang, Senior Vice Commander of the Military Order of the Purple Heart, to the podium. Mr. Lang introduced other Purple Heart Recipients in the audience for recognition by the Town Board. Mr. Lang spoke about his organization and the work they do for veterans. Each of the Purple Heart attendees spoke a few words about their service.

POET LAUREATE

John McMullen, Poet Laureate, read an original poem "Death Walks In."

APPOINT DANIEL CIARCIA TOWN ENGINEER IN THE ENGINEERING DEPARTMENT

RESOLUTION #323

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

BE IT RESOLVED, that Daniel Ciarcia is hereby appointed Town Engineer, job class code 0370-01, in the Engineering Department, effective August 4, 2021 to be paid \$145,00.00 annually, and 25 vacation days per year;

BE IT RESOLVED, that this appointment is subject to a probationary period of not less than 12 nor more than 52 weeks, commencing on the first date of appointment on August 4, 2021.

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

ACCEPT THE RETIREMENT OF CATHLEEN ROMANYCH FROM THE WATER DEPARTMENT

RESOLUTION #324

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

Resolved, that the Town Board accepts the retirement received from Cathleen Romanych from the Water Department effective July 28, 2021, with thanks for her many years of service to the Town.

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

ACCEPT THE RETIREMENT OF MARTIN MCGANNON FROM THE SEWER DEPARTMENT RESOLUTION #325

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

Resolved, that the Town Board accepts the retirement received from Martin McGannon from the Sewer Department effective November 12, 2021, with thanks for his many years of service to the Town.

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

COURTESY OF THE FLOOR

The following members of the public spoke at Courtesy of the Floor:

- Paul Moskowitz, resident and member of Yorktown 100, said the aim of Yorktown 100 is to reduce greenhouse gas emissions in the Town of Yorktown by 5% each year. Mr. Moskowitz said that the Environmental Assessment form for the Overlay District legislation should include accommodations for electric vehicles in any new housing in the Overlay districts (ground level charging stations and parking so that the owners of electric vehicles have easy access to the chargers).
- Dan Strauss, resident, thanked Superintendent Paganelli for the paving on his road and for the wonderful work his department does. He said that he hoped the Town Board would just inform the public that there will be no crosswalk at Route 118 and Downing Drive – the Department of Transportation does not want it, nor does the Highway Superintendent – and any further talk about it is a waste of time. Mr. Strauss also spoke about the idea of Yorktown being a “walkable” Town; however, it does not have the downtown area or a train station or a river. He said that he is tired of people trying to change the character of Yorktown.
- Sergio Esposito, resident and President of the Yorktown Chamber of Commerce, made announcements regarding Chamber of Commerce activities and events.
- Ken McGevna, resident of Hamblyn Street, asked where he could get a copy of the traffic consultant’s report for the traffic study done for the Hallocks Mill Road area. He would like to see the data from the study. Superintendent Paganelli asked Mr. McGevna to call him tomorrow and he would get him the data.
- Donna McGevna, Mr. McGevna’s wife, offered her suggestions regarding the traffic issue in the Hallocks Mill Road area.
- Rosemarie Panio, resident, thanked the Town Board for their unanimous vote against allowing marijuana dispensaries and on-site cafes in Town. She asked for the Town Board to provide what the next steps are in the process.

Upon motion made by Councilman Lachterman, seconded by Councilman Diana, Courtesy of the Floor was closed.

Town Attorney Adam Rodriguez addressed the permissive referendum procedure that is required as a result of opting out of allowing marijuana dispensaries and on-site cafes in Town. Town Clerk Diana Quast also addressed the petition requirements of the permissive referendum.

Members of the Town Board addressed the comments made during Courtesy of the Floor.

CONVENE PUBLIC HEARING TO CONSIDER A WETLANDS/STORMWATER PERMIT APPLICATION (APPOLLONIO) FOR THE PURPOSE OF CONSTRUCTING A SINGLE-FAMILY DWELLING AND SWIMMING POOL

Supervisor Matthew Slater convened a public hearing to consider a wetlands/ stormwater permit application submitted by Giovanista and Lauren Apollonio for the purpose of constructing a new

single-family dwelling and swimming pool for property located at 1789 Baldwin Road, Yorktown, New York, also known as Section 37.17, Block 1, Lot 54 on the Tax Map of the Town of Yorktown.

Town Clerk Diana Quast displayed the Affidavit of Publication for this public hearing.

Mr. and Mrs. Apollonio said they are building a single-family house with a swimming pool. Town Engineer Dan Ciarcia said the property had a home on it that was destroyed by fire. He said that the proposed plans for the new house disturb approximately nine-tenths of an acre. He said the issue is the amount of excavation needed for the pool and the residence. He said that the property is bordered by some minor watercourses that would qualify as wetlands and that the application also includes some removal of trees.

Director of Planning John Tegeder said that he did not see proper mitigation in the plans for wetland intrusion or tree removal. He recommended that an existing conditions map be included just to aid in the understanding of the totality of the project.

Mr. Ciarcia said that the original house was on septic and this applicant will be installing a sewer line, which will open up sewers for about ten other properties. The Board and Mr. Ciarcia discussed the benefits to the area that this would provide.

The following members of the public spoke:

- A resident who would be a neighbor of this property spoke about sewer connection and its effect on taxes. She said that her concern is having water from this property flowing onto her property. She also spoke about the tree removal and its effects on her property.
- Luciana Haughwout, resident, spoke about the ways the pool could be installed so that water would not runoff on to neighboring property.

Supervisor Slater read agency comments received during the referral period for this project and directed the applicants to get the documentation requested by the Planning Director before they appear before the Planning Board.

All those present having been given the opportunity to be heard and there being no further discussion, the hearing was adjourned. Upon motion made by Councilman Lachterman, seconded by Councilman Diana, and carried.

AUTHORIZATION FOR SUPERINTENDENT OF PARKS & RECREATION TO SIGN AGREEMENT WITH GG LEAGUES TO PROVIDE ONLINE GAMING RECREATION PROGRAMMING
RESOLUTION #326

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

RESOLVED, the Town Board authorizes the Superintendent of Parks and Recreation to sign an agreement with GG Leagues to provide online gaming recreation programming for the fall and winter of 2021.

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

EROSION CONTROL BOND ACCEPTANCE AND WETLAND BOND ACCEPTANCE FOR #WP-FSWPPP-012-21 (COLLIER)
RESOLUTION #327

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

WHEREAS, Christopher & Amanda Collier, as applicants, posted check #9038 in the amount of \$2,500 which was deposited to the T33 account on June 14, 2021, to serve as the Erosion Control Bond for Wetland & Stormwater Permit #WP-FSWPPP- 012-21, and

WHEREAS, Christopher & Amanda Collier, as applicants, posted check #9039 in the amount of \$2,500 which was deposited into the T33 account on June 14, 2021, to serve as the Wetland Bond for Wetland & Stormwater Permit #WP-FSWPPP-012-21,

NOW, THEREFORE BE IT RESOLVED, the above-referenced checks are hereby accepted to serve as the required bonds for the above-referenced permit.

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

EROSION CONTROL BOND ACCEPTANCE FOR #WP-FSWPPP-041-19 (CRESLOR HOMES, LLC)

RESOLUTION #328

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

WHEREAS, Creslor Homes, LLC, as applicant, posted check #13632 in the amount of \$1,500 which was deposited to the T33 account on July 19, 2021, to serve as the Erosion Control Bond for Wetland & Stormwater Permit #WP-FSWPPP- 041-19, NOW, THEREFORE BE IT

RESOLVED, the above-referenced check is hereby accepted to serve as the required bond for the above-referenced permit.

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

LANDSCAPE BOND ACCEPTANCE AND EROSION CONTROL BOND ACCEPTANCE FOR #T-FSWPPP-056-20 (ENTERSOLAR, LLC)

RESOLUTION #329

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

WHEREAS, EnterSolar, LLC, as applicant for IBM, posted check #12219 in the amount of \$21,225.00 which was deposited to the T33 account on July 19, 2021, to serve as the Landscape Bond for a solar project for Stormwater & Tree Permit #T-FSWPPP-056-20, and

WHEREAS, EnterSolar, LLC, as applicant for IBM, posted check #12220 in the amount of \$5,000.00 which was deposited into the T33 account on July 19, 2021, to serve as the Erosion Control Bond for a solar project for Stormwater & Tree Permit #T-FSWPPP-056-20,

NOW, THEREFORE BE IT RESOLVED, that the above-referenced checks are hereby accepted to serve as the required bonds for the above-referenced permit.

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

EROSION CONTROL BOND ACCEPTANCE FOR #FSWPPP-032-21 (NORTHEAST WATER & SEWER CORP – LAJQI)

RESOLUTION #330

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

WHEREAS, Northeast Water & Sewer Corp, as applicant for Lajqi, posted check #1140 in the amount of \$1,500 which was deposited to the T33 account on July 12, 2021, to serve as the Erosion Control Bond for Stormwater Permit #FSWPPP- 032-21,

NOW, THEREFORE BE IT RESOLVED, the above-referenced check is hereby accepted to serve as the required bond for the above-referenced permit.

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

EROSION CONTROL BOND ACCEPTANCE FOR #T-FSWPPP-016-20 (PANBAR REALTY, LLC)

RESOLUTION #331

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

WHEREAS, PanBar Realty, LLC, as applicant, posted check #1771 in the amount of \$2,500 which was deposited to the T33 account on June 14, 2021, to serve as the Erosion Control Bond for Tree

& Stormwater Permit #T-FSWPPP- 016-20,

NOW, THEREFORE BE IT RESOLVED, the above-referenced check is hereby accepted to serve as the required bond for the above-referenced permit.

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

AWARD BID FOR TREE REMOVAL SERVICES FOR THE HIGHWAY DEPARTMENT TO RAYAL TREE CARE COMPANY
RESOLUTION #332

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

WHEREAS, invitation to bid for Tree Removal Services for the Highway Department, Town of Yorktown was duly advertised, and

WHEREAS, two bids were received and opened on July 19, 2021 with the bid amount for the above-referenced project summarized as follows:

<u>Bidder</u>	<u>Bid Amount</u>
Royal Tree Care Company 2994 Navajo Street Yorktown Heights, NY 10598	\$460.00 per hour
Almstead Tree, Shrub and Lawn Care 15 Broadway Hawthorne, NY 10532	\$560.00 per hour

RESOLVED, that upon the recommendation of the Highway Superintendent, Dave Paganelli, the bid for Tree Removal Services for the Highway Department, Town of Yorktown be hereby awarded to Royal Tree Care Company, 2994 Navajo Street, Yorktown Heights, NY 10598.

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

AWARD BID FOR THE PREVENTATIVE MAINTENANCE & ON-CALL SERVICES OF EMERGENCY GENERATORS
RESOLUTION #333

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

WHEREAS, bids were received from the below vendors for the Preventative Maintenance & On-Call Services of Emergency Generators:

<u>NAME OF BIDDER</u>	<u>AMOUNT OF BID</u>
Gentech, LTD	\$28,285.00
Emergency Power Systems, LLC	\$32,443.75
National Standby Repair, Inc.	\$37,787.50
Genserve, LLC	\$52,260.00
Effortless Power, Inc.	\$64,575.00

RESOLVED, that the bid for the Preventative Maintenance & On-Call Services of Emergency Generators, Bid #20-1 be award to Gentech, LTD, at a total bid price of \$28,285.00.

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

MONTHLY REPORTS

The Town Board accepted the Monthly Reports received from the following departments:

- Finance Department
- Receiver of Taxes
- Town Clerk

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

ADJOURN MEETING

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

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