

Meeting of the Town Board, Town of Yorktown held on Tuesday, June 14, 2022 held in Yorktown Heights, New York 10598.

Present: Matthew J. Slater, Supervisor
Thomas P. Diana, Councilman
Edward Lachterman, Councilman
Sergio Esposito, Councilman
Luciana Haughwout, Councilwoman

Also Present: Diana L. Quast, Town Clerk
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 Esposito, the Town Board moved into Executive Session to discuss individual personnel issues, and litigation and negotiations. Upon motion made by Councilman Lachterman, seconded by Councilman Esposito, 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 all to join the Town Board in a moment of silence to remember all the patriots who have carried and defended our flag on this national Flag Day. He asked to remember all of our first responders – police officers, firefighters, EMTs, etc. Supervisor Slater also asked to remember Yorktown resident Jacqueline Davis Baker who was an inspiration to many and retired Yonkers teacher who lost her battle with cancer.

INTRODUCTIONS

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

REPORT FROM THE TOWN SUPERVISOR

Supervisor Slater made the following announcements:

- Thank you to all who participated in the Relay for Life held last Friday night – over \$46,000 was raised
- He, Planning Director John Tegeder, the traffic consultants, and Trader Joe's management met to discuss and resolve any traffic impacts of the store's opening in about 4 to 6 weeks. Trader Joe's has begun hiring upwards of 200 people.
- The Town will not know officially until Thursday or Friday morning if Town offices will be closed for Juneteenth (Monday, June 20), pending approval by the CSEA through a contract amendment.

REPORTS FROM TOWN COUNCIL

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

LABERGE GROUP UPDATE

Supervisor Slater introduced Scott Siegel from the LaBerge Group. Mr. Siegel reported that since they began working with the Town, the LaBerge Group has been successful in bringing in approximately \$7 million for various projects; most notably the Hallocks Mill Sewer Extension project and a small Hudson River Valley Grant to assist with the Comprehensive Plan update. He is present this evening to talk about what the plans are for the next round of funding. He said that priority projects include work at the AACCCC and Local Waterfront Revitalization Program for Mohegan Lake. Mr. Siegel said there are still some outstanding grants that they are waiting to hear their outcomes, one of which is the grant for records management that they have been working on with Town Clerk Diana Quast. He said that there is also the Critical Infrastructure grant they are working on with the police department regarding security measures at Town Hall. Also outstanding is the MWRR grant for a horizontal grinder (a three to five year waitlist).

General Foreman Philip Marino said there is a security issue at the AACCCC and he would like to close off portions of the building but leave the doors open so the public has access to restrooms. He said that he is considering security doors with a passcode key for employees or people who need necessary access. Mr. Marion said he would be submitting a request to go out to bid at next week's meeting. Supervisor Slater said the AACCCC is a very challenging building to manage.

3628 FLANDERS DRIVE STORMWATER PERMIT APPLICATION

Supervisor Slater introduced Anthony Pisarri, Westchester Modular, to discuss the stormwater permit applications for 3628 Flanders Drive and 2823 Hickory Street.

Mr. Pisarri began with 3628 Flanders Drive, which is an empty lot with a proposed single-family residence. He said that he was directed by Town Engineer Dan Ciarcia to provide for water quality on the site. Mr. Pisarri said that the site requires 31 feet of Cultech units (underground water retention units), which he is proposing to put in the front. He described other stormwater techniques he is using on the property.

Mr. Ciarcia said this is technically a redevelopment of an existing lot since there was a house there previously that burned down. It is before the Town Board because it is over the 200 cubic yard threshold.

AUTHORIZE REFERRAL OF 3628 FLANDERS DRIVE STORMWATER PERMIT APPLICATION TO THE APPROPRIATE AGENCIES RESOLUTION #285

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

RESOLVED, the Town Clerk is authorized to refer the stormwater permit application for 3628 Flanders Drive to the appropriate agencies.

Slater, Diana, Lachterman, Esposito, Haughwout Voting Aye
Resolution adopted.

2823 HICKORY STREET – STORMWATER PERMIT APPLICATION

Mr. Pisarri said the current owners of this property are knocking down the existing house and building a new one virtually in the same spot; the footprint is identical. He said the same requirements were made by the Town Engineer and this property required 17.6 feet of Cultech units, also to be placed in the front. Mr. Pisarri said this property has a detached garage on the right of the property. He displayed plans for the work he would need to do. Again, this project is over the threshold.

Mr. Ciarcia said the septic on the property would need to be upgraded. Mr. Pisarri said that the septic has already been upgraded.

AUTHORIZE REFERRAL OF 2823 HICKORY STREET STORMWATER PERMIT APPLICATION TO THE APPROPRIATE AGENCIES RESOLUTION #286

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

RESOLVED, the Town Clerk is authorized to refer the stormwater permit application for 2823 Hickory Street to the appropriate agencies.

Slater, Diana, Lachterman, Esposito, Haughwout Voting Aye
Resolution adopted.

UNITY MURAL

Bruce Apar, member of the Arts & Culture Committee, came before the Town Board to discuss the Unity Mural. Supervisor Slater said that they are still waiting to hear back from the State for their permission on the Unity Mural and, in the meantime, have asked the Arts & Culture Committee to run point on the project and its design. Mr. Apar asked about a budget for the project if they are going to use a professional artist. Mr. Apar said the original idea of the mural was to replace offensive writing on a structure; however, the graffiti is in a location where a replacement mural would not be seen by many. He suggested choosing five to seven locations in Town and put out an "artist call." He spoke about the message the mural would present and suggested an aspirational

message from which the artist could choose. Mr. Apar said the idea is to have multiple murals around Town to achieve maximum exposure. He also suggested a contest for children creating art that could be blown up by a professional artist on canvas.

Mr. Apar and the Town Board discussed the possibilities for the mural, incorporating Mr. Apar's suggestions.

POLICE DEPARTMENT STEPS AND TOWN HALL ENTRANCE

Dan Ciarcia, Town Engineer, came before the Town Board to give an update on the Police Department Steps project and the Town Hall Entrance project. Mr. Ciarcia said he is putting together one bid document that would be the site work for the sidewalks, parking, and construction of the portico on Town Hall. He said that ABACA has reviewed the project. Mr. Ciarcia said he is finishing specifications for each part of the bid. He said that some of the elements of the bid for the Town Hall renovation project would dovetail with the work at the police department. He said that he is tightening up specifications to make a more complete document that could be used for future bids. He said that it should be completed in approximately two weeks. Town Clerk Quast said she would need the full bid package before advertising for the bid. He said that he would attempt to have everything ready by the July 28th meeting; if not, then the August 5th meeting.

Supervisor Slater asked about progress for the Police Department and Justice Court steps and plaza and Mr. Ciarcia said as soon as the Town Hall documents are complete, he would be working on that project. Supervisor Slater asked if there were any advancements made on the design or site and Mr. Ciarcia said he would like to get the Town Hall renovations done first.

Supervisor Slater and Councilman Diana discussed the heat pumps for Town Hall to get it off the current heating system.

DORCHESTER GLEN SUBDIVISION

Joe Riina, Site Design Consultants, he is working on a five lot subdivision for John and Elaine Kincart on Maxwell Drive. He said that when the Dorchester Heights subdivision was created, there was a right of way extension that touches their property. Mr. Riina displayed a map of the property, which is 24 acres. The Kincarts would like to subdivide their property into five lots, one of which is their existing home. It is ½ acre zoning; the smaller of the lots is about ¾ of an acre; the remaining lots are at least one acre in size. The plan is to access the area by using the extended right of way from Dorchester Drive. This would provide legal frontage for the four lots and the existing house on Maxwell Drive. Mr. Riina said he is asking the Town Board to authorize the Planning Board to use Section 300-22 of the Town Code's Flexibility Standard that will allow him flexibility in the layout of the lots. He said that the Kincarts would prefer the roadway to be a private roadway so the Town would not have to own and maintain it. Mr. Riina displayed a map of the future plan for the property.

Supervisor Slater said that he had the Planning Board's memo requesting the Town Board's authorization and confirmed the Planning Board's approval with Planning Director John Tegeder. Mr. Tegeder said that the Planning Board has determined that this is the best course of action.

Councilman Diana and Mr. Riina discussed the sewer system for the property.

AUTHORIZATION TO REFER THE REQUEST FOR FLEXIBILITY STANDARD FOR THE DORCHESTER GLEN SUBDIVISION RESOLUTION #287

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

RESOLVED, the Town Clerk is authorized to refer the request for Flexibility Standard for the Dorchester Glen Subdivision to the appropriate parties.

Slater, Diana, Lachterman, Esposito, Haughwout Voting Aye
Resolution adopted.

AUTHORIZE THE SUPERVISOR TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH THE CIVIL SERVICES EMPLOYEES ASSOCIATION RESOLUTION #288

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

RESOLVED, that the Supervisor is authorized to enter into a memorandum of agreement with the Civil Services Employees Association, Local 1000 Afsme, AFL-CIO, Westchester County Local 860, Csea Unit 9181 to resolve a grievance alleging the underpayment of wages.

Slater, Diana, Lachterman, Esposito, Haughwout Voting Aye
Resolution adopted.

AUTHORIZE THE COMPTROLLER TO PROCESS THE FOLLOWING BUDGET TRANSFER FOR RENOVATIONS TO TOWN BUILDINGS

RESOLUTION #289

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

RESOLVED, The Comptroller is hereby authorized to process the following budget transfer:

From:		
A.1002	General Fund – Fund Balance	\$175,500.00
To:	Capital Project	
HV	Renovations to Town Buildings	\$175,500.00

for engineering and oversight costs on and additional work for flashing renovations and price increases in material costs associated with work to be completed on the roof as well as pointing design for the exterior façade at the Albert A Capellini Community and Cultural Center.

Slater, Diana, Lachterman, Esposito, Haughwout Voting Aye
Resolution adopted.

AUTHORIZE THE COMPTROLLER TO PROCESS THE FOLLOWING BUDGET TRANSFER FOR TOWN HALL ENTRANCE RENOVATION

RESOLUTION #290

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

RESOLVED, the Comptroller is hereby authorized to process the following budget transfer:

From:		
A.1990.499.1	General Fund – Contingency Capital	\$11,000.00
To:	Capital Project	
	HS1620.200 Town Hall Entrance Renovation	\$11,000.00

for payment to Eastern Oil Company for oil tank replacement and Putnam Mobile Mix for concrete.

Slater, Diana, Lachterman, Esposito, Haughwout Voting Aye
Resolution adopted.

AUTHORIZE THE COMPTROLLER TO PROCESS THE FOLLOWING BUDGET TRANSFER FOR HIGHWAY EQUIPMENT

RESOLUTION #291

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

RESOLVED, the Comptroller is hereby authorized to process the following budget transfer:

From:	Highway – Fund Balance	\$86,243.54
To:	Highway Equipment (D5110.201)	\$86,243.21

for the purchase of three (3) Ford Super Duty F-550's from Kunes Auto Group as per June 7, 2022 Town Board resolution. This transfer includes cost of transportation/shipping of these three (3) vehicles from Antioch, Illinois to Yorktown New York

Slater, Diana, Lachterman, Esposito, Haughwout Voting Aye
Resolution adopted.

REQUEST NEW YORK STATE DEPARTMENT OF TRANSPORTATION TO ADDRESS
DETERIORATING ROAD CONDITIONS ALONG RTE. 132
RESOLUTION #292

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

RESOLVED, the Town Supervisor is authorized to send correspondence to the New York State Department of Transportation to address deteriorating road conditions along Route 132.

Slater, Diana, Lachterman, Esposito, Haughwout Voting Aye
Resolution adopted.

AWARD BID FOR JOHN DEERE CONSTRUCTION EQUIPMENT OEM PARTS
RESOLUTION #293

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

WHEREAS, invitation to bid for the John Deere Construction Equipment OEM Parts for the Town of Yorktown was duly advertised, and

WHEREAS, said bids were received and opened on June 9, 2022, and

BE IT RESOLVED, that upon the recommendation of the Highway Superintendent Dave Paganelli, the bid for John Deere Construction Equipment OEM Parts for the Town of Yorktown be and is hereby awarded to Jesco, Inc., 497 Fishkill Avenue, Beacon, NY 12508 and

BE IT FURTHER RESOLVED, the contract is to begin on June 22, 2022 to June 21, 2023. Price(s) set forth in bid proposal from shall remain valid for one year from the date of the bid award. The Town shall have the option to renew this contract for 5 additional one (1) year periods by notice to vendor 30 days prior to the anniversary of this contract.

Slater, Diana, Lachterman, Esposito, Haughwout Voting Aye
Resolution adopted.

AWARD BID FOR STREET LIGHT MAINTENANCE AND REPAIR SERVICES
RESOLUTION #294

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

WHEREAS, invitation to bid for the Street Light Maintenance and Repair Services for the Town of Yorktown was duly advertised, and

WHEREAS, said bids were received and opened on June 9, 2022, with the bid amounts for the above-referenced project summarized as follows:

Hanover Electric

Hourly Rate:	
Regular	\$115.00
Overtime	\$160.00
Sunday/Holiday	\$220.00

The NY-Conn Corp.

Hourly Rate:	
Regular	\$240.00
Overtime	\$310.00
Sunday/Holiday	\$350.00

Verde Electric Corp.

Hourly Rate:	
Regular	\$320.00
Overtime	\$400.00
Sunday/Holidays	\$450.00

RESOLVED, that upon the recommendation of the Highway Superintendent, Dave Paganelli, the bid for Street Light Maintenance and Repair Services be and is hereby awarded to Hanover Electric, the most responsive bidder.

BE IT FURTHER RESOLVED, the contract is to begin on August 15, 2022 and terminate on August 14, 2023. The Town shall have the option to extend this contract at the same price two (2) times, for two (2) additional one-year terms, a total of three (3) if all options to extend are exercised.

Slater, Diana, Lachterman, Esposito, Haughwout Voting Aye
Resolution adopted.

AWARD BID FOR TRAFFIC LIGHT REPAIR AND MAINTENANCE
RESOLUTION #295

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

WHEREAS, invitation to bid for Traffic Light Repair/ Maintenance for the Town of Yorktown was duly advertised, and

WHEREAS, said bids were received and opened on June 9, 2022.

RESOLVED, that upon the recommendation of the Highway Superintendent, Dave Paganelli, the bid for the Traffic Light/Repair Maintenance be and is hereby awarded, to NY-Conn Corporation, 5 Shelter Rock Road, Suite 8, Danbury, CT 06810.

NY-Conn Corp.

Hourly Rate	
Regular	\$240.00
Overtime	\$310.00
Sunday/Holiday	\$350.00

BE IT FURTHER RESOLVED, the dates of the bid will be August 15, 2022 through August 15, 2023. The Town shall have the option to extend this contract at the same price two (2) times, for two (2) additional one-year terms, a total of three (3) if all options to extend are exercised.

Slater, Diana, Lachterman, Esposito, Haughwout Voting Aye
Resolution adopted.

AWARD BID FOR ASPHALT LAID IN PLACE BID
RESOLUTION #296

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

WHEREAS, invitation to bid for the Asphalt Laid in Place Bid for the Town of Yorktown was duly advertised, and

WHEREAS, said bids were received and opened on June 9, 2022, with the bid amounts for the above-referenced bid summarized and attached.

RESOLVED, that upon the recommendation of Highway Superintendent, Dave Paganelli, the bid for the Asphalt Laid in Place Bid for the Town of Yorktown is hereby awarded to Kect Construction, POB 201, Patterson, NY 12563, as the lowest bidder for Type 6F3 Top Course at \$115.80 per Ton, and the Millings is hereby awarded to Intercounty Paving Co., 09 Hosner Mt. Rd., Stormville, NY 12582, as lowest bidder per Sq. Yard as follows:

0 - 5,000 square yards	\$3.68
5,001-10,000 square yards	\$3.25
10,001-15,000 square yards	\$3.15
15,001 plus square yards	\$3.05

Slater, Diana, Lachterman, Esposito, Haughwout Voting Aye
Resolution adopted.

Councilman Diana read the following Proclamation:

RECOGNIZE FLAG DAY

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

WHEREAS, the American flag represents our nation and values of freedom, equality, justice, and hope; and

WHEREAS, when the American Revolution began in 1775, the colonists did not fight under one unifying flag but under their own flags; and

WHEREAS, on June 14, 1777, the Second Continental Congress passed a resolution stating that “the flag of the United States shall be 13 stipes, alternate red and white,” and that “the Union be 13 stars, white on a blue field, representing a new constellation”; and

WHEREAS, President Woodrow Wilson marked the 100th anniversary of the resolution establishing the flag by declaring June 14th as Flag day; and

WHEREAS, the American flag has inspired Americans on the battlefield, has provided comfort during times of war and peace; and has stood as a symbol of hope for the millions of people who have come to America seeking better lives; and

NOW, THEREFORE BE IT RESOLVED, that the Town of Yorktown recognizes June 14, 2022 as Flag Day and encourages its residents to proudly display this important symbol throughout the year.

Councilwoman Haughwout reading the following Proclamation:

RECOGNIZE JUNETEENTH

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

WHEREAS, Juneteenth is recognized as the oldest nationally celebrated commemoration of the end of slavery in the United States; and

WHEREAS, President Abraham Lincoln first issued the Emancipation Proclamation effective January 1, 1863, freeing the slaves in the South, however, southern slave owners ignored that order. On June 19th, 1865, Union soldiers arrived in Galveston, Texas and enforced the president’s order, freeing the slaves two and a half years after it was first decreed. This day has since come to be known as Juneteenth; and

WHEREAS, Juneteenth has been also titled “Jun-Jun,” “Freedom Day,” “Emancipation Day,” and “Emancipation Celebration;” and

WHEREAS, Juneteenth celebrations have been held to honor African-American freedom while encouraging self-development, education and respect for all cultures; and

NOW, THEREFORE BE IT RESOLVED, that the Town of Yorktown proclaims June 19th as Juneteenth Day in recognition of June 19, 1865, the date on which Union Soliders ended slavery in Galveston, Texas; and

FURTHER BE IT RESOLVED, the Town of Yorktown reiterates its stance against all forms of oppression, racism, and bigotry; and

FURTHER BE IT RESOLVED, that the Town of Yorktown supports the continued nationwide celebration of Juneteenth Day to provide an opportunity for the people of the United States to learn more about the past and to better understand the experiences that have shaped this nation; and

FURTHER BE IT RESOLVED, that federal, state and county governments, as well as local school districts, recognize Juneteenth as a holiday and the Town of Yorktown pending approval by the CSEA will similarly be closing town buildings in observance of Juneteenth Day on Monday, June 20th.

Slater, Diana, Lachterman, Esposito, Haughwout Voting Aye
Resolution adopted.

APPOINT SERAFINA BRAVO TO THE POSITION OF TEMPORARY INTERMEDIATE ACCOUNT CLERK IN THE BUILDING DEPARTMENT
RESOLUTION #297

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

BE IT RESOLVED, that Serafina Bravo of Yorktown Heights, NY, is hereby appointed temporary Intermediate Account Clerk, job class code 0713-01, effective June 15, 2022 to be paid from Yorktown CSEA Salary Schedule A1, Group 6, Step 5 which is \$63,451.00 annually.

Slater, Diana, Lachterman, Esposito, Haughwout Voting Aye
Resolution adopted.

APPOINT THOMAS J. PISANO TO THE POSITION OF LABORER IN THE REFUSE AND RECYCLING DEPARTMENT
RESOLUTION #298

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

BE IT RESOLVED, that Thomas J. Pisano of Wappingers Falls, NY, is hereby appointed to the civil service title, Laborer, job class code 0425-05, to be paid from Yorktown CSEA Salary Schedule A, Group 5, Step 1 which is \$46,389.00 annually with benefits, such as, sick days, personal days, and floating holidays to follow the CSEA agreement,

BE IT RESOLVED, contingent upon successful completion of a drug test,

BE IT RESOLVED, that Thomas J. Pisano will report to work at the Refuse & Recycling Department on June 27, 2022 and this date will be used as the first date of appointment;

BE IT FURTHER 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 June 27, 2022.

Slater, Diana, Lachterman, Esposito, Haughwout Voting Aye
Resolution adopted.

APPOINT JOSEPH F. ATTARDO TO THE POSITION OF SENIOR AUTOMOTIVE MECHANIC IN THE HIGHWAY DEPARTMENT
RESOLUTION #299

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

BE IT RESOLVED, that Joseph F. Attardo Jr. of Shrub Oak, NY, is hereby appointed to the civil service title, Senior Automotive Mechanic, job class code 0484-02, to be paid from Yorktown CSEA Salary Schedule A, Group 13, Step 1 which is \$67,435.00 annually with benefits, such as, sick days, personal days, and floating holidays to follow the CSEA agreement,

BE IT RESOLVED, contingent upon successful completion of a drug test,

BE IT RESOLVED, that Joseph F. Attardo Jr. will report to work at the Highway Department on July 5, 2022 and this date will be used as the first date of appointment;

BE IT FURTHER 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 July 5, 2022.

Slater, Diana, Lachterman, Esposito, Haughwout Voting Aye
Resolution adopted.

ADJOURN

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

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