

Meeting of the Town Board, Town of Yorktown held on Tuesday, September 6, 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 (via Zoom)

TOWN BOARD MEETING

Supervisor Matthew Slater called the meeting to order.

EXECUTIVE SESSION

Upon motion made by Councilman Lachterman, seconded by Councilman Diana, the Town Board moved into Executive Session to discuss individual personnel issues, as well as litigation and negotiations. Upon motion made by Councilman Esposito, seconded by Councilwoman Haughwout, 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 for a moment of silence to remember Chief Jim Morgan, former Chief of the Yorktown Police Department, whose funeral was held today. Chief Morgan was a staple of the Yorktown community and his family resides in this community. Supervisor Slater gave a brief biography of Chief Morgan, as well as his community service. Supervisor Slater asked to remember all of our frontline workers and a special remembrance for our teachers, students, and staff who are returning back to school this week. Supervisor Slater asked to remember the men and woman serving in the U.S. military.

INTRODUCTIONS

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

REPORT FROM THE TOWN SUPERVISOR

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

- Reported on the garbage contract and the reiterations of the bid and the results, as well as a study of in-house garbage pickup
- Fluoride plant update
- DEC permitting to address a significant erosion concern at the Shrub Oak Park
- Roof replacement at the AACCCC begins tomorrow
- The John C. Hart Memorial Library has officially been approved as a U.S. Passport Processing Center beginning September 13.
- School tax bills have been sent out – the dropbox is at the back entrance to Town Hall
- Section 8 office has reported that 4 new vouchers have been approved by HUD
- Bird Bus is taking over the empty KIA dealership on Route 202
- 9-11 events

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 reported that they have been doing sidewalk inventory, as well as creating and additional 40 parking spots for seniors at the Yorktown High School. He said that he is working on next year's paving list.

POET LAUREATE

John McMullen, Poet Laureate, read an original poem, "When I Awoke This Morning."

PRESENTATION

Kathy Quinn, Executive Director of Support Connection, said Support Connection helps people turn fear into hope for those suffering from ovarian, breast, and gynecological cancer. She said that every one of her counselors is a cancer survivor. They offer information, support, and wellness programs. She said the organization has expanded nationwide, serves 500 people a year, and has received a wonderful not-for-profit award for the work they have done. Ms. Quinn invited everyone to participate in Support Connections' Support-A-Walk for breast and ovarian cancer being held on Sunday, October 2, 2022, 10:00 a.m. at FDR Park. Participants can also walk wherever they are – it is not limited to the park. Ms. Quinn asked the Town Board for permission to place pink and teal ribbons on the lampposts along Commerce Street as a reminder of the upcoming event. The Town Board unanimously agreed to grant permission. Ms. Quinn thank the Town Board.

APPOINT JOSEPH PAWELSKI TO THE POSITION OF POLICE OFFICER IN THE YORKTOWN POLICE DEPARTMENT RESOLUTION #387

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

BE IT RESOLVED, that Joseph P. Pawelski of Shrub Oak, New York is hereby appointed permanent Police Officer in the Town of Yorktown Police Department from Eligible List No. 60-194, effective September 7, 2022 to be paid the contractual salary of \$59,709.00 annually,

BE IT RESOLVED, that this appointment is subject to a probationary period of not less than 12 nor more than 78 weeks, commencing on the first date of appointment on September 7, 2022.

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

COURTESY OF THE FLOOR

The following members of the public spoke:

The following members of the public spoke:

- Mark Lieberman, resident, thanked Ms. Quinn and Support Connection for their work. Mr. Lieberman asked if the Town considered partnering with nearby towns regarding garbage collection. He asked about the tax implications of the increase in garbage collection.
- Susan Siegel, resident, asked for an update on the ARPA money and if there would be a public discussion of the decisions. She asked about the changes in the fourth bid for garbage collection. Ms. Siegel asked about the resolution regarding PILOT agreements for the solar farms. She asked for more information on the resolution to pay Thompson & Bender for a fall event. She also asked about the Ethics Report.
- A resident from 130 Columbia Court spoke about the 70th anniversary of the end of the Korean Conflict. He said a group of he and veterans are trying to get NY State to designate July 27 each year as Korean Veterans Day. He said that many of these veterans are passing away and veterans would like to see this move forward in honor those who are still living. He asked the Town Board for their support
- Sarah Wilson, resident, talked about recycling methods available to residents. She asked if the Board would consider expanding the food scrap dropoff to reduce waste volume and cost of garbage pickup. She spoke about a series of sessions on three consecutive Thursday evenings beginning September 22 co-sponsored by Sustainable Westchester and Yorktown 100.

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

Members of the Town Board responded to comments made during Courtesy of the Floor. Since many of the questions were about the garbage contract, Supervisor Slater asked Refuse and Recycling General Foreman Phil Marino to speak. Mr. Marino said they are looking at as many ways as possible to reduce the cost. He explained that they are looking at the situation in as many ways as they can: in-house operation, reduction in pick-ups, etc. He said that you cannot even get trucks, if we were to create an in-house operation, due to supply chain issues. Mr. Marino said they are considering twice a week garbage pick-up, once a week recyclables pick-up, with condo bins and without condo bins, extending the length of the contract (which makes it more appealing to the

contractor). All of this was considered to try to reduce the cost.

Supervisor Slater said that we also eliminated the onsite supervisor position that was supposed to be provided by the carting company, which saved \$100,000. Mr. Marino said they are also cutting out many of the bins/containers, which treats homeowners the same as the condominium owners. He said that hopefully by the end of the month, they would have better numbers.

Supervisor Slater said this bid is more of a menu of options and scenarios to be able to make comparisons and chose the most economical option.

A discussion took place regarding the difficulty of obtaining trucks.

Supervisor Slater said there is a refuse district that the Town operates and its fund balance cannot cover the increase and you cannot take from the General Fund and deposit into the refuse district fund balance because it is a separate tax entity.

Supervisor Slater addressed Ms. Siegel's question regarding ARPA. He said that they wanted to make sure they review all of the options suggested and they have not re-engaged in that process but will now because they now know they cannot consider an in-house garbage operation due to the supply chain issue of obtaining trucks.

Supervisor Slater addressed Ms. Siegel's question regarding PILOT programs. He said that the Hill Street PILOT starts at \$41,625 with a 2% escalation, annually. The Foothill Street PILOT starts at \$20,868 with a 2% escalation, annually. He said that it is important to note for the residents that these things are very complicated. The land itself continues to be taxed as an undeveloped parcel. He said that they still pay all of their special district taxes, school taxes, town taxes on the vacant land. The PILOT is for the actual structures themselves, i.e., the solar system. He said that this is distinctly separate from the PILOT agreement for Bird Bus property. The PILOT agreement for them is for the property. He said the reason they wanted to establish this taxpayer protection fund is, as we have learned in the past, when you introduce PILOTS on property (not solar PILOTS) like Bird Bus – if you have, for example, 100 parcels and a \$1 million levy, it is \$1 million divided by 100. When you do a PILOT, it is still a \$1 million dollar levy divided by 99 and that inflates the tax burden on the 99 parcels because it is still being divided by the \$1 million levy. Supervisor Slater said what they are doing here is for instances like this because he does not think it should be passed on to the taxpayers and the homeowners. He said that what they are able to do is take the collected back taxes that were owed to the Town and use them to draw down to make up the difference when there are PILOT agreements. He said that this allows the Town to be pro-business.

Councilman Esposito addressed Ms. Siegel's question regarding the payment to Thompson & Bender for a fall event. He said the event is called "Yorktown Has It All for Fall" that would promote all Town fall events and make Yorktown a destination for the fall. Councilman Esposito said Yorktown has many fall events but they are scattered all over and this would pull them all together.

Councilman Diana addressed Ms. Wilson's comment about recycling. He spoke about the food scrap program and said it provides some of the best fertilizer you can get. Councilman Lachterman also commented on food scrap programs here and in Europe, where it is very popular.

AUTHORIZE COMPTROLLER TO ESTABLISH THE FOLLOWING GENERAL FUND –
FUND BALANCE TO SUBSIDIZE FUTURE PILOT (PAYMENT IN LIEU OF TAXES)
AGREEMENTS RELATED TO TOWN TAXES AND TRANSFER FUNDS FOR THIS
PURPOSE
RESOLUTION #388

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

RESOLVED, that the Comptroller is hereby authorized to establish the following General Fund – Fund Balance:

A.0909.9 PILOT Taxpayer Protection Fund Balance

to subsidize future PILOT (Payments in Lieu of Taxes) agreements related to Town taxes, and

BE IT FURTHER RESOLVED, that the Comptroller is hereby authorized to transfer funds for this purpose as follows:

From: A.0909	General Fund – Fund Balance	\$200,000.00
To: A.0909.9	General Fund – Taxpayer Protection	\$200,000.00

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

AUTHORIZE COMPTROLLER TO ESTABLISH THE FOLLOWING CAPITAL PROJECT FOR WATER CEMENT RELINING AND PROCESS THE FOLLOWING BUDGET TRANSFERS FOR THIS PURPOSE
RESOLUTION #389

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

RESOLVED, that the Comptroller is hereby authorized to establish the following capital project:

HN Water Cement Relining

and be it further resolved the Comptroller is authorized to process the following budget transfers for this purpose:

From: SW8340.490	Water Professional Services	\$58,200.00
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for tasks 2 and 3a for amendment 4 of the Weston and Sampson cement relining contract as per June 7, 2022 Town Board Resolution:

SW8340.483.1	Water Cement Relining	\$1,282,282.00
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for contract awarded to Michels Pipe Services as per July 26, 2022 Town Board Resolution:

To: HN5031	Water Cement Relining	\$1,340,482.00
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Slater, Diana, Lachterman, Esposito, Haughwout Voting Aye
Resolution adopted.

AUTHORIZE COMPTROLLER TO PROCESS THE FOLLOWING BUDGET TRANSFER
RESOLUTION #390

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

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

From: A1990.499.1	General Fund – Contingency	\$10,000.00
To: A1010.479	Town Board – Special Projects	\$10,000.00

for payment to Thompson and Bender for a fall event campaign.

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

AUTHORIZE COMPTROLLER TO PROCESS THE FOLLOWING BUDGET TRANSFERS FOR THE HIGHWAY DEPARTMENT
RESOLUTION #391

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

RESOLVED, that the Comptroller is hereby authorized to process the following Budget Transfers:

From: D5110.101	Highway – Salary	\$90,000.00
D5130.101	Highway – Salary	\$39,000.00
To: HR5110.200	Highway Renovation Capital Project	\$21,000.00

D5142.200 Highway – Snow Equipment (plows/spreaders)\$50,000.00
D5130.425 Highway – Outside Services (Westwood Organic) \$38,000.00
D5110.479 Highway – Drainage \$20,000.00

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

AUTHORIZE COMPTROLLER TO PROCESS THE FOLLOWING BUDGET TRANSFER FOR TOWN BUILDINGS

RESOLUTION #392

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

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

From: A.1002 General Fund – Fund Balance \$50,000.00

To: Capital Project HV Town Buildings Upgrades \$50,000.00

for payment to Peak Performance for boiler replacements at Town Hall, the Police Department and the Albert A Capellini Community and Cultural Center as per the bid awarded on December 7, 2021 Town Board Resolution.

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

AUTHORIZE COMPTROLLER TO PROCESS THE FOLLOWING BUDGET TRANSFER FOR THE POLICE DEPARTMENT

RESOLUTION #393

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

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

From: A.1002 General Fund – Fund Balance \$120,000.00

To: A3120.210 Police Vehicles \$ 94,000.00

A3120.210.1 Police Vehicle Equipment \$ 26,000.00

for the purchase of two 2023 Ford Explorer Police Interceptors.

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

AUTHORIZE COMPTROLLER TO PROCESS THE FOLLOWING BUDGET TRANSFER FOR THE PARKS AND RECREATION DEPARTMENT

RESOLUTION #394

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

RESOLVED, the Comptroller is authorized to transfer of \$6,195 from A7310.448 (Trip Booking) to A7310.447 Camp Transportation.

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

AUTHORIZE COMPTROLLER TO RELEASE EROSION CONTROL BOND FOR WORK COMPLETED AT 1170 BRIDGE POINTE LANE IN THE AMOUNT OF \$250.00

RESOLUTION #395

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

WHEREAS, Joseph Borges as applicant, posted check #24000 in the amount of \$250 which was deposited to the T33 account on January 16, 2017 to serve as the Erosion Control Bond for construction of a pool, and

WHEREAS, Joseph Borges has requested his money be released as the site is now complete, and

WHEREAS, 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, that the above referenced \$250 bond be and is hereby released to Mr. Joseph Borges, 1170 Bridge Point Lane, Yorktown Heights, NY 10598.

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

REQUEST TO ADVERTISE BID FOR DEWATERED SLUDGE REMOVAL AND DISPOSAL FOR THE YORKTOWN HEIGHTSD WATER POLLUTION CONTROL PLANT
RESOLUTION #396

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

RESOLVED, the Town Clerk is authorized to advertise a bid for Dewatered Sludge Removal and Disposal for the Yorktown Heights Water Pollution Control Plant, Bid #22-7.

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

AUTHORIZE HANOVER ELECTRIC TO INSTALL ELECTRICAL WIRING FOR THE NEW VENTILATION SYSTEM AT THE HIGHWAY DEPARTMENT
RESOLUTION #397

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

WHEREAS, the Town Board authorizes Hanover Electric, 1803 Commerce St., Yorktown Heights, NY 10598 to install electrical wiring for the new ventilation system at the Highway Department, in the amount of \$20,265.00.

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

AWARD BID FOR GRINDING OF BRUSH AND LEAVES FOR THE HIGHWAY DEPARTMENT
RESOLUTION #398

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

WHEREAS, invitation to bid for the Grinding of Brush and Leaves for the Town of Yorktown was duly advertised, and

WHEREAS, said bids were received and opened on August 2nd, 2022, with the bid amounts follows:

<u>Name of Bidder</u>	<u>Brush Amt</u>	<u>Leaves Amt</u>	<u>Total</u>
Westwood Organic Recycling	\$5,532.00	\$5,532.00	\$11,064.00
Supreme Forest Products	\$35,600.00	No Bid	\$35,600.00
Hampton Landscape Supply	\$17,800.00	\$24,300.00	\$42,100.00
RTI Industries LLC	\$35,000.00	\$35,000.00	\$70,000.00

RESOLVED, that upon the recommendation of the Highway Superintendent, Dave Paganelli, the bid for the Grinding of Brush and Leaves for the Town of Yorktown be and is hereby awarded to Westwood Organic Recycling, POB 139, Purchase, NY 10577, as lowest bidder.

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

AWARD BID FOR THREE FISHER PLOWS AND SPREADERS FOR THE HIGHWAY DEPARTMENT
RESOLUTION #399

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

WHEREAS, invitation to bid for the purchase of Three Fisher Plows/Spreaders for the Town of Yorktown was duly advertised, and

WHEREAS, said bids were received and opened on August 25th, 2022, with the bid amounts follows:

Name of Bidder

Hudson River Truck & Trailer	\$47,961.00
Burbank Motors Corp	\$48,960.00
Suffolk County Brake Service Inc.	\$54,576.70

RESOLVED, that upon the recommendation of the Highway Superintendent, Dave Paganelli, the bid for the Three Fisher Plows/Spreaders for the Town of Yorktown be and is hereby awarded to Hudson River Truck & Trailer, 12 Commerce St. Ext., Poughkeepsie, NY 12603.

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

AUTHORIZE LIST OF OBSOLETE EQUIPMENT TO BE AUCTIONED BY ABSOLUTE AUCTION FOR THE PARKS DEPARTMENT
RESOLUTION #400

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

WHEREAS, the Town of Yorktown has found that the Parks Department's below listed equipment is no longer needed for public use by the Town, and

WHEREAS, the Parks and Recreation Superintendent recommends to the Town Board to auction these pieces of equipment for the below listed minimums,

NOW, THEREFORE, BE IT RESOLVED, these pieces of equipment be auctioned by Absolute Auction:

- Pallet of random old parts of equipment that we no longer have- \$250
- Old boat motor- \$300
- Old style first bases we no longer use- \$200
- Food Warmer from Service building- \$350
- 1995 Chevy truck- \$1,000
- 2000 Chevrolet pickup \$3,500
- Old flush mount benches from Railroad playground- \$500

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

AUTHORIZE COMPTROLLER TO PROCESS THE FOLLOWING BUDGET TRANSFER FOR THE PARKS AND RECREATION DEPARTMENT
RESOLUTION #401

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

RESOLVED, that the Comptroller is authorize to process the following Budget Transfer for the Parks Department:

From:	A.7110.101	Parks – Salaries	- \$7,500
To:	A.7110.490	Parks – Professional Services	- \$7,500

for Sparkle Lake Dam, Phase A – Administrative Compliance.

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

*AMEND RESOLUTION PASSED BY THE TOWN BOARD ON APRIL 5, 2022 FOR BUSES FOR THE SUMMER CAMP PROGRAM AND SENIOR CITIZEN TRAVEL TRIPS RESOLUTION #402

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

WHEREAS, there was an error in the April 5, 2022 Resolution accepting the bids for the Provision of Buses for the Summer Camp Program and Senior Citizen Travel Trips., and

WHEREAS, Royal Coach Lines Inc. should have been calculated at their maximum amount of \$80,065.00 not their minimum bid amount of 26,005.00, now

THEREFORE, BE IT RESOLVED, that the April 5, 2022 Town Board Resolution awarding the bid for the Provision of Buses for the Summer Camp Program and Senior Citizen Travel Trips is amended as follows:

Section I. A, B, & C: School Buses (for Day Camps)

	Company	Bid Totals
1	Royal Coach Lines, Inc.	**\$80,065
2	Hudson Valley Charter Service Inc.	No Bid
3	JTR Transportation Corp	No Bid

**Amended Resolution originally Passed by the Town Board on April 5, 2022.

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

* Royal Coach Lines Inc. should have been calculated at their maximum amount of \$80,065.00 not their minimum bid amount of 26,005.00

AUTHORIZE BARTON & LOGUIDICE, D.P.C. TO PERFORM AN ENVIROMENTAL REVIEW FOR UNDERHILL FARMS FOR THE PLANNING DEPARTMENT RESOLUTION #403

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

WHEREAS, the Planning Board of the Town of Yorktown desires to verify the wetland delineation on the subject site and study the environmental impacts of the proposed site plan located at 370 Underhill Avenue, Yorktown Heights, also known as Section 48.06, Block 1, Lot 30 on the Town of Yorktown Tax Map, as outlined in the New Project Task Order Summary for Underhill Farms prepared by Barton & Loguidice, D.P.C.; and

WHEREAS, Barton & Loguidice, D.P.C., an environmental consulting firm, has entered into an agreement with the Town of Yorktown to provide these services on an on-call basis which was authorized by the Town Board by resolution on July 7, 2021; and

WHEREAS, Barton & Loguidice, D.P.C. has submitted a proposal to provide the requested environmental review of the submitted project materials pursuant to said on-call agreement for an amount not to exceed \$5,950.00; now therefore

BE IT RESOLVED, that the Supervisor of the Town of Yorktown is hereby authorized to engage Barton & Loguidice, D.P.C. under the on-call agreement with the Town of Yorktown for the purpose of reviewing the proposed Underhill Farms site plan located at 370 Underhill Avenue, Yorktown Heights, in an amount not to exceed \$5,950.00 for the environmental review, and that the total cost shall be reimbursed by the applicant as part of the cost of the application's review.

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

AUTHORIZE BARTON & LOGUIDICE, D.P.C. TO PERFORM AN ENVIRONMENTAL REVIEW FOR TOLL BROTHERS CATHERINE STREET PROJECT FOR THE PLANNING DEPARTMENT

RESOLUTION #404

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

WHEREAS, the Town Board of the Town of Yorktown desires to verify the wetland delineation on the subject site of the potential Toll Brothers Catherine Street Project located at 2302 and 2448 Catherine Street, Cortlandt Manor, also known as Section 35.12, Block 1, Lot 2 and Section 35.08, Block 1, Lot 45 respectively on the Town of Yorktown Tax Map, as outlined in the New Project Task Order Summary for Toll Brothers – Catherine Street Project prepared by Barton & Loguidice, D.P.C.; and

WHEREAS, Barton & Loguidice, D.P.C., an environmental consulting firm, has entered into an agreement with the Town of Yorktown to provide these services on an on-call basis which was authorized by the Town Board by resolution on July 7, 2021; and

WHEREAS, Barton & Loguidice, D.P.C. has submitted a proposal to provide the requested environmental review of the submitted project materials pursuant to said on-call agreement for an amount not to exceed \$3,800.00; now therefore

BE IT RESOLVED, that the Supervisor of the Town of Yorktown is hereby authorized to engage Barton & Loguidice, D.P.C. under the on-call agreement with the Town of Yorktown for the purpose of verifying the wetland delineation on the site located at 2302 and 2448 Catherine Street, in an amount not to exceed \$3,800.00, and that the total cost shall be reimbursed by the applicant as part of the cost of the application's review.

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

REQUEST TO ADVERTISE BID FOR RESIDENTIAL GARBAGE AND RECYCLABLE MATERIAL COLLECTION AND DISPOSAL

RESOLUTION #405

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

RESOLVED, the Town Clerk is authorized to advertise a bid for Residential Garbage and Recyclable Material Collection and Disposal.

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

AUTHORIZE SUPERVISOR TO SIGN A QUIT CLAIM DEED CONVEYING TO EDWARD AND CAROL LACHTERMAN ANY RIGHT TITLE AND OR INTEREST THE TOWN MAY HAVE FOR PROPERTY LOCATED ON MONTROSS ROAD, IN CONSIDERATION FOR A PAYMENT OF \$1,500.00 SUBJECT TO PERMISSIVE REFERENDUM

RESOLUTION #406

Upon motion made by Councilman Esposito, seconded by Councilwoman Haughwout,

WHEREAS, the Town of Yorktown, wishes to authorize the Town Supervisor to sign a quit claim deed conveying to Edward Lachterman and Carol Lachterman any right title and or interest the Town may have, in consideration for a payment of \$1,500, in the following described property:

All that certain plot, piece or parcel of land, situate, lying and being in the Town of Yorktown, County of Westchester and State of New York being the easterly one-half of Summit Street (formerly Summit Avenue) as shown on a certain map entitled " Depot Plaza Section of Yorktown Heights, Property of Westput Realty Corporation situated in the Town of Yorktown, County of Westchester, N.Y.," made by J. Henry Carpenter & Co., dated July 15, 1926 and filed in the County Clerk's Office of Westchester County, Division of Land Records, formerly Register's Office of Westchester County on Aug. 9, 1926 as Map No. 3030, said portion of said street being bounded and described as follows: BEGINNING at a point former by the intersection of the easterly side of Summit Street, formerly Summit Avenue, with the southerly side of Montross Road, formerly Meadow Street, as the same are shown on the afore mentioned filed Map No. 3030; RUNNING THENCE along the easterly side of Summit Street, South 06°04'00" East 183.75 feet to the

northerly line of land formerly of R. M. Underhill , now land shown on a certain map entitled “Map of Section One – Hanover Ridge” filed in the Westchester County Clerk’s Office as Map No. 10840; THENCE along said land shown on filed Map No. 10840 North 84°56’59” West 25.48 feet to the center line of Summit Street; THENCE along the center line of Summit Street North 06°04’00” West 178.84 feet to the southerly line of Montross Road; THENCE along the southerly line of Motross Road North 83°56’00” East 25.00 feet to the point and place of BEGINNING.

WHEREAS, Town Law §64 requires that the Town's conveying of real property be subject to a permissive referendum under Town Law §90 and 91;

NOW, BE IT RESOLVED, that the Town has determined the action contemplated under this Resolution is a Type II action under the State Environmental Quality Review Act (“SEQR”) and therefore no further review is required under SEQR;

BE IT FURTHER RESOLVED, that the Town Board hereby directs that a copy of this resolution be filed with the Town Clerk and a copy be provided to any person who has requested a copy hereof; and

BE IT FURTHER RESOLVED, that pursuant to NY Town Law §82 and 90, within ten (10) days from the date of this Resolution the Town Clerk shall post and publish a notice which shall set forth the date of the adoption of the Resolution, shall contain an abstract of such Resolution concisely setting forth the purpose and effect thereof, shall specify that this Resolution was adopted subject to a permissive referendum; and shall publish such notice in The Yorktown News, a newspaper published in the County having a general circulation in the Town of Yorktown, and in addition thereto that the Town Clerk shall post or cause to be posted on the sign-board of the Town of Yorktown, a copy of such notice within ten (10) days after the date of the adoption of this Resolution;

BE IT FURTHER RESOLVED, that it is found and determined that the property in issue is deemed excess property for which there is no present and/or future municipal purpose.

BE IT FURTHER RESOLVED, that the Town Board hereby authorizes the Town Attorney’s office together with counsel for Edward Lachterman and Carol Lachterman to undertake those steps necessary to convey in the manner set forth above the above described parcel and whatever the interest of the Town maybe in said property.

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

AUTHORIZE SUPERVISOR TO SIGN A QUIT CLAIM DEED CONVEYING TO PETER SCHMITT AND SANDRA PEREZ ANY RIGHT TITLE AND OR INTEREST THE TOWN MAY HAVE FOR PROPERTY LOCATED ON MONTROSS ROAD, IN CONSIDERATION FOR A PAYMENT OF \$1, SUBJECT TO PERMISSIVE REFERENDUM
RESOLUTION #407

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

WHEREAS, the Town of Yorktown, wishes to authorize the Town Supervisor to sign a quit claim deed conveying to Peter Schmitt and Sandra Perez any right title and or interest the Town may have, in consideration for a payment of \$1, in the following described property:

All that certain plot, piece or parcel of land, situate, lying and being in the Town of Yorktown, County of Westchester and State of New York being the westerly one-half of Summit Street (formerly Summit Avenue) as shown on a certain map entitled “ Depot Plaza Section of Yorktown Heights, Property of Westput Realty Corporation situated in the Town of Yorktown, County of Westchester, N.Y.,” made by J. Henry Carpenter & Co., dated July 15, 1926 and filed in the County Clerk’s Office of Westchester County, Division of Land Record, formerly Register’s Office of Westchester County on Aug. 9, 1926 as Map No. 3030, said portion of said street being bounded and described as follows: BEGINNING at a point formed by the intersection of the westerly side of Summit Street, formerly Summit Avenue, with the southerly side of Montross Road, formerly Meadow Street, as the same are shown on the afore mentioned filed Map No. 3030; RUNNING THENCE along the westerly side of Summit Street, South 06°04’00” East 173.92 feet to the northerly line of land formerly of R. M. Underhill , now land shown on a certain map entitled “Map of Section One – Hanover Ridge” filed in the Westchester County Clerk’s Office as Map No. 10840;

THENCE along said land shown on filed Map No. 10840 South 84°56'59" East 25.48 feet to the center line of Summit Street; THENCE along the center line of Summit Street North 06°04'00" West 178.84 feet to the southerly line of Montross Road; THENCE along the southerly line of Motross Road South 83°56'00" West 25.00 feet to the point and place of BEGINNING.

WHEREAS, Town Law §64 requires that the Town's conveying of real property be subject to a permissive referendum under Town Law §90 and 91;

NOW, BE IT RESOLVED, that the Town has determined the action contemplated under this Resolution is a Type II action under the State Environmental Quality Review Act ("SEQR") and therefore no further review is required under SEQR;

BE IT FURTHER RESOLVED, that the Town Board hereby directs that a copy of this resolution be filed with the Town Clerk and a copy be provided to any person who has requested a copy hereof; and

BE IT FURTHER RESOLVED, that pursuant to NY Town Law §82 and 90, within ten (10) days from the date of this Resolution the Town Clerk shall post and publish a notice which shall set forth the date of the adoption of the Resolution, shall contain an abstract of such Resolution concisely setting forth the purpose and effect thereof, shall specify that this Resolution was adopted subject to a permissive referendum; and shall publish such notice in The Yorktown News, a newspaper published in the County having a general circulation in the Town of Yorktown, and in addition thereto that the Town Clerk shall post or cause to be posted on the sign-board of the Town of Yorktown, a copy of such notice within ten (10) days after the date of the adoption of this Resolution;

BE IT FURTHER RESOLVED, that it is found and determined that the property in issue is deemed excess property for which there is no present and/or future municipal purpose.

BE IT FURTHER RESOLVED, that the Town Board hereby authorizes the Town Attorney's office together with counsel for Peter Schmitt and Sandra Perez to undertake those steps necessary to convey in the manner set forth above the above described parcel and whatever the interest of the Town maybe in said property.

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

APPROVE PAYMENT IN LIEU OF TAXES AGREEMENT FOR SOLAR ENERGY SYSTEMS
PURSUANT TO REAL PROPERTY TAX LAW §487 PROPERTY LOCATED AT 571 EAST
MAIN STREET AND IDENTIFIED AS SBL # 16.08-1-4 AND EAST MAIN STREET AND
IDENTIFIED AS SBL 16.08-1-17
RESOLUTION #408

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

WHEREAS, the Owner of the property located within the Town at 571 East Main Street and identified as SBL # 16.08-1-4 and at No Number East Main Street and identified as SBL 16.08-1-17 has submitted a Notice of Intent to each of the Taxing Jurisdictions that it plans to build and operate a "Solar Energy System" as defined in New York Real Property Tax Law ("RPTL") Section 487 (1)(b) (herein the "Project") with an expected nameplate capacity ("Capacity") of approximately 3.75 Megawatts AC, on the aforementioned property; and;

WHEREAS, none of the Taxing Jurisdictions have opted out of RPTL Section 487; and

WHEREAS, pursuant to RPTL Section 487 (9)(a), the Taxing Jurisdiction have indicated their intent to require a Payment in Lieu of Taxes ("PILOT") Agreement with the Owner, under which the Owner (or any successor owner of the Project) will be required to make annual payments to the Taxing Jurisdiction for each year during the term of this Agreement; and

WHEREAS the Town had determined that such agreements are in the best interests of the Town of Yorktown; and

WHEREAS, the Parties intend that, during the term of this Agreement, the portion of the Project eligible for exemption pursuant to RPTL Section 487 will be exempt from taxation; and

WHEREAS, the parties have agreed upon the appropriate annual payments that will be made pursuant to the aforementioned PILOT agreement;

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Yorktown: That the Town Board hereby approves and authorizes the Town Supervisor to execute and enter into the aforementioned PILOT agreement, pursuant to the terms of the written agreement annexed hereto; together with such other documentation as may be necessary or proper to carry out the purpose of the resolution.

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

APPROVE PAYMENT IN LIEU OF TAXES AGREEMENT FOR SOLAR ENERGY SYSTEMS
PURSUANT TO REAL PROPERTY TAX LAW §487 PROPERTY LOCATED AT 3849
FOOTHILL STREET AND IDENTIFIED AS SBL # 15.07-1-5
RESOLUTION #409

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

WHEREAS, the Owner of the property located within the Town at 3849 Foothill Street and identified as SBL # 15.07-1-5 has submitted a Notice of Intent to each of the Taxing Jurisdictions that it plans to build and operate a "Solar Energy System" as defined in New York Real Property Tax Law ("RPTL") Section 487 (1)(b) (herein the "Project") with an expected nameplate capacity ("Capacity") of approximately 1.875 Megawatts AC, on the aforementioned property; and;

WHEREAS, none of the Taxing Jurisdictions have opted out of RPTL Section 487;
and

WHEREAS, pursuant to RPTL Section 487 (9)(a), the Taxing Jurisdiction have indicated their intent to require a Payment in Lieu of Taxes ("PILOT") Agreement with the Owner, under which the Owner (or any successor owner of the Project) will be required to make annual payments to the Taxing Jurisdiction for each year during the term of this Agreement; and

WHEREAS, the Town had determined that such agreements are in the best interests of the Town of Yorktown; and

WHEREAS, the Parties intend that, during the term of this Agreement, the portion of the Project eligible for exemption pursuant to RPTL Section 487 will be exempt from taxation; and

WHEREAS, the parties have agreed upon the appropriate annual payments that will be made pursuant to the aforementioned PILOT agreement;

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Yorktown: That the Town Board hereby approves and authorizes the Town Supervisor to execute and enter into the aforementioned PILOT agreement, pursuant to the terms of the written agreement annexed hereto; together with such other documentation as may be necessary or proper to carry out the purpose of the resolution.

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

APPROVE PAYMENT IN LIEU OF TAX AGREEMENT FOR 3805 CROMPOND ROAD, TAX
MAP, SECTION 38.05, BLOCK 1, LOTS 21 AND 22
RESOLUTION #410

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

WHEREAS, the owners of the property located at 3805 Crompond Road a/k/a Section 38.05, Block 1, Lots 21 and 22 on the Tax Map of the Town of Yorktown (the "Property"), Presidential Associates 3805 LLC (the "Company"), applied to the Westchester County Industrial Development Agency (the "WIDA") for certain benefits, including, a Payment in Lieu of Tax

Agreement (“PILOT”) wherein the property taxes for the Property would be fixed for a fifteen year period;

WHEREAS, the Company has had extensive negotiations with the Town and the School District concerning the fixed PILOT payments and the PILOT schedule;

WHEREAS, the Town and the School District on the one hand and the Company on the other hand, have agreed to a PILOT schedule setting forth fixed PILOT payments for a fifteen year period set forth in the attached Exhibit A;

NOW THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Yorktown approves the PILOT schedule setting for the PILOT payments attached hereto as Exhibit A and the IDA transaction enabling same.

EXHIBIT A

3805 Compond Road Yorktown PILOT Calculations														
Address		Tax Map ID	Total AV	2022 Town Taxes	2022 County Taxes	2021-2022 School Taxes	Spec. Dist. Taxes	Total Taxes						
3805 Compond Road		15.06.3-3	\$	40,000.00	\$	8,709.05	\$	3,443.03	\$	40,048.15	\$	53,973.44	\$	98,173.87

15 Years PILOT Payments													
PILOT Yr.	Year	AV	Town and City % Red.	Est. Town Taxes **	Town PILOT Payments	Est. City Taxes **	City PILOT Payments	School Prop. % Red.	Est. School Taxes **	School PILOT Payments	Est. Total Taxes****	Est. Total PILOT	
-	2021**	\$ 40,000.00		\$ 6,709.05		\$ 3,443.03			\$ 40,048.15		\$	\$ 52,190.23	
-	2023	\$ 40,000.00		\$ 6,843.23		\$ 3,549.25			\$ 40,847.07		\$	\$ 53,240.15	
1	2024	\$ 40,000.00	40%	\$ 6,880.10	\$ 4,188.04	\$ 3,660.25	\$ 3,396.51	100%	\$ 41,664.01	\$ 41,664.01	\$ 54,304.96	\$ 49,248.58	
2	2025	\$ 40,000.00	40%	\$ 7,189.79	\$ 4,271.82	\$ 3,774.08	\$ 3,464.44	40%	\$ 42,497.29	\$ 25,080.10	\$ 55,991.06	\$ 51,734.83	
3	2026	\$ 40,000.00	40%	\$ 7,282.08	\$ 4,357.25	\$ 3,839.55	\$ 3,535.73	30%	\$ 43,347.24	\$ 26,075.19	\$ 56,690.80	\$ 52,766.27	
4	2027	\$ 40,000.00	40%	\$ 7,407.33	\$ 4,444.00	\$ 3,907.34	\$ 3,604.00	34%	\$ 44,214.19	\$ 26,297.00	\$ 57,423.56	\$ 53,435.80	
5	2028	\$ 40,000.00	40%	\$ 7,555.48	\$ 4,533.29	\$ 4,127.48	\$ 3,676.49	34%	\$ 45,092.07	\$ 26,764.99	\$ 58,281.43	\$ 54,374.77	
6	2029	\$ 40,000.00	40%	\$ 7,706.59	\$ 4,623.95	\$ 4,250.03	\$ 3,750.02	32%	\$ 46,000.44	\$ 27,000.00	\$ 59,197.06	\$ 55,454.27	
7	2030	\$ 40,000.00	40%	\$ 7,880.72	\$ 4,716.43	\$ 4,375.03	\$ 3,825.02	30%	\$ 46,920.45	\$ 27,044.31	\$ 60,156.20	\$ 56,575.77	
8	2031	\$ 40,000.00	40%	\$ 8,077.94	\$ 4,811.76	\$ 4,503.53	\$ 3,903.52	28%	\$ 47,855.86	\$ 26,979.33	\$ 61,179.84	\$ 57,700.66	
9	2032	\$ 40,000.00	40%	\$ 8,178.29	\$ 4,906.98	\$ 4,637.59	\$ 3,979.55	28%	\$ 48,816.03	\$ 26,812.56	\$ 62,191.91	\$ 58,810.39	
10	2033	\$ 40,000.00	40%	\$ 8,341.84	\$ 5,005.12	\$ 4,780.24	\$ 4,059.34	24%	\$ 49,792.35	\$ 27,042.19	\$ 63,199.43	\$ 60,000.43	
11	2034	\$ 40,000.00	40%	\$ 8,506.79	\$ 5,105.22	\$ 4,900.54	\$ 4,146.32	22%	\$ 50,788.20	\$ 26,854.80	\$ 64,197.44	\$ 61,190.64	
12	2035	\$ 40,000.00	40%	\$ 8,678.87	\$ 5,207.32	\$ 5,050.55	\$ 4,233.13	20%	\$ 51,805.97	\$ 26,664.17	\$ 65,193.39	\$ 62,373.83	
13	2036	\$ 40,000.00	40%	\$ 8,851.45	\$ 5,311.47	\$ 5,179.32	\$ 4,307.99	18%	\$ 52,840.04	\$ 26,469.64	\$ 66,177.61	\$ 63,547.90	
14	2037	\$ 40,000.00	40%	\$ 9,028.50	\$ 5,417.70	\$ 5,322.91	\$ 4,399.25	16%	\$ 53,896.85	\$ 26,273.35	\$ 67,149.25	\$ 64,714.99	
15	2038	\$ 40,000.00	40%	\$ 9,210.00	\$ 5,526.09	\$ 5,489.37	\$ 4,481.62	14%	\$ 54,974.78	\$ 26,077.31	\$ 68,119.27	\$ 65,878.99	
				\$ 110,709.30	\$ 72,423.52	\$ 97,890.40	\$ 58,737.24		\$ 720,513.17	\$	\$ 919,118.27	\$ 672,790.32	\$ 268,547.95

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

AUTHORIZATION TO ADVERTISE REQUEST FOR PROPOSALS FOR OPERATION OF THE PAR 3 GOLF COURSE RESOLUTION #411

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

RESOLVED, the Town Clerk is authorized to advertise a Request for Proposals for Operation of the Par 3 Golf Course.

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

RESOLUTION TO TERMINATE IF RC RECREATION, LLC FAILS TO OPEN BY NOVEMBER 15, 2022 RESOLUTION #412

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

WHEREAS, in September 2014, the Town entered into a Concession Agreement with RC Recreation Development, LLC (“RC”), for RC to provide golf recreational facilities to the public at the Town-owned park located on the south side of Route 6 at the intersection of the Taconic Parkway, in Jefferson Valley, New York, in the Town of Yorktown (currently known as the Valley Fields Golf Course); and

WHEREAS, said Concession Agreement was amended in May 2018, and is set to expire on August 31, 2028; and

WHEREAS, RC has repeatedly provided the Town with projected dates for it to commence full operation of the golf course and restaurant (collectively the “Park”), which dates RC has repeatedly failed to meet; and

WHEREAS, RC represented to the Town that it will commence full operation of the golf course and restaurant (collectively the “Park”) by July 4, 2022; and

WHEREAS, RC failed to commence full operation of the Park by July 4, 2022; and

WHEREAS, on July 6, 2022, and upon inspection of the work performed by RC at the Park, the Town's Building Inspector observed numerous code violations and instances of work that were not performed in a workmanlike manner and in accordance with good construction practices (in violation of § 104.4 of the NYS Property Maintenance Code), that necessitated the issuance of a Stop Work Order, which was issued on that date; and

WHEREAS, at the time the Stop Work Order was issued, RC was working under expired Mechanical, Plumbing and Commercial Addition/Renovation Permits (collectively the "Expired Permits"), all in violation of § 15-41(1) of the Town Code, and in violation of paragraphs 6(b)(iv) and 14 of the Concession Agreement; and

WHEREAS, the following deficiencies (which violate paragraphs 6, 7 and 14 of the Concession Agreement) were observed at the Park by the Town and RC was informed of these deficiencies/violations (collectively the "Violations") in writing on July 12, 2022:

1. Wiring in the kitchen was exposed and unprotected, which is an electrical system hazard as per NYS Fire Code § 604.1 and National Electrical Code ("NEC") 70.
2. Exterior electrical trenches were exposed and not covered, which is an electrical system hazard as per NYS Fire Code § 604.1 and NEC 70.
3. Unapproved material was used as electrical conduit for exterior lamp post. This is an electrical system hazard as per NYS Fire Code § 604.1 and NEC 70.
4. Recreational vehicle trailer use in the Park is an unlisted use that is not permitted in the CR zoning district. Also § 300-70E of the Town Code states that only one main building plus accessory building for storage or similar use is allowed.
5. RC installed a connection to the main water line servicing the Park (*before the water meter*) that was being used to service, at a minimum, the Park's irrigation system. This connection violates Town Code § 280(15)(b)(2) and 222-8, violates the expired Plumbing Permit, and violates paragraphs 7 and 14 of the Concession Agreement.
6. Bridges throughout the Park were incomplete and without guardrails, which creates an unsafe condition that is a violation of NYS Property Maintenance Code § 107.1.

WHEREAS, as a consequence of the foregoing, on July 12, 2022, State Wide Inspection Services, Inc. ("SWIS") rescinded the electrical Certificate of Completion that had been issued to RC for electrical work at the Part, due to "[a]dditional work . . . performed at [the Park] that was not inspected by SWIS which may compromise the electrical safety in the building."

WHEREAS, on July 18, 2022 RC was notified that pursuant to section 382 of Article 18 of the New York State Executive Law, RC has 30 days to remedy the violation of the Memorandum of Violations and that it may continue to work on the violations listed to correct each of the violations;

WHEREAS, more than 30 days have passed since July 18, 2022 and RC has not remedied the noted violations nor has RC rectified the expired permits;

WHEREAS, before RC can commence full operation of the Park, the following items remain outstanding (collectively the "Outstanding Items"):

1. The Ansel fire system is not completed or tested as per NYS Fire Code § 607.
2. Fire Alarm permit is required and system must be installed according to NFPA 72.
3. Kitchen Hood system not completed or tested as per NYS Mechanical Code § 506.
4. Kitchen equipment not installed properly as per NYS Mechanical Code § 301.1
5. Grease interceptors are not complete as per NYS Plumbing Code § 1003 and require Westchester County Board of Health ("WCBOH") approvals.
6. Septic system requires WCBOH approvals.
7. Kitchen sinks with indirect waste lines do not have air gap as per NYS Plumbing Code § 802.3.1.
8. Exterior door requires a staircase as per NYS Building Code § 1011.1.
9. Compliance with the Planning Board's Site Plan Approving Resolution, which has several conditions and requirements that must be met, including completion of the parking lot according to the approved plan, planting of trees to satisfy mitigation requirements, and planting of stream bank plant material to satisfy wetland permit requirements.

10. Obtaining all necessary Certificates of Completion/Occupancy from the Building Department.
11. Complying with all requirements of the Concession Agreement.

NOW, BE IT RESOLVED, that:

- The Expired Permits and Violations constitute a material breach of the Concession Agreement and;
- RC has failed to cure the expired permits and violations within thirty (30) days of written notice, the Town will hereby terminate the Concession Agreement.
- RC's failure, for over four years, to commence full operation of the Park, also constitutes a material breach of the Concession Agreement and, if RC does not complete/achieve all of the Outstanding Items and commence full operation of the Park by November 15, 2022, the Town will terminate the Concession Agreement.
- The Town Attorney shall provide written notice of the foregoing to RC.

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

AUTHORIZE THE TOWN OF YORKTOWN TO ENTER INTO AN AGREEMENT WITH NORTHWIND KENNELS, 402 OLD POST ROAD, BEDFORD, NY 10506 TO PROVIDE CARE AND SHELTER FOR HOMELESS AND STRAY DOGS AND CATS
RESOLUTION #413

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

RESOLVED, that the Town of Yorktown is authorized to enter into an agreement with Northwind Kennels, 402 Old Post Road, Bedford, NY 10506 to provide care and shelter for homeless and stray dogs and cats that are brought to the shelter by the Animal Control Officer, Police, and other agents of the municipality.

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

AUTHORIZE COMPTROLLER TO PROCESS THE FOLLOWING BUDGET TRANSFER FOR THE WATER DEPARTMENT
RESOLUTION #414

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

BE IT RESOLVED, that the Town Comptroller is hereby authorized to make the following budget transfer:

Transfer \$152,000 from the Water Department Fund Balance to the Water Department Professional Services NWJWW line (SW.8340.0490.0002) for the 2021 Administrative fee that was not billed in the Fall of 2021.

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

AUTHORIZE COMPTROLLER TO PROVIDE JERRY PREMUTO APPROPRIATE BACK PAY DIFFERENTIAL DURING MILITARY SERVICE
RESOLUTION #415

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

RESOLVED, the Comptroller is authorized to provide Jerry Premuto with appropriate back pay differential during his military service under Military Law § 242(5) for the period of 8/14/22 through 8/26/22.

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

AUTHORIZE COMPTROLLER TO PROVIDE JERRY PREMUTO APPROPRIATE PAY
DIFFERENTIAL DURING MILITARY SERVICE
RESOLUTION #416

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

RESOLVED, the Comptroller is authorized to provide Jerry Premuto with appropriate pay differential during his military service under Military Law § 242(5).

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

MONTHLY REPORTS

The Town Board accepts the Monthly Reports from the following Departments:

Finance Department for September 2022
Receiver of Taxes Department for September 2022
Town Clerk for September 2022

ADJOURN

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