

Meeting of the Town Board, Town of Yorktown held on Tuesday, April 25, 2023 at the Town Hall, 363 Underhill Avenue, Yorktown Heights, New York 10598.

Present: Thomas P. Diana, Supervisor  
Edward A. Lachterman, Councilman  
Sergio Esposito, Councilman  
Luciana Haughwout, Councilwoman  
Mary Capoccia, Councilwoman

Also Present: Maura Weissleder, Deputy Town Clerk  
Adam Rodriguez, Town Attorney

#### TOWN BOARD MEETING

Supervisor Thomas Diana called the meeting to order.

#### EXECUTIVE SESSION

Upon motion made by Councilwoman Capoccia, seconded by Councilwoman Haughwout, the Town Board moved into Executive Session to discuss individual personnel issues, litigation and negotiations. Upon motion made by Councilwoman Haughwout, seconded by Councilwoman Capoccia, the Town Board moved out of Executive Session and proceeded with the meeting.

#### PLEDGE OF ALLEGIANCE

Resident Dan Strauss led the Pledge of Allegiance.

#### MOMENT OF SILENCE

Supervisor Diana asked for a moment of silence to remember all of our first responders, emergency workers, and members of the United State Armed Forces.

#### REPORT FROM THE TOWN SUPERVISOR

- Unveiling of 600 - 800 square foot scoreboard at the Yorktown High School funded by a grant through former Senator Terrance Murphy
- Library Week – check website for a listing of events.
- May 1 is the spring fire hydrant flushing program that will take place Monday through Friday, 7:00 a.m. to 5:00 p.m., now through June 30<sup>th</sup>. Discolored water is possible. A listing of streets for Sections 4 through 7 will be posted on the Water Department’s webpage.

#### LAKE MOHEGAN VOLUNTEER AMBULANCE CORPS

Paul Turiano, Captain of the Lake Mohegan Volunteer Ambulance Corps, came before the Town Board to give a presentation regarding the Corps and the assistance they need financially and recruitment of new members. Captain Turiano gave a brief history of the Corps and the geographic area they cover. He spoke of how the calls work and their responsibilities. He explained that they rely only on donations and insurance claims for their financial funding – no income is derived from tax dollars. Captain Turiano said they answered nearly 3900 calls last year, which is a steady increase over the last five years. They currently have only 29 active members. A discussion was held regarding the types of calls they receive, many erroneous, and their obligation to answer them. Many calls come in from nursing home residents in both Yorktown and Cortlandt, and very often the insurance claims are not submitted or followed up on by the caller and, therefore, the Corps loses that money. Captain Turiano said that they are currently in need of a “remodel” ambulance at a cost of approximately \$180,000 and for the first time in its history, the Corps has had to apply for a loan in order to make the purchase. Captain Turiano said they are at a crossroads and are concerned that the Corps may cease to exist. He welcomed any suggestions the Town Board may have to help them.

Supervisor Diana suggested a round table discussion with the Town of Cortandt and directors of the area’s nursing homes to discuss the problems the Corps is facing. The Board discussed the use and misuse of the calls going to the ambulance corps. Suggestions were made for their attendance at upcoming events in order to have a recruitment tent.

Supervisor Diana reminded everyone that the Lake Mohegan Volunteer Ambulance Corps are completely unpaid for all of the work that they do. He also suggested reaching out to the grant writers the Town is contracted with to discuss possible grants for the Corps.

Captain Turiano introduced two member of the Corps – Anthony Iannone, Fire Commissioner, and Robert Piazza, Board of Directors Member – who thanked the Town Board for their time and discussed the status of their conversations with the Town of Cortlandt.

79 SOMERSTON ROAD – WETLAND AND STORMWATER PERMIT

Dan Ciarcia, Town Engineer, said this permit application for the purpose of a pool installation is in an area of state wetlands that border many of the homes, including the subject property. He said the criteria for it being a non-administrative permit is that the proposed swimming pool is within 50 feet of a flagged wetland and that it is state wetlands. He said that if the Board has no objections with the project and all of the proper reports are in, a resolution could be done with the condition that it be contingent upon getting approval from New York State Department of Environmental Conservation (DEC).

Dave Goessl, Engineer for the applicant, displayed plans of the location of the pool and its proximity to the wetland buffer, as well as proposed stormwater drainage and screenings. He said that the property is also in a FEMA floodplain so the pool equipment must be raised up off the ground. Mr. Goessl said they are currently waiting for the DEC permit.

The Town Board did not have any objections to the project and the Town Engineer will prepare a resolution for next week.

FAM JAM EVENT

Brian Duffy, event organizer, said that they had to cancel this week’s scheduled Fam Jam because of the weather forecast and last few days have been hard to predict when they can reschedule. They need to wait until Thursday to make a final decision whether or not to hold the event due to the weather conditions on May 5<sup>th</sup> and 6<sup>th</sup>. They will post their decision on social media as soon as a decision is made. Mr. Duffy thanked small businesses for their sponsorship (specifically two new businesses: the new Par 3 golf course management, and east coast sports), as well as the support shown by the Town Board and Police Department. Mr. Duffy asked for patience until they can make their decision about the next date.

OBSOLETE VEHICLE – CENTRAL GARAGE

RESOLUTION #220

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

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

WHEREAS, the Central Garage recommends to the Town Board that the listed vehicle be deemed obsolete and either scrapped at Brookfield Resource Management or sold at auction by Absolute Auctions & Realty, Inc.

2008 Ford Expedition                      Vin #1FMFU16588LA00194

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

BUDGET TRANSFER FOR HIGHWAY DRAINAGE

RESOLUTION #221

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

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

From:

A.1002General Fund – Fund Balance                      \$50,000.00  
(to be offset by ARPA revenue)

To:  
D5110.479 Highway Drainage \$50,000.00

for the purchase of materials needed for drainage projects to be completed throughout the Town.

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

BUDGET TRANSFER FOR SPECIAL PROJECTS – LANDMARKS  
RESOLUTION #222

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

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

From:  
A1990.499 General Fund – Contingency \$2,300.00

To:  
A.8020.479.5 Planning, Special Projects - Landmarks \$2,300.00

for expenditures associated with the “Follow the French: Rochambeau Festival to be held on Saturday, May 20, 2023 at the Yorktown Grange Fair grounds.

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

AUTHORIZE THE APPLICATION FOR A GRANT UNDER THE GREENWAY  
CONSERVANCY TRAIL GRANT PROGRAM, FOR THE NEW SIGNAGE IN KIOSKS ON  
BRIDGE OVER TACONIC PARKWAY  
RESOLUTION #223

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

WHEREAS, the Town of Yorktown is applying to the Hudson River Valley Greenway for a grant under the Greenway Conservancy Trail Grant Program for a project entitled “New signage in kiosks on bridge over Taconic Parkway” to be located in the Town of Yorktown;

WHEREAS, the grant application requires the applicant municipality to obtain the approval/endorsement of the governing body of the municipality or municipalities in which the project will be located;

WHEREAS, the project is not to exceed \$15,360 and the town's 50% match not to exceed \$6,500 in cash with the balance coming from in kind services

NOW, THEREFORE, be it resolved that the governing board of the Town of Yorktown hereby does approve and endorse the application for a grant under the Greenway Conservancy Trail Grant Program, for a project known as “New signage in kiosks on bridge over Taconic Parkway” and located within this community.

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

AUTHORIZATION TO EXECUTE AN AGREEMENT WITH THE COUNTY OF  
WESTCHESTER FOR NUTRITION SITE TRANSPORTATION SERVICES  
RESOLUTION #224

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

RESOLVED, the Supervisor is authorized to execute an agreement with the County of Westchester for the provision of nutrition site transportation services for elderly residents, for

the term retroactive to January 1, 2023 through December 31, 2023. The County will contribute \$10,113, and the Town will contribute \$7,028.

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

AUTHORIZE THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE YORKTOWN GRANGE

RESOLUTION #225

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

RESOLVED, the Supervisor is authorized to enter into an agreement with the Yorktown Grange P of H #862 for the "Follow the French" event on May 19-21, for \$1,000.

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

Councilman Lachterman read the following resolution:

RECOGNIZTION OF APRIL 26, 2023 AS KOREAN WAR VETERANS DAY IN THE TOWN OF YORKTOWN

RESOLUTION #226

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

Whereas, the Town of Yorktown recognizes April 26, 2023 as Korean War Veterans Day in the Town of Yorktown; and

Whereas, on Korean War Veterans Day we honor all those who bravely served in the Korean War; and

Whereas, Korean War Veterans Day was created to honor all the Veterans who fought during its time; and

Whereas, during the Korean War, approximately 1,789,000 members of the United States Armed Forces served in theater along with the forces of the Republic of Korea and 20 other members of the United Nations to defend freedom and democracy; and

Whereas, casualties in the United States Armed Forces during the Korean War included 54,246 dead, more than 103,284 wounded, and approximately 8,055 listed as missing in action or prisoners of war; and

Whereas, April 26 2023 and every day, we honor their bravery and commitment and give thanks to a generation of Americans who valiantly fought for freedom; and

Therefore, be it resolved, that the Town Board of the Town of Yorktown recognizes April 26, 2023 as Korean War Veterans Day in the Town of Yorktown.

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

Councilman Lachterman said that April 26<sup>th</sup> was chosen because it is the date of the beginning of the peace talks and New York State has adopted the same date for recognizing Korean War veterans so it could be recognized while the Assembly and Senate are in session. Councilman Lachterman introduced Major Sheridan, member of the VFW Post 8328, who explained that March into April is also the time when the ground offensive phase of the Iraq war that eventually became the "Global War on Terror," against the regime of Saddam Hussein, in which he served.

ACCEPT RESIGNATION OF NICHOLAS BURNS FROM THE HIGHWAY DEPARTMENT

RESOLUTION #227

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

Resolved, the Town Board of the Town of Yorktown hereby accepts the resignation of Nicholas Burns from the position of Heavy Motor Equipment operator from the Highway Department effective April 26, 2023.

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

ACCEPT THE RETIREMENT OF PAUL DILLON AS SERGEANT FROM THE YORKTOWN POLICE DEPARTMENT RESOLUTION #228

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

Resolved, the Town Board of the Town of Yorktown hereby accepts the resignation of Sergeant Paul Dillon from the position of sergeant at the Yorktown Police Department effective April 29, 2023.

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

APPOINT BRYAN G. O'KEEFE TO HEAVY MOTOR EQUIPMENT OPERATOR, JOB CLASS CODE 0429-02 WITHIN THE WATER DEPARTMENT EFFECTIVE MAY 1, 2023 RESOLUTION #229

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

BE IT RESOLVED, that Bryan G. O'Keefe is hereby appointed promotional as Heavy Motor Equipment Operator, job class code 0429-02, within the Water Department, effective May 1, 2023 to be paid from Yorktown CSEA Salary Schedule A, Group 12, Step 4 which is \$75,307.00 annually;

BE IT RESOLVED, that this appointment is subject to a probationary period of no more than 12 weeks, commencing on the first date of appointment on May 1, 2023.

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

APPOINT CHARLES CHASE JR TO HEAVY MOTOR EQUIPMENT OPERATOR, JOB CLASS CODE 0429-02 WITHIN THE HIGHWAY DEPARTMENT EFFECTIVE MAY 1, 2023 RESOLUTION #230

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

BE IT RESOLVED, that Charles Chase Jr., is hereby appointed to the civil service title, Heavy Motor Equipment Operator, job class code 0429-02, within the Highway Department, effective May 1, 2023, to be paid at the rate set forth in Yorktown CSEA Salary Schedule A, Group 12, Step 5 which is \$78,427.00.00 annually,

BE IT FURTHER RESOLVED, that this appointment is subject to a probationary period of no more than 12 weeks, commencing on the first date of appointment on May 1, 2023.

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

AWARD TOWN TOW BID TO YORKTOWN AUTO BODY, INC. RESOLUTION #231

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

Whereas, a bid was noticed and published for the provision of certain towing and emergency repair services to vehicles; and

Whereas, Yorktown Auto Body, Inc. submitted a bid proposal for a license fee to the Town in the amount of \$110,600; now, therefore, be it

Resolved, that the bid for the provision of certain towing and emergency repair services to vehicles be awarded to Yorktown Auto Body, Inc., for a license fee to the Town in the amount of \$110,600.

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

ADJOURN

Upon motion made by Councilman Esposito, seconded by Councilwoman Capoccia, the Town Board meeting was adjourned.

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MAURA WEISSLEDER  
DEPUTY TOWN CLERK