

Meeting of the Town Board, Town of Yorktown held on Tuesday, July 11, 2023 at the Town Hall, 363 Underhill Avenue, Yorktown Heights, New York 10598.

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

Tardy: Sergio Esposito, Councilman

Also Present: Diana L. Quast, Town Clerk
Adam Rodriguez, Town Attorney

TOWN BOARD MEETING

Supervisor Thomas Diana called the meeting to order.

EXECUTIVE SESSION

Upon motion made by Councilman Lachterman, seconded by Councilwoman Capoccia, the Town Board moved into Executive Session to discuss personnel issues with the Town Attorney. Upon motion made by Councilwoman Capoccia, seconded by Councilman Lachterman, the Town Board moved out of Executive Session and proceeded with the meeting.

PLEDGE OF ALLEGIANCE

Town Clerk Diana Quast led the Pledge of Allegiance.

MOMENT OF SILENCE

Supervisor Diana asked for a moment of silence to remember our first responders: police, ambulance, and EMTs who serve us on a daily basis, especially these last few days with the storms that came through and brought the flooding. He also asked to keep in our thoughts and prayers the members of the military who serve to protect our freedoms both here and overseas.

REPORT FROM THE TOWN SUPERVISOR

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

- State of Emergency declared following Sunday's devastating storm. This is an important first step towards getting FEMA involved to potentially provide disaster assistance to the county (photos were displayed showing the flooding). This morning County Executive George Latimer and NYS Governor Kathy Hochul have declared a State of Emergency for Westchester County, which President Biden needs to sign. This may take some time before we hear anything, but in the meantime, it is important for residents to know that if Yorktown does receive any assistance at the Town level, it will be to reimburse the Town for recovery efforts and infrastructure repairs and not for individual homes. However, Supervisor Diana encouraged affected Yorktown residents to review the information available at FEMA.gov because if the Town is declared a disaster site, you may be able to apply for FEMA assistance as an individual. Supervisor Diana said that, while it is not a substitute for private insurance, FEMA's Individual Household Programs (IHP) provides financial and direct services to eligible individuals who have households that are uninsured or have underinsured expenses and serious needs.

Supervisor Diana said the first step would be to register with FEMA, even if you have registered with the agency for previous disasters – FEMA considers each disaster to be a separate event. People affected by multiple storms may receive assistance more than once. Registration may be made online at www.disasterassistance.gov and download the FEMA app. You may also call 800-621-3362 for information and to register.

Supervisor Diana said that \$4.46 million is the threshold from which FEMA will start issuing money to the Town. He reminded residents to keep all receipts from services purchased for flood-related expenses.

Supervisor Diana said it is particularly upsetting about the Par 3 Golf Course getting flooded, as they just opened this past weekend.

Supervisor Diana thanked all of the Town's first responders, Highway Department employees and everyone else who assisted in making it better for our residents.

Councilman Lachterman recommended photo documentation of receipts, insurance paperwork, etc. related to flooding expenses.

STORM MITIGATION

Highway Superintendent David Paganelli said the storm of July 3 and July 4 resulted in approximately 300 downed trees. His crews were out for approximately 18 hours straight working to remove them. He said that while working directly with Con Edison and NYSEG he observed that although they were working hard, they were having a difficult time keeping up, which caused his crews a problem because they had 19 roads closed and they could not get through to restore power and emergency vehicles could not get through. Superintendent Paganelli said the Town has a tree company on contract and he has spoken to them. He said that all of their men are utility certified who could go out and cut the trees off the wires. He said that this would save much time in being able to clear the trees. He said that the Town already has the money with respect to the Town taking care of the over 5,000 acres of open space, conservation easements, etc. and he is proposing that a certain amount of money be set aside for these types of catastrophic events. Superintendent Paganelli said these tree crews can touch the wires, whereas his crews cannot. He said that this would get roads cleared and opened more quickly, which would allow emergency vehicles quicker access. Superintendent Paganelli mentioned a ballpark figure of \$10,000 to be set aside.

Councilwoman Haughwout asked Superintendent Paganelli if, after removing a tree from a road, if it required another crew to go out later to cut the tree up. Superintendent Paganelli said they had been doing very well cleaning up downed trees before the storm. He said they will be back to clean up anything that it is the Town's right of way. He said that the priority is to get the tree off the road and open the road for emergency services. Clean-up would happen when they could get to it. He said that it is actually Con Edison and NYSEG's job to cut trees from the wires.

Superintendent Paganelli said that Old Crompond Road, between Lynette and Bound Brook, will be closed for quite some time. The bridge that is located there is compromised and was reported as such about 10 years ago. A quick repair had been done that has lasted longer than expected but he now needs to get a structural engineer to investigate the bridge. Until that report is received and the bridge is deemed safe, that portion of the road will remain closed. He said that the residents are okay and people can get out; it is more of an issue for people travelling from Cortlandt who were using the road to avoid Route 202 traffic. He said that he has also reached out to the State for assistance in doing an assessment of the bridge.

Supervisor Diana said that he would also like to see the State assess the Town's other bridges and culverts. Councilwoman Haughwout asked what happened to the Town's "Stream Team" and Superintendent Paganelli said that his understanding was that it was a one-year deal that used DEP money to clear out the streams and culverts. Supervisor Diana said that it became exponentially expensive because you had to put an MEO with them, that had to have a vehicle and all of the right equipment, and they were kids doing the job. They needed at least one leader assigned to the team for safety.

Councilman Esposito said the location of the streams and culverts is challenging (town, state, private property) but felt that there was still value in having routine maintenance, at least on our property.

Superintendent Paganelli spoke of additional sites in Town where there are issues (Jefferson Valley Mall area).

Supervisor Diana thanked the Town Board for being so responsive during the storm and subsequent investigation and clean up.

BUILDING DEPARTMENT RENEWED PERMITS

John Landi, Building Inspector, came before the Board to discuss renewed permits. He said that the Town fee schedule and code only allows for two renewals on the original permit. He said if a resident goes through the two renewals and still needs another, they have to revert to the original fees that he feels is not fair to the resident who is building a house or doing renovations. He said that the way our fees are structured is on cost construction. He said that they have had to revert back to full cost construction for a project that may be ninety percent completed by the time they may need the third

renewal. Mr. Landi said he does not have the power to change this; it would require legislative amendments to building permits.

Councilwoman Haughwout asked how to incentivize a building to complete a project that he/she may be dragging out for financial and/or tax benefits. He said that if you continuously renew a permit, the Building Department does not look at it again. However, codes change. Mr. Landi said that if you do not finish and you are starting new, the Building Department will look at it from a current code perspective and the applicant would be subject to any of the new code changes on the new permit. He said, although an applicant may have to apply for a new permit after the two renewals, it is still the same permit – all that is changed is the fee because it is based on the remaining cost of the project (the percentage of the project that has not been completed) – and anything that is not completed would be subject to the new code. Supervisor Diana clarified that if you do not complete the project after this new permit (the last and final), you would have to go back for the entire project cost all over again. Mr. Landi said they are finding permits from twenty years ago and the projects are essentially done and the Town is charging them for the entire project and he does not think this is fair.

Mr. Landi said the new fee schedule is based on the cost of construction and the way they determine cost of construction is the square footage of the project. He said that there are problems arising in the Building Department because the code says he can come up with the fee based upon his knowledge of construction and he feels this is too much discretion on his part. He would like to come up with a fair and equitable solution for everyone. Mr. Landi's suggestion is to come up with a way, for example, from 0 to 2000 square feet would cost "x" amount of dollars per square foot as a fixed rate, then from 2000 to 4000 would be another rate, and so on. He said he would like to add that if the applicants do not like the fee schedule, they would have the option to bring in a certified and stamped cost of construction from their engineer.

Supervisor Diana agreed saying that it is not fair to a quality builder who is putting quality materials into a particular house. He said that this would level out the fees.

Mr. Landi said this would take discretion out of the equation and would cause less problems. Supervisor Diana said he felt this would be a fair and equitable way to calculate fees. The Board further discussed costs with Mr. Landi.

HALLOCKS MILL STORMWATER RETROFIT

Kevin Fitzpatrick, P.E., Director of Engineering for the East of Hudson Watershed Corporation, who represents the Town of Yorktown, as well as 18 other municipalities addressing stormwater treatment as part of the MS4 permit. The project that they are looking to install and get the okay from the Board is located at the intersection of Route 35 and Hallocks Mill Road and Ridge Street that is an existing municipal outfall that crosses the road and empties out onto Town property. The location has about 60 acres of water that comes down into that one spot. Mr. Fitzpatrick said one of the things that they have zeroing in on is to try to find locations such as this one where they can get the "biggest bang for their buck." He said this project is fully funded by the Corporation and are working in collaboration with Westchester County funds and US Army Corps of Engineers funds so the Town would have no cost upfront for the project. Mr. Fitzpatrick said the Town currently has a requirement from NYS to remove 180 kilograms of nutrient loading that is reaching New York City's drinking supply and, in the case of Yorktown, that would be looking at the Muscoot Reservoir (for this project) and possibly the Croton Reservoir. He said that this proposed project could knock out approximately 30 kilograms.

Councilman Esposito asked about the implementation of the project (how long would it take, how much disruption, etc.). Mr. Fitzpatrick said that there would be a temporary disruption of traffic - maybe once a week during deliveries but then on the front end a shoulder closure for about three days. He said there would be a substantial clearing in that spot, which will help with visibility. The shoulder closing would require a permit from the NYS DOT. Mr. Fitzpatrick said this is approximately a \$1 million investment and the project is just about at 60-100% design, which is included in the packet he gave to the Board.

Councilman Esposito asked, going forward, what would maintenance look like in the future. He asked if the maintenance was the Town's responsibility. Mr. Fitzpatrick said that with all of these retrofits, as members of the Corporation, the maintenance does go back to the Town. He said it would have to be addressed on an annual basis and described the steps that would need to be taken. A VAC truck would need to visit the site and clean everything out – about one-half to one hour's worth of

work. He said that this work would enable stormwater to enter the ground instead of passing through a pond or wetland, which is the best way to deal with stormwater.

Councilman Esposito said that he does not want this project to create an issue if we get heavy rains, as we did this week, in an area that did not flood. He asked how we would know that this project would not cause flooding. Mr. Fitzpatrick explained that there are two things they look at when designing a stormwater practice: water quantity and water quality. Quantity is what happened this week. Quality is what they address as part of the stormwater permit that the Town has. Mr. Fitzpatrick explained what this project addresses to make sure that large amounts of stormwater keep moving on. He said that this is an upgrade to what is already there.

Councilwoman Haughwout asked about fees associated with government audits of the site. Mr. Fitzpatrick said the Corporation does the inspections of the sites and performs the audits to make sure the towns are doing the maintenance. He said those payments go to the Corporation and are a shared expense among all of the municipalities. Councilwoman Haughwout asked if the Corporation does not keep up their end of inspections, would the cost/penalty fall on the Town's shoulders, and Mr. Fitzpatrick said it is ultimately the Town's liability because it is the Town's responsibility to do these projects. He said that, as part of an MS4 Stormwater Permit, you would typically have a DEC audit at some point and that is part of the MS4 Permit. He said that this is not an additional cost to the Town but part of the permit.

Councilman Esposito said that the value of clean water far outweighs any concerns and that he would like to see completed plans, when available.

Town Engineer Dan Ciarcia said that the Town has done some of these practices elsewhere in Town and the program is to remove nutrients from the reservoirs, they are building these practices at their expense, and for now, they are paying for the maintenance. He said these practices allow us to do our part to improve water quality in the region.

Mr. Fitzpatrick said that they would like to go to bid for construction in August with an award in September. He said they would then look at a construction season that makes sense – hopefully October, November for the main portion of the project.

PARKS AND RECREATION COMMISSION

Matt Talbert, Parks & Recreation Commission Chairperson, and Parks & Recreation Superintendent James Martorano, Jr. came before the Board to discuss Legacy field turf replacement and pricing. They presented the Board with various turf samples and prices. Commissioner Talbert said there is quite a difference in pricing and, in their opinion, going with the lowest price is not necessarily the best choice. LandTek installed the original field in 2011. Commissioner Talbert said there was a class action lawsuit against the field because of the turf – the splines of the turf failed and did not stand up any more. LandTek said they would install the new turf and said they would fix the sub-base so there would be no issues. Commissioner Talbert reviewed the various prices and warranties for each of the vendors presented to the Board. He said that no one expects an issues, but this will require uncovering a 12-year old subsurface. He said if the sub-base were uneven, we should be seeing deviations in the turf right now, which they do not. Commissioner Talbert said that all vendors said they would do a “box leveling” of the field. He said that all of the vendors were asked to cover the subsurface in their bid amount. LandTek had no problem with this as this is already their subsurface.

Councilman Esposito asked Commissioner Talbert for the Commission's recommendation and Commissioner Talbert said he is comfortable with A-Turf. He said they are in the area and are throwing in 8 additional maintenance sessions on the fields over 2 years, which costs the Town \$2,500 each time it is done.

The Board reviewed the various options with each quote and the possibility of subsurface replacement. The Commission's recommendation is A-Turf at a cost of \$634,000 plus the optional bond of \$6,000.

Commissioner Talbert moved on to the subject of the fencing at Granite Knolls. He said they have met the potential winning bidder who has also done some work at Granite Knolls already. He said they appreciate being able to move forward with this. He said that they also spoke to the vendor about the repairing of the fence at the pickleball court.

Commissioner Talbert said that back in December of 2022 the Town Board asked the Commission to begin a conversation regarding the sensory garden. He said they have run into a stalemate and the conversation is not moving. He said that Commissioner Tom Dunn has been the lead on this was asked to speak with the Town Board. Commissioner Dunn said that in February he had tried to reach out to Anna (Mandara) in order to move forward. He said that they met and discussed a specific area outside of the new playground and they both seemed to be on the same page regarding the site and plantings. He said from that point things seemed to have dissipated and that the grant application was for the entirety of that area (he said they have not seen the grant application). Councilman Esposito asked who had the grant application and the Town Clerk said she has a copy. Commissioner Dunn said from there they went to conversations about what the contents of the sensory garden would be. He said that Superintendent Martorano had received a call from someone that had been contacted concerning a splash pad so clearly someone had been in conversations. Commissioner Dunn said he and Anna Mandara had been in conversations back and forth and he said that he had asked for a summary of where they had been because she had mentioned they were in touch with a plumber who said he would “comp” some of the work.

Councilwoman Haughwout said she received a call from Anna on May 26 offering to show her the plans but Councilwoman Haughwout had recommended waiting until she could show the complete plan and have one big meeting. Her understanding was that Anna would do a presentation to the Parks & Recreation Commission and then that would be brought to the Town Board.

Commissioner Dunn said this is a large project that needs conversation. He said that all parties need to work cooperatively and collaboratively in a business like way. Councilman Lachterman said that any meetings on this should be public and should be in the Commission’s meetings. He asked who else was working on the project with Ms. Mandara and was told to speak with Ms. Mandara about who she has helping her on the project.

The Board determined that a definite meeting needed to take place so that everyone could work on the project together and know that the plan is for the garden. Supervisor Diana also suggested a site visit. Councilman Lachterman suggested that the meeting take place before the end of summer.

AUTHORIZE THE COMPTROLLER TO PAY MARGARET GSPURNING THE CASH VALUE OF UNUSED TIME AT HER DATE OF RETIREMENT
RESOLUTION #328

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

Be It Resolved, that the Town Board hereby authorizes the Town Comptroller to pay Margaret Gspurning the cash value of unused time as of her date of retirement:

Rate of Pay:		\$69.1780 hourly		
Vacation	287.00 hours	x	\$69.1780	= \$19,854.09
Personal Days	7.00 hours	x	\$69.1780	= \$ 484.25
Sick	1,095.65 hours @ 50%			= 547.82 hours
	547.82 hours	x	\$69.1780	= \$37,892.70
Longevity				
	10/1/22-6/8/23 – 179 days			
	\$1,250.00 / 260 days		=	\$4.80 per day
	179 days	x	\$4.80 per day	= \$ 859.20
			Total	\$59,090.24

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

From:	A1002.8 General Fund Balance Accrued Employee Benefits	\$42,983.14
	A1220.101 Supervisor Salary	\$15,247.90
	A1220.106 Supervisor Longevity	\$ 859.20
To:	T.905.1 Medical/Dental/Vision Trust	\$37,892.70
	A1220.108 Supervisor Lump Sum	\$21,197.54

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

AUTHORIZE THE COMPTROLLER TO PROCESS A BUDGET TRANSFER FROM THE GENERAL FUND BALANCE TO TOWN BUILDING IMPROVEMENTS RESOLUTION #329

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

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

From: A.1002	General Fund – Fund Balance	\$582,630.00
To: HV1630.200	Town Buildings Improvements Capital Project	\$582,630.00

for the Court House Plaza base bid awarded to Con-Tech Construction Technology, Inc as authorized by the June 20, 2023 Town Board resolution.

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

AUTHORIZE THE COMPTROLLER TO PAY IRENA GOSS THE CASH VALUE OF UNUSED TIME AT THE DATE OF HER RESIGNATION RESOLUTION #330

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

Be It Resolved, that the Town Board hereby authorizes the Town Comptroller to pay Irena Goss the cash value of unused time as of her date of resignation:

Rate of Pay:	\$44.1154 hourly				
Vacation	108.00 hours	x	\$44.1154	=	\$4,764.47
Personal Days	19.00 hours	x	\$44.1154	=	\$ 838.20
Floating Holiday	14.00 hours	x	\$44.1154	=	\$ 617.62
Comp Time	.50 hours	x	\$44.1154	=	\$ 22.06
Total					\$6,242.35

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

From: L7410.101	Library Salary	\$6,242.35
To: L7410.108	Library Lump Sum	\$6,242.35

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

AUTHORIZE THE COMPTROLLER TO PROCESS A BUDGET TRANSFER FROM MOHEGAN HIGHLANDS BEACH DISTRICT FUND TO MOHEGAN HIGHLANDS MAINTENANCE AND REPAIR FUND RESOLUTION #331

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

Resolved, the Comptroller is authorized to process the following budget transfer for the Mohegan Highlands Beach District:

From: MH.1002	Mohegan Highlands Fund Balance	\$20,500.00
To: MH.7180.416	Mohegan Highlands Maintenance and Repair	\$20,500.00

for payment to Rayal Tree service for tree removal and Campanella Fence for repair to the tennis court fence.

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

AUTHORIZE THE COMPTROLLER TO PROCESS THE FOLLOWING BUDGET TRANSFER FROM LIBRARY FUND BALANCE TO LIBRARY BUILDING MAINTENANCE RESOLUTION #332

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

Be It Resolved, that the Town’s Library Director is authorized to sign agreements with Schindler Elevator Corp. in the amount of \$94,036, Marshall Alarm Systems, Inc. in the amount of \$19,600 and Hanover Electric in the amount of \$1,425 to replace the existing electronics for the elevator, to replace the existing fire control panel and to run the necessary electrical lines, to accommodate new elevator safety requirements, at the John C. Hart Memorial Library.

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

From: A.1002	Library Fund – Fund Balance	\$115,061
	(To be partially offset by NYS Construction Grant revenue)	
To: L7410.416	Library – Building Maintenance	\$115,061

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

AUTHORIZE THE COMPTROLLER TO PROCESS A BUDGET TRANSFER FROM THE FUND BALANCE TO DIESEL FUEL RESOLUTION #333

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

Resolved, that Comptroller is authorized to transfer \$2,600 from YS fund balance to Diesel Fuel (YS.8130.0470.0001).

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

AUTHORIZE THE COMPTROLLER TO PROCESS A BUDGET TRANSFER FOR THE PARKS & RECREATION DEPARTMENT RESOLUTION #334

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

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

From: TE.000.0037	Park Land Trust	-	\$41,833.00
To: A.7110.454	Parks – Improvements	-	\$41,833.00

for the purchase and installation of the Safety Fencing and Netting at Granite Knolls to protect the Playground.

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

AUTHORIZE THE LIBRARY DIRECTOR TO ENTER INTO AN AGREEMENT WITH SCHINDLER ELEVATOR CORP AND MARSHALL ALARM SYSTEMS, INC. RESOLUTION #335

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

Be It Resolved, that the Town’s Library Director is authorized to sign agreements with Schindler Elevator Corp. in the amount of \$94,036, Marshall Alarm Systems, Inc. in the amount of \$19,600 and Hanover Electric in the amount of \$1,425 to replace the existing electronics for the elevator, to replace the existing fire control panel and to run the necessary electrical lines, to accommodate new elevator safety requirements, at the John C. Hart Memorial Library.

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

AUTHORIZE THE PARKS AND RECREATION SUPERINTENDENT TO AWARD BID FOR THE FENCE/NETTING AT GRANITE KNOLLS TO WBE FENCE COMPANY RESOLUTION #336

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

Whereas, Invitations to bid for the purchase and installation of fencing and netting to be placed at Granite Knolls for the Yorktown Parks and Recreation Department was duly advertised, and

Whereas, said bids were received and opened on June 22, 2023, with the bid amounts for the above referenced project summarized as follows:

Bid Item #1: Fence/Netting Behind the (Granite Knolls Field 1) Goal Post

- A) Central Industries, Inc - \$54,622.00
- B) Giacorp Contracting Inc - \$37,639.00
- C) Senco Metals LLC - \$47,000
- D) Sierra Contractors Corp. - \$60,000
- E) WBE Fence Company, Inc - \$19,033.00
- F) Yaboo Fence Co Inc - \$51,225.00

Bid Item #2: Fence/Netting Behind the Goal Post (Price per linear foot)

- A) Central Industries, Inc - \$1,365.55
- B) Giacorp Contracting Inc - \$940.80
- C) Senco Metals LLC - \$500.00
- D) Sierra Contractors Corp. - \$1,500.00
- E) WBE Fence Company, Inc - \$190.00
- F) Yaboo Fence Co Inc - \$1,280.00

Now, Therefore Be It Resolved, that upon recommendation of the Superintendent of Parks and Recreation, James J. Martorano Jr., the bid for Fence/Netting Behind the Granite Knolls Field 1 Goal Post Is hereby awarded to WBE Fence Company, Inc., the lowest responsible bidder.

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

AUTHORIZE THE SUPERVISOR TO SIGN A MEMORANDUM OF UNDERSTANDING WITH GREENWAY REGARDING BRIDGE KIOSK SIGNAGE PROJECT OVER THE TACONIC PARKWAY RESOLUTION #337

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

Resolved, the Supervisor is authorized to execute a memorandum of understanding with Greenway for the Town to receive a \$6,500 dollar grant for the Bridge Kiosk signage project over the Taconic Parkway.

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

AUTHORIZE THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE TOWN OF CORTLANDT FOR SENIOR MEAL PREPARATION RESOLUTION #338

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

Resolved, the Supervisor is authorized to execute a regional kitchen agreement with the Town of Cortlandt for the preparation of meals for a senior rate at \$5.75 per meal.

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

AUTHORIZE THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE TOWN OF SOMERS FOR SENIOR MEAL PREPARATION
RESOLUTION #339

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

Resolved, the Supervisor is authorized to execute a regional kitchen agreement with the Town of Somers for the preparation of meals for a senior rate at \$5.75 per meal.

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

AUTHORIZE THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE COUNTY OF WESTCHESTER FOR THE PROVISION OF NUTRITION SERVICES
RESOLUTION #340

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

Resolved, the Supervisor is authorized to execute an inter-municipal agreement with the County of Westchester for the provision of nutrition services to elderly residents, retroactive to October 1, 2022 through September 30, 2023, whereby the County will reimburse the town \$94,757.

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

AUTHORIZE THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH EFC FOR THE REPAIR OF THE FRENCH HILL WATER STORAGE TANK
RESOLUTION #341

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

Resolved, that the Town of Yorktown has applied for financial assistance from the New York State Environmental Facilities Corporation (“EFC”) under the Water Infrastructure Improvement (“WIIA”) Program for the purpose of funding the Repair of the French Hill Water Storage Tank; and

Resolved, that the Town of Yorktown is authorized and directed to accept these grant funds in an amount not to exceed \$1,300,000 for the project described in the grant application; and

Resolved, that the Town of Yorktown is authorized and directed to agree to the terms and conditions of the Master Contract with EFC for such Repair of the French Hill Water Storage Tank; and

Resolved, that the Town of Yorktown is authorized and directed to agree to the terms and conditions of any required deed of easement granted to EFC that affects title to real property owned by the municipality and improved by the grant funds, which may be a duly recorded public access covenant, conservation easement, and/or preservation covenant; and

Resolved, that the governing body of the municipality delegates signing authority to execute the Master Contract and any amendments thereto, any required deed of easement, and any other certifications to the individual(s) who hold(s) the following elected or appointed municipal office(s) or employment position title(s): Thomas Diana, Town Supervisor.

AUTHORIZE THE SUPERVISOR TO ENTER INTO A 5-YEAR SERVICE AGREEMENT WITH CUMMINS FOR THE MAINTENANCE OF THE CUMMINS GENERATORS
RESOLUTION #342

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

Resolved, that the Supervisor is authorized to sign a 5-year service agreement with Cummins for the maintenance of the Cummins generators located at the Yorktown Water Pollution Control Plant, Jefferson Park pump station, and Walden Woods pump station for a total cost of \$61,552.77, and

Be It Further Resolved, that the Comptroller is authorized to transfer \$9,782.81 from Sewer Fund Balance for the first year of maintenance of the 1,500KW generator from YS Fund Balance to Equipment Maintenance DEP (YS.8130.0418.0002), and

Be It Further Resolved, that the Comptroller is authorized to transfer \$3,653.70 from Sewer Fund Balance for the first year of maintenance of the generators located at the Walden Woods and Jefferson Park pump stations from YS fund balance to Maintenance and Repair Pump Station (YS.8130.418).

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

AUTHORIZE THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH CENTRAL SQUARE FOR ASSET MANAGEMENT SOFTWARE
RESOLUTION #343

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

Resolved, that the Supervisor is authorized to sign an agreement with Central Square for asset management software that includes a one-time charge of \$25,560 and the first installment of the annual maintenance fee of \$3,400 for a total cost of \$28,960, and

Be It Further Resolved, that the Supervisor is authorized to sign an agreement with Logically for replacing two workstations and upgrading a server for a total cost of \$16,184.50, and

Be It Further Resolved, that Comptroller is authorized to transfer

From:		
YS.1002	Sewer Fund Balance	\$45,144.50
To:		
YS.8130.421.1	Sewer Computer Support and Software for payment to Central Square	\$28,960.00
YS.8130.202	Sewer Computer Equipment for payment to Logically	\$16,184.50

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

AUTHORIZE THE HIGHWAY SUPERINTENDENT TO EXTEND THE ASPHALTIC CONCRETE LAID-IN-PLACE BID FOR ONE YEAR AND AWARD BID TO INTERCOUNTY PAVING COMPANY INC.
RESOLUTION #344

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

Whereas, invitation to bid for the Asphaltic Concrete Laid In-Place for the Town of Yorktown was duly advertised, and

Whereas, said bids were received and opened on July 7, 2020, and

Be It Resolved, that upon the recommendation of the Highway Superintendent, Dave Paganelli, the bid for the Asphaltic Concrete Laid In-Place for the Town of Yorktown be and is hereby extended for one year, per the terms of the Bid to Kect Construction Corporation, PO Box 201, Patterson, NY 12563, now

Be It Further Resolved, that upon the recommendation of the Highway Superintendent, Dave Paganelli, the bid for the Asphaltic Laid-in-Place "MILLING" Section of the bid be and is hereby awarded to Intercounty Paving Company, Inc., PO Box 360, Carmel, NY 10512, now

Be It Further Resolved, the dates of the extension will be August 1, 2023 to July 31, 2024.

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

AUTHORIZE A BOND RELEASE TO ALBA C. ILLESCAS & RENE P. VELE
RESOLUTION #345

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

Resolved, a representative of the Highway Department has inspected the following sites and found the work to be completed satisfactorily. It is respectfully requested that the Town Board authorize the release of the following:

Type of Permit	Permit #	Amount	Location	Refund To
Driveway	DR1251	\$500.00	1299 Williams Dr	Alba C. Illescas & Rene P. Vele 1230 E. Main St Shrub Oak, NY 10588

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

AUTHORIZE THE JOHN C. HART MEMORIAL LIBRARY TO CONTINUE TO PURCHASE
E-BOOKS AND E-AUDIOBOOKS FRO OVERDRIVE
RESOLUTION #346

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

Be It Resolved, that the Town Board authorizes the John C. Hart Memorial Library to continue to purchase e-books and e-audiobooks from Overdrive as a valid sole source vendor. Overdrive is a customized website service and uses the Libby app for accessing and downloading digital materials with the library's Integrated Library System (ILS) for real-time patron authentication.

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

AUTHORIZE EROSION CONTROL BOND RELEASE TO JAMES MOLLOY
RESOLUTION #347

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

Whereas, James Molloy, as applicant, posted check #1927 in the amount of \$500 to serve as the Erosion Control Bond, which was deposited to the T33 account on January 17, 2023, for work performed at the Hanover Road residence, and

Whereas, James Molloy has requested his money be released as the project is complete, and

Whereas, the Town Engineer has informed this Board that the monies may be released, now

Therefore Be It Resolved, that the above referenced monies be released to Mr. James Molloy, 1748 Hanover Street, Yorktown Heights, NY 10598.

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

AUTHORIZE THE HIGHWAY SUPERINTENDENT TO ADVERTISE FOR PAVEMENT
MARKINGS
RESOLUTION #348

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

Resolved, that the Superintendent of Highways has requested, and the Town Clerk is authorized to advertise a Bid for Pavement Markings.

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

AUTHORIZE EROSION CONTROL BOND RELEASE TO RONALD AND DOROTHY
SANTORELLI
RESOLUTION #349

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

Whereas, Ronald & Dorothy Santorelli, as applicants, posted check #147 in the amount of \$500 to serve as the Erosion Control Bond, which was deposited to the T33 account on December 29, 2022, for work performed at the Ogden Drive residence, and

Whereas, Ronald & Dorothy Santorelli have requested their money be released as the project is complete, and

Whereas, the Town Engineer has informed this Board that the monies may be released, now

Therefore Be It Resolved, that the above referenced monies be released to Mr. & Mrs. Ronald Santorelli, 2851 Ogden Drive Yorktown Heights, NY 10598.

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

AUTHORIZE THE HIGHWAY SUPERINTENDENT TO EXTEND BID FOR TRAFFIC LIGHT MAINTENANCE FOR ONE YEAR
RESOLUTION #350

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

Whereas, invitation to bid for the Traffic Light 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 Maintenance for the Town of Yorktown be and is hereby extended for one year, per the terms of the Bid, to NY-Conn Corporation, 5 Shelter Rock Road, Suite 8, Danbury, CT 06810.

Be It Further Resolved, the dates of the extension will be August 15th, 2023 to August 14th, 2024.

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

AUTHORIZE THE HIGHWAY SUPERINTENDENT TO EXTEND BID FOR STREET LIGHT MAINTENANCE FOR ONE YEAR
RESOLUTION #351

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

Whereas, invitation to bid for the Street Light 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 Street Light Maintenance for the Town of Yorktown be and is hereby extended for one year, per the terms of the Bid, to Hanover Electric, 1803 Commerce Street, Yorktown Heights, NY 10598.

Be It Further Resolved, the dates of the extension will be August 15th, 2023 to August 14th, 2024.

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

BOND ACCEPTANCE FOR TACO BELL ON ROUTE 6, MOHEGAN LAKE
RESOLUTION #352

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

Whereas, Keystone Mohegan Lakes LLC, as applicant for the project known as Taco Bell Restaurant in Mohegan Lake, has completed site work on the site plan approved by Planning Board Resolution # 21-24 dated September 27, 2021; and

Whereas, to insure the installation of the on-site landscaping as approved on the site plan, the applicant must post a cash bond; and

Whereas, the amount of the cash bond has been determined to be in the amount of \$3,000.00; and

Whereas, Bright General Contractors, LLC has provided the Town with check #3279 in the amount of \$3,000.00, to serve as the required cash bond; and

Now, Therefore Be It Resolved, that the monies required prior to issuance of the Certificate of Occupancy for the project known as Taco Bell Mohegan Lake have been tendered to the Town and that the Town Comptroller is authorized to accept the above-referenced project bond for the purposes stated herein.

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

EXECUTIVE SESSION

Upon motion made by Councilman Lachterman, seconded by Councilman Esposito, the Town Board moved into an Executive Session to discuss the employment of a particular person and will adjourn thereafter.

ADJOURNMENT

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

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