

Meeting of the Town Board, Town of Yorktown held on Tuesday, August 8, 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 Councilman Lachterman, seconded by Councilman Esposito, the Town Board moved into Executive Session to discuss personnel issues. Upon motion made by Councilman Esposito, seconded by Councilman Lachterman, the Town Board moved out of Executive Session and proceeded with the meeting.

### PLEDGE OF ALLEGIANCE

Supervisor Diana led the Pledge of Allegiance.

### MOMENT OF SILENCE

Supervisor Diana asked for a moment of silence to remember our first responders: police, fire, ambulance, and EMTs who serve us on a daily basis. 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:

- Movie night – kids choice parks & rec to chose
- Grange celebrated their 125<sup>th</sup> anniversary this past weekend. They are the only grange in Westchester County
- End of Summer Reading Night at the J. C. Hart Memorial Library was held this past weekend and approximately 100 to 150 people attended
- Yorktown Chamber of Commerce and the Jefferson Valley Mall are holding their “Stuff the Bus” event on August 18, 2023.
- Announced that August 7 is Purple Heart Day

### SUPPORT CONNECTION

Arianna Goggin, Communications and Development Manager from Support Connection came before the Town Board, along with Amanda Margiotta, Development Coordinator, to announce the 2023 Support-A-Walk event they hold each year. Ms. Goggin Communications and Development Manager gave a brief background of what and who their organization serves. All counselors at Support Connection are cancer survivors. The Support-A-Walk is being held on October 1, 2023 at FDR park. It is the largest fundraiser for Support Connection. They requested to place pink and teal ribbons in downtown locations from 9/5 through 10/1 in hopes of raising awareness of the organization and the Support-A-Walk. Ms. Goggin said Support Connection appreciates the continued support from the Town Board.

Supervisor Diana and the Town Board supported their request and thanked them for what they do.

### PLANNING SOFTWARE

Director of Planning John Tegeder came before the Town Board to introduce new software for the Planning Department. Mr. Tegeder said for the last number of years the software that exists is not completely data driven, but report driven, and does not necessarily work for the Town. He said he has seen demos of Cloudpoint that has an ease of use and features that are compatible with the way his department works. He said this software eliminates certain steps that would be a big timesaver and help ease the heavy workload his department has at various times throughout the year.

Frank Ficaro and Peter Rotenberg from CloudPermit introduced themselves. Mr. Rotenberg gave a brief background of their company and began a slide presentation that delved into what their

software would do for the Planning Department. It has a Planning and Zoning Module that processes planning and zoning applications, combines public online submission and tracking, and improves customer service by streamlining processes for applicants from submission through board approval. It also creates efficiencies for the staff by saving time, simplifying document retrieval, and enhancing communication.

Councilman Esposito asked if the software could be branded so the Yorktown logo could be put on the applications and was told no but would most likely be available in another year or so. The login screen could be linked to the Town’s website.

The program allows for meeting management to keep track of meetings, a public notice module to notify interested parties, and GIS integrated maps. A discussion took place regarding the security of the program and the fact that Yorktown can download and store the data onto its own server.

Mr. Rotenberg said that pricing is based on population and permit/application volume. He said that unlimited data storage is included – no hidden fees – as well as unlimited licensing; not per user. Mr. Rotenberg said that they use Google/iCloud backup and have never had a breach of their network or their clients’ networks.

Supervisor Diana said he found the program to be very straightforward and easy to use.

Councilman Esposito asked about the Town having their own backups and Peter said that the Town could be provided with backups. He questioned Mr. Rotenberg about security issues and lockdowns of IP addresses and Mr. Rotenberg said that this is something on which he would have to get back to him.

Supervisor Diana asked about the purchase cost and the annual fee (three year). Software is \$8,000 a year for three years and a one-time implementation fee of \$2,000. The Town Board felt this was a reasonable cost and asked Mr. Tegeder to get back to him if this is something he wishes to pursue.

**TAX CERTIORARI SETTLEMENT – 1390-1426 EAST MAIN STREET  
RESOLUTION #386**

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

WHEREAS, tax certiorari proceedings were instituted challenging the assessment for parcel known as Section 16.09 Block 2 Lot 13, located at 1390-1426 East Main Street on the Tax Map of the Town of Yorktown, now, therefore, be it

RESOLVED, that the tax certiorari proceedings affecting tax parcels 16.09-2-13, Account Number 0115000, owned by Oak Shopping, LLC, for assessment roll years 2018, 2019, 2020, 2021, and 2022, be settled as set forth in the proposed stipulation as follows:

<u>Roll Year</u>	<u>Assessment From</u>	<u>Assessment To</u>	<u>Assessment Reduction</u>
2018	79,000	65,800	13,200
2019	79,000	62,720	16,280
2020	79,000	62,440	16,560
2021	79,000	58,300	20,700
2022	79,000	53,075	25,925

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

**AUTHORIZE THE COMPTROLLER TO PROCESS THE FOLLOWING BUDGET  
TRANSFER FROM THE GENERAL FUND BALANCE TO POLICE VEHICLES AND  
POLICE VEHICLE EQUIPMENT  
RESOLUTION #387**

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

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

From:		
A1002	General Fund – Fund Balance	\$100,000.00

To:		
A.3120.210	Police Vehicles	\$90,000.00
A3120.210.1	Police Vehicle Equipment	\$10,000.00

for the purchase of a Police vehicle and associated equipment. This payment will be reimbursed by the Yorktown Central School District for the elementary level School Resource Officer program.

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

AUTHORIZE THE COMPTROLLER TO PROCESS THE FOLLOWING BUDGET TRANSFER FROM THE POLICE SALARY LINE TO POLICE OVERTIME  
RESOLUTION #388

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

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

From		
A3120.102	Police Salary	\$200,000.00
To		
A.3120.111	Police Overtime	\$200,000.00

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

AUTHORIZE THE COMPTROLLER TO PROCESS THE FOLLOWING BUDGET TRANSFER FOR LAKE TREATMENTS AND TEMPORARY HELP FOR THE LAKE MOHEGAN IMPROVEMENT DISTRICT  
RESOLUTION #389

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

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

From		
ID.1002	Lake Mohegan Improvement District – Fund Balance	\$9,000.00
To		
ID7180.110	Lake Mohegan Improvement District – Temporary Help	\$2,500.00
ID7180.479	Special Projects	\$6,500.00

for the lake treatments and temporary help until 12/31/2023.

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

AUTHORIZE THE COMPTROLLER TO PROCESS THE FOLLOWING BUDGET TRANSFER FOR THE PURCHASE OF A FELLING FT-16-IT-I TRAILER  
RESOLUTION #390

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

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

From:		
D5112.210	Highway Paving	\$20,000.00
To:		
D5110.201	Highway Equipment	\$20,000.00

for the purchase of Felling FT-16-IT-I Trailer from Tracey Road as per Sourcewell contract pricing.

AWARD BID TO MICHELS PIPE SERVICES FOR THE CLEANING AND CEMENT RELINING OF WATER MAINS LOCATED ON FRONT STREET AND UNDERHILL RESOLUTION #391

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

WHEREAS, the Town Board authorized the Water Distribution Superintendent to advertise for competitive bid for the Cleaning and Cement Relining of water mains located on Front Street and parts of Underhill Ave.; and

WHEREAS, invitation to bid for this project was duly advertised; and

WHEREAS, said bids were accepted and opened and read aloud on July 18, 2023, with the bid amounts summarized as follows:

<u>Name of Bidder</u>	<u>Cost for Relining</u>
Michels Pipe Services, a division of Michels Corp.	\$808,288.00
J. Fletcher Creamer & Son, Inc.	\$976,700.00

THEREFORE, BE IT RESOLVED that, upon the recommendation of the Water Distribution Superintendent, Ken Rundle, the bid for the Cleaning and Cement Relining of water mains located on Front Street and Underhill Avenue is hereby awarded to Michels Pipe Services, a division of Michels Corp., the lowest responsible bidder.

BE IT FURTHER RESOLVED the Comptroller is authorized to process the following budget transfer:

From		
SW.8340.483.1	Water Cement Relining	\$600,000.00
A.1002	General Fund – Fund Balance	\$208,288.00
	(to be offset by AARPA revenue)	
To:		
HN.8340.0483	Cement Relining Capital Project	\$808,288.00

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

REJECT AND REBID PAVEMENT MARKINGS FOR THE HIGHWAY DEPARTMENT RESOLUTION #392

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

WHEREAS, bid proposals for Pavement Markings were duly advertised, received, and read aloud on Monday, August 7, 2023; be it

RESOLVED, that upon the recommendation of Highway Superintendent David Paganelli, the bid for Pavement Markings be rejected due to being deemed as not favorable to the interests of the Town; now, therefore, be it

RESOLVED, Highway Superintendent David Paganelli rejects all bids for Pavement Markings and will rebid for Pavement Markings; be it further

RESOLVED that the Town Clerk is authorized to re-advertise the bid for Pavement Markings.

NOTICE IS HEREBY GIVEN that sealed bids will be received by the Town Clerk of the Town of Yorktown, Westchester County, NY until 10:00 A.M. on August 31, 2023 at the Town Hall, 363 Underhill Avenue, Yorktown Heights, NY 10598 for the rebid for the Pavement Markings Bid.

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

ADVERTISE BID FOR THE RESURFACING OF DE TANK RESOLUTION #393

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

RESOLVED, that the Town Board authorizes the Town Clerk to advertise a bid for the Resurfacing of the Brian J. Slavin Aquatic Facility DE Tank.

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

ADVERTISE BID FOR TANK REMOVAL AND INSTALLATION  
RESOLUTION #394

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

RESOLVED, that the Town Board authorizes the Town Clerk to advertise a bid for the Junior Lake Aquatic Facility Chlorine Tank Removal and Installation.

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

ADVERTISE BID FOR LIGHTING AT DOWNING PARK BASEBALL FIELDS  
RESOLUTION #395

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

RESOLVED, that the Town Clerk is authorized to advertise a bid for the Installation of the Musco Lighting System at the Downing Park Baseball Fields.

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

ADVERTISE BID FOR THE PURCHASE OF A CHEVROLET TAHOE FOR BUILDING  
MAINTENANCE  
RESOLUTION #396

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

RESOLVED, the Town Clerk is authorized to advertise a bid for the purchase of a Chevrolet Tahoe low mileage vehicle for the Town Building Maintenance Department use.

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

APPOINTMENT OF RICHARD DEMELIS AS REAL PROPERTY APPRAISER  
RESOLUTION #397

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

BE IT RESOLVED, that Richard DeMelis of Somers, NY, is hereby appointed Real Property Appraiser, job class code 0064-01, effective August 28, 2023 to be paid from Yorktown CSEA Salary Schedule A1, Group 12, Step 5 which is \$84,460.00 annually with benefits, such as, sick days, personal days, and floating holidays to follow the CSEA agreement;

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

BE IT RESOLVED, Richard DeMelis will report to work at the Assessor Department on August 28, 2023 and this date will be used as the first date of appointment;

BE IT FURTHER RESOLVED, that this appointment is subject to a probationary period of not less than 12 nor more than 52 weeks, commencing on the first date of appointment on August 28, 2023.

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

APPOINTMENT OF MARK ALEXANDER TO LABORER IN CENTRAL GARAGE  
RESOLUTION #398

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

BE IT RESOLVED, that Mark Alexander, is hereby appointed Laborer in Central Garage, job class code 0425-05, effective August 14, 2023 to be paid from Yorktown CSEA Salary Schedule A, Group 5, Step 5 which is \$58,140.00 annually.

Diana, Lachterman, Esposito, Haughwout, Capoccia Voting Aye

Resolution adopted.

AUTHORIZE SUPERVISOR TO SIGN AMENDED CONTRACT WITH WESTON & SAMPSON REGARDING THE REHABILITATION FOR STRAWBERRY ROAD AND HANOVER STREET RESOLUTION #399

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

WHEREAS, the Town of Yorktown entered into an agreement on June 3, 2014 with Weston & Sampson, PE, LS, LA, PC to provide Bidding and Construction Phase services for the cleaning and cement relining of water mains; and

WHEREAS, in 2022, the Water District bid the rehabilitation for Strawberry Road and Hanover Street; and

WHEREAS, work for Strawberry Road was completed in the Fall of 2022, with Weston and Sampson's construction inspection effort completing under budget, and the work for Hanover Street underway; and

WHEREAS, prior to resuming the work on Hanover Road in the Spring of 2023, it was discovered by the Water District staff that there is approximately 210 LF of transite pipe that was previously understood to be cast iron; and

WHEREAS, to proactively decommission transite pipe, the Water District has requested that Weston & Sampson prepare a design to offset and abandon the existing transite pipe with a new 8" ductile iron pipe; and

WHEREAS, Weston and Sampson has amended the existing agreement to provide the necessary design and permitting services to facilitate this work; and

WHEREAS, since the construction inspection effort for Strawberry Road was less than the anticipated contract amount, Weston and Sampson has reallocated a portion of the excess funds to cover the additional permitting efforts, resulting in a no-additional-cost amendment (No. 6); and

THEREFORE, BE IT RESOLVED, upon recommendation of the Distribution Superintendent, the Town Board authorizes the Supervisor to sign an amended contract with Weston & Sampson, PE, LS, LA, PC for engineering services related to offsetting and abandoning the existing transite pipe with a new 8" ductile iron pipe for no additional cost.

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

The following resolution was tabled for a future date to be determined.

NAMING THE FRIENDS OF JEFFERSON VILLAGE TRAVEL AS A TOWN SPONSORED SENIOR CLUB RESOLUTION #400

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

RESOLVED, the Town recognizes the establishment of The Friends of Jefferson Village (Senior) Travel Club in 2022; and

BE IT FURTHER RESOLVED, the Friends of Jefferson Village Travel Club will be recognized as a Town Sponsored Senior Club in 2024.

ADJOURNMENT

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

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MAURA WEISSLEDER  
DEPUTY TOWNCLERK  
TOWN OF YORKTOWN