

Meeting of the Town Board, Town of Yorktown held on Tuesday, September 26, 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: 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 Supervisor Diana, seconded by Councilwoman Capoccia, the Town Board moved into Executive Session to discuss individual personnel issues. Upon motion made by Councilwoman Capoccia, seconded by Supervisor Diana, 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 and defend our freedoms on a daily basis.

REPORT FROM THE TOWN SUPERVISOR

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

- Resumes and cover letters for volunteers for the Conservation Board, Open Space Committee, Heritage Preservation Commission, and the Veterans Advisory Board are being accepted by the Supervisor's office.
- Encourage residents to sign up for Nixle alerts from the Town
- October 2-3 hydrant flushing will commence in various sections in Town.
- Run for Recovery – Saturday, September 30 at 9:00 a.m. at FDR Park.
- Goldstar Mother's Day was observed September 25 for those mothers who have lost children in the services of the United States Armed Forces.
- FEMA and FCC will be testing the Integrated Alert and Warning System on October 4 at approximately 2:30 p.m. through broadcasts (television and radio) and cell phones. There may be a second test on October 11 at 2:30 in the event the first one does not work.

REPORTS FROM TOWN COUNCIL

Councilman Lachterman announced that the Grand Reopening of the Teen Center at the AACCCC will be this Friday from 6:00 p.m. to 9:00 p.m. and there is no charge this week. It is being hosted by Heather Novak (yorktowntc.org).

YOUTH COUNCIL

Liz Talbert, Executive Director, Alliance for Safe Kids (ASK), announced upcoming events for the organization. She said that Drug Crisis in Our Backyard is still able to continue with some of their programs through their partnership with ASK and announced those programs, as well. She encouraged the public to sign up for ASK's monthly newsletter to keep informed on all of their programs and events.

Ms. Talbert introduced Dominick Fidelli from the Yorktown Youth Council to give updates on the council's activities, including thanking Ms. Talbert for all she does for the youth in Yorktown and giving them a voice in Town government. He said that the mission of the Youth Council is "to promote positive youth involvement in the community, provide a safe forum that allows youth to express ideas, concerns, and comments and to support youth-inspired community service projects." The Youth Council is open to all Yorktown students in grades 8 through 12. They held a cereal drive in conjunction with Guiding Eyes and the Yorktown Lions

and other community service events. They hope to build upon the liaison they have established with the Town Board and the Library. This year they hope to welcome as many members as possible, as well as carry out additional community service projects, have an increased presence at Town events, and work more closely with the Town Board and would like a Town Board presence at their monthly meetings.

The Town Board members, Ms. Talbert, and Mr. Fidelli discussed the need for the Youth Council.

CLIMATE SMART COMMUNITY TASK FORCE

Keith Holmes and Sarah Wilson, CSC members, came before the Town Board to discuss the Town building solar proposal. Mr. Holmes and Ms. Wilson did a presentation of their proposal to solarize some of the town buildings with rooftop solar. This would be the next step to achieve solar in town and their next NYSEERDA certification as a Climate Smart Community. Yorktown currently has a bronze certification. There are four Town buildings they are proposing have rooftop solar: the Albert A. Capellini Community & Cultural Center, the Sewer Treatment Plant, the Police and Court buildings, and the Highway Department. Mr. Holmes said that these are four buildings that have enough space for the panels and Ms. Wilson said that the condition of the roofs would have to be assessed before considering solar panels. Town Attorney Adam Rodriguez said an RFP had been done in the past to look at the same project and his recollection was that some of them were not economically viable at the time. Ms. Wilson said that with the federal incentives, the Inflation Reduction, and another federal bill, there are significant amounts of federal funding available to push municipalities to take necessary steps. She said that it is their role as a task force to do the research and present it so that the Town Board may make an informed decision.

Mr. Holmes said they are seeking the Town Board's endorsement to begin the process of an internal evaluation as to whether or not the project is viable and the financial needs. Mr. Holmes presented the steps to their implementation plan:

- Design RFP based on preferences
- Board vote to advertising RFP
- Solar viability assessment/energy audit
- Bid solicitation/Town RFP process
- CSC evaluation and recommendations
- Town vote on vendor

Mr. Holmes presented sample predictions and savings on the Police and Court buildings as an example. Slides were presented explaining how to evaluate solar: start with a building audit, evaluate solar system designs based on goals, and evaluate financing methods.

The Town Board members agreed to provide the needed information for the CSE to proceed with their ideas, as well as collaboration with the Town Attorney.

TURF AT LEGACY FIELD

Parks and Recreation Superintendent James Martorano, Jr. and Matt Talbert, Chairman of the Parks and Recreation Commission came before the Town Board to give a briefing on the turf at Legacy Field. Superintendent Martorano said that they have been working on a bid document to replace the turf. They looked at several types of turf and believe that A-Turf is best suited to the space; it is also the same brand that is at the local high schools. They added a "resilient underlayment," which is a type of shock pad as an option to the bid. It helps keeps players safe and protects the turf. It also adds 2 years to the warranty (making it 12 years) and the life span of the pad 30 years. A service contract was added as an option to the bid.

Commissioner Talbert said the life span of the turf is about 10-15 years, depending upon the maintenance schedule that is followed. He said that the turf at Legacy Field is now approximately 13 years old. Commissioner Talbert said that depending upon the bid process, they would like the project to begin December 1, 2023 for an April 1, 2024 opening.

Supervisor Diana said he approves of the additional resilient underlayment, as it is a safety issue for the players. He said this under padding would run approximately \$100,000 to \$120,000 and Superintendent Martorano agreed.

AUTHORIZE THE COMPTROLLER TO PROCESS THE FOLLOWING BUDGET TRANSFER FROM THE YORKTOWN SEWER BALANCE TO THE CHEMICAL SUPPLY LINE RESOLUTION #463

Upon motion made by Councilwoman Capoccia, seconded by Councilman Lachterman,

Resolved, that Comptroller is authorized to transfer \$60,000 from YS fund balance to Chemical Supply (YS.8130.0456)

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

AUTHORIZE THE COMPTROLLER TO PROCESS THE FOLLOWING BUDGET TRANSFER FOR PAYMENTS TO SULLIVAN DATA/DBA LOGICALLY FOR THE REMAINING BALANCES FROM 2021 IT UPGRADES AND 2022 HARDWARE UPGRADES RESOLUTION #464

Upon motion made by Councilwoman Capoccia, seconded by Councilman Lachterman,

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

From: A.1002	General Fund – Fund Balance	\$21,031.00
To: A.1345.421.1	Computer Support/Software	\$21,031.00

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

EROSION CONTROL BOND RELEASE – RENZO RESOLUTION #465

Upon motion made by Councilwoman Capoccia, seconded by Councilman Lachterman,

WHEREAS, Salvatore & Melissa Renzo, as applicants, posted check #2952 in the amount of \$500, which was deposited to the T33 account on September 28, 2022, to serve as the Erosion Control Bond, and

WHEREAS, the applicants 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 bond be released to Salvatore & Melissa Renzo, 526 Seth Lane, Yorktown Heights, NY 10598.

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

AUTHORIZE THE LIBRARY DIRECTOR TO EXECUTE A TEMPORARY PERSONNEL AGENCY AGREEMENT RESOLUTION #466

Upon motion made by Councilwoman Capoccia, seconded by Councilman Lachterman,

RESOLVED, that the Library Director is authorized to execute a temporary “at will” agreement with the Robert Half Agency and the John C. Hart Memorial Library for professional services for an amount not to exceed \$9,000 effective September 25, 2023.

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

From	7410.101 salaries	\$9,000.00
To	7410.490 professional services	\$9,000.00

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

AUTHORIZE THE CHIEF OF POLICE TO EXECUTE AN AGREEMENT WITH PACE SCHEDULER FOR PERSONNEL SOFTWARE SERVICES

RESOLUTION #467

Upon motion made by Councilwoman Capoccia, seconded by Councilman Lachterman,

Resolved, the Chief of Police is authorized to execute an agreement with Pace Scheduler for personnel software services, for an initial 14-month term beginning October 1, 2023, for a fee no greater than \$10,000, and an annual subscription fee thereafter of \$4,800.

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

AUTHORIZE THE SUPERVISOR TO SIGN AN AGREEMENT WITH CORRTECH INC. TO CONDUCT INSPECTION SERVICE OF THE QUINLAN #3 & #4 AND MOHEGAN WATER STORAGE TANKS

RESOLUTION #468

Upon motion made by Councilwoman Capoccia, seconded by Councilman Lachterman,

WHEREAS, it is the intention of the Distribution Superintendent to have the Quinlan water storage tanks #3 and #4 and the Mohegan water storage tank inspected; and

WHEREAS, a proposal was received from CorrTech Inc. to conduct remote operated vehicle (ROV) inspection service of the three tanks and provide a condition assessment report for each for a total project cost of \$9,865.00; and

WHEREAS, the Water District has monies in line SW.8320.0416 to cover such inspections; and

THEREFORE, BE IT RESOLVED, the Town Board authorizes the Supervisor to sign an agreement with CorrTech Inc. to conduct inspection service of the Quinlan #3 & #4 and Mohegan water storage tanks for a cost of \$9,865.00.

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

AUTHORIZATION FOR THE SUPERVISOR TO ENGAGE BARTON & LOGUIDICE UNDER THE ON-CALL AGREEMENT WITH THE TOWN TO REVIEW THE PROPOSED GRISHAJ SUBDIVISION – 3319 STONY STREET

RESOLUTION #469

Upon motion made by Councilwoman Capoccia, seconded by Councilman Lachterman,

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 subdivision as outlined in their New Project Task Order Summary for the Stony Street/Grishaj proposed subdivision located at 3319 Stony Street, Mohegan Lake, NY 10547, also known as Section 16.17, Block 2, Lot 77 on the Town of Yorktown Tax Map; 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 regarding wetland mitigation and tree removal and mitigation, pursuant to said on-call agreement for an amount not to exceed \$4,600.00; 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 Grishaj subdivision located at 3319 Stony Street, in an amount not to exceed \$4,600.00 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.

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

AUTHORIZE THE SUPERVISOR TO SIGN AN AGREEMENT WITH CLOUDPERMIT INC. FOR THE IMPLEMENTATION OF A SOFTWARE SUBSCRIPTION AND LICENSING CONTRACT FOR THE YORKTOWN PLANNING DEPARTMENT

RESOLUTION #470

Upon motion made by Councilwoman Capoccia, seconded by Councilman Lachterman,

RESOLVED, that the Supervisor is authorized to sign an agreement with Cloudpermit Inc. of Reston, Virginia in an amount not to exceed \$8,000.00 per annum and a one-time implementation fee not to exceed \$5000.00; and

BE IT FURTHER RESOLVED, that the Comptroller is hereby authorized to transfer \$13,000.00

From: A.8020.101 Salaries
To: A.8020.421.001 Computer Support/Software

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

AUTHORIZE THE YORKTOWN JUSTICE COURT TO APPLY FOR A JCAP GRANT IN THE 2023-2024 GRANT CYCLE

RESOLUTION #471

Upon motion made by Councilwoman Capoccia, seconded by Councilman Lachterman,

Resolved, that the Town Board of the Town of Yorktown authorizes the Town Supervisor to sign the Justice Court Assistance Program (JCAP) Grant application in the 2023-2024 grant cycle; and

Be It Further Resolved, the Town Board of the Town of Yorktown authorizes the Yorktown Justice Court to apply for a JCAP Grant in the 2023-2024 grant cycle up to \$30,000.00.

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

AUTHORIZE THE TOWN CLERK TO ADVERTISE A BID TO REPLACE WOODLANDS LEGACY FIELD MULTIPURPOSE TURF

RESOLUTION #472

Upon motion made by Councilwoman Capoccia, seconded by Councilman Lachterman,

Resolved, that the Town Clerk is authorized to advertise a bid for the Woodlands Legacy Field Multipurpose Turf Replacement Project.

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

APPOINT DAVID WONG TO DEPUTY TOWN COMPTROLLER

RESOLUTION #473

Upon motion made by Councilwoman Capoccia, seconded by Councilman Lachterman,

Be It Resolved, that David Wong of White Plains is hereby appointed provisional to the Civil Service Title Deputy Town Comptroller Job Class Code 0063-01, effective October 16, 2023 to be paid an annual salary of \$107,625.00 with 14 days of annual vacation and other benefits, sick days, personal days, and floating holidays to follow the CSEA contract; and

Be It Resolved, contingent upon successful completion of a drug test and reference checks; and

Be It Resolved, that David Wong will report to work at the Town of Yorktown Finance Department on October 16, 2023 and this date will be used as the first date of appointment; and

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.

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

NAVAJO ROAD

Michael Grace, attorney for the applicant, came before the Town Board to discuss his client, C.J. Diven's, petition to rezone his 50-acre property located at the northeast corner of Town. It is currently used as ballfields. The project has been named Hidden Valleys and is a proposed residential development that would retain some of the recreational components. There are three spots that would

be developed as residential housing consisting of 254 units. Architectural renderings were given to the Town Board for their review. A recreational facility and ballfield will be located towards the route 6N portion of the property, as well as a small commercial piece. Mr. Grace proceeded to give the details of what the project would look like. He said that it is an ambitious project but one that has a tremendous amount of merit and brings many benefits to the Town. Mr. Grace said a sewer line would be brought from the project site down Route 6N along the north shore of Osceola Lake, which would be a benefit for those homes along that area that have had chronic water problems and have needed sewers for decades. He said that this project is the only way the Town would be able to introduce sewers into this area. Mr. Grace spoke about the possibilities of what this project could offer the area. He said that once the area is sewerred, it would provide opportunities for these properties to be redeveloped. Mr. Grace displayed the location of where the sewer line would be installed. Mr. Grace said they are requesting a C-3 zone. He said that once the project gets “crunched,” there are some issues that would have to be addressed regarding the FAR – floor area ratio, i.e., the number of floors in a building. Mr. Grace said they are avoiding the wetlands located on the property.

C.J. Diven, owner, gave further information regarding the sports facilities on the property and their availability to the local sports teams.

Mr. Grace mentioned how once the sewers are laid, more development would occur by other property owners along Route 6N (i.e., the Roberta property).

REFERRAL OF THE CHANGE OF ZONE APPLICATION FOR 3000 NAVAJO ROAD
RESOLUTION #474

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

Resolved, the Town Clerk is authorized to refer the Change of Zone application submitted by CJ Diven for property located at 3000 Navajo Road, Yorktown, NY once the appropriate fee is paid.

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

ADJOURNMENT

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

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