

Meeting of the Town Board, Town of Yorktown held on Tuesday, June 19, 2018 at the Town Hall, 363 Underhill Avenue, Yorktown Heights, New York 10598.

Present: Ilan D. Gilbert, Supervisor  
Alice E. Roker, Deputy Supervisor  
Vishnu V. Patel, Councilman  
Thomas P. Diana, Councilman  
Edward Lachterman, Councilman

Also Present: Diana L. Quast, Town Clerk  
Richard S. Abbate, Town Attorney

#### TOWN BOARD MEETING

Supervisor Ilan Gilbert called the meeting to order.

#### EXECUTIVE SESSION

Upon motion made by Councilman Diana, seconded by Councilman Lachterman, the Town Board moved into Executive Session to discuss personnel issues, litigation and negotiations. Upon motion made by Councilwoman Roker, seconded by Supervisor Gilbert, the Town Board moved out of Executive Session and proceeded with the meeting.

#### TOWN BOARD MEETING

Supervisor Ilan Gilbert called the meeting to order.

#### PLEDGE OF ALLEGIANCE

Supervisor Gilbert led the Pledge of Allegiance.

#### MOMENT OF SILENCE

A moment of silence was observed in honor of our men and women serving in the Armed Forces.

#### DURING REPORT FROM THE SUPERVISOR

Supervisor Gilbert stated that the Town received the recently completed audit report as of December 31, 2017 from PKFO Connor Davies. This report outlines the Town's financial condition as of December 31, 2017. The Town's total unassigned fund balance for government funds is \$7,365,889 which consists of unassigned fund balance in the General Fund. However, it must be remembered that this is just a snapshot in time; this figure will fluctuate and, in fact, has fluctuated since then. Other factors affect the current unassigned balance such as funds spent on Granite Knolls. There will be a presentation by the auditors at a future meeting.

Supervisor Gilbert also cautioned residents that this is a busy time in Yorktown with many ongoing construction projects that affect the traffic. He suggested checking the Town's website, as well as signing up for the Nixle program in order to obtain up to date information.

Supervisor Gilbert said that he and Bob Giordano, President of the Yorktown Small Business Association, visited Mercy College's Bronx campus to review their operation of a business incubator to ascertain what the Town could do to assist Mercy College's Yorktown campus to create a similar local incubator initiative. He said he also attended the 72<sup>nd</sup> wedding anniversary celebration of Bill and Mimi Cohen at the Yorktown Assisted Living Residence at The Seabury. He also attended the presentation of the Justin Veatch Music Scholarships, and two separate Eagle Scout ceremonies for Alexander Perez Borbas and Connell James Kennedy. He attended the Relay for Life event and the Landmarks Preservation event at Dr. Murray Brennan's home recognizing his commitment to the preservation of our local history.

Supervisor Gilbert spoke of the detailed presentation of the proposed Hallocks Mill Sewer District extensions and Crystal Lake Pump Station upgrade that took place at the last Town Board work session. It is clear that this is a complicated matter that has been put off for many years. The meeting can be viewed on the Town's website.

Supervisor Gilbert said the Building Inspector and Code Enforcement Officer have been diligent to resolve the issue of abandoned properties that have become a blight in the community. An issue with an abandoned property on Buckhorn Street has been resolved and the property has been reseeded.

Supervisor Gilbert announced the Yorktown Fireman's Parade to be held tomorrow.

Supervisor Gilbert also announced the he would like to pay tribute to Al Capellini, former Town Supervisor, local attorney, and member of various community clubs, who recently passed away. One idea is to name a local playground after him. He has spoken to Mr. Capellini's family members who are in support of ideas. Supervisor Gilbert proposed renaming the Yorktown Cultural and Community Center (YCCC) the Albert A. Capellini Cultural and Community Center (ACCCC).

#### DURING REPORTS FROM THE TOWN COUNCIL

Councilman Diana announced he recently attended the Women of Distinction awards sponsored by Senator Terrence Murphy. Yorktown resident, Gloria Tobias, was nominated locally for her contributions to the Town.

Councilwoman Roker mentioned safety improvements at the YCCC will be forthcoming and said she will talk to everyone at the next board meeting. She first would like to speak with the tenants at the YCCC.

Councilman Patel said he attended three Boy Scout meetings and talked about how interesting the Eagle Scout projects are. He also attended the Landmarks Preservation event at Dr. Murray's house. Councilman Patel congratulated the recent scholarship recipients.

Councilman Lachterman talked about his trip to Germany to visit family and his visit to the Dachau Prison Camp. He also mentioned the start of the Fireman's Carnival. Councilman Lachterman announced the start of the Lion's Club Summer Concert Series which begins July 1.

Supervisor Gilbert said that Senator Murphy sent his regrets but was called to Albany for an emergency session. He will be skyped in this evening for the Police Chief's presentation.

#### PRESENTATIONS

Robert Noble, Chief of Police, welcomed the new addition to the Yorktown Police Department's K-9 unit, Spar. He acknowledged the following K-9 officers and their canine partners: Retired Police Sergeant Joe Guss, Retired Police Detective Patsy Perrotto, Retired Westchester County Police Officer and past Yorktown Police K-9 Handler Tom Diana, Lieutenant John Delulio, Sergeant Justin Foley, Police Officer Jason Swart, and Police Officer Tom Beyrer. Each were called to the podium to be recognized along with the newest member, Police Officer Michael Champion and his partner, Spar. Chief Noble explained that the K-9 Unit has a long tradition in Yorktown. The training requires a year-long commitment on the part of the officer who must be goal oriented, highly motivated, have a strong work ethic, and a love for the outdoors. The YPD K-9 Program is back and is as strong as it once was.

Chief Noble thanked the current Town Board and past Town Board for their support of the K-9 Program. The program has been successful in drug busts and the rescue of lost residents. Chief Noble said that getting the program back on its feet has been a goal of his. He also thanked Senator Murphy (who was skyped in) and those members of the community for being supportive. Members of the community were recognized for their contributions to the program for K-9 supplies and were presented with certificates of appreciation: Jeff and Maddie Cohen of Pets Supplies Plus, Pattie and John Cerbone of JCM Racing, Perry Gusikoff of Yorktown Auto Body, Drs. Benjamin Nappa and Joseph Zuckerman of Yorktown Veterinary Associates, Eric and Liz DeBartolo of Rainbow Bridge Pet Crematory, and New York State Senator Terrence Murphy. Senator Murphy covered 70% of the cost of Spar by obtaining a grant. Chief Noble mentioned that Spar made a self-initiated traffic stop which resulted in a heroin drug bust last night.

Senator Murphy thanked the Chief and said it was an honor and privilege to be able to help. He spoke of good memories he has of seeing demonstrations of the original K-9 unit as a child in Yorktown. He said it was his pleasure to be able to participate and serve the community.

Chief Noble thanked the Elks Lodge for having a barbeque in recognition of our school resource officers.

Dr. George Stone, Superintendent of the Lakeland Central School District, along with Chief Noble

approached the Board and thanked them for the approval to request three additional school resource officers (SROs) in the elementary schools. Lakeland School Board Trustees were also in the audience. Dr. Stone spoke about the number one priority for the school district as being the safety and security of the students. Today's security is much different from years ago and they must be diligent to protect our students. Statistics show there is no greater way to deter incidents than to have SROs present in schools. He is asking for approval to hire three more SROs from the police department.

Chief Noble said this is between the Town and the School District to come to a financial agreement. He has talented police officers and has no trouble coming up with excellent candidates. His officers know the town, know the schools, and know the parents and have the ability to build relationships with the teachers and staff. He said they are ready to do what is asked of them.

Supervisor Gilbert wholeheartedly agreed. He talked about how difficult it is for teachers to teach and keep students safe and how we all need to remain vigilant. The Town Attorney is working out a contract that is acceptable to both the school district and the Town. The Town will be funding a portion of the cost; not a significant amount. Supervisor Gilbert implored our federal, state, and county officials to step forward and help. He said the Town cannot continue to maintain unfunded mandates.

Councilwoman Roker said one of the initial considerations was that this would be an expensive program but the Chief had reminded her what price do you put on the life of a child? She said they are grateful to Dr. Stone for bearing the majority of the burden.

Councilman Diana said he supports both the K-9 program and Senator Murphy's resolution supporting the SRO program.

Councilman Lachterman agreed with Supervisor Gilbert about safety being our primary concern for our students. He said that we must not wait for something to happen before we protect our residents. He thanked Dr. Stone, the Lakeland School Board, and the Yorktown Police Department.

#### PROCLAMATIONS

Proclamations were presented to two Yorktown Rotarians who recently received the Yorktown Rotary Paul Harris Fellow Recipient Award for their service to the community: Mary De Silva and Steve Melchionno.

Councilwoman Roker explained that every year two people are chosen for the award; one in the community and one in the Rotary Club. She said that the award says that the Rotary Club believes their service to the community is of the highest standards.

Supervisor Gilbert presented the proclamations to both recipients on behalf of himself and the Town Board.

#### COURTESY OF THE FLOOR

The following members of the public spoke:

Eric DeBartolo, Yorktown Chamber of Commerce, said he would like to see the playground at the Jack DeVito field renamed to honor Al Capellini as quickly as possible. Councilman Lachterman said that the Lion's Concert Series this year is being dedicated to Al's memory.

John McMullen, Yorktown Poet Laureate, announces a conference for business technology and entrepreneurship at Iona College. He also reminded the public of the poetry workshop held on Wednesdays at the J.C. Hart Memorial Library. He read two of his poems, "The Chipmunk's Lament" and "Sitting at Starbucks."

Richard De Silva, resident, thanked the local paramedics, the Mohegan Fire Department, and the Yorktown Police for the work they did during last night's storm.

Ken Belfer, Mohegan Lake Improvement District, wanted to let everyone know that Saturday, July 14 is Mohegan Lake Day with events being held all day including a guided walk around the trail and a Mohegan History Walk. He also mentioned that Mohegan Lake has been selected for a

project study for algae blooms in the lake.

Michael Grace, resident and former supervisor, came before the Board to talk about the sewer project and how this was painstakingly laid out last year as to how it should be done. He said that this Town Board should not ignore what was accomplished. He continued to say that the Pinesbridge Monument and Depot Square projects are being ignored. The Town has the money to complete these projects. There are additional revenues coming in this year that adds to the fund balance. Grants were given to the Town that are going to expire if the Board does nothing with them. Mr. Grace said by not doing anything, the Town is missing a golden opportunity to revitalize the Town. He told the Town Board that these were projects already established; just because they were his projects does not make them bad projects.

A discussion ensued between Mr. Grace and Councilwoman Roker regarding the cost of the projects and whether or not the amount of money Mr. Grace left in the General Fund when his term was over is accurate.

Supervisor Gilbert said he would not engage in a debate over these projects but invited Mr. Grace to come to his office to discuss their status.

Ed Ciffone, resident, said the fund balance went from \$10.7 million of unassigned money and the Town is now at approximately \$7.4 million; he would like to know where the \$3 million is and hopes it didn't go to Granite Knolls. He also talked about the pigging station for the gas line that was supposed to be moved to Somers. He would like to know the status of this plan. He mentioned Yorktown Garden Supply problem with trucks and dust and residents' problems with them and said the Town should do something. Mr. Ciffone said that the sewer projects are expensive and it is up to the Board to examine the costs. He asked where the Yorktown School District is considered in the SRO program and suggested ex-police officers in the position so as to not have to replace three officers on the force. Mr. Ciffone asked the Board to use taxpayers' money wisely.

Dan Strauss, resident, said that his experience over the last four years working in the Heights section of Town has made him informed about the area and does not think that a mixed-use building at the Highway Garage is going to revitalize Yorktown. He said that the rents are too high for business owners to make a profit and that is what causes them to close up. The Roma Building is not going to revitalize the Town; it is only going to replace an ugly building. Front Street is commercial and a mixed-use building would not be appropriate. Many large stores (Macy's, K-Mart, etc.) are teetering because they have been overtaken by internet businesses like Amazon.

Susan Siegel, resident and member of the Yorktown Trailtown Committee, first spoke about the sewer project. She thanked the board for televising the recent meeting regarding the sewer project. The bond counsel at that meeting specifically addressed the legality of the previous administration's plan for the sewers and said that it was not legal. As a member of the Trailtown Committee, she told the Board that she recently found out that the NYS DOT has a program for which Yorktown can apply. It is transportation-related, but is related to how pedestrian and biking trails can provide alternative means of transportation modes. It is not a recreational grant but a transportation grant. It is an 80/20 grant; we would pay the 20%. The funding is roughly \$200,000 to \$5 million. The problem is that we are very short on time – August 19<sup>th</sup> is the application deadline. Mrs. Siegel went on to discuss the logistics of the application process and our past successes in applying for grants. She suggested hiring a consultant like Masur Consulting to be able to fill in the preliminary information to get through the application process.

Tony Grasso, resident, believes the \$10 million Mr. Grace spoke about is in the budget. He wanted to advise residents to go on the website and go to the section regarding the planning department project regarding the Patriot Park project – it is actually the center of town. The projects Mr. Grace spoke about can be done with little or no money if people understand that finances in government are different from ordinary finances.

Jennie Menton, resident, said that, as a taxpayer, she is confused because shouldn't the taxpayers have a vote in how the money is spent. The revitalization project was so close to coming to fruition and feels that the people should have a vote in these projects. She spoke in favor of a stand-alone Senior Center and thinks people should have a vote on it. She is concerned that the Town will lose the grant money if nothing is done.

Gil Kaufman, resident, said he wished that Mr. Martorano were still on the Board because he wanted a Senior Center.

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

Supervisor Gilbert said that we all want what is best for the Town. It is wrong to say that these projects were not moving forward just because they are old Board projects. He said that the Town Board has had to fix certain aspects of previous projects that were not correct and cited Lowes, Jefferson Valley Mall, etc. Supervisor Gilbert took issue with the idea that he does not understand the complexity of certain issues like sewers, finances, etc. He disagreed with Mr. Grace's statement that if he was Supervisor, these projects would already have a shovel in the ground; Supervisor Gilbert found this statement to be disingenuous.

Councilman Lachterman responded to Mr. Ciffone's comments by stating that there was a discussion regarding the hiring of armed guards for the SRO positions and there are some issues with that. He also believes the SROs were already on the Lakeland budget that the taxpayers voted for. Mr. Ciffone confirmed to Councilman Lachterman that he is no longer in favor of a stand-alone Senior Center. Councilman Lachterman said he agreed with Mr. Strauss' opinion that retail was having a lot of trouble in the brick-and-mortar stores but recent numbers showed that retail was up. He said that there are things that people do not like about Amazon-type shopping and that some people are shopping more in local stores.

Councilman Patel said that there are many projects in Town buildings that need attention like the leaking roof at Town Hall, the Police Department, and the YCCC.

Councilwoman Roker said they cannot patch the roof any more. We need to spend money on the town buildings where people are working every day. The Board will know more when the audit report comes out. The infrastructure of the Town needs to be repaired first.

Supervisor Gilbert agreed by saying the Town needs to spend money on maintaining what we have. He said the Board is dealing with some problems that have been "kicked down the road" over many years.

Councilman Lachterman stated that people work at the Highway Department, as well. Supervisor Gilbert said the Highway Superintendent should be brought in on the discussion of the Highway Garage project.

Councilman Patel and Councilman Lachterman entered a heated discussion about claims of contaminated soil at the site of the Highway Garage. Councilman Lachterman asked the Supervisor to control inappropriate comments made by other councilmembers. Supervisor Gilbert said that all members are subject to the consequences of their actions.

AUTHORIZE COMPTROLLER TO DO BUDGET TRANSFERS TO FUND PAYMENT FOR LARGE DOLLAR WORKERS' COMPENSATION CLAIMS  
RESOLUTION #219

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

BE IT RESOLVED, that the Town Board authorizes the following budget transfers to fund payment for large dollar Workers' Compensation claims:

|             |                       |             |
|-------------|-----------------------|-------------|
| From:       |                       |             |
| D 5110.101  | Highway Salary        | \$ 5,793.62 |
| YS .1002    | Fund Balance          | \$10,088.29 |
| To:         |                       |             |
| MC.1930.400 | Workers' Comp Medical | \$15,881.91 |

Gilbert, Roker, Patel, Diana, Lachterman Voting Aye  
Resolution adopted.

AUTHORIZE COMPTROLLER TO DO RETIREMENT PAYOUT AND BUDGET TRANSFER FOR UNUSED TIME  
RESOLUTION #220

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

BE IT RESOLVED, that the Town Board hereby authorizes the Town Comptroller to pay Sean Lewis the cash value of unused time as of his retirement date:

Rate of Pay: \$56.9713 hourly  
\$455.77 daily

|                   |             |   |           |   |             |
|-------------------|-------------|---|-----------|---|-------------|
| Compensatory Time | 36.78 hours | x | \$56.9713 | = | \$ 2,095.40 |
| Holiday Pay       | 5.85 days   | x | \$ 455.77 | = | \$ 2,666.26 |
| Personal Days     | 3.00 days   | x | \$ 455.77 | = | \$ 1,367.31 |
| Vacation Days     | 22.00 days  | x | \$ 455.77 | = | \$10,026.94 |

Longevity  
\$2,425 / 240 days = \$10.10 per day  
11/06/17 to 05/30/18 = 151 days  
151 days x \$10.10 = \$ 1,525.10

Total \$17,681.01

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

|       |           |                        |             |
|-------|-----------|------------------------|-------------|
| From: | A3120.102 | Police Salary Benefits | \$16,155.91 |
|       | A3120.106 | Police Longevity       | \$ 1,525.10 |
| To:   | A3120.108 | Police Lump Sum        | \$17,681.01 |

Gilbert, Roker, Patel, Diana, Lachterman Voting Aye  
Resolution adopted.

AUTHORIZE COMPTROLLER TO TRANSFER \$48,260 FROM THE LIBRARY FUND BALANCE TO LIBRARY MAINTENANCE  
RESOLUTION #221

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

BE IT RESOLVED, that the Comptroller is hereby authorized to transfer \$48,260.00 from the Library Fund Balance to Library Maintenance (L7410.416) for the replacement of the driveway/resetting of catch basins and replacement of electric pumps for the septic system.

Gilbert, Roker, Patel, Diana, Lachterman Voting Aye  
Resolution adopted.

AUTHORIZE AMENDMENT TO BID AWARD FOR PUMP STATION UPGRADE PROGRAM  
RESOLUTION #222

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

WHEREAS, the Town Board passed a resolution on May 22, 2018 awarding the bid for the Pump Station Upgrade Program: Walden Woods and Jefferson Valley Pump Stations, which excluded the reconstruction of the Jefferson Park Pump Station, and

Whereas, the Town Board wants to now include the Schedule E. Additive Alternatives: the reconstruction of the Jefferson Park Pump Station: General Construction in the amount of \$445,000 and Electrical Construction in the amount of \$41,974,

NOW, THEREFORE BE IT RESOLVED, the inclusion of this work will not change the lowest bidders for the General Construction: Kings Capital in the amount of \$1,995,000, and Acorn

Electrical for the Electrical Construction in the amount of \$350,000 for a total bid amount of \$2,345,000.

BE IT FURTHER RESOLVED, the contract is to commence upon the Town's issuance of a Notice of Award and the contract completion date shall be 365 calendar days from the Notice of Award date.

Gilbert, Roker, Patel, Diana, Lachterman Voting Aye  
Resolution adopted.

AUTHORIZE THE CREATION OF THE PUMP STATION REHABILITATION PROJECT  
RESOLUTION #223

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

RESOLVED, that the Town Board authorizes the creation of the Pump Station Rehabilitation Project with an authorized spending in the amount of \$2,345,000 for contracts awarded to Kings Capital Construction, Inc (\$1,995,000) and Acorn Electrical Contracting (\$350,000)

BE IT FURTHER RESOLVED, the Comptroller is authorized to transfer \$2,345,000 from the Sewer Fund – Fund Balance to fund this project.

Gilbert, Roker, Patel, Diana, Lachterman Voting Aye  
Resolution adopted.

AUTHORIZE COMPTROLLER TO RELEASE ESCROW DEPOSITS  
RESOLUTION #224

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

RESOLVED, that the Comptroller is authorized to release escrow deposit for Driveway Permit #1208 in the amount of \$500 and Street Opening Permit #017-005 in the amount of \$2,000 to DePaola, P.O. Box 549, Fort Montgomery, NY 10922.

Gilbert, Roker, Patel, Diana, Lachterman Voting Aye  
Resolution adopted.

AUTHORIZE POLICE DEPARTMENT TO PURCHASE (1) ONE ADDITIONAL POLICE  
UTILITY INTERCEPTOR AND AUTHORIZE COMPTROLLER TO DO A BUDGET  
TRANSFER FOR THE PURCHASE  
RESOLUTION #225

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

WHEREAS, the Town Board of the Town of Yorktown has funded the purchase of (1) one additional police utility interceptor in the Police Department's 2018 budget; and

WHEREAS, the State of New York Office of General Services has published specification and requested bids for the purchase of Ford Utility Police Interceptors; and

WHEREAS, the State of New York Office of General Services has received, reviewed and awarded the bids for the Ford Utility Police Interceptors; and

WHEREAS, Genesee Valley Ford LLC has submitted the lowest bid for the Ford Utility Police Interceptors; and

WHEREAS, the State of New York Office of General Services has awarded Mini-Bid Response #18020052, Award 22898, Contract #PC67357 to the lowest bidder; and

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Yorktown hereby authorizes the Yorktown Police Department to transfer \$18,000 from the General Fund – Fund Balance to the Police Department Vehicle Line (A3120.210) for the purchase of one (1) Ford Utility Police Interceptor (to replace a previously damaged police vehicle) from the State of New York Office of General Services, Award 22898, Contract #67357 from Genesee Valley Ford LLC

in the amount of approximately twenty eight thousand, nine hundred and ninety dollars and no cents (\$28,990.00).

Gilbert, Roker, Patel, Diana, Lachterman Voting Aye  
Resolution adopted.

AUTHORIZE SUPERVISOR TO SIGN AGREEMENT WITH LAKELAND CENTRAL SCHOOL DISTRICT FOR SCHOOL RESOURCE OFFICERS  
RESOLUTION #226

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

RESOLVED, the Town Board authorizes the Supervisor to sign an agreement with Lakeland Central School District to provide School Resource Officers for Benjamin Franklin Elementary School, Thomas Jefferson Elementary School and George Washing Elementary School.

Gilbert, Roker, Patel, Diana, Lachterman Voting Aye  
Resolution adopted.

AUTHORIZE SUPERVISOR TO SIGN LICENSE AGREEMENT WITH BRIGHT BEGINNINGS & YORKTOWN HEAD START TO INSTALL A GARDEN AT THE YCCC  
RESOLUTION 227

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

BE IT RESOLVED, the Supervisor is authorized to execute a License Agreement with Bright Beginnings Preschool Learning Center and Yorktown Head Start (Childcare Program) to install a garden at the Yorktown Cultural and Community Center.

Gilbert, Roker, Patel, Diana, Lachterman Voting Aye  
Resolution adopted.

ADVERTISE TOWN BOARD WORK SESSION MEETING TO BE HELD ON JUNE 26, 2018  
RESOLUTION #227

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

BE IT RESOLVED, the Town Board of the Town of Yorktown will hold a Town Board Meeting on Tuesday, June 26, 2018 beginning at 6:30 p.m. The meeting will be held at the Town Hall, 363 Underhill Avenue, Yorktown Heights, New York 10598.

Gilbert, Roker, Patel, Diana, Lachterman Voting Aye  
Resolution adopted.

ADVERTISE OUTDOOR TOWN BOARD MEETING FOR JULY 17, 2018  
RESOLUTION #228

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

RESOLVED, the regular meeting of the Town Board will be held on July 17, 2018 at 6:00 PM at Teatown Lake Reservation's Croft Estate's new Science Center (across the street from Nature Center)1600 Spring Valley Road, Ossining, NY 10562.

In the event of inclement weather, the meeting will be moved to the Town Hall, 363 Underhill Avenue, Yorktown Heights, NY.

Gilbert, Roker, Patel, Diana, Lachterman Voting Aye  
Resolution adopted.

ADVERTISE FILING OF FINANCIAL STATEMENTS AND SUPPLEMENTARY INFORMATION  
RESOLUTION #229

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

NOTICE IS HEREBY GIVEN that the TOWN OF YORKTOWN, NEW YORK FINANCIAL STATEMENTS AND SUPPLEMENTARY INFORMATION YEAR ENDED DECEMBER 31,

2017, WITH INDEPENDENT AUDITOR'S REPORTS has been filed in the Office of the Town Clerk, Town of Yorktown, 363 Underhill Avenue, Yorktown Heights, New York, where it is a public record, available for inspection during regular office hours by all interested parties.

Gilbert, Roker, Patel, Diana, Lachterman Voting Aye  
Resolution adopted.

AUTHORIZE TOWN CLERK TO ADVERTISE BID FOR THE RAILROAD STATION  
REHABILITATION PROJECT  
RESOLUTION #230

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

RESOLVED, that the Town Clerk is authorized to advertise bid for the Railroad Station Rehabilitation Project.

Gilbert, Roker, Patel, Diana, Lachterman Voting Aye  
Resolution adopted.

WORK SESSION DISCUSSION ITEMS:  
HIGH MEADOW WATER USAGE ISSUE

The Property Manager of High Meadow Condominiums came before the board, as well as Ken Rundle, Superintendent of the Water Department. The property manager said the condominium was told their water meter was broken and received a bill for over \$5,000 – 750,000 gallons used in one quarter more than in past two years. He showed the Board the numbers and stated that this is not the first time this has happened to their properties. The High Meadow Board is protesting this bill. He wanted to know why no one at the Water Department let them know that the meter was broken. Ken Rundle showed a sample of a water meter: the meter, odometer, and wire. The meter showed it was accurate when it was tested by an outside agency. The odometer was not keeping pace with the meter. It was then calibrated and adjusted. The meter is privately owned and installed; not Town owned. The property manager said where did the 750,000 gallons go? How could they have used this much? Councilman Diana said that it does seem like an exorbitant amount. Supervisor Gilbert asked if the meter could now be making up for past usage now that it was working? But that does not explain the comparison with other buildings.

Town Attorney Richard Abbate stated that the Town Board has the right to waive fees, make adjustments, etc.

Superintendent Rundle's position is that the water was used; the property manager says it is not possible.

Councilwoman Roker asked if it is possible that a problem existed for several years even with our people reading the meters. Superintendent Rundle showed how people can compare their numbers to keep track of water usage.

Councilman Lachterman said that the meter was fixed back in February and asked why don't they look at what the next bill comes in at and do a daily divisional, average the daily use and come up with a new bill.

REDUCE RENTAL FEE FOR SPARC INC. AT YCCC  
RESOLUTION #231

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

RESOLVED, the Supervisor is hereby authorized to reduce the rental fees for 2 hours of use of the Nutrition Center at the Yorktown Community & Cultural Center, on July 12<sup>th</sup> and 13<sup>th</sup>, 2018 from the standard nonprofit rental charge of \$74.00 to \$40.00 total for both days.

Gilbert, Roker, Patel, Diana, Lachterman Voting Aye  
Resolution adopted.

COMMUNITY DEVELOPMENT BLOCKS GRANT (CDBG) UPDATE.

Director of Planning John Tegeder came to the Board to discuss a grant round that is coming due at the end of the month and he feels that it would be a good opportunity to apply for a grant for a

new Senior Van for the Nutrition Center. The current ones have very high mileage and are aging. The CDBG grant is a reimbursable grant program and will give back their percentage. Our outlay would be \$10,000-\$15,000. He is proposing that we up our proposed share to \$15,000 in order to make us more competitive. Supervisor Gilbert suggested that he review this with the Town Comptroller before coming to the Board but Mr. Tegeder said that he could not because of the time constraint before the meeting. Mr. Tegeder said that if he receives authorization this evening, a public hearing would need to be held (which would actually be after the fact). Supervisor Gilbert asked by applying for the grant, what is the Town's commitment and was told by Mr. Tegeder that it would be the same commitment that was in place when we became part of the CDBG program. Councilman Lachterman asked if this CDBG money was the money that was being held by the government over the heads of municipalities. Mr. Tegeder explained that it was HUD who was holding the money over the County because they were the ones needing to provide housing, not the consortium members. You cannot have in affordable housing laws that have "impediments" to fair and affordable housing. That does not mean you have to have inclusionary zoning where 10% would become affordable. The zoning has to be written in a way that does not put obstacles in the way of anyone wanting to provide affordable housing.

Councilman Lachterman asked if they have right of first refusal and Mr. Tegeder said yes, they had it before, as well. He said that if a house goes in rem, the county can say they want to buy it for whatever amount you are selling.

AUTHORIZATION TO APPLY FOR CDBG GRANT FOR SENIOR VAN FOR NUTRITION CENTER

RESOLUTION #232

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

WHEREAS, the Town of Yorktown is a member of the Urban County Consortium; and

WHEREAS, the Consortium enables the Town to participate in the Community Development Block Grant Program; and

WHEREAS, the current round of grant funding for 2019-2021 is open; and

WHEREAS, the Planning Department recommends submitting a grant application for a new senior bus for use in the Yorktown Senior nutrition Program; and

WHEREAS, the senior bus is priced at \$57,999 and operating cost over the life of the vehicle is estimated to be \$29,983 which is a total cost for the bus of \$87,982;

NOW, THEREFORE BE IT RESOLVED, that the Planning Department is authorized to prepare and submit an application for CDBG grant funding for a new senior bus for the Yorktown senior nutrition program; and

NOW, THEREFORE BE IT FURTHER RESOLVED, that the Town shall contribute a cash match of \$14,007 and an in-kind match of \$29,983 with a total grant request of \$43,990.

Gilbert, Roker, Patel, Diana, Lachterman Voting Aye  
Resolution adopted.

RAILROAD STATION REHABILITATION PROJECT

John Tegeder said that the Town has finally been approved for the Railroad Rehabilitation Project and he needs to move forward by going out to bid. He believes the money was already earmarked last year. The rehabilitation project is a restoration that will follow the Secretary of the Interior restoration standards. It will be restored, as practically as possible, to its old glory because it is a national landmark. Restoration means only restoring that which is broken. After restoration, Mr. Tegeder said we can then look for ways to use the building.

Councilwoman Roker asked about the Zino Barn project and asked Mr. Tegeder if there was any money for that project. He said no. There was some money appropriated for it but it is not enough. A foundation is needed, appropriate siding, roofing, etc. and then you have to design how you want the building used. Councilwoman Roker said she has a group that is interested in using the

building but told them there is no money earmarked for this. The Preservation Committee has used some of the money they had.

AUTHORIZE SUPERVISOR TO SIGN AMENDED AGREEMENT WITH WSP USA, INC. FOR HILL BOULEVARD BRIDGE REPLACEMENT  
RESOLUTION #233

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

RESOLVED, the Town Supervisor is hereby authorized to sign an amendment to the professional Services Agreement with WSP USA Inc. in the Not-to-Exceed Amount of \$11,030. The project is for the Bridge Replacement Hill Boulevard over Tributary to Barger Brook in the Town of Yorktown, Westchester County (PIN 8761.66).

Gilbert, Roker, Patel, Diana, Lachterman Voting Aye  
Resolution adopted.

AUTHORIZE SUPERVISOR TO SIGN AMENDED AGREEMENT WITH WSP USA, INC. FOR VETERAN'S ROAD CULVERT REPLACEMENT  
RESOLUTION #234

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

RESOLVED, the Town Supervisor is hereby authorized to sign an amendment to the Professional Services Agreement with WSP USA Inc. in the Not-to-Exceed Amount of \$11,551. The project is for the Culvert Replacement Veterans Road over Hallocks Mill Brook In the Town of Yorktown, Westchester County (PIN 8761.71).

Gilbert, Roker, Patel, Diana, Lachterman Voting Aye  
Resolution adopted.

AUTHORIZE SUPERVISOR TO SIGN A PROFESSIONAL SERVICE AGREEMENT- WSP USA INC. FOR ON-CALL ENGINEERING INSPECTION SERVICES  
RESOLUTION #235

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

RESOLVED, the Town Supervisor is hereby authorized to sign a Professional Services Agreement with WSP USA Inc. in the amount of \$10,000 for On-Call Engineering Inspections at Town-Owned Bridges and Culverts.

Gilbert, Roker, Patel, Diana, Lachterman Voting Aye  
Resolution adopted.

There was a brief discussion regarding the Mohegan Lake Improvement District's retaining wall but the principal contacts were not present and this will be addressed at a future date.

AUTHORIZE SUPERVISOR TO SIGN A PROFESSIONAL SERVICES AGREEMENT – ENVIRONMENTAL DESIGN & RESEARCH, D.P.C. RESOLVE A FIELD PERFORMANCE PROBLEM  
RESOLUTION #236

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

RESOLVED, the Town Supervisor is hereby authorized to sign a Professional Services Agreement with Environmental Design & Research, D.P.C. in the not-to-exceed amount of \$4,900 to resolve a field performance problem related to the Microfiltration Pumps.

Gilbert, Roker, Patel, Diana, Lachterman Voting Aye  
Resolution adopted.

Mrs. Siegel asked if they would be discussing the NYS DOT grant she bought up during Mr. Tegeder said he is aware of the grant but has serious concerns about hitting the deadlines. He does not know the level the projects are at in order to bring them forth to write a successful grant. A discussion ensued as to the practicality of trying to meet the deadline and the probability of getting the grant.

Supervisor Gilbert asked John Tegeder if he recommended doing this and he said no. He said they are good projects but they are not capital projects. He has reservations about trying to do this in such a short amount of time. He does not believe they are ready to do this.

ADJOURN

Upon motion made by Councilman Lachterman, seconded by Councilwoman Diana, the Town Board Meeting was adjourned.

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DIANA L. QUAIST, RMC, CMC  
TOWN CLERK