

Meeting of the Town Board, Town of Yorktown held on July 17, 2018 at the Teatown Reservation Carriage House, 1600 Spring Valley Road, Ossining, New York 10562.

Present: Ilan D. Gilbert, Supervisor
Thomas P. Diana, Councilman
Edward Lachterman, Councilman

Also Present: Maura Weissleder, Deputy Town Clerk
Richard S. Abbate, Town Attorney

Absent: Alice E. Roker, Deputy Supervisor
Vishnu V. Patel, Councilman

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.

PRESENTATION

Supervisor Gilbert introduced Kevin Carter, Executive Director of Teatown Reservation.

Mr. Carter welcomed the Town Board to the Teatown Reservation, the largest community-supported nature preserve in Westchester County. It is for public use, recreation, and education and has 15 miles of trails that are open from dawn to dusk. Education programs reach over 20,000 adults and children in the county. They employ staff members from Yorktown and work with all of the local schools.

AUDITOR'S REPORT – PKF O'CONNOR DAVIES

Scott Oling and Alan Kassay came to present the results of the audit for the Town for the year ending December 31, 2017. They presented an overview of where the fund balance for the General Fund was at the end of 2016 in comparison to the end of 2017. They also covered the revenue and expense side a budget-to-actual summary comparing what was budgeted and what the Town thought would happen to what actually happened. It also included an overview of the various other government funds the Town operates. Their objective is to make sure that the Town's financial statements are free of misstatement. The most important point is that they have issued an unmodified (or clean) opinion relating to the Town, as of December 31, 2017; which basically says that what the Town reported as happening did actually happen for the 2017 fiscal year.

Alan Kassay presented a General Fund retrospective comparing the year-end of 2016 and 2017. The presentation reported a 2016 year end General Fund balance of \$13,726,108 and a 2017 year end General Fund balance of \$10,501,836.

Details of the budget report are available on the Town's website, www.yorktownny.org, under Government/Town Comptroller.

REPORT FROM THE SUPERVISOR

Supervisor Gilbert stated there have been a number of events the last few weeks: the Fireman's Parade and Carnival, the Chamber of Commerce's Baseball Game which raised money to send families with children who have serious illnesses to summer camp, the Grange Car Show, the Rotary Golf Outing, Mohegan Lake Day which included the arrival of the new Weed Harvester, Ribbon Cutting for the Holland Club Trail, and he officiated at a local wedding at the VFW.

Supervisor Gilbert also attended the July 1st renaming of the Yorktown Cultural and Community Center to the Albert A. Capellini Cultural and Community Center in honor of the former supervisor and local attorney. The ceremony took place before the first summer concert sponsored by the Lions Club at the Jack DeVito Veterans' Memorial Field.

Councilwoman Roker, Councilman Diana, and Supervisor Gilbert met with interested parties in preparation for the celebration of the 230th anniversary of Yorktown. Further details of the meeting will be forthcoming.

The Water Department repaired a water main break near the Fireman's Field – their quick work allowed the parade to proceed without incident.

Supervisor Gilbert said he has been working with various entities to make Yorktown more attractive to business; he wants to have intelligent development in Town. Towards that goal, he attended a networking session and presentation at Mercy College, "Business Attracting Business." This focused on understanding a business' goal, which businesses you want to attract, and what businesses need and how they can provide for their needs.

The Planning Department had a preliminary presentation of the mini master plan with John Tegeder, Director of Planning, for the intersection of Route 202, Commerce Street, Route 35, and Route 118.

Supervisor Gilbert met with the United Taxpayers of Yorktown to address their concerns and had a meaningful discussion about the services the Town provides, the needs of the Town versus the tax cap management and the fund balance.

Supervisor Gilbert said the Town worked with the NYS Department of Transportation to ensure the safety of the travelling public at the intersection of Route 129 and Route 118. Senator Murphy and Highway Superintendent David Paganelli had a brief presentation at the site when the new traffic signal was installed. The Town has responded to residents' comments that there is insufficient warning of the traffic signal on Route 129 by reaching out to state officials to request appropriate signage.

Supervisor Gilbert stated that, as a trustee of the Northern Westchester Joint Waterworks, he has been busy working on the water quality for residents in conjunction with other municipalities who the Town is partnered with. He also spoke of his efforts in reaching out to Con Edison and NYSEG to facilitate the provision of utility services. This is in addition to efforts to reduce double poles in the Town that can be a traffic hazard.

REPORTS FROM THE TOWN COUNCIL

Councilman Diana reported that there was another drug arrest with use of the K-9 Unit and K-9 Dallas and congratulated them. He said he was proud to be part of the vote of the renaming of the YCCC. He spoke about the meeting held regarding the anniversary celebration. There will be another meeting held on Thursday, July 26th at 7:00 at Town Hall and all are welcome. They are looking for groups that would like to march in the parade. Fire trucks, military trucks, and performers will be in attendance.

Councilman Lachterman said the Lions have now held two of the four summer concerts and thanked the Parks & Recreation Department and Building Maintenance for their help. The concerts have been dedicated to the memory of Al Capellini, who was also a dedicated member of the Lions Club. The next concert is on July 29th at 6:00, followed by three consecutive weeks of concerts. He also attended the Mohegan Lake Day and thanked Senator Murphy and Ken Belfer from the Mohegan Lake Park District for all of their assistance in helping research and secure funding for the new weed harvester.

Councilman Diana also mentioned that the anniversary celebration may possibly include tours of the historic houses and landmarks in Town. There will also be a softball game between the Town Board and the Shrub Oak and Yorktown Athletic Clubs. The date is August 26th.

Councilman Lachterman said that the next two meetings of the Senior Advisory Committee will be executive meetings only. The next Town Board meeting will be on August 7th which is also National Purple Heart Recognition Day. He asked if anyone knows of any residents who are Purple Heart Recipients and would like to share the information with him, the Town Board would like to have them come to the August 7th meeting so they can be recognized and thanked for their service. He also listed police commendations that were received for various services.

Supervisor Gilbert reminded everyone that there is a book fair and reception at the J.C. Hart Memorial including local author visits this Saturday, July 21 at 1:00 p.m. He encouraged people to visit the library's website to see the full calendar of upcoming events.

COURTESY OF THE FLOOR

The following members of the public spoke:

John McMullen, Yorktown Poet Laureate, read his poem "The Fifth of July."

Susan Siegel, resident, said she had questions regarding the resolution for the storm water permit for Delaware Street to be voted on later in the evening. She asked that if they could not answer the questions this evening, the Board postpone the vote until they could. One question was technical that she felt should be answered by the Town Engineer – the site is three small lots that abut each other that were taken in rem by the Town several years ago and were sold at auction in 2015. The three lots sold for a total of \$11,000. Now a developer wants to build a single family home there but there was an issue with the Department of Health about where the septic system and where the storm water would go. The Board, back in February, was not satisfied with the original plan and asked the applicant to work out something else with the Town Engineer. She is asking for clarification as to how this was worked out. Her second question was regarding the back taxes the three parcels owed back to 2009 totaling approximately \$35,000 and continue to show up on the tax records as delinquent. Ms. Siegel stated that she believes it would behoove the Town Board to make sure these taxes are paid before a permit is granted to build.

Charles Marin, resident, spoke regarding the situation at the Mohegan Highland Beach Association and a beach permit. There is conflicting information whether or not they need the beach permit and the Town would not pay the lifeguards until the permit was obtained. He also said he heard that their garbage would not be collected. Mr. Marin said the homeowners pay taxes to the Town and should be able to accommodate this and he does not understand why this is happening and why now. He would like the Board to look into this problem. Mr. Marin said that the Board members have direct effect on the residents of the Town and felt they could have held off regarding the beach permit issue after the season.

Ken Belfer, resident, said that some beaches have gotten phone calls that they are no longer going to get recycling and refuse pickup. He would like to know the new policy that is being implemented and if it applies to just park districts because some of them do not pay taxes (although Mohegan Highland does) or does it apply to all beaches because they are different than single family homes.

Supervisor Gilbert said he was familiar with the lifeguard issue and will have to look into the refuse issue because this is the first time it has been brought to his attention.

Town Attorney Richard Abbate also said this is the first he heard of the refuse problem. Mr. Belfer said the calls came from the Town's Refuse and Recycling Department.

Stewart Glass, Executive Assistant to the Supervisor, said their office was inform by Kim Angliss of the Refuse and Recycling Department that a letter had gone out to all of the park districts last year informing them that they would not be getting refuse collection because they are not taxed for refuse pickup and are, therefore, not entitled to it. Most of the various beach groups have contracted privately for pickup. A reminder letter went out this year to the Mohegan Highland Park District because one of the other park districts/beaches complained that they had to pay for pickup, why would Mohegan Highland Park District not have to pay. Kim Angliss informed Stewart that the Mohegan Highland Park District does not contribute for refuse pick up and that is why they received the letter. Supervisor Gilbert suggested that Kim Angliss be contacted regarding the situation.

Ken Belfer asked if the Town already has a refuse collection going down the same streets and to the same beaches as those that are paying into the collection, might there be an option for those beaches to opt in to the district, pay the taxes, and receive the services as opposed to contracting with an outside company. He said that the Mohegan Highland Property Owners Association is a hybrid situation where they own the property and pay taxes on it and have a park district and somebody should look into it. Town Comptroller Patricia Caporale indicated from the audience that they are not paying taxes.

Supervisor Gilbert asked the Town Attorney, Richard Abbate, to respond to the lifeguard issue. Mr. Abbate said that in order for Mohegan to not have to get a beach permit there is an exemption if you own and operate the beach. The issue becomes, if you own it, it becomes deeded to you; the issue is “operate” the beach. The Town provides the lifeguards and the insurance and there are taxes collected that actually run that beach. The district was contacted about obtaining the permit and it is very close to being issued. The insurance is another issue because if someone is injured at the beach, the insurance company may deny a claim because of the lack of an appropriate permit and by paying the lifeguards, the Town is sanctioning the use of the beach without the permit. As soon as the permit is issued, the lifeguards will be paid.

Supervisor Gilbert said this was not to punish anyone but the Town did not want to expose itself to operating a beach without a permit.

Councilman Diana questioned the withholding of someone’s pay and Supervisor Gilbert said paying the lifeguards would be like issuing a check without authorization and the Town Comptroller could not do this without authorization from the Board. He said the lifeguards will be paid. Councilman Lachterman suggested that this be a discussion to have with the Legal Department.

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

AUTHORIZE SUPERVISOR TO SIGN AN AGREEMENT WITH WESTCHESTER COUNTY DEPARTMENT OF SENIOR PROGRAMS AND SERVICES FOR STATE TRANSPORTATION SERVICES
RESOLUTION #241

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

RESOLVED, that the Town Board authorizes the Town Supervisor to sign an Agreement with Westchester County Department of Senior Programs and Services for State Transportation Services in the amount of \$3,322. This is for the period April 1, 2018 through March 31, 2019.

Gilbert, Diana, Lachterman Voting Aye
Resolution adopted.

AUTHORIZE SUPERVISOR TO SIGN AN AGREEMENT WITH WESTCHESTER COUNTY DEPARTMENT OF SENIOR PROGRAMS AND SERVICES FOR WIN
RESOLUTION #242

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

RESOLVED, that the Town Board authorizes the Town Supervisor to sign an Agreement with Westchester County Department of Senior Programs and Services for WIN in the amount of \$9,357 , with an estimate of an additional \$2,771 (NSIP) Nutrition Services Incentive Program. This is for the period April 1, 2018 through March 31, 2019.

Gilbert, Diana, Lachterman Voting Aye
Resolution adopted.

REVISED RESOLUTION FOR THE ECONOMIC AND BUSINESS REVITALIZATION COMMITTEE
RESOLUTION #243

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

Whereas, the mission of the Economic and Business Revitalization Committee is to attract and support private investments by identifying and marketing the town’s assets; and

Whereas, increasing employment opportunities; supporting existing as well as attracting new high quality retail, commercial and industrial enterprises throughout the town, with a particular emphasis on redeveloping under-performing areas of the town; and

Whereas, to further assist in the diversity of business interests with a wide range of needs, and continue to work with our partners in order to bring about a higher level of prosperity, job growth and expanded economic and entrepreneurial development opportunities throughout the town; and

Whereas, to utilize the untapped resources of our residents and other volunteers with expertise in various areas, including, but not limited to, those with economic, marketing and planning expertise, now

Therefore It is Resolved that the Resolution, dated February 20, 2018, establishing the Economic and Business Revitalization Committee is hereby amended,

Therefore Be It Resolved that the Town Board of the Town of Yorktown establishes an Economic and Business Revitalization Committee that shall be comprised of nine (9) members. Seven (7) of which shall be appointed by the Town Board. One (1) member shall be a representative of the Yorktown Chamber of Commerce selected by its President and one (1) member shall be a representative of the Yorktown Small Business Association selected by its President. The term of these two (2) representatives shall continue until replaced by the President of each of the above respective organizations. The members appointed by the Town Board shall serve for a term of three (3) years and shall have staggered terms. The terms of the initial members appointed by the Town Board shall expire as follows: Two (2) members' terms will expire December 31, 2020, three (3) members' terms will expire December 31, 2021, and two (2) members' terms will expire on December 31, 2022. All members shall serve without compensation.

All of the members shall select a Chairperson from the Seven (7) Members appointed by the Town Board. The Chairperson shall serve for a two year Term or to the end of their Term appointment, whichever is shorter.

Gilbert, Diana, Lachterman Voting Aye
Resolution adopted.

AUTHORIZE TOWN ENGINEER TO ISSUE MS4 STORM WATER MANAGEMENT PERMIT AND TREE PERMIT TO 1447 DELAWARE ROAD
RESOLUTION #244

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

RESOLVED, the Town Engineer is authorized to issue an MS4 Storm Water Management Permit and Tree Permit to 1447 Delaware Road – Figari, permit #FSWPPP-066-17, for excavation required to construct a single-family residence.

Gilbert, Diana, Lachterman Voting Aye
Resolution adopted

AUTHORIZE TOWN ENGINEER TO ISSUE MS4 STORM WATER MANAGEMENT PERMIT AND TREE PERMIT TO 340 ILLINGTON ROAD
RESOLUTION #245

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

RESOLVED, the Town Engineer is authorized to issue an MS4 Storm Water Management Permit to 340 Illington Road – YKY – Yeshiva Kehilath Yakov, Permit #FSWPPP-029-18, for excavation required to construct a single-family residence.

Gilbert, Diana, Lachterman Voting Aye
Resolution adopted.

AUTHORIZE TOWN COMPTROLLER TO RELEASE EROSION CONTROL BOND #BSWPPP-002-17 IN THE AMOUNT OF \$250 – PATEL
RESOLUTION #246

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

WHEREAS:

1. Mitesh & Purvi Patel as applicants for a land development project, posted check #1139 in the amount of \$250 to serve as the Erosion Control Bond which was deposited to the T33 account on February 24, 2017 for work performed at the Casey Court location.
2. Mitesh & Purvi Patel as applicants have requested monies be released as the site is now complete.
3. The Town Engineer has informed the Town Board that a representative of his department has inspected the property and determined that the work has been satisfactorily completed, and that the above referenced monies may be released,

NOW, THEREFORE BE IT RESOLVED, that the above referenced monies totaling \$250 be and is hereby released to Mitesh & Purvi Patel, 1767 Casey Court, Yorktown Heights, NY 10598.

Gilbert, Diana, Lachterman Voting Aye
Resolution adopted.

AUTHORIZE TOWN COMPTROLLER TO RELEASE PERFORMANCE BOND #FSWPPP-T-051-17 IN THE AMOUNT OF \$500 – LEDERER
RESOLUTION #247

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

WHEREAS:

1. Mary Faithorn Scott, Architect, as applicant for a land development project at the Lederer residence, 1441 Old Logging Road, posted check #4061 in the amount of \$1,700 (\$1,200 for the application fee balance and \$500 to serve as the Performance Bond) which was deposited to the T33 account on August 31, 2017.
2. Mary Faithorn Scott, as applicant, has requested the Performance Bond released as the project work is now complete.
3. The Town Engineer has informed the Town Board that a representative of his department has inspected the property and determined that the work has been satisfactorily completed, and that the above referenced monies may be released,

NOW, THEREFORE BE IT, RESOLVED, that the above referenced money totaling \$500 be and are hereby released to Mary Faithorn Scott, Architect, 33 Fairways Drive, Mt. Kisco, NY 10549.

Gilbert, Diana, Lachterman Voting Aye
Resolution adopted.

AUTHORIZE TOWN COMPTROLLER TO RELEASE EROSION CONTROL BOND #WP-BSWPPP-035-15 IN THE AMOUNT OF \$800 – CIPRIANI
RESOLUTION #248

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

WHEREAS:

1. Rick Cipriani of Envirogreen Associates as applicant for a demolition project, posted check #4613 in the amount of \$800 (\$500 to serve as the Erosion Control Bond and \$300 to serve as the Wetland Bond) which was deposited to the T33 account on July 10, 2015 for work performed at the East Main Street location.
2. Rick Cipriani of Envirogreen Associates has requested his money be released as the site is now complete.
3. The Town Engineer has informed the Town Board that a representative of his department has inspected the property and determined that the work has been satisfactorily completed, and that the above referenced monies may be released,

NOW, THEREFORE BE IT RESOLVED, that the above referenced monies totaling \$800 be and is hereby released to Envirogreen Associates, 11 Hageman Court, Katonah, NY 10536, Attn: Mr. Rick Cipriani.

Gilbert, Diana, Lachterman Voting Aye
Resolution adopted.

AUTHORIZE TOWN COMPTROLLER TO RELEASE BOND #BSWPPP-013-17 IN THE AMOUNT OF \$250 – TRAURING RESOLUTION #249

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

WHEREAS:

1. Everett Trauring as applicant for a land development project, posted check #2023 in the amount of \$250 which was deposited to the T33 account on May 4, 2017 for work performed at the Elizabeth Street location.
2. Everett Trauring has requested his money be released as the site is now complete.
3. The Town Engineer has informed the Town Board that a representative of his department has inspected the property and determined that the work has been satisfactorily completed, and that the above referenced monies may be released,

NOW, THEREFORE BE IT RESOLVED, that the above referenced monies totaling \$250 be and is hereby released to Mr. Everett Trauring, 479 Elizabeth Street, Yorktown Heights, NY 10598.

Gilbert, Diana, Lachterman Voting Aye
Resolution adopted.

AUTHORIZE TOWN COMPTROLLER TO RELEASE CHECK #3557 IN THE AMOUNT OF \$13,540.00 - WETLAND AND EROSION CONTROL BOND – SPANO SUBDIVISION RESOLUTION #250

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

WHEREAS:

1. Albert Capellini as attorney and applicant for the Spano Subdivision for a land development project at the Saw Mill River Road site, posted check #3557 in the amount of \$13,540 to serve as the Wetland & Erosion Control Bonds, which was deposited to the T33 account on August 26, 2005.
2. The Town Engineer has informed the Town Board that a representative of his department has inspected the property and determined that the work has been satisfactorily completed, and that the above referenced monies may be released,

NOW, THEREFORE BE IT, RESOLVED, that the above referenced monies totaling \$13,540 be and are hereby released to Mr. Albert A. Capellini, as Attorney, 1500 Front Street, Suite A, Yorktown Heights, NY 10598, Attn: Rosanna Capellini.

AUTHORIZE TOWN COMPTROLLER TO RELEASE CHECK #2463 IN THE AMOUNT OF \$10,241.00 - EROSION CONTROL BOND – MIKKELSEN RESOLUTION #251

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

WHEREAS:

1. Kenneth Mikkelsen as applicant for a land development project at the Saw Mill River Road site, posted check #2463 in the amount of \$2,000 to serve as the Erosion Control Bond which was deposited to the T33 account on February 8, 2002.
2. Kenneth Mikkelsen as applicant, posted check #2471 in the amount of \$23,241 and was reduced to \$8,241 at the Town Board meeting of March 4, 2008.
3. The Town Engineer has informed the Town Board that a representative of his department has inspected the property and determined that the work has been satisfactorily completed, and that the above referenced monies may be released,

NOW, THEREFORE BE IT, RESOLVED, that the above-referenced monies totaling \$10,241 be and are hereby released to Mr. Kenneth Mikkelsen, 2235 Saw Mill River Road, Yorktown Heights, NY 10598.

Gilbert, Diana, Lachterman Voting Aye
Resolution adopted.

AUTHORIZE TOWN COMPTROLLER TO RELEASE CHECK #0002084 IN THE AMOUNT OF \$1,500.00 - WETLAND CONTROL BOND #WP-BSWPPP-T-028-14 – TEATOWN LAKE RESERVATION RESERVATION #252

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

WHEREAS:

1. Teatown Lake Reservation as applicant for a land development project at the Teatown Lake Reservation site, posted check #0002084 in the amount of \$1,500 to serve as the Wetland Bond which was deposited to the T33 account on October 6, 2014.
2. Teatown Lake Reservation as applicant has requested monies be released as the project work is now complete.
3. The Town Engineer has informed this Board that a representative of his department has inspected the property and determined that the work has been satisfactorily completed, and that the above referenced monies may be released,

NOW, THEREFORE BE IT, RESOLVED, that the above referenced monies totaling \$1,500 be and are hereby released to Teatown Lake Reservation, 1600 Spring Valley Road, Ossining, NY 10562, Attn: Ms. Dianne Barron.

Gilbert, Diana, Lachterman Voting Aye
Resolution adopted.

AUTHORIZE TOWN COMPTROLLER TO RELEASE CHECK #1268 IN THE AMOUNT OF \$500.00 - PERFORMANCE BOND #FSWPPP-T-094-15 – KELDERHOUSE RESOLUTION #253

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

WHEREAS:

1. Bruce Kelderhouse of Dornoch Development LLC, as applicant, posted check #1268 in the amount of \$500 to serve as the Performance Bond which was deposited to the T33 account on May 11, 2017 for work performed at the Turus Lane location.
2. Bruce Kelderhouse, as applicant has requested monies be released as the site is now complete.
3. The Town Engineer has informed the Town Board that a representative of his department has inspected the property and determined that the work has been satisfactorily completed, and that the above referenced monies may be released,

NOW, THEREFORE BE IT RESOLVED, that the above referenced monies totaling \$500 be and are hereby released to Dornoch Development, LLC, 200 Brady Avenue, Hawthorne, NY 10532, Attn: Mr. Bruce Kelderhouse.

Gilbert, Diana, Lachterman Voting Aye
Resolution adopted.

AUTHORIZE TOWN SUPERVISOR TO SIGN A PROFESSIONAL SERVICES AGREEMENT FOR WATER FLUORIDATION PROJECT RESOLUTION #254

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

WHEREAS:

1. The Water Superintendent and the Town Engineer solicited proposals for professional engineering services to build a new facility for fluoride addition to the Yorktown drinking water supply.
2. In accordance with the Town of Yorktown procurement procedures, proposals were solicited from three (3) firms that had the in-house expertise and expressed interest in providing professional engineering services. The three firms that provided written proposals were D&B Engineers & Architects (D&B), Arcadis of New York, and Environmental Design & Research (EDR). A summary of the pricing is below:

Task	Task	D&B Engineers	Arcadis	EDR
1	Survey/Testing (Allowance)	\$15,000	\$15,000	\$15,000
2	Design & Construction Documents	\$95,000	\$77,000	\$120,000
3	Permitting (Allowance)	\$40,000	\$40,000	\$40,000
4	Bidding Phase	\$5,000	\$6,050	\$5,000
5	Design Services During Construction	\$49,000	\$85,000	\$103,000
6	Project Close-Out	\$5,000	\$4,000	\$7,000
Total		\$209,000	\$227,050	\$290,000

3. In the professional opinion of the Water Superintendent and the Town Engineer, Arcadis of New York provided the best overall proposal to the Town. In terms of cost, Arcadis of New York was the second bidder; however, they agreed to perform the work at the same price as the low bidder (\$209,000).

NOW, THEREFORE BE IT RESOLVED, the Town Board authorizes the Town Supervisor to sign a Professional Services Agreement with Arcadis of New York for the scope of work as described in the preceding section for the Not-to-Exceed Amount of \$209,000.

Gilbert, Diana, Lachterman Voting Aye
Resolution adopted.

INTENT TO DECLARE LEAD AGENCY FOR EXTENSION OF SEWERS WITH THE HALLOCKS MILL SEWER DISTRICT AND IMPLEMENT IMPROVEMENTS TO THE CRYSTAL LAKE PUMP STATION
RESOLUTION #255

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

WHEREAS,

1. The Town of Yorktown proposes to extend sewer service within the Hallocks Mills Sewer District (HMSD) and implement improvements to the Crystal Lake Pump Station within the HMSD (hereafter referred to as, "Proposed Action") including:
 - Extension of sewer service to select unsewered areas within the Hallocks Mills Sewer District (HMSD) using a combination of gravity and low pressure sewer service,
 - The areas to be sewerred comprise approximately 660 parcels, designated as (1) Birch Street Sub-Area, 340 parcels; (2) Broadview Sub-Area, 50 parcels; (3) Carolina Road Sub-Area, 25 parcels, (4) Ridge Street Sub-Area, 175 parcels; (5) Sparkle Lake Sub-Area, 69 parcels; and (6) Sunrise Street Sub-Area, 26 parcels.
 - Implement improvements to the Crystal Lake Pump Station within the HMSD including replacement of mechanical equipment (i.e., pumps, accessories), emergency generator, process controls, lighting, electrical, HVAC, architectural, and miscellaneous equipment,

2. The Proposed Action requires review under the New York State Environmental Quality Review Act (SEQRA), per 6NYCRR Part 617, and;
3. The Proposed Action is defined as an Unlisted Action under 6NYCRR Part 617 because the action is not listed under 6NYCRR Part 617.4 or 617.5.
4. Multiple regulatory agencies have approval or funding authority over the Proposed Action, and;
5. The State Environmental Quality Review Act 6NYCRR Part 617.6(b)(3) calls for coordinated review of Unlisted Actions, and;
6. The State Environmental Quality Review Act 6NYCRR Part 617.6(b)(2)(i) requires that a Lead Agency for a coordinated review be established prior to a determination of significance, and;
7. The State Environmental Quality Review Act 6NYCRR Part 617.2(u) defines “Lead Agency” as, “an involved agency principally responsible for undertaking funding or approving an action, and therefore responsible for determining whether an environmental impact statement is required in connection with the action, and for the preparation and filing of the statement if one is required”, and;
8. The Town of Yorktown intends to act as Lead Agency in the coordinated review of said Actions as Unlisted Action under SEQRA and further intends to implement and complete all responsibilities of that office,

NOW THEREFORE BE IT RESOLVED that the Town Board declares its intent to act as Lead Agency for this Unlisted Action, as defined in 6NYCRR Part 617.2(u), for the coordinated review of the Proposed Action under SEQRA.

Gilbert, Diana, Lachterman Voting Aye
Resolution adopted.

AUTHORIZE COMPTROLLER TO DO A 2018 LIBRARY FUND BALANCE BUDGET TRANSFER FOR PAYMENT OF INVOICES
RESOLUTION #256

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

BE IT RESOLVED that the Town Board authorizes the Comptroller to process the following 2018 Library Fund Balance Budget Transfers for payment of invoices related to Air Conditioning Repair and Septic Services:

From:		
L.909	Fund Balance	\$34,100.00
To:		
L7410.418	Equipment Maintenance	\$24,100.00
L7410.416	Maintenance	\$10,000.00

Gilbert, Diana, Lachterman Voting Aye
Resolution adopted.

AUTHORIZE COMPTROLLER TO DO THE FOLLOWING BUDGET TRANSFER FOR HIGHWAY DEPARTMENT
RESOLUTION #257

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

BE IT RESOLVED, the Town Board authorizes the following Fund Balance Budget Transfer for Highway Department for the purchases of a Ford F350, Bobcat, two F550 trucks, and Basin Truck.

From:		
D.1002	Highway Fund Balance	\$350,000.00

To:
D5110.201 Highway Equipment \$350,000.00

Gilbert, Diana, Lachterman Voting Aye
Resolution adopted.

AUTHORIZE COMPTROLLER TO DO THE FOLLOWING BUDGET TRANSFER FOR
MOHEGAN LAKE IMPROVEMENT DISTRICT
RESOLUTION #258

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

BE IT RESOLVED, that the Town Board authorizes the following 2018 Budget Transfers for the Mohegan Lake Improvement District as follows:

From:
ID.909 Fund Balance \$17,792.00

To:
ID7180.412 Postage \$ 400.00
ID7180.416 Maintenance \$ 850.00
ID7180.475 Misc Outside Services \$ 5,150.00
ID7180.480.2 Special Projects – Building \$ 8,500.00
ID710.490 Outside Services \$ 2,892.00

Gilbert, Diana, Lachterman Voting Aye
Resolution adopted.

AUTHORIZE THE TOWN COMPTROLLER TO DO THE FOLLOWING BUDGET
TRANSFER FOR LARGE DOLLAR WORKERS' COMPENSATION CLAIMS
RESOLUTION #259

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

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

From:
A 9000.811 NYS Retirement \$25,035.60

To:
MC.1930.400 Worker's Comp Medical \$25,035.60

Gilbert, Diana, Lachterman Voting Aye
Resolution adopted.

AUTHORIZE THE TOWN COMPTROLLER TO DO THE FOLLOWING BUDGET
TRANSFER FOR THE AMAZON BEACH PARK DISTRICT
RESOLUTION #260

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

BE IT RESOLVED that the Town Board authorizes the following 2018 Budget Transfer for the Amazon Beach Park District to disburse payment for winter storm damage to club house roof and windows

From:
AP.909 Fund Balance \$3,500.00

To:
AP7180.416 Property Maintenance \$3,500.00

Gilbert, Diana, Lachterman Voting Aye
Resolution adopted.

RELEASE OF ESCROW FOR DRIVEWAY PERMITS
RESOLUTION #261

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

RESOLVED, that the Comptroller is authorized to release escrow deposit for the following Driveway Permits:

<u>Permit #</u>	<u>Amount</u>	<u>Location</u>	<u>Refund to</u>
DR1204	\$500.00	345 Heather Court	Fred & Joan DiSalvatore 345 Heather Court
DR1212	\$500.00	2338 Broad Street	Joe Bellamy Construction Inc. 2333 Willoway Street

Gilbert, Diana, Lachterman Voting Aye
Resolution adopted.

APPOINTMENT OF SUNITHA HOWARD AS A MEMBER OF THE LIBRARY BOARD OF TRUSTEES
RESOLUTION #262

Upon motion by Councilman Lachterman, seconded by Councilman Diana,

BE IT RESOLVED, that Sunitha Howard is hereby appointed as a member of the Library Board of Trustees for a five-year term expiring on 8/31/2023.

Gilbert, Diana, Lachterman Voting Aye
Resolution adopted.

Ms. Howard stated that she was honored to be working with the other Library Board members and hopes to make meaningful and positive changes as Trustee.

AUTHORIZE COMPTROLLER TO PAY MONTESANO BROTHERS, INC. CHANGE ORDER M18.1 WATER Main
RESOLUTION #263

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

RESOLVED, that the Comptroller is authorized to pay Montesano Brothers, Inc. Change Order M18.1 in the amount of \$38,169.73 to complete the Water Main installation at the Granite Knolls Recreation and Sports Facility.

Gilbert, Diana, Lachterman Voting Aye
Resolution adopted.

AUTHORIZE THE SALE OF OBSOLETE AND OUT-OF-SERVICE VEHICLES BY ABSOLUTE AUCTIONS REALTY
RESOLUTION #264

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

BE IT RESOLVED, that the following obsolete vehicles are presently Out-of-Service, and parked at the Central Garage, and

BE IT FURTHER RESOLVED, that the Town Board authorizes the sale of the following obsolete vehicles by Absolute Auction Realty:

2001 Ford Taurus Wagon, VIN # 1FAFP58UX1G215152 - 106,998 miles (Mail Room)
1999 Chevy Lumina, VIN # 2G1WL52M9X9251865 - 110,257 miles (Engineering)
2000 K30 Pickup, VIN# 1GCHK34R2YR211022 - 124,785 miles (Sewer)

Gilbert, Diana, Lachterman Voting Aye
Resolution adopted.

EXECUTIVE SESSION

Upon motion made by Councilman Lachterman, seconded by Supervisor Gilbert, the Town Board moved into Executive Session to discuss personnel issues. Upon motion made by Councilman Lachterman, seconded by Councilman Diana, the Town Board moved out of Executive Session adjourned the meeting.

ADJOURN

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

MAURA WEISSLEDER
DEPUTY TOWN CLERK
TOWN OF YORKTOWN

Date: July 17, 2018