

Meeting of the Town Board, Town of Yorktown held on Tuesday, September 25, 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 Lachterman, seconded by Councilwoman Roker, the Town Board moved into Executive Session to discuss litigation and negotiations, and individual personnel issues. Upon motion made by Councilman Lachterman, seconded by Councilwoman Roker, the Town Board moved out of Executive Session and proceeded with the meeting.

#### 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.

#### REPORT FROM THE SUPERVISOR

Supervisor Gilbert thanked those who participated in the September 11<sup>th</sup> ceremonies throughout Town. Supervisor Gilbert reported that he, along with members of the Police Department, participated in Westchester County-sponsored “Table Top Exercise” on September 17<sup>th</sup> which focused on strategic decision making and coordination in response to a hostile event. He found it very informative in dealing with the “active shooter” scenario that the Town, unfortunately, needs to be prepared for.

He had meetings with Enbridge regarding the pipeline so updates can be done through Nixle and the website. Supervisor Gilbert covered the various inconveniences and disturbances caused by the pipeline construction which were supposed to have been covered before his administration. He has been able to secure lighting for several ballfields from Enbridge, so that while Legacy Fields is still not available, games may be played on other Town fields. He and the Highway Superintendent also have been able to secure repair of certain sections of Town roads which would have otherwise been paid for by the Town.

Supervisor Gilbert also said he participated in meetings with other local officials to discuss with the president of NYSEG their common issues. NYSEG announced a new program for trimming or removing trees around their lines on private property. The items will require approval from the NYS Public Service Commission. NYSEG also promised to upgrade its equipment in our service territory. They indicated that they are investing an additional \$2 billion dollars; Supervisor Gilbert asked how much of that will be spent in our area and was told it would be a significant amount.

Supervisor Gilbert said he has been monitoring the progress at the Granite Knolls Recreational and Sports Facility and his office has facilitated some of the work that is taking place there.

Supervisor Gilbert said that he, Councilwoman Roker, and additional Town staff have been working to utilize the East of Hudson money in the Hallocks Mills Sewer District and getting additional homes sewered in that district. A number of meetings have been held with residents who are desirous of sewers and the next meeting will be held on Thursday, October 11<sup>th</sup> at the AACCCC in room 104 at 6:00 p.m. Supervisor Gilbert met with the Westchester County Planning Director and the County Executive Office to discuss possible additional funding for this project. The feedback was generally positive.

Supervisor Gilbert discussed with a representative of Westchester County Affordable Housing their intent regarding future housing in the area. They indicated they are no longer purchasing individual houses for affordable housing nor are they continuing their foreclosure project since it was too labor intensive for the results produced. Currently, there are no affordable housing projects planned for the Town of Yorktown. This change in direction by the County answers the question as to whether the Town's participation in the Community Development Block Grant Program obligated the Town to grant the right of first refusal to the County in the case of property tax lien and the resultant sale. However, it should be noted that the recent purchases by the County for resale of affordable housing units were of properties that were in foreclosure already and those transactions had no relation to the Town's participation in the CDBG Program.

Supervisor Gilbert announced the Town will commence its Development Panel (formerly the E-Panel) on Friday, September 29<sup>th</sup> from 11:00 a.m. to 1:00 pm. This panel meeting will allow developers or any person to get answers in one location as to the procedures they will need to follow in order to proceed with their project. The panel meeting will take place in the Town Board Room.

The Water Department will be flushing fire hydrants in parts of Section 5, 6, and 7 from October 1<sup>st</sup> through October 31<sup>st</sup> from 7:30 a.m. to 2:30 p.m. The Town has had several water main breaks recently and have been dealt with expeditiously.

Supervisor Gilbert urged residents to sign up for Nixle. Text 888-777 and enter your 5-digit zip code and send.

Water Distribution Superintendent Ken Rundle addressed the issue of the new meters that he referred to as "smart meters." They have the capability of detecting tampering of the meter and alerting the Water Department so they can investigate. Many municipalities are using these meters, as well as utility companies and he hopes the Board will look into them for the Town. These meters will also help cut down on the loss of unaccounted non-revenue water.

#### REPORTS FROM THE TOWN COUNCIL

Councilman Diana called Tom Pomposello and Mary Capoccia to the podium to present them with Certificates of Appreciation for their contributions to the San Gennaro Festival.

Mr. Pomposello thanked the Board and those who helped him with the Festival and mentioned how representative this Festival is of Yorktown.

Councilwoman Roker said that she (as member of the Public Safety Committee) and the Highway Superintendent Dave Paganelli looked at some areas where there have been some issues, particularly the Sparkle Lake area where people had issues with left hand turns off some of the streets. She stated that although there are stop signs, there are spots where cars will have to creep out in order to turn into traffic.

According to Mr. Paganelli, in order to correct some of the spots, it would entail taking down about ten trees that are not on Town property and are not dead trees.

Councilwoman Roker asked that homeowners ensure that their shrubbery is not blocking the view for traffic. Some of the stop signs may be on private property and homeowners should make sure that there are not overhanging branches that obstruct the sign.

Mr. Paganelli stated that it would be better for the homeowner to maintain this, as opposed to having the Highway Department cut branches and shrubbery since they do severe cuts that the homeowner may not want. The Highway Department's goal is the safety of all residents. Mr. Paganelli said they are also trying to see if there is a solution to the problem on Hallocks Mill Road being used as a cut-through between Routes 35 and 202. The speed bumps have not really done any good. It is a problem and is dangerous for the homeowners. One possibility is to turn the street into a one-way street that would cut down the problem immensely. He also stated that, upon the advice of the Police Department, the Town Board has decided not to proceed with the proposed four-way stop at Hanover and Summit because of increased traffic flow; instead they may consider making that piece of road one way.

Councilman Patel asked about school buses coming down Hallocks Mill Road, and Mr. Paganelli stated that it would be one-way for school buses, as well.

Councilman Patel mentioned that two students from both Lakeland and Yorktown High Schools have completed their intern projects on water and will present their work at a future date.

Councilman Lachterman also mentioned the September 11<sup>th</sup> services and the wonderful turnout at them. Beginning October 2<sup>nd</sup>, residents will be able to return library items to the outdoor book and media return that is installed here at the Town Hall Parking Lot. There will be an opening on October 2<sup>nd</sup> attended by Supervisor, Senator Murphy, members of the Town Board and Library Board of Trustees. The Senior Advisory Meeting took place on the third Friday of the month. This month they discussed the changes to the Enhanced STAR program. If residents who did not attend have questions, they may contact the Sole Assessor, Kim Penner. There was also a presentation done on rheumatoid arthritis. The Traveling Vietnam Memorial Wall will be in Carmel on October 4<sup>th</sup> through the 7<sup>th</sup> and will need volunteers to read names. On Saturday, September 29<sup>th</sup>, the Liberty Ride with Adaptive Military Vets will be coming to Yorktown on their way to West Point and will be stopping for lunch behind the 1940 Commerce Street building. He asked if residents have a moment, to stop by to support the riders and thank them for their service. They are bike riding to raise awareness for vets and to raise funds. On Wednesday, November 13<sup>th</sup> at 6:00 PM, Cortlandt Colonial Restaurant will be celebrating their forty years of business with a \$40 dinner with all proceeds going to My Brother Vinny which helps veterans getting on their feet to furnish and set up new housing. On December 7<sup>th</sup>, the Paramount will hold their Christmas for Veterans concert, dedicated to First Lieutenant Victor Prado who was injured in Afghanistan. Councilman Lachterman also mentioned letters of commendation given to three Yorktown police officers, as well as a commendation given a local resident for her creation of a September 11<sup>th</sup> stone given to the Yorktown Police Department which resides in their breakroom.

#### REPORT FROM THE HIGHWAY SUPERINTENDENT

Highway Superintendent Dave Paganelli said he spent about two hours with NYS DOT to put the final touches on a \$250,000 grant that Senator Murphy was ensuring that Yorktown would receive to apply towards paving Quinlan Street from Granite Springs Road to Lee Boulevard. He is hoping that this paving will take place this year. He thanked Senator Murphy for his efforts.

Supervisor Gilbert mentioned that he would be remiss if he did not mention the vandalism that was committed at the Shrub Oak Pool – it was a thoughtless act at best; a criminal act at worst. He asked if anyone had any information regarding this incident, to please help the police by giving them their information.

Councilman Diana thanked those who participated in the Town's anniversary celebrations and Certifications of Appreciation will be presented at a later date. He echoed Supervisor Gilbert's request to inform the police of any information regarding the vandalism.

Councilman Lachterman asked that, as Board Members, they need to discuss deterrent video cameras and Town locations. Supervisor Gilbert said they are making progress regarding potential contracts. Town Clerk Diana Quast stated that the Parks and Recreation Commission is looking at having cameras placed at four locations: Granite Knolls, Legacy Fields and both pool locations.

Councilman Lachterman said there should be more than just these locations.

#### PRESENTATIONS

Mr. Ken Rundle, Distribution Superintendent of the Yorktown Water Department, touched on the hydrant flushing – it will stir up the water and if you have discolored water, run cold water which should clear the line. Northern Westchester Joint Waterworks is implementing a new billing program so bills will look different this month. It is different formatting and they are working on streamlining and efficiencies to the process and they are working on paying bills online. The current bill may be on a five-month cycle (typically, they are on a four-month cycle). Mr. Rundle stated that there might be some misinformation out there regarding the Town's water loss. Water loss is unaccounted water that comes through water main breaks, hydrant flushing, inaccurate meters, fires, etc. The Town's water loss last year was 18%; not 25% as previously stated by someone. In 2016 it was 16%, and in 2015 it was 25%. Percentages from neighboring towns include 32%, 27%, 20%, 37.63%. Yorktown is not doing badly, although there is always room for improvement. He stated that his department works very hard to get this number down, but the Town's aging infrastructure makes this challenging. This year will be much higher due to the severe weather conditions the area experienced. For example, the Town experienced 30 water main breaks in just a two-week period. You can potentially lose one million gallons of water in just one main break. Mr. Rundle wanted to let the Board and the public know they are always striving to keep these numbers down. Mr. Rundle commended his staff on the amazing work that

they do and their dedication to their work. He thanks Ed Mahoney and his staff for their help and their ability to work as a team.

Mr. Rundle spoke of the problem with the pressure regulators on Holly Drive which recently caused a problem. The reducing valves put in on these pipes may have been an issue but they are still investigating.

ACCEPT RETIREMENT OF POLICE OFFICER PAUL GRIEVE  
RESOLUTION #326

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

RESOLVED, the Town Board accepts the retirement of Police Officer Paul Grieve.

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

DURING COURTESY OF THE FLOOR, the following members of the public spoke:

Mr. Jay Kopstein, resident, thanked Mr. Kesten (a recent candidate) for removing his political signs after the primary. He said he was glad to see the resolution for televising all Board meetings on the agenda; although he wished there was a cost mentioned. He also mentioned the difficulty in trying to get information from NYSEG regarding a recent power outage.

Ms. Joanne Prisco, resident, wanted to check on the dangerous condition at her house that has not been resolved and the hole keeps getting bigger. Dave Paganelli said he spoke to Barry and Parks & Recreation this morning and it appears that Highway will be putting up the fence within the next ten days.

A resident from Shrub Oak asked about the bid for the resurfacing and repair of the tennis courts. Supervisor Gilbert said that he would have the Superintendent of Parks and Recreation contact him.

Mr. Marc Lieberman, resident, spoke about the pipeline construction on Strang Boulevard. He said that the workers responsible for directing traffic with signs are not doing their job completely; only when a large piece of construction equipment comes through and not for general traffic. Supervisor Gilbert said he has a meeting with Enbridge coming up where he will address this issue.

Ms. Susan Siegel, resident, thanked the Board for the resolution on tonight's agenda to televise all Board meetings (including work sessions). She referred to Mr. Kopstein's comment about the cost of televising all meetings and felt it should not be an additional cost.

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

PUBLIC HEARING - NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL  
PROTECTION REQUEST FOR THE REPAIR AND REHABILITATION OF THE CATSKILL  
AQUEDUCT PROJECT

Supervisor Gilbert convened a public hearing to consider the Wetland Permit Application received from the New York City Department of Environmental Protection for the repair and rehabilitation of the Catskill Aqueduct project which will involve the following activities: Site Access and Staging Area Improvements; Chlorination and Dechlorination; Leak Repair and Local Dechlorination; Mechanical and Structural Repairs; and Biofilm Removal.

Town Engineer Michael Quinn stated that the Town was contacted by the DEP about a year ago about this project and they went and inspected the sites that would be involved. The DEP submitted a set of engineering plans, as well as a Stormwater Management Plan. Mr. Quinn submitted a memo to the Board saying that his department had no technical comments on the submitted documents. The DEP will be doing work at thirteen different locations within Yorktown. They are working through multiple towns while applying for local permits. This is before the Town Board because they are working in wetlands areas which requires a public hearing. Some of the sites are just access points to the reservoir and some sites are a little more involved.

Mr. Phil Simmons, Permit Manager, from the DEP (as well as Emily Perrera, John Hoffman – Project Manager) made a presentation regarding the project. Information regarding the project is available to the public on the DEP website and the Town's website. The project falls under the

DEP program, “Water for the Future,” and he displayed a map showing the watershed areas where the reservoirs are located. The Delaware Aqueduct transmits 500,000,000 gallons per day which represents roughly half of their 1 billion gallon water supply that serves the 8 million people in New York City, as well as roughly 1 million people upstate. There is a leak in this aqueduct of about 35,000,000 per day. A bypass is being built around the leak and in the 2020-2022 time period a connection needs to be made to the bypass to the existing aqueduct so water can be moved around the leak. The Delaware Aqueduct will be out of service for approximately 6 months and the 500,000,000 gallons will need to be made up. In order to do this, another aqueduct needs to be repaired. This would be the Catskill Aqueduct which is partially located in Yorktown. This is over 100 years old; it went into service in 1915. It has some leaks and needs some repairs to its mechanical structure. The structural integrity and transmission capacity needs to be ensured – mitigation of leaks, mechanical structure repair, as well as the additional chemicals, condition assessment, and biofilm removal. Biofilm is a filamentous microorganism which increases the roughness of the interior of the aqueduct which slows down the water going through it. They are going to have a contractor remove the film. In order to keep it from growing back, they will add chlorine at the head end of the aqueduct and then adding dechlorination chemicals and the mouth of the aqueduct in Pleasantville so that chlorine-laden water will not be discharged into the drinking water.

Mr. Simmons pointed out the four areas that require wetlands permits. He described the type of work that will occur: syphon drain blow offs, air vent installations, leak mitigation, boat holds (access points) restored, valve replacement, condition assessment, and biofilm removal. There will be work in the watercourses and adjacent areas and presented a table that showed the amount of disturbance in the areas. Some of these areas are less than 2,000 square feet and some of what is considered larger, is no less than an acre. Some of the work in these areas are minor and the work temporary.

Mr. John Hoffman, Project Manager, explained the development and nature of the biofilm and how it reduces the hydraulics of the water flow by 10 to 15%. He spoke about how the inspections of the aqueducts take place and the equipment they use. He showed the different types of aqueduct construction and the type of construction they will be working on. The mechanical work involves draining the aqueduct by using culvert drains/sluice plates; one or two of which will be replaced in Yorktown.

A discussion continued regarding the type of work that will occur at the Yorktown locations and how it will affect traffic. The Supervisor stated that the Town needs to be kept informed of the DEP work and how affected residents should be notified.

This is a \$158,000 project.

Mr. Quinn stated that he would prepare draft conditions and that his department will not have to have daily oversight of the project. Written notification will be required, e.g., pre-construction meetings. Many of the DEP’s thirteen locations will not have traffic impacts and the DEP provided a traffic management plan for those areas where traffic will be impacted.

Councilwoman Roker asked when they plan to start work in Yorktown and Mr. Hoffman said possibly late this fall but most likely spring. She asked if any of the work would affect motoring residents and Mr. Hoffman said they may work on staging areas first where there will be increased traffic due to trucks, but no road closures. Councilwoman Roker asked if the DEP would come back in the spring to remind residents of what they are doing and Mr. Hoffman said that they would come back and they can gear their information towards the specific work that will start first. Mr. Quinn said that this can be added into the conditions so that it would not be forgotten.

Mr. Simmons presented the Town Clerk with the proof of mailings.

Mr. Sergio Solage, resident of Underhill Avenue, wanted to know if this would be destructive to his property. Mr. Hoffman said his property is near one of the staging areas and will have truck traffic. Biofilm removal will take place here, as well.

Mr. Quinn said he will be working with the contractor to put together a data sheet for affected residents. Supervisor Gilbert said that any damage to a homeowner’s property will require remediation by the DEP.

Mr. Harry Stanton, resident, was concerned about the trucks coming through and asked what kinds of trucks will the DEP be using. He also asked about restoration to the work sites. Mr. Hoffman

stated that all the sites will be returned to their natural state – mostly the areas will require grass replacement. The sites have truck-size limitations due to the aqueduct, which would not be able to withstand certain weight limits. There is also a limited amount of space in which to work that also limits size. He said there could be small cranes used at the sites.

A resident from White Hill Road asked if they would be diverting the existing stream located there while the DEP is working. Mr. Hoffman said they will be abiding by DEC permits to allow water flow and they do not anticipate any flooding. They will not be blocking the entire stream. Mr. Simmons said that in terms of restoration, they have a planting schedule which they will be working with the DEC to restore the areas.

All those present having been given the opportunity to be heard and there being no further discussion, the hearing was closed. Upon motion made by Councilman Lachterman, seconded by Councilman Diana and carried.

WETLANDS PERMIT FOR NYCDEP FOR REPAIR & REHABILITATION OF THE CATSKILL AQUEDUCT  
RESOLUTION #327

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

WHEREAS:

1. The NYCDEP submitted an application to the Town for repair & rehabilitation of the Catskill Aqueduct. The planned work scope consists of improvements that will allow access to the Aqueduct for NYCDEP personnel and contractors that will be performing inspection, maintenance and repair activities. The work will require issuance of a Wetland, Tree & MS4 Stormwater Management permit.
2. The Applicant submitted plans for the subject property, entitled: Project Plan Description (attached), 8 pages. Catskill Aqueduct Repair & Rehabilitation, Stormwater Pollution Prevention Plan (SWPPP), prepared by HDR Engineering, dated January 2018. Handout entitled “Catskill Aqueduct Repair & Rehabilitation Town of Yorktown Public Hearing Sites 2A, 6, 10 & 11, dated 9/25/18.
3. The Approval Authority for this application is the Town Board as the proposed action will be performed in and around NYSDEC – regulated wetlands and 100-foot buffer areas.
4. The Applicant paid the application fees of \$1,800 for the Wetland Permit & \$1,500 for the MS4 Stormwater Management Permit.
5. The scope of work will consist of work to be performed at 13 locations within the Town of Yorktown. The work scope includes the replacement of siphon drain blow-off valves, the sealing of curtain drain sluice gates, the replacement of culvert drain sluice gate, the installation of new boatholes, the installation of air vents, the repair of waste gate and the repair at internal leak (or installation of passive dechlorination system if needed).
6. Work associated with the above includes the removal of approximately 30 trees; all have been tagged in the field.
7. The Application was presented to the Town Board at a work session on 8/14/18, at which time a Public Hearing was scheduled. The Applicant appeared at a Public Hearing held on 9/25/18 and described the project details. The Public Hearing was subsequently closed on 9/25/18.

NOW THEREFORE BE IT RESOLVED, THAT:

1. The Town Board declares itself Lead Agency, as defined in 6NYCRR Part 617.2(u), for the coordinated review of said Actions under SEQRA.
2. The Action is approved by the Town Board subject to compliance with the Town Code and adherence to the plan documents submitted in support of the application.
3. The following conditions are included as part of the Action: All comments listed in the Town Engineer’s memo dated 9/20/18 and copied below hereto shall be addressed to the satisfaction of the Town Engineer prior to issuance of any permits.

**Additional Conditions of the Permit:**

Applicant shall participate in a public information hearing prior to the work occurring inside the aqueduct, which is planned to occur in spring 2020 and anticipated to be for six (6) month duration in the Town of Yorktown.

No Town road closures or detours are anticipated for the duration of this project. Should this become necessary (other than for an emergency-type condition), the Applicant shall contact the Engineering Department (914) 962-5722 x220 a minimum of 14 days prior so that the appropriate Town officials can be contacted for review and approval.

The work site at Hunterbrook will require a traffic management plan and partial road closure as further described on Contract Drawing CI-090.00 (SWPPP Page 224). Applicant shall provide 48-hour written notice to the Highway Superintendent and the Public Safety Committee prior to beginning this project.

**Conditions that must be met prior to the commencement of site work:**

1. **A pre-construction meeting must be held at the site.** The applicant or a representative shall contact the Engineering Department (914) 962-5722 x220 to arrange this meeting. Meeting shall be attended by a representative from the NYCDEP who will be responsible for overseeing the work, the NYCDEP field representative and the Contractor who will be performing the work. Topics to be covered: Scope of work review, construction staging, work schedule, site access, etc.
2. Applicant shall obtain any other regulatory permits if required.

**Conditions that must be met during construction:**

1. The entire scope of work is shown on the documents submitted in support of this application; no additional activity of any kind shall be permitted without the issuance of a new permit by the appropriate approval authority. No changes to the existing site topography shall be permitted.
2. Work to be performed during the hours of 7 am to 6 pm weekdays and 8 am to 6 pm on weekends.
3. Where applicable the guidelines contained in the NYSDEC Manual of Erosion & Sediment Control, latest edition, shall be followed.
4. All work and contractor staging shall be limited to NYCDEP property unless written approval from the Town is obtained. Roadways shall be kept broom clean at all times.

**When the Project Work is Complete:**

1. Site restoration shall be performed at individual sites as the work is completed. The Engineering Department and Highway Superintendent shall confirm sites have been restored to their pre-construction condition prior to project closeout.
2. The applicant or his representative shall fill out and submit a Construction Completion Certificate to the Town Engineer. The Engineering Department will then perform a final inspection to confirm the required improvements have been satisfactorily completed. Applicant will be notified of concurrence or if any work is not acceptable.

We have no objection to an approval being granted for this project, subject to the comments above being addressed to the satisfaction of the Town Engineer prior to issuance of any project permits.

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

**PUBLIC HEARING - PROPOSED LOCAL LAW TO AMEND CHAPTER 275, ARTICLE 1 BY RELOCATING A STOP SIGN AT WHITE HILL ROAD AND MOHANSIC AVENUE**

Supervisor Gilbert convened a public hearing to consider a proposed Local law to amend Chapter 275, Article 1 "Traffic and Parking Regulations" by adding a full stop at White Hill Road at the northeast and southwest corners of the intersection with Mohansic Avenue.

Highway Superintendent David Paganelli explained the following: Mohansic Avenue is two lanes with a divider in the middle. There is a main road on the east side of Mohansic and a secondary

road – both have stop signs in the southerly direction. He is proposing to move the stop sign up to just before the “no outlet” side to give drivers the opportunity to be able to pull out.

Mrs. Barbara Wilkens, White Hill Road resident, said she did not understand where the stop sign would be and Mr. Paganelli explained the new location and the reason for the move. It is not an additional stop sign, just a repositioning. He also showed another resident the location by drawing a diagram of the location.

All those present having been given the opportunity to be heard and there being no further discussion, the hearing was closed. Upon motion made by Councilman Diana, seconded by Councilwoman Roker, and carried.

ADOPT LOCAL LAW NO. 2 OF 2018 TO AMEND CHAPTER 275, ARTICLE 1 BY  
RELOCATING A STOP SIGN AT WHITE HILL ROAD AND MOHANSIC AVENUE  
RESOLUTION #328

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

WHEREAS, a public hearing was held on September 25, 2018, pursuant to notice duly published as required by law to amend Chapter 275, Article 1 of the Code of the Town of Yorktown as follows:

Section II. Section 275-6A in Chapter 275, entitled “VEHICLES AND TRAFFIC,” Article I, of the Town Code, entitled “Traffic and Parking Regulations,” is hereby amended by the relocation of a stop sign upon which a driver of a vehicle shall come to a full stop unless otherwise directed by a peace officer:

White Hill Road at the northeast and southwest corners of the Intersection with  
Mohansic Avenue

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Supervisor Ilan D. Gilbert	Voting Aye
Deputy Supervisor Alice E. Roker	Voting Aye
Councilman Vishnubhai V. Patel	Voting Aye
Councilman Thomas P. Diana	Voting Aye
Councilman Edward A. Lachterman	Voting Aye

Local Law #2 of 2018 is hereby duly adopted.

AMENDED SPECIAL USE PERMIT FOR MOBIL GAS STATION, 2035 SAW MILL RIVER  
ROAD

Supervisor Gilbert reconvened a public hearing to consider the application filed by CPD Energy Corp. for an Amended Special Use Permit. The request is for the demolition of an existing 1000 square foot convenience store and for the construction of a new 3000 square foot convenience store at the Mobil Gasoline Station located at 2035 Saw Mill River Road.

Director of Planning John Tegeder said the applicant designed a new canopy by adding moldings that will be more attractive than the previous flat metal. He indicated to the design team that this is moving towards what the Board was looking for at previous meetings. He said the streetscape in front needs a more detailed look, but this could become a condition of the site plan.

Ms. Susan Siegel, resident, said that at the June meeting when Phil Greeley was talking about the master plan for the area, he said there would be road widening there and made a point of saying the widening strips should be added to future site plans. She wanted to know if this has been taken into consideration for this project. Mr. Tegeder said there is nothing on the site plan relating to this because it is up to the state DOT; however, the Town can help it along by asking Phil Greeley to work with the DOT. This is a road dedication issue but will need to be left up to DOT engineers to determine how much of a strip should be set aside. Supervisor Gilbert asked if we can set a range and Mr. Tegeder said yes, which could be added to the site plan. He said Phil Greeley’s design did not anticipate that much of a strip but he can be consulted.

Mr. Paul Jean, project engineer for the applicant, said if the DOT needs to do something to improve the area, they will have no objection.



All those present having been given the opportunity to be heard and there being no further discussion, the hearing was closed. Upon motion made by Councilman Lachterman, seconded by Councilman Diana, and carried.

Planning Director John Tegeder said he will prepare a draft resolution for the next meeting.

#### TELEVISIONING TOWN BOARD MEETINGS

A discussion took place among the Town Board members regarding the proposed resolution to televise all Town Board meetings.

Councilman Lachterman said his point of contention is that the Town Board has lost control over work sessions by people grandstanding during the meetings and this is counterproductive to the work session.

Supervisor Gilbert said he intends to address this issue as the Town Board moves forward and believes most of the work sessions were not where the public raised issues. He stated that more good is achieved by televising than by not.

Councilman Diana stated he disagreed with Supervisor Gilbert. Public hearings are the venue for people to voice their opinion about a particular issue; not work sessions.

Councilwoman Roker respectfully disagreed. She did agree that some meetings have gotten out of control but that is not a reason to not televise all meetings.

Councilman Lachterman said this is not the nature of work sessions. An applicant comes to the board during work sessions to get guidance and advice from the Town Board and feels this is hampered by televising the session.

Councilwoman Roker stated that almost all other towns televise their work sessions and that we are behind the times in this regard.

#### APPROVE TELEVISIONING TOWN BOARD MEETINGS

##### RESOLUTION #329

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

RESOLVED, that all meetings of the Town Board of the Town of Yorktown will be televised.

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

#### AUTHORIZE SUPERVISOR TO SIGN AN INDEMNIFICATION AGREEMENT WITH THE YORKTOWN CHAMBER OF COMMERCE

##### RESOLUTION #330

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

RESOLVED, that the Town Board authorizes the Town Supervisor to sign an Indemnification Agreement with the Yorktown Chamber of Commerce for a display booth to be used by the Yorktown Landmarks Preservation Commission at the 2018 Yorktown Festival and Street Fair to take place on October 7, 2018.

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

#### BUDGET TRANSFER FROM SEWER FUND-FUND BALANCE TO RENTAL EQUIPMENT

##### RESOLUTION #331

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

RESOLVED, the Town Comptroller is authorized to transfer \$150,000 from Sewer Fund - Fund Balance to YS.8130.414 Rental Equipment for the purpose of paying for rental of a temporary emergency generator as a result of the storms and resulting power outages that occurred during the week of 3/1/18.

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

AUTHORIZATION TO SIGN A LETTER OF AUTHORIZATION FOR GALLANELLI  
SUBDIVISION

RESOLUTION #332

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

WHEREAS:

1. The Gallanelli Subdivision, 2777 Quinlan Street received approval from the Yorktown Planning Board on 9/17/18.
2. This project will require extension of the Town sewer consisting of one (1) new sewer manhole and approximately 300 linear feet of gravity sewer main along Quinlan Street. The new infrastructure will be installed at developer expense with inspection oversight provided by the Town. All work as currently planned will occur within the Town right-of-way so no easements are proposed or required. Once constructed, the infrastructure would be dedicated to the Town and the sewer department would be responsible for long-term operation and maintenance.
3. In order to submit the Town sewer extension for approval by the Westchester County Health Department, the New York State Department of Environmental Conservation and/or the New York City Department of Environmental Protection, a Letter of Authorization from the Town is required.

NOW, THEREFORE BE IT RESOLVED, the Town Board authorizes the Town Supervisor to sign a Letter of Authorization for the Gallanelli Subdivision, 2777 Quinlan Street that will authorize the Applicant's Project Engineer to submit engineering plans and associated application documents for a Town sewer extension to the appropriate regulatory authorities.

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

AUTHORIZATION FOR SUPERVISOR TO SUBMIT DOCUMENTATION FOR NYSDOT  
APPROVAL OF BRIDGE NY PROJECTS

RESOLUTION #333

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

WHEREAS:

1. The Town was awarded 100 percent funding (\$820,000) for the Culvert Replacement at Veterans Road over Hallocks Mill Brook as part of the 2016 Bridge NY program.
2. The Town was awarded 95 percent funding for the Bridge Replacement Hill Boulevard over Tributary to Barger Brook (\$2,600,000 project cost; award amount \$2,470,000) as part of the 2016 Bridge NY program.
3. The engineering company working for the Town on this project, WSP USA Inc., has completed the engineering design and preparation of the contract drawings and specifications for both projects. The next step in the process is for submission to the NYSDOT for approval to bid the projects. There are various forms that must be signed and submitted with the NYSDOT submission by the Responsible Local Official, which is the Town Supervisor.
4. As part of the work, right-of-way acquisitions will be needed from adjoining property owners. WSP USA Inc. has been working with a sub-consultant (R.K. Hite) on this task and there are various documents that must be signed by the Responsible Local Official (i.e. the Town Supervisor) to finalize the appraisals and establish the compensation amounts in accordance with NYSDOT standards.

NOW, THEREFORE BE IT RESOLVED, the Town Board authorizes the Town Supervisor to submit construction documents and related documentation for NYSDOT approval and right-of-way acquisition of 2016 Bridge NY Projects, (1) the Culvert Replacement at Veterans Road over Hallocks Mill Brook and (2) the Bridge Replacement Hill Boulevard over Tributary to Barger Brook.

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

BOND RELEASE – YESHIVA/YKY SEWAGE TREATMENT PLANT PROJECT  
RESOLUTION #334

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

WHEREAS:

1. The Yeshiva/YKY, as applicant for a land development project, posted Check #10492 in the amount of \$1,500 which was deposited into the T33 account on July 31, 2009 to serve as the Wetland Bond for Permit #WP-E-035-08.
2. Yeshiva/YKY, as applicant for a land development project, posted Check #10493 in the amount of \$2,500 which was deposited into the T33 account on July 31, 2009 to serve as the Erosion Control Bond for Permit #WP-E-035-08.
3. Yeshiva/YKY, as applicant, has requested their monies be released as the project work is now complete.
4. 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 \$4,000 are hereby released to Yeshiva/YKY, 638 Bedford Avenue, Brooklyn, NY 11211, Attn: C. Schlesinger.

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

EROSION CONTROL BOND AND TREE & MITIGATION BOND RELEASES –  
YESHIVA/YKY (GREEN POWER DEVELOPERS, LLC)  
RESOLUTION #335

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

WHEREAS:

1. Green Power Developers, LLC, as applicant for Yeshiva/YKY for a land development project, posted U.S. Specialty Insurance Company License and Permit Bond No. 1000966162 in the amount of \$5,000 to serve as the Erosion Control Bond for Permit #FSWPPP-T-049-13.
2. Green Power Developers, LLC, as applicant for Yeshiva/YKY for a land development project, posted U.S. Specialty Insurance Company License and Permit Bond No. 1000966163 in the amount of \$5,000 to serve as the Tree & Mitigation Bond for Permit #FSWPPP-T-049-13.
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 bonds be released to Green Power Developers, LLC, 366 Ramtown-Greenville Road, Howell, NJ 07731.

NOW, THEREFORE BE IT RESOLVED, that the above referenced bonds are hereby released to Green Power Developers, LLC, 366 Ramtown-Greenville Road, Howell, NJ 07731.

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

PERFORMANCE BOND RELEASE – THOMAS GORMAN, 2353 GRANVILLE COURT  
RESOLUTION #336

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

WHEREAS:

1. Thomas Gorman as applicant, posted check #395 in the amount of \$2,250 (\$1,500 Performance Bond, \$750 Inspection Fee- non-refundable) which was deposited to the T33 account on October 20, 2017 to serve as the Performance Bond for site work performed at the Granville Court location.
2. Thomas Gorman has requested his Performance Bond be released, as the site 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 Performance Bond in the amount of \$1,500 be and is hereby released to Mr. Thomas Gorman, 2353 Granville Court, Yorktown Heights, NY 10598.

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

PERFORMANCE BOND RELEASE – CORAL SEA POOLS  
RESOLUTION #337

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

WHEREAS:

1. Coral Sea Pools as applicant for Idriz Haxhiaj, posted check #2139 in the amount of \$300, which was deposited to the T33 account on September 29, 2017 to serve as the Performance Bond for site work performed at the Echo Hill Path location.
2. Coral Sea Pools has requested the Performance Bond be released, as the site 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 Performance Bond in the amount of \$300 be and is hereby released to Coral Sea Pools, 518A North State Road, Briarcliff Manor, NY 10510, Attn: Francine.

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

PERFORMANCE BOND RELEASE – JOSEPH TRESCA  
RESOLUTION #338

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

WHEREAS:

1. Joseph Tresca as applicant, posted check #367 in the amount of \$250, which was deposited to the T33 account on March 31, 2017 to serve as the Performance Bond for site work performed at the Clearview Street location.
2. Joseph Tresca has requested the Performance Bond be released, as the site 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 Performance Bond in the amount of \$250 be and is hereby released to Mr. Joseph Tresca, 3017 Clearview Street, Yorktown Heights, NY 10598.

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

REFUND OF STREET OPENING PERMIT  
RESOLUTION #339

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

RESOLVED, the Town Board authorizes the Town Comptroller to issue a refund of a street opening permit in the amount of \$1,000 to John & Elaine Kincart, 1643 Maxwell Drive, Yorktown Heights, NY 10598.

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

AUTHORIZATION FOR THE TOWN SUPERVISOR TO SIGN JCAP GRANT APPLICATION  
RESOLUTION #340

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

RESOLVED, that the Town Board authorizes the Town Supervisor to sign the JCAP Grant Application from the Office of Court Administration, totaling \$17,091.18.

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

SET PUBLIC HEARING DATE FOR THE LANDMARKING OF THE ALBERT A. CAPELLINI COMMUNITY AND CULTURAL CENTER  
RESOLUTION #341

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

RESOLVED, that the Town Board authorizes the Town Clerk to advertise a public hearing regarding the landmarking of the Albert A. Capellini Community and Cultural Center.

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

REFUND OF OVERPAYMENT OF WATER BILL  
RESOLUTION #342

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

RESOLVED, that the Town Board authorizes the Town Comptroller to issue a refund due to a overpayment in the amount of \$13,165.40 to Jefferson Village Condominium No. 4, c/o McGrath Management Services, 444-D Old Post Road, Bedford, NY 10506.

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

RENTAL FEE WAIVER OF AACCCC GYMNASIUM – NOR-WEST  
RESOLUTION #343

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

Resolved, that the Town Board waives the rent fee for 24 hours at \$37/hour totaling \$888.00 for use of the YCCC gymnasium by Nor-West for their fall program session.

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

AUTHORIZE SUPERVISOR TO SIGN AN AGREEMENT WITH UNIVERSAL MEMBERSHIP FOR THE WORK NUMBER FOR GOVERNMENT AGENCIES WITH TALX CORPORATION, A PROVIDER OF EQUIFAX VERIFICATION SERVICES  
RESOLUTION #344

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

RESOLVED, that the Town Supervisor is hereby authorized to enter into a Universal Membership Agreement for The Work Number for Government Agencies with TALX Corporation, a provider of Equifax Verification Services (EVS) which operates as a service used by the Town's Section 8 program to verify employment and income for some of its participants.

The Section 8 program expects to incur no more than \$500/annually in services fees. These fees will funded by Housing Assistance Payments Account maintained by the Section 8 office and funded by U.S. Department of Housing and Urban Development ("HUD") and is at no cost to the Town of Yorktown.

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

BUDGET TRANSFER FOR EMERGENCY REPAIR OF PRESSURE VALVES  
RESOLUTION #345

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

BE IT RESOLVED, that the Town Comptroller is hereby authorized to make the following budget transfer:

Transfer \$20,000 from the Water Department Equipment Vehicles line (SW.8340.0201.0002) to the Water Department Outside Services line (SW.8340.0491) for emergency repair of pressure valves on the water main in the Holly Drive area.

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

ADVERTISE BID FOR AUTOMOTIVE AND SMALL ENGINE PARTS AND EQUIPMENT/TOOLS  
RESOLUTION #346

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

RESOLVED, that the Town Board authorizes the Town Clerk to Advertise Bid for Automotive and Small Engine Parts and Equipment/Tools for the Water Department.

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

AWARD BID FOR THE WATER MAINTENANCE MATERIALS  
RESOLUTION #347

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

WHEREAS, invitation to bid for the Water Maintenance Materials was duly advertised, and

WHEREAS, said bids were received and opened on September 6, 2018, and

RESOLVED, that upon the recommendation of the Distribution Superintendent, Ken Rundle, the bid for the Water Maintenance Materials be hereby awarded to:

Item 1: Kennedy K81 AW Screw-in Hydrants – Core & Main LP:

<u>4 ½” 5 ft.</u>	<u>4 ½” 6 ft.</u>	<u>5 ¼” 5 ft.</u>	<u>5 ¼” 6 ft.</u>
\$2,682.42	\$2,817.80	\$2,763.00	\$2,903.22

Item 1A: Mueller A421 & A423 Hydrants Ductile Iron – Core & Main LP:

<u>4 ½” 5 ft.</u>	<u>4 ½” 6 ft.</u>	<u>5 ¼” 5 ft.</u>	<u>5 ¼” 6 ft.</u>
\$2,045.56	\$2,119.51	\$2,155.59	\$2,251.12

Item 2: Mueller/Kennedy Resilient Wedge MJ DI Gate Valve – Core & Main LP:

<u>6”</u>	<u>8”</u>	<u>10”</u>	<u>12”</u>	<u>16”</u>	<u>24”</u>
\$626.50	\$987.06	\$1,532.89	\$1,949.78	\$6,207.78	\$17,201.52

Item 2B: Powerseal Cut-In Sleeve Model #3520 w/kit - Schmidts Wholesale:

<u>4”</u>	<u>6”</u>	<u>8”</u>	<u>10”</u>	<u>12”</u>
\$164.00	\$287.55	\$310.41	\$454.03	\$452.67

Item 3: Smith Blair Style 441 Malleable Iron Couplings -

Schmidts Wholesale:	<u>*6”</u>	<u>*8”</u>	<u>*10”</u>	<u>*16”</u>	<u>*24”</u>
	\$66.40	\$96.39	\$127.53	\$269.20	\$553.83

\*Powerseal 3501 Carmel Winwater: 12” \$146.80

Item 4: Repair Couplings (3121AS) - Schmidts Wholesale:

<u>2”x8”</u>	<u>2”x10”</u>	<u>2”x12”</u>	<u>6”x8”</u>	<u>6”x10”</u>	<u>6”x12”</u>
\$38.22	\$51.26	\$55.65	\$48.96	\$66.70	\$71.74

<u>8”x8”</u>	<u>8”x12”</u>	<u>10”x12”</u>	<u>12”x12”</u>	<u>16”x16”</u>	<u>24”x16”</u>
\$57.23	\$80.76	\$92.74	\$96.41	\$245.30	\$389.60

Item 4A: Repair Couplings (3131AS w/1”cc) - Schmidts Wholesale:

<u>2”x8”</u>	<u>2”x10”</u>	<u>2”x12”</u>	<u>6”x8”</u>	<u>6”x10”</u>	<u>6”x12”</u>
\$51.00	\$64.04	\$68.43	\$61.74	\$79.48	\$84.52

<u>8”x8”</u>	<u>8”x12”</u>	<u>10”x12”</u>	<u>12”x12”</u>	<u>16”x16”</u>	<u>24”x16”</u>
\$70.01	\$93.54	\$105.52	\$109.19	\$258.08	\$402.38

Item 5: Cement Lined Ductile Pipe Push-on Joint (price per foot) – Core & Main LP:

<u>6”</u>	<u>8”</u>	<u>10”</u>	<u>12”</u>	<u>16”</u>	<u>24”</u>
\$14.42	\$20.30	\$26.47	\$33.49	\$48.28	\$79.08

Item 6: Type K Copper Water Tube (price per foot) – Schmidts Wholesale:

<u>¾"</u>	<u>1"</u>	<u>1 ¼"</u>	<u>1 ½"</u>	<u>2"</u>
\$3.57	\$4.27	\$6.25	\$8.17	\$11.11

Item 7: Mueller Curb Stops (H15214N) –

Core & Main LP:	<u>¾"</u>	<u>1"</u>
	\$59.93	\$98.97

Schmidts Wholesale:	<u>1 ¼"</u>	<u>1 ½"</u>	<u>2"</u>
	\$132.32	\$187.69	\$356.35

Item 7A: Corporations Mueller (H15000N) –

Core & Main LP:	<u>¾"</u>	<u>1"</u>
	\$28.42	\$43.36

Schmidts Wholesale:	<u>1 ¼"</u>	<u>1 ½"</u>	<u>2"</u>
	\$124.09	\$118.31	\$140.25

Item 7B: Curb Stop Mueller (H15219N) – Core & Main LP:

<u>¾"</u>	<u>1"</u>	<u>1 ½"</u>	<u>2"</u>
\$61.56	\$106.06	\$203.36	\$302.17

Item 7C: Corporations Mueller (H15008N) – Core & Main LP:

<u>¾"</u>	<u>1"</u>
\$30.47	\$46.14

Item 7D: Corporations Mueller (H15013N) – Schmidts Wholesale:

<u>1 ½"</u>	<u>2"</u>
\$117.30	\$187.77

Item 7E: Mueller 3 Pt Flare/Flare (H15400N) –

Core & Main LP:	<u>¾"</u>	<u>1"</u>	<u>1"</u>	<u>2"</u>
	\$15.67	\$27.43	\$82.95	\$91.09

Schmidts Wholesale:	<u>1 ¼"</u>
	\$49.11

Item 7F: Mueller Comp Union (H15403N) – Core & Main LP:

<u>¾"</u>	<u>1"</u>	<u>1 ¼"</u>	<u>1 ½"</u>	<u>2"</u>
\$17.03	\$18.57	\$53.17	\$65.47	\$88.42

Item 8: Mueller Curb/bx Ext. Type w/Rods - Carmel Winwater:

<u>H10386</u>	<u>H10314</u>
\$36.00	\$27.00

Item 9: 5' Main Valve/Bx Slide/Lid Mark/Water - Carmel Winwater: \$64.00

Item 9A: Main Valve Box Tops 2' – Schmidts Wholesale: \$28.75

Item 9B: Main Valve Box Lids/Marked Water 5 ¼" – Carmel Winwater: \$7.85

Item 10: Fixed Valve Box Riser or Rite Heights – Carmel Winwater:

<u>1"</u>	<u>1 ½"</u>	<u>2"</u>	<u>3"</u>
\$4.50	\$5.90	\$7.40	\$11.15

Item 11: Hymax Couplings (Series 2000) - Schmidts Wholesale:

<u>**2"</u>	<u>**4"</u>	<u>**6"</u>	<u>**8"</u>	<u>**10"</u>	<u>**12"</u>	<u>**16"</u>	<u>**24"</u>
\$83.98	\$139.04	\$183.59	\$207.88	\$264.51	\$323.21	\$820.16	\$1,134.20

\*\*421 Top bolt couplings – Smith Blair

Item 12: Safety Flange Repair Kit Mueller – Schmidts Wholesale:

<u>A300 4 ½ MVO</u>	<u>A301 5 ¼ MVO</u>
\$156.15	\$156.15

Item 13: Kennedy Collision Repair Kit (#K8149) – Core & Main LP:

<u>4 ½ MVO</u>	<u>5 ¼ MVO</u>
\$150.00	\$150.00

Item 13A: Mueller Super Centurion Fire Hydrant Extension Kit – Schmidts Wholesale:

<u>A319 4 ½ MVO</u>		
<u>6"</u>	<u>12"</u>	<u>18"</u>
\$357.38	\$415.63	\$450.28

<u>A320 5 1/4 MVO</u>		
<u>6"</u>	<u>12"</u>	<u>18"</u>
\$393.07	\$462.50	\$523.76

Item 13B: Heavy Duty Fiberglass Hydrant Markers 5 ft. Standard Marker  
Flat Bracket w/spring – Core & Main LP: \$25.00

Item 14: Curb Box Extension w/Set Screw 1” Box - Carmel Winwater:

<u>3"</u>	<u>6"</u>	<u>9"</u>	<u>12"</u>
\$5.90	\$7.40	\$7.95	\$10.10

Item 14A: Mueller Curb Box Lids Two-hole H10310-89982 - Schmidts Wholesale: \$11.52

Item 15: Foster Adaptor (Mechanical Joint Adaptors) -  
Core & Main LP:

<u>4"</u>	<u>8"</u>	<u>10"</u>	<u>12"</u>
\$59.53	\$114.85	\$161.65	\$177.61

Carmel Winwater:

<u>6"</u>
\$73.00

Item 16: Positive Displacement Meters – Core & Main LP:

<u>5/8"x3/4"</u>		<u>1"</u>	
<u>Indoor Set</u>	<u>Outdoor Set</u>	<u>Indoor Set</u>	<u>Outdoor Set</u>
<u>MXU M2 sp/tc</u>	<u>MXU M2 pit sp/tc</u>	<u>MXU M2 sp/tc</u>	<u>MXU M2 pit sp/tc</u>
<u>hr/leak det. 510</u>	<u>hr/leak det. 520</u>	<u>hr/leak det. 510</u>	<u>hr/leak det. 520</u>
\$142.52	\$159.79	\$240.21	\$257.49

Item 17: 510M Smartpoint M2 TC SP Single Port Touch Coupler (House MXU only) - Core & Main LP: \$151.06

Item 18: 5250M Smartpoint M2 Pit Ver. Single Port Touch Coupler (Meter Pit MXU only) - Core & Main LP: \$159.00

Item 19: 20” Round Meter Pit Covers with Remote Hole: - Core & Main LP: \$135.00

Item 20: 2” Extension Ring – Core & Main LP: \$86.95

Item 21: Stargrip Series 3000 Mechanical Joint Wedge Action Restraining Glands with Accessory Pack-

Carmel Winwater:	<u>6"</u>	<u>8"</u>	<u>10"</u>	<u>12"</u>
	\$31.15	\$37.89	\$51.00	\$78.40
Schmidt Wholesale:	<u>4"</u>			
	\$26.40			

Item 22: Anti Rotation T-Bolts – Core & Main LP:

<u>¾" x 4"</u>	<u>¾" x 6"</u>
\$4.00	\$7.00

FURTHER RESOLVED, said bid shall remain in effect with a fixed price for a binding period of one (1) year after September 25, 2018.

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

**The Town Board moved into a Work Session to discuss the following:**

**WEYANT PROPERTY**

Mr. DeVito came before the Board seeking direction/decision for his project. Director of Planning John Tegeder is suggesting Transitional Zoning for the property. Councilman Diana said he likes either the townhouse or duplex mode and, hopefully, some of the design can be geared towards seniors. Mr. DeVito said that is why he needs direction because if they did go with the townhouse model, some of them would be designed as single story. Mr. Tegeder said the two-building scenario would provide more opportunities for seniors and younger people and that this is an



important aspect of this decision. Supervisor Gilbert asked if the Roma building project would also have to have this to add more variety and Mr. Tegeder replied that the Town does lack diversity in its housing. He said the other option of townhouses would be making accommodations when the two-building option already serves that purpose. Supervisor Gilbert said that originally he was in favor of less units because it would mean less disturbance, but after meeting with the neighbors, all wanted the townhouses.

Councilman Lachterman said the townhouses speak to families, not to young people and seniors. He feels the townhouses price out these two groups.

Mr. DeVito said the rent would be between \$1,500 to \$2,000/month.

Councilman Lachterman said he felt that this is detrimental to our housing stock. He said when he looks at the area and what is going to happen on both sides of the property, he feels the townhouses will be an eyesore. Councilman Diana disagreed with this because he said he feels it would be a progression of housing types.

Councilwoman Roker said she feels the addition of the apartments will bring commercial activity to the area. Businesses look to younger demographics because they spend more money.

Councilman Patel said that the neighbors' views should be the primary consideration.

Councilman Lachterman stated that the Board needs to hear and listen to differing opinions but they, as a Board, have been entrusted to make the right decisions for the Town.

Supervisor Gilbert said that even if the project is for the townhouses, the proposed project at the Roma Building will help provide the desired housing for seniors and young people. His direction is to move forward with the townhouses.

Councilman Lachterman is for the two-building project.

Mr. DeVito said that he believed that his best proposal was his first proposal – the two-building option. He still believes that this is the correct proposal but is willing to compromise in order to move the project forward.

Councilman Patel said at that time the Roma Building project was not in the picture. He prefers the townhouses.

Councilman Diana said he was fine with the townhouses.

Councilwoman Roker asked what would be seen from the road. Mr. DeVito said no matter what is done to Route 202, he will have to give it a front in order to make it aesthetically pleasing. He said he will not just slap something up to make an income stream; he takes pride in his projects. Councilwoman Roker said she does not like the idea of the back of houses facing Route 202. Joe Riina, project engineer, said that if they get the “ring” road, this will not happen.

The consensus of the Board is to go with the townhouse model. Mr. DeVito asked to for a public hearing to consider the request for transitional zone. Mr. Riina asked for a recommendation as to how to proceed – would the Planning Board be the next step? Mr. Tegeder asked the Board to what extent did the Town Board want the Planning Board involved. Does the Board want the Planning Board to detail out the site plan and produce a site plan that they will present to the Town Board? Supervisor Gilbert seemed to agree with this next step. Mr. Riina said they would like to see the zoning set first, then go to Planning with the 23-unit townhouse plan and then present the final plan (with the Planning Board's input) to the Town Board. Mr. Tegeder said a transitional zone request means that it is completely based on the site plan. You cannot zone transitional without having really having close to a final situation that you are actually approving under that zone.

Since the original request was already referred out as the duplex plan, the townhouse plan will now need to be referred out. A public hearing for the zoning will be scheduled for October 16<sup>th</sup>. A general concept of the new project will be ready for that meeting.

## PINESBRIDGE MONUMENT

Director of Planning John Tegeder came before the Board to discuss the location for the Pinesbridge Monument.

Councilman Diana said this is a pressing issue because the monument is complete.

Mr. Tegeder said that no additional monies should be needed at this point. It seems that Railroad Park is the preferred option for the statue. It will be in the center of the semi-circular walk at the railroad station building. Councilwoman Roker said she likes the idea of Patriots Park (Mr. Tegeder agrees) but said people do not know that a park is there. Also, changes must be made to erect a sign and clean up the area. Supervisor Gilbert preferred Patriot's Park; it seems like a more natural location for the statue.

Councilman Diana said they are working on a committee for this project (himself, Chamber of Commerce President Eric DiBartolo, and developer John DeVito). Councilman Diana is in favor of Railroad Park. He understands the desire for the statue to be in Patriot Park. He said there has been some talk of relocating the adjacent skate park in order to lend more reverence to the area so people can pay their respects to the existing monuments.

Councilwoman Roker said she likes Patriot Park but feels there needs to be a sign so people know it's there. Mr. Tegeder feels it is progressing nicely but still needs improvements.

Councilman Diana said they are also working under time constraints because of the upcoming colder weather.

Mr. Tegeder said he is fine with it in Railroad Park. Councilwoman Roker said she will agree with the Railroad Park location because she wants people to see the monument. Supervisor Gilbert and Councilman Patel preferred Patriot Park.

A decision was made that the location for the Pinesbridge Monument would be Railroad Park.

## DP YORKTOWN, LLP – OLD HILL FARM PROPERTY REZONING

Mr. David Steinmetz and Mr. Matt Acocella, attorneys for DP Yorktown, and owner Katherine Hoenig, came before the Board to discuss the rezoning of Ms. Hoenig's property from R1-20 to R-3 in order to move forward with a 150-unit rental development on approximately 19 acres. It will consist of one to two-bedroom rental units housed within 11 buildings. Mr. Steinmetz feels it will appeal to empty nesters and young people. Pedestrian connectivity to surrounding commercial areas (i.e., Hill Boulevard) will need to be established and they are investigating this as part of the project. Existing power lines complicate this issue, as well as environmental constraints (wetlands). Vehicle connectivity to the Club Fit side is also being explored. John Tegeder thinks that the physical restraints of the area (power lines) need to be looked at closely. If a more direct connection to Hill Boulevard is looked at from the middle of the proposed development to the center of the commercial area on Hill Boulevard, people will use it. The wetlands area runs along Con Edison's power lines. Mr. Steinmetz wanted to know if the Town Board will declare Lead Agency or formally refer it to the Planning Board.

Councilwoman Roker said that Jefferson Valley is one of the areas that seem to feel somewhat forgotten in terms of development or progression. This would be a project that would boost the area economically and presents an area where sidewalk development can take place. She said that the Town Board should be the lead agency and that a referral to the Planning Board should be made. A resolution for intent to declare lead agency will be placed on the October 2<sup>nd</sup> Board Meeting Agenda.

## PARKS AND RECREATION – UPDATE

Parks and Recreation Superintendent Todd Orlowski came before the Board to update them on a couple of issues. The results from the resurfacing and rehabilitation of the tennis courts came back from Oval Tennis and Sports Tech. Oval Tennis came in with good numbers to do crack repair and surfacing at Downing Lower Courts (\$27,400), Blackberry Courts (\$28,600), and also reconstructing the courts and Upper Downing (\$125,100) and Shrub Oak Park (\$124,520). Oval Tennis came in with a total of \$305,680 for all courts and Sports Tech came in with a total of \$486,182. Sports Tech has done work on our tennis courts in the past and is familiar with them. There may be some funding available in trusted agency accounts. The courts will be done in phases – Downing Courts will be in the first phase. The company will be allowed to prioritize for the spring. Councilwoman Roker said that before committing, the Board should talk to the Town

Comptroller regarding the money. A discussion followed regarding the conditions of the courts. Councilman Diana said that he believes the Town has two contractors that owe park recreation contributions. It is possible that one of these contractors may be able to contribute to this project. John Tegeder said this is a Planning decision.

Mr. Orłowski moved on to an update on the Granite Knolls project. The pre-fab concrete buildings arrived today, as well as the installer. The crane arrives tomorrow to start installation. The contractor, Montesano, has now moved to the north end of the property. The tying in of the electric is underway – the electrical component is almost complete. The turf has had some delay due to weather. There is a proposal from Marshall Alarms for surveillance, and another one will be coming by this Friday. Councilman Lachterman and Councilman Diana talked about using “litter cams” there to give some form of temporary surveillance. Councilwoman Roker said a resolution will be needed to move forward on cameras.

#### SOLAR LAW

Keith Holmes who works in the solar energy field asked the Board about their progress regarding the proposed solar law. Supervisor Gilbert said a number of interested parties have gone to the planning department regarding solar farms and the Town Board is working on a statute that would give direction as well as possibly take advantage of the credits and a pilot that will be available. Mr. Holmes said his company has formed a public benefit corporation and they monetize the investment tax credit and either donate them back to towns, school districts, or other not for profit organizations. This is something other companies are not doing. John Tegeder said that the draft law does not really get into this aspect of solar technology – it is more about land use issues. Mr. Holmes asked if the proposed law addresses both rooftop panels and solar farms and Mr. Tegeder said that it would, hopefully, be comprehensive enough to address farms and solar as an accessory use (rooftops). Mr. Tegeder further stated that regarding the commercial aspect, it will not necessarily allow a solar farm on a single piece of land in a commercial area. However, it is a draft law and will be open for public comment at a public hearing. Mr. Holmes asked if he could attend a work session to discuss possible locations for farms in Town.

Councilman Diana said it might be a good idea to think about solar panels for Town Hall once the roof is done. Supervisor Gilbert mentioned possibly working with a solar panel company to also work with the Town on roof replacement. A discussion took place regarding how the electricity works from solar panel and the savings to the consumer. Councilman Lachterman talked about the solar panels on his home.

It was decided to hold further discussion of both the proposed solar law and proposed tree law at the October 9<sup>th</sup> work session.

#### CRYSTAL LAKE PUMP STATION REHABILITATION

Councilwoman Roker asked if there was sufficient money for this project. Councilman Lachterman said he believed that it had been set aside. Supervisor Gilbert said the Board cannot make a decision until the Town Comptroller is consulted and then a decision can be made at a future work session.

#### ADJOURN

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

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DIANA L. QUAST, RMC, CMC  
TOWN CLERK  
TOWN OF YORKTOWN