

Meeting of the Town Board, Town of Yorktown held on Tuesday, January 22, 2019 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: Maura Weissleder, Deputy Town Clerk
 Richard Abbate, Town Attorney

TOWN BOARD MEETING

Supervisor Ilan Gilbert called the meeting to order.

EXECUTIVE SESSION

Upon motion made by Councilman Diana, seconded by Councilman Patel, the Town Board moved into Executive Session to conduct interviews and discuss individual personnel issues, as well as litigation and negotiations. Upon motion made by Councilman Diana, seconded by Councilman Patel, the Town Board moved out of Executive Session and proceeded with the meeting.

REPORT FROM THE TOWN SUPERVISOR

Supervisor Gilbert commented on the recent storm which caused significant icing conditions and how admirably it was handled by Highway Superintendent Dave Paganelli and his department. The Town sustained power outages with both Con Edison and NYSEG. Supervisor Gilbert stated that they are continuing, as a Board, to work with both companies to continue to improve services and response time in Yorktown. The Town is continuing to work with Con Edison on their pilot program to identify “danger trees” on Underhill Avenue that pose a risk to electrical lines or are dead and/or dying. These trees would be removed at no cost to the homeowner and with their permission. Consent has been given to remove 48 trees, so far. Con Edison will begin this work next week.

MOHEGAN AVENUE RETAINING WALL

Town Engineer Michael Quinn and Highway Superintendent Dave Paganelli came before the Board to discuss moving forward with the repair of the retaining wall on Mohegan Avenue. Mr. Quinn said that in 2017 the Town retained a consultant to prepare plans and specifications to go out for bids for the scope of the work which is a complete replacement of the retaining wall. The wall is approximately 580 feet and varies in height from 4 to 11 feet. It is a large project estimated to be anywhere from \$700,000 to \$1,000,000. When the plans were complete in early 2018, the Town did not have the funds allocated due to other projects. There has been some recent degradation of the roadway and certified inspectors from WSP Consultants were asked to come out and take a look at the wall and road. They went out last Thursday and Mr. Quinn presented some photos that were taken at that time. The new wall will be made out of large pieces of stones, 2 by 3 feet stacked concrete blocks, that will be placed in front of the existing wall which will necessitate making Mohegan Avenue wider. Plans and specifications are ready, but first he and Dave Paganelli would like to meet with WSP to discuss if something needs to be done to stabilize the area before the project could begin. This will require another week or two to plan. Mr. Quinn also would like to review the specifications book and the front-end particulars in the contract.

Supervisor Gilbert said he has visited the site since the last meeting and said that obviously this needs to be done. It is not an issue that happened overnight but one that has occurred over time.

Dave Paganelli said the bottom line is that this is a project that needs to be done, ideally over the summer. There are no easy detours in the area. Hillside, Lakeside, and Kimball would have to be turned into one-ways so it would be prudent to start this as soon as school ends. If WSP comes back and says this is an imminent problem, some sort of sheeting will have to be done to hold the wall back until they can get there in June. Mr. Paganelli is asking the Board for permission to go out to bid.

The Town Board agreed to advertise the bid for the repair of the Mohegan Avenue retaining wall.

AFFORDABLE HOUSING SET-ASIDE PRESENTATION

Mr. Ken Belfer from the Community Housing Board, as well as Karren Perez, Section 8 Director, Ms. Judy Reardon, Westchester County Housing Board, and Maura Gregory, Member, Community Housing Board, came before the Town Board to propose a law requiring a housing set-aside requirement for new housing developments in Yorktown. Yorktown had an Affordable Housing Law (Chapter 102), adopted in 2011 and it was repealed in 2017 by a former Town Board. The set-aside would require 10 percent of units built over a certain size, either for sale or for rent, be designated as affordable housing. Now that development has picked up, the Housing Board feels it is appropriate to have a set-aside requirement.

Mr. Belfer stated the purpose of having a set-aside requirement is to provide affordable housing in Yorktown. There has been a lot of discussion regarding the need for housing for senior citizens who wish to downsize, as well as young families and young singles. This new set-aside would require a development with 10 or more units to dedicate 10 percent to affordable housing. Mr. Belfer then discussed technical definitions as to how to define affordability (area medium income), as well as the selections of those who are chosen for the units. Past practices allowing preferences (volunteer emergency service workers, local residents, etc.) have now been deemed to be a violation of fair housing law. Yorktown also has a non-discrimination policy that does not allow preferences, as well. The current proposed selection would be a lottery system. The proposed law would apply to both home ownership and rental units. Home ownership income levels would be higher since the homeowner would have to qualify for a mortgage. Mr. Belfer said there is an actual draft of the law that has been submitted to the Town Board for consideration. He would like to see this draft referred out to appropriate agencies for input.

Supervisor Gilbert said the Town had an affordable housing law, then did not, and would like to know why the Board should consider it again. Mr. Belfer said basically to be able to provide more affordable housing opportunities within the Town as new housing is developed.

Councilwoman Roker asked Judy Reardon to speak about the Westchester County Housing Board. Ms. Reardon said the County does a variety of things, in particular they track local legislation and track the mechanisms that they have utilized to develop affordable housing. She believes the entire area of affordable housing should be looked at, not only from a set-aside perspective but from a zoning perspective, as well. Councilwoman Roker said then the County looks at a lot of methods, not just set-asides and Ms. Reardon agreed.

Mr. Ken Belfer said the County published a “model ordinance” and in drafting their law, the Housing Board reviewed this and in some ways their proposed law parallels the model ordinance sufficiently that it may be acceptable to the County. The proposed law departs from it in certain ways that would better reflect the economics of housing in Yorktown, such as starting with developments of 10 units or more (the County’s model ordinance starts with 5 units or more).

Councilman Diana said his understanding was that this would not be restricted to Westchester County residents but approximately 8 other counties as well. Mr. Belfer said that was part of a settlement involving the County and 750 units they built. How the current proposed affordable housing would be marketed and to who would have to be determined but the theory that you do not market only within a local community but more broadly – such as Westchester County’s Home Seeker webpage.

Councilman Diana raised the issue of someone, over time, earning over the amount that initially qualified him/her for affordable housing. Would they have to sell or leave their unit? Ken Belfer said upward mobility is what we wish for everyone. As long as a person qualifies at the time of ownership, that is all that is required. What a person makes beyond that time, whether less or more, is nobody’s business. At time of resale, the homeowner has to sell it through the program and the resale price is restricted, profit is limited and meant to keep that home affordable. Rental housing works somewhat differently. If you go over 40% of the required income level you would have to transfer to a market rate unit or given one more year renewal of your lease.

Councilwoman Roker asked if County-built affordable housing in Yorktown had to comply with the Town’s Affordable Housing Law. Mr. Belfer said no, the law has an exception in it that if there are development funding sources that already restrict the deed and mandate affordability greater than 10 percent that overrides the Town law and Town law would not apply.

Supervisor Gilbert said that an affordable housing law would have far fewer objections if it could be marketed to our volunteer emergency service workers, seniors, teachers, etc. He stated that the income standards that are being set would also seem to include this group of applicants, regardless of whether they are local or not.

Councilman Lachterman stated that it may not be the same group in applicants. The Town has options of increasing the housing stock that our seniors and young families could choose. He said he has made a pledge to help Yorktown seniors and Yorktown youth. There is a chance with the lottery that not one person chosen would be a local resident. He said he thinks by doing that we take away affordable housing for our residents. Councilman Lachterman stated that is the same philosophy if we keep pushing forward to lower the price on these set-aside units, it will raise the price on the remaining units. This will adversely affect the residents in Yorktown, who are the Board's responsibility.

Mrs. Maura Gregory said that there has been research done that shows when these units are marketed, it is usually for people in the general locality who are interested in remaining in the locality. She said she did not understand Councilman Lachterman's argument that creating affordable housing hurts the chances for those in the community. If there were 40 units built and 4 are affordable housing, you have just created 4 affordable housing opportunities for local residents to apply for. Councilman Lachterman explained that market value is a question of supply and demand. He also questioned how many of the residents at the new County-sponsored Kear Street housing were local residents of the community prior to the lottery. Karren Perez commented that they are now members of the community.

Mrs. Maura Gregory said that, as housing prices increase, this is a statement by the Town that we are trying to help offset that to make things still available to those who cannot afford increased prices. Councilman Lachterman cited the Weyant Project, the Roma Building Project, and the Jefferson Valley Project as potential examples of providing more housing to residents, which will be less expensive than owning a single-family house. As you increase the stock, you increase the supply and the demand, per se, will dictate the price. Mrs. Gregory replied that there is almost nothing available in Yorktown that meets the price ranges unless it comes in through some kind of an affordable housing program.

Councilman Patel said that many people cannot afford even the rentals that are available and just because someone is not considered local does not mean that they will not be a contributing member of the community.

Councilman Lachterman asked questions about homeownership under affordable housing being considered part of an estate. Mr. Belfer said although it was not specifically addressed in the new law, local law cannot override State or Federal laws regarding inheritance. Judy Reardon said that the lenders involved in County affordable housing provide a specific mortgage. You would not be able to mortgage more than what you own. The mortgage is individual to the person who owns the house, and the lender is well aware of the affordable housing restrictions. The lender may require a "due on sale" clause, which could force the occupants out. A mortgage cannot be passed on or ownership flipped from one family member to another.

Mr. Belfer said Ms. Reardon's answer is based on government-funded affordable housing programs. The proposed law would apply to market housing so it would not have those same government funding restrictions. Councilman Lachterman asked if there is a point where the deed restriction ends and the house can then be sold at market value. Mr. Belfer said they are proposing that the restrictions on home ownership units are perpetual; they are not time limited. The restrictions on rental units are 50 years. This is similar to Yorktown's original Affordable Housing Law. There is a limited amount of appreciation allowed and you would still have to sell it to someone who qualifies under the affordable housing program.

Supervisor Gilbert said that in considering this law, the Board has to decide how much of a difference it may make. Mr. Belfer said this really is market driven. How many available units are being produced that can then produce affordable units.

A discussion ensued regarding a time when the Town chose to purchase some affordable housing units using the Affordable Housing Trust Fund (money given to the Town by developers for affordable housing in lieu of them including affordable housing in their development) at a time

when the market dropped. The fund was used to subsidize some units for the difference between what the units could be sold for at that particular time and the allowed sale price and keep them in the program. The draft law is very explicit in addressing the risks of home ownership - one being a drop in market value.

A discussion ensued regarding how these affordable housing units affect taxes. Mr. Belfer said a different formula is used when assessing these units.

Supervisor Gilbert asked how many municipalities in Westchester have affordable housing laws. Mr. Belfer said he did not have the number but there is a chart on the County's website that shows the information, as well the amount of set-asides within each community.

Ms. Judy Reardon said that the majority of communities use the model ordinance as a base for their own affordable housing ordinance that may "weave" into the model ordinance. She mentioned that if we keep in mind that these units have a different kind of financing on ownership through the lenders because of the deed restriction. The opportunity to get a windfall by pouring money into the mortgage does not exist. She said the amount of municipalities that do not have an affordable housing law is very small; the question is to whether or not each individual municipality's affordable housing law solely embraces set-asides or uses other mechanisms in addition to as set-asides.

Supervisor Gilbert wanted to know if Yorktown is considered in the minority of municipalities who do not have an affordable housing ordinance and was told yes. Mr. Belfer said that the County has a Discretionary Funding Policy that says the County can withhold discretionary funding from municipalities that do not take affirmative steps addressing housing in their communities.

Councilman Lachterman said he still has the issue with not helping the people in Yorktown and has an issue with set-asides and not being convinced it is a legitimate practice. He stated he was okay with set-asides if they were in addition to bonus density.

The proposed local law will be placed on the next agenda for referral.

MARIJUANA LAW

Town Attorney Richard Abbate said that there has been discussion among the Board Members as to how to address the legalization of marijuana in New York State. One way is to adjust the local zoning law to preclude the sale of recreational marijuana as long as it is done for the purposes of preserving the community and to maintain the character of the community; particularly if the proposed legalization will cause ill effects to the community. A Board cannot do it just because they do not like marijuana. Currently, the sale of medical marijuana can be sold through state-authorized dispensaries. Changing the zoning ordinance now may be premature because when and if the state legalizes it, we do not know how it will be done. It may be that recreational marijuana may be sold through dispensaries or licensing vape shops to sell it. However, the zoning ordinance can be changed and adjusted later.

Supervisor Gilbert said that he believes the all of the Town Board is not happy with the idea of legalizing marijuana; however, he does differentiate medical marijuana from recreational. He believes there are all sorts of problems with the law that is proposed and all sorts of problems with the revenue it may generate, which is particularly problematic for him. Supervisor Gilbert spoke of the evidence that shows the juvenile mind continues to develop until the age of twenty-four. The marijuana that is sold today is very different from the marijuana sold decades ago; use it once in a developing mind and it is chemical-changing in the brain and can be hallucinogenic. He is also opposed to the idea that by putting a tax stamp on a product such as marijuana it also gives a stamp of approval. Supervisor Gilbert said he would like to get in front of this topic and do something about it.

Councilman Lachterman said he and Councilman Diana would like to put together an MOU (Memorandum of Understanding) with 100,000 signatures from residents in Yorktown and surrounding communities to say they would like to opt out of the sale of marijuana in their towns. He said there are some communities that are interested in this idea.

Councilman Diana said he is vehemently opposed to allowing marijuana to be sold in Yorktown. He has worked with many organizations where he has learned it is a gateway drug and is being

laced with stronger substances than just the marijuana. He would like to opt out of the legalization law. He raised the issue of police having to enforce “driving while under the influence” when it comes to marijuana and how to test for it.

Councilwoman Roker said when adult entertainment shops started to open in Yorktown in the 1990s, a previous Town Board did what the Town Attorney suggested: changing the zoning ordinance but restricting them to the industrial district. Councilman Diana said he is not opposed to medical marijuana.

Supervisor Gilbert said the argument that legalizing marijuana will help regulate it is nonsense because if you do regulate it, people will still move to the black market to get the version of marijuana which is stronger with more additives in it. He quoted statistics showing the increase motor vehicle accidents in states where marijuana is legal. He agreed that the task of proving driving under the influence of marijuana will be a burden on police.

Councilman Lachterman said the food products that are being produced with marijuana has absolutely no FDA oversight and there is an increase in food-borne illnesses. Colorado has shown that from 2013 through 2018, marijuana-impaired deaths are up 151%. He stated that the County Executive and the Governor should be informed about our stand against marijuana.

Supervisor Gilbert said that money and time spent on prosecution and incarceration of marijuana-related crimes may be better spent researching the reasons and need for self-medication.

Councilman Diana said that the Governor will put millions of dollars into researching heroin and how to combat it, yet the State wants to legalize marijuana that could be laced with heroin or some other illegal substance. Millions of dollars are spent on the training and issuance of Narcan, which he feels is a double-edge sword, and now the state wants to legalize something that is a drug.

Councilwoman Roker said there has to be a municipality in one of the states that legalized marijuana who said they did not want it in their community. Councilman Lachterman said we can participate in an opt-out stand but we have to move in that direction soon.

The Board discussed the MOU Councilman Lachterman raised earlier as something to engage in for the Town.

Supervisor Gilbert said that whatever the Town Board decides to do must survive legal muster. Whether the MOU/MOA is something that can survive legal muster needs to be researched.

JEFFERSON VALLEY MALL – WASHINGTON PRIME DISCUSSION

Although not on the agenda, Councilman Lachterman opened a discussion about when Supervisor Gilbert knew that the project to develop the PAD at the mall was pulled. Supervisor Gilbert said that they had an application before the Zoning Board about a month and a half ago, and at that time it was an issue. Councilman Lachterman wanted to know if the deed was recorded. Town Attorney Richard Abbate said the deed was not recorded with the County and his call to the attorney for Washington Prime had not yet been returned.

Supervisor Gilbert said he did not get called about this but learned at a Planning Board meeting that Washington Prime withdrew their application before the Zoning Board. He said he spoke to Steve Harris at Washington Prime and was told it was because of market conditions. Supervisor Gilbert told Mr. Harris that the Town Board had done everything they had asked for and the last action the Board was asked to take was last May or June. Supervisor Gilbert was under the impression that they were moving forward as planned.

Councilman Lachterman said he spoke with Steve Harris and a mall representative in the last couple of weeks and was told that everyone was backing out of the deal. They said that the people on the PAD were pulling out, as was Orange Theory. He was told that the deal went on too long. Councilman Lachterman said that he felt the Zoning Board put them through the wringer by asking them to redo their plans.

Supervisor Gilbert said that there was a presumption that when Washington Prime was before the Board, they had a signed site plan and the variance they were going for should not have been an

issue. Councilman Lachterman acknowledged that that they had to go before the Zoning Board for the variance but did not understand why they were asked “to go the extra mile.”

Supervisor Gilbert said that the Zoning Board was basically going to go by the Planning Board decision who approved the site plan. Councilwoman Roker said the Town Board needs to recognize that the Planning Board and the Zoning Board are boards that have their own authority. The Town Board does not have authority over them. Councilman Lachterman said that in a CRS zone, the Town Board does have authority over them. Councilwoman Roker disagreed and Councilman Lachterman said the Town Board cannot tell the Zoning Board to give a variance but they cannot supersede a signed site plan. Councilwoman Roker said that if this was an issue for the mall, why did they not ask to meet with the supervisor to discuss the problem. Councilman Lachterman said he was there when Washington Prime came in because they were being told by the Supervisor’s office that the “whole thing” (the ring road) was illegal. Councilwoman Roker said this has now become political, to which Councilman Lachterman said it was about lost tax dollars for the Town. Councilwoman Roker said she would like Mr. Harris to come in to talk about this, instead of getting this information through Councilman Lachterman. Councilwoman Roker said Councilman Lachterman was not told it was illegal.

Supervisor Gilbert said that if you look at the financials of Washington Prime and of malls in particular, it has nothing to do with our Zoning Board or the Town Board. He said the Town Board did nothing to hold up the project. The Town Board and the Highway Superintendent did everything they needed to do to protect the Town’s liability.

Councilman Diana stated that he believed there may have been a conflict of interest with a member of the Economic & Business Revitalization Board who is also a principal of Club Fit who did not want this project to go through. He believes he put up an opposition that basically sent them out “to fetch the wicked witch’s broom.”

Councilman Lachterman, who had a copy of the Zoning Board’s minutes from July 26, 2018 with him, said he believed the minutes corroborated Councilman Diana’s statement. He read from the minutes, citing James Tripoli and Bill Beck as being owners of property across from the mall as saying that they thought it was worth “pausing” on the application due to various issues involving the ring road.

Supervisor Gilbert said they withdrew their application, and it was nothing that the Town specifically did that caused this. He does not understand the implication of the Economic & Business Revitalization Board. He said Washington Prime had every opportunity to come and speak with him if they thought there were problems. A maintenance agreement was worked out in an amicable manner regarding the ring road.

Councilman Lachterman said the Town Board needs to look at the way they are doing business in the Town. He wants to know why this wasn’t picked up legally when Washington Prime was asked to redo their plans. Councilman Lachterman said one of the reasons he is interested in this is because there is the possibility of him opening a massage studio in Yorktown, in addition to the one he owns in White Plains. The mall was a site he was eyeing for quite a while. He feels that this was an overstepping of legal obligations on the part of the Zoning Board.

Councilwoman Roker said that if the mall felt they were not being treated fairly, they should have approached the Town Board with their complaint and not remained silent.

Councilwoman Roker said she wants to look back at the status of last year’s projects and wants this placed on an agenda. She wants to continue to look at infrastructure issues so if the State says they have money allocated for infrastructure, the Town can be ready to apply for funding. Councilwoman Roker also said she believes that generators should be placed in every Town building, in addition to the ones the Town installed last year. She also believes that the Board needs to meet with the school districts to work on projects together.

Supervisor Gilbert asked Highway Superintendent Dave Paganelli to weigh in on the issue.

Mr. Paganelli said he was never adverse to accepting the ring road and accepted it in May 2018. The Town filed their paperwork with the County. The deed has not been filed in 7 months. He said, clearly, the mall had other issues between May and December. His concern from the

beginning was the ability to give back the road. The fact that they have not filed the deed allows us to give it back.

Mr. Stewart Glass said that there were concerns about the road that Mr. Paganelli just addressed. He went on to say that Washington Prime has had their own concerns and are regrouping and selling some of their properties.

Councilwoman Roker referenced a letter that was given to the Board earlier in the evening written by Michael Grace. Mr. Grace was asked to approach the Board. Mr. Grace is the attorney for Seritage – one of the applicants in the mall project. Councilwoman Roker asked him what the difference is between Washington Prime and Seritage. The mall building is owned by Washington Prime. A second lot (Sears) is owned by Seritage. The ring road lies on Seritage’s property. Seritage has a problem because they are in an agreement with 24-Hour Fitness who is putting a swimming pool into the building. Their requirements for water and effluent flow are completely different from a retailer. They have gone before the Westchester County Department of Health where a problem was discovered. The mall was originally built with a water loop system that is connected to a Town water main. Water can flow in either direction and services both Seritage property and Washington Prime property, as well as residents when the water goes offsite. At this point in time the DOH will not allow that to be a private piece of infrastructure. They would require that the local water district own it because it is actually part of the water distribution system of the water district. He stated there is a very compelling purpose and interest in the water district owning that infrastructure. Councilwoman Roker said the Board has already heard from the DOH. Mr. Grace said Seritage cannot give ownership to the loop because most of it is on Washington Prime’s property. Mr. Harris, Washington Prime, said he would be willing to cooperate to try to work this out at a work session.

Supervisor Gilbert said this is very complicated because this has been private property for at least 40 years and the Town is being asked to take on 40-year old infrastructure. Mr. Grace discussed the reasons why the Town should be interested in taking on this infrastructure. Mr. Grace gave his version of what should have happened regarding the approval process with the Zoning Board.

Supervisor Gilbert said he has problems with the DOH asking the Town to take on a private, aging infrastructure; he does not have a problem with new developments. A discussion among Mr. Grace, Supervisor Gilbert, and Councilwoman Roker ensued regarding the benefits/detriments of taking on this loop system.

AUTHORIZE THE AMERICAN CANCER SOCIETY TO USE ROOMS AT THE ALBERT A. CAPELLINI COMMUNITY AND CULTURAL CENTER
RESOLUTION #033

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

BE IT RESOLVED that, at the request of The American Cancer Society, the Town Board hereby authorizes the use of Room 104 at the Albert A Capellini Community & Cultural Center on Friday, May 3rd, 2019 from 10am to 6pm for activities related to the “Paint the Town Purple” event.

BE IT FURTHER RESOLVED, at the request of The American Cancer Society, the Town Board hereby authorizes the use of Room 26, and the gymnasium at the Albert A Capellini Community & Cultural Center beginning at 5pm on Friday, June 14th 2019 through 1am on Saturday, June 15th, 2019 for activities related to the “Relay for Life” event.

The Town Board waives the rental fees of \$656.00.

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

AUTHORIZE COMPTROLLER TO PAY PAUL HOLLOPETER THE CASH VALUE OF UNUSED TIME AS OF HIS DATE OF RETIREMENT
RESOLUTION #034

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

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

Yorktown Heights, NY 10598, per the terms of the contract for one additional year, January 1, 2019 through December 31, 2019.

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

AUTHORIZE SUPERVISOR TO SIGN AN EVENT PERMIT AGREEMENT WITH THE COUNTY OF WESTCHESTER FOR THE USE OF HILLTOP HANOVER FARM BY THE LANDMARKS PRESERVATION COMMISSION
RESOLUTION #038

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

BE IT RESOLVED, the Town Board authorizes the Supervisor to sign an Event Permit Agreement with the County of Westchester for Hilltop Hanover Farm for use of the Landmarks Preservation Commission to conduct a symposium on May 8, 2019. The fee for use of the Hilltop Hanover Farm is \$680.00.

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

APPROVE GARBAGE LICENSE FOR CARLO MINUTO CARTING CO., INC. TO SERVICE COMMERCIAL PROPERTIES IN THE TOWN OF YORKTOWN FOR THE YEAR 2019
RESOLUTION #039

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

RESOLVED, that Carlo Minuto Carting Co., Inc., be and is hereby granted renewal of their Garbage License to service commercial properties in the Town of Yorktown for the year 2019.

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

AUTHORIZE TOWN CLERK TO ADVERTISE BID FOR THE RECONSTRUCTION OF THE MOHEGAN AVENUE RETAINING WALL
RESOLUTION #040

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

RESOLVED, that the Town Clerk is authorized to advertise a bid for the reconstruction of the Mohegan Avenue Retaining Wall.

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

JOSEPH LOMBARDO CHANGE ORDER
RESOLUTION #041

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

RESOLVED that the Town Board approves the Joseph Lombardo Plumbing, Heating & Cooling Inc. Change Order dated January 21, 2019 in the amount of \$14,672.00 for electrical controls work associated with the installation of the Dual Fuel Fired Boiler #3 at the Albert Capellini Community and Cultural Center. This will be charged to Capital Contingency A1990.499.1.

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

ADJOURN

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

MAURA WEISSLEDER
DEPUTY TOWN CLERK