

Meeting of the Town Board, Town of Yorktown held on Tuesday, March 5, 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: 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 Patel, seconded by Councilman Diana, the Town Board moved into Executive Session to discuss individual personnel issues, litigation, and negotiations. Upon motion made by Councilman Patel, seconded by Councilman Diana, 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.

DURING REPORT FROM THE SUPERVISOR

Supervisor Gilbert spoke about the ice and snowstorms and the recent electrical outages on February 25 and March 3. Supervisor Gilbert said that it appears that the improvements made by the utilities at the urging of his office and other local municipal officials may have contributed to the lower number of outages recently experienced in Yorktown – however, time will tell.

Supervisor Gilbert spoke of the construction activities near the Lowe’s development on Route 202. After reviewing the location and taking pictures of the road issues, the contractor patched sections of the road with the understanding that these are temporary fixes and the road will be milled and repaved when weather permits. The timing of the traffic lights in the area is also of concern and needs to be corrected to avoid hampering the traveling public. An interim signal coordination plan is supposed to be installed to allow traffic to flow the best it can before the final synchronization plan is implemented. The NYS DOT will not allow the final synchronization of the traffic lights to be implemented until the final paving is completed since the final paving will include the installation of the actuation loop detectors in the pavement, which are necessary for the proper operation of the synchronization of the traffic lights. This is expected to occur sometime by the end of April, weather permitting. It should be noted that Route 202, also known as Crompond Road, is a New York State road and not a Town Road.

Supervisor Gilbert reported that he has been informed by Enbridge that they will be working at least through September of this year. Unfortunately, they will have to use the “open cut” method, which will involve the removal of some trees on state-owned land and on Town property. Enbridge has agreed to use best efforts to avoid removing specimen trees on Town property.

Supervisor Gilbert reported that the Alliance for Safe Kids (ASK) held its annual Save-A-Life event at Yorktown High School. Their keynote speaker was John Morello, an actor, comedian, and nationally recognized author and speaker. He is also the creator of *Dirt*, a one-man show that explores the challenges and decisions that young people face today (bullying, drugs, and self-esteem issues). ASK also hosted interactive workshops for high school students and adults. Some of the topics covered with the students: Managing Stress

& Anxiety, The Dating Game: Building Healthy Relationships, Vaping & E-cigs: Get the Facts, Alcohol Poisoning & Drug Overdose, It's Just a House Party: Q&A with the Yorktown Police Department, and Youth Mental Health. Adults participated in two workshops: Hidden in Plain Sight – an exhibit that depicted the various ways teens conceal substance use, or subtly ways in which they may be experimenting; Understanding & Supporting Youth Mental Health, led by Randi Silverman, founder of The Youth Mental Health Project.

Supervisor Gilbert said that he was pleased to have met with students at the Crompond School to discuss the Constitution, separation of powers, and the Bill of Rights. Very insightful questions were asked by the students in attendance.

Supervisor Gilbert reported that Yorktown was ranked as the 23rd safest municipality in New York State. A total of 7,639 cities were factored into this ranking with populations ranging from 7,639 to 4,007,147. However, the ranking eliminated any cities that failed to submit a complete crime report to the FBI and removed cities with populations under 10,000. New York State itself is the 8th safest state for property crime and the 13th safest state for violent crime (Source: National Council for Home Safety & Security).

Supervisor Gilbert gave a brief description of Burbio.com – a presentation set for later in the evening. The app includes calendars of events sponsored by the Town, local schools, various sports groups, religious institutions, civic groups, and much more. Residents can keep up on events by logging on to Burbio.com, select New York State, and then proceed to Yorktown. The app may also be downloaded.

Supervisor Gilbert announced that on Friday, March 8th, from 7:00 p.m. to 9:00 p.m., State Senator Peter Harckham will be holding a public forum on the legalization of marijuana at the Mahopac High School located at 421 Baldwin Road.

DURING REPORTS FROM THE TOWN COUNCIL

Councilman Diana talked about the water pipe that broke on Underhill Avenue. He brought a section of the pipe with him to demonstrate the enormity of the problem the Water Department faced when repairing the break. He explained the different types of pipe that are used throughout Yorktown: galvanized pipe (used for lateral lines that run to your house), transite, cast iron, and ductile iron, which is what he brought with him. Councilman Diana showed an actual piece of the ductile iron pipe that was taken from the Underhill Avenue break. He stated that ductile iron is the best pipe since is the strongest with a thickness of about a half an inch. This pipe suffered a lateral break, which is the most difficult to repair. The whole section has to be cut out; a circle break would just require a collar. The cause of this break is still unknown; there could be several factors. There may be a pressure or water hammer issue that is occurring in the pipes underground – this is something the Water Department is working on. The Water Department replaced a 12-foot section of this pipe – the piece he displayed weighed about 40 pounds. He explained the process of cleaning out the pipes and lining them with a protective coating.

Councilwoman Roker said one of the concerns she had when returning to government was to meet with department heads and put together a request for funding for if and when an infrastructure grant came out. This process was delayed and is now back on track. She does not believe Yorktown is alone in the infrastructure challenges that are currently being faced. Yorktown has had pipes in the ground for decades. The request from all of our departments will be for funding to get some of those pipes out of ground. If we do not get funding, the expense will fall on taxpayers.

Councilwoman Roker expressed the Board's condolences to two families of former employees who recently passed away: Mrs. Nancy Augustowski who worked at the Yorktown Museum, and Mr. Ed Wohlrab who worked on elections. Supervisor Gilbert expressed his condolences, as well, to the Augustowski and Wohlrab families.

Supervisor Gilbert mentioned they are hoping to get federal money for infrastructure projects, as well as State money. He would like to see the Town positioned in such a way that, if money is forthcoming, we are ready with projects.

Councilman Patel discussed the different factors that can affect the pipes and sewer lines. He also mentioned there are two students from Lakeland High School who are doing a study on water usage and infrastructure that he is mentoring.

Councilman Lachterman acknowledged Women's History Month. He congratulated ASK for another quality-rich Save A Life event. He said they do a wonderful job educating both children and adults. He reminded everyone of Daylight Savings Time this weekend. This Saturday, 4-10 p.m., there is a Chili-Night Fundraiser with the Yorktown Heights Volunteer Fire Department, Engine Company #1. The same evening from 7-10 p.m. the Foundation for Excellence of Yorktown is doing a "Throw-Back Nineties" party and fundraiser - \$85.00 per person – they will be honoring the three School Resource Officers in town. Friday, March 15th, the Senior Advisory Committee will be meeting in the Town Board Room. The Sons of the American Legion will be having a corned beef and cabbage luncheon on March 17th from 12:00-3:00 p.m. Monies raised will go to veterans' services. There will be a change of venue for the Holocaust Remembrance on May 2nd at 7:00 p.m. this year to the American Legion Hall since they have more room than the Town Board Room. This will be a televised event that people can view the day after. There was a letter from the Shrub Oak International School to the Yorktown Police Department commending officers who had recently handled a safety issue at the school.

Councilman Lachterman commended all Town departments who contributed to the clearing of the roads after this weekend's snowstorm.

DURING REPORTS FROM THE HIGHWAY SUPERINTENDENT

Highway Superintendent David Paganelli talked about the weekend snowstorm. He said since it was just snow, they did not drain their salt budget. He compared this to the ice/freezing rainstorms that the Town has experienced. He also thanked all of the departments who came out to work with the Highway Department to clear the snow and for the long hours they put in. Superintendent Paganelli said they are vigilant about residents not putting snow in the road – it is against the law to put snow in the road when clearing driveways. Notices of violation will be issued. Superintendent Paganelli said that it was reported that apparently four street lights are out (in addition to two others) on Crompond Road in the area of the Lowe's project. Four are our responsibility, which will be fixed. The other two are under the utility company's jurisdiction, which he is trying to handle with them.

He also urged the public to sign up for NIXLE in order to get updated road closures and emergency situations. Instructions are on the Town's website. If you text a zip code to 888777, you will be signed up.

ARBOR DAY CELEBRATION

Mr. Bill Kellner and Mrs. Ann Kutter from the Arbor Day Committee came before the Town Board to discuss their plans for this year's Arbor Day. Mr. Kellner stated that Arbor Day fosters a sense of community, connects us to our past, and brings people in the community together; and he thanked the Board for their support. This year Arbor Day will be celebrated on April 26th.

Mrs. Ann Kutter displayed one of the banners that will be hung around the Town. The celebration will be at 4:00 and it is the 9th annual "modern day" celebration. It has a long and rich history in the Town and is part of many people's memories. She also recounted that the first live National Christmas Tree came from Yorktown and its history.

Mrs. Kutter reported that this year's celebration will include a poster contest, a tree planting ceremony, and a volunteer activity sponsored by the Tree Conservation Advisory Commission. The Yorktown Central School District will have four classes participating (double last year's amount) in multiple projects, one of which is specifically for Arbor Day. The Girl Scouts will be back to do their "Four Corners of Yorktown Ceremony" as the tree is being planted. They are also hoping to do another community involvement project where the focus will be on specimen trees and historic trees. Specimen trees are trees old enough to have reached a fairly significant size, approximately 24 inches in diameter. They will be asking members of the community to take notice of specimen and historic trees around them and send in pictures, poetry, or whatever they chose to honor these trees in the community.

Con Edison will also be participating again this year by giving out saplings, as they have done in the past.

Mrs. Kutter said that 40 trees have been donated to date and half of them were donated by the Yorktown Rotary. Eight trees have been from Con Edison, 4 from the Yorktown Central School District, 3 from V&S Construction, 2 from Zino Nurseries, and 1 each from Saw Mill River Nurseries and BOCES. The Town has given away over 700 saplings/seedlings from the Town's program that ran from 2011 to 2014. Con Edison has given away more than 1200 trees; 60 were donated to the Yorktown schools for their Arbor Day programs. Mrs. Kutter discussed the various themes over the years that were celebrated on Arbor Day and the number of participants. She continued with various statistics of participants, banners, posters, winners, etc.

Mrs. Kutter said since they are focusing on specimen and historic trees this year, they would like to hold the celebration at the John C. Hart Memorial Library. This program will include the Girl Scouts presentation, recognition of the work the Town does preserving trees (Tree City designation), a proclamation, and the tree planting and dedication. The winners of the poster contest will be announced. In addition, they are looking to replace the identification tags on the specimen trees at the library and dedication plaques at Patriot Garden. Their budget request is \$800, including the tag money. They currently have \$2,388 in the Tree Fund. Con Edison will refund the cost of the tree planting.

Mrs. Kutter asked for approval of the Town Board for the change in venue, the budget, to hang banners, to do the proclamation, and the tag replacements.

The Town Board approved all of the above requests. Councilman Diana thank Patricia Hallinan, Library Director, for supporting the change in venue.

Councilwoman Roker said this is not a program just for children – it is a wonderful experience to watch the children receive their awards and recite their poems. She said this a “smile” and feel good event. She thanked Bill Kellner and Ann Kutter for all of their hard work and dedication, as well as all of the town employees and departments who pitch in to help.

LANDMARKS PRESERVATION COMMITTEE

Councilman Lachterman read a message from the Landmarks Preservation Committee regarding their upcoming symposium on May 8th “Preserving Our Architectural Legacy: A Call to Action.”

“We are very pleased to announce the Yorktown Landmarks Preservation Committee will be presenting the first ever symposium dedicated to educating our community about its rapidly disappearing architectural history, dispelling the myths and communicating about the the benefits about preservation, and jointly building an action plan to achieve economic progress with preservation. Preserving Our Architectural Legacy: A Call to Action” will take place on May 8, 2019 at Hilltop Hanover Farms. This event is made possible by a grant from the Certified Local Government of the New York State Historic Preservation Office. Across the country, communities like Yorktown are realizing that their historic buildings have the potential to create scenic and economically positive additions to the quality of life. Many municipalities are finding ways to preserve the special character of their communities by integrating historical resources into planning efforts, thereby enhancing their town's attractiveness to visitors and strengthening the local economy. Our event is planned to inspire preservation, commitment, and personal action among civic, community, and business leaders. Speakers and participants will include preservation specialists, developers, architects, historians, and state, county, and local advocates. Participants will be granted an overview of Yorktown's architectural legacy and, sadly, a look at some of our more historic treasures that have already fallen to make way for modern development.”

The event will take place on May 8, 2019 from 8:30 p.m. to 4:30 p.m. A continental breakfast is being planned.

Supervisor Gilbert asked Mr. Todd Orłowski, Superintendent of Parks & Recreation, to give an update on what his department has planned for this spring.

Mr. Todd Orłowski said the new brochure is online and available and will be mailed out soon. Registration will open March 26th. There will be a camp night and a lottery for the travel program. Parks & Recreation offers 6 different camp programs that include half-day programs (K through 6) and full-day programs with extended day until 6:00 p.m. There is a travel program where they take the children on a trip every day, Monday through Thursday, to places like amusement parks, museums, etc. There are a lot of specialty programs focusing in on arts, sewing, sports, etc. The pools will open Memorial Day and run through Labor Day. Hopefully, the Valley Field golf course will open this spring, as well. There are a lot of recreation opportunities in Town.

Councilman Patel asked if there was an update to the Granite Knolls Sports and Recreation Facility and Superintendent Orłowski said that it is very near to completion. They are working on the force main soon. The fields still need a final inspection for safety. They are currently working on the erection of the pavilion – the next phase is putting in the concrete slab. Come the springtime when the weather breaks, they will begin the acrylic resurfacing and painting of the pickleball courts, the basketball courts, and the handball courts.

Councilwoman Roker said she understands he does not want to give a specific date because of all of the wet weather, but she asked if he had a target date in mind. Superintendent Orłowski said they are aiming for April 15th as a date to open the fields. He mentioned that the erection of the pavilion has been a very cooperative effort of various Town departments.

APPOINT CHAUFFEUR FOR NUTRITION/SENIOR SERVICES
PATRICK VAN DEN BERGH
RESOLUTION #90

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

BE IT RESOLVED, that Patrick Van den Bergh of Yorktown, NY, is hereby appointed Chauffeur, job class code 0458-02, within the Nutrition/Senior Services Department, effective March 18th, 2019 to be paid from Yorktown CSEA Salary Schedule A, Group 2, Step 1 which is \$ 26,340.00 annually;

BE IT RESOLVED, contingent upon successful completion of a drug test and reference checks,

BE IT RESOLVED, that Patrick Van den Bergh will report to work at the Nutrition/Senior Services Department on March 18th, 2019, and this date will be used as the first date of appointment,

BE IT RESOLVED, that this appointment is subject to a probationary period of not less than 12 nor more than 52 weeks, commencing on the first date of appointment on March 18th, 2019.

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

REAPPOINT STEVEN ZANON TO THE BOARD OF ASSESSMENT REVIEW
RESOLUTION #91

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

BE IT RESOLVED that Steven Zanon is hereby reappointed as a member of the Board of Assessment Review for a five-year term expiring on September 30, 2023.

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

POET LAUREATE

Mr. John McMullen mentioned that Library Director Pat Hallinan hosts the monthly Yorktown Poetry Workshop on the fourth Wednesday of the month. He recited his original piece entitled “Raise Your Words” which he recited as a reaction to the previous Town Board meeting’s discussion of the Reproductive Health Act.

DURING COURTESY OF THE FLOOR

The following members of the public spoke:

Ms. Miriam Messing Curtin, resident, commended the Supervisor for his respectful leadership in the face of divisive and unnecessary political challenges. She stated that inappropriate and inflammatory Holocaust analogies have become a weapon of choice in discussions of controversial issues. Ms. Messing Curtin cited a 2015 Town Board Meeting at which she stated former Town Supervisor Michael Grace made, as she characterized, slanderous Nazi comments against a former councilperson, which were repeated in public and printed in the local paper. She cited the February 5, 2019 Town Board Meeting when Mr. Grace, again as she characterized, made inappropriate Holocaust comparisons with the Reproductive Health Act. Ms. Messing Curtin stated that these analogies are shameful and the citizens of Yorktown deserve better than having to listen to this type of insulting rhetoric. The Town Board, the public, and the press need to take a stand against the use of false and inappropriate Holocaust analogies.

Mr. Marc Lieberman, resident, raised the issue of Mohegan Tire and the trees they were supposed to replace when making changes to their property. He said he followed up with the Town's Code Enforcement Officer on a few occasions and said everything that needed to be done was completed and suggested getting in touch with the Building Inspector. The Building Inspector suggested he contact the Planning Board. He has no response from the Planning Board. Mr. Lieberman suggested that a procedure be put in place to follow up with projects to ensure that what is listed on the site plan is done.

Ms. Marcia Stone, resident, thanked John McMullen for his poem. She said that it has been heartbreaking to watch the divisiveness that has attacked the community over the RHA issue. She stated that this issue does not belong in the Town Board meetings and that issues pertinent to the Town should be addressed. She commended Supervisor Gilbert for his comments at the end of the last meeting and was surprised at what she deemed to be "attacked" for that statement. She asked that no resolution or referendum be addressed.

Mr. Dan Strauss, resident, addressed the opioid crises. He believes that some of the issue is that people should be educated that sometimes you need learn how to deal with a certain amount of pain in order to avoid relying on painkillers, which can lead to abuse. Mr. Strauss then raised the issue of dog waste in the Town. He cited several parks where he has observed people not cleaning up after their dogs. Laws should be enforced against dog waste offenders by issues summonses and fines.

Mr. Raymond St. John, resident, asked a question regarding the possibilities of grants for infrastructure or taxpayers bearing the cost. Councilwoman Roker said ultimately the Town may get there if grants do not work out. She said last year she started out knowing that at some point the federal government would give out money for infrastructure and the Town needed to be in a position to be able to submit a grant application immediately. Mr. St. John stated that he has a background in fundraising through general obligation funds and wondered if this is something the Town Board has considered. Supervisor Gilbert said he would love Mr. St. John to come in to talk with them about this. Councilwoman Roker said that when she first came here, the Town was doing that. Supervisor Gilbert said they would have to discuss the ramifications in relation to the tax cap.

Mr. Matt Slater, resident, stated that the State budget is due at the end of the month and you will often see priority projects get line item funding and he encourages the Town Board to make sure that they are communicating the needs of the Town to our state delegation. Early drafts of the state budget show two important cuts: extreme winter recovery as well as AIM, aid, and incentives to municipalities. He asked if the Board has any idea what that will mean for Yorktown and if there is a contingency plan.

Mr. Paul Moskowitz, resident, commended the Highway Department for the excellent job they did in clearing the roads after the recent intense snowstorm.

Mr. Jay Kopstein, resident, commented about the recent water main breaks and asked if anyone is doing overweight vehicle checks on the roads that may be contributing to the breakdown of the mains. He also agreed with Mr. Lieberman's comments regarding

Mohegan Tire's apparent noncompliance with their site plan. He, too, did not receive satisfactory answers to his queries regarding the trees. Mr. Kopstein said it is time for the Supervisor to issue a written directive to ensure compliance. He also stated that there are people who have never been to the Town Board meetings, or in a County Legislative meeting, or at a Congressional meeting who all of a sudden think they are qualified to run for public office and who do not have a clue how government works.

Ms. Geri Schwalb, resident, stated that someone has been cutting the tops and of trees off on Underhill Avenue so you can see a clear cut. She believes these trees will die and fall down; she also said it is unsightly.

Supervisor Gilbert said that he believes it is Con Edison and he will speak to them about how they are doing the work.

Mr. Ken Belfer, Mohegan Lake Improvement District, gave an update on Mohegan Lake being part of a pilot program that looks at phosphorous levels which results in harmful algae blooms. DEC was supposed to do a treatment of the lake in late October/early November 2018 or late March/early April 2019. Progress has been slow but as of last Friday, the DEC has applied for their own permit through the Region 3 office in New Paltz.

Supervisor Gilbert said if his office could be of any assistance, Mr. Belfer should give him a call.

Councilwoman Roker asked if the pilot program is successful, would other communities with lakes be able to use the same method. Mr. Belfer said that this could have a statewide impact and is being done as a statewide effort to address blue-green algae blooms that impact the quality of lakes around the state. He said the State has not allowed certain tools that other states use on lakes but by doing these pilot projects, they are testing to see if they can allow them.

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

Superintendent Paganelli addressed the tree cutting on Underhill Avenue by saying this was part of a pro-active effort by Con Edison to remove diseased and dead trees. About 50 trees were taken down; he has been in contact with them to clean up the trees that they took down. If Con Edison does not come back to remove the tree stalks they left, the Highway Department will.

Councilman Diana said the Building Department was in touch with the Planning Department regarding Mohegan Tire. They are in compliance with some things, but lacking in others such as the monument sign. He said the site plan called for the planting of boxwood, which they did but are now dying. They will need to be replaced in the spring. The two departments are working on this but are not going to issue any violations until they come up with some kind of remediation for the trees and work out the signage issue.

Councilwoman Roker addressed Mr. Lieberman by saying there is a procedure in place for site plan follow up. Once the plan is approved by either the Town Board or the Planning Board, it is the Building Inspector's responsibility to go out and review the site. This procedure is in the Town Code.

A brief discussion ensued regarding the efforts to have respectful conversations about the RHA issue.

Councilman Patel stated that the Town Board is the governing and legislative body of the Town. It determines policy and is the branch of the government that appropriates funds for governmental functions and services. This is their responsibility and certain issues are private matters – you cannot tell people what food to eat or what to drink.

Councilman Lachterman said his personal objection to the RHA was the redefinition of life by the State.

Supervisor Gilbert said that he has had discussions with Senator Harckham to express the importance of the budget and the possibility of eliminating those cuts. Supervisor Gilbert said his impression is such that Senator Harckham will advocate for eliminating the cuts. Superintendent Paganelli said the cut to the extreme winter recovery money is a major issue for the Town. He said that what is equally disturbing is the fact that this is the last year of the Pave New York money that is \$86,000.

APPROVE BUDGET TRANSFER FOR THE PURCHASE OF FOUR (4) FORD EXPLORER INTERCEPTORS
RESOLUTION #92

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

Resolved, that the Town Board approves the following Budget Transfer and purchase of four (4) Ford Explorer Interceptors for the Police Department:

From:		
A3120.102	Police – Salary, Uniform	\$16,400.00
To:		
A3120.210	Police – Vehicles	\$16,400.00

For the increase in the purchase price of four (4) 2019 Ford Explorer Interceptors,

Be It Further Resolved, that the Police Department is hereby authorized to purchase four (4) 2019 Ford Explorer Interceptors from Beyer Ford NYs Contract #PC66676, Mini Bid #18090093 at a cost of \$33,545 per vehicle.

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

APPROVE BUDGET TRANSFER FOR THE REPLACEMENT OF WATER METERS AT IBM AND PINESBRIDGE ROAD
RESOLUTION #93

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

Resolved, the Town Board authorizes the Comptroller to process the following budget transfer for the replacement of water meters at IBM and Pinesbridge Road:

From:		
SW2.0909	Kitchawan Water – Fund Balance	\$43,068.00
To:		
SW2.8310.200	Kitchawan Water - Equipment	\$43,068.00

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

APPROVE BUDGET TRANSFER FOR SALT AND OVERTIME FOR HIGHWAY DEPARTMENT
RESOLUTION #94

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

Resolved, the Town Board authorizes the Comptroller to process the following budget transfer:

From:		
A1990.499.1	General Fund – Contingency Capital	\$225,000.00
To:		
D5142.403	Highway – Materials	\$150,000.00
D5142.105	Highway – Snow Overtime	\$ 75,000.00

for the purchase of salt and overtime to cover costs of snow removal.

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

ACCEPT PROJECT BOND FROM YORKTOWN JAZ, LLC FOR LOWE’S PROJECT
RESOLUTION #95

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

WHEREAS, Yorktown Jaz LLC, as applicant for the project known as Lowe’s, formerly known as Costco, Is constructing the site plan and anticipates requesting a certificate of Occupancy on March 14, 2019; and

WHEREAS, due to winter conditions the applicant is not able to complete on-site landscaping and off-site mitigation required to compensate for the impacts to environmental conditions at the site from the construction of the Lowes; and

WHEREAS, Yorktown Jaz, LLC. has informed the Yorktown Planning Board and the Planning Board determined that, to insure the installation of the on-site landscaping and off-site mitigation, the applicant must post a cash bond and that issuance of any additional building permits for any of the three remaining approved building sites be restricted until the site requirements and mitigation requirements are satisfied; and

WHEREAS, the amount of the cash bond has been determined to be in the amount of \$20,000.00; and

WHEREAS, Yorktown Jaz, LLC. has provided the Town with check# 697 in the amount of \$20,000.00, to serve as the required cash bond; and

NOW THEREFORE BE IT RESOLVED, that the monies required prior to issuance of the Certificate of Occupancy for the project known as Lowe’s have been tendered to the Town and that the Town Comptroller is authorized to accept the above-referenced project bond for the purposes stated herein.

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

APPROVE REFUND OF DUPLICATE SECOND HALF OF SCHOOL TAXES
RESOLUTION #96

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

Resolved, that the Town Board authorizes the Comptroller to refund duplicate payments and/or overpayments of the Second Half of the 2018/19 School Tax to the following accounts and amounts:

<u>Account No.</u>	<u>Amount</u>	
4488500	\$292.05	REF DUP SECOND 1/2 2018/19 SCHOOL TAX
0030730	\$5,056.67	REF DUP SECOND 1/2 2018/19 SCHOOL TAX
1587000	\$2,857.27	REF DUP SECOND 1/2 2018/19 SCHOOL TAX
2321000	\$4,192.20	REF DUP SECOND 1/2 2018/19 SCHOOL TAX
0542571	\$588.09	REF DUP SECOND 1/2 2018/19 SCHOOL TAX
2287000	\$4,297.67	REF DUP SECOND 1/2 2018/19 SCHOOL TAX
1421056	\$119.92	REF DUP SECOND 1/2 2018/19 SCHOOL TAX
2683710	\$731.27	REF DUP SECOND 1/2 2018/19 SCHOOL TAX
2682550	\$26.11	REF DUP SECOND 1/2 2018/19 SCHOOL TAX
2683715	\$26.11	REF DUP SECOND 1/2 2018/19 SCHOOL TAX
4853100	\$111.92	REF OVERPAYMENT OF SECOND 1/2 2018/19 SCHOOL TAX
0300000	\$107.60	REF OVERPAYMENT OF SECOND 1/2 2018/19 SCHOOL TAX

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

MONTHLY REPORTS

The Town Board accepted the Receiver of Taxes Monthly Report for February 2019.

WORK SESSION

Councilman Lachterman asked if an answer was obtained regarding the budget transfer that was approved last week and which pump station it was pertaining to. Stewart Glass, Assistant to the Supervisor, tried to reach Michael Quinn by phone who said he would provide the information the next day.

ADJOURN MEETING

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

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