

Meeting of the Town Board, Town of Yorktown held on Tuesday, April 23, 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 Councilwoman Roker, seconded by Councilman Patel, the Town Board moved into Executive Session to conduct interviews and discuss litigation and negotiations. Upon motion made by Councilwoman Roker, seconded by Councilman Patel, the Town Board moved out of Executive Session and proceeded with the meeting.

#### ECONOMIC AND BUSINESS REVITALIZATION COMMITTEE

George Souls, Chair of the Economic and Business Revitalization Committee, presented recommendations to the board developed by the EBRC. He began by reading the mission of the board and their objectives.

Objective 1: Mr. Souls first spoke about their first objective of establishing a quick review board – an “early review program” for companies that want to do business in Yorktown and are running into code issues. This would provide an easier way to get code issues resolved. The company would get an early review to see if there are any early warning signs of potential problems. The result would be to get to them before they get to the Planning or Zoning board and make the necessary changes.

Councilwoman Roker said she liked the idea but it assumes that the Town is the culprit in holding up an application. Mr. Souls said he would like to eliminate detours so that there is quicker access to the Town Board. Mr. Souls gave an example of how it would work. Councilwoman Roker pointed out that a similar process exists on a current panel that was established which took the place of the old E-Panel. Councilman Diana said that this panel would work hand in glove with what Mr. Souls is proposing. Supervisor Gilbert said they are meeting weekly now and could possibly add an individual from the EBRC. Planning, Engineering, and Building are the departments that meet on the panel. Supervisor Gilbert and Councilwoman Roker agreed to this objective.

Objective 2 (Identity): Committee member Renee Fogerty handed out a one-page description of what a community branding project looks like. The EBRC would like to gather community input but also wants it done in a professional manner (other communities who have done this well have hired outside consultants). Supervisor Gilbert asked what the cost to the Town might be. Ms. Fogerty said the range would be \$20,000 to \$50,000. Councilman Lachterman asked if there has been any discussion as to what the centerpiece of this branding would be. Ms. Fogerty said key themes would be open space, sports, good schools, trails, farms, and a friendly community. Supervisor Gilbert thought this idea should move forward. Mr. Bob Giordano, EBRC member, said thought needs to be given as to who will move the ball forward on this. How do we move forward? Councilman Diana said he wants people to see Yorktown as a place to drive to, not through. Most people come here for an event or sports. Supervisor Gilbert said the fact that the Town now has a Lowe’s, people will come up from down county, have lunch, do some shopping, etc. – it is a symbiotic relationship of one business helping another. It would be the same for sports events. Councilman Diana said that they are still trying to develop the PAD sites on the Lowe’s property which will help feed this relationship. Mr. Bob Giordano said they would like to turn Yorktown into a “destination.” People need a reason to stay in town. Councilwoman Roker stated this is why it is important to bring in an outside consultant to develop these ideas. The Board agreed to move forward with this objective.

Objective 3 – Mrs. Kathy Quinn, EBRC member, said that the Town Board should think about creating an Economic Development position in Town – many cities and towns have created this position to move a town forward, to help Chambers of Commerce and businesses. They feel this would be a resource for people to hold events, open businesses, etc. This person would be a source of information for grants, funding, etc. This person would also be an expert in writing municipal grants, which is very specific skill. The position would also move the branding idea forward into the community and beyond. It is a position that involves heavy networking. Supervisor Gilbert said maybe the same person who is the economic development person could also be the branding professional and grant writer. Mrs. Kathy Quinn said if the right person was found, yes, this is possible. One idea of the position is to act as a touchstone for people outside the community seeking information. It is important to identify the right individual. The payoff of having the right person would be great. Supervisor Gilbert said he has had individuals come to him who he has referred to the Chamber and to Bob Giordano’s group, who provide similar services.

Mr. Sergio Esposito, Chamber of Commerce President, said he does not 100% agree that people do not know where to go in Town for information. He recommends working together with the Chamber and not hire a marketing person for the branding. He thinks the grant writing position is valuable and pays for itself. He said he believed the relationship with the Chamber should be strengthened and become more symbiotic with the Town Board. Councilman Diana, Councilwoman Roker, and Councilmembers Diana, Roker, and Lachterman agreed with Mr. Esposito. Supervisor Gilbert said to remember when the Board created this the EBRC, it was to gain a fresh perspective and to include the Chamber of Commerce and the Small Business Association. The intention was to be inclusive. Mr. Esposito said there are some overlapping services that should be tapped into. Councilwoman Roker said the Town website and phone system should be reviewed. She said that when you call Town Hall, the phone system assumes you know who you need to speak with. She agreed with the grant writing position and said that the Board needs to sit with both the EBRC and the Chamber and work out what is needed. Mrs. Kathy Quinn stated that grant writers are not miracle workers and should not be viewed as such. If there is a grant writer, they should be in communication with everyone. The marketing person will need to be able to constantly move the ball forward in terms of the branding idea. The Town Board wears many hats and isn’t sure they can devote the time needed to do all of this; however, the position should still be considered.

Mrs. Kathy Quinn asked what the next steps would be. Supervisor Gilbert would like to sit down with the Small Business Association and the Chamber of Commerce to come up with ideas and next steps. Councilwoman Roker suggested the EBRC come up with an advertisement for the position. Ms. Quinn would like to set up a meeting with a grant writer she knows for the Hudson Valley to go over the needs of the Town.

Mr. George Souls stated that the person should have the connections with local, regional, and statewide sources of grants. Whoever the chosen person is, he or she must have a strong liaison outside of town to tap into those grants.

Mr. Bob Giordano suggested getting together for the economic development position to discuss the objectives of the job. He made a presentation for having a hotel in town. He feels that Yorktown could support not just one, but more than one hotel. There are many locations to be considered. Supervisor Gilbert said there are serious investors right now interested in developing a hotel. Mr. Giordano said this is good news but his group’s perspective is not wait for the investor to come to the Town, but to seek out hotel investors.

Mr. George Souls invited to the Board, Mr. Andrew Drews, an architect. His idea is to create a “vision event.” The Yorktown Comprehensive Plan requires a new look, a new revision, since it is ten years old. The vision event involves inviting students of architecture at reputable schools to Yorktown to present their vision of Yorktown for the future. The first focus would be the Yorktown Heights section. This will create a point of departure for a discussion as to how to make these visions a reality. The schools and the Town Board would need to work out how this would come to fruition. Students would come here for a few days to get ideas for their vision. The Town Board would be in control of this project and can move it in the proper direction.

Supervisor Gilbert asked Mr. Drews to give a brief biography of himself, a resident, so that people would understand where he is coming from regarding this idea. He proceeded to give his

background and qualifications. Councilwoman Roker said she believes this is a wonderful idea. She believes that this will help the Town define their vision for the future.

Councilman Lachterman expressed some reservations about the project and questioned if it would be a good fit for the geographic demographics of the Town. However, as a project in general, he thinks it would be a good idea.

Councilwoman Roker said bringing in some young people with ideas will only benefit the Town; there is no downside.

Objective 4 (Agriculture): Mr. George Souls asked how many people know that Yorktown has more farms than any other municipality in Westchester. He said he was able to get Westchester County to sponsor the Maple Festival event at the Hilltop Hanover Farm and that these are the connections we need to promote Yorktown. He introduced Mr. Greg Brown from Hilltop Hanover Farm who talked to the Board about the preservation of farms in the area. Mr. Brown said we tend to underprice our intangible assets in town: beautiful sunsets, vistas, etc. Some of the Town's assets are physical, but those intangibles need to be leveraged and not lost. A plan must be developed and followed through. Mr. Brown enumerated the market trends that are favorable to Yorktown: back to earth movement, farm to table movement, movement to spirituality, etc. He suggested inviting residents in Connecticut, Long Island, and New Jersey to "come play with us" and spend their money here. Our farms and agriculture is part of the "green constellation" of assets we have. He presented ideas that would help leverage Yorktown's agricultural and green assets. Mr. Brown asked that proclamation be made for the following: May – "Monarch Butterfly Month" and June – "The Farm Friendly Month." Mr. Brown also said agriculture is not a "pet" activity – it is a business that can network other businesses. He ended his speech by saying "the event of the day should be promoting the event of tomorrow."

#### EASTERN COMMUNICATIONS – POLICE DEPARTMENT

Lieutenant Thomas Gentner from the Yorktown Police Department introduced Sergeant Greg Scatola who is the liaison with Eastern Communications and is part of the plan to spearhead a campaign to improve public safety communications in town. Eastern Communications, a company that is interested in providing the communication system for the Town, presented this evening and will return for a future meeting. Eastern Communications Representative Justin Caballero presented a town-wide communications systems that will take Yorktown into the future. He began with an overview of the company, as well as an overview of the proposed solutions. Steve Ahmed, Lead Application Engineer, was introduced. Mr. Ahmed has a significant background in law enforcement and communications within law enforcement and his role was to be responsible for assessing the Town's needs. Mr. Caballero stated that Eastern Communications owns and operates trunk system in the metro NY area. He spoke about being a partner with Yorktown, not just having Yorktown as a customer. Eastern specializes in designing safety communication systems (fire, police, EMS, etc.). Councilman Patel asked how secure the system is and Justin said everything is encrypted to ensure security. The end product would be handled directly by them and not a third-party vendor. Redundancy and resiliency is built in, which is vital for these kinds of systems. The equipment is onsite in Queens with technicians in the surrounding areas to come in for emergencies. Mr. Caballero showed a slide of the portable radio system that included information of the battery life on the units. Portable radio – displayed visual of radio and battery life chart. He then displayed a block diagram of the infrastructure of what the Town's radio system would look like.

Mr. Ahmed said this system will provide reliable portable communication to allow an officer to stay in communication when he leaves his vehicle. This system will also provide DPW communication. The Block Diagram showed how the equipment interfaces with each other. Portable indoor coverage analysis was displayed for four sites. The system is terrain limited and they need four sites to overcome this limitation – a map displayed the four sites.

Councilman Patel asked if this covers the Water Department meter reading and was told no, it is a separate system that may share a tower site. Craig Scatola said the Homeland Towers new Quinlan site was omitted as a cost savings matter and other better geographic sites were chosen.

Councilman Diana asked if these are car repeaters or do they hit the tower and repeat. Mr. Caballero said both will hit the tower and repeat.

Mr. Ahmed said this system will cover police radios in Town by 97.6% and DPW coverage by 99.4%. The lifespan factors of this system and equipment is dependent upon hardware/software upgrades and by state or federal law mandates.

Eastern Communications will return on May 14, as well as another presentation by different vendor.

#### PROPOSED LOCAL LAW INCREASING WATER RATES

Water Distribution Superintendent Ken Rundle came before the Board to discuss the new proposed water rate increase and the Water District's fund. Mr. Rundle said the Town needs to increase revenue in the water district. He said if we do not have the infrastructure to support the new businesses talked about earlier, it will not work. The Town is definitely losing money. Mr. Rundle gave the history of increases and rising costs over the years. Councilwoman Roker said that between 2006 and 2016, the Town's costs increased 82%; the only increase the Town made to water rates was 25% in 2016 – so the Town is still losing money. Mr. Rundle said the numbers he presented do not take into consideration water main breaks, salaries, administrative fees. His message is to generate revenue. Councilwoman Roker commented that the Town needs to at least be at the break-even level. Supervisor Gilbert said that even with increase, the Town would be significantly lower than its neighbor, the Town of Cortlandt. Mr. Rundle said that generators and backhoes are also vitally needed in the Water Department.

Town Clerk Diana Quast asked if this affects the Kitchawan and Pinesbridge Water District and was told no; if they raise their rates, it will be the first of the year.

A public hearing will be scheduled for May 21, 2019 for the proposed local law to increase water rates.

#### PROPOSED LOCAL LAW REDUCING THE SPEED LIMITS IN PARK ZONES FROM 25 MPH TO 15 MPH AND PROPOSED LOCAL LAW TO MAKE UNDERHILL AVENUE FROM HANOVER STREET TO ITS INTERSECTION WITH SUMMIT STREET A ONE-WAY

Councilwoman Alice Roker, as a member of the Public Safety Committee, explained that the proposed local law is being introduced in order to keep the speeds in line with school zones. Underhill will be made one-way coming down to Front Street because of the number of accidents that have happened at this location. Councilman Lachterman asked how many park zones will this affect and Councilwoman Roker said probably about ten. A public hearing will be scheduled for May 21, 2019 for this proposed local law.

#### REZONING REQUEST FOR THE WEYANT PROPERTY

The reconvening of the public hearing for the rezoning request for the Weyant property will be scheduled for May 14, 2019.

#### DRAFT REQUEST FOR PROPOSAL - INFLOW AND INFILTRATION STUDY

Town Engineer Michael said this RFP is in anticipation of an agreement with the Department of Environmental Conservation regarding the notice of violation for Peekskill Sanitary Sewer District. Once the agreement is finalized he would like 30 days to give DEC a work plan, which is why this RFP is being requested in order to get consultants to help us. A flow study, which would involve putting some flow meters in manholes and dry areas, would try to isolate our issues, if any. This procedure would be set up in the fall and the data would be evaluated in the in winter. Mr. Quinn said this will be our partnering with the professionals since we have a lot of data already.

#### AUTHORIZE TOWN CLERK TO ADVERTISE REQUEST FOR PROPOSALS FOR AN INFLOW AND INFILTRATION STUDY (PEEKSKILL SANITARY SEWER DISTRICT) RESOLUTION #157

Upon motion made by Councilwoman Roker, seconded by Supervisor Gilbert,

RESOLVED, the Town Clerk is authorized to advertise for Requests for Proposals for an Inflow and Infiltration Study for the Peekskill Sanitary Sewer District.

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

APPOINT SAMUEL SANSONE TO THE POSITION OF POLICE SERGEANT IN THE YORKTOWN POLICE DEPARTMENT

RESOLUTION #158

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

BE IT RESOLVED, that Samuel R. Sansone is hereby appointed promotional permanent as a Police Sergeant, job class code 0133-01, from Eligible List No. 71-198, effective April 29, 2019 to be paid from Yorktown PBA Salary Schedule, which is \$125,946.00 annually;

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 April 29, 2019.

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

APPROVE TAX CERTIORARI PROCEEDINGS FOR TAX PARCEL 6.17, BLOCK 1, LOT 31 – 341 EAST MAIN STREET

RESOLUTION #159

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

WHEREAS, tax certiorari proceedings were instituted challenging the assessment for parcel known as Section 6.17 Block 1 Lot 31, 341 East Main Street on the Tax Map of the Town of Yorktown, now therefore be it

RESOLVED, that the tax certiorari proceedings affecting tax parcel 6.17 Block 1 Lot 31 Account Number 2232500, owned by Osceola Heights Community Association for assessment roll years 2013, 2014, 2015, 2016, 2017 and 2018 are settled as set forth in the proposed stipulation as follows:

Roll Year	Assessed Value From	Assessed Value To	Reduction
2013	4,600	2,078	2,522
2014	4,600	1,883	2,717
2015	4,600	1,920	2,680
2016	4,600	1,845	2,755
2017	4,600	1,785	2,815
2018	4,600	1,763	2,837

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

APPROVE ASSESSOR KIM ADAMS PENNER TO ATTEND SEMINAR ON APPRAISING AT CORNELL UNIVERSITY

RESOLUTION #160

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

Whereas, sufficient funds exist in the Assessor Training line to cover the cost of expenses, including lodging and seminar, now

Therefore Be It Resolved, that Kim Adams Penner has permission to attend the 2019 Cornell Seminar on Appraising to be held at Cornell University, Ithaca, NY from July 14, 2019 through July 19, 2019.

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

AUTHORIZE SUPERVISOR TO SIGN AN AGREEMENT WITH SHADES OF GREEN, INC. TO PROVIDE PLANTS AND MAINTENANCE TO PLANTERS ON COMMERCE STREET AND EAST MAIN STREET

RESOLUTION #161

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

RESOLVED, that the Town Board authorizes the Supervisor to sign an Agreement with Shades of Green, Inc. to provide plants, install, add/improve soil, maintain, water, fertilize, tend and clean planters on Commerce Street and on East Main Street in vicinity of Library from May 2019 to September 2019. The fee for this will be \$8,375.00.

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

Supervisor Gilbert indicated that the Yorktown Garden Club is also partnering with the Town in this endeavor and contributing to the expense.

AUTHORIZE COMPTROLLER TO PAY JULIANNE VICINANZA LAPLACA THE CASH VALUE OF UNUSED TIME AS OF RETIREMENT DATE AND PROCESS THE FOLLOWING BUDGET TRANSFER  
RESOLUTION #162

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

Be It Resolved, that the Town Board hereby authorizes the Town Comptroller to pay Julianne Vicinanza LaPlaca the cash value of unused time as of her retirement date:

Rate of Pay:	\$60.319 hourly				
Vacation	192.00 hours	x	\$60.319	=	\$11,581.25
Personal Days	24.00 hours	x	\$60.319	=	\$ 1,447.66
Comp Time	54.02 hours	x	\$60.319	=	\$ 3,258.43
Holiday Pay	27.04 hours	x	\$60.319	=	\$ 1,631.03
Longevity					

\$2,225 received Payroll #5 (3/14/19)  
8/20/18 to 3/28/19 totals 159 days  
\$2,225 total longevity / 261 days = \$8.52 per day  
\$8.52 x 159 = \$1,354.68 total longevity earned  
\$2,225.00 - \$1,354.68 = \$870.32 amount due Town \$ - 870.32

Total \$17,048.05

Be It Further Resolved, that the Comptroller is hereby authorized to transfer funds for the purpose of this payout at retirement as follows:

From:		
A3120.102	Salary – Uniform	\$17,048.05
To:		
A3120.108	Police Lump Sum Payments	\$17,048.05

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

AUTHORIZE COMPTROLLER TO PAY STEVEN CHAN CHEE THE CASH VALUE OF UNUSED TIME AS OF SEPARATION DATE AND PROCESS THE FOLLOWING BUDGET TRANSFER  
RESOLUTION #163

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

Be It Resolved, that the Town Board hereby authorizes the Town Comptroller to pay Steven Chan Chee the cash value of unused time as of his separation date:

Rate of Pay:	\$23.8125				
Vacation	97.5 hours	x	\$23.8125	=	\$ 2,321.72
Personal Days	7.5 hours	x	\$23.8125	=	\$ 178.59
Floating Holiday	7.5 hours	x	\$23.8125	=	\$ 178.59
			Total		\$ 2,678.90

Be It Further Resolved, that the Comptroller is hereby authorized to transfer funds for the purpose of this payout as follows:

From:		
A1630.101	Salary - Town Buildings	\$2,678.90
To:		
A1630.108	Lump Sum Payments – Town Buildings	\$2,678.90

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

AWARD BID FOR LABORATORY SERVICES FOR THE YORKTOWN HEIGHTS WATER POLLUTION CONTROL PLANT TO ENVIROTEST LABORATORIES, INC.  
RESOLUTION #164

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

WHEREAS:

1. The Town currently has an agreement in place for laboratory services for the Yorktown Heights Water Pollution Control Facility that expires on 5/3/19.
2. The Agreement was originally awarded on 5/3/16 to EnviroTest Laboratories, Inc., for a 1-year duration and then extended for two (2) additional one-year periods. There were no additional options to extend, therefore the Town advertised for new bid prices.
- C. The sole bidder, EnviroTest Laboratories, Inc., is the same firm that held the prior agreement with the Town and there was no change in total bid pricing.
- D. The term of this Agreement will be 5/3/19 through 4/30/21 (2-year agreement). Upon mutual consent of the Contractor and the Town, the agreement may be extended for an additional two (2) year term.

NOW, THEREFORE BE IT RESOLVED, the bid for Laboratory Services for the Yorktown Heights Water Pollution Control be awarded to EnviroTest Laboratories, Inc., the sole bidder, in the amount of \$11,140.00. The contract shall commence on 5/3/19 and be in effect for two (2) years, until 4/30/21.

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

APPROVE RELEASE OF CHECK #1238 IN THE AMOUNT OF \$250.00 FOR WORK COMPLETED ON FRENCH HILL ROAD - #BSWPPP-031-17  
RESOLUTION #165

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

WHEREAS:

1. Heike Schneider, AIA as applicant for Goren/Totino, posted check #1238 in the amount of \$250 which was deposited to the T33 account on June 21, 2017 to serve as the Performance Bond for construction of an addition at 1874 French Hill Road.
2. Heike Schneider has requested her money 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, the above referenced \$250 bond be and is hereby released to Heike Schneider, AIA, 515 Croton Heights Road, Yorktown Heights, NY 10598.

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

APPROVE RELEASE OF CHECK #752 IN THE AMOUNT OF \$250.00 FOR WORK COMPLETED ON FAIRFIELD COURT - #BSWPPP-047-18 RESOLUTION #166

WHEREAS:

1. Ronald & Nicole Hattar as applicant, posted check #752 in the amount of \$550 which was deposited to the T33 account on August 17, 2018.
2. \$250 of this money was posted to serve as the Performance Bond for construction of an addition at 831 Fairfield Court.
3. Ronald & Nicole Hattar have requested their money be released as the site 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, the above referenced \$250 bond be and is hereby released to Ronald & Nicole Hattar, 831 Fairfield Court, Yorktown Heights, NY 10598.

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

APPROVE STORMWATER MANAGEMENT PERMIT AND TREE REMOVAL PERMIT FOR ALLAN AVENUE - RPG PROPERTIES, PERMIT #FSWPPP-048-18 RESOLUTION #167

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

WHEREAS:

1. The Applicant submitted an application to the Engineering Department for a MS4 Storm Water Management & Tree Removal permit for construction of a single family residence along with associated site and driveway improvements.
2. The Approval Authority for this permit application is the Town Board as the proposed work will involve a land disturbance in excess of 200 cubic yards.
3. The application fee of \$1,500 was paid by the Applicant.
4. The Applicant submitted engineering plans prepared by Site Design Consultants, Revision 3 dated 10/11/18.
5. Survey of property prepared by Link Surveyors, dated 12-28-17, 1 sheet.
6. Elevations and a rendering of the proposed house.

NOW THEREFORE BE IT RESOLVED THAT:

1. 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.
2. The Town Engineer shall issue the permit in accordance with the terms of this resolution and with the conditions below.
3. The following conditions are included as part of the Action and shall be addressed by the Applicant prior to issuance of the Engineering permit:
  - A. Design professional shall provide backup calculations for the sizing of the underground stormwater detention system, which is based on the 100-year rainfall amount being retained in the underground stormwater detention system.
  - B. There is a significant amount of earth moving required to complete the work. Applicant shall provide a soil management plan that will address how the truck movements will be staged so any adverse impacts to the neighborhood can be minimized. Applicant shall arrange and pay for a Yorktown police officer to be present during major earth moving operations.
  - C. To ensure long term operation and maintenance of the stormwater detention system, Applicant will be required to execute a stormwater maintenance agreement with the Town and shall file with the County so it is binding on all future property owners as well.



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

1. A Performance Bond shall be established in the amount of \$500 with the Engineering Department. The bond will be released when the Town Engineer has confirmed that at least 80% of the disturbed areas have been permanently stabilized (vegetative growth), all temporary control measures such as silt fencing removed, all post-construction controls satisfactorily installed and maintained and all conditions of this permit have been met. The Town shall have the right to use the funds if the applicant, upon receiving due notice from the Town, fails to correct deficiencies related to the conditions of this permit.
2. The Performance Bond is taken for a period of no more than twelve (12) months, unless an extension is granted in writing by the Town Engineer prior to the permit expiration date. If the stabilization and re-vegetation has not been completed during this period, the Town will declare the bond in default and monies shall be forfeited to the Town.
3. A Yorktown Building Permit must be obtained from the Building Department.
4. As required by the NYSDEC Standards and Specifications for Erosion & Sediment Control, a silt fence shall be installed around the entire land disturbance area.
5. The property lines must be staked out by a licensed land surveyor prior to construction to ensure the proposed work occurs entirely within the Applicant's property.
6. A pre-construction meeting must be held at the site. The applicant or a representative must contact the Engineering Department (914) 962-5722 x220 to arrange this meeting. All erosion controls and limits of disturbance lines (such as silt fence and orange construction fencing) are to be installed in accordance with the approved plan prior to this inspection.

Conditions that must be met during construction:

1. The entire scope of work is shown on the engineering plans referenced above; no additional land disturbing activity of any kind shall be permitted without the issuance of a new permit by the appropriate approval authority. No further changes to the existing site topography shall be permitted and no protected trees shall be cut.
2. The guidelines contained in the NYSDEC Standards and Specifications for Erosion & Sediment Control, latest edition, shall be followed. At the end of each work day, soil stockpiles shall be covered. If not worked on for more than seven (7) days, stockpiles shall be seeded/mulched with a silt fence around the perimeter.
3. Only those trees specifically shown on the plans may be removed, a new permit shall be obtained from Engineering should the removal of any other trees be required.
4. No soil storage outside the limit of disturbance line is permitted. Road in front of property must be kept broom clean at all times.
5. Excess material shall be removed from the site and a copy of the waste manifest shall be provided to the Engineering Department to confirm the disposal location. If any excess soil material is proposed to remain on site, Applicant shall notify the Town Engineer, who will review and approve in writing prior to the work occurring.
6. The applicant or their representative shall notify the Engineering Department prior to the backfill of any underground stormwater management practices. The engineering inspector will confirm the required improvements have been satisfactorily completed. Applicant will be notified of concurrence or if any work is not acceptable.

When the Project Work is Complete:

1. 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.
2. A Stormwater Maintenance Agreement shall be executed between the Town and the Applicant.
3. A final site survey showing as-built conditions shall be provided to the Engineering Department, provide a printed copy and in pdf format.

4. When area is re-vegetated, stabilized and erosion control removed (silt fence), notify the Engineering Department who will then inspect site and advise if further stabilization is required.

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

AUTHORIZE REFUSE AND RECYCLING DEPARTMENT TO SCRAP TWO OBSOLETE POLICE VEHICLES  
RESOLUTION #168

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

Whereas, the following police vehicles have been designated obsolete and the Chief of Police has determined that they must be scrapped and not sold:

2003 Ford Expedition \* VIN 1FMPU16L23LC18398 \* 175,152 odometer  
2008 Ford Crown Victoria \* VIN 2FAFP71VX8X112302 \* 181,151 odometer

Now, Therefore Be It Resolved, that as per the recommendation of the Chief of Police these two vehicles be scrapped at Brookfield Metal Recyclers because they are obsolete and no longer safe for use.

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

AUTHORIZE TOWN CLERK TO REFER OUT WETLAND APPLICATION RECEIVED FROM VITO PLANAMENTO - 3083 OAK STREET  
RESOLUTION #169

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

RESOLVED, the Town Clerk is authorized to refer out the Stormwater Management Permit/Wetland Permit application received from Vito Planamento for property located at 3083 Oak Street, Mohegan Lake, also known as Section 25.12-2-8 on the Tax Map of the Town of Yorktown for the demolition of existing cottage, construction of a modular home, and installation of a new single on-site septic system.

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

AUTHORIZE TOWN CLERK TO REFER OUT WETLAND APPLICATION RECEIVED FROM LAWRENCE GIULIANO - 2398 TRELAWN STREET  
RESOLUTION #170

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

RESOLVED, the Town Clerk is authorized to refer out the Stormwater Management Permit/Wetland Permit application from Lawrence Giuliano for property located at 2398 Trelawn Street, Yorktown Heights, also known as Section 27.19-1-11 on the Tax Map of the Town of Yorktown for the construction of an in-ground pool, permeable pavers and a garage.

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

DEDICATION OF IN REM PROPERTIES AS OPEN SPACE  
RESOLUTION #171

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

WHEREAS, the Town acquired the following parcels by in rem foreclosure:

<u>Street address</u>	<u>Tax Map ID #</u>
424 EAST MAIN ST.	6.17-1-49
1725 CLOVER RD.	15.15-1-10
1717 CLOVER RD.	15.16-1-35

1719 CLOVER RD.	15.16-1-36
1721 CLOVER RD.	15.15-1-9
JAMES ST.	16.14-1-24
DUNNING DR.	27.18.-2-1
CROMPOND RD	35.08-1-24
GILBERT ST.	37.14-1-63
BALDWIN RD	37.14-1-74
UPLAND RD	37.15-2-14
AQUEDUCT ST	69.08-1-26.11

and,

NOW THEREFORE BE IT RESOLVED that the Town Board dedicates the above-listed parcels as open space.

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

DEDICATION OF IN REM PROPERTY FOR HIGHWAY PURPOSES  
RESOLUTION #172

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

WHEREAS, the Town acquired the following parcels by in rem foreclosure:

<u>Street address</u>	<u>Tax Map ID #</u>
LIBERTY LA	36.06-2-61

NOW THEREFORE BE IT RESOLVED that the Town Board dedicates the above-listed parcel for Highway purposes.

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

REDUCTION OF RENT FEES FOR THE USE OF THE AACCC FOR SPARC, INC.  
RESOLUTION #173

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

BE IT RESOLVED that based on a request from SPARC, Inc. to use rooms at the Albert A. Capellini Community and Cultural Center to provide social and recreational programming to teens and young adults with developmental disabilities, the Town Board hereby reduces the room rent fees from \$3,260.00 to \$528.00 for 106 hours of room use beginning on April 5, 2019 through August 15, 2019 as indicated in the schedule below. The requested reduced fee is based on a charge of \$22 per date of use for 24 dates: April 5, 12, 26; May 3, 10, 17, 31; June 6, 7, 13, 20, 25, 27; July 9, 11, 16, 18, 23, 25, 30; August 1, 6, 8 15.

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

EXECUTIVE SESSION

Upon motion made by Councilman Diana, seconded by Councilman Lachterman, the Town Board moved into an Executive Session to conduct interviews and discuss litigation and negotiations.

ADJOURN

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

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DIANA L. QUAST, TOWN CLERK  
TOWN OF YORKTOWN  
CERTIFIED MUNICIPAL CLERK