

Meeting of the Town Board, Town of Yorktown held on Tuesday, January 21, 2020 at the Town Hall, 363 Underhill Avenue, Yorktown Heights, New York 10598.

Present: Matthew J. Slater, Supervisor  
Thomas P. Diana, Councilman  
Edward A. Lachterman, Councilman  
Vishnu V. Patel, Councilman  
Alice E. Roker, Councilwoman

Also Present: Diana L. Quast, Town Clerk  
Adam Rodriguez, Interim Town Attorney

#### TOWN BOARD MEETING

Supervisor Matthew Slater called the meeting to order.

#### EXECUTIVE SESSION

Upon motion made by Councilman Lachterman, seconded by Councilman Diana, the Town Board moved into Executive Session to discuss the employment of a particular person. Upon motion made by Councilwoman Roker, seconded by Councilman Patel, the Town Board moved out of Executive Session and proceeded with the meeting.

#### PLEDGE OF ALLEGIANCE

Supervisor Slater led the Pledge of Allegiance.

#### MOMENT OF SILENCE

#### SUPERVISOR MATTHEW SLATER'S REPORT TO THE TOWN

Supervisor Slater mentioned the first snowstorm the past Saturday and thanked the Highway Superintendent David Paganelli and the Highway Department for their hard work keeping the roads clear. Supervisor Slater also mentioned an LED Lights initiative that Superintendent Paganelli brought to his attention, which will cost the Town approximate \$17,000 that will replace 260 lights in Town with LED lights. It will actually save the Town in the first year over \$25,000.

Supervisor Slater stated that he and the Town Engineer Michael Quinn had a conversation with DEP regarding the Hallocks Mill Sewer Extension project. DEP characterized the project as a qualified project but raised similar concerns as Westchester County. The Town is submitting requested data to DEP from the Engineering Department and it is expected they will be meeting with DEP sometime next month for an update.

Supervisor Slater announced that Yorktown Town Hall is now a permanent collection station for United for the Troops. Operation Cupid is underway and they will be packing this Saturday. This will transition to the March into Spring program.

Supervisor Slater announced the social media platforms in which the Town now participates: Facebook, Twitter, and most recently, Instagram as well as our own YouTube channel.

Supervisor Slater thanked those who worked on the renovations in the Finance Department, the Town Clerk's Office, and the Supervisor's Office.

Supervisor Slater announced the Census Committee will be having a meeting on Thursday, January 30 at 7:00 p.m. in the Town Boardroom. The initiative is headed up by Town Planner Robyn Steinberg.

Supervisor Slater reminded residents of the Home Heating Plan. Residents may sign up for the program through his office.

Supervisor Slater mentioned the upcoming shows at the Yorktown Stage.

Supervisor Slater thanked the Yorktown Ambulance Corps for their response to his home this past week. He informed the public of the risks of RSV, which impacts both the young and the senior population.

## REPORTS FROM THE TOWN COUNCIL

Councilman Patel announced that he attended the Yorktown High School robotic competition. He said it was a wonderful display of old technology used in a very new way. Councilman Patel stated, in reference to the Dr. Martin Luther King, Jr. resolution: “Hate begets hate, violence begets violence, toughness begets a greater toughness, but we must meet the forces of hate with the power of love.”

Councilman Diana said that if anyone is experiencing discolored water in the area of the Hallocks Mill and Crompond Road it is because there was a water main break in the area this afternoon. He stated that there are 3 young men present from Troop 174 who are earning their time for their citizenship and community merit badge – a required merit badge for Eagle Scouts. Each were presented to the Board: Joshua Aronberg, Russell Sorentino, and Jeremy Saponaro. They spoke about what is entailed in getting this merit badge.

Councilman Lachterman mentioned that the CDC has identified the first case of the coronavirus in Washington State. He said he received a letter from the Yeshiva commending the police department’s active shooter program. He also said the Lions have chosen their groups for this summer’s concert series – one in June, one in July, and four in August.

## POET LAUREATE

John McMullen, Yorktown Poet Laureate, read his original poem “2020 Writing Resolutions.”

## PRESENTATION - MY BROTHER VINNY

Ms. Paula Miritello, from the organization, My Brother Vinny, came before the Board to announce that they were in Washington, D.C. this past weekend and they were chosen by the Academy of U.S. Veterans for a reward for their work with homeless veterans. They received the VETTY Award, a national award. The award was displayed at the meeting. She spoke about their organization and the donations they need, as well as upcoming events.

The following proclamations and citations were given in recognition of My Brother Vinny’s work:

Councilman Patel presented a proclamation from Senator Harckham’s office, on behalf of the N.Y. State Senate.

Councilwoman Roker presented a proclamation from Westchester County Legislator Vedat Gashi.

Councilman Lachterman presented a citation from Assemblyman Kevin Byrne, on behalf of the N.Y. Assembly.

Supervisor Slater presented a proclamation from the Town Board of the Town of Yorktown.

## ALLIANCE FOR SAFE KIDS

Mrs. Liz Talbert, Alliance for Safe Kids, announced upcoming events through their organization. She reminded the community that their federal funding ended in October 2018 and they have been working with an extremely limited budget since then and they are seeking support. This Thursday is the Parents Support Network meeting for parents and caregivers who are living with or caring for a young person who may be experiencing mental health issues. Next month, they partner with the J.C. Hart Memorial Library and Student Assistance Services for a free vaping presentation for adults in the community. March 22<sup>nd</sup>, from 12 to 4:00 p.m. at Yorktown High School will be their tenth annual Save-A-Life Program. A keynote speaker will talk and workshops will be held for both students and adults. A Youth Mental Health First Aid Course (an 8 hour training course) will be held for lay people. It trains you not to treat but to recognize signs and symptoms. Alliance for Safe Kids volunteer Kyra Brenner spoke about #WalktheTalk is a fundraising walk to benefit the organization on April 18th. During this event “caring stations” will be set up to address specific topics. At the end of the walk, exhibitors and organizations will have tables set up with information. There will be prizes such as Volunteer of the Year Award presented at the end of the event. Sponsors are available for this event for both families and businesses. Ms. Brenner also spoke about QR codes on the back of their business cards which connects to resources and ASK’s Community Guide Book.

Mrs. Tricey Cushner, ASK President, said the QR code takes a person to the most current version of the connected resources and how it impacts their programs.

VISION 2020 – A COMMUNITY TRANSITION TEAM PRESENTATION

Supervisor Slater gave a brief overview of the presentation which is a community member, bi-partisan transition team that was put together to assist the Supervisor upon taking office. Members were present to talk about a report that was put together.

Mrs. Tricey Cushner and Mr. Pete Lanza, co-chairs of the team, said they wanted to present the initial report, which will be available to the public. She spoke about how the community transition team came into being. The common goal was a passion for the community in which they live. Ms. Kushner spoke of the diversity of the group. They identified the strengths and weakness of the community as well as opportunities that present themselves. She announced a new website, [ideasforyorktown@yorktownny.org](mailto:ideasforyorktown@yorktownny.org), where the public can reach out to the team and the supervisor to voice their concerns, opinions, etc.

Councilwoman Roker said the employees of Yorktown should also see this report. She feels that it is important that those who work for the Town should share in the good of what is being developed.

DURING COURTESY OF THE FLOOR, the following people spoke.

Mr. Ken Belfer, resident, wanted to share information he learned at the Westchester County’s Complete Count Committee for the upcoming census. The Westchester-Putnam area will be hiring approximately 6,200 people for the census. The rate of pay is supposed to be \$23.00, with various hours available. The website is [www.2020census.gov](http://www.2020census.gov) for more information.

Mr. Marc Lieberman, resident, asked if there was an update on the vandalism that occurred in Town.

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

Councilman Diana responded to Mr. Lieberman’s question about the vandalism by saying the Chief of Police is still trying to determine a license plate number from the picture of the car that was captured on a surveillance camera. The \$2,500 Crime Stopper’s reward was also mentioned.

Supervisor Slater read the following resolution to honor Dr. Martin Luther King, Jr. and celebrate his memory:

IN HONOR DR. MARTIN LUTHER KING, JR. AND CELEBRATE HIS MEMORY  
RESOLUTION #27

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

Whereas, Dr. Martin Luther King, Jr. devoted his life to strengthening the American character and called on our nation to live up to its founding principles of life, liberty, and the pursuit of happiness for all its citizens; and

Whereas, through his determination, spirit, and resolve, Dr. King led one of the greatest movements for equality and freedom in history; and

Whereas, the Town of Yorktown wishes to honor the legacy of this great American and remember the ideals for which he fought; and

Whereas, as we observe Dr. King’s birthday, the Town encourages all its residents to celebrate his memory by performing acts of kindness through service to others;

Now, Therefore, Be It Resolved, that all residents of the Town be encouraged to honor Dr. King and celebrate his memory by living out his teachings.

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

Supervisor Slater said they are asking the Town’s fourth and fifth graders, in 250 words or less, to share their dreams for our community. Entries may be emailed to [Supervisor@yorktownny.org](mailto:Supervisor@yorktownny.org) (email subject line should read “MLK Essay Contest”). The deadline for entries is February 11, 2020.

ESTABLISHMENT OF AN ANNUAL “DR. MARTIN LUTHER KING, JR. ESSAY CONTEST”  
RESOLUTION #28

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

Whereas, Dr. Martin Luther King, Jr. devoted his life to strengthening the American character and called on our nation to live up to its founding principles of life, liberty, and the pursuit of happiness for all its citizens; and

Whereas, through his determination, spirit, and resolve, Dr. King led one of the greatest movements for equality and freedom in history; and

Whereas, the Town of Yorktown wishes to honor the legacy of this great American and remember the ideals for which he fought; and

WHEREAS, as we observe Dr. King’s birthday, the Town encourages all its residents to celebrate his memory by performing acts of kindness through service to others;

Now, Therefore, Be It Resolved, that the Town hereby establishes the annual “Dr. Martin Luther King, Jr. Essay Contest;” and

Be It Further Resolved, that Town residents in the 4th and 5th grades shall be entitled to participate; and

Be It Further Resolved, that the Supervisor shall be responsible for coordinating the logistics surrounding the Contest, including soliciting submissions; and

Be It Further Resolved, that the Town Board shall review the submissions and select and announce the winners of the Contest.

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

AUTHORIZE THE HIRING OF FOUR (4) “PART-TIME AVAILABLE” ASSISTANT FIRE INSPECTORS  
RESOLUTION #29

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

Whereas, until such time as the Town has hired an additional Fire Inspector or an additional Assistant Building Inspector, the Building Department is desirous of hiring four (4) “part-time available” assistant fire inspectors; and

Whereas, the Town Board has determined that James Malone, Alexander Vergo, Paul Liberatore and John Falcone are qualified to perform the duties described above on an interim basis;

Now, Therefore, Be It Resolved, that until the Town has hired an additional Fire Inspector or an additional Assistant Building Inspector, the Town is authorized to hire four (4) “part-time available” assistant fire inspectors.

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

AUTHORIZE SUPERVISOR TO SOLICIT REQUEST FOR PROPOSALS FOR GENERAL MUNICIPAL LEGAL SERVICES/TOWN ATTORNEY  
RESOLUTION #30

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

Whereas, Bleakley, Platt & Schmidt LLP was retained (with Adam Rodriguez, Esq. serving as Town Attorney), on an interim basis, by the Town to provide it with municipal law legal services (“Services”); and

Whereas, the Town is desirous of receiving proposals from qualified attorneys and law firms with experience in municipal law matters for the provision of the Services;

Now, Therefore, Be It Resolved, that the Supervisor is authorized to prepare a request for proposals from qualified attorneys and law firms with experience in municipal law matters for the provision of the Services; and

Be It Further Resolved, that the Supervisor is authorized to advertise for such proposals.

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

AUTHORIZE SUPERVISOR TO SIGN AN AMENDMENT TO THE TOWN'S LICENSE AGREEMENT WITH THE YORKTOWN VOLUNTEER AMBULANCE CORP.  
RESOLUTION #31

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

Resolved, the Supervisor is authorized to sign an amendment to the Town's License agreement with the Yorktown Volunteer Ambulance Corps. (YVAC) for the storage of the flycar for advanced life support services, through December 31, 2020, at the same annual rate as set forth in the agreement.

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

AUTHORIZE ATTENDANCE AT THE 2020 NEW YORK STATE TOWN CLERK'S ASSOCIATION ANNUAL CONFERENCE AND TRAINING  
RESOLUTION #32

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

Be It Resolved, that Diana Quast, Town Clerk has permission to attend the 2020 New York State Town Clerk's Association Annual Conference and Training to be held in Albany, New York from April 26, 2020 through April 29, 2020.

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

RENEW OAK RIDGE HAULING, LLC COMMERCIAL GARBAGE LICENSE FOR 2020  
RESOLUTION #33

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

Resolved, that Oak Ridge Hauling, LLC be and is hereby granted renewal of their Garbage License to service commercial properties in the Town of Yorktown for the year 2020.

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

APPROVE RELEASE OF PERFORMANCE BOND FOR BONFIGLIO - #BSWPPP-T-039-16 & #BSWPPP-068-16 – BALDWIN ROAD  
RESOLUTION #34

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

Whereas:

1. Michael Bonfiglio as applicant for a land development project at 1233 Baldwin Road, posted check #6322 in the amount of \$2,500 to serve as the Erosion Control Bond for permit #BSWPPP-T-039-16, which was deposited to the T33 account on August 1, 2016.
2. Michael Bonfiglio as applicant posted check #6432 in the amount of \$1,700 - \$500 of this money was posted to serve as the Performance Bond for permit #BSWPPP-068-16, which was deposited into the T33 account on December 5, 2016.
3. Michael Bonfiglio as applicant has requested monies be released as the project work is now complete.

4. The Town Engineer has informed this Board that a representative of his department has inspected the property and determined that the work has been satisfactorily completed, and that the above referenced monies may be released,

Now, Therefore Be It, Resolved, that the above referenced monies totaling \$3,000 be and are hereby released to Sensible Choice Contracting, LLC, 1000 Saw Mill River Road – Suite B, Yonkers, NY 10710, Attn: Mr. Michael Bonfiglio.

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

APPROVE REDUCTION OF PERFORMANCE BOND FOR UNDERHILL / KEAR RETAIL & OFFICE SITE DEVELOPMENT - #FSWPPP-T-068-17  
RESOLUTION #35

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

WHEREAS:

1. Planning Board Approval Resolution #17-20 and the Engineering Permit issued for this project required the Applicant to post a Performance Bond in the amount of \$50,000.
2. Kear Underhill Associates, LLC, as applicant provided the Town with check #1019 in the amount of \$50,000, which was deposited into the T33 account on September 21, 2018 to serve as the Performance Bond for permit #FSWPPP-T-068-17.
3. Kear Underhill Associates, LLC, has requested the Performance Bond be released.
4. The Engineering Department has inspected the property and determined that the improvements for the site have been completed. The project completion date has been established as 10/31/19.
5. Since the Engineering Permit requires a \$5,000 maintenance bond for a period extending one (1) year past the project completion date, the Engineering Department recommends reducing the Performance Bond to \$5,000 (\$50,000 less \$45,000). In lieu of this, the Applicant may post a \$5,000 Warranty/Maintenance Bond and the Performance Bond may be returned in full.

Now, Therefore Be It Resolved, the Performance Bond is hereby reduced to \$5,000 (\$50,000 - \$5,000 = \$45,000 back to developer) and may be released to Kear Underhill Associates, LLC, 10 Julia Lane, Suite 101, Cold Spring, NY 10516. The remaining funds (\$5,000) will be held until the 1-year warranty/maintenance period has elapsed.

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

AUTHORIZE ATTENDANCE AT THE 2020 NEW YORK STATE GOVERNMENT FINANCE OFFICERS ASSOCIATION ANNUAL CONFERENCE/TRAINING  
RESOLUTION #36

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

Be It Resolved, that Patricia Caporale, Gennelle MacNeil and Sandra Serrano have permission to attend the 2020 New York State Government Finance Officers Association annual conference / training to be held in Albany, New York March 31, 2020 through April 3, 2020.

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

AWARD BID FOR PARKS AND RECREATION BROCHURE  
RESOLUTION #37

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

Whereas, bids were received on Tuesday January 7<sup>th</sup>, 2020 for formatting, printing, and delivering the 2020 Parks & Recreation Brochures as specified by the Town of Yorktown's Parks and Recreation Department. Bids were submitted by the following Vendors:

1. Rose Press  
8 North 14<sup>th</sup> Ave.  
Mt. Vernon, NY 10550

- |                          |             |
|--------------------------|-------------|
| BID per brochure:        | \$8,039.00  |
| Option 1:                | \$2,380.00  |
| Total cost per year (x2) | \$20,838.00 |
2. Graphic Image Inc.  
561 Boston Post Rd.  
Milford, Ct. 06460  
BID per brochure: \$8,185.00  
Option 1: \$150.00  
Total cost per year (x2) \$16,670.00
3. Courier Printing Corp.  
24 Laurel Ave.  
Deposit, NY 13754  
BID per brochure: \$6,266.00  
Option 1: \$300.00  
Total cost per year (x2) \$13,132.00
4. The Mines Press, Inc  
231 Croton Ave.  
Cortlandt Manor, NY 10507  
BID per brochure: \$8,151.20  
Option 1: \$150.00  
Total cost per year (x2) \$16,602.00
5. Chase Press  
31 Peeks Lane, Ste 3  
Newtown, Ct., 06470  
BID per brochure: \$5,665.00  
Option 1: \$195.00  
Total cost per year (x2) \$11,720.00
6. Premium Productions, Inc  
6 Lincoln Ave.,  
Pleasantville, NY 10570  
BID per brochure: \$5,559.00  
Option 1: \$570.00  
Total cost per year (x2) \$12,258.00
7. Indiana Printing and Publishing Company, Inc  
899 Water St.  
Indiana, Pa. 15701  
BID per brochure: \$5,333.00  
Option 1: \$1,400.00  
Total cost per year (x2) \$13,466.00

Resolved, that the lowest bidder including Cover Design & Layout, Chase Press, is awarded the 2020 Program Brochure Bid.

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

AUTHORIZE POLICE DEPARTMENT EMPLOYEE TO ATTEND TRAINING SEMINAR  
RESOLUTION #38

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

Resolved, that the Town Board approves a 2 night lodging expense of \$238.00 for a Yorktown Police Department Employee to attend a Training Seminar.

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

AUTHORIZE THE YORKTOWN WATER DEPARTMENT TO PURCHASE A JOHN DEERE 310SL HL BACKHOE LOADER AND ONE MODEL RB100G HYDRAULIC HAMMER FOR THE BACKHOE LOADER FROM RBHAMMERS CORP. FOR A TOTAL COST OF \$120,073.87  
RESOLUTION #39

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

Whereas, it is the intention of the Distribution Superintendent to purchase one John Deere 310SL HL Backhoe Loader as listed on the New York State Contract for Heavy Equipment #PC67075 awarded to John Deere Shared Services, Inc. DBA John Deere Construction Retail Sales for a cost of \$111,006.37; and

Whereas, three price quotes were obtained to purchase one new model RB100G Hydraulic Hammer to fit the John Deere 310SL HL Backhoe Loader with the lowest bidder being RBHAMMERS Corp. (Heatherdell) of Blauvelt, NY for a cost of \$9,067.50; and

Whereas, as confirmed by the Town Comptroller, monies have been allocated in the 2020 Water Department budget line SW.8340.0201.0002 (equipment/vehicles) for these purchases; and

Therefore Be It Resolved, the Town Board authorizes the Yorktown Water Department to purchase a John Deere 310SL HL Backhoe Loader pursuant to the New York State Contract for Heavy Equipment from John Deere Shared Services, Inc. DBA John Deere Construction Retail Sales and one model RB100G Hydraulic Hammer for the Backhoe Loader from RBHAMMERS Corp. for a total cost of \$120,073.87.

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

Supervisor Slater returned to the resolution mentioned earlier regarding the Hallocks Mill Sewer District Extension authorizing the Town Clerk to advertise a public hearing for the establishment of the extension project. Supervisor Slater said he would like to have a Board discussion on this because at the last work session the issue was raised that there were concerns from the County, who holds the purse strings on this project (a \$10 million fund), which the Town had been appropriated through East of Hudson funds. A conference call was held with DEP (who actually provide the funding) where they raised similar concerns as the County. The Town Engineer has sent the requested data to the DEP and is now waiting for them to review the data. Supervisor Slater raised a provision in the Town Code that states sewer hookups must take place within a sixty to ninety day window after pipe is laid as possibly problematic. He also spoke to the fact that the cost factor to the resident may change based on the funding that will be given to the Town.

Town Clerk Diana Quast confirmed that if the cost of the sewer hookup to the resident changes significantly that the petition process would need to be repeated.

Supervisor Slater stated that given the unforeseen obstacles that have arisen by Westchester County and the NYC DEP, he would be more comfortable holding off on the resolution to a later date.

Upon motion by Councilman Lachterman, seconded by Councilman Lachterman the following resolution was tabled for a future work session agenda:

The Town Board continued to briefly discuss the issues facing the Town regarding the County's and DEP's issues regarding this project.

Councilman Patel called the boy scouts back to the podium to see if they had any questions regarding the meeting. The Town Board answered and spoke with the scouts about the meeting.

ADJOURN MEETING

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

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