

Zoom Teleconference Meeting of the Town Board, Town of Yorktown held on Tuesday, October 13, 2020 held in Yorktown Heights, New York 10598.

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

Also Present: Diana L. Quast, Town Clerk
Adam Rodriguez, 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 individual personnel issues and conduct interviews. Upon motion made by Councilman Lachterman, seconded by Councilman Diana, 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 Slater asked all to join him in a moment of silence to remember the brave men and women protecting our freedoms overseas, as well as the over 200,000 citizens who have lost their lives due to COVID-19, those who are continuing to battle the virus, our first responders and police, and all frontline workers who continue to battle the pandemic.

COVID-19 UPDATE

Supervisor Slater announced Yorktown has 32 active cases of the virus – a net decrease of 5 from last Friday. Ten new cases were reported since Friday. He said also important to note is that they are seeing on both a statewide basis and Westchester County basis that numbers are beginning to rise and they are beginning to match daily caseload and hospitalization rates that were seen back in May. He asked that everyone continue to wear a mask, wash hands, and practice social distancing. He also announced flu shots available at the Elks Club.

REPORTS FROM TOWN COUNCIL

Councilman Lachterman announced that on Saturday United for the Troops would be doing a drop off of food items that will be sent to troops overseas. It will be held as a drive through event at the commuter parking lot next to Town Hall. A list of needed items is posted on United for the Troops website. He announced that on Sunday the Sons of the American Legion would be doing their monthly breakfast to raise money for veterans' services.

Councilman Diana announced that a fundraiser to support the Yorktown Police Department would be held at the Grace Building from 12 noon to 4:00 p.m. All proceeds will go towards purchasing equipment for the YPD. It will be held as the annual car show, which was delayed.

Councilman Patel re-emphasized the wearing of masks and mentioned how he has seen many people gathering without masks. He said he is also concerned about mask wearing at school sports events. He asked the Supervisor if he had been in touch with the schools and Supervisor Slater said he has been in contact with both superintendents and they are doing a great job of doing what they can to keep the children as safe as possible.

Councilwoman Roker said she heard a report of a family who held a birthday party with about 35 people in attendance. She said that because some of the guests tested positive, 280 people are now quarantined.

Councilman Patel said he has spoken to some retired teachers who would like to help tutor students for free. He is trying to coordinate this effort.

PROPOSED NO PARKING ZONES

Highway Superintendent Dave Paganelli said there are two situations he would like to discuss. One is Commerce Street and the proposal is no parking from Hanover Road to Route 118/35, either side of the road. The other location is more of a seasonal issue and is located on White Hill Road. He said there is a business located there and are restricted by the number of cars they can have there. He does not want to do anything to harm their business but his feeling is that the Town cannot have cars parking on White Hill. It is a two-lane road and when you have 10-12 cars parked there, you have about 250 feet where one car can come through and then it becomes an issue of log jamming. Superintendent Paganelli said he witnessed 12-15 cars on White Hill and on Mark Road there were 97 cars, as well as cars parked on side streets, totaling 137 cars. White Hill Road is the major safety issue.

Chief Robert Noble said there is a firehouse on Commerce Street that needs a great deal of egress for their trucks and apparatus, as well as the ingress/egress of various businesses. If cars are parked on the roadway, it creates a sight line dilemma and makes it a significantly more unsafe. He said there is plenty of parking in the area.

Councilman Diana agrees with both Chief Noble and Superintendent Paganelli that there should be no parking on that stretch of Commerce Street.

Officer Rob Rohr, Traffic Safety Officer, talked about how parking on Commerce Street impedes the flow of traffic, especially when large commercial vehicles are trying to get through. He mentioned the BP station in particular and said he had a conversation with the owner about where he could park his cars, but has not had any success regarding alternatives. Officer Rohr said he was going to reach out to a nearby business owner to see if he could accommodate the BP's overflow of cars. Officer Rohr said there have been a lot of calls and issues about the parking on White Hill. He said people are parking along the entire length of the road. He said he and Superintendent Paganelli discussed no parking signs at least until October when apple-picking season is over.

Councilman Patel raised the possibility of using the parking lot of the church that is in the area. Supervisor Slater said there is an individual in the area who turned his backyard into a paid parking lot and is turning proceeds over to Feeding Westchester. Supervisor Slater said if the church is willing to let people park there, that is a conversation the church would have to have with Wilkens Farm.

Chief Noble said this should be enforced throughout the year. He said this is a narrow country road and parked cars on that road are susceptible to damage. Superintendent Paganelli agreed with this and said there is no safe place to park on White Hill Road.

Officer Rohr said the road is turned into a one-lane road because of parked cars and then added to that is the pedestrian traffic.

Councilman Lachterman said he recalls the church in the area is very concerned about safety and people utilizing their lot for parking; he does not feel that this would be an option.

Supervisor Slater said the Town Attorney would draft the local laws establishing the no parking zones for both streets and move them forward through the proper process.

DRAG RACING LEGISLATION

Supervisor Slater introduced James Nolan to the Board. Mr. Nolan is with a not-for-profit organization based out of Yonkers in memory of his brother. Mr. Nolan visits different municipalities to propose legislation to ban drag racing.

Mr. Nolan said his brother, Michael Nolan was the Oakland A's baseball player who was killed in a drive-by shooting in 2015 in Yonkers, as the result of a drag race. In 2017 Yonkers introduced a law that would give the right to a municipality to confiscate vehicles, hand down heavy fines, and possible jail time. He said the legislation also targets the organizers and promoters of drag racing. He said the legislation has been successful and has made a difference in Yonkers. Mr. Nolan hopes that other municipalities will adopt similar legislation in order to save lives and the pain caused to so many families of the victims. He spoke about the particulars of drag racing, the frequency, and the dangers.

Chief Noble commended Mr. Nolan on what he is doing in his brother's name. He said twice in the last year the Town has had pop-up events on social media where hundreds of cars come in to drag race. He said having a law like this on the books gives them another tool that they may be able to utilize to keep the roads safer.

Mr. Nolan talked about the migration of the drag races, the money involved, and the location of some of these races.

Councilman Diana said there are sanctioned tracks if drag racers wish to hold a race. Unauthorized speed contests on public highways does nothing more than create a major hazard for innocent individuals.

Mr. Nolan also mentioned that the proceeds of any vehicle that is confiscated and sold at would go to the municipality.

Supervisor Slater said the Town Attorney would put this legislation into local law format so it would move forward through proper process.

Councilman Diana said any of these types of cars that go up for auction should be "de-tuned" or at least not allowed to be made "street-able" again. Mr. Nolan said municipalities may add to the law to make it tougher or stronger.

Councilman Patel raised the issue of motorcycles operating in an unsafe manner and Mr. Nolan said this law covers motorcycles, ATVs, etc.

SUSTAINABLE WESTCHESTER

Supervisor Slater introduced Nina Orville (Sustainable Westchester), Sarah Wilson (Climate Smart Communities Task Form (CSC) Member, and Jaime Smith (Lodestar) and said the Town entered into a partnership with Sustainable Westchester to help promote, educate, and find new methods to embrace renewable energy and sustainability.

Nina Orville said the Town of Yorktown has been extremely active in advancing solar energy with the new comprehensive solar law and Community Solar Campaign that they will be kicking off soon. She said she was present tonight to talk about the Town's opportunity to participate directly in community solar as a community solar subscriber. She said when Sustainable Westchester started to bring the community solar opportunity to residents throughout Westchester, they focused on customer-friendly terms (up to 10% savings for subscribers, no cancellation or administrative fees for residential subscribers), as well as clear communication from the solar companies. She said they were pleased to engage with Lodestar who was willing to offer all of the customer friendly terms they requested for individual subscribers including the 10% discount, long-term contracts with no cancellation or other monthly fees, and no credit checks for individual subscribers. She said Lodestar said they were willing to have Sustainable Westchester offer the opportunity to serve as anchor subscribers to their municipalities in the NYSEG service territories. They were also able to offer the same 10% discount. Ms. Orville said that, to date, two municipalities in northern Westchester have enrolled in this way with Lodestar; others would like to join but their municipal electricity usage was too low. She said Yorktown, with over 3.7 million kilowatt hours of electricity usage for its municipal accounts is a very good candidate.

Jaime Smith gave a presentation of the opportunity they are presenting to Yorktown. He gave a brief history of his company and the types of clients they serve. He said the program they are a part of is called Value of Distributed Energy Resources (VDER) that was rolled out in 2017 as part of New York State's Reforming the Energy Vision (REV) initiative. The Community Solar opportunity is offered in two parts: residential or small commercial clients and anchor clients such as municipalities. The program is a virtual program that not only supports clean energy, but you are not using your buildings or properties, there are no upfront costs or how you purchase your electricity, and the savings are guaranteed. He then talked about how the program works. The energy is produced from a solar facility, which is pushed back to the NYSEG wires nearest the facility. NYSEG measures how much electricity is produced from the facility and it is then determined who gets credit for that electricity, i.e., the Town, residential customers, etc. The energy they produce is turned into money at a rate established by the program (right now, about 10 cents). For example, if they produce 1,000 kilowatts of electricity and each kilowatt is worth 10 cents, you would have \$100 of credits. The Town can determine where those credits go, i.e., 30% to Town

Hall, 40% to the Water Plant, etc. Each of these locations would get their normal electric bill but at the bottom would be listed the credit. Lodestar would then send a separate bill for 90% of the value of those credits – in this case, \$90. He explained that the Town is buying dollar bills for 90 cents that Lodestar can only apply to the electric bill. Mr. Smith said it does not matter what the Town pays for electricity; if the Town uses less electricity in the future, the credits will go farther. He proceeded with slides regarding how the savings would work based on other municipalities and sample electricity costs.

Supervisor Slater said the Finance Department dissected the billing in detail, as well as contacting nearby municipalities who are participating in the program, and he said they have given the green light on the billing in this process.

Councilman Lachterman asked Mr. Smith how a residential customer gets their credit and was told the same exact way as the Town.

Supervisor Slater said that the Town has collated all of their NYSEG accounts and gave them to Nina Orville who did a full analysis on all of them and provided options for the Town to opt in as a municipality. There is also the program for residents, business, and qualified organizations in the Town that the Supervisor and Ms. Orville are working on to present to these groups. He said if the Town moves forward on this, we are being examples for the rest of the Town as to why community solar is so beneficial environmentally, globally, and financially.

Supervisor Slater said they will move forward to finalize the amount of credits the Town wants to take and the Town Attorney will begin working on a term sheet and agreement. The Town of Yorktown will become the third municipality in Westchester to participate in this program.

COMMERCIAL WATER METERS

Supervisor Slater reminded everyone that earlier this year the Town updated its code to put some “teeth” into the law as it pertains to commercial water meters. He introduced Water Superintendent Kenny Rundle to give an update on how this implementation is proceeding.

Superintendent Rundle said the Town has about 10,000 water accounts; approximately 350 are commercial accounts, which means that the water meters are privately owned and are 1.5 inches or larger. He said the law has been on the books for quite a while but amended to give it stronger language. Letters were sent notifying commercial accounts of what needed to be done with their meters. Superintendent Rundle said they received a few hardship letters but then COVID struck. He said although COVID is not an excuse for not doing what the law states, it is our reality. He said he did not think it was the time to push this and put financial burdens on commercial businesses when the state went into lock down; he felt it was not the right thing to do. Superintendent Rundle said he feels that it may be time to begin doing some more mailings but is asking for guidance from the Board since there are so many financial hardships that exist due to the pandemic.

Supervisor Slater said he thought Superintendent Rundle was 100 percent right in his thinking. He asked the superintendent how many hardships responses he initially received and was told approximately a half a dozen out of the 20-25 letters that were initially sent. Supervisor Slater asked the remaining commercial accounts did the necessary testing, repair and/or replacement of their meters and Superintendent Rundle said 4 or 5 meters were replaced but reminded the Supervisor that testers were not going into places to test because of the pandemic.

Councilman Patel asked how much these businesses are paying the correct amount for their water. Supervisor Slater said that is what we do not know definitively – if those meters are actually producing the true value of the water they are using, which is why the Town wanted to do this. He said some of these accounts have not updated their meters for 20 to 30 years.

Superintendent Rundle said if it was not for the pandemic, his report to the Town Board would be much different from what it is this evening.

Councilwoman Roker said she thought Superintendent Rundle made the right decision. Supervisor Slater said the acceptance of hardship letters was a step in the right direction. He said that as the Town has provided relief to private homeowners due to the pandemic; it is only fair that the Town provide the same sort of relief to its business community. He said he does think it is time to send

out another batch of letters to see what the response will be and how the hardship cases can be handled.

Councilwoman Roker pointed out that these commercial accounts are paying their bills. Superintendent Rundle said that was correct – it just might not be the correct amount. He also reminded the Board that some of these commercial accounts are assigned to condominium developments like Jefferson Village, which means that the Town would not want to put undue financial hardship during a pandemic on a senior community.

Supervisor Slater asked Superintendent Rundle to explain the notice that residents may receive in the mail regarding the pipe that feeds behind the Police Department.

Superintendent Rundle said certain testing needs to be done due to chlorination and back in May the Town received a very high reading. The reading was taken from the Refuse & Recycling building behind the police station. The line that feeds that building is an 8 inch, 800-foot main line that comes in from Route 202. He said this sample was taken during a time when the Town was on a reduced staff due to the pandemic and not much water was being used. Superintendent Rundle said the first sample was off the charts and then a sample was taken the next day and that sample was within the limits. He put a water sample station closer to Route 202, which would be more representational of the water in the Town. These samples came back fine. He said this quarter's samples for the disinfection byproduct also came back fine but since it is a running average from last quarter, they had a high read. This one anomaly reading must be counted and, therefore, throws off the reading for the next quarter, which becomes a violation. Residents specific to this location must be notified throughout Town that this happened; however, there is no health hazard. Superintendent Rundle said they are working with a water consultant to see if there is a way to approach the Health Department to show them how this was specific to the location. He expects this high reading to go on through the next two quarters, until May.

Supervisor Slater confirmed that this line does not feed any residential areas – it was only Town buildings. He also said that the next day the readings were back to normal and have continued to be so.

Councilman Patel suggested that this be placed in the newspaper. Supervisor Slater a press release was done stating the samples were back to normal levels.

Councilman Diana asked about the price to replace a meter and the price to recalibrate a meter (size of 1.5 inches). Superintendent Rundle said if a meter is 20 years old, there is a good chance that it is not going to be accurate, and the necessary parts to make it accurate are no longer available. He said he would hate to see residents and business owners take good money and throw it after bad trying to test/fix the meter when they could use that money towards a new meter. Councilman Diana suggested the idea Town owning the meters and charging a fee and when they need to be replaced, the Town would swap them out. Superintendent Rundle said this was done decades ago when people were charged a water meter rental fee. Councilman Diana said this might be something the Town should look into at some point to make everybody whole. He said it would be two-fold because everyone would get new meters and the Town would get accurate readings.

Supervisor Slater said he and the Water Superintendent have had conversations with companies that do this. There are still some questions that need answers. He said the fact of the matter is, that when it comes to our water meter replacement project, it is going to take 52 years at the current rate to get all 10,000 accounts done.

Councilman Patel suggested selling meters to large commercial accounts on a pilot or trial basis in order to get accurate readings, therefore, getting the correct amount of payments and recouping the cost of the meter.

Councilwoman Roker said we would need to talk to a consultant about the pros and cons. Councilman Patel said this should have been done a long time ago.

Superintendent Rundle said, regarding the commercial meters, we should think about this if the District is going to buy meters. He said he does not want to tell a large commercial account, like Jefferson Village, that they have to have their meter tested and then the District comes back and

takes out a new meter they purchased and replace it with our own meter. He said this is something that has to be carefully thought through.

Supervisor Slater said this is something that needs to be scheduled for another work session.

Superintendent Rundle returned to the initial topic of the water sample disinfectant byproduct and reiterated that they did a second sample the day after the high sample reading (which they believe to be an anomaly) and it was within limits. It was isolated to the Refuse and Recycling building behind the police station. The high reading is not representational of what is in the Town's distribution system. There were three other sites tested at the same time and they were in the undetectable levels. He said given the high usage and reduced staff he feels this is why they experienced the high level, if it was even accurate.

PEEKSKILL SEWER DISTRICT INFLOW & INFILTRATION STUDY

Supervisor Slater introduced Town Engineer Michael Quinn, and EDR consultants Bob Butterworth, Cosimo Pagano, and Mike Tamblin.

Town Engineer Michael Quinn said according to the terms of the Consent Order, the Town was required to do an inflow and infiltration study (I&I), which was completed in August. The report was presented to the Town Board and submitted to the Department of Environmental Conservation (DEC). He said they have not yet heard any comments from the DEC. He said the next milestone in the Consent Order is to develop a work plan based on the results of the study. This work plan is due at the end of October. The Town Board had requested that the work plan be discussed beforehand and that is what they are here for this evening.

Cosimo Pagano (EDR) said they just completed an internal draft of the work plan. The plan outlines the task orders, such as CCTV, smoke and dye testing – what is going to be done under the SSES program (Sewer System Evaluation Survey) and then, ultimately, the schedule (that is already dictated in the Consent Order - 18 months from the submission of the work plan) to have the work completed. He said the work plan is a condensed version of what is going to happen over the next 18 months in order to meet the Consent Order requirements of the SSES. This plan is isolated to two areas, 8 and 11, that they identified in the I&I Flow Study – not for the entire collection system. Mr. Pagano said the DEC has 30 days to provide comment on the work plan, to which the Town would then respond. He then outlined the steps they would take per the work plan, as stated above.

Councilman Patel asked how much this would cost. Mr. Quinn said the two targeted areas are roughly 46,000 linear feet (approximately 9 miles) of pipe that would undergo a heavy cleaning and inspected with the CCTV cameras. He said based on what the Town has paid for continuing camera inspection work being done (mostly in the Hallocks Mill Sewer District), he estimates this would cost approximately \$150,000 of TV inspection work. Smoke and dye testing could be anywhere from \$1 to \$2 per foot, but is unknown because we do not know how many feet the Town will have to do. Mr. Quinn said before any work is started, they would need to get DEC's comments and approval on the work plan. He estimates work would begin early next year. His sewer budget will reflect for next year.

Bob Butterworth (EDR) said that in addition to what Mr. Quinn stated regarding the CCTV, there might be some additional work that is difficult regarding the removal of debris so the estimate of \$150,000 is based only on what you are doing now and how you are doing it now. There is another step to the CCTV, which is to evaluate the tapes and come up with a plan to do rehabilitation, including priorities and capital costs to do that. Mr. Butterworth said the \$150,000 is a good number to start with, but if they find heavier debris, how much longer it would take to remove that and then once you do that, are you going to have information done by Fred Cook? He said the second question is will somebody from the Town observe the work put it into a report and submit it to the DEC?

Mr. Quinn acknowledged the missing element in his calculation. He said he thinks that after they have the work plan submitted and approved, they will have to talk through the analysis with EDR. He thinks that it will take about 6 weeks to complete the fieldwork with the cameras and the cleaning.

Councilwoman Roker addressed Mr. Quinn and said if he is not going to be able to have one of his staff to oversee the process, then the Town will have to pay someone to do this. Mr. Quinn acknowledged this since he has a fairly lean staff and to remove someone for six weeks would be a

significant drain. Councilwoman Roker understood this and said this cost would have to be built in, as well.

Supervisor Slater said, as a reminder, that this is under a Consent Order from the DEC so there is not a lot of wiggle room for the Town; we do have to comply and this is the next step. He asked Mr. Pagano, once the work plan is reviewed by the Engineering Department, does it come to the Board for approval to be submitted or are they able to move forward with it without their authorization? Mr. Pagano said they should be able to proceed with the submission but would prefer the Board take a look at it before proceeding. He reminded that the deadline is October 30 and would have the work plan to the Board within the next couple of days, which would give them approximately two weeks turnaround time.

EDR agreed with the Supervisor to return to the Board next Tuesday.

Councilwoman Roker said we have done the I&I study and are now ready to move forward with the work plan to correct the problems in the Peekskill District areas. She asked Mr. Quinn once that is completed, what is left to do. Mr. Quinn said they did a broad-based study to try to find out where in the Town's 30 miles of collection system our issues might be and they have targeted a few areas. They are now going to do much further testing in that focused area. During the initial study where they inspected approximately 150 manholes and found 15 or 20 that have groundwater leakage. This is something that his department will try to pick up in an improvement program. He is talking with a few contractors about this work. He said we may not find any issues but if they do, that would be the final step. Mr. Quinn said that because they have a consent order, they are probably a year or two away from addressing any major problems. If they do find any issues, he thinks they may be eligible for funding.

Mr. Butterworth said the work plan is bringing the next level of evaluation. They took the entire area and did a deeper study and were able to identify two sub-areas that require more detail. When that detail is done, there will be another schedule for rehabilitating those defects that are potentially contributing to excessive flows in the collection. The rehab is the third step. A case will have to be made for only doing the highest priorities and an actual construction rehab schedule will need to be done.

Councilwoman Roker said she would like to worry about the money all together – not broken up into steps. She said there is no question in her mind that this will cost more than \$150,000 and thinks that the Board and the Town Engineer need to discuss the costs further, what funds are available, and if the Town will have to look at going out for a bond.

Mr. Quinn said based on the results of the first phase, they do see some issues. He said there are likely a few problems, which they will try to target so they can minimize the cost. Mr. Quinn said these are significant costs when you are talking about trying to remediate underground infrastructure.

Councilwoman Roker asked the EDR group where they have recently completed an I&I study. Mr. Butterworth said they just completed a study in Potsdam, NY. Their field investigation was more costly than the \$150,000 for the next phase. Mr. Tamblin said it is almost 70,000 feet of camera inspection and approximately \$650,000. Councilman Diana said the Town could most likely expect their costs to double and Mr. Butterworth said it depends on the role EDR plays in the project.

Supervisor Slater said the Board is looking for a more detailed budget from EDR's standpoint so that we can make sure there are funds to cover it within the sewer district. He said the last thing they would want, especially considering the financial position the Town is currently in, is an unforeseen cost. Mr. Butterworth said if they did every for Yorktown as they did for Potsdam, the Town could be looking at a similar cost. Mr. Quinn said he would work on something for the Board but would require a little more time to talk to EDR and look at his staff.

HALLOCKS MILL SEWER

Town Engineer Michael Quinn said he had spoken to the Board over the summer regarding conversations he and the supervisor were having with the Westchester County Planning Department and, essentially, the Department looked at the project the Town had submitted that they had done the petitions for in late December 2019. The concern the Department had was about the connection costs for people that would be on a pump system. The Town ultimately agreed that they would furnish the pumps on a low-pressure pumping system. Mr. Quinn said that originally the Town had

said that if a resident were going to be on a low-pressure pumping system, the individual homeowner costs would be in the range of \$12,000 to \$17,000. The County felt this was too large a burden and people would not connect and for a \$10 million commitment, they want to see people connecting. Mr. Quinn said they had a 20% contingency (\$2.2 million) and \$1 million could go towards furnishing those people with low-pressure pumping systems. He said this was the approach the Town Board decided to go with. The County was very pleased that the Town was willing to do that. The DEP also recertified that Yorktown has a qualified project for the \$10 million and the County planners have given the Town their commitment on the project and are working on a Right of Objection to affected agencies to say that the County will be funding the project. He said they are now working with the County legal department on the term sheet for the \$10 million funding. An IMA (intermunicipal agreement) will also need to be done between Yorktown and Westchester County. Mr. Quinn asked the Board if they would mind if he posted an update on the website listing the new numbers in terms of cost to the residents. Mr. Quinn said there is also other work being done in the Hallocks Mill District, which his setting the table for future projects they will be doing to further extend the sewers in Hallocks Mill.

Mr. Quinn said the pump station rehab project, which involves four pump stations – also an EDR project – was put on hold during the pandemic and will get back into starting that work soon. An I&I study will be done in Hallocks Mill in 2021 and smoke testing is being done there now.

Supervisor Slater said significant steps have been made. He said next spring the Board will budget for the I&I study in Hallocks Mill. He said that for those who are looking for sewers in the Hallocks Mill Sewer District, they should not expect them next year because it is not feasible. Supervisor Slater said he felt we still might have about two years until we are at that point. He said the good news is that we now have the confirmation of the dollars needed to get us through phase one.

Councilwoman Roker said one of the things the Board talked about was putting together a timeline for residents to follow the progress of the project and would still like to talk about putting this forward. Supervisor Slater agreed.

Councilman Patel asked Mr. Quinn about the contamination Water Superintendent Ken Rundle spoke about earlier in the evening. He suggested that Mr. Quinn and the superintendent post something on the website to explain what happened and that it has been taken care of. Mr. Quinn said he has been involved in the situation in order to resolve it and Ken Rundle explained it very well. He said a postcard that was already sent to homeowners was approved by the NYS Department of Health.

ZINO BARN

Lynn Briggs, Chairperson of the Heritage Preservation Commission, said there was a magnificent barn they became aware of in 2017 on the Zino's Nursery site. Mr. Breslin and Bob Rosenberg of Yorktown Jaz, the real estate development company, said they were willing to partner with the Heritage Preservation Commission to allow them to save the barn before they were to tear it down and demolish the buildings on the site (Lowe's). The barn is an 1830's American timber frame working barn and is part of our subsistence farming heritage. Right now it is on two 40-foot trailers on the Town's Greenwood St. location and has been there for three years. The Heritage Preservation Commission would like to take two actions. One is to release the rental of the two trailers and put a Quonset hut over the timber frame. They would like the Town Board's agreement to purchase the Quonset hut and to take the step of to get rid of the trailers and store the materials under the hut. The second action is to take care of unfinished business with the people involved in taking down the timber frame regarding unsettled accounts.

Ms. Briggs said the cost for the Quonset hut and labor is approximately \$11,000. Two donors have pledged half that amount and she is looking for the remaining amount to be funded by the Town.

Supervisor Slater said this would be a partnership with the donors from the Heritage Preservation Commission. He said they have heard from Tom Clemens, who the Town asked to inspect the timbers and he reported that the timbers were still salvageable but given the situation the timbers are currently in, not for much longer. He said the Quonset hut is necessary in order to be able to resurrect the barn in the future.

Councilman Diana asked if the Quonset hut would be a permanent structure. Ms. Briggs said the hut is 26x12x48 and is a nice heavy-duty hut that has end flaps. She said the hut could be used by

Highway Superintendent Dave Paganelli for storage needs after they are done with the project or it can be dismantled and sold. The hut provides them the opportunity to get the timbers dry and ventilated.

Supervisor Slater said they did explore other options (trailers) but it was determined they would not be as suitable. He believes this is a fair partnership of the Town with the Heritage Preservation Commission.

Ms. Briggs said the plan is to re-erect the barn next to the restored railroad station building. She said they filed for a grant last year to do a feasibility study in order to start on the project, which they did not receive. However, she said they did get proposals from engineering barn specialists companies who laid out plans of how to go about getting the project started.

Councilwoman Roker told Ms. Briggs she would have to work with the Comptroller to do a purchase order for the hut and whatever else the Code requires for that type of purchase. Ms. Briggs asked if the Town could purchase it directly and Supervisor Slater said the Town could purchase it directly and then have the finance department work with her so that the money she collected would go specifically towards that purchase. Supervisor Slater said, barring any objections, a resolution for the purchase would be put forth at the next Town Board meeting.

Ms. Briggs said they needed to pay the people who participated in taking down the barn. She said they needed to get the liability releases completed and asked for assistance from Town Attorney Adam Rodriguez. She said the barn specialist agreed to sign these back in December. The money is still in the project funds and she said they have confirmed with the Yorktown Jaz people that they are willing to pay all of the people involved. Supervisor Slater asked Mr. Rodriguez for an update on the releases and was told they would be ready by the end of the week.

Superintendent of Highways asked who would be the point person he would be in touch with regarding the hut at the Greenwood Street location. Supervisor Slater said he would look into this with Ms. Briggs.

MASTER FEE SCHEDULE UPDATE

Supervisor Slater turned this item over to Town Attorney Adam Rodriguez. Mr. Rodriguez said, as the Code stands now, any changes to the Master Fee Schedule are required to happen by local law, which he said seems inefficient. He said he drafted an amendment to Chapter 168 that would allow the Board to amend the Master Fee Schedule by resolution. He said his changes now make clear that the Master Fee Schedule does not just include fees; it can also include other forms like bonds.

Supervisor Slater asked the Board if they had any questions about the legislation.

Councilwoman Roker said she did not know why it was done by local law because it was always a resolution.

Councilman Patel said he would like a hardcopy of the Master Fee Schedule. Supervisor Slater said they had asked for a comparison to be done (which they are still waiting for) on the proposed adjustments to the Master Fee Schedule by the Building Department as to what exactly they are changing. He said while they wait for that, Mr. Rodriguez thought it would be a good idea to run parallel tracks to clean up the code while they wait for the new fee schedule.

Councilwoman Roker said it is not just the Building Department; it is all of the departments. She said they all have to put their fees in the schedule. She said she thought what Adam Rodriguez did is good but they need all of the departments to participate as to what their fees are. Supervisor Slater agreed.

Mr. Rodriguez said he sent emails to department heads regarding any changes they may have to the fee schedule.

Supervisor Slater asked if the proposed changes to the law should be referred out now or wait until fee schedule changes. If the amendments move forward, then any future changes to the actual fees can be done by resolution; if they wait for the fee changes to be incorporated into the current Master Fee Schedule to pass the amendments, it would have to be done by local law.

Superintendent Paganelli said Mr. Rodriguez has taken the right approach. Right now, they are on two parallel paths: one is addressing the fees, whether there is an increase or decrease. By making it by resolution, it will make it much simpler to address. He agrees with passing the legislation to make changes by resolution first – it seems to make much more sense.

Supervisor Slater said this is a two-step dance. The first step, which is being brought forth now, is to make future changes by resolution. The second step is to get specific changes documented by each department head, which is what they are currently waiting for. He said while they are waiting for the aggregation of the information, they can move the first step through the legislative process so that when they do have it, it will be done by resolution.

Supervisor Slater said this would be referred out to the appropriate agencies. Town Clerk Diana Quast said she needs a copy of the law in order to do the referral. Mr. Rodriguez said he would send it to her.

YORKTOWN TRAILTOWN COMMITTEE

Walt Daniels, Member of the Yorktown Trailtown Committee, said that at the moment the trails are having a massive problem with ATVs at both Woodlands and Granite Knolls. He said it is a new outbreak that is really hammering the trails.

Councilwoman Roker suggested a local law be introduced regarding ATVs. Supervisor Slater asked Town Attorney Adam Rodriguez to look at the code regarding ATVs on Town trails and if there is not something already in the code, to make sure something is drafted.

Mr. Daniels said he is currently working with Jim Martorano, Superintendent of Parks & Recreation, on this.

Susan Siegel, member of the Yorktown Trailtown Committee, spoke about the Mohegan Quarry in the Sylvan Glen Park Preserve and was operational from roughly 1880 to 1941. Ms. Siegel said many people do not know about the quarry, which was a major industry in Yorktown at its peak in the 1920s and employed up to 200 workers. Their project has two parts. One is to install interpretive signs at the quarry that would identify the remnants of the quarry and explain how the rock was taken from the quarry. The second part of the project is to put a comprehensive history of the quarry on a website. She said that tonight the Yorktown Trailtown Committee wanted to share the final designs for the signs. The new gateway sign was displayed. She said the Committee hired an industrial archeologist to help draft the signs. Ms. Siegel said one of the things that made the stone from the Mohegan Quarry special is that its granite had a golden hue to it and was used in the building of St. John the Divine Cathedral in New York City. This contract was the key to the quarry's success because they had contracts with the cathedral from the late 1800s into the 1930s since the cathedral was being built in stages. Mr. Daniels displayed each of the signs that would be erected at the site. Mr. & Mrs. Daniels and Ms. Siegel spoke about the history of the quarry as the slides were displayed.

Ms. Siegel said they are ready to manufacture the signs but need more money. They are looking to the community to help bring this project to life. They need about \$7,000 more to finish the project. Ms. Siegel spoke of how this project is important to Yorktown residents whose family members may have worked at the quarry, as well as a destination for those outside of Yorktown.

Councilman Lachterman suggested setting up a donation bucket at some of the trailheads with information about the project. He feels that people coming out to enjoy the trails would be willing to donate. Mrs. Daniels said she and Ms. Siegel are working on a mailing to solicit contributions. Councilman Lachterman said they would not have to limit themselves to soliciting at Sylvan Glen, but at other trailheads as well. A discussion ensued about fundraising efforts.

Councilwoman Roker said her only concern is if they are only working off of donations, installation may be delayed.

Superintendent Martorano said the Parks & Recreation Department will be offering their labor services.

FALL FARM FEST

Supervisor Slater said he had asked Tom Deacon from Fable Farm, what else the Town could do to boost our local farms and Mr. Deacon had suggest a Fall Farm Day, which will highlight our incredible agricultural assets in Yorktown. The day will be held on November 7th. The Chamber of Commerce will partner in this project.

Mr. Esposito, Chamber of Commerce, said they will be putting together a Farm and Agricultural Committee and if anyone were interested in sitting on that committee, he would be happy to welcome them. He is hoping that members of the Grange and Greg Brown (Hilltop Hanover Farm) would consider joining, as he has a wealth of knowledge about our local farms.

Supervisor Slater asked Mr. Deacon what they could do to help promote this. Mr. Deacon said there should be something to entice customers to visit each farm. For example, if each farm had a product to promote or an activity to do, it would bring more people. He also suggested a stamping system whereby each family gets a stamp for each farm they visit and at the end of the day they would get a prize or a promotion of some sort.

Superintendent of Parks & Recreation Jim Martorano said a farm passport would be a great idea. At the end of the day, any child who has their passport completely stamped might receive, for example, a free t-shirt.

Mr. Brown said it was announced to the farms today and read the statement sent to them. They have two responses: Hemlock Farms and Stewarts Farm, as well as Fable Farms. Mr. Brown spoke of the steps necessary to promote and publicize the Fall Farm Fest. Mr. Esposito said the Chamber would be happy to do an email blast to their members about the day.

Councilwoman Roker suggested using the signboards in Town, which are strategically placed to draw people. She wondered if the Chamber could pay for those signs. Mr. Esposito said that he would like to have Mr. Brown meet with their graphic designer to come up with signs for the event and then they will have something they can post on social media. He said they could do this as early as tomorrow. Supervisor Slater said that flyers should be done and distributed at upcoming events before November 7th.

The idea of the passport was discussed and formulated. Councilwoman Roker reiterated the need for using the Town's signboards.

Supervisor Slater said he was looking forward for this to be an annual event. Superintendent Martorano also suggested going forward that this be held over a couple of days. Visiting all eight farms in one day with children may be too much. A discussion took place regarding the logistics of holding the event over multiple days.

Mr. Esposito made two announcements. They are hosting a virtual debate between Senator Harckham and Rob Astorino, as well as between Assemblyman Kevin Byrne and Stephanie Keegan on Saturday at 7:00 p.m. He will be posting a link so people may join. Mr. Esposito said they are also looking for their portion of candidates for the Arts and Culture Committee

TOWN PARKS HERBICIDE NOTIFICATION

Supervisor Slater said they were trying to figure a way forward to inform and educate residents regarding the herbicide notification. He said when the Parks Department is out doing maintenance at our parks, they will be able to notify the public that week (similar to how we notify about hydrant flushing). Residents will be able to know ahead of time when the Parks Department is going to apply herbicides (which the supervisor said are organic) in their local parks. Superintendent Martorano said the herbicides are usually lemon oil or orange skin extract, which people will be able to smell. He said details about the ingredients would be posted. Supervisor Slater said that updated maps of all of the pocket parks in Town would be posted during the first quarter of next year, as well as an update of when each park was last treated.

Councilwoman Roker asked Superintendent Martorano if, as they go through the summer, anyone asks the crews to write down what is broken at each park so he knows what needs to be replaced. Superintendent Martorano said yes and he is looking to train in-staff someone to be a go-to person for safety at playgrounds. Councilwoman Roker said it is not just for safety but some of the equipment has been around for years. She said what used to happen was the department would lay

out in their five-year capital budget what needed to be replaced in different locations. Superintendent Martorano agreed and said this is something he has been talking about with the supervisor.

BEST FOOD TRUCK

Supervisor Slater said Matt Geller who runs a national company that manages food trucks in communities across the United States was introduced at a previous meeting to discuss introducing his business to Yorktown. Supervisor Slater said a few locations have been identified and are hoping to finalize a term sheet so the Town can begin a pilot program for the rest of the year.

Town Attorney Adam Rodriguez said the idea is to enter into an agreement with Best Food Trucks for a mobile food vendor management pilot program. Mr. Geller will help find, license, permit, and insure food vendors to provide quality food services at various locations around Town on Town property. Mr. Geller will schedule, coordinate, and promote the vendors and the program can be set up for specific cuisines, special events, etc. Revenue would be split 50-50 between Mr. Geller's company and the Town. Supervisor Slater clarified that this revenue is not the total of food sold, but a percentage of the profit that is split between Mr. Geller and the Town.

Supervisor Slater said he and Town Clerk Diana Quast and Councilwoman Roker have talked about Front Street, Strang Boulevard, Sparkle Lake, and Railroad Park as possible locations. Superintendent Martorano also mentioned Granite Knolls and Downing Park. He told Mr. Geller the Town would provide the times and regulations according to town code. Mr. Geller said he will ensure that all trucks are licensed with the Department of Health.

Mr. Geller said one thing that does come up when a truck arrives at a location and someone is parked in their spot. Town Clerk Quast said the locations the Town is currently looking at do not have anyone there now in terms of food trucks.

Councilwoman Roker asked if we get to pick the trucks we want in Yorktown and Mr. Geller said they make a roster of trucks and asks for input on where certain cuisines may work better in certain locations.

AUTHORIZATION TO EXECUTE PILOT AGREEMENT WITH BEST FOOD TRUCKS INC. RESOLUTION #335

Upon motion made by Councilman Lachterman, seconded by Councilman Diana

RESOLVED, that the Supervisor is authorized to execute a pilot agreement with Best Food Trucks Inc. for a mobile food vendor management program. Revenue generated by the agreement shall be evenly split between the parties. The term of the agreement shall expire on December 31, 2021.

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

CIVIL SERVICE STATUS CHANGE – JUSTIN FOLEY RESOLUTION #336

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

BE IT RESOLVED, that Justin Foley, Police Lieutenant, will have his Civil Service status changed from probationary to permanent effective October 14, 2020.

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

CIVIL SERVICE STATUS CHANGE – MICHAEL WOODARD RESOLUTION #337

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

BE IT RESOLVED, that Michael Woodard, Police Sergeant, will have his Civil Service status changed from contingent probationary to permanent effective October 14, 2020.

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

AUTHORIZATION TO EXECUTE A RELEASE WITH PROGRESSIVE MAX INSURANCE
RESOLUTION #338

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

RESOLVED, the Supervisor is authorized to execute a release with Progressive Max Insurance for an amount of \$3,760.66 in connection with damages sustained to Town Fire Hydrant at Route 202-2595 Mercer Court.

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

BID EXTENSION FOR AUTOMOTIVE AND SMALL ENGINE PARTS AND EQUIPMENT/
TOOLS
RESOLUTION #339

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

WHEREAS, invitation to bid for the Automotive and Small Engine Parts and Equipment/Tools was duly advertised; and

WHEREAS, said bids were received and opened on October 19, 2018;

NOW, THEREFORE, BE IT RESOLVED that upon recommendation of the Distribution Superintendent, Ken Rundle, the Automotive and Small Engine Parts and Equipment/Tools bid is hereby extended for one year, per terms of the bid contract, which will expire October 24, 2021.

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

UNUSED TIME PAYOUT FOR THOMAS D'AGOSTINO
RESOLUTION #340

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

BE IT RESOLVED that the Town Board hereby authorizes the Town Comptroller to pay Thomas D'Agostino the cash value of unused time as of his date of resignation.

Rate of Pay: \$40.8084

Vacation 66.00 hours x \$40.8084 = \$2,693.35
Total = \$2,693.35

BE IT FURTHER RESOLVED that the Comptroller is hereby authorized to transfer funds for the purpose of this payout at resignation as follows:

From:
A8020.101 Planning Salary \$2,693.35

To:
A8020.108 Planning Lump Sum Payments \$2,693.35

UNUSED TIME PAYOUT FOR JENNIFER O'NEILL
RESOLUTION #341

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

BE IT RESOLVED that the Town Board hereby authorizes the Town Comptroller to pay Jennifer O'Neill the cash value of unused time as of her date of resignation.

Rate of Pay: \$57.4713
Vacation 180.00 hours x \$57.4713 = \$10,344.83
Personal Days 18.00 hours x \$57.4713 = \$ 1,034.48
Floating Holidays 7.00 hours x \$57.4713 = \$ 402.29
Total \$11,781.60

