

Zoom Video Conference Meeting of the Town Board, Town of Yorktown held on Thursday, November 17, 2020 held in Yorktown Heights, New York 10598.

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

Also Present: Diana L. Quast, Town Clerk
David Paganelli, Superintendent of Highways
Adam Rodriguez, Town Attorney

TOWN BOARD MEETING

Supervisor Matthew Slater called the meeting to order.

PLEDGE OF ALLEGIANCE

Supervisor Slater led the Pledge of Allegiance.

MOMENT OF SILENCE

Supervisor Slater asked if everyone would join him in a moment of silence to say a very special prayer to remember a very important member of the community. Rabbi Stanley Urbas of the Yorktown Jewish Center passed away due to COVID-19. He was Rabbi Emeritus at the Yorktown Jewish Center at the time of his death and he served the Yorktown community for more than 50 years. He has a very impressive biography: he earned his A.B. in Hebrew from the University of Toronto, followed by ordination and a Doctor of Hebrew Letters from the Jewish Theological Seminary of America in 1962, and his subsequent M.A. in pastoral counseling from Iona College. He was a founding member of the Education Committee of the Solomon Schechter School of Westchester, which is now The Leffell School, was a longtime member of the Westchester Board of Rabbis. He served as the Chair of the Joint Placement Commission on the Rabbinical Assembly, and was a colleague and mentor to clergy of many, many faiths in Yorktown for half a century. He was a lover of Torah and of American History. He was a kind and wise advisor to his congregants, friends, and many others. He was an exceptionally moving funeral speaker. He is survived by his children and 12 grandchildren, two devoted nephews, and many others and close family friends, as well. Supervisor Slater asked for a special moment of silence for Rabbi Urbas and all those who have been impacted, the millions who have been impacted, by COVID-19 this year.

REPORT FROM THE TOWN SUPERVISOR

Supervisor Slater said the COVID numbers continue to climb once again. He said the Department of Health reported 20 new active cases for the Town of Yorktown, bringing the total active caseload now to 133. He said he believes that Yorktown has actually surpassed its high of active cases from the spring, so the second wave is clearly here and that the Town of Yorktown remains in a state of emergency. He said, as the audience could clearly see, that he and Town Clerk Diana Quast were wearing masks because the Town has a new policy that the Town Board passed a resolution that requires masks at all town parks, recreation facilities, and town buildings. He said on Friday he was joined by County Executive George Latimer and provided a more comprehensive update to the community about COVID, both here in Westchester and across Westchester County. He said, as was evident during the first round in the spring, life during COVID moves very, very fast, especially for government, and so the things that were talked about on Friday, have continued to grow as we enter Monday – yesterday – and, of course, today. That update can be found on the Town's Facebook page and YouTube page. Supervisor Slater also encouraged all residents to continue to monitor those avenues of communication as they continue to provide information as it becomes available. He said this Friday, he would be joined by Dr. Robert Ambler, who is one of the deans at New York Medical College and a former CDC director. Supervisor Slater said he is a wonderful resource, a great friend, and he will be joining him Friday at 4:00 p.m. when he provides another update to the Town.

Supervisor Slater said due to the storm over the weekend, Town Hall phones have been down. Verizon is currently working to fix the problem. He said if residents need assistance, emails are working and he may be contacted directly at m Slater@yorktownny.org and would be happy to put you in touch with the specific department that you may need.

Supervisor Slater reported that tomorrow night, the 18th beginning at 12 a.m. to 6 a.m., the Water Department would be doing work that consists of staff listening on valves and fire hydrants all within the Town easement. Staff will be in vehicles clearly marked. It is anticipated for this work to be completed over the course of 7 nights and will be posted on the Town's website. He said the Town would continue to keep the community apprised of that operation.

Supervisor Slater reported that the boat has arrived for the Parks Department and thanked Councilman Diana who was very helpful in that ordeal as the Town works with different companies and our Parks & Recreation Department to help them get the equipment they need to continue to provide important services for the public.

Supervisor Slater reported that the weekend storm caused 1,000 NYSEG customers and 56 Con Edison customers to lose power. He said, thankfully, all have been restored at this point in time. Telecommunications, though, continues to be a problem. The telecommunication lines are different from power lines. The Town is continuing to work with Verizon and, again, Town Hall is specifically suffering in that case, as well as Optimum. He thanked Highway Superintendent Paganelli and the highway crews who went out to clear trees and local roads once the storm had passed. He said they did a wonderful job.

Supervisor Slater said that on Veterans Day a new flagpole was dedicated at the plaza at Veterans Field. It was just a wonderful ceremony and it was great to recognize our amazing veterans for the Town of Yorktown. He specifically thanked Jonathan Bodkin, who is an Eagle Scout and this was his Eagle Scout project. Jonathan's goal was to create a meaningful and lasting Eagle Scout project, and he sure did. Supervisor Slater also thanked the Highway Department, the Parks & Recreation Department, and the Town Clerk who were all driving forces in having that come to completion.

Supervisor Slater reported that the Town's Food Security Task Force met last night for the first time. He said it was a wonderful, wonderful conversation talking a lot about different economic drivers within our community that seem to, unfortunately, be overlooked and how they can be identified and how to educate people on the different services, not just here in the Town of Yorktown, but the public, private partnerships that exist to help those in need.

Supervisor Slater said that it was also the first meeting of Cure 100, which is an innovative group of advocates to fight climate change. Yorktown residents were there, as well as residents from Cortland, Croton, and Ossining. He said it is a true collaboration of different communities all committed to combating climate change and reducing our carbon footprint. He said he is very excited to hear some of the ideas that come from that group.

Supervisor Slater said although the following announcement is for anybody, he directs it specifically to seniors in the community. He asked that they mark their calendars for this Saturday and Sunday at noon, as well as next Saturday and Sunday (the 28th and 29th) because he is happy and appreciative of the partnership with our friends at Club Fit in Jefferson Valley who have produced a series of exercise videos geared towards our senior population. He said the Town Board has heard from some of the Town's advocates for seniors like Rosemarie Panio, as well as Noreen O'Driscoll who runs our Senior/Nutrition Center, that it is important for our seniors to continue to exercise despite the restrictions and challenges associated with COVID. In partnership with Club Fit, a series of three videos would be provided. The first one, which was chair yoga, aired this past weekend. This coming weekend is a cardio video on Saturday and Sunday at noon. Then next weekend, Saturday, the 28th and Sunday, the 29th at noon, will be a total body workout.

Supervisor Slater announced that this Thursday at 7:00 will be the CCSE (Community Coalition on Safety and Engagement) meeting. The listening session begins at 7:00 p.m. He said anyone from the community is able to register with the Town Clerk's office to address the panel and provide any type of insight or feedback regarding the operations of our police department. This is all part of compliance with Executive Order 203 that was handed down by Governor Andrew Cuomo earlier this year that applies statewide.

Supervisor Slater said there is a tradition in Yorktown – the Holiday Lights Parade. Every year for quite some time the Town has had a terrific celebration and kick off for the holidays. He said they are working diligently with our Parks Department and thanked a good friend of Yorktown,

Linda Cooper, former Town Supervisor, who now runs the Park Department for the State of New York for the Taconic Region. She said because of COVID, everything is different this year, but they are still focused on having a lights parade. It is going to be similar to the Yorktown Veterans Parade where our veterans remained stationary and people drove by. This time, the floats would remain stationary up at FDR Park and residents would be able to drive through and, hopefully, catch some holiday spirit during this very challenging year. Supervisor Slater thanked Linda Cooper, Parks & Recreation Superintendent Jim Martorano, and Town Comptroller Patricia Caporale for their help. He said the Town is still getting floats registered, so if any one would like to put in a float, to please contact his office or the Parks Department to register. He said this is a very important tradition to continue here in Yorktown, especially with the challenges of 2020.

REPORTS FROM THE TOWN COUNCIL

Councilwoman Roker thanked the veterans and said it was wonderful to see them sitting on the benches and residents able to drive by and wave. She said on Wednesday (the actual date of Veterans Day), the VFW were very kind and provided refreshments after the flag raising ceremony. She said it was wonderful to see the number of people who are veterans in Yorktown.

Councilman Lachterman recognized the Yorktown Lions who provided hotdogs on Sunday after the Veterans Parade. He said the Town made the best of a bad situation. He credited Paul Martin who organizes the parade every year and was quickly able to accommodate this new type of parade. He credited Town Clerk Diana Quast and the Police Department who helped with the permitting and control to make this happen. He said the Veterans Advisory Council will resume this Wednesday. They are going to try an in-person meeting, as some of the people have had problems with Zoom. It will be held at the VFW Hall. VFW Commander Alex Mandars is going to make sure everyone is socially distanced. Councilman Lachterman also recognized the Yorktown Volunteer Fire Department Engine Co. 1. He said one of the chiefs there, Jeff Wilson, has helped put together meals for the homeless or for those in need for Thanksgiving. He said each year they have been helping about 60 to 80 families between the Lions and the firefighters. This year, they thought they were going to have to cancel it but they did get some requests from the Nutrition Center. They are going to do a very, very isolated, limited set up and will be able to feed those families and seniors in need this year again. He also thanked the Lions in the Living History Club. He said every year the Living History teacher in Yorktown has been helping families and this year the need has been greater than ever. Councilman Lachterman also thanked the Country House for their program 100 Pies for 100 Seniors. The pies are going to be distributed tomorrow throughout our senior community through the Nutrition Center. He said it is a great project and is thrilled that they were able to make that happen. Councilman Lachterman said there is a lot of food insecurity in the area right now and whatever you can do to contribute to your local food banks is greatly appreciated. He said during this Thanksgiving for those of us who have things to be thankful for, please try to share a little bit and see what can be done to help within our community. Councilman Ed Lachterman said there are four food pantries in Town: one at the Yorktown Community and Cultural Center, which only serves Yorktown residents, one at the Yorktown Presbyterian Church, St. Mary's Church, and the Church of the Nazarene. He said there is also the VA food pantry for veterans. He said there is also Feeding Westchester, which is another great organization and when you donate to Feeding Westchester in the name of a food bank, he thinks they quadruple your donation. So if you donate \$20, it becomes \$80 worth of credit for the food bank to be able to go in and get products.

Councilman Diana made a plea for everyone to do their best to follow COVID protocol and wear masks and wash hands. He also asked for everyone to dispose of used masks appropriately. He said the flag plaza is beautiful and people should drive by when they get a chance. He spoke about how the Holiday Light Parade would be different this year and was sorry that people would not be able to get together, as is the custom, but the Town is going to do the best it can with what they have to work with this year. He said they are still working on the New Year's Eve Ball Drop but are not sure how they are going to have it. He mentioned some suggestions that he and the Chamber of Commerce are considering.

Councilman Patel said residents have to pay attention to what is happening with COVID because prevention has to come from the top to the bottom, and we are not receiving the information from the top. He said Yorktown is doing very well and we should be concerned not only for ourselves but for other people and how we can help in this very difficult time. He also recognized all of our veterans serving today in the armed forces for keeping our freedom alive.

REPORT FROM THE HIGHWAY SUPERINTENDENT

Highway Superintendent Dave Paganelli recognized Scott and Guido from the Parks and Recreation Department. He said on the Friday prior to the reverse Veterans Parade, he and Parks and Recreation staff were out getting the additional flags up that Councilman Diana and Councilman Lachterman requested at Jennie Menton's behest. He also thanked Ms. Menton for bringing that to their attention and bringing it to the labor force's attention and getting it done.

Superintendent Paganelli said, as he mentioned last week, they had finished paving. They paved just a bit under 16,000 tons of asphalt and were within 287 tons of what he had estimated, which is because Teddy Devlin does a great job out there, making sure the Town is getting what we paid for. He said today he had 4,000 tons of salt put into the barn and another 1,000 tons are coming tomorrow. He said we are ready for winter.

Superintendent Paganelli said next Monday, Gomer Street, Granite Springs Road will all be milled on Monday and paved on Tuesday. From that point down to Sunrise Street, they have 16 rolled plates in the road. The contractor has given him their assurances that those plates will be taken out next week and the week after that, he will then be milling and filling the rest of it. He said we will have no plates on the road and everywhere Con Edison was will have new roads. He said he is happy about that and it worked out very well.

Supervisor Slater thanked Superintendent Paganelli and said he appreciated his help and leadership, along with the Highway Department. Supervisor Slater said he had neglected to mention this past Thursday and Friday the Town Board met as part of the budget process. Budget hearing were held via Zoom, which were open to the public. He said, ultimately, the Town Board did approve what is now the tentative budget, which preserves the half a percent tax decrease that is great for Town residents and taxpayers during such challenging times. Supervisor Slater said he believes it is a very good budget. It makes some very important investments, especially for the Water Department with the cement relining program. He said they are going to be exploring other projects, as well, in the coming months. He said the next step will be a public hearing on December 1, after which time depending upon comments, the Board will be able to approve the final budget as the last step in the process. Supervisor Slater thanked the Town Board for being great partners in that process and for their participation.

Councilwoman Roker said this is the last meeting before Thanksgiving and the Board has been talking about COVID and certainly not in a very positive way. She said she appreciates everything Supervisor Slater has done in terms of letting people know Yorktown's positivity rate so that they can care for themselves. She said it has not been easy and mentioned losing a very good friend to COVID. She said 2020 has not been a total bust. She mentioned the drive-by parade for the veterans as being a wonderful event and that we are just experiencing things in a different way. Councilwoman Roker said she thinks that there truly are so many things that we do have to be thankful for this year.

Supervisor Slater said he could not agree more. He said in every bad situation, something good comes out of it. He said that we do not have to look very hard to see that even though we have been challenged like never before, there are some incredible stories and examples of this community that he has seen. Supervisor Slater mentioned those who have come together to feed the hungry in Town, the amount of support and generosity shown by residents in Yorktown. He said when you ask people for help in this community, they respond like nothing you have ever seen before and that it is so moving and inspirational. He said for all of the dark days and challenging hours, it is moments like these that keep us going. He said he calls it the Yorktown way because there is no other way to describe it, other than that is just how Yorktown rolls when a need is apparent. Yorktown addresses it tackles it, and they are always there to help each other out in challenging times.

Councilman Patel quoted the following: "America has resoundingly chosen truth over lies, inclusion over exclusion, science over ignorance, faith over fear, compassion over cruelty, respect over ridicule, love over hate, substance over style, selflessness over self-dealing, freedom over oppression, unity over division, and a global outlook over myopia." He said he read this somewhere but not every place is the same. He said Yorktown is a compassionate community and we should help each other. He said no matter what happens, we will survive COVID and other problems because America is a great nation. He said we are all in this together and we will work together to make it happen.

COURTESY OF THE FLOOR

Mike Mattone, resident, thanked the Town Board and the Town Clerk for providing residents with Courtesy of the Floor. He said he appreciates the leadership that everyone has shown navigating through difficult water with the COVID pandemic and also not losing sight of the Town's need to keep community programs not only active, but thriving in this very difficult environment. He also commended the Town Board for recognizing the need to achieve a better sense of unity through the formation of the Arts and Culture Commission in order to investigate ways to bring more cultural diversity and inclusion to the town. He said he was a little concerned regarding a lack of communication or lack of continuity between the Chamber of Commerce's Business Diversity Team and the work that is being done by the Arts and Culture Commission. He also said those who applied to be on the Arts and Culture Commission still have not received feedback as to whether they would like to be part of the commission. Mr. Mattone said the Town has a great opportunity to build on some of the programs that we already have and does not want to see the work that could be and should be done by the Arts and Culture Commission, to be lost. He said the Chamber has done great work through the years, but the Chamber does many different things and said perhaps there are ways we can bring additional or different resources to help Sergio (Esposito) with all of the great things that he has been doing to promote local business in Yorktown. He said there are others, as well as new residents, who are ready, willing, and able to support the Town of Yorktown to really bring some great ideas to life and into fruition, as well as continue to support our seniors, our youth, our minority populations – all the people that we, as residents, are duty bound to support because they're so important to the fabric of our community. He said he is very hopeful that we can continue to work with the Town Board and the Town to make sure we bring more and more great programs to the Town of Yorktown going forward.

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

Supervisor Slater thanked Mr. Mattone for his comments. He said the Arts and Culture Committee is still very much an important piece of the Town's focus. He said he did not know which Chamber committee Mr. Mattone was referring to but they did, at one point, talk about putting the Arts and Culture Committee together with the Chamber, then went ahead and did an Arts and Culture Committee, and they were able to merge the two together, which was, he believes, an important step in that process so that there is no overlapping of efforts. Supervisor Slater said he thinks Yorktown is stronger when there is collaboration and working together as a community. He said that there is a lot of high expectations for the Arts and Culture Committee. He said now that the Town Board passed the resolution creating the Committee, the process to interviewing people to put on the Board would begin. He said it is very much on the radar and very much an objective for the entire Town Board because they all recognize how important arts and culture is in the entire community. Supervisor Slater said the Arts and Culture Committee is very much going to be a success and a great attribute for the Town of Yorktown.

Councilwoman Roker said she has received a couple resumes, as well as Supervisor Slater. She said she is looking forward to speaking with him about the kinds of people in Yorktown; there are so many people who entertained in many different fields.

Councilman Lachterman addressed Mr. Matone's comments about the diversity aspect in the Chamber of Commerce. He said that he did not think that was meant towards arts and culture; more towards an inclusiveness in business because there are many different programs for minority-owned and women-owned businesses. He said that the thought the Chamber president thought there was a sufficient representation of people that would be able to take advantage of this. He said that a role of that committee is to try to open the door the communication and conversation to have a more inclusive business district in Yorktown.

Mr. Mattone replied that many residents have spoken about is to have an opportunity to bring more diversity and inclusion to the Town's storefronts and street fairs, which could help drive the local economy. He said he appreciated Councilman Lachterman's clarification.

POET LAUREATE

John McMullen, Poet Laureate, read an original poem.

APPOINT MAINTENANCE MECHANIC (REPAIR) – SCOTT FERREIRA (PARKS & RECREATION)
RESOLUTION #394

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

Be It Resolved, that Scott Ferreira is hereby appointed as a Maintenance Mechanic (Repair), job class code 0465-02, effective November 18, 2020, to be paid from Yorktown CSEA Salary Schedule A, Group 11, Step 5, which is \$69,231.00 annually.

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

APPOINT POLICE OFFICER BRANDON R. SCHMELMER
RESOLUTION #395

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

Be It Resolved, that Brandon R. Schmelmer is hereby appointed Police Officer in the Town of Yorktown effective December 1st, 2020 to be paid \$56,405.00 annually;

Be It Resolved, contingent upon successful completion of a medical and psychological examination,

Be It Further 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 December 1st, 2020.

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

Supervisor Slater stated that the Town Board accepts, with great regret, the resignation of Al Avitabile from the Parks and Recreation Commission, effective immediately, and thanked him for his many years of service to Yorktown, not just through the Parks and Recreation Commission, but also as a very active member of the Lions Club, through his work with the Leos. He was also active with Support Connection and so many places within the community. Supervisor Slater wished Mr. Avitabile and his family all the best.

Supervisor Slater said the Town Board would also accept the resignation of Kyle Thornton, Assistant Superintendent of Parks and Recreation effective December 6, 2020.

RESIGNATION OF AL AVITABILE – PARKS AND RECREATION COMMISSION
RESOLUTION #396

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

Resolved, the Town Board accepts the resignation of Al Avitabile from the Parks and Recreation Commission effective immediately with many thanks for his years of service to the Town of Yorktown.

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

RESIGNATION OF KYLE THORNTON – PARKS AND RECREATION DEPARTMENT
RESOLUTION #397

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

Resolved, the Town Board accepts the resignation of Kyle Thornton, Assistant Superintendent of Parks and Recreation, effective December 6, 2020.

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

Supervisor Slater announced the Town Board was going to pass a resolution to authorize the Supervisor to sign a 35-year extension to the New York Private Housing Finance Low Taxes and Tax Exemption Agreement with Beaver Ridge Housing Associates, LP. He said that a discussion

that has to take place before passing the resolution and opened it up to the Town Board and introduced the Town Attorney, Adam Rodriguez to summarize the agreement.

Supervisor Slater said this is a historic decision the Town Board is about to make because it accomplishes many of the Town Board's objectives. It accomplishes the protection of the residents of Beaver Ridge by allowing them to continue to operate under the current Section 8 program, which provides housing for 55 or older of the Town's most vulnerable residents. It also provides a five year Capital Improvement Program for the existing building for those residents, which is estimated to be a total of three-quarters of a million dollars. He said that, for decades seniors of Yorktown and our recreation professionals have been trying desperately to create a more effective environment to enhance programs the Town could offer, not only to our seniors, but to our entire community. This is a true public-private partnership, and our partners at Beaver Ridge graciously have agreed to expend a considerable amount of dollars to design and build Yorktown's Senior Community Center, which is going to be able to allow us to move the Recreation Department out of the trailers and into a professional work setting and beneath that would be the space they need to offer a more enhanced program experience for the residents of Yorktown, especially our seniors. and the Senior Advisory Committee who have fought for this for years. The challenge has always been "how do you pay for it?" and through this public-private partnership, the Town is going to be able to finally achieve this mile marker without spending dollars to construct the building. He said he truly believes it is a historic moment for this town.

Mr. Rodriguez said the Town Board is no doubt aware Beaver Ridge provides affordable housing to seniors aged 55 and over and have been doing that since 1980. In late 1979 the Town entered into this tax exemption agreement with Beaver Ridge basically as a way to finance the development of the construction of these units. The new Tax Exemption Agreement will be for a period of 35 years. Under the proposal, the Town will continue to receive tax payments according to a schedule of payments, basically a pilot, and the revenue to the Town will not decrease, but in consideration for entering into this agreement Beaver Ridge has agreed to pay for the design and the construction of a 4,000 square foot two-story senior community center, as the Supervisor indicated, it will be in the area of Beaver Ridge's property adjacent to the Soundview property. The construction will be up to \$880,000 and that is Beaver Ridge's expense. Once the building is constructed, they will enter into a lease with the Town for zero rent. Basically, it will be a rent-free lease for 35 years to the Town with no cost to the Town. The Town will have to pay for utilities and internal maintenance (ex. if the Town wanted to paint the walls), but for the most part, this is no cost to the Town for the life of the 35 year Tax Exemption Agreement. Beaver Ridge will do maintenance or repairs to the building systems, the roof, etc., the structural components, the landscaping and snow removal. He said they have also committed to a five-year capital plan as the Supervisor mentioned, approximately \$750,000 to improve the complex itself for the seniors who are already living there, including replacing the roof, upgrading handicapped bathrooms, installing upgraded keyless entry for the laundry room, making improvements to the parking lot, installing security cameras to make the area more safe, replacing common area fixtures, upgrading their intercom system, adding landscaping. He said there is not just an investment in the Town, but there is an investment back into the Beaver Ridge apartments themselves.

Councilman Patel asked if there would be an electric generator to provide electricity to each apartment since now there is a generator only in the hallways. He said this is critical because if there is an emergency, you cannot get from the third floor to the bottom. He said there are those living there who have difficulty with mobility.

Councilwoman Roker said the Town had asked them to at least get a generator that would do what they asked them to do, which was to make sure the elevator would work, as well as the emergency lights so that people would be able to see their way. She said she was not sure if all of that is possible with the size generator they have.

Councilman Patel said there are one hundred plus units. He said, in terms of safety and a COVID situation, this is the most important element to have – electricity in the apartments. He said that, regarding the senior center, it is not 24/7 use for those who are paying the rent. He said the safety and wellbeing of those who have the biggest need is a very serious consideration. Councilman Patel said the residents are not working people and have difficulties in many ways: financially, health, mobility – and wants to see this done correctly. He insisted that the residents have generators in each apartment, not just the hallways.

Councilwoman Roker said she doubted that there are apartment buildings that have individual generators. Councilman Patel said they exist in other communities and in cities.

Supervisor Slater, addressing Councilman Patel, said that it is important to understand that the timing of this is critically important in order to keep those people in their current living conditions. He said that if leverage with this agreement is not provided tonight, the residents would not get the financing approved by HUD. He said that by not doing this, the Town is almost guaranteeing that the residents Beaver Ridge will not be able to continue to live there because they will not be able to continue Section 8 Housing because they will not get the financing from HUD to continue it as a Section 8 Housing apartment complex. He said he understood Councilman Patel's point. Supervisor Slater said this was something that the Board gave a one-year extension on, understanding that the Town Board had to get this done by November. Now the Town is at the point where they have tangible benefits, not just to the residents who live there, which of course is the primary focus, but also to the entire community of Yorktown. This really does protect the people who live there to ensure that they can continue to live there, continue to call Yorktown home, and also address some of the needs of the greater community. This is a terrific public-private partnership with very well intentioned individuals who recognize the importance of our community and the important role that their residents play in our community. Supervisor Slater said the Town Board does not have the time to postpone any action on this because of the HUD deadlines that the management company is up against.

Councilwoman Roker asked Director of Planning John Tegeder is there was anything in the Town Code that would require a developer or builder to put generators in every apartment and he replied no.

Councilman Patel asked if there were any way when the roof is being replaced that a solar cell or something similar could be installed so that each apartment could have one light on. He asked if the Town could tell a developer to include this. Councilwoman Roker said that you cannot tell a developer to do something if it is not in the Town Code. Supervisor Slater said there are programs (like PACE) that could be offered to the investment company and the management company so if they want to take advantage of them to "green" their buildings, they could.

A discussion ensued regarding solar energy and battery storage as it could relate to the apartments.

Supervisor Slater said the Capital Improvement Plan is estimated to be three-quarters of a million dollars on top of the pledged \$880,000 for our recreation center, as well. Mr. Rodriguez added that the \$880,000 and \$750,000 does not include the amount of money they are going to spend on relocating their garbage storage on site.

Supervisor Slater said, again, it is a sizeable investment that is going to benefit those residents in multiple ways because now they are also going to have Town services right out their back door. He said it is important to note that, at this point in time, they are still planning to keep the Senior Nutrition Center exactly where it is, in the Capellini Center. They are not planning on moving them at all. The space that is being discussed right now and the intent of that space is to be purely recreational for seniors to use during the day and for our Recreation Department to provide enhanced recreational programs for the members of our community.

A further conversation ensued regarding the placement of generators in the apartment building and the areas the current generator services, as well as programs that would provide encouragement to "green" the building.

THIRTY-FIVE YEAR EXTENSION TO THE NY PRIVATE HOUSING FINANCE TAX EXEMPTION AGREEMENT WITH BEAVERIDGE HOUSING ASSOCIATES, LP
RESOLUTION #398

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

Resolved, that the Supervisor is authorized to execute a thirty-five-year extension to the N.Y. Private Housing Finance Law tax exemption agreement with Beaveridge Housing Associates, L.P. according to the following terms:

1. Beaveridge agrees to make physical improvements within five (5) years of the date of the Agreement.

2. Beaveridge agrees to make payments in lieu of the taxes and assessments originally contemplated in the Tax Exemption Agreement.
3. The parties will simultaneously enter into an “Agreement on Senior/Community Center Building” which contemplates, *inter alia*, that Beaveridge will construct a building and enter into a lease with the Town as set forth therein. The original payment schedule shall govern this Exemption Extension Agreement until the tax year following the execution of the net lease contemplated therein and the completion of construction of the Senior/Community Center Building, at which point a revised payment schedule shall govern the Exemption Extension Agreement term.
4. The annual payments shall be payable on or before April 30 of each calendar year.
5. Except as modified herein, all other terms of the Tax Exemption Agreement remain in full force and effect and are hereby adopted into this Extension Agreement.

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

PAYMENT TO MRI SOFTWARE, LLC FOR HAPPY SOFTWARE LEASE – SECTION 8 RESOLUTION #399

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

Resolved, that the Town Comptroller is authorized to pay MRI Software, LLC for the Happy Software one year license and support for computer software provided to the Section 8 Office, to cover the period from February 1, 2021 through January 31, 2022. The payment amount is \$7,033.03 as shown on the invoice dated October 31, 2020.

The source of funds is Housing Assistance Payments Account maintained by the Section 8 office and funded by U.S. Department of Housing and Urban Development (“HUD”).

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

BOND RELEASE – PRESTIGE RENOVATION & REMODELING RESOLUTION #400

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

Whereas,

1. Prestige Renovation & Remodeling, Inc., as applicant, posted check #2932 in the amount of \$500, which was deposited to the T33 account on March 13, 2020.
2. The applicant has requested the 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 \$500 be and is hereby released to Prestige Renovation & Remodeling, Inc., 3450 Heyward Street, Mohegan Lake, NY 10547, Attn: Anthony & Diane Verrino.

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

PAYMENT TO CHRISTY PISCHEDDA – FERAL CAT PROGRAM RESOLUTION #401

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

Resolved, that the Town Board authorizes the Comptroller to reimburse Christy Pischedda in the amount of \$160.00 for the Feral Cat Program.

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

Supervisor Slater then moved to the work session component of the meeting. He said that there are two separate proposals, which are amended special use permits rebranding and replacing existing pumps at 1917 Commerce Street, which is the BP gas station, and a similar application at 3205 Crompond Road for an amended special use permit on a gas station for refacing of an existing MID sign to include LED gas line prices, installation of directional apertures above pumps, and refacing existing canopy.

1917 COMMERCE STREET – SPECIAL USE PERMIT

Mr. Al Whiting, the contractor for 1917 Commerce Street, introduced himself. He said this is an existing BP station that is going to be rebranded to the Extra Fuels brand. The existing BP sign would be replaced with an Xtra Fuel sign. There is a change in what they are requesting – that they be able to post prices on this new sign cabinet by LED. It currently does not have any prices. There is no canopy at this location, and they are adding one. The existing dispensers are going to stay; they will just be rebranded to Extra Fuels by applying decals and overlays.

John Tegeder, Director of Planning, said they would need to discuss whether they want to have the pricing sign on the main pole sign. He said that in the sign manual, the Town recommends monument signs and getting away from single pole signs. He said his recommendations would be placed in his comment memo to the Town Board.

Councilwoman Roker said that the application would need to be referred out.

Councilman Patel asked if there were any restrictions on LED lights and Mr. Tegeder said there is much guidance in the special permit section regarding all signage. He said that once the referral is done, he would take a look at that in terms of the square footages of everything on the site and what is proposed.

Supervisor Slater asked Diana Quast, Town Clerk, when the public hearing could be scheduled and she said it could be scheduled for December 15.

REFERRAL – AMENDED SPECIAL USE PERMIT – BP GASOLINE (XTRA FUEL) LOCATED AT 1917 COMMERCE STREET RESOLUTION #402

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

Resolved, the Town Clerk is authorized to refer to the appropriate agencies an Amended Special Use Permit Application for a proposed sign change to convert BP Gasoline to Xtra Fuels located at 1917 Commerce Street, Yorktown Heights, NY 10598.

Be It Further Resolved, a public hearing will be scheduled for said Amended Special Use Permit Application on Tuesday, December 15, 2020.

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

3205 CROMPOND ROAD – SPECIAL USE PERMIT

John LeClerc, Station Glo, introduced himself. He said they were looking to reface the MED sign to include and LED price sign and also do blades above the existing pumps. He said they are looking to illuminate a light bar on top of the canopies' existing fascia.

Supervisor Slater clarified that this is the Mobil station over by Lowe's.

It was determined that not all of the Town Board members had a chance to review the renderings submitted by the applicant and Supervisor Slater recommended the same action as the 1917 Commerce Street application – refer the application and set a public hearing date for December 15.

REFERRAL – AMENDED SPECIAL USE PERMIT – MOBIL GAS STATION LOCATED AT
3205 CROMPOND ROAD
RESOLUTION #403

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

Resolved, the Town Clerk is authorized to refer to the appropriate agencies an Amended Special Use Permit Application for a proposed sign change, lighting changes, and the addition of blades at the Mobil Gas Station located at 3205 Crompond Road, Yorktown Heights, NY 10598.

Be It Further Resolved, a public hearing will be scheduled for said Amended Special Use Permit Application on Tuesday, December 15, 2020.

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

EXECUTIVE SESSION

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

ADJOURN MEETING

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

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