

Zoom Video Conference Meeting of the Town Board, Town of Yorktown held on Tuesday, December 8, 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
Adam Rodriguez, Town Attorney

TOWN BOARD MEETING

Supervisor Matthew Slater called the meeting to order.

EXECUTIVE SESSION

Upon motion made by Councilwoman Alice Roker, seconded by Councilman Thomas Diana, the Town Board voted to go into Executive Session to discuss the employment of a particular person, and litigation and negotiations. Upon motion made by Councilman Lachterman, seconded by Councilman Patel, to move out of Executive Session and return to the Work Session.

Supervisor Matt Slater:

Good evening, Yorktown and welcome to tonight's Town Board work session. It's Tuesday, December, 2020. If you could all rise and join me in the Pledge of Allegiance.

PLEDGE OF ALLEGIANCE

Supervisor Slater led the Pledge of Allegiance.

MOMENT OF SILENCE

Supervisor Matt Slater:

If you could join me in a moment of silence as we remember seventy-nine years ago yesterday the bombing of Pearl Harbor and we remember members of the greatest generation, but we also remember the sacrifices that were made and are continued to be made in order for us all to be free. Yes, a day that will live in infamy – December 7. Thank you.

INTRODUCTIONS

Supervisor Matt Slater:

We'll do introductions quickly and jump right into our work session agenda. Again, my name is Matt Slater, Town Supervisor, joined by Councilwoman Alice Roker, Councilman Tom Diana, Councilman Ed Lachterman. On the phone we have Councilman Vishnu Patel. We're joined by our Town Clerk, Diana Quast, who's running the controls over there, and we have our Town Attorney, Adam Rodriguez.

Councilman Ed Lachterman:

Can I jump in really quick? I know that we don't have Report to the Town but I was asked by the owners of Genesis Jewelers when I was dropping off some diapers to give a brief statement that we want to give everyone a huge thank you to everyone who donated to the drive this year. So many donations came from Yorktown residents, local business owners and the Yorktown Chamber of Commerce. So far, we've collected over 12,000 diapers with a goal of 5,000 and that doesn't include the 5,000 that Steve donates into it. We are collecting until Saturday, December 12 and we will be announcing the winner of the men's T-Shock Watch later in the day on the 12th. Keep them coming, Yorktown, as we say in the diaper bank world – no baby is wet behind! Genesis Jeweler's is in the Triangle Shopping Center, and you can drop those off. It's just a fantastic program to help young mothers in need and get some diapers for babies. You know, I don't have to tell you that.

Supervisor Matt Slater:

Oh, I know. I changed a lot of diapers today. Also, just as a quick aside, on Thursday we're going to have our menorah lighting hosted by Rabbi Haber. This will be done as a virtual event. Residents can watch it on the Town's Facebook page, then later on the Town's website, as well as the government access channels 20 for Optimum and channel 33 for Verizon FiOS customers. On Friday, we're going to do our Christmas tree lights. Again, that will be a virtual event at 7:00 p.m.

You can watch it live on the Town's Facebook page and then, similarly, you'll be able to see them on the Town's government access channels, as well as the website.

SUSTAINABILITY PARTNERS

I see that we're joined by our Water Superintendent Kenny Rundle. We are also joined by our Town Comptroller, Pat Caporale. We are waiting for a presentation by Sustainability Partners. There are going to be quite a few that are going to be on this one, which we're very excited to hear.

Scott Fitzgerald with F.W. Webb, correct, Scott?

Scott Fitzgerald:

Yes, thank you for having us.

Supervisor Matt Slater:

And we have Francis Corcoran with us from Sustainability Partners. Francis, would you mind introducing your team that you have with you tonight?

Francis Corcoran:

Sure, absolutely, Supervisor. Good evening, everyone – honorable Board, Supervisor, Clerk. My name is Francis Corcoran. I'm a member of the Board for Sustainability Partners. We're an infrastructure company that provides infrastructure for municipalities, universities, schools, and hospitals across the country. We're here tonight to talk to you about your meters and ways in which we believe we can add some value to the situation that you have in Yorktown. With us tonight, we have Dan McGuire, who is the National Regional Sales Manager for Kamstrup, the producer/manufacturer of the water meters. I also have Scott Fitzgerald who is with F.W. Webb and they are the distributor and supplier for the water meters. I have on the sustainability side, Jason McGaugh, who is the Director of Strategic Analytics for Sustainability Partners, as well as Parker Goldstein, who is an associate; we have Adam Kane on there as well, who is our COO and General Counsel. Also Matt Millay, who is with C&S Companies, the engineering firm and he is out of Albany.

Supervisor Matt Slater:

Thank you all for joining us. I just want to make sure – Diana, do we have Adam? I know there's a lot of people so I want to give Diana time to get everybody in line and in order.

Diana Quast, Town Clerk:

I don't see Adam on my listing unless he's on under a different name. I have nobody in the waiting room under that name, either.

Francis Corcoran:

We can start without him, Supervisor. I know we're limited to a half an hour or so and we don't want to waste the valuable time of the Board. So you know it came to our attention that the town of Yorktown was in the process over the last number of years working in the water meter area. I had approached the Supervisor who knew that I had been working in infrastructure with Sustainability Partners about possibly providing him with some input on a possible solution. As we all know, the mechanical meters – and if you want to put up the presentation, Parker, if you could share the screen? So we got that first screen. The issue with the problem of mechanical meters is declining revenue, and so over time, mechanical meters lead to a decrease in revenue and an increase in capital costs, maintenance, repair, or replacement. As you know, Superintendent Rundle will be able to tell you, also declining meter performance drives rate increases and deferred capital investment to offset revenue loss. There's a breach of trust as ratepayers ultimately pay more and more for the same or declining (inaudible). But anyway, taxpayers essentially see their utility fees invested in system improvements and they don't really see the benefit and, in fact, sometimes see declining services. And with mechanical meters, as you know, the emergency repairs are far more costly than planned improvements and surging capital investments based on your sort of sound meter data sets. So it leaves in place or, you know, looks at margins that are leave in place with the current situation – it leads to the same operational and revenue challenges with 10 years so year after year, that problem continues to get worse and worse. So, with ultrasonic metering, which we're going to talk about, and the partnership between the manufacturer or the distributor, F.W. Webb and Sustainability Partners, we're looking to provide Yorktown with a full service delivery, installation, operation and management, long term capital financing model that would give Yorktown and its users a debt-free state of the art ultrasonic water metering system.

I'd like to walk you through the benefits of the water meter, then take you through a little bit of how the financials work, and then a little bit of a timeline if that would be all right, Supervisor?

Supervisor Matt Slater:

Absolutely. Did you just say debt free?

Francis Corcoran:

Yes, and we'll bet into that because, you know, again, the ultrasonic meters – Dan will speak to it – but there's no moving parts, you know, pinpoint precision, data quality, remote reading capability, and all kinds of alarms for snowbirds when they're away – if there's a burst pipe or even before that, a temperature change in their place so they can be alerted by their phone or whatever – we'll get into all that. But the infrastructure as a service part is really a use-based billing so it turns into more of a utility than it does a bond or a debt instrument. This allows us to provide upgrades and maintenance, there's no impact on your bond ratings or your credit ratings. Under this model, it's a 30-day termination, there are no fees; if you terminate, there are no penalties. What happens is, in looking at the revenues, looking at the recapture with using these new meters and stretching it out over a longer term, we're able to set a fixed fee of how much it would cost each month for you to provide your residents with uninterrupted water quality, not wasting a single drop and being as efficient and as environmentally friendly as possible because you're not wasting any water. So what I'd like to do is have Dan talk about the Kamstrup Flow IQ product.

Dan McGuire:

So what was mentioned already by Francis is the ultrasonic metering technology provides several benefits over the traditional mechanical meters that tend to wear and degrade their accuracy curve over the life of the meter. The ultrasonic technology has several benefits to Yorktown: number one, there are no moving parts so we sustain our accuracy long term. This protects the revenue stream of your cash register. The meter is a cash register; it generates revenue for the Town of Yorktown so when you sustain that accuracy long term, you're protecting your revenue stream. Ultimately, this tends to provide rate stabilization. Another benefit to your customers is that everybody gets a fair and equitable billing when you have an accuracy curve that is sustained long term. Because we do not degrade like a mechanical meter and lose accuracy, we never contribute to your unaccounted-for water loss. So we actually reduce your water loss long term by maintaining that accuracy curve. There's also customer service benefits to our solution in terms of real-time alarms. So what type of customer service benefits are we talking about? We have a leak alarm where we can detect continuous and small minute flows that contribute to higher bills over time. So when we detect this in a 24-hour period, we will immediately send an alarm through the system so that you can alert your customer base that there's an abnormal usage going on at their home and they can call in a plumber or check on it themselves and they don't get surprised with a high bill at the end of the billing period. You can tell them about this abnormal usage up front and they can attend to it. We also have a unique temperature alarm when the temperature goes down to 36 degrees. The meters are installed in the basement and when the temperature reaches 36 degrees, we will send out an alarm that says "We are approaching a freezing event. Take precaution." We do not want any frozen pipes within the basements of the homes. So when we get those cold Artic blasts that come down in the wintertime, we will have a temperature alarm that will allow you to let your customers know they're approaching a freezing event. And that's a very nice tool for snowbirds, as well. Then to you, the utility, we can use these alarms as identifying theft. If a customer thinks that they want to get away without paying their water bill and they want to remove their meter from service, you'll get a dry pipe alarm that will tell the utility someone's removed their meter from service or, if they want to reverse it and reverse the flow pattern on their register, you'll see that as well. So the alarms are twofold. It's an improvement in customer service for the utility and then it also identifies stuff for the utility users.

So who is Kamstrup and what is our value? Kamstrup is the global leader in ultrasonic metering technology. We have been at this for almost 30 years, far and away more than any of our competitors. Worldwide, we are known for quality; the name Kamstrup is synonymous with quality. That's evident by our low failure rate – we have less than a half a percent annual failure rate on our products worldwide. If you compare that with the traditional mechanical meters, that is far superior. We do have that new meter accuracy for life, but what's interesting about that is we are the industry leader when it comes to starting flow. We can measure at low flows that none of our competitors can and that helps, once again, to reduce your unaccounted-for water loss. We protect your investment with a 20-year, new meter accuracy warranty. We have excellent battery

management because we want to make sure that you get the longevity of the solution that you're signing up for. Lastly, due to our experience, we are the only company that offers acoustic leak detection technology within our meter. What this does is that it allows the utility to monitor the distribution system on a daily basis, looking for abnormalities or leaks within your distribution system. When you can identify that, you can react quicker, repair these leaks and, again, reduce your unaccounted-for water loss. That's it in a nutshell, who Kamstrup is and our value proposition to Yorktown.

Francis Corcoran:

The real value of this is, of course, a low failure rate, which means that maintenance is a minimum. The ability of the Kamstrup meters, the ultrasonic meters, to actually be able to capture revenue that other meters cannot with the below a half-a-gallon measures that they can use. That's a pickup in revenue, which we'll show you later. The other thing is that none of these parts ever actually touch the water. So there are no flow valves, or there's no pinwheels in there that are interacting with the water. So from a sanitary standpoint, these are as clean as they get. Again, all this is geared to minimizing water loss, not just from the revenue standpoint, but water is a precious commodity. From an environmental standpoint, we want to minimize that loss in any way that we can.

One of the things we talked about is that SP pays 100% of the design, the materials, the installation, the maintenance, the upgrades to the assets – it's all included within the master service agreement. One of the great things about the water meters is that it really is the cash register for the town. Because it's a cash register, it's easy for us to be able to identify any loss in revenues and to be able to account for those. When we do this, the water meters are entirely within the control of the municipality - Yorktown has total control. They are subject to a month-to-month contract so, again, no termination fees or penalties. You're essentially assessed a flat monthly fee for the duration of the agreement and it's on a per meter basis and it includes all the ongoing maintenance and support. There will never be a time when there's an outlay of capital, any maintenance or repairs. It's all included under the agreement for the 20 or 25 years we do this. Again, these are an ideal asset for us to be able to finance because they are easily predictable and the ongoing user fees are known. The MSA is like paying an electricity bill or a gas bill. It's not recognized as a debt of the municipality and it doesn't go on their balance sheet – it's an off balance sheet item. It allows a municipality to be able to go out and borrow for other purposes. It could be for other things that the Town may need for programs and services. This capital expense and ongoing maintenance is carried on their books as an expense for anything that would affect their credit rating or their borrowing. Essentially, you wouldn't have to worry about any capital outlays. We reduce your utility and cost because we use smart technology that optimizes energy use and integrates environmental effectiveness. From our standpoint, SP's infrastructure is a utility service. We essentially give you flexibility versus a traditional financing source. We convert the infrastructure investment from capital expenses, expenses and expenditures, take them out of your capital budget, and we basically create an off balance sheet operating expense on a month-to-month basis, just like if you were paying your Con Ed bill or any other utility bill. It really is a positive impact on your balance sheet. It avoids any detrimental impacts of leverage, or debt service or asset coverage or any other financial ratios or covenants that potentially impact the town's existing credit profile. There are no restrictions on cash or debt service reserve accounts needed because these are all working capital balances – they're, again, off balance sheet. We cover all the maintenance, the warranties, so essentially, it's worry free maintenance, service warranties – you essentially have the most modern technology out there. We put it in, we operate it, we maintain it and when it changes, we replace it. If the technology changes in a few years, that's factored into our model – no increase to our cost to the town – we will replace with the new technology that's out there. Again, it's a monthly service, essentially a utility, so it looks like an electronic invoice that you would get from any of your other utility companies. You can cancel at any time. We give it back to you at an agreed upon rate. We really want to have quality and satisfaction so that this is something that we're doing with you for the next 25 years with no hidden fees or penalties or anything else.

Councilman Vishnu Patel:

Do you want to hear from anybody on the Town Board yet?

Frances Corcoran:

We were just going to run through the numbers, if you wanted us to.

Supervisor Matt Slater:

We'll go through this part and then we can open up for questions from the Board. Is that okay, Councilman Patel?

Frances Corcoran:

We're almost done here. I know you guys are pushed on time. Jason, do you want to talk about this?

Jason McGaugh:

Absolutely. Thank you, Francis. As you can see from this slide, we put together a preliminary – sort of a proxy view based on a first set of numbers that we got from the Town, our proxy is using an estimated 10,000 meters for the Town and the surrounding area. Based on Francis's definition earlier, our preliminary guesstimate would be \$5.30 per meter/per month utility assessment. Again, that has zero interest payments, including monthly maintenance. That's an all-in factoring of what the utility payment would look like. Once we took that, we then said, "okay, how does that translate into a benefit for the Town?" You've seen that first box there and there's no upfront cost. There're no capital costs for the Town to absorb. SP absorbs that entire amount with its partnership with FMU Web and Kamstrup that is already factored into that \$5.30 utility basis. What we have been able to determine is that just the implementation of the meters alone can improve the city's financial position by about \$145,000 per year in revenue picked up simply from implementation of next generation technology meters and eliminating the water loss of leakages and antiquated meters. On top of that, based on some preliminary numbers we did get from the Town and from Supervisor Slater and his team, we think there's an incremental savings that can be achieved through lower municipal expenditures related to operations and maintenance. The existing budget that was contemplated to do a longer term meter replacement cycle would no longer be required and that gives us sort of a net benefit to the Town. The last piece of that is the general workup of how we arrived at those numbers. So those two components, the roughly \$844,000 per year, in an annual net cash gain simply from the recoup of water revenue that's currently being estimated to be lost in the system. Combine that with the budgetary benefit that we think the Town could ultimately achieve and we will be estimating about \$1.5 million net economic benefit to the Town. And the numbers behind that, if you think about the current revenue that the Town is generating from its water department – a little north of \$7 million – the incremental gain that we think could be achievable from replacing the antiquated meters as well (you heard Dan allude to earlier that the mechanical meters have decay on an annual basis) as those moving parts start to degrade and wear down) – the fact is the ultrasonic meter does not have that problem with degradation in the moving parts, you actually save about one to one and a half percent per year of future water losses because the meters stay in a state of good repair – much longer than a mechanical meter would) the chart on the right is meant to illustrate over a 25 year period, simply on the recovered revenue alone, it could be an aggregate value north of \$41 million, simply by implementing the leak detection, the protection meter, and the superiority of the ultrasonic versus a mechanical meter.

This was sort of the analysis we went through to at least, on a preliminary basis, give you an idea of where we think we can really provide value to the Town with respect to not only maintaining the existing water revenue, structure, and dollars as you already have coming in, but augment that with the pickup of lost revenue due to leaks and inaccuracy of the existing meter structures.

Councilman Vishnu Patel:

How many people on the Board know how this technology works? This technology was invented in 1842 by Doppler. What is the battery that is needed? Temperature is very critical. When you use the mass flow control – I used to use a mass flow controller – it's very dangerous. You are talking about the battery – what is the battery's function? Why do you need the battery.

Jason McGaugh:

Thanks, Councilman Patel. Dan, do you want to talk about the battery?

Dan McGuire:

The function of the battery is twofold. We have to take a sample every one to four seconds of the water so that we can provide the measurement required. The second function of the battery is to power the radio that sends the information from the meter to the network infrastructure so you can receive meter readings, real-time alarms, and the acoustic leak detection. That is done 8 times per

day that we send a transmission with that data through the network. That's a primary function of the battery.

Councilman Vishnu Patel:
How long does the battery last?

Dan McGuire:
They're designed to last for 20 years. They're designed with our meter transmitting at optimal power, which is one watt of power. However, I have to point out, we have a unique feature within our infrastructure where we monitor the path of the communication and the signal strength and power. Because we build redundancy into the network, we have a feature where we do not always need to operate one model at maximum power; we can reduce that power level and still get better than 98% successful read rate. What that does is it tends to extend beyond the 20-year life of the product – we built in some features that allow us to extend the 20-year life.

Councilman Vishnu Patel:
No matter where the water comes from, it comes from old pipes from a filtration plant. There may be many breaks in the pipeline and water leaks in other places. So there is a big water loss, more water loss in a town infrastructure. Are you familiar with what we already have in the town?

Dan McGuire:
Currently, the meters you have do not have the capability to listen into the distribution system for leaks. That's a unique feature our meters provide that no other manufacturer has embedded in their meter and that's the acoustic leak detection technology. What we're able to do is detect leaks within the distribution pipes in the service mains and that happens when you have a pressurized system and if water is leaking out, it emits a toner frequency. That's what we hone in on. Our meters can tell you where within your distribution system, you have leaks within your service lines and your distribution mains so you can go out and attend to those leaks more quickly.

Councilman Vishnu Patel:
Kenny, you want to tell how many meter we have now? Two thousand?

Supervisor Matt Slater:
Ten thousand.

Councilman Vishnu Patel:
How many new meters that can be remotely read? The second question is you already have an infrastructure that is not only the town water, but everything run by the town - can that infrastructure be integrated into the system so you know how many trucks there are, if they need repair? Why not have everything available for use on those systems – the water meter – which already costs a lot of money? A million dollars was spent on what we have and it's not working – can you integrate with what we have?

Francis Corcoran:
Sort of the purpose here is to replace the old ones that you haven't done anything with over the years, as well as the new ones that are beginning to fail and are already showing some water loss. To your point, let's just say we left some of the newer/solder ones in there and there was a water leak somewhere and you're losing thousands of gallons of water before somebody can find it or get to it, that sort of defeats the whole cost of replacing those meters. The idea would be to put the technology across all of the meters that you have to ensure that you're always operating at the highest efficiency with pinpoint accuracy on where your water is, what it's doing, how you're billing for it, and especially to your point, accounting for the loss that can occur somewhere in one of those old pipes away from somebody's brand new meter in their house, it will get them there faster and more accurately to be able to deal with it and fix it than having to spend the night in January freezing and handing out water to neighborhoods. The idea would be to replace all of it with the newest, most available best technology that is out there.

Councilman Vishnu Patel:
I'm very concerned about temperature. Temperature we have no control over – it can go down to zero degrees in a few hours and everybody is not always home when that happens. Let the Board discuss your financial gain - I'm really interested.

Councilwoman Alice Roker:
Other members have questions.

Supervisor Matt Slater:
Yes, we do. Councilwoman Roker, do you want to begin?

Councilwoman Alice Roker:
Yes. Can you tell me where the system is already in use?

Dan McGuire:
We have several AMI deployments here in the United States and we have specific case studies that we can share with you. They talk directly to the benefits we've been discussing in terms of accuracy, resulting in increased revenue when you change out underperforming mechanical meters versus ultrasonic. We have AMI installations in Massachusetts and North Carolina.

Councilwoman Alice Roker:
Where in Massachusetts?

Dan McGuire:
Somerset, Massachusetts. We can provide you a list of references if you'd like to call those customers and talk about their experience with the product – that's no problem.

Councilwoman Alice Roker:
That would be great.

Dan McGuire:
And, Councilwoman, from the sustainability partners standpoint, we're in the midst of 100,000 to 120,000 water meters through Kamstrup.

Jason McGaugh:
I think it's actually closer to 150-175. We have a couple of customers, especially down in Louisiana, who have witnessed about a 30 to 25% increase in their water revenue on their water side, which again, has also translated to the sewer side using the same meter as the volume actuator for both sides. We've had a number of customers both in Louisiana and Mississippi, as well as a couple in North Carolina that are ready to go live and to Francis' point, when it all said and done, it should be north of about 175,000 meters.

Councilwoman Alice Roker:
Okay, can you send us information on those?

Jason McGaugh:
We can certainly give you some information as to the type of meter because they are the AMIs that Dan was speaking to. Those are still in progress and have not been fully deployed, but we do have some that are in the southern part of Louisiana that have deploying and can certainly send you the same type of case studies that Dan referenced.

Francis Corcoran:
Those are the ones, Councilwoman, that we're referencing the increase in the pickup with the water revenues.

Councilwoman Alice Roker:
We have to make it clear to people who may be listening that we're not increasing the cost of water. What you're saying is basically most or many of our older meters are under reporting the use of water. Is that what you're saying?

Francis Corcoran:
That is right, they're under reporting. Right out of the gate with the new meters that actually measure water under a half gallon, which you're not currently able to capture, we pick up all of that revenue that you've never really had plus any inefficiencies or maintenance issues where you're not capturing the water, you don't know of any potential stealing of water or things like that but Jason can tell you exactly how the base works. You'll never going to lose the revenues that you already have, which equates to not increasing the cost to your customers. Councilman

Patel made a good point about the water temperature sensors, you know about frozen pipes – we actually have incorporated in this number, software that allows the town to put into its residents' hands, just like you would with your smartphone, the ability to in real time monitor their water use and have those frozen pipe-type of alarms sent to them. Here in Florida, you get the alert on your phone that the temperature is at 36 degrees, you can call you neighbor and say I think my furnace just went out – can you run over to my house because it's got an alarm? We're incorporating software in there, as well. We can put the water usage right back into the water users or customers on hand. Jason, if you want to talk about the base revenues for them and how that works, and there wouldn't be any increase to the users.

Jason McGauth:

I think it is illustrated quite nicely on this slide here that we have the base revenue that I took from the Town of Yorktown's financials - \$7.1 million for 2019. Based on an analysis that we've done in concert with working with Dan and his team, we estimated that older meters that are 20, 30, 40 years old generally have about an 8 to 10% recognizable water loss if you do a test through the water volume through those meters and even some of the new installs. We think, based on the discussion we've had, the mechanical degradation in some of those and the ability to capture water at much lower flow rates, that we're estimating around 1.5 to 2% pickup just on those new installs. We've gone through some exercises where we think we've taken a fairly current conservative approach in the amount of lost revenue that's currently embedded in the existing infrastructure and system and where we think that the deployment of these new water meters with the enhanced acoustic leak detection can augment the existing revenue streams that the town is already seeing. You see that in the top part of that chart – the revenue recovery per meter per month and the cost per month – you've got up to now almost a 2.5 time cost recovery just from the more accurate water readings and the ability to identify leaks much more effectively and, therefore, reduce the amount of lost water revenue.

Councilwoman Alice Roker:

All right, I have one more question but I need Kenny before I ask the question. How much water do we lose a year?

Superintendent Kenny Rundle:

Last year, we lost about 18%.

Councilwoman Alice Roker:

What does that translate into gallons?

Superintendent Kenny Rundle:

We purchase about a billion gallons a year, so 18% of that.

Councilwoman Alice Roker:

(Addressing Francis Corcoran) Will you capture the 18% that we lose in water every year?

Francis Corcoran:

Yes, that's the whole idea that they have a less than half a percent failure rate on their meters and so, therefore, your meters are going to be up and running for, again, the warranty is for 20 years. They're also going to be able to capture revenue that you don't already account for.

Councilwoman Alice Roker:

I know when Ken puts out a report yearly and you see on it that we've lost a million gallons or probably more than that. It would be nice to recover that in terms of money.

Francis Corcoran:

The whole idea here, Councilwoman, is to minimize the loss down to nothing and also make sure that you're not losing water through theft or other reasons. Should there be a pipe in all of our aged infrastructure we have out there, this acoustic leak detection can pinpoint it faster to fix it so you lose less precious water. The whole idea is that this system laid across all of your water meters will not only put in state of the art metering, but it will reduce your water loss, which is how we're able to come up with these numbers. Jason, what did you figure in for the water loss?

Jason McGauth:

I was actually pretty close to my estimates. I had a 17.1% water loss, so I was actually fairly close.

Councilwoman Alice Roker:

I just wanted to know, if we decided to go with this kind of program, how long from design to implementation?

Scott Fitzgerald:

For us, it really is just the logistics behind the scenes as far as tying in the billing software company. Within a quarter we would be able to pull all the test files with the billing software company together, get the software in place, then the collectors have got to go up the gateways in order to communicate with the meters. That's all the infrastructure that needs to be put in place before we can start reading meters. I don't think it's unrealistic to think that can't be done within three months. I do like to tell people between three and six months just to be prepared.

Just for a quick second, I'd like to go back to two subjects we just had. One was comparing the proposal to the meters that you have in your system, and then Kenny's unaccounted for water numbers. Really, the simplest way of explaining this our Kamstrup technology begins measurement at .01 gallons per minute. The meters that you have in place are actually a .03. So if you have two 10,000 next to each other, well, no, how about if we say if you get 10,000 water systems next to each other, and you turn them on all at once? What that statistic is telling you is that we're measuring the water twice as fast as them. That's how you're going to reduce your unaccounted-for water.

Superintendent Kenny Rundle:

Councilwoman Roker? I just wanted to add because I come to the Board every year, usually at the end of December, and talk about this. I just want to make sure that we've talked about unaccounted water and non-revenue water, we used the number 17%. I don't want to set the bar too high, we still are going to have unaccounted water no matter how accurate these water meters are from water main breaks, from fires, from our flushing. So I don't want the Board to be led to believe that if our unaccounted water is 17% and we put new water meters in, it's going to be zero or 1%. That's just the nature of the business. We're always going to have unaccounted non-revenue water for the examples that I just stated.

Councilwoman Alice Roker:

But that's not millions of gallons of water, right?

Councilman Tom Diana:

That was going to be my question to you, Kenny. What is the actual percentage that you think that we expend in water due to flushing and fires and broken mains?

Superintendent Kenny Rundle:

I would probably say 8-9%.

Supervisor Matt Slater:

Kenny, can you tell us how long ago was it when we started replacing the water meters?

Superintendent Kenny Rundle:

I believe it was in 2011 when we started replacing the water meters.

Supervisor Matt Slater:

The water meters are a 20-year old lifespan, correct?

Superintendent Kenny Rundle:

Yes.

Supervisor Matt Slater:

We're already coming to the halfway lifespan of some of those meters, which gives us another 10 years until they have to be replaced. At the pace we're going, as we discussed during the budget hearing, you're not going to get through what's left for another 24 years.

Superintendent Kenny Rundle:

Right. I have a staff of four that are in a meter department and for us to do this – we're not equipped to do this.

Supervisor Matt Slater:

Right and I thank you for acknowledging that, but my point being again, though, it's not so much the staff, but it's also the dollar allocation because we're only allocating approximately \$80,000 a year for you to go put new meters in. At that rate, it's going to take you 24 years in order to complete the project. Meanwhile you've got meters that are going to be up in 10 years. You're in this hamster wheel where you're never catching up.

Francis Corcoran:

That's the value that we provide, Supervisor, because we bring the money right upfront to the table and we can predict the revenue and the increases in the recapture. We're able to replace all the meters once we start in anywhere from 6 to 12 months. You essentially get state of the art meters for the next 20 years constantly replaced if there are any upgrades or if there are new meters that come out – no maintenance or upkeep or operation. It's done in a short period of time with more user friendly interfaces, not only on the town side, but also on the resident side, and it's for those numbers, give or take, that we have on the preliminaries. That's the all-in cost to the Town to have the state of the art water put into the hands of the other citizens to be able to manage.

Supervisor Matt Slater:

As we've talked about previously, we have our comptroller on the line, Pat Caporale, and we've talked about working together to sync billing cycles because right now it's not billed monthly or bi-monthly for the Town. But that's something that we've discussed previously, I believe, correct?

Patricia Caporale, Town Comptroller:

Yes, that's true.

Francis Corcoran:

Yes, that's true. And again, because of the utility-like model, you and Jason can speak to this a little bit more. You and the Town could decide that they don't want to do this any longer. For some reason, if they want to own those water meters and maintain them and go out and replace them, etc., we would then (with 30 days' notice) hand those assets back over to you. Jason, you wanted to tell them about how that works?

Jason McGaugh:

Yes, I'll touch on two quick points. The first one is with respect to the billing cycle. Two things that could potentially enhance the cash flow operations of the Town are that these are near real time readings. If the Town is desirous of improving its cash flow conversion cycle, you can certainly modify and go to a monthly billing because the data will be there – you won't have to worry about sending trucks or anything out to read the meters. It's all captured in the cloud and can be put right into the central office for billing purposes. If there is a desire to maintain the quarterly billing cycle, we can certainly work with you on that, either setting up the utility payment on a quarterly basis or maybe a deferral of three months until they start so that you are sort of capturing the revenue from the residence and then using that for the next three months of billing. It's very flexible. Now to Francis' other point as far as the reversion of the water meters, if the Town should so decide at some point, we would just do an assessment of the remaining useful life in those assets and whatever the remaining value is, that would be the cost to the Town to purchase the rest of the remaining useful life on those assets. At any time within 30 days, we can work together on what's in the best interest of the Town and figure out whether to continue on the month to month agreement to eliminate the Town's need for taking on the maintenance and the upkeep in the balance sheet and the assets themselves. That is something we can absolutely work on with the Town.

Supervisor Matt Slater:

I think it's also important that I say to the Board, and I'm going to bring in our Comptroller again, we've met several times with this team because we keep waiting for the "I gotcha" moment.

Pat Caporale, Town Comptroller:

Yes – I don't have it yet, so I'm good.

Supervisor Matt Slater:

We've tried time and time again to get them to that "well, here's the catch" and it not there. We haven't seen it and we've met four or five, six times. The bottom line is we're going to be able to do, finally, A) a full water meter project with no upfront cost to the Town, which we currently

cannot afford, and B) we're going to realize more revenue for the water department. This will also not only increase our revenue but save us dollars. This is a creative way for us to try to find a solution to a 10-year and potentially an additional 24-year problem, unless we finally come to a comprehensive solution. We've looked at different things for the Town to consider. We've looked at bonding; we've looked at a whole host of options. I don't want to speak for Pat and Kenny, but I think this is the one that we felt was worthy enough to come to the Board and to the public for consideration.

Councilman Vishnu Patel:

This is a financial question. If we go the way you are suggesting here, are you going to have one or two less employees because now they don't have to do the work?

Supervisor Matt Slater:

I think we've already talked to Kenny about some ideas for his department. Clearly, the department will be modernized. I don't want to speak for Kenny, but we've had those conversation already to come up with ideas of how we can continue to utilize the employees who are there to make them more efficient, more effective.

Councilman Ed Lachterman:

I actually had a question for the team that may help with that, as well. Do you have a billing program available that would help us if we wanted to go to in-house billing?

Francis Corcoran:

It's funny you asked that, Councilman (Lachterman), because we did speak with the Comptroller, the Superintendent, and the Supervisor about that – we actually wouldn't be able to assist you in being able to put a program in place to remove yourself from the Joint Waterworks and bill directly to your own users.

Supervisor Matt Slater:

Also, Councilman (Lachterman), there's a demonstration that a number of our department heads are going to be observing next week about some software that we are very interested in bringing to the Town of Yorktown which is the same software that Joint Waterworks uses for their billing, among other things that it does.

Councilman Vishnu Patel:

Do we have any contract with them – Joint Waterworks said we cannot do it.

Councilwoman Alice Roker:

We don't have a contract with Joint Waterworks.

Francis Corcoran:

Yes, and Councilman (Patel), our interest is in a long-term 20 year partnership with you on this and, hopefully, other things. What we see across the systems and what Kamstrup sees, or what F.W. Webb sees, we'll always make sure we're bringing you the best practices that we see out there to make sure you know you have the most efficient and effective systems in place. So, absolutely, we can help with any of those kinds of issues.

Councilwoman Alice Roker:

I'm really good with all of what I've heard. I'd just like to get information from areas where you currently are using this kind of program.

Francis Corcoran:

You got it, Councilwoman.

Supervisor Matt Slater:

I'd like to see those references, as well. I know you've sent some articles over my way that I can share with the rest of the Board. But, if you can, those references would be very helpful. Councilman Lachterman, did you have additional questions?

Councilman Ed Lachterman:

Yes. Well, one more question and one comment, which was a question that was answered. The leak detection in the streets is amazing for the infrastructure. I think that's a fantastic aspect of

this where we could really save a tremendous amount of money out of those water main breaks. I was curious – do you have a product that could be utilized in this whole thing by our commercial water users to see if they wanted to get on board but it would have to be tied in with the Town if you did have a big enough meter? How would that work?

Francis Corcoran:

We did speak about that, Councilman in our last meeting with Ken and Pat. There are meters and products that are out there and available through Kamstrup – the same technology, same uses. Dan, I don't know if you want to speak to that?

Dan McGuire:

We have a full line of meters that would address commercial users. You know that a commercial meter size can be anywhere from a one inch meter up to a six inch meter and we can support that with our solution.

Francis Corcoran: We also talked about that there may actually be an increase in revenues as well. That's a good catch, Councilman. That's something that jumped out at us because we really did not put any of those numbers into these numbers that you're seeing here today. So this is not including that.

Councilman Ed Lachterman:

Along that thought, though, Francis, are the specifics of the program financially where there is no upfront costs. Is that available for those businesses if they utilize a commercial product? Because the commercial properties are responsible for their meter changing.

Francis Corcoran:

I have to be honest, Councilman, I don't know the answer to that. Maybe Jason does, but I'm not sure how we're doing it in other places. I'm not there on the day to day.

Jason McGaugh:

Councilman, so are you saying they're responsible for the cost of them? Are they responsible for actually owning the meter themselves? If they're solely responsible for the cost, then the commercial meters fit right into our program because, technically, the Town will not own the water meters – we set up a special purpose entity that owns the water meters and enables the Town to use them as if they own them. The cost of the water meter itself would be embedded, and just to give you, by way of an example, the proxy value that we put together here for the 10,000 meters includes only about 150 commercial meters of the one and a half and two inch sizes. Once we were able to get the pinpoint accuracy on the exact type and size and quantity of meters that would be included in this overall project. So again, it would simply be the cost of those meters on the commercial side would be part of this program that you can then monetize through the increased water usage on these commercial customers.

Councilwoman Alice Roker:

I think we're going to pick up money over there.

Francis Corcoran:

I agree 100 percent.

Supervisor Matt Slater:

That's no doubt. Kenny, how long has it been since some of those meters have been tested and replaced?

Superintendent Kenny Rundle:

They could be there 40-50 years.

Francis Corcoran:

Wow. But we haven't seen any of that in our revenue numbers.

Superintendent Kenny Rundle:

I just wanted to touch on one thing. I think Councilman Lachterman asked the question. As I stated before, our meter staff consists of four employees. This, to me, is a great idea but I'm still going to need the staff of four to do other things in the meter work itself. I see there's a monthly

minor maintenance fee of nine cents. So if somebody's water meter breaks at two o'clock in the morning, we're going to respond. I still need that staff. Maybe through attrition, at some point, we can take a look at that but I don't think that this is being put in place to reduce our staff.

Supervisor Matt Slater:

I think that's been very clear all year. We were not looking to utilize this to replace staff. That's not what we're looking at during the conversation we've had. I think the last budget hearing was the perfect segue into this because there was a lot of discussion about your department. As you can see here, if we can increase revenue, we can also increase savings.

Patricia Caporale, Town Comptroller:

I was going to ask one question, Supervisor Slater. If I can chime in for a second, especially from a budgetary standpoint, Slide 7 references a flat fee during the duration of the MSA. So that's the flat fee that's referred to in Slide 10, which is \$5.30 per month, right? And how long is this MSA? Twenty-five years?

Francis Corcoran:

Yes, that's right. So it would stay the same for that period of time.

Jason McGaugh:

Essentially, you can almost think of it like in perpetuity. At the end of 25 years, SP would replace any meters that needed to be replaced. You would continue to pay a utility fee for the use of the brand new meter. You think about it as a long-term partnership, this initial phase. We expect those meters to last 20-25 years. At such time as they need to be replaced, SP steps in and replaces all those meters and the same utility fee or something similar because there might actually be better technology 25 years from now or a lower cost efficiency that then enables us to actually lower the payment. The objective is that the utility payment, not unlike your electric bill or gas or any other type of utility, you don't worry about the equipment and that's all on SP's shoulders to take care of.

Councilman Tom Diana:

So the \$5.30 then would actually be what would be tacked on to each quarter's bill for the per month - \$63 or \$63 a year. Each water bill would have that quarterly amount added into it?

Supervisor Matt Slater:

Or is that part of the operating expenses for the assets? I don't think that is being passed on to the ratepayer, correct? I want to make sure that we're clear on this.

Jason McGaugh:

From SP's perspective, that's correct. Now if the Town opts to try to pass the cost on some repair, that's totally at your discretion, but it's an operating expense of the Town.

Supervisor Matt Slater:

But going back to that slide, though, my understanding of the way it works is that it would really be offset by the new revenue realized. So if we brought in, hypothetically \$1.5 million in new revenue above and beyond what we currently budget for (\$7.1 million) then there would be, hypothetically, whatever the number was - \$635,000, right? You're basically skimming that off the top of the new revenue that's coming in so it's not an additional cost passed on to ratepayers. Ratepayers aren't seeing an increase with the Town and the operating budget is seeing a net increase in revenue.

Jason McGaugh:

Absolutely and, essentially, the way this slide reads is that you would actually get almost two and a half times your cost back in new revenues from increased water meter readings and leak detection.

Councilwoman Alice Roker:

The ratepayers will pay additional monies because...

Supervisor Matt Slater:

We're capturing more of on the read.

Councilwoman Alice Roker:
Exactly.

Supervisor Matt Slater:

We're not increasing their rate and we're not going to pass the cost on to ratepayers, but they're paying for their true amount of water they get. Again, the important thing from the Town's standpoint is there're no upfront costs. So this is all improving the operating budget of the water department because we're going to be bringing in more revenue than we need to spend. So we're going to be growing the fund balance, which is going to allow us to do capital improvement projects just like people do at home every day. It's just like if you had to replace your roof, you have to save up for your roof and then you go and replace the roof or some other improvement to your house.

Councilwoman Alice Roker:

Let me ask another question. On my water bill it includes money for the sewer district that I'm in. How will that be done?

Supervisor Matt Slater:

That would be on the billing side, correct?

Councilwoman Alice Roker:

Correct.

Supervisor Matt Slater:

Right, so that would be implementation of the new billing program or continuing the same billing for however we decide to forward with a billing program. Jason or Francis, is that accurate?

Francis Corcoran:

Yes that would be on your side. We can identify the water revenue.

Councilman Vishnu Patel:

Saving water is more important than anything else because if we have a population increase, we cannot increase the volume of the pipes and we don't have money to replace the pipes. Saving the water is the biggest gain – the less water we lose, the better it is for the environment.

Supervisor Matt Slater:

We had a constituent in Mohegan Lake who called because he had a large bill. He was asking why he couldn't get his water usage on a more frequent basis. Based on what we're hearing tonight, that ratepayer is going to be able to see what they use on a daily, if not hourly, basis. If you want to improve water conservation, people are going to be able to have that information right at their fingertips so that they know at what times of day is their water use spiking. They can do an investigation to figure out how to reduce that spike whether it's an appliance or sprinklers or a leak. That's one of the beauties of the entire system.

Francis Corcoran:

It will even provide, through the software, the ability for them to put alarms on their own usage. If they go above what they had used last month, it will send them an alarm so they can say "hey, I've just gone over what I had used last month and it's already the 15th." We can do all kinds of things that help to conserve water in many, many ways, including right at the house with water loss and helping them manage their water usage.

Superintendent Kenny Rundle:

Supervisor, if I may, I was actually just leading into that question. A resident called the office and said that he got his bill right before the holidays and it was a lot of money. He was not challenging the bill. He was asking if we could build in a shorter amount of time so he wouldn't get hit (with a big bill). If you went by monthly billing, let's just say for argument's sake, it's a little less painful.

Councilwoman Alice Roker:

Yes, we had that before – I think it went over to the Joint Waterworks.

Superintendent Kenny Rundle:

I know we're running late – I'm just going to make a quick two points. So we just touched on the benefits for the residents. The way I understand it, there would be a dashboard or something like that for the residents to go in a monitor use and set alarms. The second thing I'm concerned about and was trying to get information about is our infrastructure that's about 10 years old now. Can that be utilized at all?

Supervisor Matt Slater:

It's not the same level of sophistication, is that correct?

Scott Fitzgerald:

Yes, that's correct.

Supervisor Matt Slater:

But again, to replace doesn't cost the Town anything upfront.

Francis Corcoran:

The whole idea is to get it to the most state of the art level and then be able to build the revenues from there.

Supervisor Matt Slater:

Again, no cost to the Town upfront. To make the replacement in technology also allows us to do a full implementation rather than a phased implementation over nearly 34 years. So all of that is going to allow our water department to get the true revenue that it should be receiving and, hopefully, function at a higher level than currently allowed due to the fiscal constraints of the department. That's what we're trying to accomplish.

Francis Corcoran:

This is a long-term relationship. No "gotcha." All we're doing is matching up long-term money for an institutional investor with long term credit risk of a Triple A or Double A rated town like Yorktown in getting in the middle to make sure we manage it for the best use and effect for the Town so that they maximize the benefit of it. It is there for the long term.

Supervisor Matt Slater:

If we can just put a fine point on this, what if the Town Board was so inclined? What would the next steps be from your standpoint?

Francis Corcoran:

So from our standpoint, Supervisor, the next step would be for us to just have that MUSA signed, which is the master utility service agreement that is no obligation to the Town, whatsoever, but it allows us to go in and do the propagation study and some of the things that Councilwoman Roker had asked about, including looking at the commercial meters so that we can tighten in our numbers on what the actual costs and benefits would be, which we think are within this band here but would probably get better knowing what we all know now. That would allow us to be able to move forward, again with no obligation to the Town, no financial commitments. That would be the next step – the signing of the MUSA. The state of Hawaii just signed with Sustainability partners to provide all their electric vehicles, their electric buses, their charging stations, all their infrastructure last week. So it's a standard agreement that has been vetted in a lot of different places.

Supervisor Matt Slater:

The MUSA would cover the commercial water meters?

Francis Corcoran:

Yes, absolutely.

Councilman Diana:

That would only be up to a two-inch size, correct? I now we have some six and eight inch water meters, if I'm not mistaken.

Superintendent Kenny Rundle:

Yes, we have larger. About six inches is the largest.

Jason McGaugh

Those can absolutely be included in the program. We've actually done some with Kamstrup on six and eight and even 10 inch meters.

Francis Corcoran:

Yes, we would inventory all of those things for the Town. Everything we do – from the inventories, to the purchase of equipment to the installers – everything will be transparent, you will see every bill, we don't mark up any of the materials or any of the products. It is all about us operating this with you to maximize the revenues; it has nothing to do with markups or anything else. Those inventories, those costs, all those things will be transparent to Pat and her staff, as well as the Board and the Supervisor and Kenny, as well.

Supervisor Matt Slater:

Of course. Then just make sure we're clear for the MUSA – you wouldn't take any next steps, obviously, until you came back to the Board with your final.

Francis Corcoran:

Of course. The MUSA allows us to sharpen our pencils here and get back with what the final costs would be to implement the program. And to Scott's point earlier, as soon as we get that signed from the Sustainability Partners standpoint, because we pay, we could get out there in the field to do the site studies. It could be anywhere between one and three months to get it done.

Councilman Vishnu Patel:

How much insurance do you carry on your business and how long are you in business?

Francis Corcoran:

Jason, that's probably a better question for you. I've been on the board for a couple of years now. If you go to our website, Sustainability Partners, we started a number of years back with school districts and prisons in Arizona and in Illinois.

Jason McGaugh:

We have a full complement of insurance, not only from the corporate side as Sustainability Partners, but as part of our agreements with our installers. They all execute a Master Goods and Services agreement, which contains insurance provisions as well. As far as the nets from a corporate standpoint and the assets are concerned, there are two different options that we can get to you in due course of time and that is either the assets and the SPV and the owner can be added to the Town's existing insurance policy as a named insured. We do have the option of procuring third party outside insurance for those assets. That's on the water meter side. On the corporate side, we've got insurance across every avenue with various riders on that Master Goods and Services Agreement to cover every aspect of procurement and installation as well.

Supervisor Slater:

Thank you everybody. Any questions from the Board?

Councilman Tom Diana:

How do you guys make your money?

Jason McGaugh:

As Francis alluded to, we are in this for the long term. We have an agreement with the provider that we bring to the table for the ongoing maintenance of the asset to make sure it stays in a state of good repair, efficient, and working and for that we get from the SPV an 80 basis point annual management fee. So it's a longer term revenue stream that, frankly, is incumbent on us to make sure that the asset stays in a state of good repair. As we continue to get more and more customers and more and more success stories, the SP mantra is that we're not trying to extract margin off of a customer, we're in this for the long term. So the more assets we can have under management, that's how Sustainability Partners makes its profit over the long term.

Francis Corcoran:

Lots of people on Wall Street and other places say that we should be doing this for a lot more money than we do. So we're really in for that purpose, where we're trying to replace aging infrastructure across this country because it's very difficult. There's no reason why a municipality like Yorktown should have to worry about its sewers or the clean water it delivers the same way

you don't worry about your electricity or gas; these things are utilities. You should be taking your taxpayer dollars and using them on people and programs and other kinds of services. We're trying to get people to the place where infrastructure is a utility, you pay for its use, you don't pay for its expense, its cost and the capital of it. That's kind of what we're trying to do for the longer term, which is why I'm so interested in helping Sustainability succeed and why I'm on the board.

Councilman Tom Diana:

My last question is that this is for 25 years, would this be a contract for 25 years? What are your 25 years?

Jason McGaugh:

We try to match the payment stream up to the expected useful life of the assets, but keep in mind that it's meant to be an almost perpetual utility agreement. So, if the assets last 28 years, that fee would stay at that \$5.30 for the 28 years; if it lasts less than that, we would replace the assets and that same utility rate would continue forward. Essentially, we're structuring this as a long-term agreement with the Town so that they don't have to worry about replacing the infrastructure, their assets. As we talked about earlier, they maintain that 30-day optionality so that in the event the Town does want to own the assets, there's that option. We're hoping that as we build this long-term relationship, the service and the quality of the equipment and the way we maintain it on behalf of the Town, enables to continue the long-term relationship.

Francis Corcoran:

We had the Lieutenant Governor for Louisiana on the phone and the Mayor of Simmesport, who we started out doing a very small water project for them, just to sort of prove the viability of Sustainability Partners. They were in a difficult financial condition. Once they saw that work, they turned around and asked us to do their water treatment and then continued to walk down the road to give us more and more infrastructure projects. They were just named the number one financial municipality in Louisiana because of the work they did with Sustainability Partners. We are in this for the long term and we're trying to help remove those burdens off the shoulders of the taxpayers.

Supervisor Matt Slater:

We really appreciate your time. I know that we ran late, but this was a very exciting presentation, I think, for the Town and for the Board and for the future viability of our water department. So just to put a fine point on it, the next step, if the Board was so inclined, would be authorizing you to sign the MUSA so they can continue with a more finite study and then come back to the Board with more detailed figures as to what the benefits would be to engage in this program. That is something the Board will consider. Again, we want to thank Sustainability Partners and your entire team.

Francis Corcoran:

Thank you, Supervisor. If you want, we can send the PowerPoint to all the Board members.

Supervisor Matt Slater:

I circulated the PowerPoint that you sent over, so they have it. If there's any other documentation that you want to send over, by all means, please do and we'll circulate it to the Board and the necessary department heads.

Francis Corcoran:

Thank you, Board and thank you all.

UPDATE ON FLUORIDE PROJECT

Supervisor Matt Slater:

We're going to welcome Michael Quinn, our Town Engineer, to provide an update on our fluoride project. Mr. Quinn, the floor is yours.

Michael Quinn, Town Engineer:

Good evening, Board Members. I know Ken Rundle is on the line here and also Vanessa MacPherson from Arcadus is joining us tonight. We wanted to walk you through a couple of issues that have arisen on the fluoride project. Vanessa actually has a very short video of the current conditions. Just to give you a quick recall, the contractors started mobilizing in October. In November, they did demolition at the project site and that's where we ran into a couple of issues

that are going to cost additional money. So, Vanessa, I think you're going to walk us through some of the details about the extras and then we have a summary sheet we can put up with the cost impacts.

Vanessa MacPherson:

Absolutely and thank you all for your time this evening and allowing us to give you this update. So even to take it a step back further from where Mike started, I think the planning to resume fluoridation of the Town of Yorktown's Catskills source of supply began several years ago, at this point, and the project at its concept level looks very different than the project that we're currently implementing today. Everyone should keep in mind that the basis of the grant, which is really the heart of this project, was for a different project but something that we always have been striving to stay within the constraints of that budget. I took this video on site. (*Video playing.*) This is sort of where we're at right now. The project changed from its concept level where we would be putting in a brand new building to one where we're attempting to reuse what's called the Catherine Street Pump Station. Yorktown previously used this facility to draw water from the Catskill aqueduct directly and pump it into the 24-inch transmission main. So this is the condition of the Catherine Street facility and we knew coming into this that Catherine Street was not in great shape. We worked really hard to come up with a stabilization approach for the building. What I'm showing you here is a long longitudinal crack in the CMU. The building construction is basically a cast-in-place concrete knee wall with concrete masonry unit or CMU wall built on top of that. Again, coming into this project, our goal was to fill grout solid every cell of that CMU wall to stabilize the walls and put on a new roof. When we took the roof off the building, it became apparent that the grouting of the CMU cavities was attempted, but not done successfully. Basically, some cells are grouted and some cells are not. So our goal of doing a full-on rehab and grouting of every single cell kind of stopped right there in its tracks because since it's a partial job, we really can't do a good job now without maybe drilling into every single block cavity and injecting grout, which is not something that we want to get into. That made us start to say "well, wait a minute, how much would it cost at this point to just replace that CMU?" We're doing this project and we want to do it right. We asked the contractor to give us two different prices on the CMU replacement. Let me stop my video. I'm bringing up our contract change order summary. So PCO's 1 and 2 that I'm highlighting – one is a credit for the masonry repair work that would no longer be required. There's work in the contract that the contractor bought that would have been grouting and reinforcing all the CMU that they would no longer have to do if they outright replace those walls. So we take a credit for that work. That's rolled into the cost for this PCO 2, which is demolish and replace the walls at a cost of about \$36,000. We also asked for a price – Arcadis came up with a detail that would be stabilizing the walls. If I can go back in this video, I can show you better than describing what I mean. This is the cast-in-place concrete wall that I described with CMU wall on top of it. We're looking at a penetration into the inside of the building. We came up with a concept where you would basically place concrete formwork, there's a little ledge here that's about 3-4 inches wide. So, they would put up some plywood, formwork, and pour a reinforcing wall inside all of these walls. So that was the rehabilitate option alternative that we came up with and the cost of that was about \$48,000. It was more costly to do a repair than an outright replacement of these walls, which is why we would be recommending authorization of the wall replacement as part of the contract work. I can pause there if there are questions before we get into the details of the other items, or I'd be happy to provide an overall summary and then open it up for questions. Whichever, the Board prefers.

Councilman Tom Diana:

That cast-in-place wall – is that, at this point, no good? Is that footing good?

Vanessa MacPherson:

We believe that the foundation, the base slab and the cast-in-place foundations walls are in excellent condition. We have no reason to believe that those are suspect or are in need for further attention. It's the CMU that is really the issue.

Councilman Tom Diana:

So it's just a concrete block that's basically deteriorated over the years.

Vanessa MacPherson:

That's correct.

Councilwoman Roker:

I'm a little confused. You said the concept changed over the years. Can you explain that to me?

Vanessa MacPherson:

Certainly. The basis of our design, initially, I believe it was in 2016.

Michael Quinn, Town Engineer:

We applied for the grant in 2016 and we got the award in early 2017.

Vanessa MacPherson:

The project that we initially proposed on would be a brand new facility that would be located near Cortlandt Lanes in the Town of Cortlandt. It became apparent that we would be looking at a prefabricated structure that would be dosing fluoride at an interconnection point that Northern Westchester Joint Waterworks had recently put in, or was proposing. I don't know that they actually ever finished it. Then as we discussed the project more and more with Joint Waterworks, it became apparent that there are certain users (Yorktown is one user) that doses fluoride, not all of the recipients of water from the Joint Waterworks do fluoridate so that location was no longer an option based on the operations of the Joint Waterworks. That's when we started to look for a location within Yorktown where we could dose.

Councilwoman Alice Roker:

When you look at this building, I think it's obvious that it's in a whole lot of disrepair.

Vanessa MacPherson:

Yes. So we did a couple of things. We did hazardous materials testing because that was our biggest concern initially, if we started to tear down the roof and pull out equipment, we'd be opening up a Pandora's box of just remediation. So we did a thorough investigation on the hazardous materials and, honestly, had an attempt not been made previously during the initial construction of the building to route inside those cells, which based on every investigation that we did during design, did not appear to be the case. Probably because we were looking at such an inconsistent job that was done, our approach would have been great, we would have still been going along without a hitch because we had angle iron repair details for stitching together cracks and we had surfacing repairs. The fact that we can't properly reinforce the insides of these walls now is really what threw us for a loop here.

Councilwoman Alice Roker:

My question to you now, Michael, is did you come back to the Board and talk about this – the fact that you couldn't build it where you thought you were going to build it and that it's probably going to cost more money because we're going into this older building?

Michael Quinn, Town Engineer:

The original engineering report was based on a location in the Town of Cortlandt. That report was then used as the basis for an application for construction funds, which we received. After we received that award, there was discussion with the Board because we had to modify the engineering report for the Health Department approvals to match the new location that we were choosing. That was probably sometime in 2017. When we put together the bid documents, that was all based on using the Catherine Street location.

Councilwoman Alice Roker:

Okay, thank you.

Councilman Tom Diana:

I find it suspect that this particular type of deterioration wasn't found early on. We would have had an upfront knowledge of this so that things could have been put into place, maybe knock the whole thing down and put a prefab in there, which would probably cost you about \$100,000. In my experience, I have found that when you start fixing masonry, it's already cracked, whether you're filling the pockets in the block or whatever the case might be. For whatever reason, they cracked, whether it was settling, or if water got in there to begin with, and split apart. Engineering firms should be able to see this and say "this building is no damn good. It's got to come down. Period, the end." There's a problem with that building and it should have been brought forward from the beginning. Have we put money into this roof yet?

Vanessa MacPherson:
The roof is off the building.

Councilman Tom Diana:
I know that there was some talk about just redoing the roof and putting the roof back on. I haven't been by it in quite some time.

Vanessa MacPherson:
I wouldn't recommend that, given the condition, without doing any stabilization I wouldn't put a roof on that building.

Councilman Tom Diana:
I guess my question is why wasn't this seen from the get-go?

Vanessa MacPherson:
The issue is really that we can't see inside the blocks. I think all of the exterior repairs that you just said - the cracks, the spall on the outside of the block - the things that we could see, we have a solid way to address in the contract and I brought up just one of the contract drawings to show you the grouting and the reinforcing. The fact that we did some test tools and the cells were hollow during design was really what drove us into the direction that a building stabilization would be possible at that time, to the best of our knowledge. Not being able to see inside every single grouted cavity to know that was done inconsistently, there was nothing on any of the record drawings that would have indicated one way or the other if it was done.

Councilman Tom Diana:
So now that we've gotten in this, all of a sudden, we have this issue that has come up and this plan isn't going to work. I build for a living so I know a little bit of what I'm talking about. You have this block here that was not filled or not solid - a two-pound lump hammer can go through them and say "hey look, we've got a problem here" and then fill it in. You're going to have to explain further on why this can't be repaired and it's going to cost us another \$70,000 because I don't see it.

Vanessa MacPherson:
Well, I think that was my point - we have been working with the general contractor on all of the different options that are available to us. They certainly could hit every single one of the cavities on every single block and evaluate if there's grout in it or not. First of all, labor-wise, I mean you would know, Councilman Diana, I'm sure that would be a very laborious process, right? I think that the end result would not guarantee you a building that's going to last another 50 years. So when we were looking at this from a perspective of longevity and what the best solution was, that's why we did ask for the cost for various options, be it rehabilitation or an outright replacement, and then just weighing what those ultimate costs were and it didn't seem to make logical sense. That's why we do want to discuss this with the Board today and get opinions on it, of course, but it seemed like the best course of action would be to just replace the blocks versus trying to put a band aid on a problem that is just way beyond what we ever would have thought.

Councilman Tom Diana:
I guess my next question is at what point did we realize that this building was shot?

Vanessa MacPherson:
I think the definitive moment for me was when the roof came off and we looked inside of the blocks from the top down.

Councilwoman Alice Roker:
You weren't able to get into the building before then?

Vanessa MacPherson:
We were inside the building, we were outside the building, all around the building. It was just very difficult with the roof on to see what the condition was inside the blocks until the roof was removed.

Councilman Ed Lachterman:
Vanessa, how long ago did that roof come off?

Vanessa MacPherson:

I would say it's been about a month, maybe a little longer. I'd have to look back at the progress photos. But that's probably about accurate – Kenny, Mike?

Michael Quinn, Town Engineer:

It was last month.

Councilman Tom Diana:

So basically, what we're saying is that, from what I can see, possibly the roof leaked, the water got in and went down into the cavities that have blocks. That's where the cracking started and people had tried to either stucco or whatever the cracks up so that they were weather tight. Am I on the right track here?

Vanessa MacPherson:

I think it's really two issues. The cracks are one issue and whether or not somebody attempted to repair those I have no idea. I think water getting in probably exacerbated those cracks, but the crux of it is really the interior CMU block grouting and reinforcement, which was done as a partial job at the time of building construction. And there was no record of that, so what we thought was a hollow block that we could grout solid and make that was consistent and robust all the way throughout turned out not to be the case.

Councilman Tom Diana:

I don't know – this seems to me like it could have been picked up a lot earlier on and we could have made a more informed and monetary decision early on this. You know now it's \$70,000 and we've already added to that \$900,000 plus for this project.

Supervisor Matt Slater:

No, it's not. What's the total compare to what the grant is? I think that's what we need to understand.

Patricia Caporale, Town Comptroller:

So far you have transfers of \$1,078,470.

Supervisor Matt Slater:

This way adds another \$70,000 on top of that so we're really looking at \$1.1 million.

Councilwoman Alice Roker:

But they haven't finished the building.

Supervisor Matt Slater:

That's my other question. Vanessa, do you foresee any other issues like this coming back?

Vanessa MacPherson:

I have tried to capture everything that we're aware of at this time in this list that I've brought back up again. So the \$70,000 number that's been cited is everything that we're aware of at this time. We are about 30-40% through the project, we'd estimate at this point. Something else major coming up? Well, of course, it's possible. It's construction with unforeseen conditions but I wouldn't predict that we would have any other major changes moving forward beyond what is presented on this list. PCOs 3 and 4 are really related to bid alternate work that was not awarded at the time of the bid. I can walk through those in more detail and then some structural changes to the roof framing. That's part of the building stabilization. Other than that, there would be nothing else major that we would envision to complete the project.

Supervisor Matt Slater:

I'm the new guy on the project. Why wasn't it awarded as part of the bid?

Michael Quinn, Town Engineer:

There were three bid alternatives in the project. We did that so we'd have some flexibility on making an award of the bid. One of the alternatives was a metering chamber that the Health Department had asked for during design that we knew would be very expensive to put into the project. We elected to put that as an alternate so we could get the prices and then if we wanted to go back the Health Department and say we wouldn't be able to do the job with this alternate. It

was on the order of \$270,000 is what the bid price came in at for add-Alternate A. The Catherine Street property is actually DPW owned land; it's a Town of Yorktown building on the property. They've been updating their land use permits and they had approached the Town and said they wanted to update the land use permit but there is an old connection to the aqueduct that has to be removed. We said that's certainly not part of a fluoride product and that we would bid that as an add-alternate. I don't know if you recall, Supervisor Slater, but recently Ken Rundle and I had spoken to the Board about removing the Catskill piping with some other funds from the water budget and that's where it says on that last column "Town Board approved \$19,500." So that was a bid alternate from the contractor. After we spoke to the contractor and we went back to the DEP about how the work was going to be done, we actually did find some savings. So that's why a lot of the award was \$19,500 because that was the bid alternate price, we actually were able to bring that in at a lower price. So we did have a net savings on that item.

Councilman Tom Diana:

Pat (Caporale), where are we again with the money for this project?

Patricia Caporale, Town Comptroller:

Transfers are \$1,078,000.

Supervisor Slater:

What was the total for the grant?

Michael Quinn, Town Engineer:

\$901,050.

Councilwoman Alice Roker:

Vanessa, can I ask you a question before we go any farther? Procedurally, when you design a project and it goes out to wherever for grant funding and you come back with a price and then you realize that project has got to change at any point – are we able to go back to New York State and say our project has changed and it's now going to cost us more money?

Vanessa MacPherson:

That's an excellent question and we did go through that process. Mike and his team lead that coordination with the state. Mike, you can speak to that better than I can.

Michael Quinn, Town Engineer:

Alice, we did speak to the Health Department. This is the New York State Health Department that awarded this project. Certainly, when the bid prices came in higher than our award, we spoke to the Health Department and they said there's absolutely no opportunity for that amount to be increased. So we went back to the board at the time of the award, which I guess goes back to December 2019 and the board had to decide to award with some Town funds to get the project done or not to proceed with an award. I guess we could have tried to rebid the job, even though we didn't really see too many things that could have been changed. We had a lot of things for this project.

Councilwoman Alice Roker:

I should have asked more questions when you brought that before the Board in 2019. I should have said let's go through the whole history of this document. I know what to do from now on.

Michael Quinn, Town Engineer:

I want to add to this discussion that we do have – Vanessa, right? – an allowance in the contract for some extra work items.

Vanessa MacPherson:

That's correct.

Michael Quinn, Town Engineer:

So we do have \$30,000 that's in the contract amount that we just quoted, roughly, for both contracts for the general contract and the electrical, both awards together, as \$850,000 that includes \$30,000 for some field conditions that can arise on a project. None of those funds have been spent yet.

Supervisor Matt Slater:

Pat, is my math, right? By adding the \$70,338, we're now out of pocket \$247,000. Is that accurate between what the grant was versus the actual bid and now the addition?

Patricia Caporale, Town Comptroller:

\$247,358 – yes.

Councilman Tom Diana:

What do we have in the project so far?

Supervisor Matt Slater:

We're out of pocket \$247,000 and that comes out of the water budget.

Councilwoman Alice Roker:

And they don't have any money.

Supervisor Matt Slater:

That's where I'm starting to get nervous, quite frankly, because they're very limited structurally from a financial standpoint. They've got issues. So is this \$70,338 coming out of water?

Patricia Caporale, Town Comptroller:

Yes, that's where it would have to come out of.

Superintendent Kenny Rundle:

But if there's \$30,000 built in for extras, can we use that and then try to find \$40,000?

Patricia Caporale, Town Comptroller:

That was my question. I didn't know anything about it until Michael Quinn just mentioned it. I don't have a copy of the contracts here with me. I don't know how much of a detailed contract I have, but I don't know – can it be offset?

Michael Quinn, Town Engineer:

Yes, it can be that the \$30,000 is intended for roughly 30% of the contract amount for small things that can happen on the project that can be applied to this number.

Councilwoman Alice Roker:

Vanessa, how far are we from completion?

Vanessa MacPherson:

I would say that we're roughly 30% through and then we've mobilized to the site and obviously done demolition. Both contractors are well in the midst of submittal of equipment, documentation to us for approval and authorization. So they're basically procuring materials at this point and waiting for direction on how we want to proceed with any of the building stabilization work.

Councilwoman Alice Roker:

My only concern is that we are only 30% of the way through this project, and I'm fearful that if we use the \$30,000 now, what could we encounter as we move forward?

Supervisor Matt Slater:

If you have \$30,000 of extras, would you come back to the Board first before spending it?

Michael Quinn, Town Engineer:

Yes.

Councilman Tom Diana:

Pat, how much are we into this right now?

Patricia Caporale, Town Comptroller:

About \$192,000.

Councilman Tom Diana:

Okay, and have we gotten anything back yet on this grant? Because this was a matching grant, right?

Michael Quinn, Town Engineer:

This is a grant that 100% of the \$901,050 would get returned to the Town. We spend it, we submit reimbursement to the state, and then we get reimbursed.

Councilman Tom Diana:

How much have we been reimbursed so far?

Patricia Caporale, Town Comptroller:

I have \$137,000.

Councilman Tom Diana:

Se we're out \$60,000 basically – not out, but we're going to have to have a discussion about this because we don't know where this is going to go. We only have an idea.

Councilman Vishnu Patel:

It has to go.

Councilman Tom Diana:

I think the whole project has to go.

Councilman Vishnu Patel:

No, it has to succeed. Let's do fundraising. We always talk about fundraising.

Councilman Tom Diana:

I have to be honest with you. I haven't been a proponent of this project since day one. I'm still now and it's not proving to be any kind of a winner in my eye – even with the grant. We only had one dentist come in and talk to us about it. We're going to have to have a discussion about this because I'm seeing more than \$30,000 that we put in here for cost overrun. Usually somewhere between 5% and 10% I would say is a generous cost overrun for this type of project, but we're already at \$192,000.

Supervisor Matt Slater:

We spent 192,000 but we got reimbursed \$137,000.

Councilwoman Alice Roker:

Tommy, I will say that when we did the public hearing on fluoride, we had every dentist who works or lives in Yorktown at Town Hall, including the Commissioner of the Health Department.

Councilman Tom Diana:

Well, I'll tell you Cortlandt doesn't have it. Putnam Valley doesn't have it in most of their town as well. A lot of people around don't have it and I don't see people's teeth falling out of their heads, but then again, I'm not a dentist. I'm not happy with the way we've been advised on this project – not happy at all.

Councilman Ed Lachterman:

Tommy, I tend to agree. When this was first brought to us, it was that we were going to be reimbursed for everything. Now with these new overruns, am I correct in saying we're almost a quarter of a million out of pocket at the end of the day?

Patricia Caporale, Town Comptroller:

Altogether? Yes, I have about \$248,000, so you're absolutely correct.

Councilman Ed Lachterman:

That's a far cry from a breakeven-type of scenario.

Councilman Tom Diana:

Even if it was \$20,000 or \$30,000, you can understand there are cost overruns in construction but when it comes up to be between 5% to 10% on a cost overrun – I don't know.

Supervisor Matt Slater:

Kenny, can you talk to me about how comfortable you are with the \$70,000 coming out of your fund balance?

Superintendent Kenny Rundle:

In discussion with Pat, our fund balances are getting down there. I think that it's something that we have to do. Am I excited about taking \$70,000 out of the budget? Absolutely not. But I think with so much invested now, I think we have to keep going. But that would be a decision that the Board would make.

Supervisor Matt Slater:

But you're our Water Superintendent.

Superintendent Kenny Rundle:

I get it, but I think to stop this construction right now because of the block – I don't think it makes sense to stop the project.

Councilwoman Alice Roker:

I agree with you that we're at a point where we're far into this project. To stop it would be problematical.

Councilman Tom Diana:

But we don't have a nut or bolt in the place yet. We don't have a nut, a bolt, a pipe – nothing is there, not even a roof. Zero. We have soft costs, basically, and some tear down.

Councilwoman Alice Roker:

Well, Michael, should we decide to do this, hopefully, you're able to bill New York State so they can send back money and his fund balance won't be that depleted.

Michael Quinn, Town Engineer:

We can bill the state up to every month, so as we get these invoices processed, we will do that. Right now, I think we're billing quarterly.

Councilwoman Alice Roker:

I think that has to change. Vanessa, thank you very much for coming tonight. I appreciate it.

ZONING AMENDMENT & SITE PLAN AMENDMENT – TRACER IMAGING, 712 KITCHAWAN ROAD

Supervisor Matt Slater:

We're going to move on to our next item, a pre-application from Tracer Imaging. This is a transitional zone. We are joined by Taylor Palmer and members of Tracer. I believe we have John Tegeder joining us, as well as Robyn Steinberg.

Councilwoman Alice Roker:

If this is a Town Board action, how come we don't have the application?

Supervisor Matt Slater:

They haven't submitted an application. They wanted to come before the Board first to see if we have any comments before they formally submitted the application. Taylor, do you want to take it away?

Taylor Palmer, Cuddy & Feder:

Good evening. Again, I'm Taylor Palmer with the law firm of Cuddy & Feder on behalf of the applicant. Thank you for meeting with us this evening and putting us on tonight's agenda. We are coming to you live from Tracer's office buildings. I'm actually in one of their large conference rooms. Steven Spiro, President of Tracer, is in the far office and Michael Katz are also joining us this evening as the applicants. As the supervisor mentioned, this is an informal pre-application submission discussion. We wanted to bring you all up to speed about operations here at Tracer. We had, as you may know - and John and Robyn are certainly familiar - recently been before your Board in 2017. Let me just give you a quick background. While I'm presenting, Steven, if you wouldn't mind sharing your screen and putting up Exhibit C that goes through the layout and site

plan to get the Board acclimated with where we are on the site. Until 2017 this property was formerly referred to as the Brooklyn Botanic Garden property. You're all familiar with the Kitchawan Preserve. It's a 200-acre county park that's adjacent to the site and this is a 14.7-acre property that was originally classified in the R1-200 zoning district and then in 2017 the property was rezoned into the transitional district. It had been improved by the existing office building that I am in and before Steven gives you a quick video, just to show you the upgrades that Tracer has done to the property – it was used as an office building, there were existing parking areas, as well as a large greenhouse and storage building. Tonight we are only before you to present minor changes to that same storage building that was previously proposed because of the transitional district zoning applied to the property. We're before this board in connection with that minor amendment. So just for the benefit of those board members that weren't working with us in 2017, some of the prior uses of the property included a research lab, not-for-profit office space, laboratories, and conference rooms, and also there was some publishing on the site. One secret that was kept – it seems there was pharmaceutical research facility on site and actually involved animal testing. There's been all environmental review and cleanup and it's been completely remediated – it's a beautiful site. We look forward when COVID is gone to bring you all to the property. There are amazing outdoor spaces and Steven Spiro actually recorded some video footage to show you just what we're working with. As I mentioned, we're about 1.5 miles from IBM and right next to the Kitchawan Preserve. Access to the site is provided over a county easement. Actually, Mr. Rodriguez (Town Attorney) was very helpful and instrumental in his time with the county working through the county's right of first refusal on the property and actually encouraged the applicant to improve the access for park users. Mr. Spiro and Tracer did improvements and if you scroll towards the end of the exhibit, you'll see some of the improvements to the entryway to Kitchawan Preserve for the users of the park. Again, we were before the Board for approval in 2017 when the Town Board included it in the transitional zone. So it was a zoning amendment and a site plan approval, which included a storage building. Since then, and Steven will now switch to show Exhibit B, which are the old photos of the building. Tracer has made significant updates to the site, including this office building, and as we mentioned, the entryway into the property. Significant modifications were made by Tracer, as well as investing in the Town and investing in this property, and really making it something that you wouldn't know is a hidden gem as it is hidden away behind a country park. When you come up to site, you look at it from the entryway and it looks like a one-story building, but it does go down to a lower level that would walk you out to the accessory building. So in looking to construct that accessory building and Tracers' operations in light of the pandemic, the applicant has determined that the size of production was insufficient. We are proposing "de minimus" changes to that accessory structure. It's about a .3% increase in the coverage of the total building of the site. So, it's about 900 to 1,000 square feet of building coverage. There are minor changes to two setbacks, about 25 feet and 3 feet, respectively. So with those changes, we will be appearing and submitting a full application to your Board for review. Tonight, was just to say hello, reintroduce ourselves, and to give you a quick overview for the benefit of the board members that weren't here in 2017 for this change. So, if the Board sees fit, I'd like Steven to give you the video. He's going to give you a quick ride through Tracer and show you the space as it was changed. We'll post the site plan up in a moment when we finish the conversation so that way you can get a sense of what Tracer has done and how they want to continue to invest in the community and grow their company here. So Steve will give you a little bit of background about what Tracer does and what they do in the Town of Yorktown.

Steven Spiro, Tracer:

(Showing video) Thank you, Taylor. Good evening, everyone. Thank you for having us tonight. Let me just give everyone a walkthrough. *(Mr. Spiro showed a video of the property to the Town Board describing improvements they made.)*

Councilwoman Alice Roker:

Will the berm cause you any problems when you have the additional space?

Steven Spiro, Tracer:

No. We're going to end the building right at the cinder block so there's still a whole lot of property, probably 100-120 feet. The reason I brought it up is it just adds protection and adds a blockage for visual sight line.

Taylor Palmer, Cuddy & Feder:

Kitchawan Road sort of goes with the bend there, so it is screened in that direction. Again, this accessory building was approved by the Town Board previously, but because of the bulk tables that are applied to both the approval resolution for the site plan and for the rezoning, it does require amendments to both components. We will be submitting a formal application, but we wanted to see if the Board certainly had any questions before we made that application. Of course, we appreciate you all taking the time this evening.

Councilman Tom Diana:

Thank you, Mr. Spiro, for that tour. Is it going to be single story or two story?

Taylor Palmer, Cuddy & Feder:

It's going to be 20 feet. Is it two stories, Steven?

Steven Spiro, Tracer:

No, it's single story but we do have a mezzanine, which is just going to be for storage.

Taylor Palmer, Cuddy & Feder:

Steven, would you just bring up the site plan, if there any questions. Again, we'll submit formal copies that we have provided when we had just a preliminary discussion with Robyn and John, leading into this. (*Displayed site plan.*)

Councilman Vishnu Patel:

We used to go there and walk – it's a beautiful place, really a wonderful place. I've been to the Brooklyn Botanical Garden back in 1970. We used to walk there all the time from IBM.

Supervisor Matt Slater:

Could you just quickly let people know some of the work that you're doing there and some of the clients that you have because I don't think people realize that we have such a prominent business in the Town of Yorktown.

Steven Spiro, Tracer:

Sure. So predominantly most of our revenue comes from production that we do down in Kentucky down in the Lexington area where we have harvested poplar trees that are farmed. It literally is a crop – we take down one tree, we plant three. It's a very green wood, but we make picture frames and canvas frames and we sell them primarily to Walgreens and CVS. We sell about 5 million frames a year. We don't do that production here in New York, but we manage it from New York and all of the R&D comes from our facility in New York. What we are doing in New York is launching a "direct to consumer" business, a product called TilePix, which is a square 8" frame that hangs on your wall magnetically. The whole concept is you make a gallery wall – you put five rows and five columns and the magnet allows you to perfectly adjust the frame on the wall. We're competing with an Israeli-based company called Mix Styles, who did \$73 million in revenue in 2019. We think we have a significantly better product in many ways. It took 60 months for them to get to \$73 million. We want to double the revenue and halve the time and we want to do that all in this Yorktown facility. So, it's just a group of geeky engineers like myself that develop fun, cool products for consumers. Most of our stuff goes on the wall and we love working with artists. So we sponsor artists, we work with them – oftentimes, we print for free. We love doing large format printing for our students – we had many of the local high schools here at the beginning of COVID and before COVID doing art projects. We work with SUNY Purchase Art School doing projects and we do it all for free. If I could toot my own horn for one second, I think the thing I'm most proud of is, we had in our inventory 300,000 sheets of clear plastic that we didn't know what to do with and we ended up creating face shields and we donated all of them to the State of New York, a lot of senior care facilities, we donated to the Yorktown Police Department, almost every police department, and then Phelps Hospital and White Plains Hospital. We're really proud of that. I think it's the thing that all of us who work here are probably the proudest of. So, we're happy to be part of the Town and we want to continue to grow here.

Councilman Tom Diana:

So, I'm just looking at the existing ruins facing east. Basically, I know it's going to be expanded a little bit where the gable end will be such as on this west elevation and going towards the flat roof building.

Steven Spiro, Tracer:
That's correct.

Taylor Palmer, Cuddy & Feder:
You can see the white doors in the top right-hand corner – that's essentially what comes into the building; the building will go just past those doors.

Councilman Tom Diana:
Right, and it will have a gable roof that will attach to the top side of the black windows.

Taylor Palmer, Cuddy & Feder:
Correct, it does not show that way today; it has been painted. Those images that are on there were from the original site plan. If we have good pictures, we'll likely swap those out just so that they're consistent with what's on the building today. But, yes, that was to help soften and make it less visible than the existing conditions. The black was to help, again, add further reduction of visibility from any vantage point.

Councilwoman Alice Roker:
John, do you foresee any problems here?

John Tegeder, Director of Planning:
No, I don't. I don't foresee any problems, especially since the greenhouse was in that area. It's already a cleared area so I don't anticipate any problem.

Councilwoman Alice Roker:
Okay, thank you.

Supervisor Matt Slater:
All right. Thank you very much. We appreciate it and looking forward to the application.

Taylor Palmer, Cuddy & Feder and Steven Spiro, Tracer:
Thank you very much.

DESIGN DISTRICTS

Supervisor Matt Slater:
We're going to go on to Robyn Steinberg. John Tegeder from our Planning Department to introduce our first round of design districts.

John Tegeder, Director of Planning:
So just last month, you adopted what we were calling kind of the umbrella part of this legislation, which goes from the beginning at 300-248 and goes down to 254. What we're showing you tonight is the two districts that we are pushing forward at first, which is Yorktown Heights and we are also working on the Lake Osceola design district area. Before I go on to that, I just want to tell you that we are also continuing to look at the original legislation that you did last month, just to make sure that as we go and find things that we didn't recognize before, we are making this law work as well as we can when we actually put it into effect. So in that body, you will find some red text that shows some of the very minor modifications that we're proposing, but in terms of the first two design districts, if you start at 300-255, which is the Yorktown Heights plan design district, I'll just go through it very broadly. Let me just stop for a second and let you know that I wanted to bring this to you so that you have it – it is important. I think that you need to have your thumb on the pulse of this as we go through. So I wanted to bring it to you so you know the direction and the tone and tenor of what we've been working on. That's my aim here – so that you get "in the know" of that. Afterwards, I'll be happy to work with you guys collectively or individually as we go through it after you start to look at it and read through it and develop some of your questions that you might have.

The first thing in Yorktown Heights, you'll see that we list some of the objectives, which is to phase out incompatible uses, non-conforming uses. One of the big ones is construction of attractive building facades along Commerce Street, Downing Drive, Veterans Road, etc. We want to add in complete street design, which emphasizes pedestrian friendly – that's the kind of activity we need more in Yorktown and our other hamlets – creation of off-street parking lots for shared parking between adjacent and adjoining principal uses, enhanced street access building design,

landscaping, buffering, and so forth, the development of multifamily residential uses not to exceed three stories and the creation of mixed-use spaces that can include live-workspace and other professional offices and residences. Then it goes on to the permitted main uses and, of course, the permitted main uses in the underlying zone remain. We are proposing to add in mixed-use developments, multifamily and townhouse style residential development, and live-work unit developments that we spoke about before, of course, stores and shops for retail business. Paragraph number 5 is lifted directly out of R-C2 commercial district. Number 6 is governmental building and uses. Number 7 and last, at present, is community base uses for senior citizens. What we do then is we list permitted uses by special permit, permitted accessory uses, accessory uses by special permit, which I don't want to go into if they're basically everything that's allowed in the underlying zones with some additions, very minor additions, at present. Then we go into area and bulk regulations for the plan design district. Now, you will recall that in the part of the law – the front-end part of the law that you adopted last month – the zoning requirements, the bulk requirements, setback area requirements in this design district, the Planning Board will be able to modify those. We are adding to the Yorktown Heights district these two things that you see here, which is that the FER shall be allowed up to what may not exceed .5%. In other words, it's a cap right now on residential uses. In the R-3, it's .23 FAR with ancillary requirements in the R-3A just as an example, which is the old urban renewal multifamily, it was .35 and I think that's what the Underhill Apartments was likely built under, although I haven't done the math on that. We have the max heights of the building shall be 40 feet and may not exceed 3 stories. So in the front end of the law, you gave the flexibility but in Yorktown Heights, we're adding some limits here. That flexibility is what this does. So those are things that I recommend you think about, they'll be part of any discussions. I believe they are important. Those are what we're proposing at present, and these are actually caps. Then it goes into a long litany of design requirements, which is part of the importance of doing this design district. For instance, we ask that there is no pre-fabricated metal siding, no Dryvit – which is fake stucco, concrete block face building. So we're looking for higher quality design when we are allowing flexibility for the developer to modify some of the existing zoning in the area. This is the give and take and the push and pull that we are trying to embed in the law. It does identify unique buildings; we feel that there are some unique buildings in Yorktown and it gives some requirements for that. In other words, we'd like to have them saved; we'd like to have them enhanced. We'd like their architecture to be enhanced. We do have a list of them, although the list has not been populated in this yet.

Councilwoman Alice Roker:

How do you categorize a unique building?

John Tegeger, Director of Planning:

Unique design, historic quality, historic importance. Some of what comes to mind? The obvious one is the railroad station but that's not under development pressure. But there is the Grace building that I think has a nice quality to it and is really a nice placeholder for what this town was and how it grew up. The Spadaccia building, the Coldwell Banker building; I think there's the couple of buildings on Kear Street but are actually Underhill Avenue. Although they largely have been modified, I think that they are also nice placeholders; they will give you the flavor of what the town was at one time. The architecture is still there, but it's largely hidden – I think they may qualify to be part of the unique buildings. Also, the Town Hall, obviously, is one of them. The Soundview-Beaver Conference building, at least the main building, I would say, is a very important building. There are buildings that we all know that are not unique in that regard and we have seen some applications on them in the past, and we hope they continue. We hope that this law actually spurs them to move a little quicker. Okay, then it moves into signage – I don't want to get into the particulars of it – but we do mention and bring in the sign ordinance manual. We're looking for high design values on that and it gives guidance in terms of site planning. It talks about access to the site and off-street parking. Then it goes into some of the things that you need to do to get through this process.

Supervisor Matt Slater:

One of the things I thought you did well on was the site planning design because I've had these conversations about parking in the front versus the back. We talked a lot about reversing the buildings so that parking is on the back end, making it more walkable on the front end but also so the buildings are on up front of the main roads. Clearly, that's what this tries to accomplish, right?

John Tegeder, Director of Planning:

That's correct. Part of that reason is that you return, as I mentioned the Kear Street buildings – they are close to the street; they're a little too close, which I will agree with – but if you have a parking lot in front of a building, it really removes a little bit of the human scale to it. So if you get some of the parking in the back, you get a little bit more of that human feel, and I think the interaction within the Town is much more enjoyable and pleasurable. Those are the parts of the design values that we would be looking for.

Councilman Tom Diana:

When I first went to the WMOA meetings, one of the first speakers we had was the mayor of Carmel, Indiana. He basically redid that town or city with kind of what you're saying is the parking in the back. I was very interested in how he changed everything around to make the whole town to where you could get to different places just by going through the different parking lots. You didn't have to go back out on the street. It really worked out. I know we're trying to do that in the Mohegan area through Rich Cippriani's and Tim Mallen's, which is a perfect segue to what we want to continue to do all the way up – it would take a lot of that traffic right off Route 6.

John Tegeder, Director of Planning:

That's exactly right. Then it moves on starting at 300-256 to the Jefferson Valley development overlay zone. You will see that there is a lot of blank spaces there because we are not finished with that. It will look and feel a lot like the Yorktown Heights one, but it will have some differences because it is a different area. If you read the first part of it, we are dovetailing off what the Comprehensive Plan says, to sort of make that more of an area for recreation and kind of a family destination, restaurants, leverage the natural resource of the lake, leverage the fact that it is on too heavily trafficked roads sandwiched between them. It's not the best for retail, necessarily, and retail is struggling but certainly that area has a flavor, which can, I think, support a kind of area for recreation and destination. I think the mall is part of that – the mall is a retail center but it's a place where kids go, where families go; it's a little bit of their recreating. I think that's what happens up there and that's what this area, when we populate it, will certainly have as it's aim.

Councilman Alice Roker:

You know that's an area that really needs a large infusion of money.

John Tegeder, Director of Planning:

It does, and I think that our experience there over the years has been that many of the property owners are crying out to do something with their properties but are partially stymied because their return on their investment that they would realize does not pay for some of the infrastructure that's required in order to keep that area reasonably with the proper amount of infrastructure – I think that's part of it.

Councilwoman Alice Roker:

You know one of the issues a gentleman we spoke to brought up was sewers.

John Tegeder, Director of Planning:

Yes, sewers is a big one.

Supervisor Matt Slater:

Yes, because he doesn't have sewers up there. He's very limited on what he can actually do on that piece of property. I did a site visit up there a few weeks ago and it's definitely hurting the ability of these property owners to fully develop to the fullest potential for that area.

Councilwoman Alice Roker:

Particularly since they've got small lots and they don't have enough space to put in a new septic tank or whatever, they can't develop. So, sewers have got to be the way they can go to re-develop.

John Tegeder, Director of Planning:

Yes, they have to get sewers there. There was a design in the Town for that area – it's definitely needed for the area. As you recall, the operators of the beach often had to close for a day or two at a time because of E.coli, which comes through the groundwater right down the hill from all the septic. It's necessary, it's expensive, but hopefully this may help. I don't know that it's a panacea, but it may help us get closer to realizing that.

Councilwoman Alice Roker:

But I think just looking at it and wanting to study it is really going to help us get closer to getting something for that area.

Supervisor Matt Slater:

Yes. John, I know that you and Robyn have been working on some maps. In addition to Lake Osceola and Yorktown Heights, we've also identified Front Street as a potential area. I know we haven't developed the Front Street language yet. Are you at a point today where you want to show some of the maps?

John Tegeder, Director of Planning:

We can. I think Robyn has them. We'll show you Yorktown Heights first and then Lake Osceola.

Supervisor Matt Slater:

Just walk us through this quickly for the public.

John Tegeder, Director of Planning (*displaying map*):

Sure. So you're looking at Yorktown Heights and right smack dab in the middle, you can see the Kmart Shopping Center, which is the pink color. To the left of that on the other side of Route 118, you can pick up the heavy black line, which is forming the design district boundary. As you can see, that goes all the way up to the Downing Street intersection and then it goes west. It pulls in the Mongero property that has the approval for the bank, but also the properties behind it. It pulls in the Cablevision property and then it moves across Route 202 and pulls in the Roma Building, the medical building, and the Weyant property. Then it moves down Commerce Street; it has everything sort of southwest, it passes the building that my office is in and the buildings across Veterans Road from the AACCCC all the way up to the old Mitchell Hardware Building, past the firehouse and continues across and come behind the Yorktown Commons. It then goes down to Underhill and picks up the commercial area that begins at Front Street. It has the Yorktown Highway Garage in it and a couple of the private buildings behind it, then moves across the North County Trailway behind Town Hall, moves across Route 118 and picks up the Soundview property and comes back to the point of beginning. You may want to consider putting in Beaver Ridge since we have recently heard that you may be able to have a senior center there. So having it in this development district may help that process somewhat.

Supervisor Matt Slater:

I agree with you, but do we also want to include the Triangle Shopping Center? I haven't had a conversation with them.

John Tegeder, Director of Planning:

That is a possibility because they have been working on some plans of late, so I wouldn't think that is a bad idea whatsoever. They do own the two properties up on the hill from them, which is Maria's Pizza building and one of the others there. No, I think just the Maria's Pizza building.

Councilwoman Alice Roker:

I think that what they're going to develop there is beautiful.

John Tegeder, Director of Planning:

Yes, so that is something that we were looking at and talking with them when we were looking only at Roma and Weyant together. Certainly, it's a candidate.

Supervisor Matt Slater:

Without a doubt, we want to reach out the the property owners to see if there's an interest there, or do we want to? How would you recommend that we proceed on something like that?

John Tegeder, Director of Planning:

I think that we know the managing partner.

Councilwoman Alice Roker:

I can call Adam if you want me to.

John Tegeder, Director of Planning:

Yes, absolutely. So that's Yorktown Heights, at present. Do you want to look at all the ones we were thinking about or just the two that we have tonight?

Supervisor Matt Slater:

We have two on the legislation. You've got Yorktown Heights and Jefferson Valley.

John Tegeder, Director of Planning:

Correct. This is Jefferson Valley (*displaying map*). So starting at the southwest corner of Hill Street, you can see that the old Lourde's Jewelry Building where Carvel is and it goes behind those buildings all the way up Hill Street. Then it picks up and goes along the Route 6 and East Main Street corridor, picking up the commercial and residential properties that front on that main roadway all the way out to the intersection with Old Route 6 and Gomer Court and moves all the way behind and picks up (believe it or not) Navajo Street and the Navajo Fields. Then it comes back down along the north side of Route 6 and picks up the rest of the district, including the lake.

Councilwoman Alice Roker:

John, where is the Hill property?

John Tegeder, Director of Planning:

The property is off this – that's it right there, all the way to the west. You don't see the entire property on this map. Of course, you can consider other parts of this hamlet as well.

Supervisor Matt Slater:

Any questions from the Board?

Councilwoman Alice Roker:

Well, we need a discussion at some other point, once we look at the legislation.

Supervisor Matt Slater:

This was just a simple introduction from John and the Planning Department and now we have time for the Board to digest it. We can come back with further discussion at a later point in time. John, I'm sure you are going to continue to work on language both for Yorktown Heights and Jefferson Valley.

John Tegeder, Director of Planning:

Yes, I think we can come back in a couple of weeks with Yorktown Heights in a form that you would be comfortable with and that can be referred out. Then we can be back by that time with a little more "meat on the bones" for the Osceola district.

ENVIRONMENTAL AND TRAFFIC CONSULTANTS

Supervisor Matt Slater:

Sounds like a plan. We're going to move on quickly to the Environmental and Traffic Consultant. John?

John Tegeder, Director of Planning:

Robyn can stay for this too because she knows all about this stuff as well.

Supervisor Matt Slater:

This is two different things. One of the reasons I think it's important for me – I saw it with the Getty station – is how much time you had to personally invest in an understanding the traffic side of the engineering reports that we were getting. I know you and I have also talked about, and Alice has also advocated for, an environmental consultant. So you and I have had these conversations, so I thought it would be good for us to bring it to the Board and plant the seed again.

John Tegeder, Director of Planning:

We've had a traffic consultant that works for us on an on-call basis – they were really there for projects that came up within the Sustainable Development Study – but I think it's worthwhile to have an agreement such as that with a form for anywhere in Town. The reason being traffic engineering is an unusual engineering and you really have to be well versed in to go toe-to-toe with traffic engineers. If you spend the which I spent with a couple of them, I don't always have to do it – I did with Barger Street – you can find things that really raise questions. I think a traffic

consultant can do that very quickly and I wouldn't have to spend that kind of time. I think it's important because it really ...(*unclear*)... and if you are on the ball with those guys, you can make better decisions for the community. That's the importance of it. I think having that support is worthwhile, and in particular, if it's an on-call basis, you can charge back most of them under most of our laws and really any state law that I believe enables us to do that. Sometimes I think it's worthwhile having them where we would have paid – you know, find the budget for. I often do have a professional services line, but I think it's important to have. It really helps.

Councilwoman Alice Roker:

If you're being submitted a plan, you need someone to be able to look it over who is on the same wavelength as you are. I think Yorktown was the first in its approach to doing a lot of things on the environments and always had an environmental consultant.

Supervisor Matt Slater:

John, you and I discussed some of the RFPs you've run in the past. Did we have to track those down? Those were, I think, specifically for the environmental consultant.

John Tegeder, Director of Planning:

Yes, I did track that down – I have it. I could put it up if you want it.

Supervisor Matt Slater:

No, I think you should share that with Adam so this way he can review them. Then we can come back to the Board and make a decision about putting that out. The same with the traffic consultant. I know Dave Paganelli, our Highway Superintendent, has been advocating for the traffic consultant for quite some time because, to his credit and to his point as we saw with the Getty project, you really had to invest a lot of time to push back on some of the things that they were putting forward. You did a great job so I'm not trying to diminish your role or your abilities, but I think it's also equally as important to make sure that we have someone pitching for our team and pushing back on some of the things that were being sold, to fact check it, make sure that it's accurate, make sure it's right, make sure it's good for the community. That's why I think the traffic consultant is really important and the same with the environmental consultant. I know, especially with some of the applications that we've seen before the Planning Board, having an environmental consultant would, I think, provide a great benefit – not just to your department, but to the Planning Board, as well and the Town Board and the community as a whole. So I'd like to see both of them move forward, as we've discussed. If did confirm with our comptroller that there is money in your professional services line for next year budgeted already that could be utilized to offset some of the costs. But, to your point, a lot of those costs are shouldered by the applicant.

John Tegeder, Director of Planning:

Yes. The way the traffic consultant worked at that time was, as I said, on call. So if we had a project that need that type of service, we would ask them a proposal for what they thought it would take to review that particular project. We would then present that to the applicant and have them agree to reimburse that money. So it was by agreement; it's under the law and you can do it. We do it in an upfront way and they know what they're up against. It really went pretty smoothly. We would get some good services to put forth our interest, which we would have plenty of interest in when it comes to traffic. As I recall, the environmental consultant was always a little bit more difficult because there's a lot more sections of things they can do. They don't need to do the whole kit of tools that they have on each project. But it can be done the same way.

Councilwoman Alice Roker:

I think with the design districts it will be interesting to have both.

Supervisor Slater:

Absolutely, with some of the projects that we already have applications before the Planning Board, I'm sure that the members would appreciate having that independent insight as well. If you could just meet with Adam and we will get the necessary paperwork moving.

John Tegeder, Director of Planning:

We'll work with Adam and get you something to look at and then possibly move to circulate.

Supervisor Matt Slater:

Very good. Any other questions from the Board?

SOLAR FEES

Supervisor Matt Slater:

We're going to table Solar Fees; John Landi asked that it be tabled.

DRAG RACING LEGISLATION

Supervisor Matt Slater:

Adam Rodriguez, Town Attorney, is here to discuss the updated drag racing legislation. Adam, as I've said before, you did a very, very good job with the updating of this legislation – it's very comprehensive. I think it accomplishes what we had set out to do.

Adam Rodriguez, Town Attorney:

Thank you. It's two laws, really. The first would be a new Subsection 275-17(f) that essentially makes it illegal to engage in drag racing under the Town Code and provides a fine of not less than \$1,000, no more than \$5,000, for violating the provision. The second would also be in Chapter 275 and would be a forfeiture law that we discussed. Essentially, it would allow for the forfeiture of vehicles used by those that are arrested or issued summonses for engaging in drag racing, if they're convicted or plead guilty. The Town could initiate court or authorize proceeding in the Supreme Court. The Town Board would authorize the proceeding to be provided by some special counsel or me. The proposed law does allow for a number of affirmative defenses to be raise. One is an innocent owner defense – the owner of the vehicle had no actual or constructive knowledge or reason to believe that the car would be used in a drag race. This could be something that they could bring for to prevent the forfeiture of that automobile. It also includes a hardship relief provision for those owners who would be exposed to financial or other hardship if the automobile was forfeited. There's also a disposition scheme. It lays out sort of what would happen to vehicles after forfeiture and how the Town could use it for its own purposes or it could be sold at public auction, etc.

Supervisor Matt Slater:

As I said, I think it's a very comprehensive piece of legislation and accomplishes what we set out to do. As we heard from Chief Noble previously, it's really two more tools for the tool belt to make sure that we're keeping our residents safe. You did a fine job with this. I don't know if the Board wants more time. I'm more than happy to...

Councilwoman Alice Roker:

This has to be referred out.

Supervisor Matt Slater:

That's what I was going to say – why don't we refer it out. I just didn't know if the Board needed more time.

Councilman Vishnu Patel:

Are motorcycles included in this law?

Adam Rodriguez, Town Attorney:

It does include motorcycles.

Supervisor Matt Slater:

Diana, can you take a look at your calendar for us? When we refer out, I like to make sure that we have a date in mind for a public hearing.

Diana Quast, Town Clerk:

That's going to look to the new year in January.

Supervisor Matt Slater:

Okay – we'll refer it out to the appropriate agencies. Diana, when are you going to set the calendar for next year?

Diana Quast, Town Clerk:

It's a little late. Typically, it gets done with the Town Board at the first meeting in January.

Supervisor Matt Slater:

In the meantime, we will refer it out to all agencies so that we can get it moving.

AUTHORIZE TOWN CLERK TO REFER TO THE APPROPRIATE AGENCIES THE PROPOSED LOCAL LAW AMENDING CHAPTER 275 “VEHICLES AND TRAFFIC” BY ADDING A NEW SECTION 275-17(F) “YORKTOWN DRAG RACING LAW”
RESOLUTION #412

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

RESOLVED, the Town Clerk is authorized to refer to the appropriate agencies the proposed local law amending Chapter 275 “Vehicles and Traffic” by adding a new section 275-17(F) “Yorktown Drag Racing Law” and

BE IT FURTHER RESOLVED, the Town Clerk is authorized to refer to the appropriate agencies the proposed local law amending Chapter 275 “Vehicles and Traffic” by adding a new Part IV “Yorktown Forfeiture of Vehicles in Connection with Drag Racing Law.”

BE IT FURTHER RESOLVED, the Town Board declares its intent to act as Lead Agency.

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

ADOPTION OF PUBLIC HOUSING & HCV WAIVERS EXTENSION & REVISIONS
RESOLUTION #413

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

WHEREAS, the Town Board approved the adoption of Coronavirus Aid Relief and Economic Security (CARES) Act, COVID-19 Statutory and Regulatory Waivers for Public Housing Agencies (PHA), published in notice PIH 2020-05 on April 10, 2020. These waivers provide administrative relief and allow for alternative approaches to various aspects of public housing authority (PHA) operations to continue to house families, keep families in their homes and conduct critical operations that can be done remotely and safely.

WHEREAS, subsequently as a result of PIH 2020-13(HA), REV-1 and PIH 2020-33(HA), REV-2, these waivers/alternative requirements have been extended through June 30, 2021. Additionally, PIH Notice 2020-33(HA)-REV-2 provides two additional alternative requirements related to the Section 8 Management Assessment Program (SEMAP), which the Section 8 HCV now seeks to adopt as outlined in Attachment I, Item 11b-1 and 11b-2.

WHEREAS, HUD has waived the requirement and allowed the PHA Administrative Plan to be revised on a temporary basis without Board approval. The period of availability to informally adopt changes to the PHA Administrative Plan ends on March 31, 2021. The PHA must formally adopt such revisions no later than June 30, 2021.

BE IT RESOLVED, that the Town Board is hereby authorizing the extensions and revisions outlined in the Attachment I: Summary of Public Housing and HCV Waivers and Requirements be adopted. The HCV program is funded by Housing Assistance Payments Account maintained by the Section 8 office and funded by U.S. Department of Housing and Urban Development (“HUD”) and is at no cost to the Town of Yorktown.

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

Supervisor Matt Slater:

That is the last resolution. I’m going to make a motion that we go into Executive Session again to discuss the employment of a particular person and we will adjourn from Executive Session. Thank you very much. Goodnight, Yorktown.

EXECUTIVE SESSION

Upon motion made by Councilman Diana, seconded by Councilwoman Roker, the Town Board moved into Executive Session to discuss the employment of a particular person. The Town Board will adjourn the meeting from Executive Session.

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