

Zoom Video Conference Meeting of the Town Board, Town of Yorktown held on Tuesday, December 15, 2020 held in Yorktown Heights, New York 10598.

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

Absent: Thomas P. Diana, Councilman

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

### TOWN BOARD MEETING

Supervisor Matthew Slater called the meeting to order.

### 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 Town Board Meeting.

Supervisor Matt Slater:

Good evening, Yorktown, and welcome to the Town Board meeting for Tuesday, December 15, 2020.

### PLEDGE OF ALLEGIANCE

Supervisor Slater led the Pledge of Allegiance.

### MOMENT OF SILENCE

Supervisor Matt Slater:

If everyone would please join me in a moment of silence as we remember the lights of the menorah, as we lit the candle last week with Rabbi Haber. We always remember his call to be ambassadors of light during such challenging times. That light is at the end of that long tunnel and we remember those who are impacted by COVID-19. We remember our frontline workers, remember our first responders, our police officers, and our military personnel who are serving overseas defending our freedoms during this holiday period.

### INTRODUCTIONS

Supervisor Slater introduced the members of the Town Board, the Town Clerk, Town Attorney, Highway Superintendent, and Town Comptroller.

### REPORT FROM SUPERVISOR MATTHEW SLATER

Supervisor Matt Slater:

As everyone remembers, we partnered with Sustainable Westchester to provide some incredible community solar opportunities for our community. There will be a community information session on December 17 at 12:00 p.m. There is a registration link on the Town's website – you have to register to be able to participate. This is an information session with Sustainable Westchester so that folks who have received those letters (and they continue to be mailed out by Sustainable Westchester) can learn more about the community solar program and how you can benefit from entering into the community solar program through Sustainable Westchester, which provides a 10% discount on your electric bill while also helping us combat climate change by utilizing solar energy.

The Catskill Aqueduct repairs began; I believe it was at this point last week. It is being done by the New York City Department of Environmental Protection. They will be draining a portion of the Catskill Aqueduct into Hunter Brook that began on Tuesday. The water will be released into Hunter Brook near the intersection of Hunterbrook Road and White Hill Road. During the drainage there will be a controlled release of water into Hunter Brook at a rate of approximately 78 gallons per second. If the valve malfunctions, an uncontrolled release of up to 351 gallons per

second may occur for about a half an hour. Hunter Brook has ample capacity to handle an uncontrolled release and contain the full flow of water, according to the NYC DEP. After the drainage, repairs will begin on that portion. For those who don't know, the Catskill Aqueduct is actually 105 years old. Residents with concerns about the water release or the construction can call the project manager for the site at (646)877-7594.

Depending upon the weather, if the AAA Carting trucks are unable to go out for their garbage collection, they plan on pushing Thursday collections to Friday and Friday collections to Saturday. This will be a "game time" decision by AAA Carting.

I ask all of our residents, if you haven't signed up to receive the email notifications from the Town, please do so because we'll be emailing this information once it becomes available. Also, please continue to monitor our social media accounts. Both Twitter and Facebook and Instagram will continue to keep everyone updated as the storm comes and any decisions that are made by the Town.

I want to remind everyone again about Ride Connect, a program of Family Services of Westchester. It's an all-volunteer based transportation program for those over the age of 60. During the pandemic, Ride Connect continued its mission by providing rides to medical appointments in an effort to keep our older adults as safe as possible during COVID-19. They've also continued with the shop and drop program. Their volunteers have continued to shop and deliver essential groceries and goods to local seniors, or those who have compromised immune systems. All this is done in an effort to allow those most at risk for this virus to remain safe at home. In addition to the shop and drop program, Ride Connect continues to provide volunteers for food and essential item distribution events around Westchester and Putnam counties. If you or someone you know would benefit from this program, and if someone would like to volunteer or sign up, just call the center at (914)242-7433.

Our Building Department actually reconfirmed some of the shopping hours for our seniors and immunocompromised. As everyone can remember in the spring, there were designated hours for our seniors and immunocompromised to shop at our local grocery stores. They confirmed those again: BJs – Monday through Saturday, 8:00 a.m. to 9:00 a.m. and Sunday, 8:00 a.m. to 9:00 a.m. (they do allow first responders to enter, as well); Acme of Shrub Oak – Monday through Sunday, 7:00 a.m. to 8:00 a.m.; Acme of Yorktown Heights – Tuesday and Thursday, 7:00 a.m. to 9:00 a.m.; Uncle Giuseppe's – Monday through Sunday, 7:30 a.m. to 8:30 a.m. Again, these are days and times that are set aside specifically for our seniors and immunocompromised, in case you do need to go to the store to stock up on any items.

I know our Highway Superintendent is going to speak on this, but a friendly reminder from our firefighters: it is, according to the Town Code, that fire hydrants should be free from snow and ice. You have 48 hours after a snowstorm to clear you fire hydrants, and it's a very important reminder as we prepare for the upcoming storm.

The last thing I want to mention has to do with the Hallocks Mill Sewer. We did receive word and I received a copy from the county, that the "right of objection" letter has been circulated to all interested parties. This is a really important milestone in the entire process and project. So we are continuing to make steady progress to secure the \$10 million that's been allocated from the DEP so that we can move the Hallocks Mill Sewer project along on its trajectory. Again, for those folks who remember, the Hallocks Mill first phase is really geared around the Sparkle Lake area, but I want to be very clear this isn't a "tomorrow" thing, we still have quite a ways to go until we'll be breaking ground. This is still a very important milestone in that entire process. I do want to thank all involved for getting us there.

This concludes my report to the Town. Again, I want to wish everyone Happy Hanukkah, for those who are celebrating. I want to thank Rabbi Haber for hosting a fantastic menorah lighting last weekend. I also want to thank Monsignor Giandurco, Judge Lagonia, and Gary Cusano, as well as the dignitaries who joined us at the Christmas Tree Lighting. Both the menorah and Christmas tree are over at Veterans Field by the track. I encourage everyone to drop off or hang their Ornaments of Hope. There are some really inspiring Christmas ornaments over there right now and they emphasize unity and hope and community, especially tributes to our front liners during this very, very stressful time. We continue to encourage residents to make an extra

ornament or two and feel free to go hang it on the Christmas tree for everyone to see. With that, I'll go over to Councilwoman Alice Roker.

#### REPORTS FROM TOWN COUNCIL

Councilwoman Alice Roker:

I just want to add your mention of Rabbi Haber – be the light – that is so important. In today's times each one of us can contribute whatever we can to be light and in whatever way we can. I did want to wish, in particular, a happy and safe holiday season to the people who work in supermarkets during the time we were shut down.

Councilman Vishnu Patel:

Happy Holidays, Happy Hanukkah. Councilman Patel talked about the taxes that were on his gas and electric bill from NYSEG and said that he believes no one really looks at what they are being charged. He believes there should be a discussion regarding these charges.

Councilman Vishnu Patel:

I want to congratulate all the scientists who have been working on the COVID-19 virus and vaccine. This is really something that was never expected that they were working on the RNA instead of the DNA. This is really an unbelievable invention and the vaccine will support not only the citizens of the United States, but the whole world. I would still like to talk to the people of this community to say even if you take a vaccine today, it may not be effective for another couple of months – it's going to be a long time. Please practice safe distance, use personal protective equipment, limit social gathering for the next two, three months. Happy Holidays and Happy New Year to everybody.

Councilman Ed Lachterman:

I will start off first by wishing everyone a very good Hanukkah for the last few nights and hoping the light of the menorah shines throughout the year for you. Matt, you had mentioned and did a pretty good job talking about the Ornaments of Hope that Jimmy Poulin from the Yorktown Lions started this year. The message should be of hope and just hang it on the tree. It's a beautiful thing. It really helps us express, not only for ourselves, but it gives a message to our neighbors within the community. Another thing the Lions are doing in conjunction with the Town is the holiday light decorating contest at your house. You can go online – I think the sign up is on the main website. You can take some pictures, post your house, and put it on an interactive map and people can drive by. If you don't want your name there, just give your house a name with your decorating theme. It's another great thing for people to be able to go on the trail; we're looking to do that this weekend with our goddaughter if the weather cooperates and take her around and see all of the houses on the map. You can also go on and vote for your houses to give them "likes." The Lions are finding more and more ways to help in the community in times like this. Our volunteer fire department is selling Challenge Coins for \$10 each to raise funds since they lost the Firemen's Carnival this year. The Lions got together and decided to buy \$500 worth of coins and then turned around and donated those coins back to the firehouse so they could resell them. It's just a really great way to thank them and show our appreciation for what they do here, day in and day out, all year round. This is the time of year the volunteer ambulance corps looks for some holiday donations to help them with their programs throughout the year to buy items and help with the training they need to do, as they are all volunteer. I'll switch to a shout out to the fire department. We talked about doing innovative things and finding new ways to do things. The Santa rides on the fire truck went as planned. They had to alter it a little bit by asking residents to stay in their driveways, instead of gathering at corners. Also, especially at this holiday time, we find out that there are a lot of things that we have around the corner that aren't so joyful. We have people who are maybe dealing with drugs and alcoholism, trying to cope with today's issues. I want to give a shout out to our police department – I know the other day they had a Narcan save. They also have passed out information on the Hope Not Handcuffs program. They had a person who, I understand, contacted Hope Not Handcuffs and is utilizing the program, which is a beautiful thing. The response time of our ambulances and our police department is just amazing. I don't know if they get enough accolades for the things they do. We really appreciate the job that not only the paid people do, but especially the volunteers do on a daily basis. I want to make sure during this holiday season, we think of the things we have to be grateful for.

Supervisor Matt Slater:

We will now go over to our Highway Superintendent, Dave Paganelli.

## REPORTS FROM HIGHWAY SUPERINTENDENT

Dave Paganelli, Highway Superintendent:

I'd like to say to all our residents who celebrate Hanukkah, may the blessings and the miracle of Hanukkah shine down upon all of us. That being said, I will get into the "Grinch-ly" weather scenario. We are expecting quite a significant nor'easter. The timeframe is a bit fluid, but I would say to our residents that we have to be very concerned about tomorrow's (Wednesday) rush hour home because the start time for this event could be anywhere between two and five, so it can impact that. More importantly, the rush hour on Thursday morning will be an extremely, extremely difficult scenario. The way the storm is laying out is that initially it'll be relatively light snowfall and then somewhere in the 10:00 p.m. to midnight range, we should switch over to an inch to two inches an hour, which is a substantial amount of snow. At Highway, we will have somebody on our phones for the entire length of the event, so if you do have an issue, please call if it's an emergency. If you have someone that's stuck and they need our trucks to get there, we'll certainly respond – that's something we feel very strongly about; that you're able to call us and we're able to pick up. That being said, it takes the better part of four hours to plow the entire town. It's relatively simple math – if we're getting two inches of snow an hour and by the time to get back to where we started, we've got eight inches of snow on the ground. We're anticipating anywhere from 14 to 18 inches total snowfall. I think we're north of the sleet line, which is good because it won't be such an issue. There will be some strong winds, although not gale force, as being experienced now as it's shifted south to the Long Island south and north shore areas. We will have substantial winds and I'm sure we'll have trees down. The supervisor and I have both been in contact with Con Edison and NYSEG with respect to their response to how they would deal with trees down in the midst of a nor'easter. That's pretty much it – we're ready to go. For those of you who don't know, Yorktown doesn't have shift work; our people are out from the beginning of the storm to the end of the storm. There comes a time when they have to rest and we try to break them for four hours; that's not a lot of sleep, but it keeps them at least alert and safe on the roads. There will be a time when there will not be people on the roads and we try to plan that when you're asleep, but if we're experiencing that one to two inches and it's through the later part of the evening – 1:00 to 4:00 a.m. – we may break earlier. Just try to be home and hunker down – it's not appealing as it was prior to COVID, but we're getting used to it. Yorktown is as strong as the supervisor says; we lead from the front. We're tough, so this is not a big deal. We'll get through it, just try to be patient, try not to get aggravated, and be prepared for any possible power outages. With respect to generators, make sure they're far enough away from your home. Don't let that poisonous gas get into your house. Have a flashlight ready, make sure you have blankets ready in case you lose heat. Just try to be self-sufficient for at least 24 hours and within 24 hours it should all be over.

Supervisor Matt Slater:

Thank you.

Councilman Vishnu Patel:

Thank you for using the magnesium and sodium chloride solution because this will help in the beginning because people are not used to driving in snow. This was really very nice that you were able to spread this around and Town as a first defense against the snow.

Supervisor Matt Slater:

We'll continue to be in touch with the residents throughout the morning tomorrow and into the storm. And, again, both the Highway Superintendent and I have spoken with our respective contacts at Con Edison and NYSEG to make sure that they're doing everything they can in case there is a power outage. We're going over to our Poet Laureate, John McMullen.

## POET LAUREATE

Poet Laureate John McMullen read an original poem.

Supervisor Matt Slater:

Thank you, John. We're going to move on to Personnel.

## REAPPOINT PATRICK CUMISKEY AS A MEMBER OF THE PARKS AND RECREATION COMMISSION

### RESOLUTION #414

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

BE IT RESOLVED, that Patrick Cumiskey is hereby reappointed to the Parks and Recreation Commission for a seven-year term expiring on December 31, 2027.

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

APPOINT CHRISTINE DUNN AS A MEMBER OF THE PARKS AND RECREATION COMMISSION

RESOLUTION #415

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

BE IT RESOLVED, that Christine Dunn is hereby appointed to the Parks and Recreation Commission to fill the unexpired term of Al Avitabile expiring on December 31, 2022.

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

Supervisor Matt Slater:

We will now go to Courtesy of the Floor. I'll turn it over to our Town Clerk, Diana Quast to let us know who is going to be speaking.

COURTESY OF THE FLOOR

Diana Quast, Town Clerk:

Our first speaker is Mara Ziedins.

Mara Ziedins:

I have two main concerns. The first one is traffic – traffic, traffic, traffic. It's a mess in the Heights; probably other places in Town it's the same way. Especially when our road, Hallocks Mill Road, has become a thru-way truck route, a speeders route, and there's no enforcement in sight. Some time ago, in the summer, Patrolman Rohr sat on Laurel Court and tried to get some trucks. We have tractor trailers, panel trucks, all the landscapers with their big trailers on them, oil trucks, etc. A lot of the people using the road are from Connecticut. If you wanted to walk down our street, you couldn't possible do that. I tried to clean up the outside – my house is right on the curve across from Gerard Court. I have lived in this house for 51 years. I have seen the development in Town – some of it's good, some it it's not so good. I had a business in Town, which I sold a couple of years ago – Bright Beginnings PreSchool, Nursery School and Daycare Center – and I rented space from the Town. As far as I'm concerned, I know the Heights area very, very, very well. It think this situation must be addressed. I can't go out of my driveway, make a right, get down to the bottom. If there's a school bus, it's blocking the whole entrance from Ridge Street to Hallocks Mill, and you can't make a right turn into Town. Years ago, we had suggested that maybe the corner can be taken from that empty lot and a different entrance put into Hallocks Mill Road so it doesn't entice people to use it as a cut off. A one-way street was once planned and stop signs by Gerard, and there are two bumps on the road but they don't seem to deter people. If you're coming in from 202/35 by the light by Baldwin Road and you're not speeding, you've got people sitting on your tail blowing their horns and I have to make a right-hand turn into my driveway. I think this is a major issue in Town and it has to be addressed; it cannot continue. I'd like to feel safe, I'd like to feel comfortable that I can live through my last days of life on this earth in a comfortable residential setting not bothered by the extreme fumes that come from all of these people tring to cut the corner. I've done it myself – I've gone down by the light and made a left-hand turn and turned around and come up Hallocks Mill Road – you don't save more than a minute at most if you go straight and turn. The school buses – the new company does not enforce what the old company did. There are no more families with children even on Gerard Court. This is an issue that I want to see the Town address seriously and I'm sure other areas in Town are the same way. I think regular enforcement on 35-202 – I don't know if state troopers have to come to give out tickets on those roads or the Town. If you're going by the police station and you're going 40 miles an hour and you've got someone passing you in the left lane doing 50-60 miles an hour, they are coming to a screeching halt in the middle of the highway because it turns back into one lane. I think the issue of traffic needs to be addressed very, very seriously. That's my first concern.

The second concern is the congested development that's planned for the Heights. I read again in the paper that now where the Soundview School property has been sold and I don't know how

many units are going to go in there and also retail. Let me tell the planners and the Town: retail doesn't work in these sub-communities. Nobody that's in the residential area wants to have stores there to go shopping. Look at the empty spaces that this Town – offices and stores. It's terrible; we're like a desolate space. When I'm saying there's a lot of development, let me just review a few things. We have Beaver Ridge that will be getting new apartments, we have Rochambeau Court that already has some, the Weyant property (Route 35-202) is going to be developed. We have apartments that were built on Kear Street. We have the old apartments on Underhill Avenue that we built sometime in 1969-70, and now the Soundview property and a hotel on Veterans Road and Commerce Street. Please, people, you don't know that that's a totally inappropriate space. Taking an inch from Veterans Road is not appropriate – that is the main route for buses to go up to BOCES and to other areas in Town. Let the developers who want a hotel find a better space – there's commercial space down the street, the empty office building. Maybe they could raze that or turn that into a hotel, next to the gym. Something has to be addressed with all of these concerns. But my biggest concern is that I cannot live safely on my road anymore, and I am very desolate and depressed about that and thinking maybe it's time to leave Yorktown. I wouldn't like to do that. I had my business here for 34 years. I know a lot of people in Town. I served on many Town committees. I'd like to stay here but I want a safe community for the people on my street. Thank you for listening to me.

Supervisor Matt Slater:

Thank you, Mrs. Zeidins. We appreciate your comments. We'll address them all at the end, as we do for our Courtesy of the Floor. Diana, do we have anybody else for Courtesy of the Floor?

Diana Quast, Town Clerk:

We have Rosemarie Panio.

Rosemarie Panio:

I just wanted to state that on behalf of the Senior Advisory Committee I would like to thank the Town Board for their unanimous vote for the proposed Yorktown Senior Center. I was most pleased because you all demonstrated that Yorktown stands together for a good cause and this center is long overdue. Once completed, it will greatly enhance the quality of life for seniors and elders. I and members of the Senior Advisory Committee stand ready to work with you to make this a reality. I am happy to work with the very talented people that you select to take this project and turn it into a reality. When completed, this certainly will enhance and be a great asset to our community. So once again, thank you all for recognizing this and voting unanimously for this fine project.

Supervisor Matt Slater:

Thank you, Rosemarie, for your comments.

Diana Quast, Town Clerk:

Next we have Susan Siegel.

Susan Siegel:

Good evening and Happy Holidays to everyone. I have a financial question about Town tax rates for battery storage facilities and also solar farms. I don't know if you're aware of Section 487 of the state's Real Property Law. That section allows developers of battery storage facilities and solar farms to apply for a reduction in their property taxes for 15 years. All a developer has to do is fill out an application for the tax incentive. As long as the project meets all the state's criteria, the assessor has to grant the incentive – it's not optional. Section 487 also gives the Town the ability to opt out of the tax incentive program, either by passing a resolution or local law. In fact, the state's website includes a long list of municipalities that have already opted out. So my question to the Board is have you considered whether you want to give the developers of these facilities a reduction in their town taxes and that reduction would be in addition to all the financial incentives that developers are getting from state and federal programs? Yorktown opting out of 487 doesn't mean that you're anti-solar or anti-energy conservation, it just means that you're looking out for the financial wellbeing of Yorktown taxpayers. I am sure that your Board can do two things at once. You can support and promote quality energy savings programs, as you've done, but you can also protect our revenue sources for the future and the financial needs of Yorktown taxpayers. If you haven't considered the potential loss of revenue from Section 487, you may want to do that sooner than later because there is a battery storage application that's currently very close to getting final approval from the Planning Board. So I would urge you to take this up at your January

meeting, if you haven't already discussed it, and exactly what the tax impacts would be. When you do discuss 487, there is an alternative approach. If you don't want to opt out, you can offer a pilot agreement instead of a tax incentive for 15 years. I think the pilot was mentioned in one of the early versions of the solar law, but it's not in the solar law now and it's not in the battery storage law. So again, you have to look at the numbers and speak to the Yorktown Assessor to see which works best for the Yorktown taxpayers: the 15 year tax rate (and I can't quantify that – the Assessor could do that) or a pilot agreement. So I urge you to take that up. Just on a separate issue that I think you may hear from other speakers about deals with the fluoridation issue. I am urging you to please pass that resolution tonight to spend the additional \$70,000 and proceed with the project. It was an unforeseen issue that has increased the cost. This is a critical health issue and I think there'll be another person who will be speaking about this. Please don't delay that until January – just pass the resolution tonight so Michael Quinn can get in touch with the consulting engineers and that work can proceed. This town has been without fluoride for much too long and this affects everyone from babies to senior citizens. Please do that. Thank you very much and, again, Happy Holidays.

Supervisor Matt Slater:

Thank you, Susan. Diana, who do we have next?

Diana Quast, Town Clerk:

I have Carl Tegtmeier next.

Carl Tegtmeier:

I did listen in to last week's meeting and the cost overruns on the fluoridation project. I sent you all an email with the letter to the Town Board sent prior to the 2013 hearing on fluoridation with the signatures of over 50 Yorktown dentists that support fluoridation, as Councilwoman Alice Roker alluded to. She also mentioned that the Westchester Commissioner of Health, Dr. Ambler, a physician, was at the hearing because it is a health matter. She, like to 50 plus dentists, believe it's in the best interest of the people of Yorktown, that basically the water be fluoridated. Every United States Surgeon General since the year 2000 has basically stated that you can't have good overall health unless you have good dental health. Sure, the cost overruns - they're upsetting. They're frustrating, and it's an unexpected expense to deal with for the Town, but not having community water fluoridation over these past years has become a hidden tax on all of us in the community. We have seen in other communities when the fluoridation has been halted, there's been a 60% increase in dental decay in children. That equates to one more cavity per child per year even with fluoride supplementation. Increase in cavities is not just limited to children. Community fluoride supplementation benefits all in the community – all age groups, especially seniors and the susceptibility to root surface cavities. This is the hidden tax - the dental cost to restore these cavities, totally out of pocket, co-pays if you have insurance, or co-pays for fluoride supplementation. The costs of this hidden tax far outweigh, on a per capita basis, any cost overruns with this project. The overruns are problematic but, on balance, should not be a reason to not finish this project and finally get rid of this hidden tax on all of us and help improve the health of all Yorktown residents. Thank you for your time and for your consideration in this matter.

Supervisor Matt Slater:

Thank you. We appreciate your input. Do we have anyone else for Courtesy of the Floor?

Diana Quast, Town Clerk:

No, I do not.

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

Supervisor Matt Slater:

I want to start with Mrs. Zeidins. Dave (Paganelli), are you there?

Dave Paganelli, Highway Superintendent:

I'm here.

Supervisor Matt Slater:

Has the Traffic & Safety Committee reviewed Hallocks Mill Road? I know that Councilwoman Roker had brought this up, I think it was last year.

Councilwoman Alice Roker:

I'm going to jump in here because Dave and I felt this is one of the areas that we needed a traffic engineer to look at, and I think Mrs. Zeidins right. Dave has been out there on patrol countless times and our feeling is let a traffic engineer tell us what the smartest thing to do out there would be. There certainly is a problem.

Supervisor Matt Slater:

I know that we talked a lot just las week about a traffic engineer for the Town. Is John Tegeder with us tonight?

John Tegeder, Director of Planning:

I'm here.

Supervisor Matt Slater:

I'm sure you're aware of Hallocks Mill Road – the intersection they're coming down over by Ridge Street and Route 35. Is this something that we're going to be able to take a look at next year with some of our professionals that we want to bring in to see if we can come up with a solution?

John Tegeder, Director of Planning:

Absolutely, and it was also looked at in the Comprehensive Plan, although not in depth, but it was certainly identified as a road that has a lot of traffic and could use some traffic calming measures at the least. Some were done which are the speed bumps but they don't keep everything off, and it is, as well know, a well used kind of cut through. So it's definitely in the Comprehensive Plan to be look at. It's really been on the radar screen. Town Boards have looked at it and attempted some fixes, but I definitely think that with the traffic consultant coming on (if we hire somebody), we can take a very in-depth look at that and work with Dave's knowledge on that to offer some additional solutions.

Supervisor Matt Slater:

Thank you, and any additional input from our Highway Superintendent would be most welcome. The reason I asked Dave was that I remember he did bring this over to the Traffic & Safety Committee. I believe it is Officer Rohr who is now out there. Was it Officer Dillion previously?

Dave Paganelli, Highway Superintendent:

I think it may have been Officer Swart before he became detective. But in theory, there is a relatively simple solution. The unfortunate thing is that the real solution (and they are 100% correct – 78% of the traffic that was coming down Hallocks Mill Road is from Connecticut and coming back it's the same thing – I've even spoken to Jay Kopstein about this because he has a tremendous amount of input and insight) is to make it a one-way. If it would be a one way from Route 202 down, it would cut all the traffic in the morning. A no left turn on Route 202, which is where all the traffic is coming in from – hardly anything is coming in the afternoon from 202 to making the right turn; I think we could safely cut the traffic on that road by 70%. But, it would also force the residents out to the controlled intersection, which is the reason everybody take the cut through so they don't have to go to the controlled intersection at Routes 202 and 118. So you know, there are solutions, but there are no solutions that don't have impact – everything has a positive and a negative.

Supervisor Matt:

I appreciate that insight and I know that it's been discussed before. Hopefully next year, working with our Planning Department and, obviously, our Highway Superintendent and the Traffic Safety Committee, we can advance and invest more in-depth investigation into potential solutions; and, to John's point, it was identified in the Comprehensive Plan. It's been an issue percolating for quite some time now, so we're happy to address that as need in the appropriate manner with the appropriate agencies.

I do want to bring in Kim Penner. I have had discussion with Kim specifically about 487, to Ms. Siegel's point. (I don't think Kim can get on.) We have had conversations and that's something that clearly the Board has to be educated on and explore further. I do appreciate Ms. Siegel's and Carl Tegtmeier's comments on the fluoridation project. I don't think anyone's here to rehear that issue; I don't think anyone's here to debate it. It was just a matter of the \$70,000 and overruns that the Board needed to process and understand how we're going to cover this, and that's still



something that we're working towards a solution on. I don't know if any Board members have any other comments they want to make.

Councilman Vishnu Patel:

Let me just say this is really a shame that we have not finished this much earlier. If you can spend \$100,000 on (*unclear*), let's take it out of their budget or increase 10 cents more in water usage. This is my request to the Board: just do it. Let's listen to the doctors, the doctors know best. (*unclear*).

Supervisor Matt Slater:

Thank you, Councilman Patel. It's like I always find myself saying these days: I don't have a time machine or a crystal ball, so I can't explain why things did happen and I can't predict (*unclear*) in a positive direction. Your thoughts and comments are appreciated. We'll move to the public hearing and we will reconvene the public hearing on the preliminary budget for the fiscal year beginning in January of 2021. Before we open it up to the public, I just want to see if any of the Town Board members have any questions. We do have our comptroller, Pat Caporale, with us if any of the Board members have any questions for the Comptroller this evening.

Councilwoman Alice Roker:

I have a question about the tax rates. Our wonderful Comptroller did a spreadsheet and I thank you for it.

Patricia Caporale, Comptroller:

Anytime, Alice.

Supervisor Matt Slater:

Councilman Patel, did you have a question?

Councilman Vishnu Patel:

I have two questions. Did you get the message that we just need a little money to pick up the gazebo because there were some issues? I hope there is something for that because I didn't get an answer from the Comptroller.

Patricia Caporale, Comptroller:

That's in the Parks Department budget – that's where that would come from, Vishnu.

Councilman Vishnu Patel:

On page number 15 of the 2021 budget, the tax levy is minus 0.88%. That's the preliminary budget, but are they only supposed to compare that to the adopted budget? Could you explain to people what is the difference?

Patricia Caporale, Town Comptroller:

On page 15, you're comparing last year's 2020, the adopted budget, for this year and you're comparing that to the preliminary budget – that's the one we're dealing with right now – the preliminary budget. So in the adopted budget, there was a .13% increase and what you had voted on in the preliminary budget was a .88% decrease that is just for general, highway, and library – not the entire budget.

Councilman Vishnu Patel:

But that's what the budget actually means. This is the budget each and every residence, those who own property, they pay this number. (*Unclear*.) But this number will be changed. When would it be changed instead of what you have now – next year? Is it the right way to put this number in a budget – we should have some kind of summary – adopted versus the final and the comparison of increase in the next year. You can put any number you want in 2021, but is this the right way to compare it?

Patricia Caporale, Comptroller:

Well, this is the page that the Board had wanted in the budget this way. If the Board decides to change it, that's fine, just let me know and then we'll change it for the next budget. But for now, this is what we had been doing for years because this was at the request of the Board at the time.

Councilman Vishnu Patel:

But is there any way we can have some place to put in a piece of paper just to compare it and that this is the adopted 2021 (*unclear*) because this number is not the same? The actual number will be revealed next year and we understand that things can change because this is a budget.

Patricia Caporale, Comptroller:

I have a sheet in here with all the rates on it when you're doing a budget to budget comparison. that is reflected in here.

Councilman Vishnu Patel:

Why do we need to reduce the Water Department budget because the Water Department has nothing to do with the ADL; instead, everybody pays the Water Department – those who have the water and those who don't have the water services. We do not have any money to do some things, which you need to do and every year you see water costs increase by the state and then whatever comes in is not very clean and requires processing and maintenance. If you don't collect enough revenue, then you don't have all the fund balance. The fund balance has been wiped out in the last several years. This is really the time we should think about paying for what we use. If the price of water goes up, we will not increase the revenue.

Councilwoman Alice Roker:

Vishnu, didn't we change the law that says when the price of the water goes up, it automatically goes up for the people who get the water?

Patricia Caporale, Town Comptroller:

Yes.

Councilman Vishnu Patel:

The water bill consists of other things – not only the water. How about the increases in salaries of the Health Department – all of these things are expensive. Balancing the budget is a good thing to do but we also have to worry about how we are going to continue to provide potable water. I'm not really happy about this reduction.

Councilwoman Alice Roker:

I spoke to Ken, the Water Superintendent, and asked if there was enough money in the budget for him to do the projects he needed to do and he said yes. I agree with you that it was a concern for me but I get the Water Superintendent telling me that there's money in the budget for him to do the projects that he has to do. I don't know what else to do.

Councilman Vishnu Patel:

But may I say something to the Board? You know they had an issue, too, with the equipment that is so important to keep functional. Do we have enough money to keep that going? Also there is the sewer. We have to put money away and keep the revenue. This budget is already done but we should think together about how we're going to do this next year.

Councilwoman Alice Roker:

Is Kenny here tonight? Because I rely on him. He talks about what he needs and what he doesn't need. I agree with the issue that we have got to have very careful planning, and I think that I've done my due diligence by going to the Water Superintendent and saying "do you need more money?"

Patricia Caporale, Town Comptroller:

Well, if you remember, it was Kenny that came up with this budget. He was the one who inputted it. So these were his needs at the time, which we all honored both in the tentative and then when the Board spoke with him during the preliminary, again, he reiterated that this budget was fine.

Supervisor Matt Slater:

So we've gone through four rounds with him, if I remember correctly. Once we met with him as a Board, then we met with him again. Then individual board members went to him after the last time we met to ask him again about his budget.

Patricia Caporale, Town Comptroller:

This budget accommodated every one of his requests. So nothing was cut, nothing was altered from what he initially requested.

Councilman Vishnu Patel:

Some of the equipment is a quarter million dollars and it broke down. So there was the issue; it was a discussion between two departments and two different machines, and it cost almost a half a million dollars for the maintenance or replacement. We have to put the money away or increase the revenue or whatever we have to do because they cannot shut off the water. People don't want to spend the money but expect the service.

Supervisor Matt Slater:

Services aren't diminished. The service is the same level of service that people have right now.

Councilman Vishnu Patel:

I have people who ask if Yorktown water is no good. Come on, now – Yorktown is the best water because I have proof from the state but expenses happen every day. We have a responsibility to the taxpayer – spend as little as we can and still provide the service. (*Unclear.*)

Councilwoman Alice Roker:

You know, Vishnu, I think the more important problem than the equipment is something I've been asking department heads for a number of years and that's infrastructure. Every time we get a water break, it's because the infrastructure is old. At some point, I believe that the federal government will have an infrastructure program. I think that because our water lines are so old that those are part of the reasons I've asked, particularly water and sewer. I know David has gone and clocked all of his roads – he did that during this summer – but I think the more important things are the things we don't see, like the water and sewer lines. That's really where, if you have a concern, where it should be (or at least I think so).

Supervisor Matt Slater:

We spoke with Kenny and he's going to be undergoing that hydrology study with the consultants. This budget is going to actually utility them, which we've discussed with Pat. (Kenny Rundle joined conversation.) Can we just ask you again, one more time, this budget that we are looking at for the Water Department, this budget is the one that you put forward with the help of our Comptroller to achieve your needs for next year?

Ken Rundle, Water Department Superintendent:

Absolutely.

Councilman Vishnu Patel:

What else would you like to have in it to provide services? Employees want to have the right equipment to do the job and the amount of money. The equipment is not part of this, how much water you buy and sell to make a profit. We know there is some profit here to cover the cost of the employee but the equipment has to be addressed in the future.

Supervisor Matt Slater:

Thank you, Councilman Patel, and Kenny and I have met several times this week, including today, looking forward to next year. I think the thing that we've identified, obviously, that we've talked about just last week is the water meter situation, which, as we've heard before and we heard again today from a separate vendor, would increase the revenue for the Water Department. So that's something you're very focused on. Looking, as you said Councilman Patel, to future budgets, how do you generate more revenue and everyone we've spoken to is also the same thing and that's a comprehensive water meter replacement program and getting out of the run and the hamster wheel that we're currently running. That's something that Kenny and I had a conversation about today, with more consultants and vendors and it seems everybody we talked to kept saying the same thing. Pat was a part of that conversation as well. When we talk about the financial structure of the Water Department, the deficiency that continues to rise is the water meter situation and so looking forward, that's going to continue to be the priority as we work towards a solution to address some of the issues you've raised. Any other questions for Kenny?

Councilman Vishnu Patel:

Yes. Years ago, the water tank failed and it was a \$2.2 million that had to be done right away and \$1 billion was bonded. So if there is something you really want to do and it's important that we have to mandate something just to make sure that we can offer the homeowners the services without any interruption.

Supervisor Matt Slater:

I completely agree with you, Councilman Patel, there's no doubt about that. I think that there's obviously a difference between operating budgets and capital improvement budgets. This, from an operating standpoint, still covers Kenny's needs but also allows him to take steps on the capital improvement side, as we invest for the first time every \$600,000 into water relining. So it does accomplish that. Again, with our focus moving forward, to your point, how do we get to that next level after this budget? We hope to have that solution through the water meter program and a comprehensive solution and comprehensive approach to that so we can stop this piecemeal. That's, as I stated before, you're looking at 24 years for a 20-year product that just doesn't work.

Councilman Vishnu Patel:

We tell people that you need the potable water and it's very important, not just drinking water but for many other uses in the house. So if somebody tells you that water is expensive, we should educate the people that if there is an emergency, we may have to bond it. Just like the fluoridation is a part of a very important project.

Supervisor Matt Slater:

Thank you, Councilman Patel. With that, if there's no other questions from the Board, we can open up to the public. I'm sorry – I did have a phone call earlier from Ed Ciffone – he couldn't get onto Zoom. He had a question, Pat, on the unassigned fund balance.

Patricia Caporale, Town Comptroller:

He can only quote the fund balance as of December 31 of last year.

Supervisor Matt Slater:

Right. Can you just explain what the unassigned fund balance is so the public can understand it? And what the percentage of that is to the entire bundle?

Patricia Caporale, Town Comptroller:

Well, it's only the General Fund that can maintain an unassigned fund balance. So when we're discussing it, we're just discussing what was in the general fund. It's on page 19. Was that the one he was referring to? So as of December 31, of last year, as per that page, it's \$16,000,688 and these numbers are derived from the auditor's report, after they audit our books for the year and close them out.

Supervisor Matt Slater:

Right, and so we'll go through that process again this coming spring, right? That will give us an updated number as to what that would be.

Patricia Caporale, Town Comptroller:

It will be quoted as of December 31 of 2020 because it's just such a moving target. Anytime a deposit is made the revenue goes up, the fund balance goes up. Any time we issue any check, the fund balance goes down. So it can be quoted minute to minute, which is why I cannot quote you a fund balance other than as December 31 of the previous year.

Supervisor Matt Slater:

Any questions from the Board on that? Then we will go back to open the public hearing and we'll entertain testimony from the public.

#### PUBLIC HEARINGS

#### RECONVENE PUBLIC HEARING - PRELIMINARY BUDGET FOR FISCAL YEAR BEGINNING JANUARY 2021

Supervisor Matthew Slater will reconvene the public hearing on the Preliminary Budget of the Town of Yorktown, Westchester County, NY for the fiscal year beginning January 1<sup>st</sup>, 2021, and that at such hearing any person shall be heard in favor of or against the preliminary budget as

compiled for or against any items therein contained, and the 2021 Preliminary Proposed General Budget totals \$60,752,538 representing an increase of \$18,842 from the 2019 Adopted Budget.

Marc Lieberman:

Good evening. You guys were drowning me in the water issue! So thanks again for letting me participate in the budget hearing. You touched on this a little bit, but I don't think you cleared it up completely. Two weeks ago I pointed out the actual tax rate on the town tax bill was 168.35, not 169.75, which appeared on pages 16 and 17. If you look at page 17 and go through your calculations for the preliminary budget for a homeowner with a typical dollar (?) assessed valuation, you have the calculation for 2021, which is \$2,263.57. Using your rate of 169.75, you come up with \$2263. If you use the actual rate of 168.35, the 2020 typical assessment bill with utilities is \$6,021, not \$2276.60. Therefore, where you show an decrease of \$13.03, it should actually be an increase of \$3.36, which is the actual growth rate for 2020. (*Computer issue*). My question is: are you showing the actual rate for 2020 on page 17?

Patricia Caporale, Town Comptroller:

Let me pull up the spreadsheet on this one. This is based on the assessment values that we had at this time. I get the rates from the Assessor when I'm computing out the budget.

Marc Lieberman:

Right, but as I sent each Board Member, my tax bill, and hopefully you all received it and you could look at your own tax bill, the number is actually 168.35, not 169.75, which changes the calculations on page 17.

Patricia Caporale, Town Comptroller:

Okay, well I will look into that for you. I'm frozen right now and can't get back on the computer. That's exactly what I'm trying to do right now for you.

Marc Lieberman:

Okay. I don't know how you want to leave this. As I said last time, once you know an actual rate you should show an actual rate.

Patricia Caporale, Town Comptroller and Supervisor Matt Slater discussed the computer problem.

Marc Lieberman:

All right. Well, I'll let you guys work it out. I don't know how long you want to wait for the computer but just for the holidays: imagine you all have a glass of wine and we're celebrating everybody's holiday and a good and happy, healthy 2021.

Supervisor Matt Slater:

Thank you, Marc – appreciate it. Happy 2021 to you and your family, as well.

Susan Siegel:

Before I make any comments on the budget, I want to go back to the fluoridation project.

Supervisor Matt Slater:

This is a budget hearing.

Susan Siegel:

This is money, okay? It's money from 2020 and it's money in 2021. The issue is not where you're going to find \$70,000. You've got in the budget book where it says that as of December 2019 your fund balance in water was, I think, \$2.6 million. I know it's difficult; I know it's a moving target. But let's, for argument's sake, say you have \$2 million in the fund balance – I think you can afford \$70,000 for the health of our community. That's not an issue that you should have to think about. You're not going to meet again until January, and typically, the first meeting of the year is going to be routine stuff. So this puts it off until into mid-January and you're losing an entire month; we have lost years and years of non-fluoride. Please vote for it tonight. There's no reason to delay. You don't have to find the money; the money is going to come from the fund balance. There's no magic other place to find the money so, please, I urge you to vote for it tonight.

Supervisor Matt Slater:

The Town Board members needed to get their information settled so they're comfortable making that vote, Susan. That's what it comes down to.

Susan Siegel:

What was there to think about when this is a health issue? The money would come from the fund balance; there is no other place it's going to come from. I think the delay is unconscionable.

Supervisor Matt Slater:

I think the Board has been very clear that we're not here to re-debate the issue. The Board is supporting the fluoridation project, but it comes down to management of the project and the financing of the project and that \$70,000 in overruns and only 30% of the project being completed, it raised some concerns with the Board that they had to get comfortable with so let's get back to your testimony regarding the budget.

Susan Siegel:

I have some general comments and I'm sorry that there wasn't a fuller discussion just among the Board members at the work session on December 8 where you could have addressed a lot of the comments that were made during the December 1 hearing. There are very many. Let me zoom in on the water district. First of all, Alice, you made a comment about some spreadsheets that you had and didn't explain what that spreadsheet was.

Patricia Caporale, Town Comptroller:

The one that was in the budget, Susan – the one with the tax rates. All I did was explain what that was.

Susan Siegel:

You're not changing the number?

Patricia Caporale, Town Comptroller:

All I did was give a full explanation as to how those numbers were derived and it was budget to budget.

Susan Siegel:

It's not actual?

Patricia Caporale, Town Comptroller:

That's correct.

Susan Siegel:

Before I get to the water district issues and I appreciate that full discussion, let me pick up on what Marc Lieberman just said. Marc raised the issue December 1 and I raised it – the fact that the budget, when you're comparing 2020 to 2021, you should be comparing the actual rate of 2020 to what you're proposed for 2021. That's the honest way to tell your taxpayers what the change is year to year. When you do all the other pages in the budget on the revenue and expenses, you have actuals for 2018 you don't show what was budgeted, you show the actual for 2019. You show the actual because you have those final numbers. You even show the actual for what you've spent in 2020 up until the day that page was printed. There is no rational reason why you're not showing the actual tax rate for 2020. When you have those rates, those are the real rates. As you explained at the hearing, the rates change between the December budget and the April when the April taxes go up because the assessed value changes, which is perfectly understandable. After the meeting when this point was raised and the importance of it was raised, instead of telling taxpayers with, again, the typical household with the assessed value of 10,000 with water, you're telling them that their total tax bill for the town tax, refuse, water, and emergency services – you're telling them that it's going down \$13. As Marc said, it's actually going up \$3.36 when you use the actual tax rate that was paid in 2020. That is being transparent; it is being honest. The Town has historically used the budgeted tax rate when they do these comparisons – I did it when I was supervisor. I didn't realize the difference. When I realized it this year, I said "Wow – this makes a difference." Just because we've done it for 10, 20, 30 years this way doesn't mean it's the only way to go or it's the right way. When we realize we've made a mistake, it's time to change that. Right after the public hearing on December 1, I sent you a spreadsheet that laid it out. All the Board members had it. And I also sent it to you, Pat, so you saw the difference between using the budgeted rates for 2020 and the actual rates for 2020, which were taken directly from the tax rate sheets.

Patricia Caporale, Town Comptroller:

No one is arguing that, Susan.

Susan Siegel:  
So this should be shown in the budget.

Patricia Caporale, Town Comptroller:  
In the next run, absolutely, I cannot....

Susan Siegel:  
It should be done now. There's no reason why the pages can't be changed now so you show the actual pages now. You had from when this was brought to the Board's attention on December 1 – there was ample time to change the historic chart on page 16, the comparison chart on page 17, and I don't know if any other charts or any other pages had to be done. There's no reason once the error was brought to your attention. So I urge you to continue that because if you're going to adopt a separate adopted budget, there might be some changes – I mentioned two relative minor typos in the budget and I would hope that those would be changed so they're not there for posterity. I won't go back and explain those because I think it was clear that those were just inadvertent types of mistakes, but they're significant because they dealt with people's understanding of the taxes they pay the water district. I have to say, Ken, you're a good soldier. You know that the Town Board was kind of constrained in terms of the taxes and so you kind of went along with them; you weren't asking for everything that you have said in previous meetings that your department needs. The \$600,000 for cement lining – that's fantastic that they finally put it into the budget. But you need, I don't know, between \$2 and \$3 million. The Board knows this and how important it is to do the completion of the water meter project. I am so glad to hear you're moving ahead on that. They have also mentioned the importance of needing funds for repainting the tanks. So to say that this budget includes everything you need, as I say, it really doesn't because your needs and the Board knows the needs because I have watched the Board meeting where you had explained these needs. The water district desperately needs critical infrastructure projects. There is no excuse for actually decreasing the water district tax; granted, the user rates have been increased because they had to be increased and that's the major source of your revenue. The tax rate is also important and raises over a million dollars and it wouldn't make that much of a difference if you even increase it by another \$1.00 – it wouldn't hurt people. And that gets into the tax levy issue. I urge you to take with a grain of salt Ken's comment to you. Alice, you made this point – you asked Ken if he was happy with the budget – he's not going to come in and say to you and the Board that he's not happy with the budget and needs a half a million dollars more; he's just not. I heard every department head at the budget meetings back in November. They were all nice and polite, very agreeable to you. No one basically said I really need more money for "X, Y, and Z."

Councilwoman Alice Roker:  
Susan, I'm going to respectfully disagree with you.

Susan Siegel:  
But I don't think you can...

Councilwoman Alice Roker:  
No, I'm not going to let what you said stand. I spoke to Kenny, not on television, but in person. I asked him, "Do you have enough money for next year?" And you know what? I have fought for him for the last couple of years to get money. He said "I am happy with what I asked you to do." I don't think you are aware... You're including the water meter project in there and I think you sat through our meeting last week when we talked to a company that has agreed that they would like to do our project in Yorktown. We do not have to lay out any money upfront; I believe we're going to be speaking to another company. I know in the past what we've talked about, but I tend to think that Kenny has a brain and is not constrained with me to tell me what he wants.

Susan Siegel:  
If you gave Kenny a million dollars instead of \$600,000, he could do more on the cement lining project because he has told the Board, and I have been at the meetings where he's told the Board, that \$600,000 is just for a piece of the project, and that there is a greater need. So he certainly could spend a million dollars as opposed to \$600,000.

Councilman Ed Lachterman:  
Susan, he could probably spend \$12 million but the point is, is that responsible budgeting?

Susan Siegel:

Well, the point I'm making, as I say, Kenny is being a good soldier. I also sat and listened to the water meter project. I am very glad that there is a concern on the Board to complete that project. But after that meeting, I sent you a list of potential issues and questions and I hope you've had time to look at that because that was one way of financing the project. But I think there were a lot of questions about it that certainly need more explanation. The other thing on the water meter project and the water district, I asked you at the hearing on December 1 to look at your water purchase line – you've increased it slightly. Kenny has explained, and it makes sense, that the customers are using more water because they are home more. In fact, you've not only increased the revenue for next year, but also at that meeting, you had to increase your water purchase by about, I think, \$850,000 because you were purchasing more water. That kind of increase is not reflected in the water purchase line in the 2021 budget. How can you increase your revenue, but not the water purchase? The two don't go together. If you're going to expect more revenue, that means you're purchasing more water. So I urge you to look at that line more carefully. The other comment, and I would welcome comments from the Town Board on something else I said on December 1, is have you given any thought to increasing your town tax by \$5? Not \$5 on the tax rate, but a total of \$5 in the tax bill. How much revenue would that generate? My calculation, and Pat, correct me if I'm wrong, could add about \$600,000 to the town tax. So if that number is correct, or anything close to that, then I would ask Dave how many more miles of road could you pave for \$5? Do you think the Yorktown taxpayer would really object to paying \$5 more in their town tax bill? I just ask you to think about that. I know there's always pressure to reduce taxes, but people also want safe roads to drive on. They want their drainage fixed. These are critical issues for our residents. So what would \$5 be? And Pat, could you estimate that if you took \$168.25 and added \$5 to the tax bill would it come close to \$600,000?

Supervisor Matt Slater:

Please direct your questions to the Board and we will direct them to the department head.

Susan Siegel:

So, I'm asking you to look at that and again to change the tax rates to the actual tax rates for 2020 in this budget and do it this year. That's about it. Thank you very much.

Supervisor Matt Slater:

Thank you, Susan. Anyone else, Diana, for the public hearing?

Diana Quast, Town Clerk:

I do not have anybody else that registered with me.

Supervisor Matt Slater:

Okay. I'm going to go to the Board. Does the Board have any comments?

Councilman Ed Lachterman:

I'd like to make a comment, Matt. We had a lot of discussion with the Board about not raising taxes this year. People say, "What is \$5?" I do a lot of work with different food banks, shelters, pantries, and places where people are hurting. The lining up at food pantries is unbelievable. What does \$5 mean? Five dollars could mean dinner for a family of four; that \$5 means a lot to people right now. I think that even looking at other municipalities in the area and even our county, they decided to not raise taxes and to try to lower them in order to help people out. I think that, as a priority, our roads, yes, need a lot of work but our citizens, the people in the Town need to eat, they need to pay their bills, they need to get their medications. That \$5, with everything happening right now with COVID, means something. I have put a lot of thought into it; I've spoken to a few people and I really think that's what important right now. Do not touch that.

Councilman Vishnu Patel:

There are hungry people, people who don't have jobs because of COVID, family issues, etc. There are people who are so generous and give a lot more than what they have. If you own your own home, \$5 is okay because this is for the entire community, not just one person – everybody uses the water and everybody has to pay. When gas goes up, people pay the price. We cannot control these prices, but the water problem is a very unique problem. About 20-25 years ago, Yorktown was running out of water and this is the kind of thing we have to think about. We are a very proud community and we all work together to do a good thing for our community.



Supervisor Matt Slater:  
Thank you, Councilman.

Councilwoman Alice Roker:

I'm going to agree with both of my fellow council people. You mentioned Dave Paganelli. I'm not sure, Ms. Siegel, that you were brought into the meetings we had with the different departments because Dave was the first and he had an idea for how he'd like to contend with his roads in addition to getting the money that's already in the budget scheduled to pave the roads. There is another thought on how we will get it done and I think it's actually a very good thought. Do you want to talk, Dave?

Supervisor Matt Slater:

If I can before Dave – I don't know if Dave's here because he's probably busy preparing for the storm.

Dave Paganelli, Highway Superintendent:

No, I'm here.

Supervisor Matt Slater:

In Dave's defense, he's done a very good job with paving the roads. Excellent. I also just want to make sure that ... it's a bit unfair to the residents because people are mixing apples and oranges – you're mixing operating with capital. Those are apples and oranges. There's a difference between paying your utility bill every month and paying to get your driveway repaved. Those you manage very differently at your dinner table. I think that from our standpoint, from an operating perspective, this budget accomplishes what it needs to keep and maintain the same level of services and, in some cases, expand those services for the residents of Yorktown and we're able to do it in a responsible way – to Councilman Lachterman's point – that it doesn't hurt people who are already on thin ice financially, considering the times and the challenges of today. Now, from the Highway Superintendent's standpoint and, forgive me if I'm taking words out of your mouth (Dave), but he did a fantastic job with what he had available to him this year. Again, remember, the state pulled back some of his CHIPS money on the paving but he was still able to accomplish an awful lot. And to Councilwoman Roker's point, yes, he has some creative ideas that help us achieve more, but what we have this year in the budget allows him to continue make sure that our roads are safe for our residents and address his most immediate needs including things like the Old Crompond Road culvert, so we can begin moving that project forward in the appropriate way. That's all included here. Dave, I don't mean to take words out of your mouth, but I do want to compliment you on what you've done.

Dave Paganelli, Highway Superintendent:

Thank you – I appreciate it. I appreciate the fact that we are all working on a creative solution to sort of catch us up on our paving issues. I think that, all being said, without any impact to budget whatsoever, we have some great plans that could come to fruition and will be very surprising to everyone with how much we're able to accomplish.

Supervisor Matt Slater:

Again, the key there, though, is net zero on the budget. That's what we're always looking to do. How do you achieve a full implementation of a water meter project without passing on the costs and going into debt in order to do it – that's the balance. I just want to emphasize to everyone at home to think about your operating budget and how your house runs every month. Think about the expenses you pay every month and then think about those one-time shots – your driveway, your roof, replacing your fence. That's not an operating expense. That's not the monthly bills to pay for the electric. That's a capital project. You have to save up the money and then you pay for it once you are able to afford it. If you want to look at it from a debt perspective, you put it on the credit. Those are your two options. We're talking operating versus capital improvements and from an operating standpoint, which is what this budget is, it's the operations of the Town. From an operating standpoint, this accomplishes what each department had asked for. Any other comments from the Board? What does the Board desire? Does the Board want to adjourn? Does the Board want to support a vote?

Councilman Ed Lachterman:

I'd like to make a motion to vote to adopt.

Diana Quast, Town Clerk:

You have to make a motion to close and then you can adopt.

Councilman Ed Lachterman:

Okay, motion to close the public hearing.

Susan Siegel:

Can I make an additional comment to your comment about separation of operating and capital budgets? It's important because it deals with what Dave said and what you've said, and also Alice, if we use Dave's suggestion about borrowing to do the roads because he identified certain roads, if we borrow money for that or we borrow money for the pump stations for Hallocks Mill or we borrow money for some of the important Water Department projects, debt service is an expense in the operating budget, so you cannot separate unless you're funding it from a fund balance. We don't have the money in certain funds to pay for that and you're going to have to borrow money and that's an expense in the operating budget. So please don't separate out operating and capital and make capital sound like it's something else because it's not. And that issue for borrowing (and we do know that the Town is looking to borrow if you want to do that culvert project), you don't have the money in the highway fund balance, maybe you can transfer it because it's ADL. This gets to the tax levy issue. I'm not going to go into an explanation of the tax levy, but your tax levy is \$1.4 million dollars less in 2021 than what it could be and this is going to hurt you when you do your 2022 budget, when you might have some additional debt service. Your salary increases, which are already mandated with union contracts, are going to add about a half a million dollars to your expense budget next year. Everything else remains the same. So your expenses are going to go up next year, assuming you don't cut anything, and you don't know what your revenues are going to be. This gets to your tax levy and then you want to add on possibly some debt service, which is part of your operating budget. So I'm asking you to please think about that before you close the hearing and vote without making any changes in your budget. Thank you.

Marc Lieberman:

If I could just ask before you close the meeting, will you be changing page 17 to show the actual rates?

Supervisor Matt Slater:

Pat, will our Finance Department be updating the chart to make sure that it's reflective of what you're trying to accomplish there.

Patricia Caporale, Town Comptroller:

Absolutely.

Dave Paganelli, Highway Superintendent:

Supervisor, can I speak for a moment? This is the second time in meetings that my fund balance has been referred to, whether positively or negatively. I'd like to just state for the record that the Comptroller and I have been working for 7 years at Highway to bolster our fund balance that will come out of 2020 with over a \$2 million fund balance. I just want to be very clear on that – that's 33% of our operating budget. So I think that, between Pat and I, we've done a great job with respect to fund balance. So I'd rather not anyone refer to my fund balance anymore. Thank you.

Supervisor Matt Slater:

I think we had a motion by Councilman Lachterman to close the public hearing.

Councilwoman Alice Roker:

I'm going to explain why I'm going to second it. I raised that issue in terms of if we have a lower budget this year, the tax levy goes down next year. I think everyone agreed that they were aware of this. My concern is exactly what Ed said – we are fortunate that we were able to collect most of the Town's taxes this year, but that does not tell us what's going to be on the horizon for next year. I think people assume that everybody in Yorktown has a lot of money because they own a home here. We all know that's not true. I've worked for a couple of charities and we all know that it's not true. So I am going to vote for this budget, which basically keeps the taxes at the same level that they were last year.

Supervisor Matt Slater:

Was that a second, Councilwoman Roker, to close the public hearing?

Councilwoman Alice Roker:  
That was a second.

Supervisor Matt Slater:  
Okay we have a first and a second to close the public hearing.

Upon motion made by Councilman Lachterman, seconded by Councilwoman Roker, the public hearing was closed.

Councilman Ed Lachterman:  
If I may point something out, Councilwoman Roker, that I did not know and Pat educated me on, was that if we do not take an increase, we do not lose the whole amount of what we lost “cap wise” if we find a need next year. Some of that could be clawed back in.

Supervisor Matt Slater:  
Okay, we just want to make a motion to adopt the budget.

Councilman Ed Lachterman:  
Motion.

Councilwoman Alice Roker:  
I already motioned.

Councilman Vishnu Patel:  
May I make just one comment before we adopt – we have gone through issues in many ways but in a spirit of cooperation, I will go with the current budget proposal.

Supervisor Matt Slater:  
I have a motion from Councilwoman Roker, a second by Councilman Lachterman. All in favor?

Councilman Lachterman: Aye  
Councilman Diana: Aye  
Councilwoman Roker: Aye

Diana Quast, Town Clerk:  
Councilman Patel, how are you voting? I just need Councilman Patel to let me know how he’s voting.

Councilman Patel: Aye.

ADOPTION OF THE FINAL 2021 BUDGET  
RESOLUTION #416

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

WHEREAS, Supervisor Matthew J. Slater, acting as Budget Officer, did on the 26<sup>th</sup> day of October, 2020 file his tentative budget with the Town Clerk and the Town Board for its review, and

WHEREAS, upon completion of its review and modification of the tentative budget, the Town Board filed its preliminary budget of the estimated revenues and expenditures for the fiscal year commencing January 1, 2021, and

WHEREAS, a public hearing was called and duly held on the 1<sup>st</sup> day of December, 2020, at the Town Hall, 363 Underhill Avenue, Yorktown Heights, NY at which time and place the Yorktown Town Board did meet and review such preliminary budget as compiled, and accepted public comment for or against any item contained therein, be it

RESOLVED, that the Town Board of the Town of Yorktown does hereby adopt such preliminary budget and be it

FURTHER RESOLVED, that the said preliminary budget as adopted by this resolution be entered in detail in the minutes of the proceedings of this Town Board and it shall be known as the Annual Budget of the Town of Yorktown for the fiscal year beginning on the 1st day of January, 2021, and be it

FURTHER RESOLVED, that the several sums estimated for expenditures in the same annual budget as adopted are hereby appropriated in the amounts for the purposes therein specified, and be it

FURTHER RESOLVED, that the several sums therein estimated as anticipated revenues and the monies necessary to be raised by tax and assessments in addition thereto, to pay the expenses of conducting the business of the Town for the purposes contemplated by the Town Law and otherwise by law, shall be and become applicable in the amounts therein named for the purposes of meeting such appropriations.

FURTHER NOTICE IS HEREBY GIVEN pursuant to Section 108 of the Town Law that the following are adopted yearly salaries of Town Officers of this Town, to wit:

Supervisor -	\$121,328.00
Councilman (4) -	\$ 19,575.00
Town Clerk -	\$102,680.00
Superintendent of Highways -	\$126,181.00
Town Justice (2) -	\$ 33,126.00

The question of the adoption of the foregoing resolution was duly put to a vote on roll-call which resulted as follows:

Supervisor Matthew J. Slater	Voting	AYE
Councilman Vishnu Patel	Voting	AYE
Councilman Edward A. Lachterman	Voting	AYE
Councilwoman Alice E. Roker	Voting	AYE
Councilman Thomas P. Diana	Absent	

The resolution was thereupon declared duly adopted.

Supervisor Matt Slater:

Motion passes unanimously. Thank you to the Board and thank you to the public. We'll go back to our Finance Department to print out the final run of the budget and have them include the changes that Mr. Lieberman pointed out. That would be helpful for everybody. We'll continue with the agenda. We're going to convene another public hearing to consider the application filed by Ready Imaging, Inc. By the way, I'd like to say a big thank you to Pat Caporale and her Finance Department for a fantastic job. Thank you very much. As we said earlier, it's a real team effort.

Dave Paganelli, Highway Superintendent:

I'm going to take this opportunity to sign off, as well, and thank you for passing the budget.

CONVENE PUBLIC HEARING TO CONSIDER THE APPLICATION FILED BY READY IMAGING INC. FOR AN AMENDED SPECIAL USE PERMIT FOR A GASOLINE STATION LOCATED AT 1917 COMMERCE STREET

Supervisor Matthew Slater will convene a public hearing to consider the application filed by Ready Imaging Inc. for an amended Special Use Permit for a gasoline station located at 1917 Commerce Street, Yorktown, NY, also known as Section 37.18, Block 2, Lot 65 on the Tax Map of the Town of Yorktown. The request is for a proposed sign change to convert existing signage from BP Gasoline to Xtra Fuels.

Supervisor Matt Slater:

So, we're going to convene a public hearing to consider the application filed by Ready Imaging, Inc. for an amended special use permit for a gasoline station located at 1917 Commerce Street. I ask the Town Clerk to show the advertisement – thank you very much. Do we have someone on behalf of the applicant joining us tonight?

Al Whiting, Ready Imaging:  
This is Al Whiting from Ready Imaging.

Supervisor Matt Slater:  
If you wouldn't mind, would you just briefly describe for the Board again and the public what you're proposing to do?

Al Whiting, Ready Imaging:  
I think I can share a drawing on that.

Supervisor Matt Slater:  
I see we're once again joined by John Tegeder, our Director of Planning.

Al Whiting, Ready Imaging (*unable to share drawing - technical difficulties*)

Supervisor Matt Slater:  
This is in regard to the current BP gas station that's going to be changing over to Extra Fuels, correct?

Al Whiting, Ready Imaging:  
Yes, it's a BP gas station. It has a BP sign cabinet on a single pole. Right now, it does not have any means to display gasoline prices so the brand is going to be changed from BP to Extra Fuels. They're proposing to put a combination cabinet on that pole that displays the Extra Mart logo and allows them to display gasoline prices using an LED. The new cabinet is exactly the same size as the existing cabinet. It's going to be the same height, no increase in size and no change in location. That's basically the entire thing.

Supervisor Matt Slater:  
I want to thank the Town Clerk's office for referring this out to all agencies. We have received some feedback, including from the Conservation Board, who provided no comments. We also received a comment from the Planning Board and, again, I want to bring in our Director of Planning, John Tegeder. The Planning Board had specific comments about the freestanding sign that is proposed and recommends taking the opportunity to redesign the freestanding sign as a monument sign. While acknowledging that the site is tight, the board would like the applicant to investigate if the sign can be redesigned to be more in character with the Heights area – whether a monument sign or two-pole sign instead of the monopole sign. Your location would not cause sightline issues, as both adjacent driveways are one-way entrances. Do you want to just discuss what was said by the Planning Board?

John Tegeder, Director of Planning:  
Sure. This is the existing BP on Commerce Street. So looking at the presentation materials, which included photos, the board saw that there's the potential to modify the sign in its general location to it is to either a monument sign or a double pole sign. It's been the practice when rebranding comes in to gas stations and other commercial entities to try to go with signs that are in keeping with the recommendations in the sign manual, which basically asks that we try to do either double pole signs and, in particular, right to monument sign. We spent a lot of time with the sign at Lowe's, for instance, to make that look and have a visual presence to it. So that is what they're asking. It appears from the pictures that there is a little bit of room there to do either a monument sign or a double-pole sign and be very aware of the height and the implications of the height of the sign. So that's what they're suggesting.

Councilman Alice Roker:  
Are you saying that they never visited the Planning Board?

John Tegeder, Director of Planning:  
We had the referrals and I don't think it was attended by the applicant.

Supervisor Matt Slater:  
Any comments from the applicant?

Al Whiting, Ready Imaging:

I have visited the site and I'm sure you're all familiar with it. But you know, it's concrete and asphalt and I honestly don't know where a monument sign could be put in. Those are typically put in landscaped areas where there's some landscaping and maybe shrubs or mulch or something like that. To me, a monument as a very low profile. There's a lot of cars parked around this sign right now. I'm afraid if we put a monument sign there, it would be very difficult to see.

Supervisor Matt Slater:  
Would you consider the double pole?

Al Whiting, Ready Imaging:  
Sure, a double pole would be fine. What is the height that the Town allows for freestanding signs?

John Tegeder, Director of Planning:  
Sixteen feet.

Al Whiting, Ready Imaging:  
I'm curious why you would want to see a twin pole sign there rather than the existing single pole sign?

John Tegeder, Director of Planning:  
They look better.

Al Whiting, Ready Imaging:  
Okay, I agree with that.

Councilwoman Alice Roker:  
Generally when an applicant comes before the Town Board and they have something visual that they want to change in the Town, we ask you to go the Planning Board and get their feedback because we rely on them in terms of making a decision.

John Tegeder, Director of Planning:  
I just want to remind everybody, just so in the context of the conversation, is that Commerce Street has had in the last number of years a lot of effort and work put into its aesthetics and so forth. We have done the streetscape, we have all of the street furniture, the lighting, lighting poles that we do that looks great during Christmas time, as it does right now. We care about it, we think about in on another, deeper level.

Councilman Vishnu Patel:  
Is this the Town requirement, by ABACA or the Town Board? Or are they asking us to do this because of some proprietary requirement? I wasn't sure.

John Tegeder, Director of Planning:  
I'll let the applicant answer that, but I think it's that they're rebranding the station with a proprietary sign with a logo, and so forth, and so they're looking for changes. When we do modifications, typically, we ask that the signs be changed to try to be in keeping with the recommendations of the sign manual. They are recommendations and we try to work with everybody. This is a tight space; it's acknowledged in the memo but it looked like there was some space that is not a parking space to at least do a double sign. When we spoke about a monument sign, it wasn't viewed that you could set a wide and broad monument sign but rather a kind of solid plinth really of the same width that the sign is proposed at but go up a certain height to do it that way. But you know, the point is to look at the design and to improve the aesthetics of the site to be in keeping with the streetscape.

Councilwoman Alice Roker:  
One of the reasons that this area is included in the flexibility study is so that we can get some kind of uniformity there. Not with everyone wearing the same color clothes, but some basic uniformity in that area, which there is none.

Councilman Ed Lachterman:  
I think it's important to point out that the Planning Board in their memo and in their discussions did not ask for any of the propriety elements of the site to be changed – just the display of the sign whether I was a double pole or the monument and lot discussion was put there. I think, John, they

also spoke about to enhance the elements by conforming the building to those colors, but removing some of the extra signage that's up there that is becoming a little bit of a high clutter nuisance.

John Tegeder, Director of Planning:

Yes, they didn't have any discussion or comment on the color scheme itself or the individual colors. That's fine. The building colors should match what the sign is. There should be some composition there that is pleasing. There are a lot of signs on the building and they thought that those should be removed.

Supervisor Matt Slater:

Does the applicant have any comments on the signs?

Al Whiting, Ready Imaging:

You mean on the building sign?

Supervisor Matt Slater:

Yes.

Al Whiting, Ready Imaging:

Well, the building currently has a green façade/green fascia to it, which is not an Extra Fuels color, so that is going to be painted white. That might have to wait until spring now, but that's going to be painted. There is a temporary sign on the building advertising the service days and so on. We can easily remove it; I don't see that as a problem.

John Tegeder, Director of Planning:

In the context of that conversation, we should all be reminded that there are specific regulations in the gas station special permit governing the number of signs, the amount of signs, square footage, and so forth. So really, since they're in rebranding, I believe that you should be looking at the whole complex in terms of the signage and make sure that it's either in keeping with what's in the regulation – you do have the authority to modify those. It's explicit in that special permit. So if it makes sense, you can modify it up or modify it down, but you should probably be looking at everything on the building and everything on the site.

Councilwoman Alice Roker:

I'm going to ask that we adjourn this public hearing and have the applicant visit with our Planning Department.

Supervisor Matt Slater:

When's your next meeting, John? I'm sorry, Councilwoman, you wanted them to go to the Planning Board or the Planning Department?

Councilwoman Alice Roker:

Joh, what do you want him to do – visit you or the board?

John Tegeder, Director of Planning:

I'm happy to have him visit me. If you want him to go to the board, that's fine, too. They meet on Monday; I can try to find a spot for him. It's really up to the applicant. If he feels that he's pressed for time and would like to meet with my department, I'm happy to do that.

Supervisor Matt Slater:

But when it comes to signs, would it go to ABACA or to the Planning Board?

John Tegeder, Planning Director:

ABACA does a lot of work with the sign permits. So what will happen here is that ABACA will see this as a matter of course, when it goes for the actual sign permit. Typically, I think that's what usually happens and should happen. So it is probably a good idea to get to them beforehand so that there are no other surprises later.

Supervisor Matt Slater:

Okay, so it sounds like the applicant is accomplishing two out of the three. They're out there accomplishing the buildings colors are going to match the brand because it's going go from green

to white to match the Extra Fuels' colors and the applicants committed to removing the illegal banners that are on the building. So it's just a matter of the monument sign.

Councilwoman Alice Roker:

I think if you look at any recent gasoline stations we've dealt with, and it's been the same level, we've talked to them about monument signs or double pole – mostly monument signs.

Supervisor Matt Slater:

I understand. I think, though, looking at the site and the Planning Board and the applicant recognize that the double pole would be the viable option, correct?

Al Whiting, Ready Imaging:

Yes, and I have no problem with that. Do you know what the allowable square footage is on a twin pole sign or the overall square footage allowed at the site?

John Tegeder, Planning Director:

Offhand, I don't have those numbers, but I can get them to you tomorrow. We can talk tomorrow.

Al Whiting, Ready Imaging:

That would be great.

Councilman Ed Lachterman:

A couple of things that I think you know why you're here – I'm not sure if they came up during the Planning meeting or one of our meetings, but there were some comments about the amount of parking there is on the street and cars for sale being parked there. There was a question about the amount of parking and the restrictions. I had the question of the two clothing bins that are there that I don't know were actually licensed through the Town, which is part of our code. But all of those boxes are supposed to be licensed and there's a fee on them to keep them from being an eyesore. So it's just something, if you're making notes, to look at those. They are definitely concerns that have been brought up.

Supervisor Matt Slater:

I know a few weeks back we had discussed no parking zones for Commerce Street in conjunction with the Traffic Safety Committee and our Highway Superintendent, with both White Hill Road and Commerce Street. So those are things that we were continuing to push forward anyway. When were you planning on having the rebrand?

Al Whiting, Ready Imaging:

As soon as we can get approval. The lead time on the signs is anywhere from four to six weeks. A new twin pole sign would require concrete footings being poured so that's another element that we would have to deal with. Probably six to eight weeks.

Supervisor Matt Slater:

Do we have anyone for the public hearing? Good evening, Mr. Kopstein.

Jay Kopstein:

Good evening. I had a prepared statement but I don't want to duplicate what other people have said. First, I don't think your board should be looking at this at all until the applicant brings this property into conformance with both New York State law and the Town Code. Mr. Tegeder and Councilman Lachterman both mentioned the collection boxes and the unlawful signs. On a daily basis, there are cars parked on the sidewalk. I've been down that street where a child on a bicycle or a caregiver pushing a carriage can't make it down the sidewalk between the cars on the sidewalk and a light pole at the eastern end of the property. When there are cars or small SUVs on the street, they can't even go into the street to get around. I've counted as many as four cars on the sidewalk at one time. As we all know, and Councilwoman Roker was there, Police Officer Rohr spoke to them about the cars on the street and described to them how it was a safety hazard. Instead of ameliorating that condition, they poked a finger in our eye by parking cars on the sidewalk at the same time. I think the Town Board has to deliver a message and have the site inspected for compliance with both New York State law and the Town Code and not honor or consider any application until there's conformance with both. Thank you.

Supervisor Matt Slater:



Thank you, Mr. Kopstein. Anybody else for the public hearing, Diana?

Diana Quast, Town Clerk:

No, that was the only request.

John Tegeder, Director of Planning:

I just have some information here. I just looked it up and the freestanding sign is limited to 30 square feet for each sign face.

Councilwoman Alice Roker:

You know with everything that's been said tonight with regard to this station – and I'm sure that the new owner doesn't want all of what's being said, said – I think that this requires us to pause and adjourn this hearing until the Planning Board or Planning Department have met with the applicant and the Building Inspector has gone out.

Supervisor Matt Slater:

Right. I do know that the code enforcement officer has gone and visited several times. The problem with the street parking issue, and that's all I've asked him to look at, is that since there's no "no parking zone" there, there is nothing for him to enforce, which is why we wanted to move that "no parking zone" forward. Beyond that, on the site itself, we have not asked them and I agree that it makes sense for the Building Inspector to take a look at the site to make sure that they are up to code. So, obviously, I have no problem adjourning the public hearing. Councilman Lachterman, Councilman Patel – thoughts?

Councilman Ed Lachterman:

I feel the same. I do agree with Mr. Kopstein that they need to be getting things in order, but I am personally a fan of working with the applicant in getting things done.

Supervisor Matt Slater:

So let's leave it at this then – if the applicant can make an appointment with the Director of Planning and work directly with our Planning Department on the sign issue and then also ask the applicant to speak to our Building Inspector to walk the property to provide an inspection to make sure that there's no other glaring deficiencies that need to be addressed. I think if we can accomplish both of those and then come back to the Board early in January, then we can hopefully move this application forward.

Councilwoman Alice Roker:

Also, if we can get the Public Safety Committee to tell us what they want to do in that area regarding the traffic.

Supervisor Matt Slater:

I believe that they're in support of the "no parking zone" (I know Dave Paganelli is in support) because there is no legislation. We'll make sure we focus on that and get that done as quickly as we can.

Upon motion made by Councilwoman Roker, seconded by Councilman Lachterman, the public hearing was adjourned.

CONVENE PUBLIC HEARING TO CONSIDER THE APPLICATION FILED BY STATION-GLO FOR AN AMENDED SPECIAL USE PERMIT FOR A GASOLINE STATION LOCATED AT 3205 CROMPOND ROAD

Supervisor Matthew Slater will convene a public hearing to consider the application filed by Station-Glo on behalf of Chestnut Petroleum Distributor Inc. for an amended Special Use Permit for a gasoline station located at 3205 Crompond Road, Yorktown, NY, also known as Section 36.07, Block 1, Lot 13 on the Tax Map of the Town of Yorktown. The request is for a proposed sign change and canopy re-facing.

Supervisor Matt Slater:

We will convene the second public hearing and our Town Clerk is holding up the advertisement. This is to consider the application filed by Station Glo for an amended special use permit for a gasoline station located at 3205 Crompond Road.

Councilman Ed Lachterman:

Matt, for clarification, this is the one down past BJ's at the bottom of the hill?

Supervisor Matt Slater:

John, is that the one? Is it that or is it the Mobil?

John Tegeder, Director of Planning:

This is the Mobil across from Lowe's, as far as I understand.

Councilwoman Alice Roker:

John, have they come in to visit with you?

John Tegeder, Director of Planning:

No.

Supervisor Matt Slater:

Do we have an applicant available?

Diana Quast, Town Clerk:

Unfortunately, we do not. The applicant that was on earlier had a family emergency and had to leave.

Supervisor Matt Slater:

Okay. We wish them well with whatever they have to deal with. Do we have anybody for the public hearing – anyone from the public who wants to speak?

Diana Quast, Town Clerk:

I have no one who has requested.

Supervisor Matt Slater:

Okay, so I think in that case, we can adjourn this.

Councilwoman Alice Roker:

It's better not to open it then to return to it because it's not fair to the applicant, if they're not here. I think someone needs to tell the applicant they need to go visit with the Planning Board because I'm not sure if they're all aware that even though it may be for a sign, you've got to go to planning and to ABACA.

Supervisor Matt Slater:

Right and it's the same comments as the previous. So instead of chasing our tail, I'm fine with it.

John Tegeder, Director of Planning:

My recollection is that when I talked about it with the Town Board, I believe on the night that you referred it out, I think we did talk about the monument sign and the applicant was on that night. I did think he said he was willing to look into that, but I don't think we heard from him during the night at the Planning Board. I haven't heard from him since, really.

Supervisor Matt Slater:

Then John, if you could or I could, reach out to the applicant to let them know – we're going to give them the same orders. They should come to either the Planning Department or the Planning Board to discuss the monument sign. I think at that site, it makes sense because of the location. So before they come back, let's make sure we have that conversation with them as well. We're going consider this not to be opened. We will move on to resolutions. We'll take them together.

AUTHORIZE THE SUPERVISOR TO EXERCISE THE OPTION TO EXTEND THE CONTRACT WITH AAA CARTING, INC., FOR THE COLLECTION AND DISPOSAL OF RESIDENTIAL REFUSE AND RECYCLABLE MATERIALS  
RESOLUTION#417

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

BE IT RESOLVED, that the Town Board authorizes the Supervisor to exercise the option to extend the contract with AAA Carting, Inc., for the Collection and Disposal of Residential Refuse &

Recyclable Materials, for a one-year period from January 1 to December 21, 2021. The one (1) year extension shall be for the same term and conditions that are contained in the Contract at the time said option is exercised.

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

Supervisor Matt Slater:

Just as a point of information for the Board, we had pulled the table on this last week because it needed to be updated. There were a few adjustments that needed to be made in consultation with our Finance Department and Human Resource Department.

**AUTHORIZE THE FOLLOWING EMPLOYEES TO CARRY ACCRUED 2020 VACATION TIME TO BE USED IN 2021**  
**RESOLUTION #418**

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

WHEREAS, the following employees have requested and received permission from their applicable department heads to carry accrued 2020 vacation time for use in 2021, and

WHEREAS, the Comptroller has confirmed the available balances as of 2020 Payroll 24, for pay period ending November 27, 2020, now

THEREFORE, BE IT RESOLVED, the following employees may carry over remaining vacation time balances as follows, unless the employee takes vacation time after 2020 Payroll 24, which would reduce the time listed below:

<u>Name</u>	<u>hours</u>	<u>Name</u>	<u>hours</u>	<u>Name</u>	<u>hours</u>
Robert Alfano	33.75	Tara Guerrero	63	Christine Julian	35
Andrew Bergin	37.5	Peggiann Thorp	118	Margaret O'Reilly	78
Andrew Cerrato	90.5	Kristin Bohler	77	Marca McClenon	46
Scott Ferreira	49	John Landi	204.5	Curt Chase	60.75
Barry Gelbman	217.5	Brittanie O'Neill	35	Anthony Cuccovia	103.25
Vincent Haight	22.5	Jennifer Leonard	35	Kyle Gulitz	67.5
Michael Hoek	103.32	Joe Venitucci	208.5	Ed Mahoney	210
Eric Hollberg	67.5	Richard Falcone	35	Nancy Callichia	49
Stephen Melillo	52.5	Martin McGannon	262.5	Robyn Steinberg	112
Dominic Monopoli	113	Lori Rotunno	57.5	John Tegeder	245
Bryan O'Keefe	44.5	Barbara Korsak	245	Noreen O'Driscoll	245
Guido Parks	90.5	Patricia DeMarsh	171.5	Salvador Rivera	61
Richard Williams	22.5	Mark Bistro	30	Terri Campanaro	48
Jessica Bambach	91	Vincent Calicchia	52.5	Le Artis El	39
Anita Hecker	126	Maria DeRubeis	70	Sonia Mejia	30
James Martorano, Jr.	126	Curt Doerr	82.5	Lucia Katherine Dominquez	24
Mike Mill	175	Tom Lagatella	15	David Humphrey	13
Will Batista	42	Carl Laduca	97.5	Franz Rom	8.5
Dawn Irving	133	Jim Morgan	97	Maria Ricci	196
Michael Quinn	98	Cathy Romanych	171.5	Yolanda Vasquez	56
Doug Paget	45	James Waterhouse	82.5	Shane Enea	31.54
Kristin Scherrer	51.5	Anne Anderson	162.5	Scott Mills	25.25
Louise Kobiliak	69.5	Jake Arcara	49.5	Daniel Moran	135
David Doherty	78.5	Michael Battista	29.37	David Nikisher	135
Jake Vaccaro	52.5	Joseph Bergin	26.25	Brian Stam	37.5
Andrew Heady	26.5	Nicholas Bernard	7.13	Michael Stigell	30
John Winter Jr.	63.75	Nicholas Burns	63.75	Nicholas Titka	90
Jenna Belcastro	31.5	Antonio Cambareri	105	Charlie Vilarino	262.5
Pat Caporale	245	Kieran Carney	86.25	Alfred Pisano	93.75
Gennelle MacNeil	146	Angela Cavallo	76.75	Chris Moran	103
Rachel Marchionno	42	Joseph Dellolio	50.5	Michael Hoy	52.5
Sandy Serrano	73	Ted Devlin	116.25	Paul Colarusso	78.37
Donna Andrews	84	Patty Dickan	33.75	Steve Vitulli	78
Donna Polito	17	Dennis Flynn	30	Daniel Cruz	32
Allison Egan	57	Peter Goldberg	83.25	Karren Perez	203
Maria Stolfi	161	Michael Grasso	251.25	Victor Contreras Bermeo	75
Shirley McCord	159.5	Kevin Harrigan	49.5	Kim Penner	245
Margaret Groccia	114	Robert Ireland	262.5	Margaret Gspurning	206
Irena Goss	80	Tom McNulty	157.5	Elena Panagi	28

Michael Echeverria	168	Don Gaffney	52.5	Kathie Nicholson	49
Robert Noble	40	Ed Kolisz	105	Brad Goodman	26.25
Adele Hobby	42				

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

AUTHORIZE COMPTROLLER TO PROCESS THE FOLLOWING BUDGET TRANSFER FOR THE HIGHWAY DEPARTMENT  
RESOLUTION #419

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

BE IT RESOLVED, that the Town Board authorizes the following budget transfer for Highway Department to fund payment for a Worker’s Compensation Notice of Decision, Schedule Loss of Use Claim:

From:

D.1002 Highway Fund Balance \$34,217.42

To:

MC.1930.402 Worker’s Comp Indemnity \$34,217.42

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

AUTHORIZE THE AUCTION OF MOTORIZED AND USED EQUIPMENT THAT ARE OBSOLETE AND NO LONGER NEEDED FOR PUBLIC USE BY THE TOWN  
RESOLUTION #420

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

WHEREAS, the Town of Yorktown has found that certain motorized and used equipment are obsolete and no longer needed for public use by the Town, and

WHEREAS, the Parks Department recommends to the Town Board that the listed motorized and used equipment be deemed obsolete and sold at auction by Absolute Auctions & Realty, Inc:

- 2017 John Deere 9009a Greens mower in excellent condition with 407 hours on it – Minimum Bid \$19,999.99
- 1999 Toro 345 front deck mower with a 72 inch cut and a 3 cyl gas engine with 2880 hours on machine. Deck needs extensive welding
- 6 yard dumpster - Condition Poor
- Honda track snow blower - Runs well, Fair condition
- Fradan leaf blower with 9hp Honda engine - Runs well, Fair Condition

NOW, THEREFORE, BE IT RESOLVED, that the following motorized and used equipment are deemed obsolete and will be sold at auction by Absolute Auctions & Realty, Inc.

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

Supervisor Matt Slater:

That concludes the business before the Board. I want to wish everyone, again, a Happy Hanukkah. Our next meeting is a week from tonight, and that’s a work session. I also forget to mention that the CCSE is going to be postponing their meeting, which was originally scheduled for tomorrow. We’ll be postponing that at this point to January.

Councilman Ed Lachterman:

With that being said, Matt, the Veterans Advisory Council meeting for tomorrow has also been postponed to the third Wednesday of January.

Supervisor Matt Slater:

So again, I also want to remind everyone to just continue to monitor the Town’s communications tomorrow with more information on the upcoming storm. Last but not least, I can’t believe I forgot

to mention the most important thing. If your children would like to write a letter to Santa, there's a mailbox, courtesy of the Yorktown Museum and the Town Clerk, right outside the Town Hall. It's a great service and program being run by our museum and they'll be getting a letter back from Santa as soon as it can be written. I want to thank Diana (Quast). With that being said, Yorktown, please stay safe, make responsible choices. COVID is not done; neither are we. So let's make sure we're focused on making sure we're protecting each other and protecting our families and our neighbors. We'll entertain a motion to adjourn the meeting.

ADJOURN

Upon motion made by Councilman Lachterman, seconded by Councilwoman Roker, the meeting was adjourned.

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